



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, February 2, 2026, 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. Matters Subsequent to Posting.
- 1E. 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: Proclamations - Presentations and Updates

- 2A. Presentation of the annual TCOLE Racial Profiling Report 2025 - Jennifer Howell, Police Chief/Assistant City Manager
- 2B. Upcoming Events -
 - Just FOIA Live Date-February 2026
 - Daddy Daughter Dance, February 6th, Freeport RiverPlace, 6:00P.M.-8:30P.M.
 - Celebrating Black History Month, February 7th, Freeport Museum, 11:00A.M.-3:00P.M.

80 Years of the Wednesday Review Club in Freeport, February 12th, Freeport Museum, 11:00A.M.

3: 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.

- 3A. Action regarding Minutes, January 16, 2026, and January 20, 2026 - Clarisa Fernandez, City Secretary
- 3B. Action approving date change for the second City Council Meeting in February 2026 to Tuesday, February 17, 2026 due to President's Day Holiday - Clarisa Fernandez, City Secretary
- 3C. Action approving Ordinance No. 2026-2759 amending Ordinance No. 2026-2757 related to the May 2, 2026, General Election - Clarisa Fernandez, City Secretary
- 3D. Action approving Ordinance No. 2026-2760 amending Ordinance No. 2026-2758 related to the May 2, 2026, Special Election - Clarisa Fernandez, City Secretary
- 3E. Action approving a Four Way Stop Sign Installation at the Intersection of 4th Street and Pecan Street - Dr. Danielle Kelly, City Manager
- 3F. Action approving the Quarterly Investment Report for the FY26 First Quarter, Ending December 31, 2025 - Ashlee Hurst, Finance Director

4: Business

- 4A. Consideration and possible action approving Resolution No. 2026-3024 appointing members to the Senior Citizens Commission.(Dr. Danielle Kelly)
- 4B. Consideration and possible action approving Resolution No. 2026-3025 appointing a member to the Beautification/ Parks and Recreation Board.(John Perez)
- 4C. Consideration and possible action approving Resolution No. 2026-3026 to amend section 9.07A Alternative to Overtime: Flextime to the Personnel Policy Manual.(Dr. Danielle Kelly)
- 4D. Consideration and possible action approving Resolution No. 2026-3027 adding Section 9.23 to the Personnel Policy Manual.(Chief Jennifer Howell)
- 4E. Consideration and possible action approving Resolution No. 2026-3028 determining the methods of making Public Information Requests (PIR).(Chief Jennifer Howell)
- 4F. Consideration and possible action approving Resolution No. 2026-3029 amending section 9.01 Texas Municipal Retirement System of the Personnel Policy Manual.(Chief Jennifer Howell)
- 4G. Consideration and possible action approving Resolution No. 2026-3030 authorizing the application for an acceptance of State and Local Cybersecurity Grant Program.(Chief Jennifer Howell)

- 4H. Consideration and possible action approving Resolution No. 2026-3031 authorizing the City Manager to apply for and accept grant funding from the Office of the Governor of the State of Texas under the FY2027 Criminal Justice Grant Program for the Portable Radio Upgrade project.(Chief Jennifer Howell)
- 4I. Consideration and possible action approving Resolution No. 2026-3032 authorizing the City Manager to apply for and accept FY2027 Criminal Justice Grant Program funding from the Office of the Governor of the State of Texas for the Server Modernization Project.(Chief Jennifer Howell)
- 4J. Consideration and possible action awarding the annual fuel and alternative fuel contract to Senergy Petroleum, LLC.(Ashlee Hurst)
- 4K. Consideration and possible action awarding the annual janitorial services contract to Marsden South, LLC.(Ashlee Hurst)
- 4L. Consideration and possible action awarding the engagement of real estate representative contract to The Guess Group, Inc.(Ashlee Hurst)
- 4M. Consideration and possible action regarding repayment options for local sales and use tax overpayment of \$139,671.50.(Ashlee Hurst)

5: 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.

6: 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:

- 6A. Executive Session regarding: Texas Government Code, Section 551.071 (Consultation with Attorney) 1.) Discuss Industrial District Agreements. 2.) Discuss Surfside Water Billing updates.

7: Reconvene into Open Session:

- 7A. Take any action resulting from Executive Session.

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





City Council Agenda Item #[2.A]

Title: Presentation of the annual TCOLE Racial Profiling Report 2025 - Jennifer Howell, Police Chief/Assistant City Manager

Date: February 2, 2026

From: Chief Jennifer Howell, Police Chief

Staff Recommendation: None.

Item Summary: Freeport Police Department's Annual Racial Profiling data collection report is to be presented to the governing body each year.

Background Information: In 2001, it was added in the Texas Occupation Code stating that the Texas Commission on Law Enforcement (TCOLE) collect incident based data in accordance with the Code of Criminal Procedure. Chief Administrators of law enforcement agencies that meet the listed criteria must submit racial profiling reports through their data collection each year to their governing body and to TCOLE.

Special Considerations: N/A

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. 2025 Racial Profiling Complete Report



FREEPORT POLICE DEPARTMENT

430 N. Brazosport Blvd • Freeport, TX 77541 • 979.239.1211 • Fax 979.239.2075

TEXAS COMMISSION ON LAW ENFORCEMENT ANNUAL RACIAL PROFILING REPORT

I. LAW

This report is generated in compliance of the Texas Code of Criminal Procedure, Chapter 2, Article 2.131 – 2.138.

II. POLICY

The Freeport Police Department follows internal policy, 2.2 Bias Based Policing. This policy is recommended by the Texas Police Chief Association Best Practices Accreditation Program and was updated in 2024.

III. REPORTS

2025 Information generated by Brazos Technology
2025 Texas TCOLE SB 1187 Racial Profiling Report
2022-2025 Annual Statistical
2022-2025 Data Graphs

IV. CONCLUSION

The Freeport Police Department follows state laws and department policy. This report is to be submitted to the Texas Commission on Law Enforcement (TCOLE) annually to maintain compliance. The Freeport Police Department's software program generates the above listed reports from data that was entered as collected from traffic stops. The additional information is generated by the police department with information from the above listed reports, for comparison.



Texas Racial Profiling SB1187 Dashboard

Freeport, TX PD

January 1, 2025 - December 31, 2025

Officer Agency:

All

Type of Stop: All

Stop Result: All

Officer: All

Officer Troop or Unit:

Officer Agency: POLICE DEPARTMENT

01 Total Traffic Stops

3,559

02 Location of Stop

CITY STREET	67.29%	2,395
COUNTY ROAD	1.18%	42
PRIVATE PROPERTY OR OTHER	0.20%	7
STATE HIGHWAY	31.30%	1,114
US HIGHWAY	0.03%	1
Grand Total	100.00%	3,559

03 Was Race Known Prior to Stop

NO	99.72%	3,549
YES	0.28%	10
Grand Total	100.00%	3,559

04 Race or Ethnicity

ALASKA NATIVE/AMERICAN INDIAN	1.24%	44
ASIAN/PACIFIC ISLANDER	2.02%	72
BLACK	15.88%	565
HISPANIC/LATINO	39.45%	1,404
WHITE	41.42%	1,474
Grand Total	100.00%	3,559

05 Gender

FEMALE	ALASKA NATIVE/AMERICAN INDIAN	0.31%	4
	ASIAN/PACIFIC ISLANDER	1.33%	17
	BLACK	13.49%	172
	HISPANIC/LATINO	39.29%	501
	WHITE	45.57%	581
	Total	100.00%	1,275
MALE	ALASKA NATIVE/AMERICAN INDIAN	1.75%	40
	ASIAN/PACIFIC ISLANDER	2.41%	55
	BLACK	17.21%	393
	HISPANIC/LATINO	39.54%	903
	WHITE	39.10%	893
	Total	100.00%	2,284
Grand Total		100.00%	3,559

06 Reason for Stop

MOVING TRAFFIC VIOLATION	ALASKA NATIVE/AMERICAN INDIAN	1.40%	31
	ASIAN/PACIFIC ISLANDER	2.31%	51
	BLACK	15.75%	348
	HISPANIC/LATINO	39.43%	871
	WHITE	41.10%	908
	Total	100.00%	2,209
PRE EXISTING KNOWLEDGE	ALASKA NATIVE/AMERICAN INDIAN	12.50%	1
	BLACK	12.50%	1
	HISPANIC/LATINO	12.50%	1
	WHITE	62.50%	5
	Total	100.00%	8
VEHICLE TRAFFIC VIOLATION	ALASKA NATIVE/AMERICAN INDIAN	0.94%	12
	ASIAN/PACIFIC ISLANDER	1.57%	20
	BLACK	16.30%	207
	HISPANIC/LATINO	39.76%	505
	WHITE	41.42%	526
	Total	100.00%	1,270
VIOLATION OF LAW	ASIAN/PACIFIC ISLANDER	1.39%	1
	BLACK	12.50%	9
	HISPANIC/LATINO	37.50%	27
	WHITE	48.61%	35
	Total	100.00%	72
Grand Total		100.00%	3,559

07 Was a Search Conducted

NO	ALASKA NATIVE/AMERICAN INDIAN	1.20%	42
	ASIAN/PACIFIC ISLANDER	2.05%	72
	BLACK	15.68%	550
	HISPANIC/LATINO	39.57%	1,388
	WHITE	41.51%	1,456
	Total	100.00%	3,508
YES	ALASKA NATIVE/AMERICAN INDIAN	3.92%	2
	BLACK	29.41%	15
	HISPANIC/LATINO	31.37%	16
	WHITE	35.29%	18
	Total	100.00%	51
Grand Total		100.00%	3,559

08 Reason for Search

CONSENT	WHITE	100.00%	3
	Total	100.00%	3
CONTRABAND IN PLAIN VIEW	WHITE	100.00%	1
	Total	100.00%	1
INCIDENT TO ARREST	ALASKA NATIVE/AMERICAN INDIAN	25.00%	2
	HISPANIC/LATINO	50.00%	4
	WHITE	25.00%	2
	Total	100.00%	8
INVENTORY	BLACK	14.29%	2
	HISPANIC/LATINO	42.86%	6
	WHITE	42.86%	6
	Total	100.00%	14
PROBABLE CAUSE	BLACK	52.00%	13
	HISPANIC/LATINO	24.00%	6
	WHITE	24.00%	6
	Total	100.00%	25
Grand Total		100.00%	51

09 Was Contraband Discovered

NO	ALASKA NATIVE/AMERICAN INDIAN		6.67%	2
	Total		6.67%	2
	BLACK		26.67%	8
	Total		26.67%	8
	HISPANIC/LATINO		26.67%	8
	Total		26.67%	8
YES	WHITE		40.00%	12
	Total		40.00%	12
	Total		100.00%	30
	BLACK	Finding Resulted in Arrest - Yes	9.52%	2
		Finding Resulted in Arrest - No	23.81%	5
	Total		33.33%	7
YES	HISPANIC/LATINO	Finding Resulted in Arrest - No	38.10%	8
	Total		38.10%	8
	WHITE	Finding Resulted in Arrest - No	28.57%	6
	Total		28.57%	6
	Total		100.00%	21
	Grand Total		100.00%	51

10 Description of Contraband

ALCOHOL	BLACK	57.14%	4
	HISPANIC/LATINO	28.57%	2
	WHITE	14.29%	1
	Total	100.00%	7
DRUGS	BLACK	40.00%	6
	HISPANIC/LATINO	26.67%	4
	WHITE	33.33%	5
	Total	100.00%	15
WEAPONS	HISPANIC/LATINO	100.00%	2
	Total	100.00%	2
Grand Total		100.00%	24

11 Result of Stop

CITATION	ALASKA NATIVE/AMERICAN INDIAN	1.81%	17
	ASIAN/PACIFIC ISLANDER	2.23%	21
	BLACK	14.77%	139
	HISPANIC/LATINO	45.16%	425
	WHITE	36.03%	339
	Total	100.00%	941
CITATION AND ARREST	BLACK	5.26%	1
	HISPANIC/LATINO	68.42%	13
	WHITE	26.32%	5
	Total	100.00%	19
VERBAL WARNING	BLACK	14.29%	2
	HISPANIC/LATINO	21.43%	3
	WHITE	64.29%	9
	Total	100.00%	14
WRITTEN WARNING	ALASKA NATIVE/AMERICAN INDIAN	1.06%	27
	ASIAN/PACIFIC ISLANDER	1.99%	51
	BLACK	16.30%	417
	HISPANIC/LATINO	37.18%	951
	WHITE	43.47%	1,112
	Total	100.00%	2,558
WRITTEN WARNING AND ARREST	BLACK	22.22%	6
	HISPANIC/LATINO	44.44%	12
	WHITE	33.33%	9
	Total	100.00%	27
Grand Total		100.00%	3,559

12 Arrest Based On

OUTSTANDING WARRANT	BLACK	22.22%	4
	HISPANIC/LATINO	44.44%	8
	WHITE	33.33%	6
	Total	100.00%	18
VIOLATION OF CITY ORDINANCE	HISPANIC/LATINO	50.00%	1
	WHITE	50.00%	1
	Total	100.00%	2
VIOLATION OF PENAL CODE	BLACK	14.29%	2
	HISPANIC/LATINO	57.14%	8
	WHITE	28.57%	4
	Total	100.00%	14
VIOLATION OF TRAFFIC LAW	BLACK	8.33%	1
	HISPANIC/LATINO	66.67%	8
	WHITE	25.00%	3
	Total	100.00%	12
Grand Total		100.00%	46

13 Was Physical Force Used

NO USE OF FORCE	ALASKA NATIVE/AMERICAN INDIAN	1.24%	44
	ASIAN/PACIFIC ISLANDER	2.02%	72
	BLACK	15.86%	564
	HISPANIC/LATINO	39.45%	1,403
	WHITE	41.42%	1,473
	Total	100.00%	3,556
USE OF FORCE - BODILY INJURY TO BOTH	WHITE	100.00%	1
	Total	100.00%	1
USE OF FORCE - BODILY INJURY TO SUS	HISPANIC/LATINO	100.00%	1
	Total	100.00%	1
USE OF FORCE - NO BODILY INJURY	BLACK	100.00%	1
	Total	100.00%	1
Grand Total		100.00%	3,559

Racial Profiling Report | Full

Agency Name: FREEPORT POLICE DEPT.
Reporting Date: 01/23/2026
TCOLE Agency Number: 039208

Chief Administrator: JENNIFER L ERLANSON-HOWELL

Agency Contact Information:
Phone: (979) 871-0132
Email: jhowell@freeport.tx.us

Mailing Address:
430 N BRAZOSPORT BLVD, FREEPORT, TX, 775413802

This Agency filed a full report

FREEPORT POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the FREEPORT POLICE DEPT. from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the FREEPORT POLICE DEPT. if the individual believes that a peace officer employed by the FREEPORT POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the FREEPORT POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the FREEPORT POLICE DEPT. policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
 - a. the race or ethnicity of the individual detained;
 - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - a. the Commission on Law Enforcement; and
 - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The FREEPORT POLICE DEPT. has satisfied the statutory data audit requirements as prescribed in Article 2.133(c), Code of Criminal Procedure during the reporting period.

Executed by: Jennifer Erlanson-Howell
Chief of Police

Date: 01/23/2026

Total stops: 3559

Street address or approximate location of the stop

City street	2395
US highway	1
County road	42
State highway	1114
Private property or other	7

Was race or ethnicity known prior to stop?

Yes	10
No	3549

Race / Ethnicity

Alaska Native / American Indian	44
Asian / Pacific Islander	72
Black	565
White	1474
Hispanic / Latino	1404

Gender

Female	1275
Alaska Native / American Indian	4
Asian / Pacific Islander	17
Black	172
White	581
Hispanic / Latino	501
Male	2284
Alaska Native / American Indian	40
Asian / Pacific Islander	55
Black	393
White	893
Hispanic / Latino	903

Reason for stop?

Violation of law	72
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	9
White	35

Hispanic / Latino	27
Preexisting knowledge	8
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	1
White	5
Hispanic / Latino	1
Moving traffic violation	2209
Alaska Native / American Indian	31
Asian / Pacific Islander	51
Black	348
White	908
Hispanic / Latino	871
Vehicle traffic violation	1270
Alaska Native / American Indian	12
Asian / Pacific Islander	20
Black	207
White	526
Hispanic / Latino	505
Was a search conducted?	
Yes	51
Alaska Native / American Indian	2
Asian / Pacific Islander	0
Black	15
White	18
Hispanic / Latino	16
No	3508
Alaska Native / American Indian	42
Asian / Pacific Islander	72
Black	550
White	1456
Hispanic / Latino	1388
Reason for Search?	
Consent	3
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	3

Hispanic / Latino	0				
Contraband	1				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	0				
White	1				
Hispanic / Latino	0				
Probable	25				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	13				
White	6				
Hispanic / Latino	6				
Inventory	14				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	2				
White	6				
Hispanic / Latino	6				
Incident to arrest	8				
Alaska Native / American Indian	2				
Asian / Pacific Islander	0				
Black	0				
White	2				
Hispanic / Latino	4				
Was Contraband discovered?					
Yes	21				
		Did the finding result in arrest?			
		(total should equal previous column)			
Alaska Native / American Indian	0	Yes	0	No	0
Asian / Pacific Islander	0	Yes	0	No	0
Black	7	Yes	2	No	5
White	6	Yes	0	No	6
Hispanic / Latino	8	Yes	0	No	8
No	30				
Alaska Native / American Indian	2				
Asian / Pacific Islander	0				
Black	8				
White	12				
Hispanic / Latino	8				

Description of contraband	
Drugs	15
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	6
White	5
Hispanic / Latino	4
Weapons	2
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	2
Currency	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Alcohol	7
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	4
White	1
Hispanic / Latino	2
Stolen property	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Other	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Result of the stop	
Verbal warning	14

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	9
Hispanic / Latino	3
Written warning	2558
Alaska Native / American Indian	27
Asian / Pacific Islander	51
Black	417
White	1112
Hispanic / Latino	951
Citation	941
Alaska Native / American Indian	17
Asian / Pacific Islander	21
Black	139
White	339
Hispanic / Latino	425
Written warning and arrest	27
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	6
White	9
Hispanic / Latino	12
Citation and arrest	19
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	5
Hispanic / Latino	13
Arrest	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Arrest based on	
Violation of Penal Code	14
Alaska Native / American Indian	0
Asian / Pacific Islander	0

Black	2
White	4
Hispanic / Latino	8
Violation of Traffic Law	12
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	3
Hispanic / Latino	8
Violation of City Ordinance	2
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1
Hispanic / Latino	1
Outstanding Warrant	18
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	4
White	6
Hispanic / Latino	8

Was physical force resulting in bodily injury used during stop?

Yes	3
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Resulting in Bodily Injury To:	
Suspect	1
Officer	1
Both	1
No	3556
Alaska Native / American Indian	44
Asian / Pacific Islander	72
Black	564
White	1473
Hispanic / Latino	1403

Number of complaints of racial profiling

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

Comparative Analysis

- | | |
|-------------------------------------|--------------------------|
| Use TCOLE's auto generated analysis | ☐ |
| Use Department's submitted analysis | ☐ |

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement

Racial Profiling Analysis Report

FREEPORT POLICE DEPT.

01. Total Traffic Stops:	3559	
02. Location of Stop:		
a. City Street	2395	67.29%
b. US Highway	1	0.03%
c. County Road	42	1.18%
d. State Highway	1114	31.30%
e. Private Property or Other	7	0.20%
03. Was Race known prior to Stop:		
a. NO	3549	99.72%
b. YES	10	0.28%
04. Race or Ethnicity:		
a. Alaska/ Native American/ Indian	44	1.24%
b. Asian/ Pacific Islander	72	2.02%
c. Black	565	15.88%
d. White	1474	41.42%
e. Hispanic/ Latino	1404	39.45%
05. Gender:		
a. Female	1275	35.82%
i. Alaska/ Native American/ Indian	4	0.11%
ii. Asian/ Pacific Islander	17	0.48%
iii. Black	172	4.83%
iv. White	581	16.32%
v. Hispanic/ Latino	501	14.08%
b. Male	2284	64.18%
i. Alaska/ Native American/ Indian	40	1.12%
ii. Asian/ Pacific Islander	55	1.55%
iii. Black	393	11.04%
iv. White	893	25.09%
v. Hispanic/ Latino	903	25.37%
06. Reason for Stop:		
a. Violation of Law	72	2.02%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	1	1.39%

Racial Profiling Analysis Report

iii. Black	9	12.50%
iv. White	35	48.61%
v. Hispanic/ Latino	27	37.50%
b. Pre-Existing Knowledge	8	0.22%
i. Alaska/ Native American/ Indian	1	12.50%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	12.50%
iv. White	5	62.50%
v. Hispanic/ Latino	1	12.50%
c. Moving Traffic Violation	2209	62.07%
i. Alaska/ Native American/ Indian	31	1.40%
ii. Asian/ Pacific Islander	51	2.31%
iii. Black	348	15.75%
iv. White	908	41.10%
v. Hispanic/ Latino	871	39.43%
d. Vehicle Traffic Violation	1270	35.68%
i. Alaska/ Native American/ Indian	12	0.94%
ii. Asian/ Pacific Islander	20	1.57%
iii. Black	207	16.30%
iv. White	526	41.42%
v. Hispanic/ Latino	505	39.76%
07. Was a Search Conducted:		
a. NO	3508	98.57%
i. Alaska/ Native American/ Indian	42	1.20%
ii. Asian/ Pacific Islander	72	2.05%
iii. Black	550	15.68%
iv. White	1456	41.51%
v. Hispanic/ Latino	1388	39.57%
b. YES	51	1.43%
i. Alaska/ Native American/ Indian	2	3.92%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	15	29.41%
iv. White	18	35.29%
v. Hispanic/ Latino	16	31.37%
08. Reason for Search:		
a. Consent	3	0.08%

Racial Profiling Analysis Report

i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	3	100.00%
v. Hispanic/ Latino	0	0.00%
b. Contraband in Plain View	1	0.03%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	1	100.00%
v. Hispanic/ Latino	0	0.00%
c. Probable Cause	25	0.70%
ii. Alaska/ Native American/ Indian	0	0.00%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	13	52.00%
iv. White	6	24.00%
v. Hispanic/ Latino	6	24.00%
d. Inventory	14	0.39%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	14.29%
iv. White	6	42.86%
v. Hispanic/ Latino	6	42.86%
e. Incident to Arrest	8	0.22%
i. Alaska/ Native American/ Indian	2	25.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	2	25.00%
v. Hispanic/ Latino	4	50.00%
09. Was Contraband Discovered:		
YES	21	0.59%
i. Alaska/ Native American/ Indian	0	0.00%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
ii. Asian/ Pacific Islander	0	0.00%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
iii. Black	7	33.33%

Racial Profiling Analysis Report

Finding resulted in arrest - YES	2	
Finding resulted in arrest - NO	5	
iv. White	6	28.57%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	6	
v. Hispanic/ Latino	8	38.10%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	8	
b. NO	30	0.84%
i. Alaska/ Native American/ Indian	2	6.67%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	8	26.67%
iv. White	12	40.00%
v. Hispanic/ Latino	8	26.67%
10. Description of Contraband:		
a. Drugs	15	0.42%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	6	40.00%
iv. White	5	33.33%
v. Hispanic/ Latino	4	26.67%
b. Currency	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Weapons	2	0.06%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	0	0.00%
v. Hispanic/ Latino	2	100.00%
d. Alcohol	7	0.20%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	4	57.14%
iv. White	1	14.29%

Racial Profiling Analysis Report

v. Hispanic/ Latino	2	28.57%
e. Stolen Property	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
f. Other	0	0.00%
i. Alaska/ Native American/ Indian	0	
i. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
11. Result of Stop:		
a. Verbal Warning	14	0.39%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	14.29%
iv. White	9	64.29%
v. Hispanic/ Latino	3	21.43%
b. Written Warning	2558	71.87%
i. Alaska/ Native American/ Indian	27	1.06%
ii. Asian/ Pacific Islander	51	1.99%
iii. Black	417	16.30%
iv. White	1112	43.47%
v. Hispanic/ Latino	951	37.18%
c. Citation	941	26.44%
i. Alaska/ Native American/ Indian	17	1.81%
ii. Asian/ Pacific Islander	21	2.23%
iii. Black	139	14.77%
iv. White	339	36.03%
v. Hispanic/ Latino	425	45.16%
d. Written Warning and Arrest	27	0.76%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	6	22.22%
iv. White	9	33.33%
v. Hispanic/ Latino	12	44.44%

Racial Profiling Analysis Report

e. Citation and Arrest	19	0.53%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	5.26%
iv. White	5	26.32%
v. Hispanic/ Latino	13	68.42%
f. Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
12. Arrest Based On:		
a. Violation of Penal Code	14	0.39%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	14.29%
iv. White	4	28.57%
v. Hispanic/ Latino	8	57.14%
b. Violation of Traffic Law	12	0.34%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	8.33%
iv. White	3	25.00%
v. Hispanic/ Latino	8	66.67%
c. Violation of City Ordinance	2	0.06%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	1	50.00%
v. Hispanic/ Latino	1	50.00%
d. Outstanding Warrant	18	0.51%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	4	22.22%
iv. White	6	33.33%
v. Hispanic/ Latino	8	44.44%

Racial Profiling Analysis Report

13. Was Physical Force Used:

a. NO	3556	99.92%
i. Alaska/ Native American/ Indian	44	1.24%
ii. Asian/ Pacific Islander	72	2.02%
iii. Black	564	15.86%
iv. White	1473	41.42%
v. Hispanic/ Latino	1403	39.45%
b. YES	3	0.08%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	0	0.00%
v. Hispanic/ Latino	0	0.00%
b 1. YES: Physical Force Resulting in Bodily Injury to Suspect	1	33.33%
b 2. YES: Physical Force Resulting in Bodily Injury to Officer	1	33.33%
b 3. YES: Physical Force Resulting in Bodily Injury to Both	1	33.33%

14. Total Number of Racial Profiling Complaints Received:

0

REPORT DATE COMPILED 01/23/2026

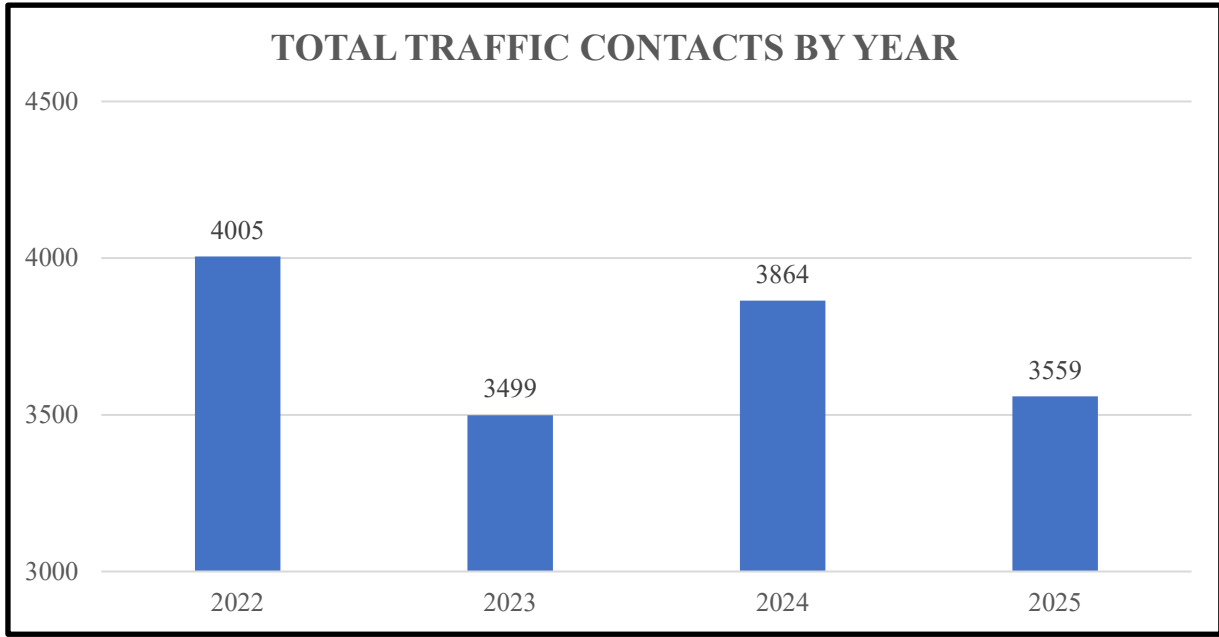
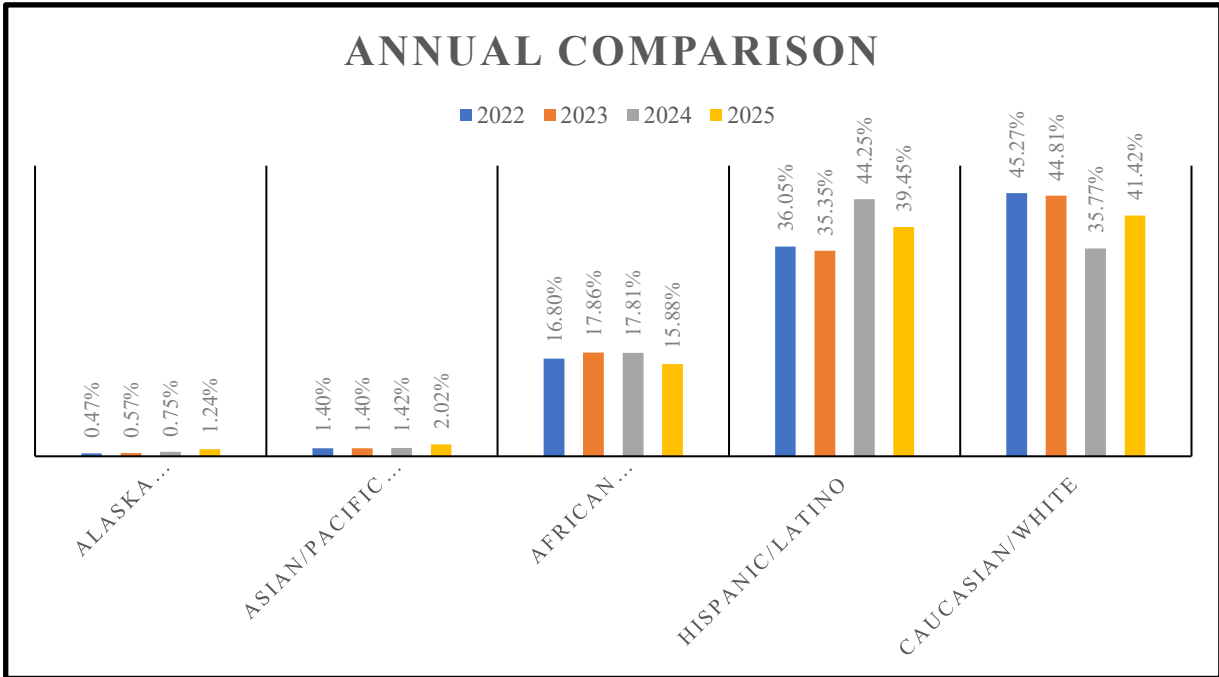
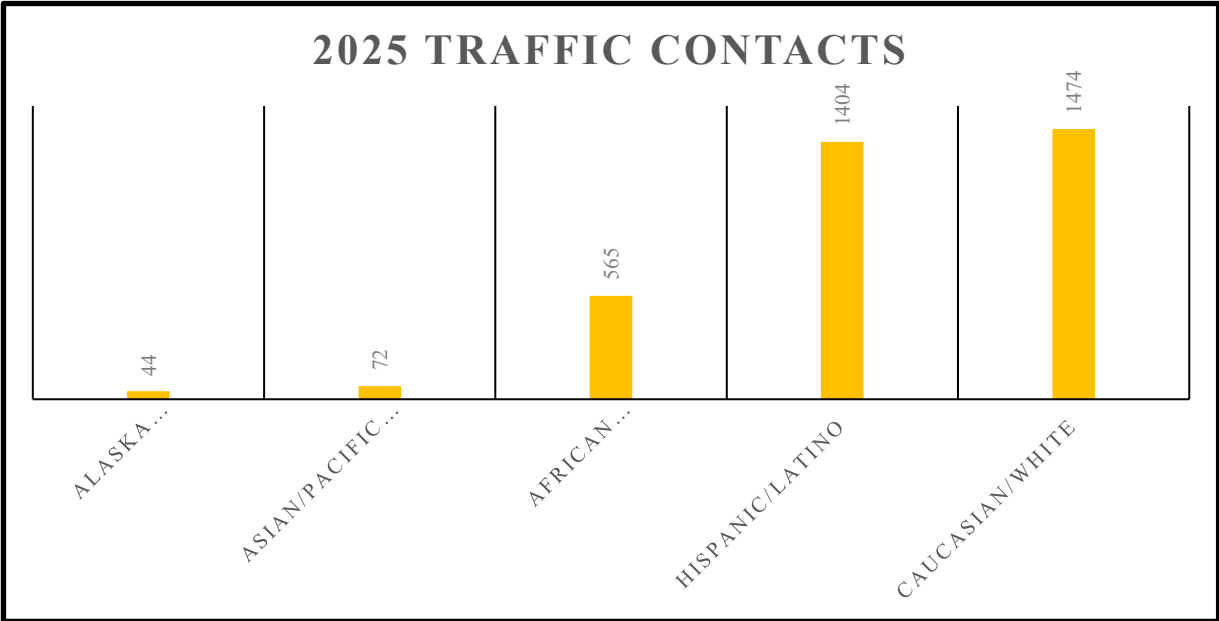
Annual Statistical Report Comparison

2022		
Race/Ethnicity	Total Contacts	Percentage %
Alaska Native/American Indian	19	0.47%
Asian/Pacific Islander	56	1.40%
African American/Black	673	16.80%
Hispanic/Latino	1444	36.05%
Caucasian/White	1813	45.27%
TOTAL	4005	100.00%

2023		
Race/Ethnicity	Total Contacts	Percentage %
Alaska Native/American Indian	20	0.57%
Asian/Pacific Islander	49	1.40%
African American/Black	625	17.86%
Hispanic/Latino	1237	35.35%
Caucasian/White	1568	44.81%
TOTAL	3499	100.00%

2024		
Race/Ethnicity	Total Contacts	Percentage %
Alaska Native/American Indian	29	0.75%
Asian/Pacific Islander	55	1.42%
African American/Black	688	17.81%
Hispanic/Latino	1710	44.25%
Caucasian/White	1382	35.77%
TOTAL	3864	100.00%

2025		
Race/Ethnicity	Total Contacts	Percentage %
Alaska Native/American Indian	44	1.24%
Asian/Pacific Islander	72	2.02%
African American/Black	565	15.88%
Hispanic/Latino	1404	39.45%
Caucasian/White	1474	41.42%
TOTAL	3559	100.00%



State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Friday, January 16, 2026 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: Danielle M Kelly, DPA, City Manager
Chris Duncan, City Attorney
Toby Cohen, IT Director
Chris Motley, Fire Chief
Craig Graham, Police Lieutenant

Visitors: Marinell Music

Call to Order:

Call to Order - Jerry Cain, Mayor

Mayor Cain called the special city council meeting of the Freeport City Council to order at 6:00P.M. on January 16, 2026, 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.

Matters Subsequent to Posting.

City Manager Dr. Danielle Kelly stated that there were no matters subsequent to posting.

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.

Marinell Music addressed Council and stated that she had debated about coming to the meeting but felt compelled to speak after reviewing a Facebook video. She stated that she had observed that Jerry Cain and George Matamoros had been pretty well slandered on Facebook, and she stated that calling out the places of business where Councilmembers work was a territory that should not be entered regardless of differences. Ms. Music stated that when discussing accountability, ethical leadership, and standards of conduct, the City

Council is obligated to uphold the requirements of the Freeport City Charter and the ethics ordinance. She stated that the ethics ordinance requires officials to conduct themselves in a manner that avoids misconduct, abuse of office, and even the appearance of impropriety, particularly where actions expose the City to legal, financial, and reputational harm. Ms. Music stated that there had been growing discussion that a sitting Councilmember may seek higher office, such as running for Mayor. She stated that whether or not that occurs, it is appropriate for the public to evaluate conduct against the standards required of anyone seeking to represent the City. She stated that she had seen what she described as a documented pattern that goes beyond personal behavior and directly impacts the City of Freeport. Ms. Music stated that multiple lawsuits had been filed against the City, with some also naming individual officials, alleging matters including breach of contract, breach of non-disclosure agreements, defamation, reputational harm, loss of business, and wrongful termination. She referenced Cathy Ezell, Lance Petty, Carlos Covarrubias, Olson and Olson, David Olson personally and Jeff Pena personally. She stated that the cases are a matter of public record. She stated that she was not present to litigate the cases or prejudge outcomes but stated that it was reasonable and necessary to ask whether a repeated pattern of public statements made during Council meetings, on social media, and in media interviews had contributed to the City's exposure. Ms. Music stated that the ethics ordinance does not require criminal convictions to trigger a review, but requires action when conduct creates risk, undermines public trust, or damages the City's interests. She also stated that she had observed other patterns, including matters she attributed to Councilman Pena, referencing an arrest for DWI, alleged ongoing violations of City ordinances related to operating short-term rentals without permits, alleged failure to remit hotel occupancy taxes over multiple years, and prior risk related to tampering with government documents. She stated that regardless of how cases were resolved, such actions directly implicate ethical obligations imposed by the City's own laws. Ms. Music stated that compliance with City ordinances and tax requirements is not optional for residents and stated that it should not be optional for elected officials who are responsible for enforcing them. She stated that her comments were not about politics, but about equal application of the law, protecting the integrity of Council and the City, and restoring public trust. She stated that no individual, elected or otherwise, should be above the rules they swore to uphold.

Executive Session

Executive Session regarding a.) Consultation with Attorney and Deliberation regarding status update of suit against the City by Jerry Lance Petty. 551.071.

The Regular Session closed at 6:06P.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 7:57P.M. and the Council went back into Regular Session.

There was no action from the Executive Session.

Mayor Cain stated that all Council members will be meeting with legal counsel to move the matter forward.

Adjournment

Adjournment – Jerry Cain, Mayor

A motion was made by Mayor Cain to adjourn, seconded by Councilman Matamoros with all present and voting "Aye" 4-1. Councilman Pena voted "Nay". Mayor Cain adjourned the meeting at 7:57P.M.

Jerry Cain, Mayor

Clarisa Fernandez City Secretary

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Tuesday, January 20, 2026 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: Danielle M. Kelly, DPA, 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
John Perez, Interim Public Works Director
Chris Motley, Fire Chief
Corey Brinkman, Police Captain
Craig Graham, Police LT
Juanita Cardozo, Police Department

Visitors:	Thomas Koole	Nicole Mireles
	Kenneth Hayes	Sam Reyna
	Manning Rollerson	Con McCleester
	Melanie Oldham	Diane McCleester

Call to Order:

Call to Order - Jerry Cain, Mayor

Mayor Cain called the regularly scheduled meeting of the Freeport City Council to order at 6:00P.M. on January 20, 2026, 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.

Matters Subsequent to Posting.

City Manager Dr. Danielle Kelly stated that a monthly report from the Fire Department was not posted with the agenda; however, it was subsequently posted and distributed to Council members.

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.

Sam Reyna resides at 2002 North Avenue G. He stated Texas Ranger Aaron Arezendis report of the allegations against Mr. Lance Petty found no criminal intent and no murder conspiracy plot, and while there may have been claims of unethical behavior, there was no conspiracy plot and no proof beyond a reasonable doubt, which he described as a key protection under the Fourth Amendment. Mr. Reyna characterized the matter as a witch hunt and the result of bad legal advice, stating that the report cost a lot of money. Mr. Reyna further stated that the investigator was very careful, paid close attention to every detail, and left nothing out. He said the investigation was precise, the analysis was correct, and that Mr. Lance Petty was innocent of a murder conspiracy plot. He stated that the allegations were a bunch of lies of two members of the governing body. Mr. Reyna stated that Mr. Petty filed for unemployment and that it was approved because the Texas Workforce Commission determined he was terminated for reasons unrelated to his job performance. He stated that the City's legal counsel, Mr. Chris Duncan, appealed the decision and claimed that Ms. Donna Fisher did not file properly. Mr. Reyna stated that Ms. Fisher indicated she filed what she had, which included meeting minutes. Mr. Reyna stated that Mr. Petty was never given notice of disciplinary action, which he said is the norm lately. He stated that there was nothing in Mr. Petty's HR file, that he was never written up or reprimanded, and that no complaints were ever filed against him. Mr. Reyna stated that Mr. Petty was terminated based solely on Mr. Pena's altered and edited audio accusations, which he stated were later proven incorrect. Mr. Reyna then discussed unemployment benefits, stating that Mr. Petty received \$2,088 from June 11 to July 26, a six-week period, and that he was entitled to those benefits because he paid into unemployment. Mr. Reyna stated that Mr. Petty returned to work on July 28 and unemployment benefits ended. He stated that the City does not subscribe to unemployment but is billed quarterly. Mr. Reyna stated that he would be willing to bet that Mr. Duncan billed more than the \$2,088 in legal fees to argue the claim, estimating \$3,000 to \$4,000. He stated that while he did not know the exact amount, what he did know was that the City lost money and Mr. Duncan made money. Mr. Reyna then referenced events from approximately twelve years prior when Mr. Arezendis was assigned to the Webster's Office. He stated that he gave him advice and direction on how to bring former City Manager Jeff Pynes and his administration to justice. Mr. Reyna stated that Mr. Pynes later received a ten-year sentence and stated that the City was now facing the same dilemma with different characters and that the result would be the same. Mr. Reyna stated that one individual would go to prison and another would be disbarred. He stated that he had plenty of time, that he was current on all obligations, and referenced the year 2026 as his. He concluded by stating that he would be their worst nightmare and thanked the Council.

Thomas Koole stated that he had brought photographs and materials and asked that they be reviewed. Mr. Koole stated that the intersection of Fourth Street and Pecan Street is a dangerous intersection and referenced a recently posted sign. He asked the Council to imagine themselves, their spouses, children, and grandchildren having to pass through that intersection daily. He asked the Council to put themselves in the shoes of the taxpayers and citizens who voted them into office. Mr. Koole stated that residents feel scared and terrified and have no peace of mind knowing it is a dangerous intersection. He stated that everyone already knows the intersection is dangerous and that the sign feels like it is rubbing the danger in residents' faces. He stated that the residents want and need a four-way stop at Fourth Street and Pecan Street and that there are no other intersections in the City of Freeport where dangerous intersection signs are posted in residential areas. Mr. Koole stated that the intersection is located in a residential neighborhood with three schools within blocks and that the intersection is busy seven days a week, not only on school days. He asked how Council members would feel if they had to drive through the intersection daily to pick up their children or grandchildren. He stated that Council members do not live in the neighborhood and do not experience the conditions there. Mr. Koole stated that residents avoid the intersection when possible and that something needs to be done. He stated that he was not going to go back ten years reviewing crashes but referenced

testimony given at a prior meeting where a man stated that his own children were T-boned at that intersection. He stated that accidents continue to happen and that residents have reported incidents over the years. Mr. Koole addressed the City Manager, stating that he understood the City Manager had only recently been in the position, and referenced crashes occurring last year, the year before, and one he personally witnessed in 2017, which he described as severe. Mr. Koole then addressed the City Attorney and stated that the City should be careful. He stated that he did not want to pursue litigation but that if something were to happen, he would support victims and pursue involvement of the City of Freeport in litigation related to the dangerous intersection being posted in a residential neighborhood. He referenced testimony from a sergeant, a corporal, and a Public Works employee regarding the placement of signage. Mr. Koole stated that history shows accidents will continue and that citizens of Freeport are tired of living in fear and worrying about family members and friends becoming the next victim. He stated that if the Council truly put themselves in the residents' shoes, they might feel the fear associated with traveling along Fourth Street and Pecan Street in Freeport.

Maria Lopez, Main Street Coordinator, provided an update on the positive direction of the Freeport Main Street Program. Ms. Lopez stated that being recognized as a Main Street community is more than a designation, noting that it represents participation in a proven framework that helps communities build momentum, foster partnerships, and deliver measurable results. Ms. Lopez reported that the Main Street Program is strengthening its foundation by holding regular board meetings, staying organized, and following through on annual goals. She stated that progress is being actively tracked and that the program is also identifying areas where additional work is needed and developing strategies to address them. She emphasized that forward progress includes steady effort, measurable action, and a willingness to improve. Ms. Lopez highlighted collaboration as a key component of recent progress, noting close coordination with the Freeport Economic Development Corporation and other City staff to align goals and ensure downtown initiatives move forward cohesively. She also stated that transparency and accessibility have been improved through updates to the Main Street section of the City website, which now serves as a central resource for program information, events, and downtown resources. She noted that the Comprehensive Downtown Plan and Historic District Design Guidelines are publicly posted to promote transparency in planning and preservation efforts. Ms. Lopez expressed appreciation for sponsorships from BASF, Texas Gulf Bank, and Port Freeport, stating that their support extends beyond funding and has helped create strong partnerships that contribute to downtown revitalization and overall community success. She referenced recent momentum, including the inaugural Christmas on Main Street tree lighting event, which brought families and visitors downtown, increased awareness of the historic district, and demonstrated the community's ability to come together. Ms. Lopez stated that the program plans to build on this momentum with upcoming events, including a downtown community walk, a historic preservation workshop, and additional activities aimed at increasing downtown engagement and community pride. She concluded by asking for continued patience and support as the program continues to focus on targeted goals tied to the Comprehensive Downtown Plan and Historic District Design Guidelines. Ms. Lopez thanked the Mayor, City Council, and residents for their time and continued support of Freeport Main Street.

Manning Rollerson stated that he had concerns regarding a Texas Ranger's investigation that had been discussed earlier in the meeting. Mr. Rollerson stated that he recalled requesting an investigation related to issues on the East End of the City of Freeport in the past and asserted that the Ranger involved at that time did not conduct the investigation due to lack of time. As a result, Mr. Rollerson stated that he does not place value on the Ranger's judgment in the current matter. Mr. Rollerson expressed concern regarding the existence of an audio recording and stated that the reason for the recording remains unclear. He stated that the Ranger concluded there was no crime based on the recording, which Mr. Rollerson said upset him. He referenced a prior social media post in which he stated that he had threatened physical harm toward an individual affiliated with the International Longshoremen's Union, noting that this was different from statements involving threats to kill. He characterized the Ranger's report as inaccurate and stated that he intended to seek an investigation into the Ranger and Brazoria County. Mr. Rollerson stated that he has

previously been charged multiple times with terroristic threats in the City of Freeport and asserted that the Ranger, the prosecutor's office, and county officials were on notice due to concerns raised in an investigation involving homeland security and allegations of organized crime within the prosecutor's office. He stated that he believes the Ranger is compromised by what he described as a good old boys system and requested that this statement be entered into the record. Mr. Rollerson also questioned why the elected body would not defend the City against a potential lawsuit in excess of one million dollars, stating that council members represent the residents and the City's assets. He expressed criticism toward a council member whom he stated had turned against the City and asserted that elected officials should respect the citizens who elected them. He said to Councilman Matamoros that it was not funny. Mr. Rollerson further stated that he believed City leadership was not acting in the best interest of the public and emphasized concerns about long-standing issues affecting the City, including environmental and public health concerns. He stated that the City has experienced prolonged hardship and that decisions should prioritize the people of Freeport rather than financial or industrial interests. He emphasized that leadership requires respect, accountability, and trust, and stated that trust in City governance has been eroded over time. Mr. Rollerson concluded by stating that ongoing conflict at council meetings prevents progress and that continued division will not move the City forward. He urged City leadership to focus on resolving longstanding issues and improving governance for the benefit of Freeport residents.

Proclamations - Presentations and Updates

Upcoming Events -

Just FOIA Live Date-February 2026

Daddy Daughter Dance, February 6th, Freeport RiverPlace, 6:00P.M.-8:30P.M.

Celebrating Black History Month, February 7th, Freeport Museum, 11:00A.M.-3:00P.M.

80 Years of the Wednesday Review Club in Freeport, February 12th, Freeport Museum, 11:00A.M.

City Manager Dr. Danielle Kelly gave an update on upcoming events.

Consent Agenda:

Action regarding Minutes for December 29, 2025 and January 5, 2026 - Clarisa Fernandez, City Secretary

Action approving Resolution No. 2026-3018 for the Joint Election Agreement and Contract for Election Services with Brazoria County and the City of Freeport - Clarisa Fernandez, City Secretary

Action approving the Monthly Financial Report through December 31, 2025 - Ashlee Hurst, Finance Director

Action approving Resolution No. 2026-3019 authorizing FY2026 Criminal Justice Grant Application (Grant #5104302) – Radio System Modernization Project - Jennifer Howell, Police Chief/Assistant City Manager

Action approving Resolution No. 2026-3020 authorizing FY2026 Criminal Justice Grant Application (Grant #5442501) – Dispatch Console Replacement Project - Jennifer Howell, Police Chief/Assistant City Manager

Action approving Resolution No. 2026-3021 authorizing FY2026 Bullet-Resistant Components Grant Application (Grant #5465001) – Ballistic Vehicle Safety Project - Jennifer Howell, Police Chief/Assistant City Manager

Action approving Resolution No. 2026-3022 authorizing FY2026 SLCGP Mitigation Grant Application (Grant #5479601) – Resilient Backup and Network Modernization Project - Jennifer Howell, Police Chief/Assistant City Manager

A motion was made by Councilman Matamoros to approve the Consent Agenda as presented, seconded by Councilman Rossow with discussion that followed.

Councilman Pena stated that he was curious about certain agenda items, specifically Items 3D, 3E, 3F, and 3G, as they relate to the budget. He stated that he intended to ask whether either the City Manager or the Police Chief could explain whether those items were budget neutral. Councilman Pena further stated that, with regard to the monthly financial report, he wanted to ask Ms. Hurst whether there were any surprises, shortfalls, or overages that were unforeseen, and whether there were any items the City was required to pay for that had not been paid for or were later discovered. Councilman Pena stated that those were his questions and that he would like answers prior to the Council taking a vote. Police Chief Jennifer Howell stated that the items under discussion were grants that had been applied for previously. She explained that each time there is a change in City management, an updated resolution is required. She stated that the City recently learned it can adopt a resolution that references the City Manager position rather than a specific individual, and that this approach will be used in the future, so the items do not need to be brought back to Council repeatedly. Chief Howell stated that the different grant items have different requirements. She stated that the item that would be discussed further that evening was the dispatch furniture, which is 100 percent grant-funded and requires no local match. She stated that the grant had already been approved, and the funds had already been awarded, and that the item would be discussed later in the business agenda. Chief Howell further stated that the remaining items are also paid for through grants. She stated that she did not recall whether all three items were fully funded, noting that she believed one of the items may require a local match, but she did not recall which one and stated that the City was still waiting to hear back on those grants. Councilman Pena asked which grant item required a local match and whether the amount of that match was known. Chief Howell responded that she did not know the amount at that time and did not recall which specific grant required the match. She stated that she would need to log into the grant system to determine which grant it was. Chief Howell further stated that, generally, grant matches are typically in the range of ten percent, fifteen percent, or twenty percent.

Mayor Cain stated that the items were technically on the agenda so that the City could document Dr. Kelly. Police Chief Jennifer Howell stated that while the City already has what is needed to get her set up, a resolution is required in order to provide it to the grant administrators. She explained that this would allow the City to move forward with making purchases or obtaining reimbursement. She clarified that there were no changes to the grants themselves. She stated that the resolution would simply allow the City to file for reimbursement and allow Dr. Kelly to accept the grant funds.

City Manager Dr. Danielle Kelly stated that she had not been informed of any issues with the budget ending December 31.

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".

Business

Public workshop to discuss and take possible action regarding the maintenance and development of the Beach Plan for Freeport's Bryan Beach.

Councilman Pena stated that, before proceeding, he had two matters to raise. He stated that, first, he would like the item to be tabled, noting that he was still waiting for information from the City of Galveston and from Surfside. Councilman Pena then raised a second concern, stating that there had been numerous complaints about Council members receiving messages throughout meetings. He stated that he was curious whether Council members could place their cell phones in a basket during meetings and, if a call was needed, make it at the end of the meeting or step outside. He further stated that he was wondering about the legal implications of such an action. Mayor Cain responded that the matter sounded like a subject that should be discussed during a work session. Councilman Pena stated that he was asking because he did not want to go through another meeting where Council members were receiving text messages from residents or

other constituents during the meeting. Mayor Cain reiterated that the matter was not on the agenda and that it belonged in a work session. Councilman Pena asked whether the Mayor was saying the matter should not be addressed at that time, and stated that he would bring it up during a work session. Councilman Pena then asked whether Council members would voluntarily place their phones on the counter, referencing Councilman Davis having already done so.

Councilman Pena stated that, as he had previously mentioned, he wanted to table the item until he received additional information. He stated that everyone had been busy with MLK weekend preparations and festivities.

A motion was made by Councilman Pena to table this item (4A), seconded by Councilman Davis with all present and voting "Aye" 4-1. The Council approved the motion to table this item. Mayor Cain voted "Nay".

Consideration and possible action approving Ordinance No. 2026-2757 calling the City of Freeport's Annual General Election to be held on Saturday, May 2, 2026, for the purpose of electing City Council Members for Wards A and C, and authorizing qualified voters residing in those wards to vote for the respective candidates.

City Manager Dr. Danielle Kelly stated that staff recommends approval of the ordinance calling a general election on May 2, 2026, for the purpose of electing City Council members for Council Ward A and Council Ward C. She further stated that election administration would be conducted by the Brazoria County Elections Office under a Joint Election Agreement and contract for election services. Dr. Kelly stated that candidate applications would be accepted beginning January 14, 2026, and must be filed no later than 5:00 p.m. on February 13, 2026. She stated that the early voting period would run from April 20 through April 28, 2026, administered by Brazoria County. On Election Day, one polling location within the City would be available at the Freeport City Library, 410 North Brazosport Boulevard, and voters would also be permitted to vote at Brazoria County polling locations. She stated that applications for ballots by mail must be received by the County Elections Office, not postmarked, no later than April 20, 2026.

A motion was made by Councilman Matamoros to approve Ordinance No. 2026-2757 as presented, seconded by Councilman Davis with all present and voting "Aye" 5-0. The Council unanimously approved the motion.

Consideration and possible action approving Ordinance No. 2026-2758 calling a Charter Amendment Election for the City of Freeport, to be held on Saturday, May 2, 2026.

City Manager Dr. Danielle Kelly stated that staff recommends City Council adopt an ordinance calling a charter amendment election to be held on May 2, 2026, for the purpose of submitting five proposed charter amendments to the voters. Dr. Kelly stated that Proposed Amendment Number One would revise the Charter to eliminate conflicting language related to filling Council vacancies and to conform with state law. Dr. Kelly stated that Proposed Amendment Number Two would revise the Charter to require any legally valid development agreement, rather than only an agreement under Chapter 380 approved by Council, before the expenditure of public funds for economic development can be authorized. Dr. Kelly stated that Proposed Amendment Number Three would revise the Charter to reflect that all City taxes shall be payable to the Brazoria County Tax Assessor-Collector at the place and by the methods designated by the Brazoria County Tax Assessor-Collector. Dr. Kelly stated that Proposed Amendment Number Four would revise the Charter to provide that the City shall not violate state or federal law when producing records to the public. Dr. Kelly stated that Proposed Amendment Number Five would revise the Charter to provide that, except for the Main Street Board, the Historical Commission, and the Economic Development Corporation, no person shall be qualified to serve on a City Council-appointed board unless they are a resident of the City of Freeport, Texas.

A motion was made by Councilman Matamoros to approve Ordinance No. 2026-2758 as presented, seconded by Councilman Rossow with discussion that followed.

Councilman Pena stated that he had a couple of questions. He stated that his first question related to Proposed Amendment Number Five and that he would be willing to move forward with the amendment provided the exception allowing nonresidents of Freeport to serve on the Main Street Board, the Historical Commission, and the Economic Development Corporation was removed. Councilman Pena then stated that his second question was regarding the deadline to include any additional amendments to the City Charter. City Attorney Chris Duncan responded that, typically, all proposed amendments are presented and considered by the time the Council reaches the meeting at which the ordinance is being discussed. He stated that, legally, the deadline would be the second week of February. He further stated that the ordinance is usually passed a few weeks earlier, typically at the second meeting in January.

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 approving Resolution No. 2026-3023 to Declare City Equipment as Surplus and Authorize Auction.

City Manager Dr. Danielle Kelly stated staff recommended that City Council approve a resolution declaring surplus water meters as excess property and authorizing the City to auction the equipment. She stated that the City recently completed a water meter replacement project, resulting in approximately 3,800 surplus meters that are no longer in use. Dr. Kelly stated that there has been some interest in the meters from surrounding cities that still use the older technology. She stated that the City had also received a quote from a company identified by Council that could potentially rehabilitate the meters, in the amount of \$5,500. Dr. Kelly stated that the quote had since expired, but that there is still the potential to reach back out to those companies. She stated that, in her experience, there is definitely a market for the meters and that she believes the City would do well to at least attempt to obtain bids for them.

A motion was made by Councilman Pena to approve the seeking out of multiple BIDs to get a higher price on those meters, seconded by Councilman Davis with discussion that followed.

Councilman Matamoros asked for clarification of the language of the motion. Mayor Cain asked Councilman Pena to clarify or restate his motion.

A motion was made by Councilman Pena to approve the Resolution as Mrs. Kelly had drafted it for the Council this evening.

Mayor Cain then asked Councilman Davis whether he would withdraw his second to the original motion.

Councilman Davis withdrew his second.

Mayor Cain then asked Councilman Pena to restate the motion.

A motion was made by Councilman Pena to approve as written, seconded by Councilman Davis with all present and voting "Aye" 5-0. The Council unanimously approved the motion.

Consideration and possible action approving the purchasing of police vehicles for the Freeport Police Department.

Lieutenant Craig Graham stated that staff recommends approval of the purchase of three vehicles for the Police Department from Sames Government Fleet Sales as part of the Department's annual vehicle rotation

plan. He stated that one vehicle would be purchased for patrol, specifically a 2025 Ford F-150 Police Responder to replace a 2016 Chevrolet Tahoe that is currently out of service. He stated that a second vehicle would be purchased for the Patrol Lieutenant position, which would be a 2025 Ford Police Interceptor to replace a 2017 Ford Explorer. He stated that the third vehicle would be purchased for the Animal Control Officer, consisting of a 2025 Ford F-150 to replace a 2015 Chevrolet Silverado. Lieutenant Graham stated that three quotes were obtained from three different vendors and that Sames Government Fleet Sales submitted the lowest quote. He stated that the vendor is on the TIPS contract. He stated that the total cost for the three vehicles is \$184,947.85. Lieutenant Graham stated that the purchase would be funded from the \$350,000 budgeted for vehicle purchases. He noted that there are some additional expenses not included in the quoted amount, but that the cost includes the vehicles and a portion of the upfitting and lighting purchases. He stated that these items were already included in the approved budget.

A motion was made by Councilman Pena to approve the purchasing of police vehicles for the Freeport Police Department, seconded by Councilman Davis with discussion that followed.

Councilman Matamoros asked whether there was an approximate amount for the additional outfitting costs that were mentioned. He further asked whether those additional costs would still keep the purchase under the \$350,000 budgeted amount. Lieutenant Graham responded that he did not have the exact amount at that time but stated that there were funds remaining and that the total expenditures were still well under the \$350,000 budgeted for vehicle purchases.

Councilman Pena asked what the difference in cost would be. Lieutenant Graham stated that he did not have the specific number available and would need to go back and review the totals. City Manager Dr. Danielle Kelly stated that the amount was approximately \$115,115. Mayor Cain stated that he believed the City could accomplish a lot more with the remaining funds.

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 purchase of police dispatch console furniture for the Freeport Police Department.

Police Chief Jennifer Howell presented a grant-funded resolution authorizing the purchase of new dispatch workstation furniture. She stated that the grant is 100% funded, had been previously awarded under a prior administration, and was updated earlier in the meeting to reflect current authorization. Chief Howell stated that the City had worked with the City Attorney to review the contract. She explained that the item under consideration involved the furniture currently located in the dispatch area. Chief Howell stated that the current dispatch setup allows for two dispatchers at a time, which is generally the daily operational staffing level when fully staffed. She stated that during large events or emergency situations, such as hurricanes, the department may need to staff three, four, or five dispatchers at a time. Chief Howell stated that during the Beryl event, the department staffed between four and six dispatchers at a time due to the high call volume, and that the existing setup did not provide sufficient space or stations equipped with phones and computers for additional dispatchers. Chief Howell stated that the new furniture would allow the department to establish multiple dispatch stations to better accommodate emergency situations and increased operational demands.

A motion was made by Councilman Pena to approve the purchase of police dispatch console furniture for the Freeport Police Department, seconded by Councilman Rossow with discussion that followed.

Councilman Pena asked whether the item had already been approved in the budget. Police Chief Jennifer Howell confirmed that it had and stated that the item is considered budget neutral and would not affect the budget. She explained that the City would initially make the payment and would then be reimbursed through the grant once the invoice is submitted. She further stated that Ms. Hurst would make the necessary

adjustments and that a separate category had been created to process grant expenditures. Councilman Pena then asked whether the purchase included more than just a chair or desk and whether it encompassed the entire workstation. Chief Howell responded that the purchase includes the desk, mounts, plugs for cable management, and the chairs, and that it would constitute the entire workstation. Councilman Pena asked whether the setup would allow another dispatcher to be added as needed. Chief Howell confirmed that it would.

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 to remove board member (s) illegally added to boards.

Councilman Matamoros provided a summary stating that board members are appointed by and serve at the will of the City Council. He stated that, at a previous Council meeting, it was presented that prospective board members are required to attend both meetings in order to be considered for appointment by Council. Councilman Matamoros stated that this requirement was not followed with respect to the Board of Adjustments. He stated that, as a result, the recent appointments were deemed illegal, per the City Attorney. Councilman Matamoros stated that the supporting documentation included a memorandum and the minutes from the Board of Adjustments meeting that occurred on November 13, 2025.

A motion was made by Councilman Pena to table this item (4G) with discussion that followed.

Mayor Cain stated that, under the City's ordinance, the individual who submits an agenda item has the opportunity to make the motion. Councilman Pena stated that he did not believe that was correct. Mayor Cain questioned whether that was correct and asked for legal clarification. City Attorney Chris Duncan stated that he did not recall an ordinance or resolution procedure requiring that the person who placed an item on the agenda must be given the first opportunity to make a motion. He stated, however, that he believed it would be a good practice to follow as a matter of courtesy. Mr. Duncan stated that procedural actions should not be used to change the outcome of a Council vote and that the vote would ultimately be the vote of the Council. He stated that there is no legal requirement to allow Councilman Matamoros to make his motion first, but that it would be appropriate courtesy to allow the Council member who placed the item on the agenda to explain the item and make the motion. Mr. Duncan further stated that, if there were a second to a motion to table, the Council could consider allowing Councilman Matamoros to make his motion on the item rather than tabling it immediately, in order to avoid a race to motions. He stated that the motion to table would ultimately be proper, noting that there may not be a specific resolution governing the matter, and that it would depend on whether another Council member seconded the motion.

Mayor Cain called the motion for a second. The motion died due to a lack of a second.

A motion was made by Councilman Matamoros to remove Tom Pearson and Landis Adams from the Board of Adjustments effective immediately, seconded by Councilman Rossow with discussion that followed.

Councilman Matamoros stated that he had presented the minutes from the Board of Adjustments meeting at which an item was included to discuss and take possible action on reviewing board member applications for Council approval. Councilman Matamoros stated that, at that meeting, Mr. Tom Pearson and Mr. Landis Adams were not present. He stated that the only two individuals added to the Board of Adjustments were Mr. Con McClester and Ms. Margaret Bachman, and that they were added as alternates. Councilman Matamoros stated that, as a result, those two individuals were the only ones eligible to be added to the Board of Adjustments at that time. He stated that this was the reason he requested the item be placed on the agenda.

City Attorney Chris Duncan stated that he prepared a memorandum regarding the issue and distributed it to all Council members after the meeting at which the appointments were made, when the issue was presented. He stated that he outlined the legal reasoning in the memorandum and reiterated that explanation to avoid

confusion. Mr. Duncan stated that, historically, the City Council developed a policy, though not a written rule, resolution, or ordinance under which the Council desired to know whether a board had a preference or recommendation regarding board appointments. He stated that this information was intended to assist Council in its decision-making. Mr. Duncan stated that when the ordinance regarding board appointments was adopted, it was written to apply both to City Council and to the individual boards. He explained that boards are not legally required to make recommendations and may choose to allow Council to select whomever it deems appropriate. Mr. Duncan stated that if a board chooses to make a recommendation, it must follow specific procedures. He stated that the applicant must be present, all applicants seeking recommendation must be given an opportunity to make a presentation, and the board must vote to select its recommendation. He stated that if a board makes a recommendation without following those procedures, the Council cannot consider that recommended individual because the recommendation does not comply with the ordinance. Mr. Duncan stated that in such circumstances, Council must instead consider the remaining applicants. He stated that when the matter proceeds to City Council, the same procedural requirements apply, including that applicants must be present and given an opportunity to address Council. Mr. Duncan explained that if individuals appointed by Council were not the recommended candidates of the board, they were not required to be present at the board meeting. He stated that the presence requirement applies only to individuals being recommended by the board. Mr. Duncan stated that, based on this framework, appointments made by Council are not illegal unless the Council appointed a board-recommended individual where the board failed to follow the required procedures. He stated that, in his opinion, that was not the case with the appointments at issue. Mr. Duncan stated that Council is not required to remove the individuals appointed and that the appointments were not illegal. He further stated that, because all board members serve at the pleasure of Council, Council retains the authority to remove and appoint board members at any time for any reason. Mr. Duncan clarified that Councilman Matamoros's motion was to remove the individuals, not to remove them on the basis that they were illegally appointed. He reiterated that under the ordinance the appointments were not illegal, and the Council is not required to remove the individuals, but the Council has the authority to do so if it chooses.

Councilman Pena stated that the issue goes to the root of the matter, noting that if the appointments were not illegal, that had been the premise of the agenda item. He stated that he had reviewed the memorandum that was distributed to Council and that this was the reason he had wanted to table the item. Councilman Pena stated that, given the clarification provided, he questioned why there was a desire to remove two citizens from participating on the board, particularly when Council has repeatedly discussed how difficult it is to recruit individuals to serve on boards. He stated that he was curious whether the item had been placed on the agenda because the appointments were believed to be illegal, a premise that he stated had been proven incorrect both that evening and two weeks prior. Councilman Pena stated that he wanted to know, first, whether the motion would be withdrawn. He stated that if it was not withdrawn, he wanted Councilman Matamoros to explain why he wanted the individuals removed. He further stated that he would like to hear from Mr. Adams and Mr. Pearson. He stated that he was unsure whether Mr. Adams was present but noted that Mr. Pearson was in attendance. Councilman Pena stated that he wanted to know whether Mr. Pierson wished to continue participating if removed, whether he wanted to be removed, or whether he wished to resign.

Councilman Matamoros stated that he had read the email that was distributed to all Council members. He stated that he had already submitted his agenda item at the time he read the email. Councilman Matamoros stated that, based on the explanation provided, it appeared that the process being described would allow a quorum of a board to discuss an agenda item and decide on a nominee, and then require that individual to be present at the meeting. He stated that this was not the intent of the ordinance. Councilman Matamoros stated that he placed the item on the agenda due to what occurred at the previous meeting, referencing that Ms. Oldham was not appointed to a board based on the requirements written in the ordinance. Councilman Matamoros stated that he was following what is written in the ordinance and emphasized that he had nothing against the two individuals he requested be removed. He stated that his intent was to ensure that the City is

not exposed to legal issues by failing to follow the ordinance.

Councilman Davis stated that when Council votes on board member appointments and receives a recommendation from a board, the Council is not required to follow that recommendation. He asked for confirmation and stated that Council may make its own selection even if a board recommends a particular individual. Councilman Davis stated that Council has the discretion to select a different applicant if it does not agree with the board's recommendation. He stated that, in his view, the decision should be based on what applicants present and what they bring to the table. Councilman Davis stated that, as both a citizen of Freeport and a Council member, he based his vote on the presentations made by the candidates at the meeting. He stated that this was the reason his vote differed from the board's recommendation, citing the experience and presentation reflected in the presentations. Councilman Davis stated that under the ordinance, if a board-recommended individual was not present when required, that would be against the rule. However, he stated that when applicants are present before Council and Council does not agree with the board's recommendation, Council may select another applicant. Councilman Davis stated that, based on the presentations made before the Council, he believed that nothing illegal occurred. He stated that from his understanding of the ordinance as read and explained, Council has the authority to make changes and decisions accordingly.

Councilman Pena stated that he still had two questions he would like answered. He stated that it appeared nothing had been done illegally and that the process had been followed properly. He stated that two citizens had expressed interest in serving the City, had presented their experience, and had made their case. Councilman Pena stated that, if the matter was going to be taken to a vote, he would like to hear from Mr. Tom Pearson regarding his thoughts on the situation.

Tom Pearson stated that when he signed up for the Board of Adjustment position, he did so in order to help serve the City. He stated that he was willing to assist in that role if needed. He further stated that during the presentation, he felt that the lady from Bridge Harbor, who was already serving as an alternate, should have been elected as a permanent board member instead of himself. He stated that she was familiar with the process, attended every meeting, and that he would otherwise be in a learning phase.

Councilman Pena asked Mr. Pearson whether he was stating that he wished to forfeit his position so that Ms. Bachman or another candidate could be considered. Mr. Pearson responded that he believed she should have been elected. Councilman Pena asked whether Mr. Pearson would be agreeable if Council decided to remove him from the position or whether he would still be willing to serve. Mr. Pearson responded that service on the board was voluntary and that he agreed to Council's decision. Councilman Pena stated that he believed Mr. Pearson would be useful.

Councilman Davis asked for clarification regarding whether Ms. Bachmann was still serving as an alternate and contributing. Mayor Cain confirmed that Ms. Bachmann remained an alternate and continued to contribute. Councilman Davis discussed the possibility of Mr. Pearson serving as an alternate instead, allowing Ms. Bachmann to continue as a permanent board member. Mr. Pearson stated that he would prefer to be an alternate if that allowed her to remain on the board.

Councilman Pena stated that he would be interested in seeing the item modified, noting that it appeared Mr. Pearson was willing to serve and was not unequivocally stating that he was uninterested in continuing his service. Councilman Pena stated that, under those circumstances, the Council could either choose not to take a vote or, if Mr. Pearson wished to resign, allow him to provide notice of that decision. He stated that it did not appear Mr. Adams was interested in resigning and questioned why any individual would be removed when no improper or illegal action occurred regarding their appointment. Councilman Pena stated that if the intent was to consider Ms. Bachman for service on the board, she is currently a board member serving as an alternate. He stated that if Mr. Pearson were not present, Ms. Bachman would be able to assume the seat

pursuant to procedure. He further stated that if Mr. Pearson were to miss three consecutive meetings, the position would then become vacant, at which point Council could deliberate and vote on whether Ms. Bachman or another candidate should serve in that position. Councilman Pena stated that it was not his understanding that board positions could simply be reassigned or shuffled at the discretion of a board member or Council without following established procedure. He emphasized that there is a defined process that must be followed. Councilman Pena reiterated that Mr. Pearson had expressed a willingness to serve and stated that he did not understand why there would be a desire to remove him under those circumstances.

Mayor Cain stated that when the issue first arose at a prior meeting, when the recommendation was made to appoint Ms. Oldham, Council was advised that she could not be appointed because she was not present at the meeting. He stated that, at that time, he did not interpret the resolution in that manner. Mayor Cain stated that it was not until the City Attorney later sent an explanatory email, which had just been summarized for Council, that the specific interpretation of the resolution became clear. Mayor Cain stated that the City has historically had difficulty recruiting good volunteers to serve on boards. He stated that his initial opinion was that if Ms. Oldham could not be appointed because she was not present, then appointing other candidates who were also not present would likewise be illegal. He stated that, at that time, he agreed with Councilman Matamoros's position. He further stated that the City Attorney has since clarified that the appointments were not illegal. Mayor Cain emphasized that he wanted Council to clearly understand the distinction under the resolution. He explained that if the Board of Adjustments makes a recommendation for an individual to be appointed, that individual must be present at the meeting. However, if Council chooses to appoint someone who was not recommended by the board, that individual is not required to be present. Mayor Cain stated that, in his opinion, this distinction does not make sense and asked Council whether anyone else shared that concern. He stated that this indicated an issue with the resolution itself and expressed his belief that correcting the resolution would be the appropriate course of action. Mayor Cain stated that he personally disagreed with requiring candidates to attend meetings in order to be appointed, noting that circumstances such as illness could prevent attendance. He stated that, in his view, such a requirement was unreasonable.

City Attorney Chris Duncan stated that another option available to Council would be to amend the resolution so that boards no longer make recommendations and instead forward applications directly to Council. He stated that under that approach, Council would be free to appoint any individual who is present and able to address Council. Mr. Duncan stated that he wanted to emphasize that the concept of boards making recommendations to Council is relatively new. He stated that for decades, City Council and City operations functioned without boards providing appointment recommendations. Mr. Duncan stated that there are ways to follow the current resolution, noting that if a board wants to recommend a specific person who is not present, the board could simply refrain from voting. He stated that Council could either amend the resolution to remove the requirement that a person be present at the board meeting, or eliminate board recommendations altogether and allow Council to decide directly.

Councilman Pena stated that in his opinion, the resolution is appropriate as written. He explained that the intent of the resolution was to correct issues that arose under a prior ordinance. He stated that the previous ordinance was created because the Council was hesitant to make appointment decisions directly and instead deferred those decisions to boards in order to avoid making unpopular votes. Councilman Pena stated that the resolution was originally drafted so that Council could rely on board recommendations as justification for appointment decisions, thereby shifting responsibility away from Council members. He stated that over time, Council began to misuse that process by appointing individuals to boards who had never attended board meetings or Council meetings, and who later failed to participate, resulting in removals due to absenteeism. Councilman Pena stated that the resolution was amended to address those issues and to ensure fairness in the appointment process. He further stated that additional issues arose when multiple preferred candidates were placed on agendas, making it difficult to objectively and fairly consider all applicants. He stated that, in his opinion, nothing illegal occurred in the appointments at issue. He stated that the current

dispute was the result of dissatisfaction over specific appointments, rather than any legal defect. He stated that Mr. Landis Adams was appointed properly, had presented strong credentials, and had made one of the strongest presentations the Council had seen in recent months. He stated that Mr. Adams was appointed in accordance with the rules. He stated that Mr. Pearson was likewise appointed in accordance with the rules. He stated that if there had been a desire to appoint Ms. Bachmann at the time, she could have been nominated, but he did not recall a second being made on her nomination. Councilman Pena stated that the issue before Council was whether it intended to remove board members who were properly appointed. He stated that if Council wished to remove a specific board member, that action should be taken through a clear and specific motion naming the individual. He stated that Council cannot add or remove multiple board members through a single unilateral action, and that separate votes would be required for each individual. Councilman Pena stated that, based on the discussion, nothing had been done illegally and that the ordinance is sufficient as written. He stated that if Council wishes to remove board members, a specific nomination could be made and voted on accordingly. Councilman Pena further stated that, consistent with the spirit of the same resolution, Council cannot unilaterally add multiple board members through a single motion. He stated that, in his view, the same principle applies to the removal of board members, noting that multiple individuals cannot be removed through a single unilateral action. Councilman Pena stated that separate votes would be required for each individual board member.

City Attorney Chris Duncan stated that he wanted to add an additional clarification regarding the resolution currently in place. He stated that while the Mayor had noted that the resolution may not appear to make sense at first, it becomes clearer when viewed through the lens of fairness. Mr. Duncan stated that when multiple individuals wish to serve on a board, each should be given an opportunity to be heard. He stated that the resolution requires applicants to be present so they may address the board and explain why they are seeking appointment. Mr. Duncan explained that when several applicants are present, each is given the opportunity to speak, explain their qualifications, and request the board's recommendation. He stated that this ensures all applicants are treated equally. Mr. Duncan stated that without this requirement, an individual who does not appear or speak could be appointed over someone who attended the meeting and presented their qualifications. He further stated that appointments could otherwise be made solely based on familiarity, rather than merit. Mr. Duncan stated that the purpose of the resolution is to prevent appointments based only on personal familiarity and to ensure fairness by allowing applicants the opportunity to present themselves, even if they are not already known to board members. He stated that the same procedure applies at the City Council level, noting that Council should not simply recognize a name and appoint an individual based on familiarity. He stated that doing so creates a public perception that individuals cannot serve on boards unless they know someone. Mr. Duncan stated that the system is designed so that individuals who wish to serve on a board must appear, speak, and present themselves. He stated that applicants should be given the opportunity to address the board or City Council, explain their interest, and demonstrate their willingness to serve. Mr. Duncan stated that the purpose of the resolution is to ensure that appointments are not made behind closed doors or based solely on personal relationships. He stated that while he was not alleging any conspiracy, it is human nature to favor individuals one already knows when reviewing applications. Mr. Duncan explained that when multiple applications are submitted and one applicant is personally known while others are not, fairness requires that all applicants be given an opportunity to speak and present their qualifications. He stated that this ensures unfamiliar applicants are not excluded simply because they lack personal connections. Mr. Duncan stated that requiring applicants to be present allows them to advocate for themselves, explain why they would be a good fit for the board, and demonstrate their eagerness to serve. He stated that this requirement encourages broader civic participation and reduces reliance on personal connections. Mr. Duncan stated that the resolution, as written, is intended to encourage new participation and ensure that citizens feel they have a fair opportunity to serve.

Councilman Pena stated that it had been established that nothing illegal occurred with the prior appointments, which had been the original premise of the motion. He then raised a new question regarding whether the motion itself was legal under the ordinance, specifically questioning whether two board

members could be removed at the same time through a single motion. Mayor Cain referenced prior comments from legal counsel indicating that, as the motion was made, it would be considered illegal. Councilman Pena expressed concern about whether Council would be acting improperly by proceeding and referenced prior discussions about avoiding actions that could place the City in legal jeopardy. Mayor Cain clarified and said it is legal for the motion that was made. Mayor Cain stated it is legal to take a vote on the motion that was made due to the way the motion was made. City Attorney Chris Duncan stated if the motion had been to remove individuals based on an illegal appointment, that would be a different issue; however, the motion as made was simply to remove board members. Councilman Pena stated that it had been established that nothing illegal occurred at the prior meeting. He then asked whether the motion currently before Council violated the resolution by attempting to remove multiple board members at the same time, regardless of the reason. City Attorney Chris Duncan responded that he had not previously considered that specific point and stated that, procedurally, motions to remove board members should be made one person at a time. He confirmed that removals must be handled individually. Councilman Pena stated that, based on that clarification, the motion would need to be revised to be legally proper.

Councilman Davis stated that just as Council appoints board members one at a time, removals must also be conducted one at a time. He explained that Council cannot make a single motion to appoint or remove multiple individuals simultaneously, noting that Council would instead vote separately on each individual. He stated that the same rule applies when attempting to remove board members and that a motion to remove an entire board at once would not be proper. Councilman Davis further stated that if Council wished to change the process, it could amend the rules by removing board recommendations and leaving appointments solely to Council. He compared the process to a hiring scenario, noting that applicants would not typically be selected without appearing for an interview. Councilman Davis stated that allowing applicants to appear and speak before the Council is the appropriate process and helps avoid confusion. He further stated that boards may feel disrespected when they make recommendations that are not followed, but ultimately the final decision rests with Council. He stated that bringing applicants before Council to explain why they should serve allows Council to make informed decisions directly and avoids misunderstandings in the appointment process.

Councilman Pena stated that, at that point, an illegal motion would need to be revised. He stated that if Council intended to take action regarding Mr. Pearson and Mr. Adams, the actions would need to be handled individually. He requested that Mayor Cain instruct either to revise the motion so that it would be legally proper or to table the item.

Councilman Pena asked what the penalty would be for violating a City ordinance. City Attorney Chris Duncan responded that it would depend on the specific ordinance, noting that the City has many ordinances. Councilman Pena followed up by asking whether the ordinance in question could simply be ignored and whether other ordinances could likewise be disregarded. He stated that he was asking to understand what actions Council could take without consequence. City Attorney Chris Duncan responded that if Council were to take a vote on an improper or illegal motion, the action would be void.

Mayor Cain addressed Councilman Matamoros and asked whether, in light of the discussion, he wished to amend his motion. Councilman Matamoros stated that procedurally, the Council member who seconded the motion would need to withdraw the second before an amendment could be made.

Councilman Rossow withdrew his second.

Councilman Matamoros stated that he would withdraw his motion.

A motion was made by Councilman Matamoros to table this item (4G), seconded by Councilman Pena with all present and voting "Aye" 5-0. The Council unanimously approved the motion to table this item.

Discussion and possible action regarding City Boards' meeting times and meeting facilities.

Councilman Pena stated that City Council has oversight authority regarding the organization and operation of City boards and commissions, including meeting schedules and the designation of meeting locations. He stated that, from time to time, changes in meeting times or facilities may be necessary to ensure accessibility, efficiency, compliance with the Texas Open Meetings Act, and effective public participation.

A motion was made by Councilman Pena to require the various City boards to as a matter of transparency because that is what was really asked for the Civil Service with discussion that followed.

Councilman Pena stated that he was encouraged to see the Civil Service Commission members work collaboratively and agree that meeting times should not be set in a way that prevents Council members or working individuals from attending.

A motion was made by Councilman Pena to create or designate or require all City boards except for the Beautification Board and the Senior Citizen board be held in City Council Chambers so that the public can be able to witness it whether they are here or on the live webcast, we have that for all the boards except for Charter Committee and Main Street and Historical, and want to make sure that those because they are going to be moving forward with a lot of big spending items and want to make sure that is all transparent.

Councilman Pena said that is the motion that those boards be required to be in Council Chambers for their meetings and not in not sequestered in some other space.

Mayor Cain stated that there was a motion on the floor to require all City boards to hold their meetings in City Council Chambers, with the exception of the Beautification Board and the Senior Citizens Board.

The motion was seconded by Councilman Davis with discussion that followed.

Councilman Pena stated that the Civil Service Commission did a good job in planning and scheduling its next meeting. He stated that the initial meeting time was not well thought out, noting that it had been scheduled at 5:00 p.m., but that Council requested the meeting be moved to 6:00 p.m. Councilman Pena stated that within a short period of time the Civil Service Commission adjusted the meeting to 6:00 p.m. and selected a regular meeting time that did not conflict with another board. He stated that this was a positive outcome because it allows for greater Council participation and public participation. Councilman Pena stated that increased participation supports transparency, which he identified as the underlying intent of his agenda request. He stated that this was particularly important for boards that are responsible for spending significant public funds, including tens or hundreds of thousands of dollars, and in some cases millions of dollars, such as the Economic Development Corporation and the Tourism Board. Councilman Pena stated that these boards should be required to hold meetings in City Council Chambers and be recorded on camera. He stated that without such requirements, boards such as the Civil Service Commission could schedule meetings during the workday, limiting attendance by Council members and the public. Councilman Pena stated that he appreciated the Civil Service Commission's willingness to move its meeting to 6:00 p.m. He stated that his goal was to increase transparency and accountability so that residents can observe board discussions and actions, and that this transparency was the sole purpose of his request.

Councilman Davis stated that he understood the discussion and thanked Councilman Pena for the clarification. He stated that he agreed that Civil Service and other boards should attempt to schedule meetings at times when Council members and the public are able to attend, noting that the matter is new and that it is important for both Council and citizens to understand what actions are being taken. Councilman Davis stated that many citizens want to know what is being voted on, what discussions are taking place, and what actions are occurring, and that having meetings recorded and available on camera would allow the public to watch and stay informed. He stated that meetings held at 6:00 p.m. are more accessible,

particularly given that many Council members and residents work during the day, and that 5:00 p.m. meetings are difficult to attend. Councilman Davis referenced his own experience missing meetings due to work obligations and stated that boards often discuss ways to increase public involvement. He stated that citizens frequently ask questions about development and other board actions, and that it is difficult to respond when meetings are not accessible or observable. Councilman Davis stated that allowing meetings to be recorded and available for viewing at home would help educate the public. He raised a concern regarding space limitations in City Council Chambers, noting that some boards have as many as nine members and questioning whether adequate seating would be available. Councilman Davis suggested that if boards are unable to meet in Council Chambers, they should at least be required to have meetings televised or recorded, similar to City Council meetings, such as through YouTube or another platform. He stated that transparency is about keeping people informed beyond Council meetings. Councilman Davis stated that it can be embarrassing when Council members are asked about board actions and are unaware due to limited access to meetings. He stated that it would benefit everyone if board meetings followed a process similar to City Council and Civil Service meetings, particularly for boards handling important matters. Councilman Davis stated that if citizens cannot attend meetings in person, they should at least be able to watch them, emphasizing the importance of transparency and public access. Councilman Davis stated that he believed the idea was a good one. He stated that he initially thought the motion might need to be modified because it appeared to require all boards to meet in City Council Chambers, and he expressed concern that there may not be sufficient space to accommodate all boards. Councilman Davis stated that, regardless of location, he believed all board meetings should be televised.

Councilman Pena stated that joint meetings between City Council and the Economic Development Corporation had been held previously in City Council Chambers and that seating arrangements were accommodated without issue. He stated that additional chairs could be placed as needed and that the existing cameras could capture participants seated in that area. Councilman Pena asked about the camera's capability to capture individuals seated to the side and referenced the 360-degree coverage of the system. He also noted that microphones could be added as needed, referencing prior meetings where microphones had been placed in that area. Councilman Pena stated that when the EDC previously met on the second floor of the old City Hall downtown, there were incidents where residents and developers became confrontational. He stated that meetings were moved to City Council Chambers to establish a clear and appropriate boundary and to ensure safety, noting that the presence of police officers has been beneficial when meetings become contentious. Councilman Pena stated that the Council Chambers provide adequate space for attendees and participants and that, compared to other meeting locations, the space avoids overcrowding. He further stated that the Chambers are already equipped with video and audio infrastructure, eliminating the need for additional setup costs or reinventing transparency measures.

Mayor Cain asked which boards currently do not use City Council Chambers, aside from the Beautification Board and the Senior Citizens Board. Councilman Pena stated that the Main Street Board and the Charter Review Committee. Mayor Cain stated that, as a result, the proposed change would primarily affect the Main Street Board and the Charter Review Committee. He stated that microphones would need to be moved or added when those boards meet in Council Chambers so that members can be recorded properly. IT Director Toby Cohen stated that additional microphones could be added if needed, depending on whether citizen comments were included. He stated that additional microphones would require an additional repeater, and that with one additional repeater, approximately two additional microphones could be supported.

Mayor Cain stated the seniors should be given the option to continue meeting in their current location due to the number of activities conducted prior to their meetings. Councilman Rossow stated that their meetings often follow immediately after scheduled activities and that moving locations would require shutting down activities, closing facilities, and relocating to the Chambers, which could be burdensome. He stated that such transitions would likely be inconvenient.

Main Street Coordinator Maria Lopez stated that the purpose of holding Main Street Board meetings at the Nat Hickey Education Center was intentional and based on the desire to be located in the downtown area. She stated that the decision was made for inspirational purposes, noting that being downtown helps the board remain focused on the area they are working to promote. She stated that she felt it was the right approach for the board and wanted the Council to consider that perspective, as it directly affects the board's work. Mayor Cain stated that he welcomed Ms. Lopez's input. Ms. Lopez stated that she had considered coordinating with staff to explore options such as broadcasting meetings via Facebook Live or other platforms, in order to make the meetings more public while still allowing the board to meet downtown and remain comfortable. Councilman Pena stated that holding meetings in City Council Chambers provides a centralized, uniform location that eliminates confusion for the public. He stated that residents often do not know where different boards meet and cited examples, including the Beautification Board, Senior Citizens Board, and Main Street Board, noting that meeting locations can be unclear unless someone is directly involved as a liaison. Ms. Lopez clarified that her reference to inspiration was tied to the board's work on downtown projects and the ability to conduct or plan future activities in close proximity to meeting locations. She stated that holding meetings downtown allows the board to immediately transition to project-related discussions or walkthroughs when needed. Councilman Pena asked how many downtown walkthroughs had actually occurred since Ms. Lopez assumed the coordinator role. Ms. Lopez responded that no walkthroughs had occurred during her tenure but stated that downtown walkthroughs were included as an annual goal for the year, with one planned for March, intended to encourage community engagement with the downtown area. Councilman Pena stated that he was attempting to evaluate the strongest and most practical argument for maintaining meetings downtown versus relocating them to City Council Chambers. He stated that historical practice showed very few walkthroughs had occurred over several years, even prior to Ms. Lopez's tenure, and that only one walkthrough had taken place in the past three years. Councilman Pena stated that given the limited use of downtown walkthroughs, he questioned whether it was practical to invest additional resources in creating audiovisual accommodations in a smaller downtown space when City Council Chambers already provide adequate space, existing audiovisual infrastructure, and greater public accessibility. Councilman Pena stated that the Council Chambers offer more transparency, better accommodations for the public, and built-in audiovisual systems for both board members and residents. He stated that attempting to replicate those capabilities downtown did not appear efficient or necessary given how infrequently on-site walkthroughs had occurred. Councilman Pena stated based on the information discussed, it made more sense for Main Street Board meetings to be held in City Council Chambers.

Police Chief Jennifer Howell stated that she wanted to add clarification regarding the Main Street Board meeting locations. She stated that when Ms. Lopez initially assumed the coordinator role, Main Street Board meetings were being held at City Hall. Chief Howell stated that Ms. Lopez expressed interest in moving the meetings downtown; however, at that time, there was not an appropriate meeting space available downtown. She explained that the area adjacent to the previous location was used for special exhibits and that a suitable space was not available until the expansion center was completed. Chief Howell stated that since the expansion center became available, the Main Street Board has held only two meetings at that location. She stated that the intent behind moving the meetings downtown was to allow board members to see firsthand, on a monthly basis, the projects and goals the board is working toward. Chief Howell stated that she understood the concerns raised during the discussion but emphasized that the downtown meeting space had not been available for an extended period, which is why only two meetings have been held there to date.

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

A motion was made by Councilman Pena that the Main Street be required to have live audiovisual during their meetings Main Street and Historical both with discussion that followed.

Mayor Cain stated that the motion could not be made because it was not specifically listed on the agenda. Councilman Pena responded that the matter was germane to the agenda item under discussion. Mayor Cain stated that Council could direct the City Manager to address the matter.

City Attorney Chris Duncan stated that the agenda item referenced discussion and possible action regarding City board meeting times and meeting facilities, and that audio and visual capabilities could reasonably fall under the definition of meeting facilities. He stated that, under that interpretation, Council could be permitted to make a motion requiring certain boards to have audiovisual capabilities. Mayor Cain clarified that the proposed motion would apply to the Main Street Board and the Historical Commission in Downtown.

A motion was made by Councilman Pena to have audiovisual to be placed at the meeting for Main Street and Historical as well ensuring that it is at 6:00p.m. like all the other boards that are publicly broadcasted so that everybody can attend, seconded by Councilman Davis with discussion that followed.

Councilman Pena stated that he had previously served as liaison for the Main Street Board and that one of the reasons he was unable to attend those meetings was due to the meeting time, which ultimately led him to stop serving as liaison.

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 stated that he wanted to thank everyone who came out and spoke during the meeting. He stated that some individuals spoke forcefully and others spoke untruthfully, and that he believed it was clear who those individuals were. He stated that he would address truths and fallacies further through his social media podcast. Councilman Pena stated that he remained very concerned about the intersection of Fourth Street and Pecan Street. He stated that, in his view, the issue could be resolved in a simple and straightforward manner and questioned the need to involve engineers to overanalyze the problem. He stated that he was curious about the status of the money spent on the traffic study when potential solutions such as stop signs or speed humps could have been implemented. City Manager Dr. Danielle Kelly responded that the traffic study was received the previous Thursday afternoon and would be included on the February 5 agenda for Council consideration. She stated that the recommendation from the study was to install a four-way stop at the intersection. Police Chief Jennifer Howell explained that the reason the matter was referred to engineers was because it is required by the Texas Transportation Code. She stated that the City cannot install stop signs or speed humps arbitrarily and must follow a defined process. She acknowledged that the process can be slow but stated that the City did not receive the study in time for it to be included on the current agenda. Councilman Pena asked whether speed humps installed in parks had gone through the same engineering process. Chief Howell responded that roadways within parks are treated differently under the Transportation Code than public streets and residential roadways. She stated that streets fronting or running through parks fall under different standards. Councilman Pena addressed lighting in and around City Hall and downtown areas. He stated that lighting on Second Street and Cherry Street was inadequate and described the area as extremely dark. He stated that lighting downtown is important for residents and visitors and refuted claims that City Hall lights remain on continuously, stating that they operate using photo sensors like other streetlights. Councilman Pena stated that lighting in the City Hall parking lot had been installed because, after City Council meetings, the area was very dark and people felt unsafe. He stated that lighting helps ensure public safety and sends a message that the City is not abandoning downtown. He emphasized that City Hall lights should remain on. Councilman Pena stated that he remained serious about addressing the use of cell phones during Council meetings. He stated that he believed it was highly disrespectful and

questioned whether it could violate the Texas Open Meetings Act. He asked the City Attorney to address whether Council members texting during meetings constitutes a violation. City Attorney Chris Duncan responded that it is a violation of the Texas Open Meetings Act for Council members to exchange messages, including text messages or emails, with other Council members or members of the public during a meeting. He stated that all deliberations must occur publicly and that communications outside the public forum during a meeting would violate the Act. Councilman Pena thanked Mr. Duncan and asked whether the matter could be placed on a future agenda as a resolution. Councilman Pena then thanked everyone who participated in the Martin Luther King Jr. festivities, including the parade. He stated that the event received positive feedback and thanked the Freeport Police Department and neighboring first responders for traffic control and assistance. He stated that the weather was favorable and noted that the Martin Luther King Jr. celebration originated in Freeport. Councilman Pena recommended that the City have an official presence at future Martin Luther King Jr. galas and parades, including an official City float featuring Council members, the City Manager, and senior staff. He stated that visibility is important and suggested that the City also participate in other parades, such as Mardi Gras and neighboring cities' events, to promote positive outreach. Councilman Pena also commended the Police Department dispatch staff for their responsiveness to incidents around town, particularly downtown. He cited instances involving illegal drugs, paraphernalia, and suspicious individuals near the museum and other downtown buildings. He stated that dispatch consistently responded appropriately and sent officers to address issues. Councilman Pena praised the professionalism, sensitivity, and rapport demonstrated by the Police Department toward citizens. He stated that his personal observations and experiences had been positive and encouraged the department to continue its efforts.

Councilman Davis Ward B announcements and comments.

Councilman Davis thanked everyone for coming out to speak. He stated that he had previously discussed the issue of stop signs and traffic control and reiterated that installing stop signs is a process that must follow established procedures. He stated that, based on his experience working with signage at the county level, stop signs cannot simply be installed without going through the required process, even though it can be frustrating and time-consuming. He stated that while the process can sometimes move quickly, it often takes time. Councilman Davis stated that the City is not ignoring the situation and has placed signage to raise awareness as a temporary measure. He stated that these measures are intended to address immediate concerns while the City works toward receiving the proper authorization to make a permanent decision. Councilman Davis asked who was responsible for the fire hydrants and replacing. Mayor Cain stated Veolia is responsible for their maintenance. Fire Chief Chris Motley stated that Veolia make the recommendations regarding fire hydrant replacement and that replacement costs are passed back to the City for approval. He stated that the City is responsible for paying for the replacement of fire hydrants, and that the work would be carried out through Veolia. Mayor Cain requested clarification on the process? Chief Motley stated that, based on his understanding, under past practice a project manager would determine that a fire hydrant needed to be replaced and direct that the replacement be completed. He stated that the cost would then be passed back to the City and reflected in the monthly service charges from Veolia. He noted that he did not recall the specific account or line item through which those charges were processed. Councilman Davis stated the fire hydrant on the south side of town had been leaking for an extended period, was recently repaired to stop the leak, but was determined to be no longer functional and in need of replacement. He stated that the issue had existed for over a year and raised concern about access to water during a fire. City Manager Dr. Danielle Kelly stated that in the Veolia contract there will be a schedule in there to exercise all of the hydrants to make sure that they are operating as required. Police Chief Jennifer Howell stated that on the night of the fire, the Patrol Sergeant reported the hydrant issue. She stated that she forwarded the information to Mr. Dawson and included Chief Motley and Dr. Kelly so that the matter was formally reported. She stated that Mr. Dawson responded that the issue would be addressed. Councilman Davis provided that hydrants identified as needing repair or replacement are flagged for correction, and that replacement costs are typically communicated to the City for approval. Councilman Davis stated that it had been known for some time that the fire hydrant in question was out of service. He stated that he was aware of the issue and referenced Rudy and his crew, noting that he had personally gone to the site and met with them. Chief Howell stated that, ultimately, responsibility for the hydrant falls under Veolia. She stated that

when the information was received by City staff, it should have been communicated to Veolia, and that Veolia or City personnel later responded to address the issue. Councilman Davis stated that while repairs had taken place to stop the leak, the hydrant required replacement. He questioned who is responsible for authorizing that replacement and stated that the decision ultimately rests with the City of Freeport. Police Chief Jennifer Howell stated that the process ultimately depends on whether the issue involves a repair or a full replacement. She stated that if a replacement is required, the responsible party would provide the City with the replacement cost information for review and action. Councilman Davis stated that the hydrant in question had already been reported to Veolia for replacement. Chief Howell stated that she would follow up to ensure the hydrant replacement was addressed and expressed concern about public safety if hydrants are not functional during emergencies. Councilman Davis thanked the City and staff for their participation in the Martin Luther King Jr. celebrations and noted the importance of community involvement. Councilman Davis requested that an item be placed on a future agenda regarding the Senior Prom organized by Brazosport for the Seniors. He asked whether the Council could consider waiving the fee for use of the River Place facility, so the event could be held there in May. He stated that the prom is funded through fundraising and is not supported by the school district, and that the organizers did not have sufficient funds to cover the facility cost due to changes in room availability and associated fees. Dr. Kelly stated that Council members may use a one-time annual sponsorship to waive fees for an event. Councilman Davis stated that he had already used his sponsorship and that his was no longer available. Councilman Davis stated that the Council should revisit the rule governing facility fee waivers, noting that similar events had historically been supported or donated by the City or partner institutions. He stated that since the rule change, issues have arisen and suggested that Council review and possibly revise the policy to better accommodate community events. Councilman Davis stated that he wanted Council to look back at the rule to determine whether changes were appropriate.

Councilman Matamoros Ward C announcements and comments.

Councilman Matamoros stated that the first issue he wanted to raise concerned recent violations issued by TCEQ related to the wastewater lift station located on Slaughter Road, near the golf course, due to a loss of power. He stated that to prevent future violations, the City should consider adding an additional generator at that location. He requested that this item be reviewed. Councilman Matamoros then addressed statements circulating on social media, which he stated were false. He stated that he has not sided against the City in relation to a lawsuit involving approximately one million dollars. He stated that he had provided a statement to the attorney representing the City in that lawsuit and that, if the matter proceeds to trial, his testimony would reflect that position. Councilman Matamoros stated that any person who claims otherwise is a liar. He expressed frustration regarding the misuse of public funds, specifically referencing hotel occupancy tax increases. He stated that it was unfortunate that the City must expend additional resources to defend lawsuits. Councilman Matamoros stated that anyone with questions is welcome to speak with him directly and that he would explain, within legal boundaries, what actions he has taken.

Councilman Rossow Ward D announcements and comments.

Councilman Rossow stated that, like others, he appreciated everyone who attended the City Council meeting, including those participating online. Councilman Rossow cautioned residents to be mindful of freezing temperatures, specifically noting the need to protect plants, pipes, and pets. He emphasized that freezing conditions are serious and should be taken into consideration. Councilman Rossow expressed appreciation to City staff and volunteers who assisted with the Martin Luther King Jr. celebration, noting that the event marked its 40th year. He stated that one of the bishops who helped start the celebration 40 years ago attended this year's event. Councilman Rossow described the celebration as a festival, noting that it included vendors, music, and community activities. He stated that in past years there were multiple bands and that this year included performances by a band from Pearland and the ROTC. He stated that a large number of people attended and that the park was filled with residents and visitors from 11:00 a.m. to 3:00 p.m. Councilman Rossow thanked City employees for their efforts in assisting during the festival and cleaning up afterward. He noted the distribution of trophies and praised the parade, vendors, and food offerings, including fish, and sausage on a stick. He stated that the festival functioned similarly to previous

years. Councilman Rossow stated that a recycling component was added to this year's event, including collection of paper, cans, and small items, and that a sorority group from Houston assisted with the recycling effort. Councilman Rossow stated that the celebration required significant coordination, including a gospel choir on Thursday, a preaching service on Friday, and a banquet on Saturday. He thanked the City of Freeport for sponsoring two tables at the banquet and stated that the event consistently features strong speakers. Councilman Rossow stated that he was proud to be a part of the festival and noted that the weather cooperated this year, resulting in a pleasant day. He contrasted this with the previous two years, when cold temperatures required cancellation of the parade and pavilion festival.

Mayor Jerry Cain announcements and comments.

Mayor Cain thanked everyone who attended the meeting, including those watching remotely and those who came forward to speak during public comment. He stated that public participation is meaningful to Council and emphasized that Council does listen to residents. Mayor Cain referenced repeated public comments regarding a particular intersection, noting that Mr. Koole had spoken about the issue for several months. He stated that it appeared progress was finally being made and emphasized that continued public input was instrumental in bringing attention to the matter. He encouraged residents to continue attending meetings and voicing their concerns. Mayor Cain stated that he was unable to attend the Martin Luther King Jr. parade and festivities on Monday due to work obligations but was able to attend the banquet on Saturday evening. He described the banquet as an excellent event and stated that the speaker was impactful. Mayor Cain stated that he was honored to read a proclamation recognizing the 40th anniversary of the Martin Luther King Jr. celebration. He noted that although he does not enjoy public speaking, it was an honor he was glad to accept and stated that he was proud to represent the City of Freeport. Mayor Cain then addressed upcoming weather conditions, noting that cold temperatures were forecasted. He encouraged residents to monitor the weather and take precautions to protect plants, pets, and property, advising residents to prepare in advance. Mayor Cain concluded his remarks by encouraging everyone to stay safe.

City Manager announcements and comments.

City Manager Dr. Danielle Kelly reminded Council and the public that, based on earlier discussion, the Civil Service Commission is scheduled to meet in City Council Chambers the following day at 6:00 p.m. Dr. Kelly stated that she thoroughly enjoyed attending the Martin Luther King Jr. celebration dinner and described the event as amazing. She stated that the speaker was outstanding. Dr. Kelly stated that she also attended the parade on Monday and initially believed it was limited to the downtown area. She stated that upon realizing the parade extended along Second Street, she arrived around 10:30 a.m. and walked the route, speaking with many people along the way. Dr. Kelly stated that she met local business owners, toured a downtown location currently under construction, and spoke with City employees and police volunteers from neighboring cities. She also stated that she spoke with the individuals coordinating the recycling effort at the event and provided them with her contact information, noting that the City is exploring opportunities to expand recycling initiatives. Dr. Kelly concluded by stating that the experience was enjoyable and engaging.

Mayor Cain stated that before entering executive session, the Council would address an item related to personnel. He stated that the item concerned discussion and possible action regarding personnel matters involving Assistant City Manager and Police Chief Jennifer Howell, including potential conflicts of interest arising from her dual role.

Mayor Cain asked Police Chief Jennifer Howell whether she preferred the discussion to be held in open session or closed session. Chief Howell responded that she preferred open session. Mayor Cain stated that Council would proceed with the discussion in open session at that time.

Councilman Pena stated that he wanted to explain why he placed the item on the agenda and to ensure that both the public and Council understood the proper procedure for the discussion. He stated that before proceeding, it was important to clarify the scope of Council's authority. Councilman Pena asked the City Attorney to confirm that Council does not have authority to hire or fire City staff, noting that Council's

removal authority applies only to the City Manager and the Police Chief, and not to the Assistant City Manager. City Attorney Chris Duncan confirmed that this understanding was correct. Councilman Pena stated that the purpose of the discussion was to provide guidance to the City Manager regarding the will of Council concerning the management of the City, specifically to avoid any conflicts of interest that could place the City in a legally position. He stated that, in simple terms, the discussion concerned potential conflicts of interest. Councilman Pena stated that such matters are typically discussed in executive session, where Council deliberates and then provides recommendations to the City Manager, who generally acts in accordance with Council's direction. Councilman Pena stated that, typically, the City Manager abides by the will of the Council. He remarked that if the City Manager did not do so, they would be fired at the next meeting, then clarified that he was just kidding. He stated that he did not intend to make City Manager Dr. Kelly nervous and explained that his point was simply to describe the usual top-down structure of City governance. He described the organizational structure of the City as operating from the public and Council, through the City Manager, Police Chief, and City Attorney, and then down through the remainder of staff. Councilman Pena emphasized that Council does not operate solely on direction from residents but also exercises independent judgment as elected officials to oversee City operations. He stated that the intent of the discussion was to clarify the organizational structure and that no disciplinary action was being contemplated. Councilman Pena stated that the Assistant City Manager had been promoted to that position in early 2024. Councilman Pena stated that he recalled the issue because it arose only weeks after the tenure of the former City Manager, Lance Petty. He stated that, at that time, Ms. Howell was given the additional title of Assistant City Manager. He stated that he raised concerns with Chief Howell shortly after learning of the promotion and expressed that he did not believe it was a good idea. Councilman Pena stated that assigning the Assistant City Manager role to the Police Chief created a conflict of interest for the City. He explained that in the event the City Manager were unavailable, terminated, or otherwise incapacitated and unable to perform their duties, the Assistant City Manager would assume managerial responsibilities. He stated that this would result in an individual effectively serving as both City Manager and Police Chief, creating a situation where a person would be overseeing themselves. Councilman Pena stated that such an arrangement eliminates objectivity and presents both an active and potential conflict of interest. He stated that this concern existed even prior to the Civil Service discussion and that it represented a conflict of interest. Councilman Pena stated that allowing such a structure places the City at risk of legal jeopardy and moral dilemmas. Councilman Pena stated that an individual cannot be their own boss. He stated that this was the reason he opposed the arrangement when it was first implemented in 2024. Councilman Pena stated that the City now finds itself operating under a Civil Service system that was approved by the voters. He stated that, even with Civil Service in place, conflicts of interest have already arisen and that the appearance of impropriety has been breached in recent situations. Councilman Pena stated that, to address these concerns, the City should ensure that Ms. Howell serves either as a full-time Police Chief or as a full-time Assistant City Manager, but not both. He stated that Ms. Howell possesses strong experience and managerial qualifications as Police Chief and that the City should consider professionally recruiting an Assistant City Manager to eliminate the current conflict of interest. Councilman Pena stated that he would provide specific examples of these concerns but emphasized that conflicts of interest existed even prior to the implementation of Civil Service and continue to exist now. He stated that these conflicts have been exemplified by recent events that increase overall risk to the City and undermine objectivity, fairness, transparency, and proper governance. Councilman Pena stated that combining roles removes essential checks and balances, which is why City government is structured with separate departments. He stated that the City Manager is intended to oversee the Police Chief under the Charter to ensure accountability. Without those checks and balances, he stated, any Police Chief not Ms. Howell specifically could be left with unchecked authority, creating conditions where malfeasance could occur. Councilman Pena stated that the City has spent recent years addressing corruption and that it is not sufficient to simply remove corrupt actors. He stated that the City must remain diligent in holding everyone accountable, ensuring transparency across all boards, and managing the City properly so that roles and authority are clearly understood. Councilman Pena provided an example in which the City Manager becomes incapacitated and unable to perform their duties. He stated that under the current structure, an individual serving in both roles would

become their own supervisor. He further stated that such a situation would leave Police Department personnel uncertain about where to raise concerns if they felt marginalized or targeted, as they would have no independent authority to turn to. Councilman Pena stated that this concern aligns with the underlying reasons Civil Service was created. He recalled that Police Department personnel previously expressed distrust in the former City Manager and were reluctant to bring forward complaints due to perceived abuse of authority. He stated that the former City Manager also weaponized his position against both officers and the Police Chief, contributing to the breakdown of trust. Councilman Pena stated that these events demonstrate the need to ensure proper checks and balances moving forward, rather than addressing issues only after problems arise. He stated that governance should be proactive, not reactive, and emphasized the seriousness of the issue by comparing it to safety measures that should be in place before an incident occurs, not afterward. Councilman Pena stated that the seriousness of the matter was demonstrated by a second example that had occurred recently. He stated that he would not sugarcoat the issue. He explained that City Council received notice approximately three weeks prior, for the January 2 meeting, regarding an agenda item involving the addition of a payment for a fire engine and an EMS truck. He stated that the item was promoted by both Chief Howell and Chief Motley. Councilman Pena stated that, at the time, Council questioned the propriety of the agenda item and determined that it was improper and illegal for a variety of reasons. He stated that Council had to exercise its checks and balances, and that City management and the City Attorney informed Council, allowing the issue to be corrected. He stated that, had City Manager Dr. Danielle Kelly been unavailable to perform her duties, the item would have remained on the agenda illegally, demonstrating the risk of insufficient checks and balances. Councilman Pena stated that the issue is about being proactive and informed, ensuring Council does not make improper or illegal motions, and making correct decisions before problems arise. He questioned why the City would create unnecessary political or legal problems rather than preventing them. Councilman Pena then moved to his third concern, recalling the conceptualization of Civil Service in January of the previous year. He stated that police officers contacted him and other Council members, including Councilman Davis, expressing concerns. He recalled that, during a February meeting prior to the illegal Police Chief's suspension, police officers and union representatives appeared before Council, having formed a union and requesting that Civil Service be placed on the ballot for public decision. Councilman Pena stated that officers were acting defensively due to actions taken by former City Manager Lance Petty, including weaponized criminal and internal affairs investigations that were ultimately unfounded. He stated that Council received documentation supporting those claims. Councilman Pena recalled a meeting involving early-stage Civil Service representatives, the Police Department union, the former City Manager, the City Attorney Olson and Olson, himself, and Mayor Cain. He stated that Mr. Petty chose to retain legal counsel, which Councilman Pena stated effectively disqualified him from his role. He further stated that concerns were raised by City staff and Police Department personnel that Mr. Petty was likely to retaliate against employees. He stated that shortly thereafter, Police Chief Howell was suspended without due process. Councilman Pena stated that this reflected a failure of checks and balances at the Council level at that time and emphasized the importance of being vigilant to prevent conflicts of interest from persisting. He stated that waiting for a crisis is unacceptable, as such crises inevitably recur. Councilman Pena stated that the City now has a Civil Service system, which he characterized as unfortunate due to the lack of understanding surrounding its implications. He stated that it had become clear during recent meetings that neither Council nor the public fully understood the consequences of adopting Civil Service, leaving the City in a difficult position. Councilman Pena stated that the underlying issue requires examining how the City arrived at its current situation and what actions can be taken to prevent further problems. He stated that the sequence began with morale concerns, which were initially directed toward former City Manager Lance Petty. He stated that within a matter of three to four days, those morale concerns shifted and were redirected toward Police Chief Howell. He noted that Chief Howell was ultimately reinstated. Councilman Pena stated that following those events, Mayor Cain and Councilmember from Ward C decided to hold a special meeting to allow police officers to appear before Council and express ongoing morale concerns. He stated that, as a result, the Civil Service issue was advanced and placed on the agenda. He explained that in July and August the issue was placed on the November ballot and ultimately passed, which he attributed in large part to public sentiment supporting

law enforcement. Councilman Pena stated that, during that process, political considerations overshadowed substantive concerns. He stated that conflicts of interest and the continued disarray within the Police Department were lost in the shuffle of the ballot process. He stated that the Police Department remains in disarray today and that he continues to receive calls, as do other Council members, indicating that issues persist. Councilman Pena stated that, beyond morale, the practical realities of Police Department operations must be addressed. He stated that he has attempted to remain sensitive to the position of the Police Chief, acknowledging that she has been working hard. He stated that he personally reached out to Chief Howell as a courtesy to explain his reasons for placing the item on the agenda. Councilman Pena stated that, in his view, a conflict of interest existed prior to morale becoming an issue and that staffing challenges in the Police Department have continued. He recalled that during the budget cycle he advocated for comprehensive solutions, including cost-of-living adjustments and salary increases, stating that he encouraged Council to throw the kitchen sink at the problem. He stated that despite recent raises and ongoing discussion about correcting the compensation matrix, morale remains low and staffing losses continue. Councilman Pena stated that the City has lost officers, including command-level officers, and that additional officers are actively interviewing elsewhere. He stated that this is problematic and underscores the need for solid leadership within the Police Department that is able to focus exclusively on departmental responsibilities without distraction from City management duties. Councilman Pena stated that when Chief Howell was reinstated and former City Manager Lance Petty was terminated, he was appreciative that Chief Howell served as Assistant City Manager during the transition period. He stated that he communicated to her his hope that she would remain in that role until a permanent City Manager was hired and that the City was fortunate to ultimately select Dr. Danielle Kelly from the finalist pool. Councilman Pena stated that he was disappointed to learn that Chief Howell did not wish to continue serving in both roles due to the workload at the time. He stated that the City then proceeded with an interim City Manager arrangement, which produced mixed results, including both positive outcomes and mismanaged or missed issues. He stated that those details could be addressed at a later time. Councilman Pena emphasized that the City currently has a problem that should not be exacerbated. He stated that the Police Department requires full time leadership and that the Assistant City Manager position also requires full-time attention. He stated that the two roles cannot coexist simultaneously and that doing so constitutes a misuse of taxpayer funds and a failure to steward public resources responsibly. Councilman Pena stated that City Hall must be staffed with fully qualified individuals dedicated to their specific roles, rather than individuals learning on the job or dividing their attention between multiple responsibilities. He stated that, in his opinion, Chief Howell is one of the strongest Police Chiefs in the county and that he wants her to serve exclusively as Police Chief, not concurrently as Assistant City Manager. Councilman Pena stated that while he is confident in Chief Howell's qualifications as Police Chief, he does not have sufficient information regarding her credentials for the Assistant City Manager role. He stated that the City followed a rigorous process to hire a highly qualified City Manager and should apply the same standards to all leadership positions, including Assistant City Manager, Human Resources, Public Works, Parks, Economic Development, Main Street, and other departments. Councilman Pena stated that the practice of consolidating positions and requiring staff to wear multiple hats creates conditions conducive to corruption. He referenced prior administrations, including the tenure of Tim Kelty and later Lance Petty, stating that similar consolidation practices were used and resulted in detrimental outcomes for the City. He stated that such practices are harmful to any organization and often accompany incompetence and attempts to conceal misconduct. Councilman Pena stated that he does not want the City to repeat past mistakes. He stated that he does not want to be in a position in the future where conflicts of interest must be addressed after harm has occurred. He emphasized the importance of proactive, professional, and timely action to prevent such issues. Councilman Pena stated that the Police Department needs as much support as possible to function effectively and meet public safety and security needs. He stated that attracting and retaining quality personnel begins with leadership at the top. He stated that while he initially believed morale would improve, it has instead remained low or deteriorated, noting that several high-performing officers have left the department. He stated that the City cannot afford to lose its best officers.

Police Chief Jennifer Howell stated that she wanted to make a comment. She stated that she had never attempted to place the purchase of a fire engine on the agenda and that she was uncertain where that information originated. She stated that she had asked Fire Chief Chris Motley whether he had attempted to place such an item on the agenda and that he had confirmed he had not. Councilman Pena stated that the Council had received a series of emails over the past several weeks related to budget matters and that he would be willing to share those emails at a later time. Chief Howell reiterated that she had never requested that a fire engine be placed on the agenda. City Manager Dr. Danielle Kelly clarified that the matter in question involved a budget amendment proposed by the Finance Director, which was ultimately withdrawn. Chief Howell stated that while she was included in the email communications, she did not request the placement of a fire engine on the agenda. Councilman Pena stated that he would revisit the email correspondence and was willing to share that with Chief Howell. Chief Howell acknowledged that she had been included in the email thread referenced. Chief Howell explained that the budget amendment discussion related to a proposal originally initiated during Interim City Manager Dan Pennington's tenure. She stated that the discussion involved the potential use of leftover funds from prior fiscal years to begin earmarking money over time for large capital purchases, such as a fire engine, in order to avoid a single significant financial impact in one year. She stated that Ms. Hurst prepared the budget amendment reflecting that concept. She emphasized that she was not attempting to purchase a fire engine illegally or improperly. Councilman Pena stated his understanding that the budget amendment had initially been presented to Council as improper. Chief Howell stated Ms. Hurst had actually researched and got the information corrected and what she was trying to do was not illegal and provided that information to City Attorney Chris Duncan and that the matter appeared to be the result of a miscommunication. Councilman Pena stated that he was willing to discuss the matter further and review the emails in detail if desired, but he did not want to belabor the issue at that time. He stated that he wanted to ensure Chief Howell had the opportunity to address other items as well. Chief Howell stated for the record that she has not placed any illegal items on the agenda. She reiterated that neither she nor Fire Chief Motley attempted to place the fire engine item on the agenda and that she wanted that clarification entered into the record. Chief Howell stated that with respect to the broader discussion, the ultimate decision rests with City Council and City Manager Dr. Danielle Kelly. She stated that if Council determines that two separate standing positions are appropriate, it will then be up to the City Manager to decide where she is best placed within the organization. She stated that she is committed to serving the City in whatever position and capacity Council and City management determine is appropriate. Chief Howell stated that she informed Dr. Kelly earlier that day that if a decision were made to separate the roles, she would have several questions. She stated that given the relatively new working relationship with the City Manager, she believed it would be premature to fully address those questions while Dr. Kelly continues to learn the City, its systems, and her vision for the Police Department and City operations. Chief Howell further stated that during her time serving as Interim City Manager, she did not consider herself to be her own boss. She stated that she considered City Council to be her supervisory authority during that period. She explained that while serving in the interim role, she reported directly to Council, and Captain Brinkman assumed oversight of the Police Department during her absence, consistent with prior practice. Chief Howell stated that at no point did she view herself as overseeing herself. She reiterated that she viewed City Council as her authority during that time.

Councilman Pena stated that he appreciated the response that had been provided. He stated that his concern was not about being unfair with respect to timelines or allowing matters to be addressed comfortably during a future budget period. He noted that it had previously been discussed that the issue might be addressed during the budget process, including whether to retain an assistant city manager position, a dual role, or associated compensation considerations. Councilman Pena stated that the issue facing Council was that all parties are now operating under the constraints of the recently adopted civil service system. He stated that it is of no comfort to Council to be forced to fast-track decisions but emphasized that the current circumstances require prompt action. He referenced that Council had recently fast-tracked the formation of a new commission and noted that the commission was still in the process of learning its responsibilities, with a meeting scheduled for the following day. Councilman Pena stated that, in addition to that learning curve,

there is an immediate and ongoing concern regarding conflicts of interest. He described this as a second layer of the discussion and stated that it is time-sensitive and does not allow for a wait and see approach by the City Manager, Council, or the public. He stated that the City is under pressure to act because the civil service program requires strict legal compliance, including avoiding conflicts of interest and appearances of impropriety. Councilman Pena stated that this concern had already manifested in recent discussions regarding meeting agendas and the facilitation of meetings, particularly with respect to whether Police Chief Howell or Fire Chief Motley would be involved. He stated that this raised the question of whether the situation constitutes a legal conflict of interest, in addition to presenting practical concerns. Councilman Pena reiterated his position that an individual cannot be their own boss. He further explained that when an individual serves simultaneously as Assistant City Manager and Police Chief, it creates a conflict of interest within the City's organizational structure. He described the structure as involving City administration including the City Manager, Assistant City Manager, City Attorney, and Chief Financial Officer on one side, the Police Department command structure on another, and the Civil Service Commission as a third, independent party. Councilman Pena stated that the Civil Service Commission cannot effectively negotiate or operate independently when dealing with an individual who simultaneously represents multiple parties within that structure. He described this situation as a triangulation that presents a significant problem for the City. Councilman Pena stated that he intended to ask the City Attorney to provide a legal opinion on whether this arrangement constitutes a conflict of interest. He also emphasized the practical implications, noting that even during the first Civil Service Commission meeting, commission members were still learning procedures and processes. Councilman Pena stated that it had already been conceded that Police Chiefs should not attend certain Civil Service meetings, and he noted that City Manager Dr. Kelly had instructed the Chiefs not to attend in order to avoid improper influence. He also referenced an earlier situation in which a meeting between the Chief and the Civil Service Chair had been intercepted by the City Manager to avoid an appearance of impropriety. Councilman Pena stated that these instances demonstrated that problems had already arisen. He stated that there had been issues related to Chiefs attempting to direct the Civil Service Commission, even though the Commission falls more appropriately under the administrative side of City operations for organizational and facilitation purposes. Councilman Pena stated that this creates a serious concern for police officers who may feel unable to bring complaints to the Police Chief and instead seek recourse through Civil Service. He stated that when Civil Service is effectively overseen by administration that includes the Police Chief in a dual role, officers are left without a clear, independent avenue for recourse. Councilman Pena stated that this situation creates uncertainty, discomfort, and low morale among officers. He further stated that it contributes to a perception that Freeport's civil service system is burdened by conflicts of interest and potential legal issues, which may discourage officers from seeking employment with the City. Councilman Pena stated that he wanted to ask a question in public regarding the legality of holding dual positions. He requested clarification on whether there is a legal conflict of interest when the same individual serves as both the Chief of Police and the Assistant City Manager. He specifically asked whether having the Police Chief also serve as Assistant City Manager presents any legal conflict of interest.

Mayor Cain requested clarification from legal counsel on whether there is any conflict of interest associated with an individual serving simultaneously as Chief of Police and Assistant City Manager. He asked whether holding both positions presents a legal conflict of interest.

City Attorney Chris Duncan stated that he did not believe there is a legal conflict of interest in an individual serving simultaneously as Assistant City Manager and Chief of Police. He explained that the issue previously raised regarding one individual serving as both City Manager and Chief of Police would violate the City Charter, because the Charter clearly establishes the City Manager and the Police Chief as two separate positions, with the City Manager supervising the Police Chief. Mr. Duncan clarified that while holding both the City Manager and Police Chief positions at the same time would violate the Charter, serving as Assistant City Manager and Police Chief does not. He explained that the Charter specifically requires the City Manager and Police Chief roles to be held by separate individuals, but it does not impose

the same requirement on department heads serving in additional administrative roles. Mr. Duncan further stated that if an Assistant City Manager were to simultaneously become City Manager while also serving as Police Chief, that arrangement would violate the Charter because those roles must be held by two separate individuals. However, he reiterated that serving as Assistant City Manager and Police Chief at the same time does not violate the Charter and does not present a legal conflict of interest in his opinion.

Councilman Pena stated that this was the core of his concern. He explained that while the Charter component would be considered, the Charter itself clearly underscores the issue. He stated that the Charter makes it explicit that such an arrangement is not permitted, and questioned why the City would place itself in a position that could result in a violation of the Charter.

Police Chief Jennifer Howell stated that this was the reason that, when she served as Interim City Manager, Captain Brinkman was appointed as Interim Police Chief, in order to maintain separation between the two roles.

Councilman Pena stated that the idea of having an automatic trigger that allows individuals to default into roles for which they may not be prepared, trained, or credentialed was problematic, particularly when those individuals would be wearing both roles simultaneously. He emphasized that this situation did not involve minor or interchangeable duties, but rather the most senior positions within a municipal entity. Councilman Pena questioned why the City would proceed in a half-baked or half-cocked manner instead of ensuring that the best qualified individuals were fully focused on their respective jobs and performing those jobs to the best of their abilities. He stated that the City had recently worked to eliminate redundancies and address instances where individuals were not properly performing their roles, and that the City was better for having done so. He further stated that the City should not place itself in a position where it assumes someone will simply step up when a crisis occurs, but instead should have qualified experts already in place for each role. He noted that sharing roles creates conflicts of interest and potential charter violations, and added that one of his early concerns dating back to prior administrations and the initial move to assign Chief Howell as Assistant City Manager was that the arrangement was politically fraught with risk. Councilman Pena stated that, while he did not previously know how Chief Howell would handle the dual role, he had now seen enough to believe that the arrangement created too many problems. He reiterated that legal counsel had already articulated that such a situation could violate the City Charter and questioned why the City would allow a structure to remain that could unpredictably result in a charter violation at any moment. City Attorney Chris Duncan stated that he also wished to respond to the point raised, noting that he did not believe the situation became legal simply because the Police Chief became Interim City Manager while another individual was designated as Interim Police Chief. He explained that the individual would not cease being the Police Chief by serving in an interim city manager role. Mr. Duncan further stated that, in such a scenario, if termination were to occur, the City would still be required to follow all rules, procedures, and protections applicable to the Police Chief and to police officers generally. He stated that he did not believe the argument being discussed was sufficient, noting that the issue was not cured simply by asserting that the Police Chief had turned over responsibilities to another individual while serving as Interim City Manager. He explained that the individual still retained the position of Police Chief and had not resigned or been terminated from that role. Mr. Duncan stated that even if the interim arrangement was intended to be temporary, the Police Chief would still legally hold the position. He further explained that if the individual were removed from the Interim City Manager role, they would remain the Police Chief, which could present a potential problem. Mr. Duncan stated that, for these reasons, he believed there could be a violation of the City Charter when the Police Chief serves as Interim City Manager while another individual is designated as Interim Police Chief. However, he clarified that he did not believe holding the positions of Assistant City Manager and Police Chief simultaneously created a legal conflict. He stated that he believed it would be problematic for department chiefs, including the Police Chief and Fire Chief, to interact with the Civil Service Commission in a manner that involved directing, training, or influencing the Commission. He explained that the same concern would apply if an individual serving as Assistant City Manager were to

engage in such interactions, noting that those responsibilities should be avoided to prevent impropriety. Mr. Duncan further stated that, absent such involvement with the Civil Service Commission, performing other duties simultaneously as Assistant City Manager and Police Chief would not, in his opinion, constitute a legal problem.

Police Chief Jennifer Howell stated that she wished to add clarification regarding an email she had sent to Council concerning the Civil Service Commission. She explained that it was never her intent, nor Fire Chief Motley's intent, to create any misconception or appearance of impropriety. She stated that the situation was viewed as one in which the Civil Service Commission had been established, and the department needed to begin moving forward within a limited timeframe. Chief Howell explained that she and Chief Motley approached the matter as go-getters who felt a need to hit the ground running, particularly given the short period available to get the Commission established and the concurrent transition in city management. She stated that it was a hectic period and reiterated that there was no intent to be perceived as directing or influencing the Commission. Chief Howell further stated that neither she nor Chief Motley intended to train or orient the Commission, and that their goal was instead to identify appropriate subject matter experts to assist. She noted that Mr. Duncan had sent an email regarding attorneys who could assist in that role, which reflected the nature of their discussions. She added that she had not yet completed gathering all relevant names at that time, which was why the information had not yet been provided. She stated that as soon as it became apparent that some Council members viewed the situation as potentially problematic, both she and Chief Motley immediately disengaged. She explained that she turned over all related information to City Manager Dr. Kelly and that neither she nor Chief Motley attended the most recent meeting. She also advised her staff of her absence to avoid creating the impression that she or the department did not support the Civil Service Commission. Chief Howell stated that Chief Motley shared similar concerns regarding how their absence might be perceived by personnel. She noted that, based on her research of other jurisdictions, department chiefs are often actively involved with their civil service commissions by providing reports, information, and explanations of standard operating procedures so that commissions can develop appropriate local rules. She emphasized that such involvement is intended as information sharing rather than guidance or direction. She reiterated that at no time was it her intent to guide, steer, or improperly influence the Commission. She stated that once concerns were raised, both chiefs chose to remove themselves entirely to avoid any appearance of impropriety. Chief Howell stated that neither she nor Chief Motley would attend the upcoming meeting, and that they would instead attend the BCCA meeting, in order to avoid any perception of improper involvement.

Councilman Pena stated that, in his view, intention was largely irrelevant in this matter and that the issue centered on perception and reality. He stated that while intentions may be one thing, the perception that had been created was another, and that perception mattered. Councilman Pena stated that concerns had been communicated to him by anonymous employees, officers, board members, and residents, all of whom expressed that there needed to be a clear delineation between the Civil Service Commission, department chiefs, and city administration. He stated that it did not take significant convincing for him to recognize the problems created by the lack of separation, which was why he continued to raise the issue. He emphasized that the matter was time-sensitive, legally significant, and that placing the City in a position where it could again violate the Charter was comparable to voting on an illegal resolution. Councilman Pena stated that he felt strongly that a structural change could be made that would allow Chief Howell to continue serving as Police Chief while allowing City Manager Dr. Kelly to conduct a professional search for an Assistant City Manager. He further stated that if Chief Howell wished to pursue a career as an Assistant City Manager, she should be afforded the opportunity to participate in a formal recruitment or staff search process at the appropriate time. He stated that he hoped it was understood that his comments were not personal and that he was aware of the sensitivity required when discussing first responders in a public forum. He stated that, despite the need for delicacy, he felt compelled to speak on issues that had been consistently brought to his attention. He emphasized that his position was reinforced by feedback from residents, city staff, police officers, morale issues within the department, and operational deficiencies. He further stated that he

continued to believe Chief Howell was the right person to serve as Police Chief, noting that his comments would be substantially different if that were not the case.

City Attorney Chris Duncan stated that he wished to clarify the structure and relationships that existed prior to the implementation of civil service. He explained that, historically, department chiefs whether Fire Chief or Police Chief would consult with Human Resources when considering disciplinary action or termination of an employee. Typically, HR would provide guidance on policy compliance, documentation, and procedural requirements, after which the chief would proceed with discipline or termination. Mr. Duncan stated that the civil service statute was specifically designed to create a system intended to prevent officers from being treated unfairly due to political influence. He explained that police associations often advocate for civil service because they believe the prior system is broken and seek a new structure that removes political pressure. Under civil service, the chief may make a recommendation regarding discipline, but an independent Civil Service Commission reviews that recommendation and determines whether to approve or deny it. He emphasized that the intent of civil service is to create a commission that is completely independent neither pro chief nor pro officer and that there should be no perception that the commission is closely aligned with or unduly influenced by department leadership. Mr. Duncan stated that such a perception could undermine the integrity of the process and create the appearance that the commission is merely rubber-stamping the chief's decisions. Mr. Duncan further explained that civil service commissions are empowered to establish local rules governing employment matters, including disciplinary standards, termination grounds, vacation policies, sick leave, and other employment conditions. He noted that these rules are not necessarily bound by the City's existing HR policies, although many cities choose to adopt the City's HR rules with modifications. He stated that the overall structure places the commission in a position of oversight, noting that while chiefs make disciplinary recommendations, the commission reviews and ultimately decides those matters. As such, the commission does not answer to the chiefs; rather, chiefs are subject to the commission's review. Mr. Duncan stated that civil service was approved by the voters and that, regardless of whether all voters fully understood the mechanics of the system or simply voted in support of law enforcement, the result was that the system is now in place and must be implemented as intended. He emphasized that it is therefore critical to ensure that the commission is, and is perceived to be, fully independent from the chiefs, in order to maintain proper checks and balances and uphold voter intent. He stated that while it may seem intuitive for chiefs to be closely involved with the commission, it is essential that the separation remain clear and visible so that both officers and the public can have confidence in the fairness and independence of the civil service system.

Councilman Pena stated that, building on the prior discussion, it was important to clarify that while the residents ultimately voted to approve civil service, the initiative was originally pushed by the Freeport Police Officers Association, comprised specifically of Freeport police officers rather than a countywide organization. He noted that the officers advocated for civil service even after the turmoil and alleged criminal activity that occurred during the summer of 2025, expressing that they still believed civil service was necessary. He stated that the matter was subsequently brought before Council and approved unanimously. Councilman Pena emphasized that civil service was not created so that the commission would align closely with either the police chief or the officers, but rather to establish a fair, balanced system with a clear separation of powers and checks and balances. He stated that the intent was to ensure officers felt heard, safe, supported, and treated fairly. He added that voters supported the measure because they trust and rely on law enforcement officers who protect the community, often under dangerous conditions, and believed officers deserved fairness not only in the field but also in City Hall, particularly with respect to human resources matters. He stated that without such fairness, the City risks continued attrition and an ongoing cycle of instability. Councilman Pena stated that a simple step toward preserving the integrity of civil service would be to allow the Police Chief to remain solely in that role. He noted that if the Chief chose to transition to an administrative role instead, there were established procedures to address that change. He reiterated his support for the Police Chief remaining in her current position.

Police Chief Jennifer Howell stated that she had spoken with City Manager Dr. Kelly and explained that, while she did not personally know the Civil Service Commission Tyrone Morrow as well as some others might, she could speak from her own experience of knowing him for approximately three years. She stated that, in her experience, he was an independent individual who was not manipulated or controlled by others and made decisions based on his own judgment. Chief Howell stated that she believed he was an excellent choice for the commission, not only because of his prior civil service experience, but also because he was not easily swayed by outside influence. She noted that, in her view, he would not base his decisions on the opinions of herself or Fire Chief Motley, but instead would focus on the facts. She stated that this independence was a primary reason she was pleased with his selection and that she did not understand why anyone would believe he could be controlled or manipulated. Chief Howell acknowledged, however, that concerns regarding perception remained, and that perception can become reality. She stated that this concern was the reason she and Fire Chief Motley had taken steps to distance themselves from the Civil Service Commission process. She noted that Civil Service Commission meetings are public meetings and could technically be attended during personal time, and that it would be difficult to issue a directive prohibiting attendance at a public meeting during off-duty hours. Chief Howell stated that despite this, it was very important to both herself and Fire Chief Motley to avoid any appearance or misconception of impropriety. She explained that any actions taken to remove that perception were done intentionally and in good faith. She added that she was not speaking on behalf of Fire Chief Motley without his consent, but noted that they had discussed the matter several times.

Councilman Pena stated he understood the points that had been made and clarified that he did not wish to debate the merits of any individual member of the Civil Service Commission, including Mr. Morrow. Councilman Pena emphasized that his concern was not focused on any specific person, but rather on the positions themselves and how the organizational structure of the City should function moving forward. He stated that the discussion centered on ensuring the City operates effectively, fairly, and with proper checks and balances, without violating the City Charter. He further stated that the intent was to avoid placing the City in a position where it would be reacting to an unforeseen issue or crisis after the fact.

Councilman Davis stated that he wanted the public to clearly understand that Police Chief Howell was not in any trouble and had not done anything wrong. He emphasized that the discussion was not about terminating her employment or alleging misconduct. Police Chief Jennifer Howell noted that rumors had already begun circulating. Councilman Davis said his intent in addressing the matter publicly was to dispel misconceptions and prevent misinformation from spreading. Councilman Davis stated that Council was not throwing rocks at the Chief and that, to his knowledge, she had done nothing wrong. He shared that he had personally met with Chief Howell, including a face to face meeting the previous day, and that the topic was not a surprise to her. He reiterated that this was not an issue raised abruptly or without prior discussion. Chief Howell stated that was the reason she asked for this to be in public to help clarify the purpose of the discussion for the public. Councilman Davis stated that he believed Chief Howell was doing a good job as Police Chief. However, he expressed concern about the dual role she had been asked to perform. Councilman Davis explained that the circumstances leading to her appointment as Assistant City Manager created a situation that, in his view, resulted in a conflict of interest and placed her in an untenable position. He noted that during prior events involving the former City Manager, the Chief's workload increased significantly and that the responsibilities of managing both City administration duties and the Police Department were excessive. Councilman Davis stated that the Police Department had experienced significant challenges, including the Chief's suspension and subsequent reinstatement, and that the department needed stable, full-time leadership focused solely on policing. He expressed concern that dividing the Chief's attention between City administration and the Police Department made it difficult to fully lead, rebuild morale, and be present within the department. He further stated that the recent implementation of the Civil Service system added additional complexity and learning requirements, increasing the workload on the Chief while she continued to manage multiple roles. Councilman Davis noted that in the event the Chief were unavailable for an extended period, the City could face further instability by having to repeatedly assign interim

leadership. Councilman Davis stated that he believed the best course of action was for Chief Howell to focus exclusively on her role as Police Chief and for the City to hire a separate Assistant City Manager. He emphasized that this would allow the Police Department to rebuild and grow under focused leadership while City administration responsibilities could be handled independently. He stated that this approach would benefit both the Police Department and the City of Freeport as a whole. He stated that during her prior situation, he had been on the front line supporting her and advocating on her behalf. He made clear that his position was not motivated by opposition to her, but rather by a desire for her to succeed. Councilman Davis stated that his goal was for Chief Howell to be the best she could be in her position and for the Police Department to continue rebuilding and improving. He emphasized the importance of working together to strengthen both the Police Department and the City of Freeport as a whole. He expressed his belief that removing the burden of multiple roles would allow leadership to be more effective and would help alleviate strain on staff. Councilman Davis stated that by allowing individuals to focus on their primary responsibilities, the City could grow more effectively and support one another better. Councilman Davis thanked Chief Howell for her service and leadership. He noted that since her arrival, transparency within the department had increased significantly and that she had helped demonstrate how operations could be conducted more openly and effectively. He expressed appreciation for her past contributions and for the work she continues to do on behalf of the City.

Councilman Davis stated that he wanted to make a recommendation to the City Manager. He recommended that Police Chief Howell return to focusing solely on the Police Department and that the City open the position for a new Assistant City Manager.

Mayor Cain stated that he greatly appreciated Police Chief Howell stepping up during a time of need. He recalled that on the evening Mr. Petty was released, they had an upfront conversation and that Chief Howell immediately stepped in to assist. He also expressed appreciation for her decision to have Captain Brinkman oversee operations at the Police Department and commended her for how the situation was handled. Mayor Cain stated that, from Council's perspective, the Council does not appoint or hire the Assistant City Manager and does not have direct authority over that position. He noted that the decision regarding the Assistant City Manager belongs to the City Manager. He explained that, in his opinion, Dr. Kelly would need to determine the appropriate job description for the Assistant City Manager position, including whether it should be a full-time role, a part-time role, or a position that primarily provides coverage during absences such as vacations or illness. He stated that he was not certain whether Dr. Kelly had yet determined what level or type of assistance she needed. Mayor Cain referenced a prior instance in which Mr. Kelly appointed Mr. Petty as Assistant City Manager, noting that the role at that time was intended to provide coverage during the City Manager's absence and serve as a point of contact for citizens and employees. He stated that he did not know whether the current workload had progressed to the point where additional assistance beyond that model was necessary, and emphasized that determining the need for and structure of the Assistant City Manager position was a decision for Dr. Kelly to make. Mayor Cain stated that Council appeared to be generally in agreement with providing Dr. Kelly with that direction.

Councilman Pena stated that he wanted to provide clarification on the matter. He explained that while it is ultimately the responsibility of the City Manager to make decisions regarding City Hall staff excluding the City Attorney and the Police Chief, whose appointments involve Council those decisions do not occur in a vacuum. He noted that the City Manager's own position is also subject to Council action. Councilman Pena stated that the role of City Manager in the City of Freeport requires consideration of guidance and direction from the Council, emphasizing that the city operates through a structure involving residents, Council, and City Hall staff. He expressed his expectation that Dr. Kelly would carefully assess the needs of the city and also take into account feedback from the Council, which he stated likewise observes and understands those needs. He emphasized the importance of avoiding additional legal pitfalls, noting that the city had already experienced such issues, even within the relatively short time Dr. Kelly had served as City Manager. He stated that he was not at liberty to discuss specific matters but stressed the seriousness of the issues at hand.

Councilman Pena stated that the matters being discussed were not trivial, emphasizing that they involved people's lives and millions of dollars in taxpayer funds. He asserted that all individuals involved in city governance must take these responsibilities seriously, from the highest levels of leadership to entry level staff, and stated that there was no room for complacency in City Hall. He further stated that Council members were elected to provide direction to City Hall and that Council could not rely solely on residents repeatedly raising concerns without action. He emphasized that it was the responsibility of Council to act and direct the City Manager accordingly. Councilman Pena stated that the City Manager does not direct the City Council, but rather the City Council instructs the City Manager regarding the will of the Council. He added that Council's intent was for the City Manager to succeed, noting that the success of the City Manager directly contributes to the success of the City of Freeport.

City Manager Dr. Danielle Kelly stated that she had been very forthcoming with Police Chief Jennifer Howell regarding the matter under discussion. She noted that as early as her second week in the position, she had a conversation with Chief Howell about the possibility of separating the roles. Dr. Kelly stated that she views the positions of Police Chief and Assistant City Manager as two distinct, full-time roles, each requiring full-time dedication. She emphasized that this assessment was not intended as a criticism of Chief Howell, whom she described as exemplary in every respect. Rather, she stated that there are simply not enough hours in the day for one individual to effectively fulfill both roles simultaneously. She explained that her initial plan had been to address the separation of the positions during the budget process in order to properly fund a new position. However, given that the issue had arisen sooner than anticipated, she stated that her direction was to move toward splitting the roles at this time. Dr. Kelly concluded by stating that this was her position on the matter so that Council was aware of her perspective.

Executive Session

Executive Session regarding: 1. Consultation with Attorney and Deliberation regarding status update of suit against the City by Jerry Lance Petty. 551.071

1. Personnel Matters (Texas Government Code § 551.074)

Discussion and possible action regarding personnel matters involving Assistant City Manager / Chief Jennifer Howell, including potential conflicts of interest arising from her dual role. (Councilman Pena)

2. Consultation with Attorney and Deliberation Regarding Real Property (Texas Government Code §§ 551.071 and 551.072)

Discussion and possible action related to the following matters:

- a. Consultation with the City Attorney regarding pending litigation between the Freeport Economic Development Corporation and Realty World, related to the failed Skinner Street Townhome Project.
- b. Consultation with the City Attorney regarding pending litigation involving alleged development contract violations by the Freeport Economic Development Corporation, as alleged by A&T LLC.
- c. Deliberation regarding real property and consultation with the City Attorney concerning the Developer Agreement between the City of Freeport and Jim Maddux Properties, involving the vacant approximately 19-acre tract located on Skinner Street.
- d. Consultation with the City Attorney regarding legal requirements and procedures governing the use, development, and disposition of City-owned real property, including compliance with applicable statutes and City policies. (Councilman Pena)

The Regular Session closed at 9:50P.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 10:58P.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 Mayor Cain to adjourn, seconded by Councilman Pena with all present and voting "Aye" 4-0. Mayor Cain adjourned the meeting at 10:58P.M. Councilman Matamoros was not present for the motion.

Jerry Cain, Mayor

Clarisa Fernandez, City Secretary



City Council Agenda Item #[3.B]

Title: Action approving date change for the second City Council Meeting in February 2026 to Tuesday, February 17, 2026 due to President's Day Holiday - Clarisa Fernandez, City Secretary

Date: February 2, 2026

From: Clarisa Fernandez, City Secretary

Staff Recommendation: Staff recommends rescheduling the second regular City Council meeting in February to Tuesday, February 17, 2026, due to the President's Day Holiday.

Item Summary: The second regular City Council meeting in February falls on Monday, February 16, 2026, which is President's Day Holiday and City offices are closed and regular meetings suspended.

Background Information: N/A

Special Considerations: N/A

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

None



City Council Agenda Item #[3.C]

Title: Action approving Ordinance No. 2026-2759 amending Ordinance No. 2026-2757 related to the May 2, 2026, General Election - Clarisa Fernandez, City Secretary

Date: February 2, 2026

From: Clarisa Fernandez, City Secretary

Staff Recommendation: Staff recommends approval of an ordinance amending Ordinance No. 2026-2757 to update early voting and election administration provisions in accordance with the Texas Municipal Clerks Association May 2026 Election Calendar and applicable law.

Item Summary: The proposed ordinance amends the previously adopted election ordinance to align early voting dates and election administration procedures with the TMCA May 2026 Election Calendar.

Background Information: Ordinance No. 2026-2757 was adopted to call the May 2, 2026, General Election. Subsequent guidance issued by the Texas Municipal Clerks Association clarifies applicable election timelines and confirms that SB 2753 does not apply to the May 2026 election, necessitating this amendment.

Special Considerations: This amendment is administrative in nature and does not change the date of the election, offices to be elected, or polling locations.

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. tmca_updated_2026_may_calendar 01272026



Election Calendar For a City's General Election on May 2, 2026

(dated January 27, 2026)¹

Abbreviations are the same as those in the *Texas Municipal Election Law Manual* (6th edition) [M] with a green cover. SOS form numbers are provided as a convenience not a requirement.

This calendar presumes that SB 2753 will NOT be implemented in May 2026. SB 2753 eliminates the gap between early voting by personal appearance and election day and changes the early voting period, among other things **highlighted in yellow in this calendar for purposes of discussion.** The Secretary of State will implement SB 2753 after publishing a report about how to implement the bill no later than August 1, 2027. [Runoff](#) dates appear in **green rows**.

This calendar does not apply to all elections. For example, to prepare a calendar for a special election to fill a vacancy in office (even one on a uniform election date), see M §12.03; for a special election on a measure, see M §12.12. This calendar omits actions that vary from one city to another (for example, preparation of voting equipment). Each city secretary should use the chart at M §1.62 to create a personal election calendar.

Dates in column 1 are 2026 unless noted otherwise. Actions in column 2 relate to general elections (those in *italics pertain to early voting*). Actions are typically taken by the city secretary; deviations appear in column 3. Column 4 is a cross reference to the Elections Manual. If this cross reference includes a year, then refer to the updated page, not the originally printed one.

“ED Interval” in column 5 is the time between the date of the action and election day. For example, the notation “-50” in the entry for March 13 means mandatory office hours begin the 50th day before election day; the notation “+40” in the entry for June 11 means that the LAST DAY for mandatory office hours is the 40th day after election day. (**For office hours on holidays, see endnote 6 regarding new law**). An asterisk (*) in column 5 indicates the time stated is not required by statute; recommendations are not mandatory. Not all due dates revolve around election day and are so noted.

The last column has been reserved to show completion of the event in column 2. A dashed line in the table between entries indicates separate events that fall on the same day.

When reading the Election Code, read the chapter and subchapter titles to determine if the section applies to cities. Not all sections apply. Note that counties cannot order elections of their own in May of even-numbered years and may decline to contract with cities at that time.

¹ Changes from 1/10/26 version: Early voting on San Jacinto Day (April 21) is not required.

Date	Action	By or With Whom Taken	M §	ED Interval	Done
Dec 15 2025	LAST DAY to post on the city's bulletin board notice of the filing period for the general election (SOS Form 2-1).	City Secretary	2.13(d)(1)	-138 (30 days before 1st day to file)	
Jan 1 2026	New Year's Holiday. <i>FIRST DAY voters may apply for a ballot by mail (ABBM), for an Annual ABBM, or for a Federal Postcard Application (FPCA).</i> Note: The first day does not move despite the New Year's Day holiday. See ED – 11 days for end of period.	City Secretary	9.44(a)	1st day of the year	
Jan 2	Recommended* period to obtain forms: candidate's application for place on ballot, appointment of campaign treasurer (candidate and specific-purpose committee), report of contributions and expenditures (candidate-officeholder and specific-purpose committee), application for mail ballot, administrative forms, and precinct forms.	City Secretary	5.31	*-120	
Jan 2 to Jan 23	Recommended* period to review M §1.62 for possible action: Steps 1-5 (revising election precincts, designating polling places, changing method of voting, and contracting, if any) and Step 12 (establishing or changing terms of election judges).	City Secretary and City Council	1.62	*-120 through *-99	
Jan 14	FIRST DAY for filing application for place on general election ballot (SOS Form 2-49). Note: Filing for a general election may occur before the election is ordered (as opposed to a special election). Period ends at 5 p.m. ED – 78 days.	City Secretary	2.13(a) 2.14(a)	-108 (30 days before filing dead-line)	
Jan 14	FIRST DAY for filing declaration of write-in candidacy (SOS Form 2-55). Note: Period generally ends at 5 p.m. ED – 78 days. See that date for exception.	City Secretary	2.18(b)	-108	
Jan 15	LAST DAY for timely filing of semi-annual report of contributions and expenditures. Note: See endnote 6.	City Secretary	3.12(b) 3.16	n/a	
Jan 19	Holidays: Confederate Heroes and Martin Luther King, Jr. Note: Mandatory office hours not yet effective. See endnote 6.	EC	1.52, 6.80	n/a	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
Jan 20 to Feb 13	Recommended* period and statutory deadline for ordering a general election (SOS Form 1-2). Note: While the 6th edition of the manual recommends ordering shortly before the opening of the filing period for the general election, there is no statutory “first day” to order a general election, and an order can be made when convenient (meaning as early as you want). However, to avoid confusion, wait until after the prior election and runoff. Sometimes the phrase “calling” election is used. The deadline may be different for a special election. See endnote 2 for mock student elections. Home-rule cities see endnote 3. Cities contracting should informally notify their contracting partners as soon as possible.	Mayor	6.03	*-102 through -78	
Feb 2	LAST DAY for small city in small county to apply for exception to accessibility requirements (SOS Form 16-1). Note: Because the deadline falls on Sun, it moves to Mon.	City Secretary to SOS	5.25(c)	-90	
Feb 10 midnight	Death and ballot preparation: If a candidate dies on or before this date, the City Secretary MUST remove the candidate’s name from ballot. Note: If a candidate dies after this date but on or before the filing deadline, see endnote 4.	City Secretary	6.23(c)	-81 [day before day before filing deadline (3rd day)]	
Feb 13	LAST DAY for ordering a general (SOS Form 1-2) or a special election (SOS Form 1-8) for the May uniform date. Note: See endnote 2 for student elections. Home-rule cities see endnote 3.	Mayor	6.03	-78	
Feb 13 5 p.m.	LAST DAY for filing application for place on general election ballot (SOS Form 2-49). Note: City Secretary’s office should stay open until 5 p.m. Mailed applications are filed when received. For deceased candidates, see endnote 4. If no candidate has filed in a city with 4-year terms, the filing deadline is extended to ED – 57 days (except in Nov. of even-numbered years). A home-rule charter may not change this date.	City Secretary	2.13(a) 6.23(c)	-78	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
Feb 13	Recommended* first day to provide 4-day notice of drawing to candidate. Note: Only written notice by mail is required 4 days before the drawing, but phone or email notice should follow the same timeline. Public notice must be posted (SOS Form 3-1) 72 hours before date of drawing. This 72-hour time is required by the EC, not the Open Meetings Act.	City Secretary	6.22(a)(2)	*-78	
Feb 16	President's Day Holiday. Recommended* first date for preliminary work to appoint election judges. Note: Mandatory office hours not yet effective. See Endnote 6.	City Secretary	7.01	*-75	
Feb 16	Recommended* first day to post public's 72-hour notice of drawing for order of names on ballot (SOS Form 3-1).	City Secretary	6.22(a)	*-75	
Feb 17 5 p.m.	LAST DAY for a write-in candidate to declare candidacy in the general election (SOS Form 2-55). Note: City Secretary's office should stay open until 5 p.m. Mailed applications are filed when received. For deceased candidates, see endnote 4.	City Secretary	2.18(b)	-74	
Feb 18	Recommended* date to deliver the certification of unopposed candidates to city council if a candidate does not have an opponent in an election considered to be a separate election (SOS Form 13-1).	City Secretary	6.12	*-73	
Feb 19 to Feb 23	Recommended* period to conduct drawing for order of names on ballot, prepare ballot format, and send information to the printer. Note: Notice of drawing (SOS Form 3-1) must be posted 72 hours before drawing. This 72-hour time is required by the EC, not the Open Meetings Act. Ask candidates to proof their names and offices.	City Secretary	6.22(b) 6.25 6.26	*-72 through *-68	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
Feb 20 5 p.m.	LAST DAY for omitting a general election candidate's name from the ballot if the candidate withdraws (SOS Form 2-66) or is declared ineligible. Note: The city secretary's office should stay open until 5 p.m. A withdrawal after this date is valid if it is submitted before the ballots are prepared AND if the public notice of the logic and accuracy test has not been "published." NEW LAW: SB 2166 (2025) requires L&A testing at least 48 days before election day and notice posted (not published) at least 48 hours before then. Per EC §145.092(e), EC §1.006 does not apply to withdrawal deadlines.	City Secretary	6.23(c) 2.31(b) 2.33(d)	-71	
Feb 20	Recommended* first day to cancel a general election (SOS Form 13-2). Note: Unopposed races must be cancelled if no opposed at-large race is on the ballot. General elections cannot be cancelled until after the write-in deadline.	City Council	6.13	*-71	
Mar 2	Texas Independence Holiday. Note: Mandatory office hours not yet effective. See endnote 6.	EC	1.52, 6.80	n/a	
Mar 3 to at least May 3	Texas Ethics Commission will defer an investigation of candidates until after the election any applicable runoff.	City Secretary Texas Ethics Commission	3.01(b)(2)	-60 through ED or runoff	
Mar 3	LAST DAY to deliver notice of the election to the county clerk and voter registrar of each county where the city is located. Note: This is not the publication or posting deadline. For counties with elections administrators, notice goes to them. This notice is due even if the city does not contract with the county.	City Council (City Secretary)	6.54(a)	-60	
Mar 3	Recommended* day to contact the county to get the initial list of voters who submitted annual applications for ballot by mail (ABBM).	City Secretary	9.43	*-60	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
Mar 6 5 p.m.	Extended deadline to file for a place on the ballot in a city office having a 4-year term if no candidate files by ED – 78 days. Note: This extension is not applicable in Nov. of even-numbered years.	City Secretary	2.13(b)	-57	
Mar 9 to Mar 20	Recommended* period for appointing election judges (SOS Forms 4-15, 4-16, 4-17) plus members of the EVBB (SOS Forms 4-19) and SVC (SOS Form 10-12, 10-13, 10-14). Note: Home-rule cities see endnote 3. The SVC cannot meet until ED – 20 days. The EVBB can meet any time after ballots are returned and no later than ED – 9 days.	City Council	7.42(a)(2) 7.23-.24 7.33-.34	*-54 through *-43	
Mar 12	Recommended* date to print ballots that have been prepared earlier.	City Secretary	6.25	*-51	
Mar 13	FIRST DAY of mandatory office hours. Note: City Secretary's office must be open at least 3 hours a day during regular office hours on regular business days. Period ends ED + 40 days. See endnote 6.	City Secretary	6.80(a)	-50	
Mar 13	LAST DAY for a challenge of a candidate application based on form, content, and procedure.	City Secretary	2.16(d)	-50	
Mar 16	LAST DAY to conduct logic & accuracy testing and test any automatic tabulating equipment used in a central counting station or polling place. Note: NEW LAW SB 2166 (2025). If testing cannot be done by this date, the SOS must be notified. Expect changes to SOS Forms 15-1 to 15-8. Notice for testing equipment must be posted on the city's website at least 48 hours before testing begins. Tabulators used in a central counting station must be tested again before and after each use. Because the deadline falls on Sunday, it moves to Monday.	City Secretary	6.63(d)(1) 6.63(d)(2) 6.64(c)	-48	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
Mar 18	<i>LAST DAY to mail ballots to FPCA voters and other voters who are eligible for early voting because they are voting from outside the U.S.</i> Note: If it is not possible to mail these ballots by this deadline, the City Secretary must notify the SOS within 24 hours. SOS does not apply EC §1.006 to this deadline. Respond to FPCA applications received after this date within 7 days (the same as non-FPCA applications). Rosters must be posted to website by 11 a.m. on the following day (SOS Forms 5-7 & 6-55).	City Secretary	9.49(b) 9.82	-45	
Mar 31	Cesar Chavez Holiday. Note: See endnote 6 for impact on office hours.	EC	1.52, 6.80	n/a	
Apr 2 5 p.m.	LAST DAY for filing first report of campaign contributions and expenditures by opposed candidates and specific-purpose committees. Note: City Secretary's office should stay open until 5 p.m. The deadline is extended to midnight for electronic filing. See endnote 5 for current threshold dollar amounts.	City Secretary	3.13(b)	-30	
Apr 2	LAST DAY for submitting voter registration application in time to vote at the election or for requesting transfer of registration in time to vote in new precinct not in the same county and territory.	Registrar	4.07(f) 4.07(g)	-30	
Apr 2 to Apr 22	Period for publishing notice of election (SOS Form 1-14). Note: Must be published once; perhaps more for a special election on a measure. The city attorney may apply EC §1.006 to publication deadlines, but the SOS does not. Home-rule cities see endnote 3.	Mayor	6.52(a)	-30 through -10	
Apr 2	FIRST DAY to begin posting continuous notice if SVC meets on first available date (ED – 20 days). Note: The city council appoints (SOS Form 10-13) not later than 5 days after the City Secretary calls for appointment (SOS Forms 10-12). Post notice of appointment (SOS Form 10-14), notice of delivery (SOS Form 10-15), and notice of meeting (SOS Form 10-16).	City Secretary City Council	6.70(a) 7.33 7.34	-30	
Apr 2	Recommended* last day to request voter registrar to prepare lists of registered voters and furnish statement of residence forms to be used in conducting the election.	City Secretary	4.34(a)	*-30	
Apr 3	Good Friday Holiday. Note: See endnote 6 for impact on office hours.	EC	1.52, 6.80	n/a	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
Apr 11 (Apr 10 recommended)	LAST DAY for posting notice of election (SOS Form 1-14) on the bulletin board used for posting notices of city council meetings and website. Note: For cities conducting special elections on measures, additional posting and publication requirements may apply. Home-rule cities see endnote 3.	City Secretary	6.52(b) 12.15(e)	-21 through ED	
Apr 12 (Apr 10 recommended)	Type B cities: LAST DAY to post notice of election in 3 public places (SOS Form 1-14). Note: EC §1.006 does not apply to this LGC deadline; the better practice is to post before the weekend.	City Secretary	6.52(b)(3)	-20	
Apr 12	<i>FIRST DAY SVC may begin work.</i> Note: EC §1.006 does not apply to the starting date. EC §87.0271 requires SVC to inform voters of certain defects in the carrier envelope within 2 days of identification (SOS Forms 10-28 to 10-32).	City Secretary	6.70(a) 6.72	-20	
Apr 13	<i>LAST DAY for unregistered FPCA applicant to apply and be eligible to vote a full ballot.</i> Note: Because the deadline falls on Sun., it moves to Mon. for postmarked FPCAs.	City Secretary	9.61(a)	-20	
Apr 13 to Apr 21	<i>Period when unregistered FPCA applicants receive a federal ballot only.</i> Note: This may mean no ballot is sent.	City Secretary	9.61 9.68(a) chart	-19 through -11	
Apr 17	<i>LAST DAY to accept an FPCA without a postmark and mail the voter a full ballot.</i> Note: The voter only gets a federal ballot if checking “my intent to return is uncertain” or “my return is uncertain.”	City Secretary	9.66(b)	-15	
Apr 17	LAST DAY to notify judges of duty to hold the election (SOS Form 4-17).	Mayor	7.44(a)	-15	
Apr 17	LAST DAY to challenge write-in candidate for form, content, and procedure.	City Secretary	2.18(f)	-15	
Apr 20	<i>FIRST DAY a voter who becomes sick, disabled, or confined due to childbirth on or after this date may apply for late (emergency) early voting ballot (SOS Form 5-32.</i> Note: Period ends at 5 p.m. on ED. For uniform election dates, the calculation is ED – 12 days, but for other elections, the period starts the day before the last day to apply for a ballot by mail. EC § 1.006 does not apply to first day.	Voter	9.73	-12	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
Apr 20	<i>LAST DAY to accept any type of application for a ballot to be voted by mail, by 12 noon or close of business, whichever is later.</i> Note: If the deadline falls on a Sat, Sun, or legal holiday, then personal delivery must be the first regular business day preceding that day. EC § 84.007(c). This year, the deadline falls on San Jacinto Day, moving it back to Monday. Originals are due 4 days after fax or email (except emailed FPCA).	City Secretary	9.44(b)(1) 9.45(b-c) 9.68(b) chart	-11 (-12 due to holiday)	
Apr 20	<i>FIRST DAY for early voting by personal appearance.</i> Note: If the first day is a legal state holiday, it moves to the next day. EC § 85.005(a). If voting will be conducted on Sat. or Sun., notice of same must be posted at least 72 hours before such voting begins (SOS Form 5-15). This 72-hour notice is required by the EC, not the Open Meetings Act. Rosters (SOS Form 5-6) must be posted by 11 a.m. on the day after voting. Period ends ED -4 days. The EV period in Nov. is ED -17.	City Secretary	9.14	-12	
SB 2753 Early Voting Period Default rule = ED -12. May and its runoff = ED -9 SB 2753 Early Voting Hours (6 a.m. – 10 p.m.) Weekend and holiday voting is mandatory. Main EV/permanent branch (satellite office): 9 hours each day or 4 hours if less than 1,000 registered voters. Temporary branches: 8 hours each day. November: 12 hours the last 4 days except 9 on Sundays. SB 2753 Early Voting Polling Places All early voting locations must be used on ED; however, there may be more polling places on ED. November: Local entities must match the county and cannot add an EV location not used by the county on ED.					
Apr 21	<i>San Jacinto Holiday.</i> Note: No voting by personal appearance. EC § 85.001, § 85.005(a-b). See EC § 84.007(c): when the deadline for applications for ballot by mail fall on this holiday, the deadline moves to the preceding business day.	EC	1.52, 6.80	n/a	
Apr 22	<i>LAST DAY for county clerk or election administrator to deliver final list of voters that submitted an annual ABBM.</i> Note: Because the deadline falls on San Jacinto Day, it moves to Wed.	City Secretary	9.43(a)(1)	-11	
Apr 22	LAST DAY to publish notice of election (SOS Form 1-14). Note: The city attorney may apply EC §1.006 to publication deadlines, but SOS does not. Home-rule cities see endnote 3.	Mayor	6.52(a)(1)	-10	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
Apr 23	<i>If the EVBB has not yet met, it must do so by this date.</i> Note: While the date the EVBB meets is now uniform regardless of county population, the EVBB may not count ballots until after the end of early voting by personal appearance unless there is a joint election in a county with population of 100,000 or more. 24-hour notice must be posted for each delivery of voting materials made before ED (SOS Forms 10-3 & 10-4). The board must provide notice of opportunity to cure certain defects in the carrier envelope within 2 days of identifying the deficiency (SOS Form 10-32).	Early Voting Ballot Board	9.57(a)(2) [2024] 9.57(f)(2) 10.03	-9	
SB 2753 starts early voting by personal appearance in May on ED -9. Large counties can start counting ballots by mail ED -4. EV by personal appearance cannot be counted until ED.					
Apr 24 5 p.m. or midnight	LAST DAY for filing second report of campaign contributions and expenditures by 5 p.m. or midnight if filing electronically. Note: See endnote 5 for current monetary thresholds. Reports must be posted to the city's website no later than 10 business days after receipt.	City Secretary	3.13(c)	-8	
Apr 27	<i>FIRST DAY for death in family to qualify for late (emergency) early voting (SOS Forms 5-28 & 5-29).</i> Note: While the death occurs on or after the day before the last day of early voting by personal appearance, the application cannot be submitted until the day after early voting by personal appearance ends. Voting by this method ends close of business the day before election day.	City Secretary	9.73(a)	-5	
SB 2753 repeals emergency voting for death in the family.					
Apr 28	<i>LAST DAY of regular early voting by personal appearance.</i>	City Secretary	9.11(b)	-4	
SB 2753 extends early voting by personal appearance to ED -1.					

Date	Action	By or With Whom Taken	M §	ED Interval	Done
Apr 28 to May 2 7 p.m.	<i>Once early voting by personal appearance is over until 7 p.m. on ED, early voting materials may be delivered to the EVBB for qualifying purposes when paper ballots are used or automatically tabulated ballots are used at a central counting station. Note: Ballots may not be counted until election day, except if election is held jointly with a county of 100,000 or more. Post notice of delivery continuously 24 hours before each delivery (SOS Forms 10-3 & 10-4). Ensure that the counting equipment has been tested at least 48 hours before tabulation begins.</i>	City Secretary	9.57(a)(1) 9.57(a)(3)	-4 through close of polls on ED	
SB 2753 repeals EC § 87.023 regarding delivery of automatically tabulated ballots at the CCS.					
Apr 29	<i>FIRST DAY the EVBB may begin counting ballots in an election held jointly with a county having a population of 100,000 or more.</i>	Early Voting Ballot Board	9.57(a)(2) [2024] 9.57(f)(1)	-3	
April 29	LAST DAY to post notice of council meeting to canvass the returns if canvass will be on 3rd day after election. Note: Notice must be posted at least 3 business days before time of meeting. Due to late ballots that can be counted, a later canvass may be likely.	City Secretary	11.13	-3	
SB 2753 allows large counties to start counting ballots by mail ED -4. EV by personal appearance cannot be counted until ED.					
Apr 29 to May 1	<i>Period to apply for late (emergency) early voting because of death in family (SOS Form 5-28 & 5-29). Note: Requires absence from county on ED.</i>	City Secretary	9.73	-3 through -1	
SB 2753 repeals emergency voting for death in the family.					
April 29 to May 2 5 p.m.	<i>Period to apply for late (emergency) early voting because of illness or disability originating on or after ED -12 days (SOS Form 5-32). Note: Application deadline ends at 5 p.m., but ballot can be returned until 7 p.m.</i>	City Secretary	9.72(b)	-3 through ED	
SB 2753 moves the deadline for late (emergency) early voting to 5:00 p.m. on Election Day.					
May 1	<i>LAST DAY to deliver precinct list of registered voters, with the early voting voters marked, to presiding judges.</i>	City Secretary	9.83(e)	-1	
May 1	One-year deadline to post certain candidacy information on the city's website. Note: See endnote 1 (item 4). Continuous posting of notice of voting order priority (SOS form 7-38) is recommended.	City Secretary	2.13(d)(2)	next May election - 365 days	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
May 1	Recommended* date for delivery of equipment to polling places. Note: Statutory deadline is 6 a.m. on ED.	City Secretary	6.65(b)	*-1	
May 2 7 a.m. to 7 p.m.	ELECTION DAY. Note: <i>Early voting clerk's office must remain open for early voting activities.</i> Voting by sick or disabled voters may occur at the main early voting place where electronic voting systems are used at precinct polling place (SOS Form 6-57).	City Secretary	10.13(c)(1)	ED	
May 2	<i>Deliver early voting ballots, etc., to EVBB.</i> Note: Second key to ballot box is delivered by chief of police or marshal.	City Secretary Judge EVBB (sets time)	10.13(c)(1) 9.57(b)(1)	ED	
May 2 5 p.m.	<i>LAST HOUR for late applications for ballots (SOS Form 5-32) from voters who became ill or disabled on or after ED -12 days.</i>	City Secretary	9.72(b)	ED	
May 2 7 p.m.	<i>LAST HOUR for receiving ballots from voters who became ill or disabled on or after ED -12 days.</i>	City Secretary	9.72(b)	ED	
May 2 7 p.m.	<i>LAST HOUR to receive mailed ballots with no postmark, except overseas and armed forces ballots and certain ballots placed for delivery before this deadline.</i> Note: Check mailbox at 7 p.m. regardless of regular delivery schedule. See deadline ED +1 day.	City Secretary	9.50(a)	ED	
May 2 after 7 p.m.	Receive precinct records, voted ballots, etc. Note: Chief of police or marshal receives keys to ballot boxes containing voted ballots.	City Secretary Mayor	10.13(c) 10.32(d)	ED	
May 2 after 7 p.m.	Prepare unofficial tabulation of results. Note: Presiding judge must notify City Secretary if counting will not be complete by 2 a.m.	City Secretary	10.34 10.32(b)	ED	
May 4 5 p.m.	<i>LAST DAY to receive mailed ballots if the carrier envelope arrives before 5 p.m. and has a cancellation mark indicating it was placed for delivery at or before 7 p.m. local time for the place of election.</i> Note: Because the deadline falls on Sun, it moves to Mon. This deadline applies to voters who applied for a ballot by mail and cast a by-mail ballot from within the U.S. Check your mailbox at 5 p.m.	City Secretary	9.50(a)	+1	
May 4	<i>LAST DAY to deliver provisional ballots to voter registrar of each county in which city is located.</i> Note: Because the deadline falls on Sun, it moves to Mon.	City Secretary	10.30(a)(2)	+1	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
May 5 to May 11	<i>Period during which EVBB may meet to count ballots received from outside the U.S. if the early voting clerk certifies that all ballots mailed from outside the U.S. have been received. Note: The ED interval is +13 in Nov. of even numbered years.</i>	Early Voting Ballot Board	11.02	+3 through +9	
May 5 to May 13	<i>Recommended* period to complete report of early votes cast for each candidate or measure, by election precinct. Note: must occur before canvass.</i>	City Secretary	11.04(b)	*+3 through *+11	
May 5 to May 13	Period for official canvass. Note: ● TIMING: canvass may occur only if all FPCA and provisional ballots have been counted, and the time to cure any deficiencies in mailed ballot carrier envelopes has expired. ● PERIOD: 11 days except even Nov. (14 days). ● QUORUM: 2 but see runoff note. ● WINNER: cannot assume office (except Type A cities) until canvass & oaths. ● PIA: Images of voted ballots or cast vote records are publicly available the day after the canvass. See SOS Advisory 2024-20 for redaction guidance. ● RECOUNTS: petition is due 2 p.m. 1st day (expedited) or 5 p.m. 3rd day after canvass. ● RUNOFF (not a tie): order not later than 5 days after the canvass. It is recommended that the runoff be ordered and notice issued at the canvass meeting (which would require a normal quorum).	Mayor (sets time) City Secretary (records results) City Council (takes action)	11.12	+3 through +11	
SB 2753 requires the canvass to include the total number of votes received for each candidate and measure to be reported by polling location.					
May 5 to May 16	After canvass, recommended* period to issue certificates of election (SOS Form 23-1), official statement of elected officer (SOS Form 23-3), and oath of office (SOS Form 23-2). Note: If a recount is requested documents are not issued until after the recount.	Mayor City Secretary	11.20 11.21	*+3 through *+14	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
May 5 to May 26	Period for partial manual count of electronically counted ballots to begin not later than 72 hours after polls close and be completed by ED +21st day. Note: Because the deadline falls on Sat. and Mon. is Memorial Day, the deadline moves to Tue. This 72-hour time is mandated by the EC, not the Open Meetings Act. NEW LAW; SB 827 renames the partial manual count as the hand count election audit.	City Secretary	11.31	+3 through +21	
May 7	<i>LAST DAY to receive a ballot from military or non-military voters casting from outside the U.S. who submitted an ABBM, IF cancellation mark indicates ballot was placed for delivery by 7 p.m. on ED.</i>	City Secretary	9.50(b)(1) 9.68 11.02	+5	
May 8	<i>LAST DAY to receive an FPCA ballot from a member of the U.S. Armed Services or Merchant Marines or a spouse or dependent of a member.</i> Note: NO cancellation or receipt mark showing date placed for delivery is required on these ballots.	City Secretary	9.50(b)(2)	+6	
May 8	LAST DAY for provisional voter to present ID to voter registrar or execute required affidavit (SOS Form 9-5).	Voter Registrar	10.30(d) 9.26(d)(3)	+6	
May 8	LAST DAY for voter registrar to complete the review of provisional ballots. Note: The period is one day longer for elections in Nov. of even-numbered years.	Voter Registrar	10.30(d)	+6	
May 8	<i>LAST DAY for a vote-by-mail voter to cure certain deficiencies in the carrier envelope.</i>	Voter	6.72	+6	
May 8	Type A cites: FIRST DAY elected officials may qualify and assume duties of office. Note: LGC §22.006 states 5th day after election not counting Sun. The resulting day is the 6th day after. Officials may not take office until the canvass is complete unless the election was cancelled. EC §1.006 does not apply.	Candidate with City Secretary	11.23(a)	+6 Doesn't move	
May 9	<i>FIRST DAY a mailed ballot can be rejected if (1) the carrier envelope was not properly executed or is missing a statement of residence, and (2) the signatures do not match; provided the voter has been notified.</i> Note: EC §1.006 does not apply to first days.	Early Voting Ballot Board	6.72 11.03(a)	+7	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
May 11	LAST DAY for the EVBB to convene for counting the provisional ballots or any mail ballots timely and properly received after ED. Note: This deadline is the 13th day for elections in Nov. of even-numbered years.	Early Voting Ballot Board	11.01(b)	+9	
May 12	LAST DAY for presiding judge of EVBB to mail notices of rejected mail ballots to voters (SOS Form 6-2).	Judge of EVBB	11.03(a)	+10	
May 13	LAST DAY for conducting the official canvass of the election.	City Council	11.12	+11	
May 14	LAST DAY to register to vote for the runoff of this May election.	Voter Voter Registrar	4.07(f) 4.07(g)	runoff-30	
May 14 to Jun 3	Period to publish notice of the runoff election. Note: The runoff must be ordered first. See note for the canvass period.	City Secretary	6.52(a)	runoff-30 to runoff-10	
May 15 to May 23 (May 22 recommended)	Period when the notice of the outcome of provisional ballots must be mailed to voters (SOS Form 9-9). Note: EC §1.006 arguably does not apply to a timeframe set by rule, 1 TAC 81.176(e). Mon is Memorial Day. Accordingly, Fri is recommended.	Judge of EVBB or City Secretary	11.01(f)	Varies, by 10th day after canvass	
May 18	LAST DAY to make election records available in an electronic format for a fee of not more than \$50.00. Note: Because the deadline is Sun, it moves to Mon.	City Secretary	11.70(c)	+15	
May 25	Memorial Day Holiday. See endnote 6 for impact on mandatory office hours.	EC	1.52, 6.80	n/a	
May 26	LAST DAY for mailing results of manual count to SOS. Note: The deadline is Sat and Mon is Memorial Day. See endnote 6.	City Secretary	11.31(c)	+21	
Jun 1	Type A cities: LAST DAY elected officials may qualify and assume duties of office; if they fail to qualify by this day, the office is considered vacant.	Candidate with City Secretary	11.23(a)	+30	
Jun 1	FIRST DAY of early voting in person for the runoff.	Voter	9.11	runoff-12	
SB 2753 shortens the start of early voting by personal appearance in May to ED -9.					
Jun 9	LAST DAY of early voting in the runoff.	Voter	9.44 9.11	runoff-4	

Date	Action	By or With Whom Taken	M §	ED Interval	Done
SB 2753 extends the period for early voting by personal appearance in the May election to runoff day -1.					
Jun 11	LAST DAY of mandatory office hours. Note: SOS does not apply EC §1.006.	City Secretary	6.80(a)	+40	
Jun 13	RUNOFF FOR MAY ELECTION	Voter	12.01(d)	set by SOS	
Jun 19	Juneteenth Holiday. Note: No impact on mandatory office hours, which ended earlier.	EC	1.52, 6.80	n/a	
July 2	FIRST DAY for transfer of voted ballots from the locked ballot box to another secure container and make original voted ballots available	City Secretary	11.70(e)	+61	
July 15	LAST DAY for timely filing of semiannual report of contributions and expenditures.	City Secretary	3.12(b) 3.16(a)	July 15	
Mar 3 2028	Last day of preservation period for ballots and other precinct election records of city election, except for candidate applications.	City Secretary	11.71(c)	day after +22 months	
May 3 2028	Last day of preservation period for candidate applications and certain petitions.	City Secretary	11.71(d)	day after +2 years	

Endnotes

1. Any city imposing an ad valorem property tax must have a website. [Tax §26.18] The following information must be posted on a city's website [M §2.13(d)]:

(1) the city's contact information, including a mailing address, telephone number, and e-mail address;

(2) each elected officer of the city;

(3) the date and location of the next election for officers of the city;

(4) the requirements and deadline for filing for candidacy of each elected office of the city for the next election (posted one year prior to the date of that election);

(5) notice of city council meetings; and

(6) minutes of city council meetings.

A city with population of less than 5,000 located in a county with population of less than 25,000 does not have to post (5) and (6). [GC §2051.201].

2. The city's governing body may choose to conduct a mock student election under EC §276.007. The major steps taken for a general election should be taken for a student election. The student election may be held on the first day before the election, but results must not be published until after the polls close on election day.

3. Follow home-rule city's charter provision, if any. However, a home-rule city cannot alter the candidate filing deadline. [EC 143.005(a)].
4. If a candidate dies on or before the filing deadline, the City Secretary MAY remove the candidate from the ballot, in which case, the filing deadline is extended 5 days. If that extended filing deadline for filing falls on a weekend or holiday, it moves to the next business day. Withdrawal deadlines after the extended filing deadlines will be impacted.
5. See Texas Ethics Commission rules [1 TAC §18.31] for the full list of reporting triggers and dollar amounts. The following is a summary of the most common amounts [M Ch. 3]:

Election Code §	Threshold Description	Original Amount	2025 Amount	2026 Amount
253.031(b)	PAC: amount of contributions or expenditures before appointment of treasurer is required.	\$500	\$1,080	\$1,110
254.036	<i>Electronic Filing Exemption</i> : amount at or below which a filer may qualify.	\$20,000	\$33,910	\$34,890
254.095	<i>Local officeholders, contributions</i> : amount over which reporting is required.	\$500	\$1,110	\$1,140
254.181 254.182 254.183	<i>Candidate or specific-purpose PAC, modified reporting</i> : contribution or expenditure amount at or below which filers may avoid pre-election reports.	\$500	\$1,110	\$1,140

6. See M §1.52 & §6.80. Under EC §1.006, if a deadline falls on a Sat., Sun., or legal state/national holiday, the deadline moves to the next regular business day. Exceptions where the deadline moves to the first preceding regular business day: EC §84.007 (general rule for applications for ballot by mail); §86.0015 (deadline for certain ABBM based on disability). Under EC §85.001, early voting by personal appearance includes weekends and holidays unless the first day is one of these, moving the start date to the next business day. NEW LAW: HB640 defines a “regular business day” as the day when the city’s main office is regularly open for business. Thus, you do not need to conduct mandatory office hours on a city holiday such as Good Friday or the Battle of Flowers. The following are Election Code holidays *unless noted otherwise in italics*:

Holidays in 2026	Date	Day
New Year’s Day	January 1	Thu
Confederate Heroes Day	January 19	Mon
Martin Luther King Jr. Day. (3rd Monday in January)	January 19	Mon
Presidents’ Day/Washington’s Birthday (3rd Monday in February)	February 16	Mon
Texas Independence Day	March 2	Sun
<i>Cesar Chavez Day (not an Election Code holiday)</i>	<i>March 31</i>	<i>Tues</i>
<i>Good Friday (not an Election Code holiday)</i>	<i>April 3</i>	<i>Fri</i>
San Jacinto Day	April 21	Tues
Memorial Day (last Monday in May)	May 25	Mon
Emancipation Day/Juneteenth	June 19	Fri
Independence Day	July 4	Sat
Lyndon Bains Johnson Day	August 27	Thu
Labor Day (1st Monday in September)	September 7	Mon
<i>National Voter Registration Day (not an Election Code holiday)</i>	<i>September 15</i>	<i>Tue</i>
<i>Yom Kippur</i>	<i>Sept 20</i>	<i>Sun</i>
Columbus Day/Indigenous Peoples Day (2d Monday in October)	October 12	Mon
Veteran’s Day	November 11	Wed
Thanksgiving Day (4th Thursday in November)	November 26	Thu
Friday after Thanksgiving	November 27	Fri
<i>Day before Christmas (not an Election Code holiday)</i>	<i>December 24</i>	<i>Thu</i>
Christmas Day	December 25	Fri
<i>Day after Christmas (not an Election Code holiday)</i>	<i>December 26</i>	<i>Sat</i>



City Council Agenda Item #[3.D]

Title: Action approving Ordinance No. 2026-2760 amending Ordinance No. 2026-2758 related to the May 2, 2026, Special Election - Clarisa Fernandez, City Secretary

Date: February 2, 2026

From: Clarisa Fernandez, City Secretary

Staff Recommendation: Staff recommends approval of an ordinance amending Ordinance No. 2026-2758 to update early voting and election administration provisions in accordance with the Texas Municipal Clerks Association May 2026 Election Calendar and applicable law.

Item Summary: The proposed ordinance amends the previously adopted election ordinance to align early voting dates and election administration procedures with the TMCA May 2026 Election Calendar.

The calendar provided in the previous item for the May 2026 general election also falls under this category and will be used for this special election.

Background Information: Ordinance No. 2026-2758 was adopted to call the May 2, 2026, Special Election. Subsequent guidance issued by the Texas Municipal Clerks Association clarifies applicable election timelines and confirms that SB 2753 does not apply to the May 2026 election, necessitating this amendment.

Special Considerations: This amendment is administrative in nature and does not change the date of the election, offices to be elected, or polling locations.

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

None



City Council Agenda Item #[3.E]

Title: Action approving a Four Way Stop Sign Installation at the Intersection of 4th Street and Pecan Street - Dr. Danielle Kelly, City Manager

Date: February 2, 2026

From: Dr. Danielle Kelly

Staff Recommendation: Approve the installation of all-way stop control at the intersection of W. 4th Street and Pecan Street, consistent with the findings and recommendations of the traffic engineering study prepared by Kimley-Horn and Associates, Inc., dated January 14, 2026.

Item Summary:

At the request of the City, Kimley-Horn and Associates, Inc. conducted a traffic engineering study evaluating whether the intersection of W. 4th Street and Pecan Street meets the criteria for all-way stop control under the Texas Manual on Uniform Traffic Control Devices (TMUTCD). The study analyzed traffic volumes, crash history, sight distance, and roadway characteristics in accordance with TMUTCD Section 2B warrant guidance and engineering judgment. Based on this analysis, Kimley-Horn recommends upgrading the intersection from its current two-way stop configuration to all-way stop control to improve safety, reduce right-angle crashes, and clearly assign right-of-way among all approaches.

Background Information:

The intersection of W. 4th Street (east–west) and Pecan Street (north–south) currently operates as a two-way stop-controlled intersection, with stop signs on the Pecan Street approaches only. Both roadways are two-lane residential streets with posted speed limits of 30 mph and similar design and operating characteristics.

In accordance with Texas Transportation Code Chapter 544 and the TMUTCD, traffic control devices must be supported by engineering judgment and, where appropriate, traffic engineering studies. The TMUTCD identifies five warrants for consideration of all-way stop control, none of which are independently determinative but must be evaluated collectively.

Key findings of the Kimley-Horn study include:

- **Crash History (Warrant A – Crash Experience):**

Between 2017 and 2025, the intersection experienced 11 reported crashes, the majority of which were right-angle collisions. Over 90 percent of these crashes



were attributed to failure to yield or disregard of traffic control, crash types that are typically susceptible to correction through all-way stop control.

- **Sight Distance (Warrant B):**

Sight distance was determined to be adequate; therefore, this warrant was not met.

- **Traffic Volumes (Warrant D – 8-Hour Volume):**

Traffic volumes did not meet the minimum thresholds for an all-way stop based on volume alone.

- **Other Factors (Warrant E):**

The intersection satisfies Warrant E, Criterion B, as it represents an intersection of two residential neighborhood through streets of similar design and function. All-way stop control at this location would improve operational consistency with nearby intersections and enhance overall safety.

While not all individual warrants were met, the TMUTCD expressly notes that warrants are not a substitute for engineering judgment. Considering the crash history, roadway context, and operational characteristics, Kimley-Horn concluded that all-way stop control is appropriate and justified at this location.

The consultant further recommends installation of supplemental “ALL WAY” plaques, temporary red stop-sign flags to increase driver awareness, and refreshed pavement markings to support the transition.

Special Considerations: None.

Financial Impact:

The financial impact associated with this item is minimal and can be accommodated within the Public Works operating budget. Costs are limited to standard traffic control devices and pavement markings, including:

- Two additional stop sign assemblies
- Supplemental “ALL WAY” plaques
- Temporary red warning flags
- Pavement marking installation and refresh

No capital project funding or external financial contribution is required.

Board or 3rd Party Recommendation:

Supporting Documentation:

1. Freeport - W 4th St at Pecan St All-Way Stop Traffic Study (2026.01.14)

MEMORANDUM

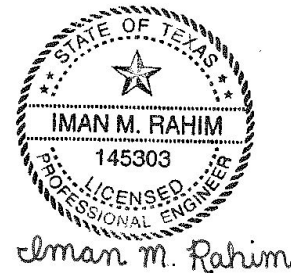
To: Dr. Danielle Kelly
City of Freeport City Manager

From: Iman M. Rahim, P.E.
Kimley-Horn and Associates, Inc. F-928

Date: January 14, 2026

Subject: W 4th St at S Pecan St
Freeport, TX
All-Way Stop Control Warrant Analysis

1/14/2026



INTRODUCTION

The purpose of this study is to evaluate the intersection of W 4th St and Pecan St in Freeport, Texas for all-way stop control warrants based on guidance provided in Section 2B of the Texas Manual on Uniform Traffic Control Devices (TMUTCD). Currently, the intersection operates as a two-way stop-controlled intersection, with stop signs along the Pecan St approaches. 24-hour traffic counts were collected on Tuesday, December 9, 2025 at the study intersection.

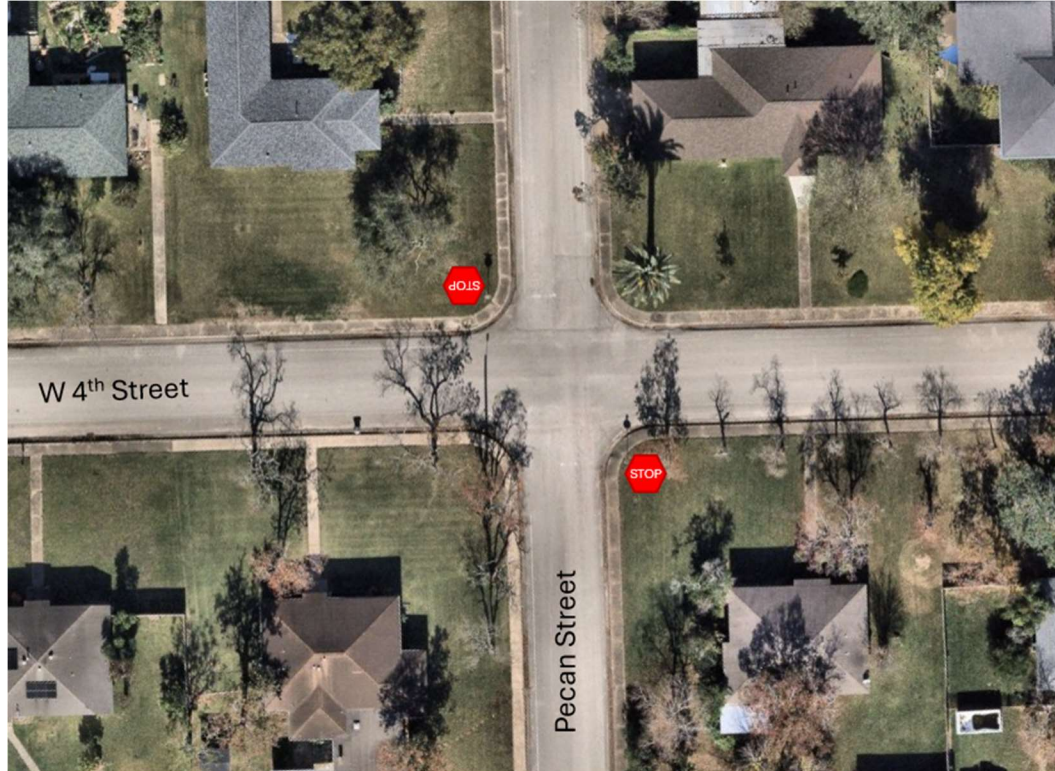


Figure 1. Study Intersection and Existing Traffic Control

EXISTING CONDITIONS

W 4th St is an east/west road that runs from Nolan Ryan Expressway (SH 288) to Pine St. W 4th St is a two-way street, with one lane in each direction. The approximate roadway width of the street is 32 ft. The posted speed limit on W 4th St is 30 MPH.

Pecan St is a north/south road that runs from W 11th St to W 2nd St. Pecan St is a two-way street, with one lane in each direction. The approximate roadway width of the street is 28 ft. The posted speed limit on Pecan St is 30 MPH.

Currently, the intersection operates as a two-way stop-controlled intersection, with stop signs along the Pecan St approaches.

ALL-WAY STOP CONTROL WARRANTS

Applicable all-way stop control warrants were performed based on guidance provided in Section 2B of the TMUTCD. As stated in the TMUTCD, warrants are not a substitute for engineering judgement. The fact of any of the following warrants being met is not conclusive justification for the installation of an all-way stop control. The ultimate decision should be based on an engineering study that analyzes the unique characteristics of each individual intersection.

Section 2B.13 Warrant A: Crash Experience

Option: For a four-leg intersection, there are five or more reported crashes in a 12-month period or six or more reported crashes in a 36-month period that were of a type susceptible to correction by the installation of all-way stop control.

Crash data for the study intersection was obtained from TxDOT's Crash Records Information System (CRIS) database from 2017 to 2025. Although there were fewer than 5 crashes within any 12-month period over the last eight years, there were a total of 11 recorded crashes. The number of crashes per year based on crash severity is shown in **Table 1**.

Table 1 – Crash History (2017-2025)

Crash Severity	2017	2018	2019	2020	2021	2022	2023	2024	2025	Total
K - FATAL INJURY	0	0	0	0	0	0	0	0	0	0
A - SUSPECTED SERIOUS INJURY	0	0	0	0	0	0	0	0	0	0
B - SUSPECTED MINOR INJURY	0	0	0	0	0	0	0	1	0	1
C - POSSIBLE INJURY	1	1	0	1	0	0	0	0	1	4
O - NOT INJURED	2	0	1	1	0	1	0	0	1	6
U - UNKNOWN	0	0	0	0	0	0	0	0	0	0
TOTAL	3	1	1	2	0	1	0	1	2	11

Of the 11 recorded crashes, 10 of the crashes were right angle crashes with over 90% of the crashes occurring due to driver disregard of the traffic control or failure to yield right of way.

Table 2 - Crash Contributing Factors

Contributing Factors	Count	% of Total
Disregard Traffic Control	2	18.2%
Failure To Yield Row	8	72.7%
Other	1	9.1%

Section 2B.14 Warrant B: Sight Distance

Option: All-way stop control may be installed at an intersection where an engineering study indicates that sight distance on the minor-road approaches controlled by a STOP sign is not adequate for a vehicle to turn onto or cross the major (uncontrolled) road.

Sight distance at the study intersection was determined to be adequate for vehicles turning onto or crossing W 4th St.

Section 2B.15 Warrant C: Transition to Signal Control or Transition to Yield Control at a Circulator Intersection

Warrant C is not applicable for this intersection.

Section 2B.16 Warrant D: 8-Hour Volume (Vehicles, Pedestrians, Bicycles)

Option: All-way stop control may be installed at an intersection where an engineering study indicates:

- A. The combined motor vehicle, bicycle, and pedestrian volume entering the intersection from the major street approaches is at least 300 units per hour for each of any 8 hours of a typical day; and
- B. The combined motor vehicle, bicycle, and pedestrian volume entering the intersection from the minor street approaches is at least 200 units per hour for each of any of the same 8 hours.

Based on the 24-hour traffic data collection, neither the major street nor minor street volumes meet the minimum thresholds for any hour of the day. All-way stop volume warrant analysis worksheets have been included in the Attachments.

Section 2B. 17 Warrant E: Other Factors

Option: All-way stop control may be installed at an intersection where an engineering study indicates that all-way stop control is needed due to other factors not addressed in the other all-way stop control warrants. Such other factors may include, but are not limited to, the following:

- A. The need to control left-turn conflicts,
- B. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where all-way stop control would improve traffic operational characteristics of the intersection, or
- C. Where pedestrian and/or bicyclist movements support the installation of all-way stop control.

The intersection satisfies Criteria B, with both W 4th St and Pecan St serving as two residential neighborhood through streets of similar design and operating characteristics. At other intersections along both roadway corridors, W 4th St and Pecan St are typically the free movement with two-way stop control on side streets or have all-way stop control.

CONCLUSION

Based on the analysis, **it is recommended that the intersection be upgraded to an all-way stop control intersection.** The crash history indicates instances of a lack of driver compliance and failure to yield to the right of way. In addition, the majority of the crashes that occurred were right-angle crashes. Installation of a stop sign on all approaches can help mitigate the right-angle crashes and clearly assign right of way by requiring all approaches to stop. Supplemental All-Way plaques should be installed under the existing and proposed stop signs. Red flags on the stop signs should be installed for a period of time after the installation of the all-way stop control to heighten the conspicuity of the new traffic control devices for the drivers. In addition, the existing stop bar pavement markings along Pecan St should be refreshed and new stop bar pavement markings should be installed along W 4th St at the intersection.

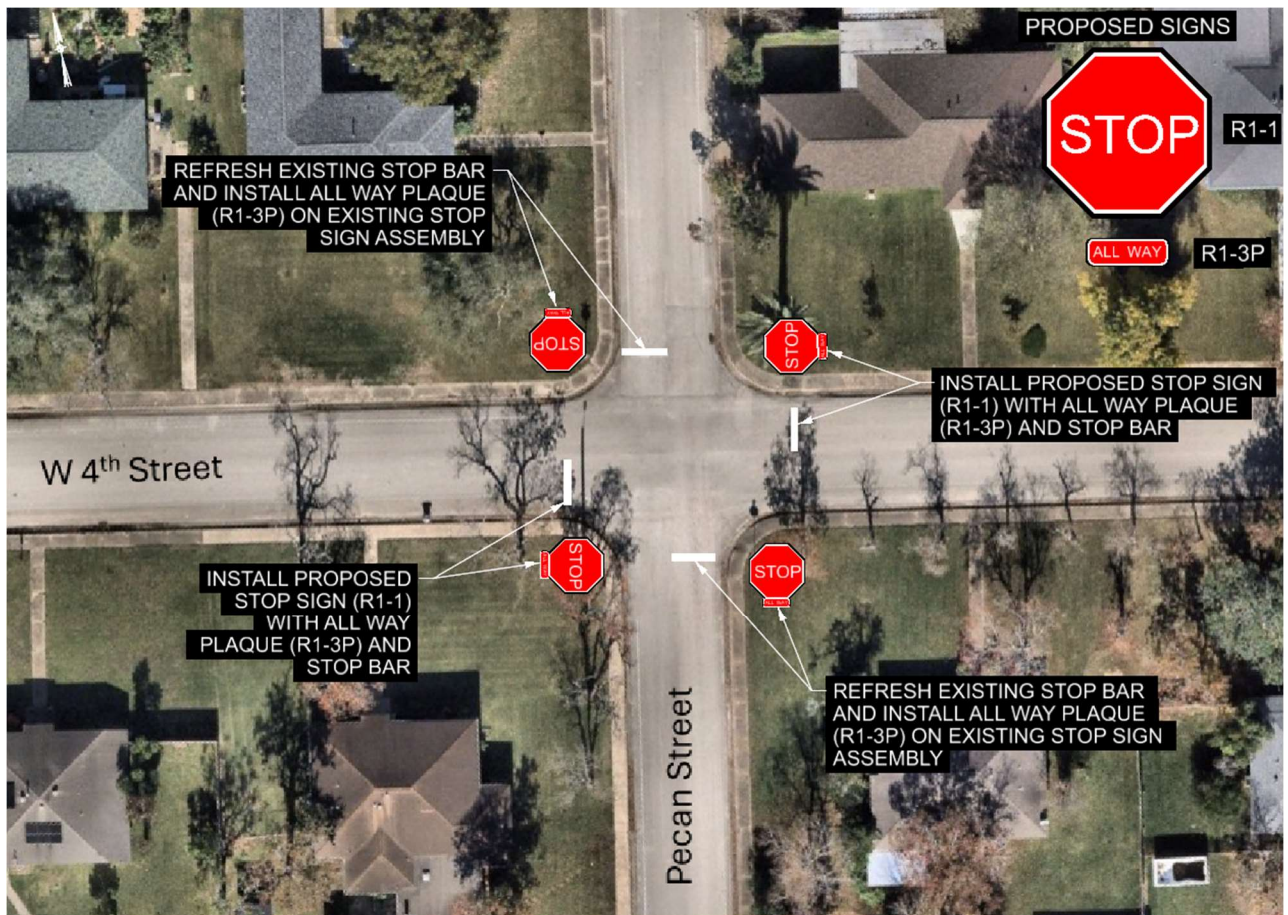


Figure 2. Proposed Intersection Recommendations

Attachments

1. Traffic Count Data Collection
2. TxDOT CRIS Crash History
3. All-Way Stop Control Warrant Volume Spreadsheet

Attachment 1 - Traffic Count Data Collection

National Data & Surveying Services Intersection Turning Movement Count

Location: Pecan St & W 4th St
City: Freepport
Control: 2-Way Stop(NB/SB)

Project ID: 25-450304-001
Date: 12/9/2025

Data - Total

NS/EW Streets:	Pecan St				Pecan St				W 4th St				W 4th St				
AM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				TOTAL
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	
12:00 AM	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2
12:15 AM	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	2
12:30 AM	0	0	0	0	0	1	1	0	1	1	0	0	0	2	0	0	6
12:45 AM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
1:00 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	2
1:15 AM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
1:30 AM	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
1:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
2:45 AM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
3:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:15 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
3:30 AM	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2
3:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:00 AM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
4:15 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
4:30 AM	0	1	0	0	1	0	0	0	0	3	0	0	0	0	0	0	5
4:45 AM	0	2	0	0	0	1	0	0	0	0	0	0	0	1	0	0	4
5:00 AM	0	3	0	0	0	0	0	0	0	1	0	0	0	0	0	0	4
5:15 AM	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2
5:30 AM	1	3	0	0	0	1	0	0	0	3	2	0	0	2	0	0	12
5:45 AM	0	1	0	0	1	1	0	0	0	5	0	0	0	4	0	0	12
6:00 AM	0	2	0	0	0	1	0	0	0	11	0	0	0	5	0	0	19
6:15 AM	0	5	0	0	0	0	1	0	0	3	1	0	0	4	0	0	14
6:30 AM	0	3	1	0	0	0	0	0	0	4	0	0	0	1	0	0	9
6:45 AM	0	4	0	0	1	1	0	0	0	7	1	0	0	5	0	0	19
7:00 AM	1	11	1	0	0	5	0	0	1	16	3	0	0	9	0	0	47
7:15 AM	1	9	0	0	0	10	0	0	0	31	7	0	1	13	0	0	72
7:30 AM	2	38	2	0	0	16	0	0	0	21	6	0	1	3	0	0	89
7:45 AM	2	28	1	0	0	15	1	0	0	6	2	0	4	5	0	0	64
8:00 AM	3	15	0	0	0	5	0	0	0	4	0	0	1	3	0	0	31
8:15 AM	1	2	2	0	0	1	0	0	0	4	1	0	0	2	0	0	13
8:30 AM	1	3	0	0	0	1	0	0	0	4	1	0	0	5	0	0	15
8:45 AM	0	4	0	0	0	1	0	0	0	5	0	0	0	5	1	0	16
9:00 AM	0	1	0	0	1	2	0	0	1	3	0	0	0	3	0	0	11
9:15 AM	0	2	0	0	0	5	0	0	0	9	2	0	0	5	0	0	23
9:30 AM	0	3	1	0	0	1	1	0	0	4	1	0	0	3	1	0	15
9:45 AM	0	2	0	0	0	0	0	0	0	11	1	0	0	4	1	0	19
TOTAL VOLUMES:	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
APPROACH %:	7.10%	88.17%	4.73%	0.00%	5.13%	89.74%	5.13%	0.00%	1.55%	83.51%	14.95%	0.00%	7.29%	89.58%	3.13%	0.00%	537
PEAK HR:	07:00 AM - 08:00 AM																TOTAL
PEAK HR VOL:	6	86	4	0	0	46	1	0	1	74	18	0	6	30	0	0	272
PEAK HR FACTOR:	0.750	0.566	0.500	0.000	0.000	0.719	0.250	0.000	0.250	0.597	0.643	0.000	0.375	0.577	0.000	0.000	0.764
	0.571				0.734				0.612				0.643				
NOON	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				TOTAL
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	
10:00 AM	0	2	0	0	0	0	0	0	0	3	2	0	0	1	0	0	8
10:15 AM	1	2	0	0	0	1	0	0	0	6	0	0	0	1	0	0	16
10:30 AM	1	3	0	0	1	2	0	0	0	7	2	0	0	1	0	0	17
10:45 AM	1	2	0	0	0	3	0	0	0	7	1	0	0	6	0	0	20
11:00 AM	0	1	1	0	0	1	0	0	1	3	2	0	0	5	0	0	14
11:15 AM	0	1	0	0	1	4	0	0	0	6	0	0	0	3	0	0	17
11:30 AM	0	0	0	0	0	1	0	0	0	6	1	0	3	7	0	0	18
11:45 AM	1	1	0	0	0	3	0	0	0	7	2	0	0	5	0	0	19
12:00 PM	0	1	0	0	0	2	0	0	0	12	0	0	0	7	0	0	22
12:15 PM	0	7	0	0	0	1	0	0	0	11	1	0	0	6	0	0	26
12:30 PM	0	4	0	0	0	4	0	0	0	11	3	0	0	5	0	0	25
12:45 PM	0	1	2	0	0	3	0	0	0	4	1	0	1	7	0	0	19
1:00 PM	0	0	0	0	0	3	0	0	0	5	3	0	0	2	0	0	13
1:15 PM	0	1	0	0	0	0	0	0	0	7	3	0	0	1	0	0	12
1:30 PM	2	6	0	0	0	2	0	0	0	7	3	0	0	2	0	0	22
1:45 PM	1	3	0	0	0	1	0	0	0	10	1	0	0	8	0	0	24
TOTAL VOLUMES:	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
APPROACH %:	17.39%	76.09%	6.52%	0.00%	6.67%	93.33%	0.00%	0.00%	2.14%	80.00%	17.86%	0.00%	6.58%	93.42%	0.00%	0.00%	292
PEAK HR:	12:00 PM - 01:00 PM																TOTAL
PEAK HR VOL:	0	13	2	0	0	7	0	0	1	38	5	0	1	25	0	0	92
PEAK HR FACTOR:	0.000	0.464	0.250	0.000	0.000	0.583	0.000	0.000	0.250	0.792	0.417	0.000	0.250	0.893	0.000	0.000	0.885
	0.536				0.583				0.733				0.813				
PM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				TOTAL
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	
2:00 PM	1	4	0	0	0	1	0	0	0	5	0	0	0	8	0	0	19
2:15 PM	0	3	2	0	0	8	0	0	0	9	0	0	2	2	0	0	26
2:30 PM	0	2	0	0	0	5	1	0	0	6	3	0	0	3	0	0	20
2:45 PM	1	2	0	0	0	3	0	0	0	13	1	0	0	7	0	0	27
3:00 PM	1	1	1	0	0	3	0	0	0	7	0	0	1	7	0	0	21
3:15 PM	0	1	0	0	0	9	0	0	0	27	5	0	1	9	0	0	52
3:30 PM	2	28	0	0	0	19	0	0	0	12	3	0	2	4	0	0	70
3:45 PM	3	42	4	0	0	7	0	0	1	11	2	0	2	5	0	0	77
4:00 PM	1	13	1	0	0	7	0	0	0	12	2	0	0	9	0	0	45
4:15 PM	0	9	0	0	0	3	0	0	0	12	3	0	4	10	0	0	41
4:30 PM	0	10	1	0	0	2	0	0	1	18	1	0	0	10	0	0	43
4:45 PM	0	7	2	0	0	4	0	0	0	15	4	0	2	8	0	0	42
5:00 PM	1	7	1	0	0	6	0	0	0	17	3	0	1	7	0	0	43
5:15 PM	1	6	1	0	0	9	0	0	0	16	3	0	0	7	0	0	43
5:30 PM	1	5	0	0	0	3	1	0	0	16	2	0	1	5	0	0	34
5:45 PM	1	4	0	0	0	0	0	0	0	7	1	0	0	8	1	0	22
6:00 PM	0	3	0	0	0	3	0	0	1	9	5	0	1	11	0	0	33
6:15 PM	2	6	1	0	0	5	0	0	1	19	0	0	2	6	0	0	42
6:30 PM	0	4	1	0	1	3	0	0	0	15	2	0	0	3	0	0	29
6:45 PM	0	3	0	0	0	1	0	0	0	10	1	0	0	5	0	0	20
7:00 PM	0	2	1	0	0	2	0	0	0	5	3	0	0	6	1	0	20
7:15 PM	1	3	0	0	0	1	0	0	0	9	2	0	3	7	0	0	26
7:30 PM	0	4	1	0	0	2	0	0	1	7	3	0	0	5	0	0	22
7:45 PM	2	2	0	0	0	0	0	0	0	10	1	0	0	0	0	0	16
8:00 PM	1	0	0	0	0	5	0	0	0	12	2	0	0	2	0	0	22
8:15 PM	0	1	0	0	1	1	0	0	0	10	2	0	0	3	3	0	21
8:30 PM	0	1	0	0	0	3	1	0	0	4	1	0	1	1	0	0	11
8:45 PM	0	1	0	0	0</												

Attachment 2 - TxDOT CRIS Crash History

Crash ID	Crash Date	Crash Year	Crash Time	Crash Severity	Manner of Collision	Factors	Intersection Related
15743405	5/5/2017	2017	1854	N - NOT INJURED	ANGLE - BOTH GOING STRAIGHT	DRIVER INATTENTION;FAILED TO YIELD RIGHT OF WAY - STOP SIGN	INTERSECTION
16007694	10/7/2017	2017	2200	N - NOT INJURED	ANGLE - BOTH GOING STRAIGHT	DISREGARD STOP AND GO SIGNAL;FAILED TO YIELD RIGHT OF WAY - STOP SIGN	INTERSECTION
16151102	12/19/2017	2017	1228	C - POSSIBLE INJURY	ANGLE - BOTH GOING STRAIGHT	DRIVER INATTENTION;FAILED TO YIELD RIGHT OF WAY - STOP SIGN	INTERSECTION
16304861	3/14/2018	2018	527	C - POSSIBLE INJURY	ANGLE - BOTH GOING STRAIGHT	FAILED TO YIELD RIGHT OF WAY - STOP SIGN	INTERSECTION
16997362	4/5/2019	2019	1701	N - NOT INJURED	ANGLE - BOTH GOING STRAIGHT	DISREGARD STOP SIGN OR LIGHT	INTERSECTION
17605904	3/3/2020	2020	1707	C - POSSIBLE INJURY	ANGLE - BOTH GOING STRAIGHT	FAILED TO YIELD RIGHT OF WAY - STOP SIGN	INTERSECTION
17811241	8/10/2020	2020	1840	N - NOT INJURED	ANGLE - BOTH GOING STRAIGHT	DRIVER INATTENTION;FAILED TO CONTROL SPEED;FAILED TO YIELD RIGHT OF WAY - STOP SIGN	INTERSECTION
18858057	4/17/2022	2022	1024	N - NOT INJURED	ANGLE - BOTH GOING STRAIGHT	DRIVER INATTENTION;FAILED TO YIELD RIGHT OF WAY - STOP SIGN	INTERSECTION
20498144	11/6/2024	2024	736	B - SUSPECTED MINOR INJURY	ANGLE - BOTH GOING STRAIGHT	FAILED TO YIELD RIGHT OF WAY - STOP SIGN;SPEEDING - (OVERLIMIT)	INTERSECTION
20712964	3/18/2025	2025	1542	C - POSSIBLE INJURY	ANGLE - BOTH GOING STRAIGHT	DISREGARD STOP SIGN OR LIGHT; DRIVER INATTENTION	INTERSECTION
21075491	10/17/2025	2025	2003	N - NOT INJURED	ONE MOTOR VEHICLE - GOING STRAIGHT	DROVE WITHOUT HEADLIGHTS	INTERSECTION RELATED

Attachment 3 - All-Way Stop Control Warrant Volume Spreadsheet

MULTI-WAY STOP WARRANT ANALYSIS (2011 TXMUTCD)

MAJOR STREET:	4th Street	EB	WB	# OF APPROACH LANES:	1
MINOR STREET:	Pecan Street	NB	SB	# OF APPROACH LANES:	1
CITY, STATE:	Freeport, TX			ANALYSIS YEAR:	2025
COMMENTS:					

ISOLATED COMMUNITY WITH POPULATION LESS THAN 10,000 (Y OR N):

N
N

85TH PERCENTILE SPEED OR POSTED SPEED LIMIT GREATER THAN 40 MPH ON MAJOR STREET (Y OR N):

N

					MULTI-WAY STOP CONTROL			MULTI-WAY STOP CONTROL (70%)		
					MAIN LINE	SIDE STREET	BOTH MET	MAIN LINE	SIDE STREET	BOTH MET
THRESHOLD VALUES			→		300	200		210	140	
06:00 AM	TO	07:00 AM	42	20						
07:00 AM	TO	08:00 AM	129	143					Y	
08:00 AM	TO	09:00 AM	36	41						
09:00 AM	TO	10:00 AM	49	19						
10:00 AM	TO	11:00 AM	42	19						
11:00 AM	TO	12:00 PM	52	16						
12:00 PM	TO	01:00 PM	70	22						
01:00 PM	TO	02:00 PM	52	19						
02:00 PM	TO	03:00 PM	59	33						
03:00 PM	TO	04:00 PM	99	126						
04:00 PM	TO	05:00 PM	111	61						
05:00 PM	TO	06:00 PM	95	53						
06:00 PM	TO	07:00 PM	91	33						
			1,075	657	0	0	0	0	1	0
					8 HOURS NEEDED			8 HOURS NEEDED		
					NOT SATISFIED			NOT SATISFIED		

01/13/26
Kimley-Horn and Associates, Inc.



City Council Agenda Item #[3.F]

Title: Action approving the Quarterly Investment Report for the FY26 First Quarter, Ending December 31, 2025 - Ashlee Hurst, Finance Director

Date: February 2, 2026

From: Ashlee Hurst, Finance Director

Staff Recommendation: This report is presented for informational purposes, as required by law.

Item Summary: This report reflects that on December 31, 2025, the City's total cash portfolio of \$25.4 million was managed in compliance with the PFIA and the City's investment policies.

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

Special Considerations: N/A

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. FY26 - Q1 - INVESTMENT REPORT



Quarterly Investment Report
October 1, 2025 - December 31, 2025

G/L Account	Description	Book Value	Current Interest Rate	Yield to Maturity	Maturity Date	Days to Maturity	Beginning Market Value for Period	Changes to Market Value	Ending Market Value for Period	Interest Paid YTD
Cash in Demand Accounts										
99-101-000	Operating Account	\$ 3,885,092	2.95%	2.95%	Demand	1	\$ 8,559,894	\$ (4,674,802)	\$ 3,885,092	\$ 21,741
Total Cash in Demand Accounts		\$ 3,885,092					\$ 8,559,894	\$ (4,674,802)	\$ 3,885,092	\$ 21,741
Invested in Government Pools										
99-105-020	Texas Class	\$ 3,503,753	3.73%	3.73%	Demand	1	\$ 3,469,417	\$ 34,336	\$ 3,503,753	\$ 34,336
10-103-101	TexPool	\$ 18,074,413.97	3.82%	3.82%	Demand	1	14,392,955	3,681,459	18,074,414	181,459
Total Invested in Pools		\$ 21,578,167					\$ 17,862,372	\$ 3,715,795	\$ 21,578,167	\$ 215,795
TOTAL ALL INVESTMENTS		\$ 25,463,259					\$ 26,422,266	\$ (959,007)	\$ 25,463,259	\$ 237,536

Investment Category	Book Value	Percentage	Weighted Average Maturity (Days)
Cash in Demand Accounts	\$3,885,092	15.26%	1.00
Government Pools	\$21,578,167	84.74%	0.84
TOTAL	\$25,463,259	100.00%	0.86

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

The City requires its depository banks to provide collateral for all deposits in excess of Federal Deposit Insurance. At the end of the quarter, the market value of collateral pledged by Baker Bond Accounting to the City was \$17.02M, 470% of deposits.

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

Prepared By: Lily Celedon 1/19/2026
Lily Celedon, Investment Officer Date

Verified By: Ashlee Hurst 1/19/2026
Ashlee Hurst, Investment Officer Date



City Council Agenda Item #[4.A]

Title: Consideration and possible action approving Resolution No. 2026-3024 appointing members to the Senior Citizens Commission.

Date: February 2, 2026

From: Dr. Danielle Kelly

Staff Recommendation: Staff recommends approval of a Resolution accepting the resignations of two members of the Senior Citizens Commission and appointing qualified individuals to fill the resulting vacancies for the remainder of the unexpired terms ending May 31, 2026.

Item Summary: Consideration and action to accept the resignations of Senior Citizens Commission members Linda Harrison and Loraine Mitchell, and to appoint two qualified individuals to fill the unexpired terms on the Senior Citizens Commission of the City of Freeport.

Background Information: The Senior Citizens Commission serves in an advisory capacity to support programs, services, and initiatives benefiting senior citizens within the City of Freeport. Board Members Linda Harrison and Loraine Mitchell each submitted resignations prior to the expiration of their appointed terms, which are set to expire on May 31, 2026. These resignations have created vacancies on the Commission that require City Council action to ensure continued functionality and representation.

Special Considerations: Appointments to the Senior Citizens Commission must be made by City Council and require that appointees meet all eligibility requirements established by City ordinances and applicable state law. Appointed individuals will serve the remainder of the unexpired terms and must take the Oath of Office prior to performing any official duties.

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Resolution-Senior Citizens Vacancy 01202026 (1)
2. Senior Citizens Applicants

RESOLUTION NO. 2026-3024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, ACCEPTING THE RESIGNATIONS OF BOARD MEMBERS AND APPOINTING QUALIFIED 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 Linda Harrison and Loraine Mitchell of the Senior Citizens Commission of the City of Freeport, Texas (“the City”), each submitted their resignation prior to the expiration of their terms; and

WHEREAS, the term of appointment for Linda Harrison and Loraine Mitchell is set to expire on May 31, 2026; 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 Linda Harrison and Loraine Mitchell, effective immediately, and acknowledges that each of their terms is set to expire on May 31, 2026.

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, 2026, and until a successor or successors for such person(s) shall have been duly appointed and qualified, to-wit:

1. _____ Term Expiration: 05/31/2026
2. _____ Term Expiration: 05/31/2026

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.

RESOLUTION TO FILL RESIGNED POSITION – SENIOR CITIZENS COMMISSION

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 _____, 2026.

Attest: _____

Clarisa Fernandez, City Secretary
City of Freeport, Texas

Jerry Cain, Mayor
City of Freeport, Texas

Approved as to Form:

Christopher Duncan, City Attorney
City of Freeport, Texas

APPLICANTS

- 1. Carol Parker**
- 2. Diana Parker**



City Council Agenda Item #[4.B]

Title: Consideration and possible action approving Resolution No. 2026-3025 appointing a member to the Beautification/ Parks and Recreation Board.

Date: February 2, 2026

From: John Perez

Staff Recommendation: Staff recommends approval of a Resolution accepting the resignation of a member of the Beautification Parks Committee and appointing a qualified individual to fill the resulting vacancy for the remainder of the unexpired term ending October 31, 2027.

Item Summary: The Beautification/Parks and Recreation Committee has a vacancy due to the resignation of Robert Dohle with his term due to expire October 31, 2027. This appointment will fill out the remainder of the term. At the time this memo was prepared the City received an application from Lisa Girouard. The Committee met on January 23, 2026 and voted unanimously to present Lisa Girouard to City Council for recommendation.

Background Information: The City created this committee for the purpose of assisting the City Council, the City Manager, and the Parks and Recreation Department in establishing city wide policies to enhance the scenic beauty of the City, parks and recreation. The committee is to be known as the Beautification Parks and Recreation Committee. This committee shall consist of seven members who shall be residents of the City and who shall serve without compensation. The committee currently has five members.

Special Considerations: None.

Financial Impact: None.

Board or 3rd Party Recommendation: Recommended by the Beautification Parks Committee.

Supporting Documentation:

1. Resolution-Parks and Rec Vacancy 2026 (1) (1)
2. APPLICANT

RESOLUTION NO. 2026-3025

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 PARKS AND RECREATION 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 Robert Dohle of the Parks and Recreation Advisory Board of the City of Freeport, Texas (“the City”), has submitted his resignation prior to the expiration of his term;

WHEREAS, the term of appointment for Robert Dohle was set to expire on October 31, 2027;

WHEREAS, the City Council of the City desires to appoint the below-named qualified person to the Parks and Recreation 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 Robert Dohle, effective immediately, and acknowledges that his term was set to expire on October 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 Parks and Recreation Advisory Board to fill the unexpired term ending October 31, 2027, and until a successor for such person shall have been duly appointed and qualified, to-wit:

1. _____ Term Expiration: **10/31/2027**

SECTION THREE (3): DUTIES

The above-named appointee shall perform all duties imposed on members of the Parks and Recreation 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 _____, 2026.

Attest: _____

Clarisa Fernandez, City Secretary
City of Freeport, Texas

Jerry Cain, Mayor
City of Freeport, Texas

Approved as to Form:

Christopher Duncan, City Attorney
City of Freeport, Texas

APPLICANT

1. Lesa Girouard



City Council Agenda Item #[4.C]

Title: Consideration and possible action approving Resolution No. 2026-3026 to amend section 9.07A Alternative to Overtime: Flextime to the Personnel Policy Manual.

Date: February 2, 2026

From: Dr. Danielle Kelly

Staff Recommendation: Approve Resolution No. 2026-3026, amending Section 9.07A of the City Personnel Policy Manual, *Alternative to Overtime: Flextime*, to expressly allow all City employees to utilize flextime and to clarify that flextime must be used within a single pay period and may not be banked.

Item Summary:

This item updates the City's Personnel Policy Manual to clarify and standardize the use of flextime as an alternative to overtime. The proposed amendment ensures that:

1. All City employees, including hourly and salaried employees, are eligible to utilize flextime when operationally feasible and approved; and
2. Flextime must be used within a single pay period and may not be carried forward or banked.

The amendment resolves an existing inconsistency in policy application and provides clearer administrative guidance while remaining compliant with applicable labor laws.

Background Information: On November 3, 2025 City Council approved Resolution No. 2025-2987 amending the Personnel Policy Manual. Section 9.07A of the City Personnel Policy Manual currently authorizes flextime as an alternative to overtime; however, the policy has been applied inconsistently across employee classifications. In practice, flextime has been available to most employees, while specifically excluding the Assistant City Manager. Additionally, the existing policy language has led to confusion regarding the allowable timeframe for using flextime (workweek versus pay period), particularly for salaried employees. This ambiguity complicates administration, timekeeping, and compliance oversight. The proposed amendment clarifies the City's intent by:

- **Explicitly extending flextime eligibility to all City employees**, both hourly and salaried, subject to supervisory and City Manager approval and operational needs; and



- **Establishing a single, uniform timeframe** for salaried employees to use flextime, within the same pay period in which additional hours are worked, while prohibiting the banking or carryover of flex hours.

These changes promote fairness, consistency, and transparency in policy application while preserving management discretion and operational coverage requirements. Flextime will continue to be administered in compliance with the Fair Labor Standards Act (FLSA), including applicable provisions for police and fire employees.

Special Considerations: None.

Financial Impact:

There is no fiscal impact associated with this policy amendment. Flextime serves as an alternative to overtime and does not create additional compensation obligations. The clarification is administrative in nature and is intended to improve consistency, accountability, and compliance.

Board or 3rd Party Recommendation: None.

Supporting Documentation:

1. Resolution Overtime Comp Time 012726

RESOLUTION NO. 2026-3026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, AMENDING SECTION 9.07A OF THE CITY PERSONNEL POLICY MANUAL, “ALTERNATIVE TO OVERTIME: FLEXTIME,” TO EXPRESSLY ALLOW ALL CITY EMPLOYEES TO UTILIZE FLEXTIME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Freeport, Texas, has adopted personnel policies governing employee work schedules and overtime practices; and

WHEREAS, Section 9.07A of the City Personnel Policy Manual establishes flextime as an alternative to overtime; and

WHEREAS, the City Council desires to clarify and expand eligibility under this policy to ensure consistent application across all departments and employee classifications; and

WHEREAS, the City Council finds that allowing all City employees to utilize flextime, when operationally feasible and subject to approval, supports efficiency, accountability, and employee work-life balance;

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

Section 1. Amendment Employees

Section 9.07A – Alternative to Overtime: Flextime of the City Personnel Policy Manual is hereby amended to expressly provide that all City employees, including hourly and salaried employees, are eligible to receive and utilize flextime, subject to the terms, conditions, and approval requirements set forth in the policy.

Section 2. Amendment Timeframe

Section 9.07A – Alternative to Overtime: Flextime of the City Personnel Policy Manual is hereby amended for hourly employees, flextime must occur within the same seven-day workweek in which the additional hours are worked and may not be banked; and for salaried employees, flextime must occur within the same pay period in which the additional hours are worked and may not be banked.

Section 3. Administration

Flextime shall continue to be administered in accordance with applicable federal and state labor laws, including Fair Labor Standards Act (FLSA) requirements, and shall remain subject to supervisory and City Manager approval, operational needs, and coverage requirements.

Section 4. No Other Changes

All other provisions of Section 9.07A and the City Personnel Policy Manual not expressly amended by this resolution shall remain in full force and effect.

Section 5. Effective Date

This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED this _____ day of _____, 2026.

Jerry Cain, Mayor
City of Freeport, Texas

Clarisa Fernandez, City Secretary
City of Freeport, Texas

Christopher Duncan, City Attorney
City of Freeport, Texas

EXHIBIT A

9.07A 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)
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 for hourly employees and may not be banked.
 - Must occur within the same pay period for salaried employees and 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 #[4.D]

Title: Consideration and possible action approving Resolution No. 2026-3027 adding Section 9.23 to the Personnel Policy Manual.

Date: February 2, 2026

From: Chief Jennifer Howell, Police Chief

Staff Recommendation: Staff recommends approval of policy 9.23 Professional Development Membership Coverage to comply with our standard operating procedures and establish guidelines.

Item Summary: The proposed Professional Development Membership Coverage Policy establishes guidelines for when the City may cover or reimburse the cost of professional development memberships for employees. These memberships support job-related training, certifications, continuing education, and professional resources that benefit both employees and the City.

Background Information: Currently, the city pays for employee memberships to professional development organizations that are in line with their job, and that are approved by the department director.

Special Considerations: None.

Financial Impact: None.

Board or 3rd Party Recommendation: None.

Supporting Documentation:

1. Resolution Professional Development Policy 2026

RESOLUTION NO. 2026-3027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, ADOPTING A POLICY FOR PROFESSIONAL DEVELOPMENT MEMBERSHIP COVERAGE FOR CITY EMPLOYEES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Freeport, Texas, recognizes the importance of professional development, continuing education, and maintenance of professional standards for City employees; and

WHEREAS, professional development memberships in recognized associations, organizations, and institutes may provide job-related training, certifications, continuing education, industry standards, and professional networking that support employee growth and enhance service delivery; and

WHEREAS, the City desires to establish clear and consistent guidelines under which the City may cover or reimburse the cost of professional development memberships for employees, subject to job relevance, departmental need, and budget availability; and

WHEREAS, such memberships must be directly related to an employee's current position, department functions, or a clearly defined career path within the City, and must provide a demonstrable benefit to the City; and

WHEREAS, the City Council finds that adopting a Professional Development Membership Coverage Policy will support employee growth, strengthen organizational capacity, and advance the City's mission while ensuring responsible use of public funds;

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

Section 1. Adoption of Policy

The City Council hereby adopts the **Professional Development Membership Coverage Policy**, which establishes guidelines under which the City may cover or reimburse costs associated with professional development memberships for City employees, including annual membership dues and mandatory fees, subject to job relevance, department budget availability, and approval requirements.

Section 2. Policy Standards

The policy provides that:

- Memberships must be directly related to the employee's current position, department functions, or a clearly defined career path within the City;

- Memberships must provide a demonstrable benefit to the City, such as required certifications, continuing education credits, regulatory compliance, or access to professional resources;
- Membership costs are subject to the availability of funds within the department's approved budget;
- Memberships are issued to the employee unless the organization requires organizational membership;
- Memberships primarily for personal benefit or unrelated to City duties are not eligible for coverage; and
- The City reserves the right to deny or revoke coverage if the membership no longer serves a City purpose or if budget constraints arise.

Section 3. Separation from Employment

The policy further provides that if an employee separates from City employment prior to the end of a covered membership term, reimbursement will generally not be required unless otherwise specified by department policy or agreement.

Section 4. Administration

The City Manager, or designee, is authorized to administer and implement this policy and to establish any necessary procedures consistent with this resolution.

Section 5. Effective Date

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

PASSED AND APPROVED this _____ day of _____, 2026.

Jerry Cain, Mayor
City of Freeport, Texas

Clarisa Fernandez, City Secretary
City of Freeport, Texas

Christopher Duncan, City Attorney
City of Freeport, Texas

Exhibit A

9.23 Professional Development Membership Coverage

The purpose of this policy is to establish guidelines under which the City may cover or reimburse the cost of professional development memberships for employees. Professional development memberships are memberships in professional associations, organizations, or institutes that provide job-related training, certifications, continuing education, industry standards, or professional networking. Covered costs may include annual membership dues and mandatory fees required to maintain membership. These memberships are intended to support employee growth, maintain professional standards, enhance job-related knowledge and skills, and advance the City's mission and service delivery.

This policy applies to all City employees, but is subject to department budgets, job relevance, and approval requirements outlined below.

- The membership is directly related to the employee's current position, department functions, or a clearly defined career path within the City.
- The membership provides a demonstrable benefit to the City (e.g., required certifications, continuing education credits, regulatory compliance, or access to professional resources).
- Funds are available within the department's approved budget.
- Memberships are issued to the employee unless the organization requires organizational membership.
- Memberships primarily for personal benefit or unrelated to City duties will not be approved.
- The City reserves the right to deny or revoke coverage if the membership no longer serves a City purpose or if budget constraints arise.

If an employee separates from City employment before the end of a covered membership term, reimbursement will generally not be required unless otherwise specified by department policy or agreement.



City Council Agenda Item #[4.E]

Title: Consideration and possible action approving Resolution No. 2026-3028 determining the methods of making Public Information Requests (PIR).

Date: February 2, 2026

From: Chief Jennifer Howell, Police Chief

Staff Recommendation: Staff recommends approval of the resolution to designate methods of receiving public information requests.

Item Summary: In February 2026, the City of Freeport will go "live" with the web-based program, Just FOIA (Freedom Of Information Act). This program simplifies the process of handling public information requests (PIR), or open records requests, for government agencies, municipalities, and organizations that manage public records. It provides a user-friendly platform that allows users to efficiently manage requests, track responses, and automate the fulfillment process.

In adopting this resolution, the city will now offer our requestors the options to submit requests in person, by mail, by electronic mail or through the Just FOIA internet based portal. Once approved, staff will post on the city website and purchase signs to be displayed at city buildings open to the public to help guide the public in processing their request.

General City Records:

1. **By mail or in person:**

City of Freeport
Attn: City Secretary's Office
1201 North Avenue H
Freeport, Texas 77541

2. **By electronic mail:**

openrecords@freeporttx.gov

3. **By Internet portal:**

<https://freeporttx.justfoia.com/publicportal/home/newrequest>

Police Department Records:

1. **By mail or in person:**

Freeport Police Department
Attn: Records Division
430 North Brazosport Blvd
Freeport, Texas 77541



2. **By electronic mail:**

FPDRecords@freeporttx.gov

3. **By Internet portal:**

<https://freeporttx.justfoia.com/publicportal/home/newrequest>

Background Information: Pursuant to Texas Government Code Section 552.234, the City Council can designate the approved methods by which a person may submit a written request for public information to the City's officer for public information or the officer's designee.

Special Considerations:

Financial Impact: Minimal to purchase new display signs.

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. PIR Resolution

RESOLUTION NO. 2026-3028

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, APPROVING METHODS FOR MAKING WRITTEN REQUESTS FOR PUBLIC INFORMATION; ADOPTING PUBLIC INFORMATION REQUEST PROCEDURES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Freeport, Texas ("City") is a home-rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the Texas Public Information Act, Texas Government Code, Chapter 552 ("TPIA") provides public access to information maintained by governmental bodies; and

WHEREAS, Section 552.234 of the Texas Government Code allows a governmental body to adopt reasonable procedures for making written requests for public information; and

WHEREAS, the City desires to designate approved methods for submitting written requests for public information and to adopt procedures for processing requests in a manner that promotes transparency and efficient City operations, consistent with state law;

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

SECTION 1. INCORPORATION OF RECITALS.

All the above premises are true and correct and are hereby approved, ratified, and incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2. APPROVED METHODS FOR WRITTEN REQUESTS.

Pursuant to Texas Government Code Section 552.234, the City Council designates the following approved methods by which a person may submit a written request for public information to the City's officer for public information or the officer's designee:

General City Records:

1. **By mail or in person:**
City of Freeport
Attn: City Secretary's Office
1201 North Avenue H
Freeport, Texas 77541

2. **By electronic mail:**
openrecords@freeporttx.gov

3. **By Internet portal:**
<https://freeporttx.justfoia.com/publicportal/home/newrequest>

Police Department Records:

1. **By mail or in person:**
Freeport Police Department
Attn: Records Division
430 North Brazosport Blvd
Freeport, Texas 77541

2. **By electronic mail:**
FPDRecords@freeporttx.gov

3. **By Internet portal:**
<https://freeporttx.justfoia.com/publicportal/home/newrequest>

SECTION 3. NOTICE ON WEBSITE AND SIGN.

The City Council hereby adopts the "City of Freeport Public Information Act Request Procedures," attached hereto as Exhibit A and incorporated herein by reference, to guide City departments and staff in processing requests under the TPIA.

SECTION 4. NOTICE ON WEBSITE AND SIGN.

The City website and the sign required to be displayed under Texas Government Code Section 552.205 (commonly referred to as the Public Information Act/Open Records sign) shall be updated to reflect the approved methods designated in Section 2, in accordance with Texas Government Code Section 552.234(d).

SECTION 5. EFFECTIVE DATE.

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

PASSED AND APPROVED this _____ day of _____, 2026.

Jerry Cain, Mayor
City of Freeport, Texas

Clarisa Fernandez, City Secretary
City of Freeport, Texas

Christopher Duncan, City Attorney
City of Freeport, Texas

EXHIBIT A

CITY OF FREEPORT PUBLIC INFORMATION ACT REQUEST PROCEDURES

Pursuant to the Texas Public Information Act (Texas Government Code, Chapter 552).

1. Purpose

These procedures establish a Citywide process for receiving and responding to requests for public information under the TPIA (Texas Public Information Act). The procedures are intended to promote transparency and ensure statutory deadlines are met while supporting efficient City operations.

2. Scope

These procedures apply to all City departments, City Council, boards, commissions, and employees, as well as contractors or third parties acting on behalf of the City who possess City records or other information responsive to a request for public information.

3. Definitions

Official business: Any matter over which the City has authority, administrative duties, or advisory duties. See Texas Government Code Section 552.003(2-a).

Public information: Information that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by or for the City. See Texas Government Code Section 552.002(a).

Promptly: As soon as possible under the circumstances, that is, within a reasonable time, without delay. See Texas Government Code Section 552.221(a).

Request: A written request to access information already in existence, submitted using an approved method in Section 2 of this Resolution.

Requestor: A person who submits a written request to the City for inspection or copies of public information using an approved method.

Record: Any record in any form created or received by or on behalf of the City that documents activities in the conduct of City business or use of City resources. Records may include (as applicable) emails, text messages, call logs, photographs, and electronic messages and recordings. See Texas Government Code Section 552.002(b)–(c).

Zealous requestor: A requestor described by Texas Government Code Section 552.275 (e.g., a person who submits more than 15 requests in a calendar month or more than 36 requests in a 12-month period).

4. General Procedures for Responding to Requests

4.1 Submission of Requests

Requests must be in writing and must be submitted using one of the approved methods adopted by this Resolution. Requests submitted by other methods (including social media) are not

required to be treated as TPIA requests unless received by the officer for public information or the officer's designee.

4.2 Response Timeline

The City will respond to requests promptly. If the City cannot produce the requested information within 10 business days after receiving the request, the City will provide written notice to the requestor with a reasonable date and time when the information will be available, consistent with Texas Government Code Section 552.221(d).

4.3 Requests for Attorney General Decision

If the City seeks to withhold requested information, the City must request a decision from the Office of the Attorney General within the deadlines established by Texas Government Code Section 552.301. Failure to meet applicable deadlines may result in a presumption that the information is public under Texas Government Code Section 552.302, subject to any compelling reason for withholding.

4.4 Requests for Clarification or Narrowing

If a request is unclear or overly broad, the City may ask the requestor to clarify the request or discuss how to narrow the scope. See Texas Government Code Section 552.222(b). When the City, acting in good faith, requests clarification or narrowing of an unclear or overbroad request, applicable deadlines are measured from the date the City receives the requestor's written response. If the City does not receive a written response by the 61st day after the date the City sends a written request for clarification, the request is considered withdrawn. See Texas Government Code Section 552.222(d).

4.5 Fees and Charges

The City may charge for providing copies of public information in accordance with Texas Government Code Section 552.261 and the cost rules in Texas Administrative Code Chapter 70. If estimated charges will exceed \$40, the City will provide the requestor with an itemized written statement of estimated charges before the work is undertaken, consistent with Texas Government Code Section 552.2615.

Failure to respond to a cost estimate, accept charges, or timely pay may result in the request being treated as withdrawn or the information being withheld as permitted by law and applicable cost rules.

5. Requests Requiring a Large Amount of Personnel Time (Texas Government Code Section 552.275)

To manage frequent or repetitive requests, the City establishes the following time limits for personnel time that the City will devote to producing public information for inspection or duplication or providing copies of public information to any one requestor without recovering the costs attributed to personnel time:

- Monthly limit: 15 hours of personnel time per requestor per calendar month.

- Annual limit: 36 hours of personnel time per requestor per 12-month period. The 12-month period is measured by the City's fiscal year unless otherwise required by law.

When the time limits are exceeded, the City will provide a written statement and a written estimate of the total cost to comply, as required by Texas Government Code Section 552.275. The City is not obligated to provide additional public information to that requestor unless payment is received as provided by statute.

5.1 Media and Other Exemptions

The time limits under Texas Government Code Section 552.275 do not apply to certain requestors, including elected officials, members of the media, and others identified by statute. See Texas Government Code Section 552.275(j)–(l).

6. Roles and Responsibilities

Officer for public information: The City Secretary is designated as the officer for public information for the city, unless otherwise designated by the City Manager.

Department liaisons: Each department director may designate a liaison to coordinate searches for responsive records; track time spent and assist in meeting deadlines. *The Police Department maintains its own records function; the Police Department Records Clerk serves as the primary point of contact for police department records and coordinates searches and responses for those records consistent with the TPIA and applicable law.*

Legal review: The City Attorney provides legal guidance on exceptions to disclosure, requests for Attorney General decisions, and other matters under the TPIA. The City Attorney also reviews and sends clarification requests, cost estimates, and formal responses to requestors.

7. Records Retention and Documentation

The City will retain requests, responses, and related documentation in accordance with applicable records retention schedules established by the Texas State Library and Archives Commission and any City records management policies.

8. Training

City employees involved in processing public information requests must complete training on the TPIA as required by law and as directed by the City. Training may include resources provided by the Office of the Attorney General and internal City procedures.



City Council Agenda Item #[4.F]

Title: Consideration and possible action approving Resolution No. 2026-3029 amending section 9.01 Texas Municipal Retirement System of the Personnel Policy Manual.

Date: February 2, 2026

From: Chief Jennifer Howell, Police Chief

Staff Recommendation: Staff recommends approval to update policy 9.01 Texas Municipal Retirement System to comply with our current rate that went into effective January 1, 2026.

Item Summary: The rate of employee contributions into the Texas Municipal Retirement System was previously 7% of the employee's compensation. The 89th Texas Legislation, House Bill 3161 allowed cities to have an increase of 8% of the compensation of the employee's compensation if approved and established by the city's government body.

Background Information: The rate change to 8% was presented and approved by City Council on September 29, 2025. Ordinance No 2025-2746.

Special Considerations: None.

Financial Impact: None. Previously budgeted.

Board or 3rd Party Recommendation: None.

Supporting Documentation:

1. TMRS Resolution 2026

RESOLUTION NO. 2026-3029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, AMENDING SECTION 9.01 OF THE CITY PERSONNEL POLICY MANUAL REGARDING THE TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS) TO INCREASE THE EMPLOYEE CONTRIBUTION RATE FROM SEVEN PERCENT (7%) TO EIGHT PERCENT (8%); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Freeport, Texas, has adopted personnel policies governing employee participation in the Texas Municipal Retirement System (TMRS); and

WHEREAS, Section 9.01 of the City Personnel Policy Manual establishes the employee contribution rate for TMRS participation; and

WHEREAS, the City Council desires to amend Section 9.01 to adjust the employee contribution rate in order to better align with retirement funding goals and long-term sustainability; and

WHEREAS, the City Council finds that increasing the employee contribution rate from seven percent (7%) to eight percent (8%) is in the best interest of the City and its employees;

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

Section 1. Amendment

Section 9.01, **Texas Municipal Retirement System**, of the City Personnel Policy Manual is hereby amended to change the employee contribution rate **from seven percent (7%) to eight percent (8%) of gross salary.**

Section 2. Updated Language

The applicable sentence in Section 9.01 shall read as follows:

“Members will deposit by payroll deduction, **eight percent (8%)** of their gross salary.”

Section 3. No Other Changes

All other provisions of Section 9.01 and the City Personnel Policy Manual not expressly amended by this resolution shall remain in full force and effect.

Section 4. Effective Date

This resolution shall take effect on immediately upon its adoption.

PASSED AND APPROVED this _____ day of _____, 2026.

Jerry Cain, Mayor
City of Freeport, Texas

Clarisa Fernandez, City Secretary
City of Freeport, Texas

Christopher Duncan, City Attorney
City of Freeport, Texas

EXHIBIT A

9.01 Texas Municipal Retirement System

All employees with probationary or regular status will be enrolled as a member of the Texas Municipal Retirement System. Members will deposit by payroll deduction, eight percent (8%) of their gross salary. The City will match such deposit in an amount to be determined by state law and City Council ordinance (Currently 2 for 1).

If an employee leaves the service of the City, they may withdraw the deposits they have made, plus interest earned on those deposits. The deposits made by the City cannot be withdrawn unless the employee is eligible for retirement.

Members may also be responsible for paying taxes on the amount withdrawn and should communicate with Texas Municipal Retirement System in regards to possible taxation of withdrawn deposits.

Employees will become vested in the system after five (5) years of employment. "Vesting" means that employees who terminate their employment with the City after five (5) years and do not withdraw their deposits, will be entitled to retirement benefits, based on deposits and interest earned, at sixty (60) years of age or 20 years of service.

Employees should contact Texas Municipal Retirement System for information on retirement benefits or when preparing for retirement.



City Council Agenda Item #[4.G]

Title: Consideration and possible action approving Resolution No. 2026-3030 authorizing the application for an acceptance of State and Local Cybersecurity Grant Program.

Date: February 2, 2026

From: Chief Jennifer Howell, Police Chief

Staff Recommendation: Staff recommends that City Council adopt the resolution authorizing the City Manager to apply for and accept grant funding from the Office of the Governor of the State of Texas under the State and Local Cybersecurity Grant Program (SLCGP) – Mitigation, Grant #5788801, for the Email Cybersecurity Risk Mitigation and Data Resilience Project, to designate the City Finance Director as Grant Financial Officer, and approve all related grant conditions.

Item Summary: A resolution is required for grant application authorizing the submission and acceptance of State and Local Cybersecurity Grant Program (SLCGP) Mitigation funds, Grant #5788801, in the amount of \$19,830.41 for the Email Cybersecurity Risk Mitigation and Data Resilience Project, which is intended to strengthen the City's cybersecurity posture and protect critical email and data systems.

Background Information: The City of Freeport is applying for funding through the Office of the Governor of the State of Texas under the State and Local Cybersecurity Grant Program (SLCGP) Mitigation for the Email Cybersecurity Risk Mitigation and Data Resilience Project. This project will support the implementation of Cohesity data backup and recovery solutions and Mimecast email security services, which are designed to protect City systems from cyber threats, data loss, and ransomware attacks. These tools will enhance the City's ability to secure email communications, ensure data resiliency, and improve continuity of operations. City Council approval is required to authorize the City Manager to apply for and accept the grant and to comply with all associated program requirements.

Special Considerations: Acceptance of the grant requires the City to comply with all terms, conditions, assurances, and reporting requirements established by the Office of the Governor. The grant includes a 30% local match requirement, which must be provided by the City. In addition, the City agrees that any loss or misuse of grant funds must be repaid in full. The resolution also appoints the City Finance Director as the Grant Financial Officer to oversee financial management and reporting

Financial Impact: The total grant award is \$19,830.41 and is subject to a 30% local match requirement. The City will be responsible for funding the required match of \$5,949.12.



Board or 3rd Party Recommendation: None.

Supporting Documentation:

1. Resolution 5788801 Email Cybersecurity Risk Mitigation and Data Resilience Project

RESOLUTION NO. 2026-3030

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDINGS OF FACT; AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE OFFICE OF THE GOVERNOR OF THE STATE OF TEXAS UNDER THE STATE AND LOCAL CYBERSECURITY GRANT PROGRAM (SLCGP) – MITIGATION, GRANT #5788801, FOR THE PROJECT TITLED EMAIL CYBERSECURITY RISK MITIGATION AND DATA RESILIENCE PROJECT; APPOINTING THE CITY FINANCE DIRECTOR AS THE GRANT’S FINANCIAL OFFICER; AGREEING TO CERTAIN CONDITIONS IN CONNECTION WITH SUCH GRANT; CONTAINING A SEVERABILITY CLAUSE; PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY.

WHEREAS, the City of Freeport, Texas, hereinafter referred to as the “City,” is a Home Rule Municipality located in Brazoria County, Texas, operating pursuant to the Constitution and laws of the State of Texas; and

WHEREAS, the City Council of the City of Freeport is authorized to adopt resolutions and take actions necessary to protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Office of the Governor of the State of Texas administers the State and Local Cybersecurity Grant Program (SLCGP) to support initiatives that enhance cybersecurity readiness and resilience for state and local governments; and

WHEREAS, the City Council finds that it is in the best interest of the City to submit an application for funding under the State and Local Cybersecurity Grant Program (SLCGP) – Mitigation, Grant #5788801, for the project titled Email Cybersecurity Risk Mitigation and Data Resilience Project; and

WHEREAS, the total amount of grant funding requested for the Email Cybersecurity Risk Mitigation and Data Resilience Project is \$19,830.41; and

WHEREAS, the City agrees that in the event of loss or misuse of grant funds, the City shall return such funds to the Office of the Governor in full.

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

Section 1. The City Council hereby authorizes the City Manager to apply for and accept grant funding from the Office of the Governor of the State of Texas under the State and Local Cybersecurity Grant Program (SLCGP) – Mitigation, Grant #5788801, for the project titled Email Cybersecurity Risk Mitigation and Data Resilience Project, in the amount of \$19,830.41.

Section 2. The City Manager is hereby designated as the Authorized Official for the grant and is granted authority to execute all documents, applications, contracts, and amendments necessary to carry out the purposes of the grant.

Section 3. The City Council hereby appoints the City Finance Director as the Grant Financial Officer, responsible for the financial management, accounting, and reporting of grant funds in accordance with all applicable grant requirements.

Section 4. The City agrees to comply with all terms, conditions, assurances, and reporting requirements required by the Office of the Governor for participation in the State and Local Cybersecurity Grant Program.

Section 5. In the event of loss or misuse of grant funds, the City assures that such funds shall be returned to the Office of the Governor in full.

Section 6. If any provision of this Resolution is held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

Section 7. This Resolution shall take effect immediately upon its passage and adoption.

Section 8. The original of this Resolution shall be maintained by the City Secretary in the permanent records of the City.

READ, PASSED AND ADOPTED this _____ day of _____, 2026.

Jerry Cain, Mayor
City of Freeport, Texas

ATTEST:

Clarisa Fernandez, City Secretary
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Christopher Duncan, City Attorney
City of Freeport, Texas



City Council Agenda Item #[4.H]

Title: Consideration and possible action approving Resolution No. 2026-3031 authorizing the City Manager to apply for and accept grant funding from the Office of the Governor of the State of Texas under the FY2027 Criminal Justice Grant Program for the Portable Radio Upgrade project.

Date: February 2, 2026

From: Chief Jennifer Howell, Police Chief

Staff Recommendation: Staff recommends that City Council adopt the resolution authorizing the City Manager to apply for and accept grant funding from the Office of the Governor of the State of Texas under the FY2027 Criminal Justice Grant Program for the Portable Radio Upgrade project, designate the City Finance Director as Grant Financial Officer, and approve all related grant conditions.

Item Summary: Consideration of a resolution authorizing the submission and acceptance of a FY2027 Criminal Justice Grant Program award, Grant #5788701, in the amount of \$149,453.24 for the Portable Radio Upgrade project, which will enhance public safety communications capabilities for the City of Freeport.

Background Information: The City of Freeport Police Department is applying for funding through the Office of the Governor of the State of Texas FY2027 Criminal Justice Grant Program for the **Portable Radio Upgrade** project. This grant program provides funding to support law enforcement agencies with critical equipment that enhances officer safety and operational effectiveness. The requested grant funding will be used to upgrade portable radio equipment utilized by police personnel, ensuring reliable, modern communication capabilities necessary for daily operations and emergency response. City Council approval is required to authorize the City Manager to apply for and accept the grant and to comply with all associated program requirements.

Special Considerations: Acceptance of the grant requires the City to comply with all terms and conditions set forth by the Office of the Governor, including financial reporting and program compliance. In the event of loss or misuse of grant funds, the City agrees to return such funds in full. Adoption of the resolution also formally designates the City Finance Director as the Grant Financial Officer responsible for oversight and reporting.

Financial Impact: This grant is a reimbursement-based grant in the amount of \$149,453.24. Grant funds will be reimbursed to the City for eligible expenditures incurred for the Portable Radio Upgrade project in accordance with grant guidelines. No local match is required.



Board or 3rd Party Recommendation: None.

Supporting Documentation:

1. Resolution 5788701 PORTABLE RADIO UPGRADE

RESOLUTION NO. 2026-3031

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDINGS OF FACT; AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE OFFICE OF THE GOVERNOR OF THE STATE OF TEXAS UNDER THE FY2027 CRIMINAL JUSTICE GRANT PROGRAM, GRANT #5788701, FOR THE PROJECT TITLED PORTABLE RADIO UPGRADE; APPOINTING THE CITY FINANCE DIRECTOR AS THE GRANT'S FINANCIAL OFFICER; AGREEING TO CERTAIN CONDITIONS IN CONNECTION WITH SUCH GRANT; CONTAINING A SEVERABILITY CLAUSE; PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY.

WHEREAS, the City of Freeport, Texas, hereinafter referred to as the "City," is a Home Rule Municipality located in Brazoria County, Texas, operating pursuant to the Constitution and laws of the State of Texas; and

WHEREAS, the City Council of the City of Freeport is authorized to adopt resolutions and take actions necessary to protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Office of the Governor of the State of Texas administers the Criminal Justice Grant Program to support initiatives that enhance public safety and criminal justice capabilities; and

WHEREAS, the City Council finds that it is in the best interest of the City to submit an application for funding under the FY2027 Criminal Justice Grant Program, Grant #5788701, for the project titled Portable Radio Upgrade; and

WHEREAS, the total amount of grant funding requested for the Portable Radio Upgrade project is \$149,453.24; and

WHEREAS, the City agrees that in the event of loss or misuse of grant funds, the City shall return such funds to the Office of the Governor in full.

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

Section 1. The City Council hereby authorizes the City Manager to apply for and accept grant funding from the Office of the Governor of the State of Texas under the FY2027 Criminal Justice Grant Program, Grant #5788701, for the project titled Portable Radio Upgrade, in the amount of \$149,453.24.

Section 2. The City Manager is hereby designated as the Authorized Official for the grant and is granted authority to execute all documents, applications, contracts, and amendments necessary to carry out the purposes of the grant.

Section 3. The City Council hereby appoints the City Finance Director as the Grant Financial Officer, responsible for the financial management, accounting, and reporting of grant funds in accordance with all applicable grant requirements.

Section 4. The City agrees to comply with all terms, conditions, and assurances required by the Office of the Governor for participation in the Criminal Justice Grant Program.

Section 5. In the event of loss or misuse of grant funds, the City assures that such funds shall be returned to the Office of the Governor in full.

Section 6. If any provision of this Resolution is held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

Section 7. This Resolution shall take effect immediately upon its passage and adoption.

Section 8. The original of this Resolution shall be maintained by the City Secretary in the permanent records of the City.

READ, PASSED AND ADOPTED this _____ day of _____, 2026.

Jerry Cain, Mayor
City of Freeport, Texas

ATTEST:

Clarisa Fernandez, City Secretary
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Christopher Duncan, City Attorney
City of Freeport, Texas



City Council Agenda Item #[4.I]

Title: Consideration and possible action approving Resolution No. 2026-3032 authorizing the City Manager to apply for and accept FY2027 Criminal Justice Grant Program funding from the Office of the Governor of the State of Texas for the Server Modernization Project.

Date: February 2, 2026

From: Chief Jennifer Howell, Police Chief

Staff Recommendation: Staff recommends that City Council adopt the resolution authorizing the City Manager to apply for and accept grant funding from the Office of the Governor of the State of Texas under the FY2027 Criminal Justice Grant Program, Grant #5786701, for the Server Modernization Project, designate the City Finance Director as Grant Financial Officer, and approve all related grant conditions.

Item Summary: Consideration of a resolution authorizing the submission and acceptance of FY2027 Criminal Justice Grant Program funding, Grant #5786701, in the amount of \$150,000.00 for the Server Modernization Project, which will replace aging server infrastructure used to support criminal justice information systems and law enforcement operations.

Background Information: The City of Freeport Police Department currently relies on a three-node server cluster that is nearing the end of its manufacturer-supported lifecycle. Once the equipment reaches end-of-life (EOL), it will no longer receive required security updates, increasing the risk of system failure and noncompliance with Criminal Justice Information Services (CJIS) security requirements. The Server Modernization Project seeks funding through the Office of the Governor of the State of Texas FY2027 Criminal Justice Grant Program to replace this aging infrastructure. Upgrading the server nodes will allow the Police Department to maintain a supported and secure environment for systems that store, process, and transmit criminal justice information. The project will improve system reliability, reduce the risk of unplanned downtime, and ensure continued access to vendor security patches and firmware updates necessary for CJIS compliance and uninterrupted law enforcement operations.

Special Considerations: Acceptance of the grant requires the City to comply with all terms, conditions, assurances, and reporting requirements established by the Office of the Governor. The City agrees that any loss or misuse of grant funds must be repaid in full. Adoption of the resolution also formally designates the City Finance Director as the Grant Financial Officer responsible for financial oversight, compliance, and reporting throughout the grant period.

Financial Impact: The total grant amount requested is \$150,000.00 and is administered as a reimbursement-based grant. Eligible project expenditures will be paid initially by the City and



subsequently reimbursed by the Office of the Governor upon submission and approval of required documentation. There is no local match requirement for this project.

Board or 3rd Party Recommendation: None.

Supporting Documentation:

1. Resolution 5786701 Server Modernization Project

RESOLUTION NO. 2026-3032

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDINGS OF FACT; AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE OFFICE OF THE GOVERNOR OF THE STATE OF TEXAS UNDER THE FY2027 CRIMINAL JUSTICE GRANT PROGRAM, GRANT #5786701, FOR THE PROJECT TITLED SERVER UPGRADE PROJECT; APPOINTING THE CITY FINANCE DIRECTOR AS THE GRANT'S FINANCIAL OFFICER; AGREEING TO CERTAIN CONDITIONS IN CONNECTION WITH SUCH GRANT; CONTAINING A SEVERABILITY CLAUSE; PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY.

WHEREAS, the City of Freeport, Texas, hereinafter referred to as the "City," is a Home Rule Municipality located in Brazoria County, Texas, operating pursuant to the Constitution and laws of the State of Texas; and

WHEREAS, the City Council of the City of Freeport is authorized to adopt resolutions and take actions necessary to protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Office of the Governor of the State of Texas administers the Criminal Justice Grant Program to support initiatives that enhance public safety and criminal justice capabilities; and

WHEREAS, the City Council finds that it is in the best interest of the City to submit an application for funding under the FY2027 Criminal Justice Grant Program, Grant #5786701, for the project titled Server Modernization Project; and

WHEREAS, the total amount of grant funding requested for the Server Modernization Project is \$150,000.00; and

WHEREAS, the City agrees that in the event of loss or misuse of grant funds, the City shall return such funds to the Office of the Governor of the State of Texas in full.

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

Section 1. The City Council hereby authorizes the City Manager to apply for and accept grant funding from the Office of the Governor of the State of Texas under the FY2027 Criminal Justice Grant Program, Grant #5786701, for the project titled Server Modernization Project, in the amount of \$150,000.00.

Section 2. The City Manager is hereby designated as the Authorized Official for the grant and is granted authority to execute all documents, applications, contracts, and amendments necessary to carry out the purposes of the grant.

Section 3. The City Council hereby appoints the City Finance Director as the Grant Financial Officer, responsible for the financial management, accounting, and reporting of grant funds in accordance with all applicable grant requirements.

Section 4. The City agrees to comply with all terms, conditions, and assurances required by the Office of the Governor for participation in the Criminal Justice Grant Program.

Section 5. In the event of loss or misuse of grant funds, the City assures that such funds shall be returned to the Office of the Governor of the State of Texas in full.

Section 6. If any provision of this Resolution is held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

Section 7. This Resolution shall take effect immediately upon its passage and adoption.

Section 8. The original of this Resolution shall be maintained by the City Secretary in the permanent records of the City.

READ, PASSED AND ADOPTED this _____ day of _____, 2026.

Jerry Cain, Mayor
City of Freeport, Texas

ATTEST:

Clarisa Fernandez, City Secretary
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Christopher Duncan, City Attorney
City of Freeport, Texas



City Council Agenda Item #[4.J]

Title: Consideration and possible action awarding the annual fuel and alternative fuel contract to Senergy Petroleum, LLC.

Date: February 2, 2026

From: Ashlee Hurst, Finance Director

Staff Recommendation: Staff recommends awarding the annual fuel and alternative fuel contract to Senergy Petroleum, LLC.

Item Summary: Staff advertised RFP # 2025-20 titled 'Fuel Services' for an annual contract to provide fuel and alternative fuel products to the City fueling station on November 30, 2025 and December 5, 2025. The City received 3 responses:

Description	Unit of Measure	Senergy Petroleum, LLC	Sun Coast Resources, LLC	MidTex Oil LP
Unleaded Gasoline, 87 Octane	Per Gallon	\$0.18	\$0.25	\$2.03
Ultra Low Sulfur Diesel	Per Gallon	\$0.18	\$0.25	\$2.45
Load Fee	Per Delivery	\$0.00	\$0.00	\$0.00
Motor Oil, Pennzoil Plat 5W20, or Equivalent	Per Gallon	\$19.89	\$6.99	\$11.32
Motor Oil, Pennzoil Plat 5W30, or Equivalent	Per Gallon	\$11.86	\$5.39	\$11.32
Motor Oil, Pennzoil Plat 0W20, or Equivalent	Per Gallon	\$12.31	\$7.99	\$11.32
Fluid, Hydraulic - AW68	Per Gallon	\$8.54	\$5.29	\$9.95
Motor Oil, Chevron Delo 400 CJ4 15W40, or Equivalent	Per Gallon	\$10.97	\$13.50	\$11.27
Lube, Gear 75W90 - Fuel Synthetic	5 Gallon Pail	\$162.05	\$78.25	\$234.66
Lube, Gear 80W140 - Fuel Synthetic	5 Gallon Pail	\$182.00	\$80.75	\$219.60
Fluid, Hydraulic - AW46	5 Gallon Pail	\$51.70	\$39.65	\$110.88
Fluid, Hydraulic - John Deere J20C	5 Gallon Pail	\$57.00	\$35.90	\$123.84
Fluid, Transmission - TES 295 Approved	5 Gallon Pail	\$189.60	\$162.75	\$202.68



Fluid, Transmission - Dexron III, or Equivalent	5 Gallon Pail	\$71.30	\$46.05	\$117.27
Fluid, Antifreeze - Shellzone Multi-Vehicle ELC, or Equivalent	6/1 Gal/CS	\$90.78	\$46.50	\$59.98

Background Information: N/A

Special Considerations: N/A

Financial Impact: Fuel usage was included in the Adopted Budget for 2025-2026. The estimated annual savings would be approximately \$50,000 by switching to Senergy Petroleum, LLC from the current contractor, MidTex Oil, LP. All required insurance will be received and verified prior to contract execution.

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. BidTabulationReportList
2. Synergy - Freeport Final

City of Freeport
 Bid Results for Project Fuel Services (2025-20)
 Issued on 11/25/2025
 Bid Due on January 08, 2026 2:00 PM (CST)
 Exported on 01/08/2026

Line Totals (Unit Price * Quantity)

Item Num	Section	Item Code	Description	Reference	Unit of Measure	Quantity	Senergy Petroleum, LLC	Sun Coast Resources, LLC	Midtex Oil LP
1	Section 1		Unleaded Gasoline 87 Octane		PER GALLON	1	\$0.18	\$0.25	\$2.03
2	Section 1		Ultra Low Sulfur Diesel		PER GALLON	1	\$0.18	\$0.25	\$2.45
3	Section 1		Load Fee		DELIVERY	1	\$0.00	\$0.00	\$0.00
4	Section 1		Motor Oil - Pennzoil Plat 5W20 or equivalent		PER GALLON	1	\$19.89	\$6.99	\$11.32
5	Section 1		Motor Oil - Pennzoil Plat 5W30 or equivalent		PER GALLON	1	\$11.86	\$5.39	\$11.32
6	Section 1		Motor Oil - Pennzoil Plat 0W20 or equivalent		PER GALLON	1	\$12.31	\$7.99	\$11.32
7	Section 1		Fluid, Hydraulic – AW68		PER GALLON	1	\$8.54	\$5.29	\$9.95
8	Section 1		Motor Oil – Chevron Delo 400 CJ4 15W40 or equivalent		PER GALLON	1	\$10.97	\$13.50	\$11.27
9	Section 1		Lube, Gear 75W90 – Fuel Synthetic		5 GAL PAIL	1	\$162.05	\$78.25	\$234.66
10	Section 1		Lube, Gear 80W140 – Fuel Synthetic		5 GAL PAIL	1	\$182.00	\$80.75	\$219.60
11	Section 1		Fluid, Hydraulic – AW46		5 GAL PAIL	1	\$51.70	\$39.65	\$110.88
12	Section 1		Fluid, Hydraulic – – John Deere J20C		5 GAL PAIL	1	\$57.00	\$35.90	\$123.84
13	Section 1		Fluid, Transmission –TES 295 Approved		5 GAL PAIL	1	\$189.60	\$162.75	\$202.68
14	Section 1		Fluid, Transmission – Dexron III or equivalent		5 GAL PAIL	1	\$71.30	\$46.05	\$117.27
15	Section 1		Fluid, Antifreeze – Shellzone Multi-Vehicle ELC or equivalent		6/1 GAL/CS	1	\$90.78	\$46.50	\$59.98
						Subtotal	\$868.36	\$529.51	\$1,128.57
						Total	\$868.36	\$529.51	\$1,128.57



City of Freeport

Annual Fuel Services

RFP Number: 2025-20

Presented by

Katie Atencio

katie.atencio@gosenergy.com

303-350-3776



Run with us

Commercial Fuels | Lubricants | DEF | Equipment | Clean Fluid Solutions | Propane | Cardlock

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Executive Summary

Senergy Petroleum has been the leader in bulk fuel and lubricants across the Rockies and the Southwest for 80+ years. Senergy provides a full spectrum of unleaded gasoline and diesel options, meeting stringent standards for performance and environmental responsibility. Our fuel is engineered to enhance engine efficiency and reduce emissions, ensuring that your vehicles and equipment operates at their best. Whether your operations are large or small, we tailor our delivery plans to meet your unique needs, ensuring your business remains operational. Our experienced drivers and innovative solutions guarantee timely deliveries, keeping your trucks and equipment at peak performance.

Senergy provides bulk gasoline deliveries to fleets and job site equipment. Our mobile fleet fueling service uses the latest monitoring technology, ensuring on-site gasoline deliveries without lastminute hassles. We have made it a priority to have access to multiple supply points for our fuel. With multiple Senergy-owned bulk plants across the Southwest and Rockies, we can supply your fuel even when the market is challenged, our closest warehouse and sales center is in Liberty, Texas. Senergy Petroleum LLC understands the scope of services to be performed within the RFP, and is committed to providing the services as specified.

Company History and Ownership

Senergy Petroleum, LLC. has been in business for over 80 years and is privately held to this day. We have become the leader in the Southwest and Rockies in bulk fuel and industrial lubricants distribution. Senergy Petroleum will not be acting as a DBA, nor will the company be utilizing subcontractors to fulfill the services within this RFP and any subsequent award.

Company Experience

Our Texas roots began when we acquired Taylor Oil in 2015, kicking off operations in Dallas-Fort Worth Metroplex area. In 2017, we opened our own Senergy Petroleum sales office and warehouse in El Paso, Texas. Since then, we have opened smaller operational facilities near Bryan/College Station, Texas. In December 2024, we also acquired Brenntag's fuel business in Houston to expand our reach and better serve a more diverse customer base across Texas. Senergy Petroleum is registered to conduct business with the Texas Secretary of State, remaining in good standing historically. We hold active contracts at the local, state, and federal level within the great State of Texas.

Quality of Service

We pride ourselves on the quality of both products and services we provide. With partnership, Senergy provides to you a dedicated account manager, technical and engineering solutions, a fully staffed customer service team, dedicated billing and credit staff, highly skilled dispatchers and drivers, in addition to dedicated contract specialists. Our teams are highly specialized and trained within our roles, making ordering and delivery, as well as any follow-up a breeze for our customers.

Emergency Fueling Plan

Senergy Petroleum takes great pride in its ability to adapt to unforeseen circumstances while remaining focused on our mission to provide reliable, high-quality products and services. Our experienced team operates in accordance with established standard operating procedures and maintains strict adherence to all safety protocols. We ensure our fleet is held to the highest maintenance standards, enabling us to deliver safely and on time supporting both our customers and employees.

During periods of high demand and challenging conditions, Senergy Petroleum has consistently maintained uninterrupted service. We are committed to safe, timely, and efficient operations across the State of Texas, even during emergencies or unpredictable events.

To help us serve you best in critical situations, we respectfully request a 2–3 day notice for any anticipated emergency event when possible. Please note that contract customers are given priority for deliveries during emergency response periods.

Fleet Maintenance and Driver Safety Procedures:

Safety is Senergy Petroleum's number one priority. Every truck undergoes detailed pre- and post-trip inspections before and after each dispatch. Our maintenance program ensures all equipment remains in optimal condition, and additional safety-related gear is issued to drivers as needed to support compliance and readiness before leaving the yard.

Our fleet is prepared to operate across diverse terrains and in various environmental conditions common to Texas— rural or unpaved roads, heavy rains, dust storms, and extreme heat. All drivers are supplied with the necessary PPE such as reflective safety vests, gloves, and specialized equipment when delivering lubricant or fuel loads.

Each vehicle is equipped with climate-controlled cabs, roadside emergency kits, hard hats, gloves, safety glasses, fire extinguishers, and drinking water to ensure our drivers are safe and self-sufficient while on the road.

Emergency Preparedness and Response

Senergy Petroleum is well-versed in managing logistics under emergency scenarios and inclement weather:

- For areas impacted by snow, ice, or muddy conditions, our trucks are outfitted with tire chains, and drivers are provided with appropriate cold-weather gear.
- In cases of road closures or inaccessibility (e.g., flooding or ice), drivers coordinate with dispatch to reroute, minimize delays, and ensure timely communication with relevant agencies or customers.
- During dust storms, drivers are instructed to safely pull over and resume operations once visibility and conditions improve.
- In declared States of Emergency Senergy Petroleum strictly follows local, state, and federal guidelines.
- Activate an emergency staffing plan and assign on-call shifts.
- Ensure drivers have lodging plans if local roads become inaccessible.
- Provide contact protocols and evacuation instructions if necessary.
- Increase inventory levels of gasoline, diesel, and lubricants at key bulk plants and terminals.
- Ensure tanks are topped off at customer sites, especially hospitals, emergency services, utilities, and government agencies.

- Proactively contact critical customers (e.g., contract customers, municipalities, hospitals, utility companies) to confirm fuel needs and delivery schedules.
- Notify customers of emergency contact procedures and 24/7 dispatch availability.

Senergy Petroleum is ready and equipped to continue delivering essential services under any conditions. Our commitment to preparedness, safety, and dependable service ensures we remain a trusted partner throughout the State of Texas.

Descriptive Literature:

Senergy Petroleum offers a comprehensive line of lubricants, fluids, DEF and chemicals. Our product offerings include trusted brands such as Chevron, Phillips 66, and ProX. In addition, we have a dedicated Equipment Department that can provide storage tanks, complete tank setups, and related support services tailored to your operational needs.

Municipal Contracts:

Senergy Petroleum proudly serves multiple municipalities across all our locations, including the Gulf Coast region, delivering dependable fuel and lubricants that keep critical services running smoothly. From public works to emergency response, we understand the unique demands of municipal operations and tailor our services to meet them with precision. With a proven track record of reliability, competitive pricing, and responsive customer support, we're a trusted partner dedicated to supporting our communities.

After hours contact:

Gary Aston: Sales Manager – 713-899-8575

Gary.aston@gosenergy.com

Customer Care contact:

Carson Miller: Key account specialist – 480-381-4540

carson.miller@gosenergy.com

Contracts Contact

Katie Atencio: Contract Specialist – 303-350-3776

Katie.atencio@gosenergy.com

Sean Emad: Contract Specialist – 480-200-5556

Sean.emad@gosenergy.com

To send in orders:

orders@gosenergy.com and please copy both Carson Miller and Gary Aston

Contract & Project Experience:

MAPO (Colorado Municipalities)

- Years: 2021–2027
- Contract: MAPO Bulk Fuel & Lubricants Supply Agreement
- Location: Multiple jurisdictions, Colorado
- Type: Municipal Cooperative Contract
- Scope: Supply of gasoline, diesel, and petroleum products for fleet and public works operations through MAPO cooperative purchasing.
- Value: \$175,000–\$185,000 annually (usage-based)
- Ongoing cooperative contract supporting multiple municipalities

Arizona Department of Transportation (ADOT)

- Years: 2022–2027
- Contract: ADOT Bulk Fuel & Lubricants Supply Contract
- Location: Statewide Arizona
- Type: State Agency Supply Contract
- Scope: Bulk fuel and lubricant supply to ADOT maintenance yards and fleet operations statewide, including emergency response support.
- Value: \$1,000,000+ estimated aggregate spend (usage-based)
- Supports highway maintenance, construction, and emergency operations

City of Phoenix, Arizona

- Years: 2023–2028
- Contract: Petroleum Oil & Lubricants Supply (IFB 2223-WPP-57)
- Type: Municipal Supply Contract
- Scope: Petroleum oils, lubricants, and specialty fluids for Water Services Department infrastructure and equipment.
- Value: ~\$800,000 total
- Multi-year competitively awarded contract

4. City of Tomball, Texas

- Years: 2025–2026
- Contract: Operating & Emergency Fuel Delivery Services (RFP 2025-17)
- Type: Municipal Fuel Services Agreement
- Scope: Gasoline and diesel fuel delivery for fleet operations and emergency preparedness.
- Value: \$600,000 annual NTE
- Includes emergency response provisions

5. Defense Logistics Agency (DLA Energy)

- Years: 2020–2025
- Contract: Automotive Fuel Delivery IDC (SPE60520D4519)
- Type: Federal Indefinite Delivery Contract
- Scope: Automotive gasoline and petroleum product supply via delivery orders.
- Value: \$5.3M contract ceiling (~\$5M obligated)
- Multiple successful delivery orders

6. U.S. Fish & Wildlife Service

- Years: 2023–2028
- Contract: Fuel Blanket Purchase Agreement (BPA)
- Type: Federal BPA
- Scope: On-demand fuel and logistics services for federal operations.
- Value: \$250,000 ceiling
- Five-year BPA award

8. Tarrant County – Fort Worth, TX

- Year: 2023–2024
- Project: Tarrant County Fuel & Lubricants Supply Contract
- Type: Municipal Supply Contract
- Scope: Supply of bulk fuels, lubricants, and automotive fluids to Tarrant County maintenance yards and fleet operations; includes scheduled deliveries for operational continuity and emergency response.
- Cost: \$450,000–\$500,000 annually (usage-based)
- Outcome: Ensured uninterrupted fuel and lubricant supply for county fleet, supported public works and

State of Utah – Statewide, UT

- **Year:** 2022–2025 with renewal options
- **Project:** Utah Statewide Fuel & Lubricants Supply Contract
- **Type:** State Agency Supply Contract
- **Scope:** Supply of bulk fuels, diesel, gasoline, and lubricants to state agency fleet operations, maintenance equipment, and emergency response vehicles; includes scheduled deliveries and on-demand service for critical state operations.
- **Cost:** \$900,000–\$1,000,000 annually (usage-based)
- **Outcome:** Maintained uninterrupted fuel and lubricant supply statewide, supporting operational readiness and emergency response capabilities.



City Council Agenda Item #[4.K]

Title: Consideration and possible action awarding the annual janitorial services contract to Marsden South, LLC.

Date: February 2, 2026

From: Ashlee Hurst, Finance Director

Staff Recommendation: Staff recommends awarding the annual janitorial services contract to Marsden South, LLC.

Item Summary: Staff advertised RFP # 2025-19 titled 'Annual Janitorial Services' for an annual contract to provide janitorial services to the City on November 28, 2025 and December 5, 2025. The City received 8 responses:

Respondee	Bid Amount
Kleen-Tech Services, LLC	\$1,066.00
McCall Cleaners, LLC	\$1,080.00
Mega Touch Commercial and Industrial Cleaning Service	\$1,200.00
SBS Maintenance & Cleaning, LLC	\$1,213.63
M & R's Elite Janitorial Solutions, LLC	\$1,246.15
Marsden South, LLC	\$1,267.81
United Service Associates	\$1,695.00
Executive Building System	\$3,161.00

Background Information: Our current provider has not been recommended for renewal due to unsatisfactory performance. The lowest priced 4 respondee's were verified through reference checks and the recommended company received the most impressive reviews.

Special Considerations: N/A

Financial Impact: Janitorial services were included in the Adopted Budget for 2025-2026. The annual savings will be \$973.96 by switching to Marsden South, LLC from the current contractor, M & R's Elite Janitorial Solutions, LLC. All required insurance will be received and verified prior to the contract execution.

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. BidderInfoList

979.233.3526 Fax 979.233.8867



1201 North Avenue H. Freeport, TX 77541

2. City of Freeport 2025-19 Proposal 1.7.2026

City of Freeport
 Bid Results for Project Annual Janitorial Services (2025-19)
 Issued on 11/25/2025
 Bid Due on January 08, 2026 2:00 PM (CST)
 Exported on 01/08/2026

VendorID	Vendor Name	Bid Amount	Format	Bid Submit Date	Bid Status
1709631	Kleen-Tech Services, LLC	1,066.00	Electronic	01/07/2026 9:52:07 AM	Submitted
1720816	McCall Cleaners LLC	1,080.00	Electronic	01/07/2026 8:13:48 PM	Submitted
	Mega Touch	1,200.00			
1716499	SBS Maintenance & Cleaning LLC	1,213.63	Electronic	12/23/2025 11:21:20 AM	Submitted
1708374	M & R's Elite Janitorial Solutions, LLC	1,246.15	Electronic	01/08/2026 11:50:32 AM	Submitted
1710852	Marsden South, LLC	1,267.81	Electronic	01/07/2026 12:52:38 PM	Submitted
1709342	United Service Associates	1,695.00	Electronic	01/07/2026 10:32:47 PM	Submitted
	Executive Building System	3,161.00			



City of Freeport

*Proposal for Janitorial Services
2025-19*

Prepared by Marsden Services

Jason Phipps

Office: (713) 870-0318

Cell: 7138700318

Email: jphipps@1stonesolutions.com
marsden.com



January 07, 2026

Jason Phipps

VP of Sales

(713) 870-0318

jphipps@1stonesolutions.com

*City of Freeport
Attn: Ashlee Hurst
1201 North Avenue H
Freeport, TX 77541*

RE: RFP 2025-19 Annual Janitorial Services

Dear Ashlee,

Thank you for the opportunity to submit a bid package in response to the RFP for Janitorial Services for City of Freeport. Marsden Services understands how important it is for City of Freeport () to have a janitorial partner who can provide efficient and consistent facility services. I am confident that Marsden can provide you with the skilled teams, comprehensive quality programs, and customer-focused services that are necessary to maintain the cleanliness, appearance, and safety of your property.

Enclosed you will find our proposal. If you would like additional information or have questions, please reach out to me. We look forward to your evaluation of our proposal and the opportunity to discuss a partnership between Marsden Services and .

Sincerely,

*Jason Phipps
VP of Sales*

Executive Summary

City of Freeport ()'s facility is an important component in your everyday business operations. Marsden understands that a building's cleanliness, appearance, and safety has a direct impact on your business and your associates. needs an experienced service partner who can care for your building and help you to maintain a positive, productive atmosphere. Marsden has been serving clients for over 65 years, providing small and large business alike with well-maintained and welcoming facilities. We get to know each of our clients individually and provide services that are tailored to their needs and their facility's unique environment. Our cleaning teams are carefully vetted and thoroughly trained, and our cleaners receive local support and appropriate site supervision. Our frequent cleaning inspections assure quality expectations are met and our efficient operating spend is kept within strict cost controls.

Key Program Components

Below are a few program highlights, which are described in detail later in this document. We look forward to meeting with you to discuss our entire program in more depth.

Component	Benefit	Description
Full, Qualified Work Resources	<i>Peace of Mind from Fully Vetted Staff</i>	• Carefully selected staff members ○ Rigorous new-hire screening measures ○ HR staff review experience, background, and records • Staff follow security protocols of City of Freeport • Consistent, stable teams with low turnover
Site-based, Cleaning Approach	<i>High Confidence in Service Performance</i>	• City of Freeport-driven service schedules • Work performed during off-hours • Periodic tasks (non-daily): ○ Scheduled, performed and tracked ○ Results and schedules sent to City of Freeport • Flexible and trained staff respond to changing needs
Rigorous Quality Control	<i>Full Contract Compliance</i>	• Experience cleaning to APPA Custodial Standards • Unique Key Performance Indicators (KPIs) for client site • Cleaning inspections and audits via cloud-based, mobile QC system • Detailed performance reporting and quality metrics • Supervisors review daily and periodic work • Labor management ensures full staffing

Component	Benefit	Description
Advanced Technology and Innovation	100% Performance Transparency and Optimal Efficiency	• Cloud-based QC system via mobile devices ◦ Web platform tracks and reports metrics ◦ City of Freeport receives immediate electronic responses • Cleaning industry-specific ERP system ◦ Technology-assisted labor management ◦ Fully integrated financial, operations and workforce management ◦ Streamlines processes and delivers complete picture • Continuous R&D: innovative products, tools, processes
Strict Cost Controls	Maintaining Budget Goals	• Complete transparency with the resources used, activities performed and associated costs • Drive toward budget goals while maintaining service levels • Constantly considering ways to implement value engineering ◦ We work with City of Freeport to find ways to increase efficiencies, improve functionality, or reduce costs ◦ Flexible service offerings to meet client needs • Mindful of cost containment

Thank you for your interest in a partnership with Marsden Services. Our goal is to provide exceptional services, but more importantly, to develop a successful relationship with .

Caring for your workplace ®

We think and operate differently in the way we care for our client's workplaces. Serving in leadership roles for several industry associations, we learn early about the top issues and challenges effecting building environments and use that knowledge to better support our clients and care for their facilities.

About Marsden Services

Marsden was established in 1952 and today, we operate as a full-spectrum facility services provider. Every day, our associates support thousands of clients with quality-based, customer-focused solutions. We provide clients across the country with clean, safe, and healthy workplaces.

We are building a culture of excellence, consistency, and a passion for finding new ways to raise the bar in how we are caring for your workplace.



Founded in 1952 in St. Paul, MN by Skip Marsden



350M sq ft of commercial space serviced every day



Over 9,000 employees operating out of more than 55 office locations



5 service lines: Janitorial, Security, Mechanical, Emergency Services, and Facility Management

Marsden provides clients with a unique combination of national strength and local presence. Despite our size, our focus is on the local markets. Each local Marsden management team is invested in its community and local clients, providing personalized service. Our local teams leverage our resources as a large organization – including technology, equipment, supplies, subject matter experts, and financial support – to better serve their clients. Through our combined national and local operations, we provide our clients with the strength of a large corporation and the individualized care of a small business.

Our Core Values



WE ARE RELATIONSHIP BUILDERS

Relationships drive everything we do, and we approach each relationship with empathy and integrity. We get to know and value the needs, motivations, goals, and priorities of everyone we work with, whether it's clients, associates, stakeholders, community partners, or vendors.

WE ARE CONSTANT ADVANCERS

We strive for growth in every area of our business. We aim to operate profitably so that we can continue developing, expanding, and taking on new challenges. As we grow our business to better serve our clients, we encourage associates to grow in their careers and help them to develop professionally and personally.

WE ARE SOLUTION SEEKERS

When we see a problem or a need, we find the solution. We're always searching for new ways to solve problems for our customers, our industry, and our community. This has led to expanding our service lines, implementing new technologies, deploying new products, and forming key partnerships.

WE ARE POSITIVE INFLUENCERS

We are intentional about having a positive impact through our work. We create cleaner, safer, and healthier workplaces; we make our clients' jobs easier; we invest in an inclusive workplace and associate wellbeing; and we donate 10% of pre-tax profits to help support our community.

Industry Associations

Marsden is actively involved in several industry associations, including the Building Service Contractors Association International (BSCAI); Building Owners and Managers Association International (BOMA); International Facility Management Association (IFMA); and the Cleaning Coalition of America. Marsden also holds a national APPA membership. By serving in leaderships roles for these industry associations, we learn early about the top issues and challenges facing building environments and have first access to new best practices, technologies, and solutions for our clients.

Marsden is one of the founding members of the Cleaning Coalition of America.



Cleaning Coalition of America

Marsden is one of the founding members of the Cleaning Coalition of America (CCA). The CCA was established in 2020 to represent commercial cleaning companies and their employees. The CCA advocates on behalf of commercial janitorial workers, who are members of the essential services workforce and who play a vital role in keeping communities safe and healthy through important cleaning and disinfecting services.



MARSDEN

CHARITABLE GIVING

70 Years of Giving

Since 1952, Marsden Services has been deeply embedded in the communities we serve. Our founder, Skip Marsden, established a legacy of generosity and stewardship that we continue to live out today.

Our Commitment to Community

Our goal through our charitable giving initiatives is to enrich and build strong communities. We do this by creating partnerships with charitable organizations and matching our resources with the needs of the community. We believe in funding programs that support opportunities for people to become well-educated and self-sufficient, leading to healthier communities and greater individual success. Marsden seeks out organizations that are creative, proactive, innovative, and results-oriented.

The majority of Marsden grants are awarded in communities in which Marsden and its affiliates do business. We make it our mission to fund projects and programs that build Marsden communities and make them better places to live, work, and raise families. We encourage and support our employees' efforts to become volunteers, board members, and committee chairs with local nonprofits.

Although we donate to several different causes, we have four key areas of focus.



Early Childhood Education

Programs/projects that provide high-quality experiences for pre-school-aged children that result in enhanced social skills and school readiness.



Youth Development

Programs/projects that promote healthy social and academic development of youth, with an emphasis on fostering their aspirations to stay in school and pursue higher education or vocational training.



Workforce Development

Programs/projects that strengthen the workforce in our communities to position and prepare under/unemployed individuals for career advancement and greater self-sufficiency.



Community Revitalization

Programs/projects aimed at increasing the vitality of economically disadvantaged neighborhoods, such as the development of small businesses, affordable housing, and/or other important community assets such as community centers.

Strengthening our culture by recruiting, hiring, and retaining the best associates.

We hire with an eye on building a long-term team. Marsden seeks to not only hire the best staff, but to retain our associates and help them grow in their careers at our company.

Hiring Methods

Marsden has a unique approach to hiring. We combine recruiting, hiring, and onboarding practices that blend the speed and efficiency of technology and e-onboarding with the personal touch of face-to-face interactions. Our comprehensive hiring process guarantees our clients get qualified long-term associates, increased productivity, and the highest level of quality in the way we care for our client's workspaces.

Our intensive screening and hiring processes go well beyond industry standards because we know that finding the best associates to care for your workplace is what distinguishes Marsden from its competitors. Our hiring is done by our HR Talent Acquisition Specialists, who are experts in current employment laws, verifying authorization to work documents, running E-verify checks, performing background checks, and interviewing candidates.

Marsden's careful hiring process results in a quality workforce that is highly trained, trustworthy, and motivated.

1

Talent Acquisition

The Talent Acquisition Specialists create well-defined job descriptions. They advertise positions on online platforms, social media, community outreach, and a successful referral rewards program with our existing staff. We find the best applicants and review their qualifications.

2

Screening

We vet each applicant's eligibility, legal status, work history, and background. We also implement additional screening measures dependent upon specific job and client requirements, including drug and alcohol testing, driver's record checks, strength testing, and education verification.

3

Interviewing

Qualified applicants participate in personal, face-to-face interviews that cover general suitability, job experience, and work ethic. With a combination of standard questions and position-specific discovery, our experts can effectively determine if the candidate will succeed and remain with Marsden for the long term.

4

Hiring

Marsden seeks associates interested in long-term opportunities with our company. During the hiring process, we provide associates with the training they will need to be successful in their Marsden careers. During onboarding, employees get to know Marsden's culture and goals.

5

Retaining

We engage our associates and help them grow in their careers. We provide competitive wages and benefits; promotions, training, and opportunities; recognition and awards programs; and associate engagement and care programs.

Internal Promotions Strategy

Promoting from within is not just a best practice; it is a promise we make to our associates. Over 70% of our management personnel have been hired internally through promotions. We believe our associates stay committed when they see we are committed to helping them advance and reach their goals.

Marsden's internal promotions program, STEPS, clearly defines the requirements for advancement in the company. Marsden developed the STEPS program to provide our employees with an outline for career development. STEPS assigns each position a set of skills that must be mastered before moving to the next level. We provide training for associates who want to become qualified for a new position.



UNIFORMS & IDENTIFICATION

Our associates must maintain high professional standards in every aspect of work.

We require our associates to maintain uniform and appearance standards and accountability when providing care for our client's workplaces.

Professional Standards

We offer high-quality uniforms to our associates free of charge. They are required to wear uniforms and photo identification cards whenever they are on the job. Our uniforms serve as identification and ensure our associates make a positive impression and provide a higher level of security for our clients. If an associate leaves our employment, we hold their last paycheck until they return their identification card.

We can customize our uniforms to meet specific client requests and correspond with associate job responsibilities.

Our uniforms typically cover four types:

- *Daytime associates*
- *Project specialists*
- *Nighttime associates*
- *Management*

Marsden's management processes continually monitor associate compliance with our uniform and appearance policies ensuring clean, well-groomed personal appearance on every client job site.





TRAINING

Every Marsden team represents hundreds of hours of training and education.

We investigate the best products, equipment, methods and cleaning systems, using the latest research and best practices to develop our training and quality assurance programs.

New Associate Training

Every new Marsden associate goes through a multi-step training process. The result is a workforce that is knowledgeable, efficient, consistent, and highly skilled.

1

Step One: Classroom Training

The first portion of the training program takes place at one of our offices. Classroom training focuses on company policies and procedures, associate "Right to Know" information, safe use of all products and equipment, and environmentally conscious cleaning techniques. There are test questions after each section to ensure comprehension.

2

Step Two: Procedural Training

Associates receive one-on-one instruction during procedural training. During the hands-on training, a designated trainer works alongside the new associate. As they clean, the new associate is taught Teach Easy Cleaning Habits (TECH), Marsden's unique cleaning system.

3

Step Three: Technical Training

The final stage in our training program is for associates begin their onsite technical training, which includes standardized cleaning methods, site-specific training, equipment training, periodic work training, safety protocols, human resources policies, and customer service training.

TECH System and Training

Marsden's Teach Easy Cleaning Habits (TECH) program is a proprietary system designed to ensure reliable quality standards. TECH teaches new associates our standard cleaning system as well as the specific scope of work for the account where the associate will be working.

Why it matters



Consistency

TECH eliminates variables from one associate to the next, ensuring uniform performance.



Efficiency

TECH's best practice method for cleaning each area ensures time and energy are not wasted.



Ownership

Associates understand their responsibilities and how their work contributes to the overall success of the team.

How it works



Tasks

TECH specifies everything that needs to be done and the order in which to perform each task.



Route

Associates are taught the most efficient path and cleaning method for each area.



Supplies

TECH incorporates the best equipment and chemicals to use for each application.

In addition to the initial training programs, all of our staff are expected to complete ongoing training and annual refresher training courses. Our labor management software system has a compliance component to track training. Our system monitors and records that team members have received the proper training and certifications for their positions. The system automatically informs management of upcoming training due dates and provides alerts for past due items.



COMMUNICATION

Marsden takes a proactive approach to managing communications.

We believe that intentionally initiating communication establishes better partnerships as we improve our understanding of your priorities and develop the ability to anticipate your facility needs.

Comprehensive Communication

Our goal is to be transparent, collaborative, and responsive. A core part of Marsden's operating model is empowering our local leadership teams with the autonomy to provide the highest level of service. As part of this practice, we always provide our clients with the names and contact information of their local Marsden leadership. Our local team is available to answer questions, address concerns, respond to requests, and to respond to emergency needs.

We have multiple communication platforms in place and tailor our communications to our clients, their teams, and their needs.



Direct Contact

Clients are always given their account manager's contact information. Clients can also request scheduled calls.



Reports & Surveys

We can provide results from inspection reports and clients can send us surveys and reviews of our service performance.



Meetings

Meetings can be scheduled at regular intervals or upon request and can include various representatives from our team and the client's team.



Onsite Visit

We can meet with clients onsite during site inspections, site visits, client tours, or for other onsite events.



Client Portal

We can create a customized client portal that allows you to see inspection reports, service schedules, and real-time metrics.



Client Care Center

Our clients have 24/7/365 access to our Client Care Center for service requests, crisis situations, and questions.

Quality assurance is the foundation to all aspects of our service delivery.

Marsden's quality assurance program comprises three key aspects: a thorough and proactive program, innovative technologies, and industry-leading labor management techniques.

Marsden's Quality System

Marsden empowers our associates to provide consistent, reliable, and customer-focused services. We are constantly exploring ways to improve the condition and value of each client facility. We use predictive analytics to provide consistent quality services while we continue to focus on containing costs for our clients. Before working in an account, our leadership team discusses priorities with our clients and together we determine key performance indicators (KPIs).

Marsden's quality control program covers nine key pillars.



Timekeeping



Work Order Tracking



Customer Surveys



HR Access



Project Calendar



Reporting



Service Requests



Inspections



Health & Safety

Our web-based quality control platform enables us to establish and monitor the necessary metrics to be successful, which includes the following:

- Well-trained staff
- Disinfection and cleaning results
- Facility inspection performance scores
- Service deficiency resolution
- KPI compliance
- Training levels
- Safety program compliance
- Customer engagement
- Identifying opportunities for improvement
- Cost containment



Labor Management

Timekeeping & Notifications and Human Resources Access

Marsden uses the latest mobile technology to streamline our HR efforts and efficiently manage our labor force from the field. From a mobile device, Marsden supervisors can manage people and projects from any location.

Managers leverage mobile technology to:

- Monitor associate departures and arrivals in real-time
- Identify absences and contact available replacement team members
- Communicate directly with team members
- Perform site inspections and create reports
- Ensure compliance with labor hours is delivered
- View and fill open posts
- Create, view, modify and share associates schedules
- Monitor job schedules
- Safety near-miss reporting
- View associates pay stubs and hourly rates

By using technology to streamline our HR efforts, our clients benefit from scalability and an increased level of efficiency and accountability.



Technology and Service Delivery

Service Requests, Work Order Tracking, and Project Calendars

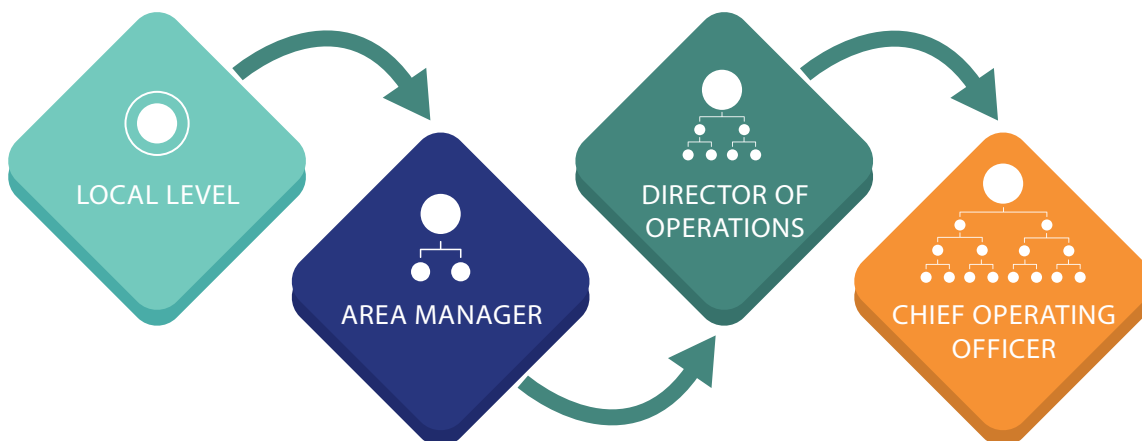
Marsden uses a mobile project management system to track all service activities, manage work orders and specific service requests, and streamline communication with clients. The platform creates agility to accommodate the changing needs of our clients.

Our work order service requests follow a simple five-step process that encompasses logging activities, providing progress communications, review and rapid escalation if necessary, and completion tracking and notification. Our procedures are monitored at the local and corporate levels, ensuring high levels of timely and quality follow-up.

Marsden's project management technology oversees a daily workload of periodic tasks occurring at various intervals. Leveraging their knowledge and experience, Marsden managers divide periodic tasks into reasonable and equal weekly workloads. Detailed weekly assignments ensure specific equipment and essential labor are available.

We can also use this technology to track and identify areas for corrective action, including re-training, adding new associates, reformatting a schedule, new management, and/or adding equipment. Whenever a service request was a complaint, upon completion, we validate that we met client expectations and ask for feedback to ensure that service is again up to our client's standards. The corrective action plans are implemented into the project program, tracked for compliance, and documented in the project scope of work (SOW).

Action items are first the responsibility of the account manager and are automatically escalated if they are not immediately reconciled at this level. Although we have a defined process for escalation, issues are almost always immediately resolved at the local level.





Quality Control Inspections and Reports

Inspections

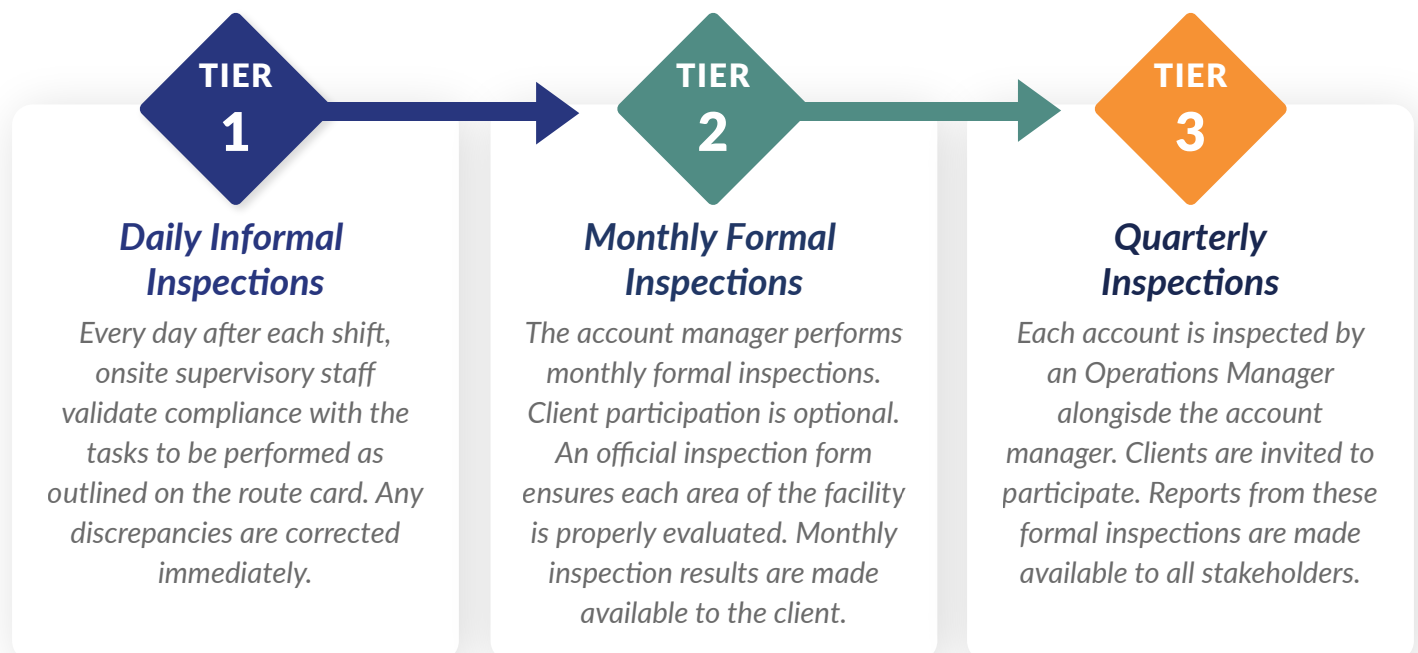
Marsden's web-based and mobile quality assurance tools allow us to track and manage inspections. Our quality inspection platform is accessible to our associates via phone or tablet in the field. Mobility enables our managers to spend more time in the field, directly supervising the work done by our associates at each account. The quality assurance tool provides site-specific checklists and inspection forms and mobile devices can take photos and embed them in the inspection report. Our account managers can measure inspection reports against established quality goals and instantly respond with corrective actions, if necessary.

We perform regular checkpoint inspections to review all aspects of Marsden's contract performance. Our client-established KPIs are given greater scoring weight, continually reinforcing our focus on the agreed-upon client priorities.

During an inspection, we are examining the following aspects of our service performance:

- Compliance with the SOW
- Service levels by area category
- Resolution of deficiencies
- Disinfection effectiveness
- Training effectiveness
- Equipment readiness
- Safety compliance
- 5S Compliance

Marsden has three tiers of inspection, ranging from daily inspections done by onsite managers to quarterly formal inspections.





Transparent Metrics and Open Communication

Reports and Customer Surveys

Every formal inspection report form is completed and logged in a centralized database. Our clients have access to all reporting. All client service requests are logged into our system and completion of that request is reported back to the client. Marsden can customize our reports to meet client KPI's and preferences.

At the beginning of the contract period, we ensure that each client's KPIs are well understood by our team. We are performing a constant "gap analysis," which compares actual performance scores to the desired performance scores, which may result in a gap. If a gap exists between the actual and the desired level of service, we will continue to implement changes to improve performance until we have closed the gap.

Client feedback is important to us. We can provide your stakeholders with a simple satisfaction survey on a quarterly basis. This survey helps us to measure our performance against client expectations. The surveys are customized to the KPIs of each specific program.



Site-Specific Safety Programs

Environmental Health & Safety

Our local management teams work with our clients to design and implement site-specific safety programs, tailoring training and stipulations to each environment. By doing so, we:

- Create an accident-free culture
- Ensure our employees go home as healthy as they arrived
- Avoid property damage and increase the safety of client facilities
- Provide safety assessments and near-miss reporting
- Ensure compliance with all Federal and State regulatory requirements
- Successful safety programs are an effective way to contain costs



TRANSITION PLAN

With over 70 years of first-hand learning, Marsden's transition process has allowed us to perform thousands of successful account startups.

Led by a team of cross-functional senior staff, implementation begins immediately upon notification of a contract award. Frequent and transparent communication is a central part of our process.

The Transition Team

The transition process starts with a thorough situational analysis, which we utilize to create a formal and systematic plan addressing specific needs and timelines. Our transition team includes professionals from HR, Operations, Sales, Training, Safety, and Administrative and Technical Services in order to ensure every detail is covered, including manpower, supplies, equipment, and all other essential resources. Our process is designed to ensure that transition phases and key dates are being met for a seamless startup. In our transition plan, we outline the essential activities to perform before, during, and after the transition. We customize our transition plan to meet specific client needs and timelines.

The following transition plan is an outline for transitioning that anticipates 30 days' notice of service start, although Marsden can and has started service with less than 30 days' notice.

New Start Checklist

Job Site Name	Job #	Address		Start Date
City of Freeport	2025-19	1201 North Avenue H, Freeport, TX77541		March 02, 2026
Start-Up Lead Coordinator	Walter Ramirez, Jr.	Sales Rep	Jason Phipps	
Central Electronic File Location		Ops Rep		

Scheduled Task	Owner	Week Before Start						
		Pre	4	3	2	1	Start Day	Post
Sales								
Obtain official award notification								
Have contract reviewed by Legal								
Finalize contract negotiations								
Have contract signed and sent								
Send info to the Start-up Team								
Schedule internal team meetings								
Schedule client team meetings								
Attend initial start day (if possible)								
Tour site morning after (if possible)								
Monitor client satisfaction								
Attend start team meetings								
Operations								
Review contract requirements & bid docs								
Create preliminary staffing plan								
Submit initial staffing requests								
Tour site(s) to complete account checklist								
Clarify if client wants any existing staff								
Finalize staffing plan & adjust reqs								
Interview management candidates								
Select management personnel								
Submit equipment requests								
Submit supply requests								
Submit uniform requests								
Submit IT requests								
Assign extra start-up managers								
Finalize schedules & job runs w/Admin								

Scheduled Task	Owner	Week Before Start						
		Pre	4	3	2	1	Start Day	Post
Operations (continued)								
Assign sections to start-up managers								
Assign staff to start-up managers								
Centrally coordinate all efforts start night								
Confirm all areas checked and secured								
Tour morning after with site client								
Maintain extra support until settled in								
Attend start team meetings								
Admin Support / National Activity								
Fill out any client required forms								
Send COI and W-9 to client								
Confirm exact billing requirements								
Set up billing with accounting								
Order IT equipment - phones, computers								
Order office supplies (if needed)								
Set up task schedules / job descriptions								
Set up web WO System								
Set up web Periodic Schedules								
Set up web Inspection System								
Provide web tool training if needed								
Monitor web tools & alert mgmt if needed								
Continue to support as needed								
Attend start team meetings								
Human Resources								
Review contract requirements								
Obtain staffing requests from Ops								
Zip code search current for transfers								

Scheduled Task	Owner	Week Before Start						
		Pre	4	3	2	1	Start Day	Post
Human Resources (continued)								
Zip code search applicants on file								
Interview selected existing site staff								
Pursue new applicants as needed								
Interview/screen all new applicants								
Schedule mgmt interviews with Ops								
Review transfer list with Ops								
Check applicant references								
Make job offers to applicants								
Perform reference/background checks								
Schedule drug testing (if required)								
Perform new employee orientation training								
Issue uniforms, badge, handbook, etc.								
Start early in existing site if possible								
Provide final staffing list to Ops								
Set up staff for call in (if applicable)								
Adjust/replace new staff if needed								
Attend start team meetings								
Security								
Review contract requirements								
Confirm exact access requirements								
Coordinate special requirements with HR								
Create any custom documentation								
Confirm Ops has a full understanding								
Follow-up on any security concerns								
Attend start team meetings								

Scheduled Task	Owner	Week Before Start						
		Pre	4	3	2	1	Start Day	Post
Safety								
Review contract requirements								
Confirm exact site requirements								
Coordinate special requirements with HR								
Coordinate MSDS compliance								
Confirm Ops has a full understanding								
Follow-up on any safety concerns								
Attend start team meetings								
Supply								
Review contract requirements								
Confirm exact site requirements								
Review Ops supply requests & order								
Confirm delivery to staging area								
Organize and set up supplies								
Assist with staff training								
Follow up on any supply concerns								
Attend start team meetings								
Equipment								
Review contract requirements								
Confirm exact site requirements								
Review Ops Equip Requests & order								
Confirm delivery to staging area								
Organize and set up equipment								
Assist with staff training								
Follow up on any equip concerns								
Attend start team meetings								

Account: City of Freeport

Building	# of times per week clean	Square Footage	Production Rate	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total	Notes
City Hall	5	21,920	3,985		5.5	5.5	5.5	5.5	5.5		27.5	
Police Dept	5	13,536	3,867		3.5	3.5	3.5	3.5	3.5		17.5	
Library	5	10,720	5,360		2	2	2	2	2		10	
Public Works	5	1,597	1,597		1	1	1	1	1		5	
TOTAL SQUARE FOOTAGE		47,773										

TOTAL HOURS PER DAY							TOTAL HOURS WEEKLY
0	12	12	12	12	12	0	60



City Council Agenda Item #[4.L]

Title: Consideration and possible action awarding the engagement of real estate representative contract to The Guess Group, Inc.

Date: February 2, 2026

From: Ashlee Hurst, Finance Director

Staff Recommendation: Staff recommends awarding the contract to The Guess Group, Inc.

Item Summary: Staff advertised RFP # 2025-21 titled 'Engagement of Real Estate Representative' for a contract to provide professional advice related to City-owned real estate between December 17, 2025, and January 2, 2026. The City received 1 response. The responding firm has impressive, collective senior-level expertise, as well as relevant project experience that the City would benefit from partnering with.

Background Information: N/A

Special Considerations: N/A

Financial Impact: Expenses related to this were **not** included in the FY2025-2026 Adopted Budget. The highest hourly rate of the firm is \$225. Because an annual amount is dependent on a current unknown number of billable hours, it should be discussed how this can be appropriated.

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Engagement of Real Estate Representative Proposal The Guess Group



Response to RFP-2025-21:
Engagement of Real Estate
Representative

Prepared for: The City of Freeport

**Prepared by:
The Guess
Group, Inc.**



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SECTION 1: COVER LETTER

January 15, 2026

City of Freeport
Attn: Procurement & Evaluation Committee
1201 North Avenue H
Freeport, TX 77541

Re: Engagement of Real Estate Representative Proposal

The Guess Group, Inc. (GGI) is pleased to submit this proposal to serve as the Real Estate Representative for the City of Freeport. GGI brings extensive experience representing municipalities, counties, redevelopment authorities, and public institutions in complex real estate matters across Texas.

Our firm specializes in municipal real estate representation, including acquisition, disposition, leasing, land assemblage, right-of-way acquisition, and redevelopment advisory services. We regularly support public agencies in transactions that require transparency, regulatory compliance, coordination with governing bodies, and careful stewardship of public assets.

A key strength of The Guess Group is leadership with direct municipal real estate management experience, including prior service within the City of Houston's Real Estate Department. This experience provides practical insight into municipal approval processes, procurement requirements, and public accountability standards—capabilities that align directly with the City of Freeport's real estate and redevelopment needs.

The Guess Group is committed to serving as a trusted, conflict-free advisor to the City of Freeport, delivering professional representation, disciplined negotiation, and market-driven analysis that protects the City's interests while supporting long-term economic and community development objectives.

We appreciate the opportunity to be considered and stand ready to begin work upon award.

Sincerely,

John L. Guess IV, Vice-President
Authorized Representative
The Guess Group, Inc.
Cell: (713) 829-0834
Email: johniv@guessgroup.net



SECTION 2: TYPE OF ORGANIZATION

The Guess Group, Inc. is a for-profit Texas S-Corporation, established in 1990, and headquartered in Houston, Texas. The firm operates as a commercial real estate brokerage and advisory company with a primary focus on public-sector and institutional real estate engagements.

GGI is a fully licensed Corporate Real Estate Broker in good standing with the Texas Real Estate Commission (TREC) and maintains all required professional licenses, insurance coverage, and regulatory compliance necessary to perform municipal real estate representation services.

The firm is certified as a Minority Business Enterprise (MBE) and qualifies as a Small Business Enterprise. GGI is eligible to contract with municipal, county, and state agencies across Texas.



SECTION 3: COMPANY / FIRM BACKGROUND

Founded in 1990, The Guess Group, Inc. has more than 35 years of experience providing real estate brokerage and advisory services to cities, counties, redevelopment authorities, educational institutions, and nonprofit organizations.

GGI's public-sector real estate services include:

- Acquisition and disposition of publicly owned property
- Land assemblage for redevelopment and infrastructure projects
- Leasing and marketing of commercial, mixed-use, and vacant assets
- Right-of-way acquisition and relocation coordination
- Broker Opinions of Value (BOVs) and feasibility analysis
- Advisory support for public-private development initiatives

The firm's leadership includes professionals who have directly managed municipal real estate portfolios, overseen transactions requiring governing body approval, and coordinated with planning, legal, and finance departments.

GGI has successfully supported projects for Houston City College (formerly Houston Community College), Texas Southern University, Fort Bend County, Houston Business Development, Inc., Galveston Housing Authority, and multiple redevelopment authorities. These engagements have included institutional expansion, affordable housing development, infrastructure improvements, and mixed-use redevelopment initiatives.

The Guess Group approaches each engagement with a focus on public accountability, regulatory compliance, market integrity, and long-term value creation, ensuring City assets are positioned strategically and responsibly.



SECTION 4: KEY PERSONNEL ASSIGNED TO THE PROJECT

Each team member is credentialed and experienced, with a proven track record of successfully managing complex real estate projects for public entities. Their collective skills ensure timely, compliant, and community-focused real estate outcomes.

John L. Guess III

President & Broker | Senior Advisor

- Licensed Texas Real Estate Broker
- Former Director, City of Houston Real Estate Department
- 30+ years of municipal and commercial real estate experience
- Led and advised on \$100M+ in public-sector real estate transactions

Role on Project:

Mr. Guess provides executive leadership and senior advisory oversight for the engagement. His responsibilities include guiding acquisition and disposition strategy, advising on redevelopment opportunities, supporting high-level negotiations, and ensuring compliance with municipal policies, state law, and public accountability standards. His direct experience managing a major city real estate portfolio brings critical insight to City-led transactions, approvals, and complex public-sector negotiations.

John L. Guess IV

Vice President & Government Relations Director | Project Manager | Authorized Signatory

- Licensed Texas Real Estate Sales Agent
- 15+ years of experience in public-sector real estate, municipal operations, and government relations
- Former senior leader within the City of Houston Controller's Office

Role on Project:

Mr. Guess IV serves as the City's primary point of contact and manages day-to-day project execution. His responsibilities include coordinating with City staff and stakeholders, overseeing transaction timelines, supporting market analysis and offer evaluation, preparing reports and Council-ready documentation, and ensuring alignment with City procurement processes and approval requirements. He also supports government and community relations associated with City-owned property transactions.

Carolyn Guess

Chief Administrator

- Senior administrative leader with extensive experience supporting real estate and public-sector engagements

**Role on Project:**

Ms. Guess provides administrative leadership and operational support to ensure project continuity and internal coordination. Her responsibilities include documentation control, scheduling and workflow management, tracking deliverables, and supporting communication across brokerage, legal, and ancillary service functions to ensure timely and organized project execution.

Carol Y. Guess, Esq.**In-House Legal Counsel & Human Resources Management**

- Juris Doctor
- Licensed Texas Real Estate Agent
- 20+ years of experience in real estate law, contract negotiation, and municipal regulatory compliance

Role on Project:

Ms. Guess provides legal and compliance oversight for the engagement, including contract and document review, title and transactional risk assessment, regulatory compliance guidance, and adherence to ethical standards. She also oversees human resources management to ensure staffing and internal controls are consistent with public-sector contracting requirements.

Real Estate Agents (Project Support Team)**Including: Polee Love III, Licensed Real Estate Agent**

- 10+ years of brokerage, market analysis, and transaction support experience

Role on Project:

The Real Estate Agents support acquisition, disposition, and leasing activities under the direction of the Lead Broker and Project Manager. Responsibilities include property marketing execution, buyer and stakeholder outreach, comparative market research, due diligence coordination, and transaction support through closing.

Ancillary Services (MWBE Subcontractors)

As needed, The Guess Group will engage qualified MWBE subcontractors to support specialized services, including:

- Title services
- Inspection and appraisal services
- Evaluation, space and land planning services
- Cost analysis and engineering support
- Relocation assistance

All ancillary services are coordinated and managed by GGI to ensure compliance with City requirements, schedule alignment, and quality control.





Education

Master of Public
Administration (MPA)

Bachelor of Arts in
Government with Special
Emphasis in Pre-Law

Years of Experience

32+

Years with Firm

32+

Certifications

Real Estate Brokers
Certification- Texas

Community & Industry Leadership/Involvement

Third Ward
Redevelopment Council

Houston Black Real
Estate Association

Houston Real Estate
Association

American Asset
Management Association

Texas Association of Real
Estate Brokers

Mr. Guess is the President of The Guess Group, Inc., a premiere commercial real estate consulting firm. He brings to every project over 30 years of local and national experience in matters of commercial real estate with particular expertise in acquiring, selling, and developing urban properties for educational, public and non-profit groups. His expertise in public sector projects include experience in commercial brokerage, property management, tenant representation, market research, urban planning, urban development and land assemblage.

He possesses the acumen to successfully facilitate public/private collaboration for community initiatives and personnel management. Additionally, Mr. Guess has a broad knowledge of federal, state, and local laws concerning land disposition and development.

Selected Relevant Texas Experience

Consulting & Brokerage Services, Scattered Sites Housing, Galveston Housing Authority, Galveston

Real estate consulting for 5 campuses and land assemblage, Houston Community College System, Houston

Advisory and brokerage service for relocation of headquarter facilities, Houston Independent School district, Houston

Consulting services, Midtown Redevelopment Authority, Houston

Right-Of-Way acquisition services, Fort Bend County

Advisory service related to land acquisition & disposition, master planning & related strategic planning Southern University, Houston

Expert appraisal service, UPTOWN Management District, Houston

Real estate advisory & brokerage service, Houston Parks Board, Houston

Real estate advisory & brokerage service, YMCA, Houston

Real estate advisory & brokerage service, Neighborhood Revitalization Community Development Corp., Houston

Real estate advisory, Third Ward Redevelopment Council, Houston

Real estate advisory & consulting, William A. Lawson Institute for Peace & Prosperity, Houston

Additional Professional Experience

City of Houston: Director of Real Estate Houston

Mr. Guess was responsible for all real estate programs and transactions during his five-year tenure (1983 – 1988).



Education

Master of Business
Administration (MBA),
Texas Southern
University

BS, Political Science,
Southern University and
Texas A&M College

Years of Experience

17+

Years with Firm

5+

Certifications

Business Certification,
Massachusetts Institute
of Technology, Sloan
School of Management

Community & Industry Leadership/Involvement

Houston Museum of
African American Culture,
Leadership Houston,
YMCA Houston
Career Gear
Camp We All
Big Brothers Big Sisters

Mr. Guess, IV has extensive experience in municipal development / redevelopment, public and community outreach and engagement. The combination of his financial, budgeting and project management background and non-profit leadership expertise gives him the natural ability to work with community groups and drive economic growth and success.

Selected Relevant Texas Experience

Investors Conference 2019 - 2010

Promote and encourage the City of Houston as a place to do business with, attended by Goldman, Blackstone, Bank of America and others.
houstontx.gov/controller/investorrelations/2019invconf.html

Houston Money Week 2019 - 2010

A community wide initiative to empower families and individuals with financial education. Through the collaboration and coordinated effort of organizations across Houston — including businesses, financial institutions, schools, libraries, non profits, government agencies and the media – individuals of all ages will have access to financial resources and ongoing opportunities.
houstonmoneyweek.org

Yearly Grandparents Luncheon 2019 - 2010

Financial Literacy Courses, Seminars with Taxes, Tax Dollar investments, Community Partners, Sponsorships focused on Houston's Senior population.

Moore Road – Fort Bend County Missouri City

The Moore Road Project started in 2018 and is ongoing. To date we have successfully negotiated 16 parcels including land and easements. As of 2021, no Eminent Domain proceedings have been required. Sam Stewart's Appraisal Service served as the appraiser for this project.

Office of Houston City Controller Houston

During his tenure in the Office of Houston City Controller, John oversaw the treasury department's \$5.6 billion budget and built a reputation for transparency, open communication, and disciplined management throughout the organization.



Areas of Expertise

- Land Assemblage/Acquisition
- Financials
- Real Estate Acquisition, Disposition & Relocation
- Tenant Representation
- Real Estate Contracts
- Property Management

Selected Relevant Texas Experience

Education	Harris County Toll Road Authority	Houston
Juris Doctorate	Lands assemblage and review of all legal documents for acquisition	
Thurgood Marshall School of Law		
Texas Southern University	Houston Parks Board	Houston
B.S., Vanderbilt University	Land Assemblage and planning, reviewed all legal documents	
Years of Experience	Houston Community College	Houston
23+	Provided legal opinions	
Years with Firm	Allied Waste	Houston
22+	Land assemblage and acquisition. Solicited landowners, drafted and reviewed legal documents	
Professional Registrations/Licenses	Community & Industry Leadership/Involvement	
State Bar of Texas	Greater Houston Black Chamber	
Federal Courts, Southern District of Texas	Tax Increment Reinvestment Zone #9	
Texas Real Estate License	United Way’s Project Blueprint Program	
	TSU’s Thurgood Marshall School of Law National Alumni	

SECTION 5: RELEVANT PROJECT EXPERIENCE

Client / Project	Project Value	Scope of Services	Project Description & Relevance to City of Freeport
Fort Bend County – Right-of-Way Acquisition & Real Estate Consulting	\$3.9 Million	• Right-of-way acquisition • Parcel negotiations • Easement acquisition • Coordination with appraisers and legal counsel	GGI supported multiple county infrastructure projects, including Moore Road Expansion, Fifth Street Acquisition, and Lake Olympia Parkway. The firm successfully negotiated more than 16 parcels without the use of eminent domain, demonstrating its ability to manage complex land negotiations, stakeholder coordination, and infrastructure-related acquisitions. This experience is directly relevant to Freeport's roadway, utility, and infrastructure growth needs.
Houston Community College – Land Assemblage & Institutional Expansion	\$6.5 Million	• Land assemblage • Property identification • Acquisition strategy • Owner negotiations • Transaction coordination	GGI provided land assemblage services supporting HCC's campus expansion initiatives. Work included identifying suitable properties, negotiating acquisitions, and coordinating transactions requiring governing board approvals. This project highlights GGI's experience supporting public institutions and managing acquisitions subject to public accountability and approval processes.
Houston Business Development, Inc. – Villages at Palm Center	\$42 Million Mixed-Use Development	• Real estate consulting • Brokerage services • Land strategy • Transaction coordination • Development alignment	GGI supported a large-scale mixed-use redevelopment project focused on affordable housing and economic revitalization. Services included land strategy and transaction coordination to align development objectives with community and economic goals. This experience is highly applicable to Freeport's

Client / Project	Project Value	Scope of Services	Project Description & Relevance to City of Freeport
			redevelopment and housing initiatives involving public-private collaboration.
Galveston Housing Authority – Scattered Sites Housing	Not Disclosed	• Consulting services • Brokerage services • Land assemblage • Acquisition strategy	GGI provided consulting and brokerage services supporting multiple scattered-site housing locations. The project reflects experience working with housing authorities and managing acquisitions tied to community redevelopment and housing access—relevant to Freeport’s housing development and neighborhood revitalization objectives.
Texas Southern University – Campus Expansion & Land Strategy	Not Disclosed	• Land acquisition advisory • Disposition strategy • Master planning support • Valuation and negotiation coordination	GGI provided advisory services related to land acquisition and strategic planning for institutional growth. Services included valuation support, negotiation strategy, and transaction planning. This work demonstrates GGI’s ability to support long-term land planning and redevelopment efforts for public and quasi-public entities.



SECTION 6: PRICING TABLE

Proposed Schedule of Fees

Position / Service Category	Hourly Rate
Senior Advisor / Lead Broker	\$225.00
Project Manager / Vice President	\$175.00
Analyst / Transaction Support	\$125.00
Legal Counsel (as needed)	Market Rate
Appraisal / Title / Relocation Services	Market Rate

Pricing Notes

- Fees are billed only for services authorized by the City
- Fixed-fee or not-to-exceed task orders available upon request
- All reimbursable expenses billed at actual cost with no markup
- Expenses incurred only with prior City approval

This structure provides cost transparency, scalability, and budget control while ensuring access to senior-level expertise.



City Council Agenda Item #[4.M]

Title: Consideration and possible action regarding repayment options for local sales and use tax overpayment of \$139,671.50.

Date: February 2, 2026

From: Ashlee Hurst, Finance Director

Staff Recommendation: Staff recommend choosing option 1.

Item Summary: The Finance Director received a letter from the State Comptroller dated January 14, 2026. The letter was to notify the City of an overpayment in local sales and use taxes in the amount of \$139,671.50. The letter states the overpayment occurred because a taxpayer initially accrued local taxes on items later determined by the State auditors to be nontaxable. The taxes were refunded to the taxpayer, and it is now required that Freeport repay the overpaid amount back to the State. The City shares the local sales and use taxes with the Freeport EDC. The City's responsibility of this overpayment is \$93,114.34 and the EDC's responsibility of this overpayment is \$46,557.16.

The letter lists 3 repayment options for consideration:

1. Full reimbursement by one-time ACH deposit or check (includes a 2% service fee discount).
2. Deduct the overpayment to the next monthly payment sent to the City.
3. Enter into a 75-month payback agreement of monthly deductions of \$1,862.00 for 74 months with a final deduction of \$1,883.50 on the 75th month.

Because option 1 includes a 2% discount of \$2,793.43, reducing the total due from \$139,671.50 to \$136,878.07 (\$91,252.05 City & \$45,626.02 EDC), option 1 would be the most fiscally responsible choice.

Background Information: Although it is rare, overpayments from the State Comptroller do happen from time to time.

Special Considerations: N/A

Financial Impact: Since the FY2025-2026 Adopted Budget was budgeted conservatively for the sales tax, it is believed the City will recover this money by the end of the budget year.

Board or 3rd Party Recommendation: N/A

979.233.3526 Fax 979.233.8867



1201 North Avenue H. Freeport, TX 77541

Supporting Documentation:

1. Sales Tax Overpayment Letter



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O.Box 13528 • Austin, TX 78711-3528

January 14, 2026

Treasurer
City of Freeport
1201 N Avenue H
Freeport, TX 77541-3967

Dear Treasurer:

This letter is to notify you that the City of Freeport has been overpaid in local sales and use taxes in the amount of \$139,671.50. This overpayment occurred because a taxpayer initially accrued local taxes on items later determined by our auditors to be nontaxable. Since these taxes were refunded to the taxpayer, it is now required that the city of Freeport repay the overpaid amount to the State.

The options to repay the overpaid amount are as follows:

- ☐ 1) Full reimbursement by one-time ACH deposit or check* (if deposit, contact me for banking instructions).
- ☐ 2) Apply all monthly collections to the overpaid amount until the amount has been repaid, or
- ☐ 3) Enter into a 75- month payback agreement where a monthly deduction of \$1,862.00 will be deducted for 74 months with a final deduction of \$1,883.50. The deduction would start the month after we receive your response or two months after the date of this letter if we do not receive a response. Additionally, future significant audit payments or one-time payments may be applied toward the repayment amount to reduce the length of the payback and notifications of those applications will be sent as they occur.

No fees of any type will be assessed on the payback amount.

*If you choose option 1, whether full reimbursement by one-time check or deposit, the payback amount should be adjusted by the 2% service fee. Multiply the payback amount by 2% (.02), subtract the 2% amount from the payback amount, then pay the adjusted amount.

Please mark an X in the applicable box above for the option you wish to choose, have a city official sign at the bottom, and return this letter by email to shirley.kaatz@cpa.texas.gov or by mail to the address given below.

If you have any questions or need additional information, you may call me toll free at (800) 531-5441, ext. 50550. My mailing address is PO Box 13528, Austin, TX, 78711 or my email is shirley.kaatz@cpa.texas.gov.

Sincerely,
Shirley Kaatz
Revenue Accounting Division
Tax Allocation Section

Date _____
City Official Name _____
Title _____
Signature _____