

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.

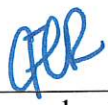
Mayor Cain stated that all Council members will be meeting with legal counsel to move the matter forward.

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