

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, December 4, 2023 at 6:00 PM at the Freeport, Police Department, Municipal Court Room, 430 North Brazosport Boulevard Freeport Texas for the purpose of considering the following agenda items:

City Council:

- Mayor Brooks Bass
- Councilman Jeff Pena
- Councilman Jerry Cain
- Councilman George Matamoros- Absent
- Councilman Winston Rossow

Staff:

- Lance Petty, Interim City Manager/PWD
- Tommy Ramsey, Interim City Attorney
- Clarisa Molina, Interim City Secretary
- Cathy Ezell, Finance Director
- Toby Cohen, IT Manager
- Donna Fisher, Human Resource Director
- Wade Dillon, Museum Manager
- Laura Cramer, GIS
- Kacey Roman, Building Official
- Jennifer Howell, Police Chief
- Robert Johnson, EDC Director
- Ana Silbas, Main Street Coordinator

Visitors:	David McGinty	Kenneth Hayes
	Nicole Mireles	Pamela Dancy
	Sam Reyna	Karla Clark
	Con McCleester	Melanie Oldham
	Diane McCleester	Stephanie Perez
	Brianna Reyna	Roy Perez

THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:

CALL TO ORDER:

Mayor Bass called the meeting to order at 6:00P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation and Pledge was led by Councilman Rossow.

CITIZENS' COMMENTS:

Pamela Dancy resides at 313 South Front Street and said she is on the agenda for tonight regarding the issue with her carport. She said her carport was legally permitted 14 years ago. She said the carport and several other ordinances have changed in the last two years. Ms. Dancy said her carport is legally grandfathered in. She said her carport is about a foot in the easement. She said a complaint was filed against her that was by an angry citizen. She said by making this complaint this wasted time and resources on City staff. She said she forgives the people that filed the complaint against her. She said she spoke to her attorney and was willing to sign the agreement tonight, but he called her and said he would like to make a few changes. She asked if this item could be tabled, and she would send the changes directly to the City Manager and to David Olson the City Attorney, by the end of the week.

Manning Rollerson said he was raised in Freeport. He said leadership is transparency, integrity and honesty. He said for the last four years there has been no leadership, no integrity and no honesty. He said this all played out in the newspaper. He said the Council is not concerned about what the citizens have to say in the first place and it shows. He said his great-grandmother's mother was a Mandingo slave and her husband was a Cherokee Indian, so when sarcastic things are said based on race, he takes that to heart, because he knows who he is, where he comes from. He said the letter sent to the City Manager by Olson and Olson should be addressed because he will make this a racial issue. He said no one has his skin color or was born the race that he was born to address the issue. He said everyone that is tied up in the \$345,000, Braztex LLC and Raymond Garivey need to resign. He said it can not be said that Kelty had the best thing in heart for the citizens of Freeport when all we have had is every city manager for decades stole from the City and every leader misled the citizens of the city.

Sam Reyna resides at 2002 North Avenue G and said the reason he is there today is the \$345,000 and one council member said it was a mistake and another council member said he thought the City Manager was doing a good job. He said he wanted to address Councilman Ward D, who said this was a mistake. Mr. Reyna said this was not a mistake, it was a blunder, \$345,000 is not a mistake. He said the City Manager and Building Official made mistakes with citizens that were trying to open up businesses. He said the businesses had to spend thousands of dollars. He said one of the citizens that was trying to open up a business spent \$50,000 before she got a permit to start work. Mr. Reyna said to Councilman Ward D this was his cousin Cassandra. He said he did not have to believe him, but he had her phone number and after the council meeting tonight he could give him her number and Councilman Ward D could give her a call to see what the City Manager and Building Official did to her, so he could find out first hand. Mr. Reyna said, as for the city Councilman who thought that Kelty was doing a good job, he said Mr. Kelty put up a red flag when he started the TIRZ. He said, as to the property taxes, the city council governing body is supposed to give an annual report of property taxes being from the TIRZ. He said there has never been an annual report given. He asked if there are mistakes or what is being covered up. Mr. Reyna said the City Manager and Building Official have spent a lot of tax money. He said he is willing to meet with people and show documents to prove the damage the City Manager and Building Official have done. He said he put in for an open records request and the information he received back was mostly redacted.

Wade Dillon Museum manager for the Freeport Historical Museum said he wanted to invite the public to the grand reopening of the Freeport Historical Museum on January 4, 2024, at 2:00P. M. there will be a ribbon cutting. He invited everyone to celebrate the achievement of the museum's restructuring and celebrate the coastal history.

Karla Clark resides at 411 Sailfish said in 2023 the City of Freeport opted not to set the tax rate add to a no new revenue tax, as the legislature had approved, and instead, the Council approved a six cent cut in the tax reduction which decreased it, but with the increased increase, the city would still receive a considerable amount in tax revenue increase. She said the City is now the highest taxes she has paid, even more than the ISD along with the increase in water fees. Ms. Clark said it was her hope the Council would budget these funds wisely, but so far they have not. She said there have been allocated funds for a new kitchen, money given to the Main

Street board, a plan for UTSA and also a plan to revitalize city parks. She said the City needs to repair the water, sewer, street and City Hall renovations. Ms. Clark said the health of the people working at City Hall needs to be considered. She said on the parks project she understood there were going to be outside public donations from industry and those were not done in the budget. She said in the past times it should have been learned through Pynes, Garivey, Brimage and Kelty that the money needed to be watched closely. Ms. Clark said not only are funds being lost that have been going out, but attorney fees are large for all the lawsuits that are being done. She said the tax dollars are not going to the public. She said the public is the people the Council needs to benefit as a City Council. She said she would think an independent audit would be done on City funds. She said it was allowed for the City Manager to use the funds, budget, and make amendments to the budget, and she said all of this is games played with money even with the \$9 million that was received from the Port. She asked where is that money at? She said this should have been in one account to know where that money was being used because \$4 million would have to go back to the Port. She said she believes the Council is not representing the constituents and the public as they should. She said things need to be done in the sewer, water, and street departments, not parks, kitchen, or a plan to write for urban renewal. She said hardcore improvements are needed.

PRESENTATIONS/ANNOUNCEMENTS:

Presentation for Employee for the Month, for the month of October 2023.

Interim City Manager Lance Petty presented Employee of the month for the month of October 2023 to Museum manager Wade Dillon.

CONSENT AGENDA:

Consideration and possible action on the approval of City Council meeting minutes from November 20, 2023 and November 21, 2023.

Consideration and possible action approving date change for the first and second City Council Meetings in January 2024 to January 8, 2024 and January 22, 2024, due to the New Years and Martin Luther King, Jr. Holidays .

A motion was made by Councilman Cain to approve the Consent Agenda, seconded by Councilman Rossow with all present voting "Aye" 4-0 council unanimously approved the Consent Agenda.

COUNCIL BUSINESS – REGULAR SESSION:

Consideration and possible action amending Resolution No. 2023-2826 of the City of Freeport Policy Handbook revising supplemental policy and procedures for a Drug-Free workplace.

Human Resource Director Donna Fisher said the policy and procedures for a drug-free workplace are a supplement to the personnel policy manual that was adopted effective October 1, 2002. She said they have not been updated or amended since then. She said this amendment would bring the City in line with the search and seizure provisions of the fourth amendment to the United States Constitution. She said private employers have the ability to randomly drug test any employee, but governmental entities are more restricted by the search and seizure provisions of the Fourth Amendment. Ms. Fisher said the primary reason a City might be able to randomly drug test an employee is when the employee performs safety-sensitive or security-sensitive duties.

Councilman Pena asked if there have been any new controlled substances that have been added to the list since 2002? Human Resource Director Donna Fisher said the City contracts with the lab, and she believes they have either a 10 or 12 panel list they check for. Councilman Pena asked how fast people have to respond to a random test? Ms. Fisher said within four hours of the time they are given the notice. Councilman Pena asked what the

penalty is for failure to pass any of the test? Ms. Fisher said the penalty according to the policy is termination. Councilman Pena asked if there is an appeal process for employees? Ms. Fisher said there is always a grievance policy that any terminated employee can take advantage of. Councilman Pena asked if the termination was effective immediately if tests are failed? Ms. Fisher said yes normally.

A motion was made by Councilman Cain to approve amending Resolution No. 2023-2826 of the City of Freeport Policy Handbook revising supplemental policy and procedures for a Drug-Free workplace, seconded by Councilman Pena with discussion that followed.

Karla Clark asked how employees are selected to be randomly chosen? HR Director Donna Fisher said it is computer generated by the lab that does the testing. Ms. Fisher said a list of employees is submitted, and she is sent a list once a quarter of employees to random.

Mayor Bas called the motion to a vote, with all present voting "Aye" 4-0 council unanimously approved the motion.

Consideration and possible action on Second Reading and approval of Resolution No. 2023- 2824 of the support of developing downtown master plan and historic district design guidelines.

EDC Director Robert Johnson said this is the second reading of Resolution No. 2023-2824 which is the EDC identified design guidelines project as an economic development project it would like to consider for funding in the 2023-2024 fiscal year. He said, because of its nature, it is required to have City Council approval following two readings. He said this was unanimously voted upon by the EDC board and the board agreed this would be a worthwhile project to help the City with the design guidelines project.

Mayor Bass read the second reading of Resolution No. 2023-2824 of the support of developing downtown master plan and historic district design guidelines.

A motion was made by Councilman Cain to approve Resolution No. 2023-2824 of the support of developing downtown master plan and historic district design guidelines, seconded by Councilman Rossow with discussion that followed.

Councilman Cain said EDC Director Robert Johnson is fairly new and appreciates what he is doing. He said several studies have been done in the past and encouraged the EDC to take the information they gain from this and act upon it.

Mayor Bass called the motion to a vote, with all present voting "Aye" 3-1, motion passed. Councilman Pena voted "Nay".

Consideration and possible action on Second Reading and approval of Resolution No. 2023- 2825 of renovations to FMP kitchen.

EDC Director Robert Johnson said the EDC has identified the Freeport Municipal Park kitchen improvements project as an economic development and quality of life project and would like to consider funding in the 2023-2024 fiscal year. He said, because of its nature, it is required to have City Council approval following two readings. Mr. Johnson said this is the second of the two required readings. He said the estimated cost of the renovations is \$40,000 and at its meeting on November 14th the EDC voted unanimously to support the City's effort by contributing 50% of up to \$20,000. He said the improvements at the park are type 1 hood vent with a fire suppression system, commercial grade kitchen appliances, prep tables, handwashing sink, under-sink grease trap, mop sink, solid ceiling in the kitchen area, new gas lines that run to the new gas appliances, and upgraded electrical service.

Mayor Bass read the second reading of Resolution No. 2023-2825 of renovations to FMP kitchen.

A motion was made by Councilman Cain to approve Resolution No. 2023-2825 of renovations to FMP kitchen, seconded by Councilman Rossow with discussion that followed.

Councilman Pena asked if the EDC had been involved in the development of the plans for the kitchen? EDC Director Robert Johnson said no, they were told that these improvements were needed.

Councilman Pena asked if there was not a grease trap there before, why is one being added and is that going to be required? Interim City Manager Lance Petty said Code Department Ms. Roman went and did an inspection of the building to make sure it was up to code. Mr. Petty said the list of items that needed to be replaced to bring that up to code for the kitchen are all the items that she requested to be replaced, and it does require a grease trap under the sink, but everything on the list is what was provided by the Building Official. Councilman Pena asked if there is a grease trap under the sink in any of the restaurants in Freeport? Mr. Petty said yes. Councilman Pena asked if there was a list of restaurants that have a grease trap underneath the sink. Mr. Petty said the Building Official Kacey Roman could pull this list for him. Councilman Pena said he was not aware of any restaurants having an under the sink grease trap, which is why he asked. He said most of the ones he has heard of have been underground, outside, or above ground, but certainly on the exterior of the restaurant space.

Councilman Pena asked what kind of use we are expecting going forward beyond the use that we have now and was wondering if the EDC was provided with any numbers and figures for projections in terms of usage going forward? EDC Director Robert Johnson said no and was told the usage of the kitchen would increase and make the kitchen up to code.

Councilman Pena asked if the kitchen had not been used because it was not up to code? Interim City Manager Lance Petty said it is not rented out because it is not up to code. Councilman Pena said he thought it was not rented out because it was dilapidated. Mr. Petty said no, and it was stopped being rented out when he had it inspected.

Mayor Bass called the motion to a vote, with all present voting "Aye" 3-1, motion passed. Councilman Pena voted "Nay".

Consideration and possible action to rezone from C-1 (Retail Business) to MF (Multiple Family), a part of the 1100 Block of N Ave J, and a part of the 1100 Block of N Ave I, including properties noted in the Brazoria County Appraisal District as Property ID #'s: 261265, 261271, 261269, 261264, 259610, 259608.

Building Official Kacey Roman said there will be a lot of developments that will be going to the Council. She said the owner of Bottom Dollar Carpet will be developing this area with the intent of building a large apartment complex. She said this is Phase 1, and he will be coming back before the Council to purchase a street right of way and do other things. She said Mr. Morgan is requesting the zone to be changed from C-1 to MF which is Multi Family use, and that would be a continuation, and it would not be a spot zoning. She said he wants to purchase more of the area but at this time he only wanted to request a rezone, so he could get started.

Mayor Bass asked if this went to Planning and Zoning? Building Official Kacey Roman said yes on November 28 the Planning and Zoning voted to approve the rezone.

Councilman Cain asked how many units Mr.. Morgan planning on? Building Official Kacey Roman said a minimum of 100 and is thinking of a multistory of age 55 and up, but he has several ideas he is working with engineers on.

Councilman Pena asked if there was any kind of impact study that was performed that was presented to the Planning and Zoning Commission? Building Official Kacey Roman said no she does not believe there were any impact studies. Ms. Roman said he is working with Baker and Lawson because there were concerns about possible drainage issues. She said this would be part of his presentation to the Council when he comes back for the street right of way. Councilman Pena asked what the expertise of Baker and Lawson is? Ms. Roman said

they were engineers. Councilman Pena asked if Freese and Nichols would be used since they have a better understanding of the drainage system? Mayor Bass said Baker and Lawson have been here for a long time and have done a lot of work for the City. Councilman Pena asked if there will be any impact studies of sewage as it relates to the water and water pressure that might be impacted? Ms. Roman said he is working on all the development, and she has not seen any development plans. She said if the rezone is not approved, he can not go forward with the project, and he did not want to spend the money until he knew the rezone was approved. Councilman Pena said he is trying to figure out if there is a way to have a contingent on those studies being viable versus being detrimental or, for that matter, taxing. Ms. Roman said the building permit would not have been approved if he was going to be required to have those engineering in place before the approval of the development of the property. Councilman Pena asked if this would potentially be Senior Living? Ms. Roman said yes. Councilman Pena asked if there would be elevators? Ms. Roman said yes, he mentioned there would be if it was a for 55 and up. Councilman Pena asked if the units would be for rent or sale? Ms. Roman said for rent.

A motion was made by Councilman Pena to approve rezone from C-1 (Retail Business) to MF (Multiple Family), a part of the 1100 Block of N Ave J, and a part of the 1100 Block of N Ave I, including properties noted in the Brazoria County Appraisal District as Property ID #'s: 261265, 261271, 261269, 261264, 259610, 259608, seconded by Councilman Rossow with all present voting "Aye" 4-0 council unanimously approved the motion.

Consideration and possible action approving the agreement for a consent to encroachment between property owner Pamela Dancy and the City of Freeport.

Tommy Pearson at 110 South Front Street said on this encroachment it is his opinion that the Council should get the Board of Adjustments to look into this and get their opinion on it. He said to his understanding the City spent \$600 to \$700 on a survey to find out if the carport is actually on City property. Mr. Pearson said why spend the money if nothing would be done about this.

A motion was made by Mayor Bass to table this item, seconded by Councilman Cain.

Consideration and possible action on approval of the sale of property located in the 200 Block of South Avenue I, (Velasco Townsite, Block 70, Lot 11)

GIS Laura Cramer said the City was contacted by a property owner requesting to purchase a piece of property that is owned by the City a 25-foot parcel. She said the owner owns the property adjacent to it. She said the owner had submitted his broker's opinion value and a survey, and it was valued at \$500.

Mayor Bass asked if this was a fair offer? GIS Laura Cramer said yes.

Councilman Pena said he is curious why an appraisal from a prospective buyer of City property is being accepted when, in the past, the City has drawn their own appraisals. GIS Laura Cramer said it has always been the potential buyer to reach out and get the broker's value or the City does it and then charge them for it. Councilman Pena said he has seen other appraisals come through for the City in the last year and still required the City to have done our own, and he would like to see that. Councilman Pena said he is not sure about the value of \$500 for a 25-foot-wide lot when there are other 25-foot lots throughout the City in all various locations and none of them are being sold at that price. GIS Laura Cramer said Mr. Flaniken is a local relator, and she believes it is an impartial party and values as he sees it. Councilman Pena said he would like to see a professional appraisal done on this versus BPO. He said they are a lot stronger and more comprehensive.

Mayor Bass said to GIS Laura Cramer to call the property owner and tell them Councilman Pena and the Council want an actual appraisal done.

GIS Laura Cramer asked if this is what is planned on having to do in the future? Mayor Bass said he did not know.

Stephanie Perez at 2523 South Avenue I said she is the owner of the properties and wants to purchase the other piece of property to complete the square for her property. She said the property is overgrown, and it backs up to a drainage ditch. She said this property serves no one purpose except for her. She said she wants to clean it up as it is a mess and would like to take care of it. She said she was advised by Ms. Cramer to get an appraisal on the property. She said the property was surveyed, and she paid for everything. Ms. Perez said for \$500 this property is a lot.

Karla Clark asked if the other lots are usable?

Manning Rollerson said Ms. Perez already owns the property around it and what sense would it make to sell it to anybody else. He said the City has an ordinance that anybody that lives adjacent to any of the properties that goes up on tax sales they have the opportunity to purchase first.

Mayor Bass said he agrees with Mr. Rollerson but this is Councilman Pena's request to have this appraised through an actual appraisal not through Greg Flaniken as an informal appraisal as Greg has done and which had been relied upon for a long time.

Councilman Pena said with any property in the City the City should lean forward in wanting to make sure development is promoted and improvements, whether that is just cleaning the lot and cutting the grass or for that matter, building upon it. He said he wants to make the City get the highest values of all of its properties.

Nicole Mireles said she agrees with what Mr. Rollerson said. She said some of the Council are adamant about all the misuse of funds, but the City is going to spend more taxpayer money to do an appraisal. She said the Council needs to start thinking of the citizens.

Councilman Cain asked where is the drainage ditch? GIS Laura Cramer said it is a dead end road, but it looks like it is on the side of it. Councilman Cain said it looks to him like it is a 25 foot lot that would benefit no one other than the owners right next to it. He said he does have a concern about selling 25-foot lots for \$500 that are not in this situation.

A motion was made by Councilman Cain to sell the property located in the 200 Block of South Avenue I, (Velasco Townsite, Block 70, Lot 11), seconded by Councilman Rossow with discussion that followed.

Councilman Pena said it was mentioned this was going to cost the City more, but it actually is not. He said this is an expense that gets passed on to the intended buyer. Councilman Pena said what should be done is establish how it would be operated when it comes to City assets and City property. He said there was a property not too long ago that was no use for anybody else and for that matter, backed up but to the owner. He said there have been two properties and two different owners in the last year and this situation came up, and the claim then was, this is good for nobody else, but it was still City property and in both examples of that the right thing was done and asked for an appraisal. He said the market value was received instead of the BPO and the City's appraisal. Councilman Pena said this was the most responsible thing to do to make sure the city's assets were secured, protected and maximized. He said the first question should be whether the City is getting its bottom line first, and it is being done responsibly. Councilman Pena said if this is passed this way, the same residents can come back to the next meeting and say it was only good for them, why doesn't the Council go back to the original BPO and the original appraisal and that is the risk that should be avoided.

Mayor Bass said Greg Flaniken has been used for years and thinks his opinion has merit.

Mayor Bass called the motion to a vote, with all present voting "Aye" 3-1, motion passed. Councilman Pena voted "Nay".

WORK SESSION:

The City Council may deliberate and make inquiry into any item specifically listed as a Subsection under the itemized Sections A-H 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.

Mayor Brooks Bass announcements and comments.

Councilman Pena Ward A announcements and comments.

Councilman Pena thanked everyone that attended the meeting. He thanked the Main Street Board for the Holiday Market the past weekend despite the weather. He thanked Mr. Petty for getting all the lights for the full month of December. He said Downtown looks great, and has heard compliments from residents that have gone Downtown to visit. Councilman Pena said he wanted to mention a special meeting coming up on the 13th of December.

Councilman Cain Ward B announcements and comments.

Councilman Cain said he also wanted to thank everyone that attended the meeting. He said he would like to congratulate Mr. Wade Dillon for what he has done with the museum. He encouraged everyone to go to the museum. He said the transformation Mr. Dillon has done at the museum is nothing short of incredible. He also encouraged everyone to go to the grand reopening.

Councilman Matamoros Ward C announcements and comments.

Councilman Rossow Ward D announcements and comments.

Councilman Rossow said Ward D is doing good. He said he appreciates everyone that went to the Thanksgiving meal at the Riverplace. He thanked all the workers, cooks and donators that gave money for this event. He thanked Mr. Lance for filling in. Councilman Rossow thanked everyone that attended the meeting. He said he is getting to know people.

Interim City Manager Lance Petty announcements and comments.

Interim City Manager Lance Petty said phase two of the road replacement program started pouring on Avenue G today and are also working on the sidewalks on Cedar and replacing the crack driveways that were on 12th Street and tying in the sidewalks. He said they will be rounding out phase two hopefully by the end of the year. He said the Wastewater Collection line replacement is working on base bid windows number five and six of fifteen. He said at the moment they are in the location of Mystery Harbor to Gulf Boulevard from 288 to Karankawa. Mr. Petty said the waste water treatment plant update is the GLO confirmed a reduction in scope that is not directly funded by the grant funds not to exceed 25% of the total project cost that is allowable. He said Freese and Nichols are looking at options for reduction in scope to be able to present it to the Council to see if the scope will be reduced. Mr. Petty wanted to remind everyone of Holiday on the Brazos on Thursday at 6:00P.M. and the forecast would be snow.

Updates on current infrastructure.

Update on reports / concerns from Department heads.

Report from Chief Howell on:

- Park Hours

- Alarm registration program

Chief of Police Jennifer Howell said the current City ordinance states only Arrington park has a curfew on it from 10:00P.M. to 6:00A.M. She said she has been discussing with Mr. Petty the possibility of changing the

ordinance to where it reflects all the parks to have that curfew with the exception of having a clause for as far as if there is any type of rentals going on and nighttime fishing. She said this is something she thinks would help with the law enforcement stance. Chief Howell said there has also been an increase in complaints regarding the homeless population and people trying to go to the park and not feeling safe because of the camp sites that are being set up. She said she was looking for feedback from the Council and what their thoughts are as far as making the ordinance across all the parks. Mayor Bass said he thinks this is a good idea. Chief of Police Jennifer Howell asked the Council if they want her to go ahead and look at this ordinance and explore with Olson and Olson? Mayor Bass said yes. Councilman Pena asked what the preliminary solutions are for the homeless community? He said outside by the root beer stand there are probably half a dozen homeless people. Mayor Bass said to talk about the homeless at another time and the park hours are being talked about right now. Chief of Police Jennifer Howell said the homeless topic is something that will be brought back to the Council later. Councilman Pena said if possible he said he would like to see a comprehensive solution. Chief Howell said a lot of cities have a type of alarm ordinance. She said it primarily becomes an issue with business getting alarm calls over and over and the business not resolving a problem with their alarm system and them not resolving it. She said a lot of cities have set up, as the business gets so many warnings per say a month or quarter and if it continues, it winds up being a citation to that business. She said there has been a problem with business that are just not getting with their alarm company and that just utilizes a lot of police resources. She said when an alarm call is received, multiple officers are sent to the call because it is never known if it is an actual break in. Chief Howell said she would also like feedback from the Council on having an ordinance set up. Mayor Bass asked if the business was being charged? Chief of Police Jennifer Howell said not right now. Mayor Bass said there needs to be an ordinance. Councilman Pena said to Chief of Police Jennifer Howell that any resolution there is or proposal for it to be civil, humane, and kind. Chief Howell said they will look at other cities and see what they have.

Mayor Bass said Facebook is the devil but some people like to play with the devil, and they like to get on the devil, and they like to talk and like to speak, and they must like to hear themselves talk. He said this is what he has been seeing and hearing, not from himself looking at it. He said, unfortunately, he has friends that will send him comments from certain folks on the Council. He said he thought you used to just let people go and let people go, and maybe they talked themselves out, but this fella just keeps going like the Energizer bunny. Mayor Bass said the Councilman said the Mayor was scared and did not want to be at the special meeting. Councilman Pena said he was just passing the word on from the citizens. Mayor Bass said he wants to tell the citizens of Freeport where he was on Tuesday night because he did not set the agenda and was not asked for this meeting to be held. Mayor Bass said he had a prior commitment to a hunting trip set up with his brother's Mike and Bo and Bo has pancreatic cancer and is real ill. Mayor Bass said this was set up two months in advance to go hunting. Mayor Bass said he was not running away from his obligation because he is going to meet his obligations. He said this is the truth that it is not some half-baked, made up by a poor fella that thinks the world is after him. Councilman Pena asked if the Mayor would go back to October 16th and diverge everything he knew then? Mayor Bass asked if the fella would go back and change it? Mayor said no he would not. Councilman Pena asked if he would continue to cover up? Mayor Bass said, does he keep speaking out of his mind? Mayor Bass said he would put on the agenda about the alleged assault to get it out once and for all. Mayor Bass said it is necessary to refute some of the things Councilman Pena says on Facebook. Councilman Pena asked if Olson and Olson were condemning this because of agenda language and speech because he had been cut off. Interim City Attorney Tommy Ramsey said the things the Mayor is talking about where he was at the meeting are not things under the city's jurisdiction or control. Mayor Bass said Councilman Pena also said he must use his money he gets to buy a three-piece suits. Mayor Bass said he has not worn a three-piece in a long time and takes objection strongly to that point and more to come.

A motion was made by Councilman Pena to have additional security in executive session to make sure the rest of Council is safe and especially himself, since he has a history of being attempted assaulted and being threatened. Motion died due to lack of a second.

A motion was made by Mayor Bass to include Lance Petty into executive session, seconded by Councilman Pena with all present voting "Aye" 4-0 council unanimously approved the motion.

CLOSED SESSION:

Executive Session regarding: (Consultation with Attorney) Potential Litigation

a. City Hall Remodel

In accordance with Texas Government Code Annotated, Chapter 551, Sections 551.071.

The regular session closed at 7:06PM and Council entered into Executive Session.

COUNCIL BUSINESS – REGULAR SESSION:

Take any action resulting from Executive Session.

Executive Session ended at 7:21PM and Council entered back into regular session.

A motion was made by Mayor Bass to have Olson and Olson send a letter of intent to terminate the contract with Covarrubias, seconded by Councilman Pena with all present voting "Aye" 4-0 council unanimously approved the motion.

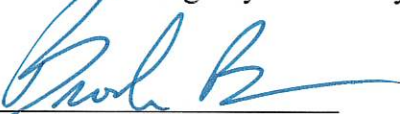
A motion was made by Councilman Pena to request an investigation on the Covarrubias contract as it was voted on June 5th.

Mayor Bass said this is not a proper motion for this agenda because it is not on the agenda. He said, however, he assumes the course that is taken will include that.

ADJOURNMENT:

Adjourn

A motion was made by Councilman Cain to adjourn the meeting, seconded by Councilman Rossow with all present and voting "Aye" 4-0. Mayor Bass adjourned the meeting at 7:22PM.



Brooks Bass, Mayor



Clarisa Molina, Interim City Secretary