

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Friday, February 13, 2026 at 12:00 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
Clarisa Fernandez, City Secretary
Toby Cohen, IT Director
Craig Graham, Police LT
Corey Brinkman, Police Captain

Visitors:	Carol Parker	Kenneth Hayes
	Mark Parker	Tom Pearson
	Wade Cook	Margaret Bachman
	Sam Reyna	Ron Bachman
	David McGinty	Melanie Oldham
	Nicole Mireles	Scotty Phelps
	Con McCleester	Ruben Renobato
	Diane McCleester	Annette Payne
	Donna Hayes	Mike Payne
	Gary Guerrieri	Diane Parker
	Pamela Dancy	Debbie Brooks
	Sandra Barbree	Bob Brooks
	Jane Scott	

Call to Order:

Call to Order - Jerry Cain, Mayor

Mayor Cain called the special meeting of the Freeport City Council to order at 12:00 PM on Friday, February 13, 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 was no matter 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.

Tom Pearson resides at 110 South Front Street. He expressed concerns about disruptions during council meetings, specifically criticizing Councilman Pena. Mr. Pearson alleged that since Councilman Pena joined the council, meetings have become chaotic, often lasting 3 to 4 hours due to disruptions. He attributed a significant decline in public attendance at council meetings to the extended and problematic nature of the sessions. Mr. Pearson accused Councilman Pena of causing employees to leave and costing the city money through various lawsuits, stating that Councilman Pena's presidency over the Economic Development Corporation (EDC) was marked by financial mishaps. Mr. Pearson mentioned a lawsuit involving bricks falling off Councilman Pena's building downtown and changes to the city council agenda allegedly made for Councilman Pena's benefit. Mr. Pearson concluded by expressing hope for better participation in future regular council meetings and suggested a change was necessary to resolve ongoing disruptions.

Ron Bachman resides at 96 Dolphin Lane. He spoke against the recall petition, praising Mayor Cain's leadership as positive and productive. Mr. Bachman emphasized that Mayor Cain has guided the city council to the most positive, productive, and non-belligerent state in the past ten years. He expressed concerns that the recall effort was misguided, alleging that the accusations against Mayor Cain were products of imagination and unfounded allegations. Mr. Bachman suggested that many steps had been taken by one councilman over the years to lead the city to this contentious moment, indicating this councilman's role in changing the city council agenda rules to enable the proposal of the recall effort. He urged council members not to second any motion related to the recall, arguing that it would only serve to perpetuate misinformation and extend the meeting unnecessarily. Mr. Bachman called for a return to an environment of mutual respect and expressed a belief that most faults listed against Mayor Cain in the recall petition, particularly regarding a former city manager, were investigated by a Texas Ranger and deemed unsubstantiated, rendering the petition meaningless.

Margaret Bachman resides at 96 Dolphin Lane. She characterized the recall petition as containing half-truths and unsubstantiated statements. She expressed her surprise at the petition's claims and criticized the trend of spreading misinformation via social media. Ms. Bachman noted that the recent actions of a particular councilman were troubling and concerning, implying that the current petition for recall was yet another example of undermining actions. She requested that the Council reject the petition, stating her belief in Mayor Cain's dedication to the betterment of Freeport and emphasizing that his behavior, both in and out of the council chambers, has always been for the city's good without any personal gain.

Sam Reyna resides at 2002 North Avenue G. He addressed the council with concerns about Councilman Pena's properties and financial obligations. Mr. Reyna claimed that Councilman Pena's properties were a blight on the downtown landscape, suggesting that Councilman Pena should set an example for the community by maintaining and cleaning up his properties, particularly the building he resides in. Mr. Reyna alleged that Councilman Pena owed unpaid hotel occupancy taxes to the city and emphasized that the city had a lawsuit against Councilman Pena for this nonpayment of taxes. Furthermore, Mr. Reyna highlighted that Councilman Pena's actions had led the city to incur substantial legal expenses, presenting invoices to substantiate the claim that Councilman Pena's conduct had financially burdened the city. Mr. Reyna asserted that Councilman Pena's decisions have cost the city thousands of dollars in legal fees, mentioning payments made to legal firms for their representation of the city. Mr. Reyna criticized Pena for halting an electrical

inspection at his residence, which was necessary for restoring power following a service disconnection due to unpaid bills. Mr. Reyna accused Councilman Pena of canceling the inspection permit, deeming it illegal, and facilitating the release of power to his building without the required inspections, thereby circumventing city rules a reflection, according to Mr. Reyna, of Councilman Pena's tendency to flout regulations.

Diane Parker questioned the legitimacy of the recall process, asking whether the necessary signatures had been collected, verified, and certified. She expressed her frustration with the division within the Council, highlighting that the current situation only served to make the city look terrible. Ms. Parker demanded clarity on the number of signatures required for the recall, mentioning she had heard varying numbers from 100 to 400 and sought confirmation. She expressed confusion about why they were gathered for the meeting, asking if the necessary procedural steps had been followed. Ms. Parker emphasized that allegations against Mayor Cain needed proper legal scrutiny, asserting that unless Councilman Pena or Councilman Davis, had fulfilled the requirements for collecting signatures, there was no basis for today's proceedings. She criticized the amount of time wasted on contentious discussions, highlighting that the last council meeting was burdened with over an hour and 45 minutes on unrelated matters, which she felt exacerbated tensions and wasted the council's time.

Donna Hayes resides at 414 Mystery Harbor Lane. She voiced her support for Mayor Cain and criticized Councilman Pena for fostering a hostile environment within the Council. She emphasized that Mayor Cain has managed to serve as mayor in what she described as a hostile council environment that has been made divisive due to the actions of Councilman Pena. Ms. Hayes argued that the purported lawsuits affecting the city were not a result of Mayor Cain's actions but rather stemmed from Councilman Pena's behavior which she characterized as destructive to the City of Freeport, misleading, and filled with half-truths. Ms. Hayes portrayed Councilman Pena as a source of dissent and division within the council, stating that he had done nothing to help the citizens of the city. This further supports her stance that Mayor Cain has been working for the betterment of Freeport amidst challenges. Ms. Hayes concluded by respectfully requesting that the council not vote to recall Mayor Cain, underscoring the importance of his leadership for the city's future.

Kenneth Hayes expressed his view that Councilman Pena was a liar and criticized Councilman Davis for being aligned with Councilman Pena. Mr. Hayes accused Councilman Pena of being responsible for the city's legal issues, suggesting that Councilman Davis has supported Councilman Pena's motions and voted similarly most of the time. Mr. Hayes specifically recalled his experiences working with Councilman Pena on the Economic Development Corporation (EDC), where he listened to Councilman Pena lie. He also criticized Councilman Davis for going along with what he described as trumped-up stuff regarding the dismissal of the city manager, stating that he had expected Councilman Davis, known as a man of God, to stand on his own when joining the council. Instead, Mr. Hayes felt Councilman Davis showed an overwhelming and concerning pattern of agreement by seconding 98 percent of Pena's motions and voting with him about 95 percent of the time. Through this, Mr. Hayes highlighted his frustration and disappointment with Councilman Davis's perceived unwavering alliance with Councilman Pena.

Nicole Mireles resides at 2002 North Avenue G. She stated she had been a product of bullying from Councilman Pena. She expressed her support for Mayor Cain, denouncing Councilman Pena as a bully who uses his imagination to go after people. Ms. Mireles criticized Councilman Pena for not adhering to rules and regulations, echoing others' sentiments about him not being fit for city governance. She shared her eagerness for the upcoming May election, expressing her wish for the political climate to change with Councilman Pena's departure.

Business

Consideration and possible action approving Ordinance No. 2026-2762 calling a Recall Election to recall Mayor of the City of Freeport, Jerry Cain in accordance with state and local election laws.

A motion was made by Councilman Pena to table this item (2A). The motion died due to a lack of a second.

Mayor Cain read the agenda item, which concerned a recall petition against him. He then read a letter from City Secretary Clarisa Fernandez, City Manager Dr. Danielle Kelly, and City Attorney Christopher Duncan detailing the results of their verification process for the recall petition signatures. The letter explained that according to the Freeport Home Rule Charter, a recall petition for the mayor must be signed by at least 51% of the number of votes cast at the last regular general election, but no fewer than 200 qualified petitioners. Based on the last election turnout, this threshold was calculated to be 222 valid signatures. Of the 245 signatures submitted, one was identified as a duplicate. After reviewing the remaining 244 signatures, only 194 were verified as valid, with 50 deemed invalid due to various issues such as missing information, unregistered voters, or signatures dated beyond the acceptable timeframe. The city officials determined that the petition did not meet the required threshold of 222 valid signatures and therefore did not qualify for further action under the charter.

A motion was made by Mayor Cain to take no action on this item (2A), seconded by Councilman Matamoros with all present and voting "Aye" 5-0. The Council unanimously approved the motion. Councilman Matamoros voted "Aye". Councilman Rossow voted "Aye". Mayor Cain voted "Aye". Councilman Davis voted "Aye". Councilman Pena voted "Aye".

Executive Session

No Executive Session was held.

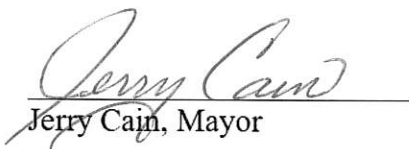
Reconvene into Open Session:

Take any action resulting from Executive Session.

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 12:39P.M.


Jerry Cain, Mayor


Clarisa Fernandez City Secretary