

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, July 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 Larry McDonald
- Councilman Jarvis Davis
- Councilwoman Nicolasa Mireles
- Councilman Winston Rossow

Staff:

- Danielle M Kelly, DPA, City Manager
- Tracy Harrison, Assistant City Manager
- Debra Mergel, City Attorney
- Clarisa Fernandez, City Secretary
- Ashlee Hurst, Finance Director
- Toby Cohen, IT Director
- Jennifer Howell, Police Chief
- Chris Motley, Fire Chief
- Joey Earl, Administrative Sergeant
- Craig Graham, Police Lieutenant
- Nick Meeks, Utility Manager
- Corey Brinkman, Police Captain

Visitors:	David McGinty	Margaret Bachman
	Manning Rollerson	Ron Bachman
	Linda Marshall	Pamela Dancy
	Sam Reyna	Melanie Oldham
	Carol Parker	Thomas Koole
	Mark Parker	Susan Landers
	Kenneth Hayes	Jeff Pena

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 July 20, 2026, declaring that 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.

Main Street Coordinator Maria Lopez addressed the Council on behalf of the Freeport Main Street program, providing a mid-year update. She reminded the community that Freeport holds the distinction of being a designated Texas Main Street community, a designation conferred by the Texas Historical Commission. Ms. Lopez described the Main Street America four-point approach economic vitality, design and historic preservation, promotion through events, and organizational development through volunteerism and partnerships, emphasizing that the program is a long-term revitalization effort rather than simply an events-based initiative. She highlighted the success of the Fourth of July downtown event, referenced available resources such as the historic district design guidelines and the comprehensive downtown plan on the City's website, and noted ongoing business support activities with local establishments including Sweet Ts, Mama C, and the forthcoming Arlene's Soul Food. Ms. Lopez also announced an upcoming workshop for the Main Street Advisory Board and Historical Commission scheduled for the following Saturday, aimed at strengthening the board's focus on community revitalization.

Tom Pearson resides at 110 South Front. He addressed the Council regarding what he described as a lack of recognition for the Freeport Host Lions Club's Fishing Fiesta during the city's Fourth of July coverage. He noted that the July 1st newspaper coverage and promotional digital signs along the boulevard focused exclusively on the downtown Main Street events, with no mention of the Lions Club's Fishing Fiesta or fireworks which marked the event's 79th year. Mr. Pearson stated that he had been told by a City official that the Lions Club events would be included on the digital signs, but that they were absent until he personally contacted a City official to request their addition. He expressed concern about the club's dwindling membership and donor base, noting that dances and vendor activities had already been discontinued in an effort to keep the Fishing Fiesta alive. Mr. Pearson called on the community and the city to provide greater support to the Lions Club, stating that without it, the 80th annual Fishing Fiesta would be uncertain. He invited interested individuals to join or donate to the Freeport Host Lions Club.

Thomas Koole addressed the Council with several concerns. He questioned why the City's portable flood pumps had not been activated promptly during a recent rain event, asserting that once the pumps were engaged, floodwaters receded quickly, and expressing frustration that residents had experienced flooding in the interim. He reiterated a prior complaint regarding drainage in the alley between 4th and Pecan Streets in the 1300–1400 block, noting conditions had worsened during the flooding. Mr. Koole called on the City to ensure pumps are staged and operational ahead of an active weather system currently developing in the Gulf of Mexico. He also noted the absence of a Public Works Director. Mr. Koole then directed the Council's attention to photographs he distributed depicting the condition of the shrimp boat display on the highway, describing it as blackened with industrial pollution and in a state of visible deterioration. He characterized the shrimp boat as a symbol of Freeport's heritage and said that its condition was inconsistent with the city's tourism aspirations. He also raised concerns about industrial tax abatements, suggesting that granting tax breaks to industries contributing to air pollution was contrary to the interests of residents.

Carol Parker resides at 76 Dolphin Lane. She addressed the Council on behalf of the Senior Citizens Commission. She reported that the day's bingo event had drawn 64 participants and that Arlans provided catered food from a local establishment. She announced an upcoming Game Day event on August 17th at the Freeport River Place Civic Center, to be catered by Talk About Good. Ms. Parker further announced that

August 21st is National Senior Citizens Day, with a regional event to be held at the Doris Williams Civic Center in Lake Jackson from 9:30 AM to 1:30 PM. She noted that the Senior Citizens Commission would have a booth at the event for the first time and encouraged seniors to visit, noting approximately 400 seniors typically attend. She expressed interest in volunteers to assist at the commission's table.

Manning Rollerson addressed the Council on several matters. He first raised a concern about the condition of restrooms and the kitchen at the civic park facility, ahead of the annual back-to-school event hosted by Freeport Haven, Better Brazoria, and the Safe Community coalition, noting that volunteers and elderly workers had experienced serious heat-related discomfort at the prior year's event. Mr. Rollerson then spoke to an upcoming TCEQ public hearing scheduled for September 16th in Lake Jackson, concerning a permit sought by Freeport LNG to demolish an export terminal. He asked whether the city had reviewed the environmental impact of that demolition and urged the Council to ensure a city representative attends all future permit hearings involving local industrial facilities. He said that the City should maintain its own environmental records on industrial incidents rather than rely on state regulatory agencies, citing a concern that state reports are often incomplete given that environmental events resolve within 72 hours of agency arrival. Mr. Rollerson also expressed support for greater assistance to the Lions Club and the Fishing Fiesta, framing it as a matter of civic pride and historical identity. He additionally called on the Council to clarify a statement reportedly made by Councilman McDonald at a prior meeting regarding race, characterizing it as a serious governance concern.

Sam Reyna resides at 2002 North Avenue G. He addressed the Council regarding the Executive Session item concerning the Park Avenue Lofts LLC and Jeff Pena versus the Board of Adjustment for the City of Freeport. He informed the Council that Jeff Pena no longer owns Park Avenue Lofts, as ILK Holdings LLC became the registered owner on November 14, 2025, and provided the Council with a documentation package including the property transfer record and appraised value. Mr. Reyna suggested this change in ownership may warrant a motion for dismissal. He also spoke briefly about the condition of the shrimp boat display known as Liberty, recounting his prior volunteer efforts to paint it and his coordination with an individual who had offered to donate replacement outriggers at no cost, noting that the city ultimately addressed the repairs before the donation could be collected.

Jeff Pena addressed the Council, making pointed allegations against members of the Council and characterizing the current administration negatively. He referenced the Park Avenue Lofts Board of Adjustment order from October 2023 that is the subject of the Executive Session item, characterizing it as an illegal order. He alleged that the previous city attorneys, Olson and Olson, had taken no action on the case in over three years and suggested this inaction indicated an awareness that the order was unenforceable. Mr. Pena called on the new city attorney to advise the Council that the order should be voided through an agreed judgment rather than pursued further at taxpayer expense.

Susan Landers resides at 915 West 9th. She addressed the Council to express appreciation for the time and dedication of the elected officials and to push back on what she characterized as inappropriate conduct by the preceding speaker toward Council members. She referenced online conduct she attributed to that individual, including alleged derogatory remarks and social media posts targeting Councilman McDonald and other members. She defended Councilman McDonald's service, noting that he had undergone life-changing surgeries and had committed his retirement to serving the community. Ms. Landers also expressed concern about what she described as racially charged language used by that same individual on the Internet while simultaneously raising race-related accusations against the Council.

Mayor Cain introduced the City's new legal counsel, Ms. Debra Mergel, of the Bojorquez Law Firm. He welcomed Ms. Mergel to the City of Freeport and expressed his appreciation for her joining the City's legal team, stating that he looked forward to working with her on a long-term basis. Ms. Mergel thanked the Mayor and Council and stated that she was glad to be there.

Proclamations - Presentations and Updates

Upcoming Events -

"Snocial", July 21, Freeport Splash Pad on 2nd Street, 2:00PM - 6:00PM

Shark Exhibit, All Summer, Freeport Historical Museum, Tuesday-Saturday 10:00AM-4:00PM

City Manager Dr. Danielle Kelly gave updates on upcoming events.

Consent Agenda:

Action regarding Minutes, July 6, 2026 and July 8, 2026 - Clarisa Fernandez, City Secretary

Action approving the Monthly Financial Report through June 30, 2026 - Ashlee Hurst, Finance Director

Action approving the Quarterly Investment Report for the FY26 Third Quarter, Ending June 30, 2026 - Ashlee Hurst, Finance Director

Action approving Resolution No. 2026-3059 re-affirming the City of Freeport's Investment Policy - Ashlee Hurst, Finance Director

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

Business

Consideration and possible action regarding the continuation of the Axon Taser Agreement.

Police Chief Jennifer Howell presented the item, explaining that the Freeport Police Department has utilized Axon Taser products for approximately 15 years. She noted that the current model is no longer being serviced by Axon, and while cartridges and batteries remain available for now, their continued availability is uncertain. Chief Howell recommended entering a renewal agreement to transition officers to the updated model, with the intent to re-evaluate the equipment again in five to six years.

A motion was made by Councilman McDonald to approve the continuation of the Axon Taser Agreement, seconded by Councilwoman Mireles with all present and voting "Aye" 5-0. The Council unanimously approved the motion.

Consideration and possible action to approve Resolution No. 2026-3060 engaging Hyde Kelley LLP to provide special counsel services related to industrial district matters; authorizing joint representation with the Cities of Lake Jackson and Clute; designating George E. Hyde as attorney-in-charge; and authorizing the City Manager to execute the engagement agreement.

City Manager Dr. Danielle Kelly presented the item, recommending approval of a resolution engaging Hyde Kelley LLP as special counsel to advise on the legal requirements and procedures applicable if current industrial district agreement negotiations are unsuccessful or if an existing agreement must be terminated. The firm would also advise on potential annexation and related land use actions. The representation would be shared jointly among the cities of Freeport, Lake Jackson, and Clute, with George E. Hyde designated as attorney in charge. Lake Jackson would initially pay the legal fees, with Freeport and Clute reimbursing their proportionate share.

A motion was made by Councilman Davis to approve Resolution No. 2026-3060 engaging Hyde Kelley LLP to provide special counsel services related to industrial district matters; authorizing joint representation

with the Cities of Lake Jackson and Clute; designating George E. Hyde as attorney-in-charge; and authorizing the City Manager to execute the engagement agreement, seconded by Mayor Cain with discussion that followed.

Councilwoman Mireles inquired about the cost to the city. Mayor Cain directed her to the fee rate structure on page 70 of the packet, explaining that, similar to the arrangement with the city's primary law firm, hourly rates vary by the level of personnel performing the work, and that the total bill would be divided equally among the three cities.

Councilman Davis offered context on the importance of the engagement, noting that the industrial district agreement negotiations with Dow and BASF are financially significant to Freeport. He observed that large corporations bring powerful legal resources to the table, and that smaller cities going into those negotiations without specialized counsel risk having unfavorable provisions go unnoticed. He characterized the engagement as an effort to secure the best possible outcome for Freeport and the region.

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 McDonald Ward A announcements and comments.

Councilman McDonald stressed the importance of cleaning drains and ditches proactively ahead of anticipated rainfall, noting that during the most recent rain event, water entered at least one resident's home. He indicated the issue was resolved relatively quickly once a drain line was flushed, and urged the City to stay ahead of such situations.

Councilman Davis Ward B announcements and comments.

Councilman Davis thanked residents for attending and acknowledged department heads for their responsiveness, specifically citing a recent trash pickup incident that was addressed promptly by the code and building department and City Manager Dr. Danielle Kelly. He acknowledged the ongoing concerns about drainage and flooding, expressing empathy while contextualizing the issue noting that flooding during heavy rain events is a regional challenge observed across Lake Jackson, Clute, Angleton, and surrounding areas due to the volume of water arriving in a short period. He affirmed that the City is actively investing in drainage infrastructure this budget cycle and suggested the possibility of holding a town hall meeting with drainage staff and Velasco Drainage District representatives to educate residents on how the pump system operates and what is being done to improve it. He emphasized that the City is not ignoring the issue and committed to continued improvement.

Councilwoman Mireles Ward C announcements and comments.

Councilwoman Mireles recognized the street and parks department crews for repairing equipment and resuming ditch clearing operations in Ward C. She expressed appreciation for the field staff's efforts while acknowledging limitations in equipment availability and capacity. She echoed the broader Council sentiment that, with hurricane season well underway, continued diligence in maintaining drainage infrastructure is essential.

Councilman Rossow Ward D announcements and comments.

Councilman Rossow acknowledged the responsiveness of AmeriWaste after raising a broken trash can lid at the prior meeting, noting that it was replaced the very next day. He encouraged other residents with similar issues to raise them publicly. He highlighted the monthly Senior Citizens event, reporting strong turnout and fellowship, and encouraged all residents 55 and over to attend future monthly meetings. He promoted Mama C's restaurant as an example of downtown revitalization in action and urged citizens to patronize local businesses. Councilman Rossow also reported that he would be attending a Gulf Coast Transit District meeting in Texas City the following day, highlighting the transit service as an affordable transportation resource for residents. He announced upcoming Brazosport High School football season milestones: a meet-the-coaches and parent orientation on July 28th and 29th respectively, fall camp beginning August 3rd, and the schedule release on July 21st. He encouraged the community to support local student athletes across all sports.

Mayor Jerry Cain announcements and comments.

Mayor Cain expressed appreciation for the strong public attendance despite the meeting having only two business agenda items, stating that it demonstrated the community's engagement and that it was meaningful to the Council. He then issued a weather advisory, noting that a tropical system was developing in the Gulf of Mexico. Drawing on the experience of Hurricane Beryl two years prior which he said was far more severe than the forecast category 1 classification suggested he urged residents to take preparatory steps for their own safety. He indicated that the city would be using the coming days to prepare, and noted that the street sweeper had recently been repaired and would be deployed to help clear drainage pathways.

City Manager announcements and comments.

City Manager Dr. Danielle Kelly reported on a significant drainage coordination development. She and Assistant City Manager Tracy Harrison had recently met with the chairman of the Velasco Drainage District (VDD), Mr. Hurst, and learned that an existing interlocal agreement between the City and VDD had not been utilized in several years. Following that meeting, Dr. Kelly submitted a formal request signed by the Mayor for the VDD to muck out ten specific large ditches within the City. She provided the district with mapping and KMZ files and requested expedited scheduling. She conveyed to VDD leadership that Freeport, as the end-of-line drainage community, is a critical priority noting that if Freeport is not draining, it backs up the entire upstream system. She assured residents that the City is actively addressing the matter.

Executive Session

Executive Session regarding a.) Texas Government Code, Section 551.074 (Personnel Matters) 1.) Six-month performance evaluation of City Manager. b.) Texas Government Code, Section 551.071 (Consultation with Attorney) 1.) Update on Cause No. 125934-CV, Park Avenue Lofts LLC and Jeff Pena vs. The Board of Adjustment for the City of Freeport, Texas and the City of Freeport.

The Regular Session closed at 7:01P.M. and the Council entered into the Executive Session.

Reconvene into Open Session:

Take any action resulting from Executive Session.

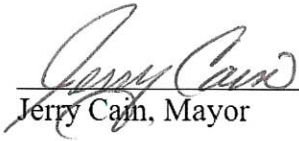
The Executive Session ended at 7:55P.M. and the Council went back into the Regular Session.

There was no action from the Executive Session.

Adjournment

Adjournment – Jerry Cain, Mayor

A motion was made by Councilman Davis to adjourn, seconded by Councilwoman Mireles with all present and voting "Aye" 5-0. Mayor Cain adjourned the meeting at 7:55P.M.



Jerry Cain, Mayor



Clarisa Fernandez City Secretary