

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, August 3, 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
- Jennifer Howell, Police Chief
- Debra Mergel, City Attorney
- Clarisa Fernandez, City Secretary
- Ashlee Hurst, Finance Director
- Toby Cohen, IT Director
- Chris Motley, Fire Chief
- Loretta Cady, Museum Manager
- Joey Earl, Administrative Sergeant
- Corey Brinkman, Police Captain
- Craig Graham, Police Lieutenant
- Nick Meeks, Utility Manager

Visitors:	Sam Reyna	Steven Tran
	Pamela Dancy	Steve Melaragio
	Thomas Koole	Con McCleester
	Linda Marshall	Diane McCleester
	Bobby Edge	

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 August 3, 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.

Thomas Koole addressed the Council, beginning with commendations for the Assistant City Manager's dedication. He highlighted her effort to brave the heat and visit his neighborhood, where she discussed resident concerns firsthand. Mr. Koole expressed appreciation for this level of engagement. He referenced an ongoing concern about the shrimp boat mystery for which he is still waiting to receive more detailed information. He stated his intent to further discuss this matter in subsequent meetings.

Mayor Cain took a moment following Mr. Koole's remarks and expressed appreciation for the positive and constructive comments.

Loretta Cady, Manager of the Freeport Historical Museum and City Staff Liaison for the Senior Citizens Commission, addressed the Council to promote a range of upcoming senior and community events. She announced a Games Day for seniors on August 17th from 10:00 AM to noon at River Place, featuring board games, cards, and dominoes, with Buc-ee's gift cards as door prizes and catering by Talk About Good. She noted the event is free and open to all residents over age 55, regardless of which city they reside in. Ms. Cady also highlighted a robust calendar of fall programming, including a new Hispanic Heritage Month exhibit, the return of the Haunted Tales of the Texas Coast exhibit, and a new Día de los Muertos exhibit with a community altar at the museum. She further enumerated a series of city events spanning the next three months: KidFest, Senior Bingo, Nickelodeon Day of Play, Texas Archaeology, National Night Out, Senior Harvest Fest, Fright Night, the Downtown Día de los Muertos Procession, and seven events hosted at the Freeport Library and encouraged all residents to participate in the city's community life.

Manning Rollerson addressed the Council on two subjects. First, he raised the matter of city ditch maintenance, stating that it was improper and potentially dangerous for a councilman to tell a resident that they should clean their own ditch, emphasizing that the ditches belong to the city and that maintaining them is part of the city's infrastructure obligations. He noted that if a resident were to fall ill or be injured while performing such work, the city would bear liability. Second, Mr. Rollerson announced that he would be filing a \$5 million lawsuit against the Port of Freeport over what he characterized as an illegal land grab of the East End of Freeport, and invited any East End residents who wished to join the action as part of a class action lawsuit to contact him.

Jeff Pena opened by requesting that Mayor Cain enforce Texas Penal Code Section 42.05 against audience members who disrupt meetings. He raised several pointed concerns, including: the lowering of security at council chambers at Mayor Cain's request; an alleged assault by the chair of the EDC; claims of illegal activity by city staff and officials; the composition and governance of the Main Street HOA, which he stated was improperly composed of non-property owners directing downtown property owners on the use of their private property; and a warning that downtown property owners would pursue litigation to prevent what he characterized as overreach by the HOA board. He concluded by thanking City Manager Dr. Danielle Kelly for organizing the upcoming Sno-cial event and called on Mayor Cain and Councilman McDonald to resign.

Proclamations - Presentations and Updates

Proclamation Celebrating the 100-Year Anniversary of St. Mary Star of the Sea Catholic Church - Jerry Cain, Mayor

Mayor Cain presented a proclamation recognizing the 100th anniversary of St. Mary Star of the Sea Catholic Church, honoring its history, resilience, and lasting contributions to the Freeport community. The proclamation also highlighted the church's centennial celebration on August 15, 2026, featuring a Holy Mass celebrated by Archbishop Joe S. Vásquez followed by a centennial dinner.

Father Stephen Tran, the newly assigned pastor at St. Mary Star of the Sea. He noted that he had arrived in Freeport on July 1st, just one month prior, and that he had been warmly welcomed by the community and the parishioners. He expressed his enjoyment of fishing at the jetty and his pride in being part of the church's centennial celebration. Father Tran extended an open invitation to the Mayor, all Council members, and the public to visit St. Mary Star of the Sea for worship, fellowship, or simply to say hello.

Upcoming Events -

"Snocial", August 4, Splash Pad in Downtown, 2:00P.M.-6:00P.M.

16th Annual KidFest, September 12, Historic Downtown Freeport, 3:00P.M.-7:00P.M.

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

Consent Agenda:

Action regarding Minutes, July 11, 2026 and July 20, 2026 - Clarisa Fernandez, City Secretary

Action approving Ordinance No. 2026-2770 amending Ordinance No. 2026-2767 for the November 3, 2026 Recall Election - Clarisa Fernandez, City Secretary

Action approving Resolution No. 2026-3061 for the Joint Election Agreement and Contract for Election Services with Brazoria County and the City of Freeport - Clarisa Fernandez, City Secretary

Sam Reyna read directly from Article 6, Section 6.07 of the City Charter, which requires that a recall election be held no fewer than 25 and no more than 35 days from the date the recall petition is presented to the City Council, or from the date of a public hearing if one was held. He noted that July 6th was the date on which the City Council received the recall petition and unanimously voted to hold a recall election, making the following Monday August 10th the final permissible date under the Charter. Mr. Reyna stated that staff had failed to act promptly after July 7th to coordinate a recall election with Brazoria County election officials, despite the possibility of a recall election having been known for at least four months. He further stated that Article 6, Section 6.07 of the Charter cannot be amended by the governing body, staff, or any third party and that it is the citizens and qualified voters who control processes such as elections, referendums, initiatives, and recall, and who define procedures for amending the Charter. Mr. Reyna contended that Chapter 41 of the Texas Election Code, which authorizes special elections, could only apply if Article 6, Section 6.07 had no legal or binding force, and characterized the proposed amendment as an illegal attempt to reopen the election window under that statute.

A motion was made by Councilman Davis to approve agenda items 3A, 3B, and 3C, seconded by Councilman Rossow with discussion that followed.

Councilman McDonald stated that Mr. Reyna was correct in his reading of the Charter, noting that the Charter expressly sets the 25-to-35-day window for a special recall election. He stated that he would not vote against the will of the people and indicated he would not support the items as presented.

Mayor Cain acknowledged the comments and noted that the city had followed the advice of legal counsel, which directed adherence to the state election code.

Mayor Cain called the motion to a vote with all present and voting "Aye" 3-2. The Council approved the motion. Councilman McDonald voted "Nay". Councilwoman Mireles voted "Nay".

Business

Consideration and possible action approving Ordinance No. 2026-2771 for Budget Amendment No.3 for Fiscal Year 2025-2026.

Finance Director Ashlee Hurst presented Budget Amendment No. 3 for Fiscal Year 2025–2026, outlining three primary purposes of the amendment. First, the amendment appropriates a number of council-approved expenditures that arose after the original budget was adopted. These included the City Manager's relocation allowance, City Hall security improvements, engineering studies, legal settlement obligations, Main Street board training, and emergency electrical repairs at River Place following an underground fire. Second, the amendment formally establishes the city's new City Grant Fund by appropriately budgeting grant revenues and expenditures for several projects, including the EPA Brownfields Grant, TDEM generator grants, and multiple Office of the Governor Public Safety Grants. Ms. Hurst noted that while these grants had been awarded and expenditures had already occurred during the fiscal year, they had not been properly appropriated because the City Grant Fund had not been established during the original budget adoption. She explained that this amendment corrects that gap and ensures the city's financial records accurately reflect all grant activity. Third, the amendment reflects the city's organizational restructuring by transferring city event budgets from the General Fund into the newly created City Event Fund. Ms. Hurst emphasized that this is strictly an organizational change and does not represent any additional spending only a realignment of the budget with the city's current operational structure. Ms. Hurst reported that the General Fund remains in healthy financial condition. Following the amendments, General Fund revenues are expected to total approximately \$22.5 million, with expenditures of approximately \$22 million. Available resources will increase from approximately \$166,000 to over \$560,000, largely attributable to additional revenue received under the Dow IDA agreement. She stated budget amendments as a standard part of responsible municipal financial management and recommended Council approval.

A motion was made by Councilman Davis to approve Ordinance No. 2026-2771 for Budget Amendment No.3 for Fiscal Year 2025-2026, seconded by Councilwoman Mireles with discussion that followed.

Mayor Cain remarked that he was pleased this was only the third budget amendment with the fiscal year nearly complete, noting it reflected a more stable and well-managed budget process.

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 Resolution No. 2026-3062 to allow the Police Chief and Fire Chief enter into an updated Interlocal Agreement with Brazosport Independent School District.

Police Chief Jennifer Howell and Fire Chief Christopher Motley jointly presented Resolution No. 2026-3062. Chief Howell described the item as largely a housekeeping measure in response to House Bill 33, known as the Uvalde Strong Act, which was enacted in the wake of the Uvalde school shooting and established new legislative guidelines for first responders. She explained that the Brazosport Independent School District is now requiring a formal Memorandum of Understanding to document the services the Police Department and Fire Department already provide to the district, and that the resolution does not alter or expand those existing services in any way. Chief Motley added that the Council should expect to see more similar items come forward from public safety in the future, as various entities are increasingly seeking written documentation of services and procedures that have historically operated informally.

A motion was made by Councilman McDonald to approve Resolution No. 2026-3062 to allow the Police Chief and Fire Chief enter into an updated Interlocal Agreement with Brazosport Independent School District, seconded by Councilwoman Mireles 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 reported that work had been completed on the alley in the 700 and 800 block on the south side of 8th Street, noting that he had personally driven through and discovered that his truck bottomed out, prompting him to direct repairs to the area behind Tammy's. He also relayed that he had been contacted by a resident regarding overgrown grass at the FIS facility and the old Lions field, and that the matter had been discussed at either the Parks Board or the Main Street Board meeting, with Mr. Perez indicating that the area would be addressed and the track sprayed down. Councilman McDonald also reported attending the Main Street meeting, where he noted a positive presentation was delivered by Ms. Ramirez on the Main Street program.

Councilman Davis Ward B announcements and comments.

Councilman Davis opened by thanking all of the evening's speakers and the staff in attendance and others who had come forward during public comment. He expressed particular appreciation for the Assistant City Manager's proactive approach in engaging directly with residents before they had even left the chamber, characterizing that responsiveness as emblematic of the type of professional conduct the city is working to build. He acknowledged that not every problem can be fixed immediately and that many of the infrastructure and drainage issues facing the city have accumulated over time, but expressed confidence that the Council is on the right track. Councilman Davis encouraged the public to follow local news coverage of the ongoing budget process, noting that residents could compare what Freeport is doing with neighboring cities to see the direction the city is heading. He addressed a resident inquiry about a grassy area near the soccer and softball fields, where residents had been wondering why the grass was not being maintained. City Manager Dr. Danielle Kelly clarified that the area is being prepared for an off-street parking lot, with milled material from the upcoming Second Street grinding overlay project to be placed there. Councilman Davis, noting he works for the county, provided a timeline update on the Second Street project, explaining that crews were finishing a two-mile road in Lake Jackson Farms and would then move on to Freeport, estimating approximately another month before work would begin. He preemptively acknowledged that the road construction would be disruptive but urged residents to be patient, assuring them that a new road would be the result. Councilman Davis concluded by expressing gratitude to both staff and his fellow council members.

Councilwoman Mireles Ward C announcements and comments.

Councilwoman Mireles reported that ditch cleaning had been actively taking place in Ward C and expressed appreciation for the work, noting she had also been in direct contact with them to keep the work moving. She acknowledged a resident call concerning the homeless in the area, noting that it is a challenge faced by all cities in the region and not unique to Freeport. She noted that the Police Department responds to calls related to homeless individuals and praised their responsiveness. Councilwoman Mireles expressed her view that addressing the issue is a collective effort and expressed confidence that together the Council and community can work toward solutions.

Councilman Rossow Ward D announcements and comments.

Councilman Rossow took the opportunity to respond directly to Mr. Rollerson's earlier public comment regarding a resident allegedly being told to personally clean her culvert. Councilman Rossow stated that when the resident came to him with her concerns, he clearly explained that the city is responsible for cleaning culverts and that it is not the obligation of residents to do so. He described the right-of-way boundary as extending to the telephone pole and stated that he had communicated this accurately to the resident. He expressed that the resident must have relayed a different account to Mr. Rollerson. He added that he does not lie and does not believe everyone lies, contrary to the common saying. Councilman Rossow went on to commend Mr. Koole for the positive nature of his public comment, as well as Museum Manager Loretta Cady for her upbeat presentation about upcoming community events, expressing that positive

contributions energize him. He praised the Sno-cial initiative and encouraged anyone who had not yet attended one to take advantage of the final event the following day. He also highlighted the Senior Citizens Commission activities, observing that many senior citizens attend council meetings regularly and inviting them to also participate in senior programming. Councilman Rossow concluded by noting that his own council election would be coming up and that he would be asking residents to display his yard signs, affirming his deep and lifelong connection to Freeport.

Mayor Jerry Cain announcements and comments.

Mayor Cain reflected positively on the tone and attendance of the meeting. He observed that for approximately four consecutive meetings the Council chambers had been near capacity, and that the general spirit of the meeting had been more constructive than in recent memory. He stated the Council is getting along better. The citizens are getting along better. We are not singing Kumbaya yet, but we are getting there. He reminded the public that school would be starting soon and urged residents to remain vigilant in school zones, watch for children on sidewalks and crosswalks, and help make Freeport a safe environment for students.

City Manager announcements and comments.

City Manager Dr. Danielle Kelly reminded the public of several open positions on city boards and commissions. She noted that applications for one alternate position on the Board of Adjustment were due August 7th; one open position on the Senior Citizens Commission had an application deadline of August 17th; and four upcoming vacancies on the Parks and Recreation Board, with applications due September 11th, noting that current board members would be eligible to reapply.

Executive Session

Executive Session regarding a.) Texas Government Code, Section 551.071 (Consultation with Attorney) 1.) Pending Lawsuits being defended by TML 2.) DOW IDA Negotiations Update 3.) Covarrubias Lawsuit Update.

The Regular Session closed at 6:49P.M. and the Council entered into the Executive Session.

Reconvene into Open Session:

Take any action resulting from Executive Session.

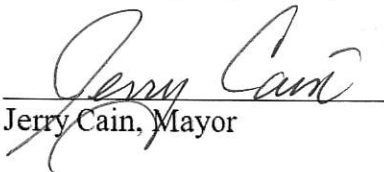
The Executive Session ended at 7:51P.M. and the Council went back into the Regular Session.

There was no action from the Executive Session.

Adjournment

Adjournment – Jerry Cain, Mayor

A motion was made by Councilwoman Mireles to adjourn, seconded by Councilman Davis with all present and voting "Aye". Mayor Cain adjourned the meeting at 7:51P.M.


Jerry Cain, Mayor


Clarisa Fernandez City Secretary