

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, May 6, 2024 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
- Councilman Winston Rossow

Staff:

- Lance Petty, City Manager
- David Olson, Interim City Attorney
- Clarisa Molina, City Secretary
- Cathy Ezell, Finance Director
- Toby Cohen, IT Manager
- Donna Fisher, Human Resource Director
- Crystal Ruiz, Executive Administrative Assistant
- Laura Cramer, GIS Coordinator
- Jennifer Howell, Police Chief
- Chris Motley, Fire Chief
- Wade Dillon, Museum Director
- Rudy Ragle, Public Works Director
- Shelby Araujo, Building Official

Visitors:	Con McCleester	Kenneth Hayes
	Diane McCleester	Carol Parker
	Margaret Bachman	Mark Parker
	Sam Reyna	Melanie Oldham
	Nicole Mireles	Pamela Dancy
	Raul Ramirez	Arnulfo Damian
	Patti Richardson	

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:

Patti Richardson said she would like to start by congratulating all that ran in the race, had success, and are going to be there again for the next term. She said she appreciated Mr. Winston Rossow because he was going to be her Ward D Councilman. Ms. Richardson said she is hoping he has a lot of success in these next three years and hopes he will do things the way she would have done them but probably not. She said she is hoping that he will have a lot of success doing things in the next three years that take us to the next level. She said she is hoping that after he finishes his term and has a successful three years he will support her, so she can do the same thing and possibly continue where he left off. She thanked the Council and said she was glad this is over. She said she worked really hard and was glad the best man won.

John Damian said he wanted to speak against the ordinance for the tenants, registration, and inspection of the rental complexes. He resides at 190 West 5th Street number one unit, as a tenant with the Brazoria County Housing Authority. He said on April 8th, 2024, according to the HUD regulations check certification, that his unit at 119 West 5th Street passed inspection and assured the rental unit was decent, safe, and sanitary. Mr. Damian said this is an annual inspection that the housing authority does at his rental unit. He said the reason he was there today was because he was asking if he could be exempted from this fee if this ordinance was approved. He said this additional fee is going to put more burden on his water bill because his water bill went up when the water bill was raised last year in September. He said and then adding this additional fee which he does not know how much more it is going to cost him more. Mr. Damian said he is on disability and he is on a fixed income and this is just going to create a burden for him. He said so while he is under the American Disabilities Act and understands the purpose of these regulations is to ensure safe, sanitary, and suitable living environments to protect and secure the public's health, safety, and welfare of the citizens of the City. He said he would also like to mention the unit he lives at has a fire sprinkler system, smoke alarms, and oxygen sensors because of the housing of HUD. He asked if he would be charged this fee? He said because he does have a water bill that he pays for at the unit he lives at and understands there is several citizens in Freeport that are on housing. Mr. Damian said it seemed like when the Planning and Zoning Commission they did not have an idea how many people were on housing so they could not figure out that these people get their homes inspected units, rentals, and houses that are under HUD. He said they get annual inspections. He asked if he was going to have to pay that fee since he had to pay a water bill and if that fee was going to be added to his water bill? He said which will increase. He said this month he paid \$71 for his water bill and he had the letter from housing where they go and inspect his housing. He said additionally, the interior inspections comply to his unit at 119 West Fifth Street.

Manning Rollerson congratulated the candidates. He said he was there to talk about the landlord tenant and the bill that was going to pass or was being considered passing. He said he stands with Mr. Bass about the landlords, how they are taking care of the properties, and how the tenants have to live in conditions that third world people do not live in. He said he disagrees that the burden should be put on the taxpayer because it is not the issue of the taxpayer. He said the issue is of those landlords who should be taking care of business. He said they are accepting the money from those peoples, they picked up that burden and they need to handle that burden. Mr. Rollerson said it is not the people's problem because somebody else is not handling their financial responsibility. He said because if you rent a house people expect to have a good house to live in, they expect to have a landlord that is fair and treat them right and that is why they do not buy homes because the other people would take care of the issues that is more important to keep it safe but it is known what there is in this community. Mr. Rollerson said there is a bunch of property owners that complain, complain, complain, and they still go up on the rent on everybody in the community and that needs to stop. He said people do not need to live in these conditions. He said he lives in a house for 11 years and he can see outside his house electrical issues. He said like the young lady with three kids that her breaker box burned at the Remingtons and the landlord told her it was her fault to call centerpoint for them to fix it. He said but the man owns the apartment complex and that is an unsafe condition he is not handling his financial responsibility. Mr. Rollerson asked so is that supposed to be taxpayer's responsibility? He said no it is not their responsibility. He said they also need to find out about the emproachment on Freeport with the contract. He said he made that statement in the forum and the statement is correct. He said Margie Mathews is the lady they went to and everyone that is down on

Cherry Street and all those side streets they also went to the Christian Church and were asked about buying their property also so the Port is doing what they said they were not going to do. He said the City needs to handle that business when it comes to agreements and contracts cause we all know how this all plays out but at the end of the day he is right along with Mr. Bass about the landlords handling their financial responsibility.

Rob Giesecke said he wanted to echo Ms. Richardson's on the congratulations to those who got the most votes on Saturday but also wanted to recognize and thank those who came in second. He said it is a lot of work and stress to put your name on the ballot and go out there and vote. He said everybody that participated as a candidate they have his respect. He said item number 13 is one of those issues where they are able to cooperate and get some cooperation between the Port and the City of Freeport and that is one of the things he wanted to do the most since he had been on the Port Commission to just foster a better relationship moving forward. He said he knows there had been some ups and downs and kind of a low early last year but had made some progress since then and this is just another step on that journey. He said he is glad that they are able to work together for the betterment of the community. Mr. Giesecke said he also wanted to give a Port update. He said they may have seen the new cars coming in and that is Volkswagen. He said so far, they have had 11 ships that have gone to the Port of Freeport and about 24,000 vehicles so they are on track to do their about 140,000 vehicles or so that they had originally planned. He said he is glad to see that but to also keep in mind that every time one of those ships comes in it takes about 140 to 160 workers to go and get those vehicles off the ships and over to the Volkswagen processing facility. He said he was in a meeting a couple of weeks ago with the site manager for Volkswagen and they were told that they are up and fully up to speed. He said they have about 115 employees there and about 70% of those reside in Brazoria County. Mr. Giesecke said he is happy to see that and to report that it is coming together just the way they would of hope it would. He said Del Monte will start operations next month and their first ship is scheduled to come in the last week of June and once they are fully operational that would be another hundred or so jobs so about 300 jobs between the two of them. He said they are real proud to see that and happy to see that. He said the rumor going around about the Port soliciting the purchase of property outside or in the protected zone. He said the Council may remember that was the deal that was on the East End settlement that the Port would not buy any property North of Highway 36 or West of Pine Street without the voter approval and they are sticking to that deal. He said they are sticking to the end of their bargain. He said there is nobody at the Port that he is aware of that had any inkling that they would buy any property inside that protected zone and he will say that he would be the first one to come out in opposition if there was any discussion about that. He said in fact the opposite is actually true they are actually in the process of selling off about 15 lots at the Port that accumulated over the years that is inside the protected zone and they are working through their mechanism process to make that happen and get those back into the public private hands and back on the tax rolls. He said he does not know what somebody heard or somebody saw but sometimes people see two plus two and they come up with five or eight or fifty seven. He said but that rumor is categorically false.

Sam Reyna resides at 2002 North Avenue G. He said it is not official but he wanted to congratulate Mayor Cain, Councilman Rossow, and Councilman Davis. He said he also wanted to thank Ms. Patti Richardson, Mr. Manning Rollerson, and Mr. Eric Hayes for being involved in the election process. He said he especially wanted to thank Mayor Bass for his service and dedication to the City of Freeport. He said being a Mayor is not an easy task you attend all City functions if time permits and that deprives you of quality time with the family. He said two Hispanics and two African Americans representing the four wards no angle and that is a first they all have just made history. He said now that there is this type of profile on the City Council social and economic marginalization can be eliminated and erase the face of the Jim Crow off the City of Freeport. He said Councilman Mayor to be Cain made a statement that he would like to see more new businesses coming to the City. Mr. Reyna said he agrees and they need to entice new business partners, reach out to all the black owned businesses that tried to open up in Freeport, and maybe try to lure them back to the table. He said those businesses spent thousands of dollars to open their business only to be booted out of town by prior administration.

Wade Dillon is the museum manager for the Freeport Historical Museum. He said he just wanted to invite the Council, public, citizens of Freeport, and all the citizens in Brazoria County for the opening of the updated Fort Velasco exhibit on May 15th. He said this covers the famous 1832 Battle of Fort Velasco all the politics and personalities involved. He said this will run until the very end of June. He said if you have not been to the museum in a while to go check it out. Mr. Dillon said they had their grand reopening back in January and the whole space had been updated.

Nicole Mireles resides at 2002 North Avenue G. She said she wanted to make comments after Mr. Reyna had made a comment. She congratulated all the people that ran and stepped up to the plate. She said Mr. Reyna made the comment there are two Hispanics and two blacks. She asked why does it matter? She said she is sorry and she knows they live in the same household but they have different views. Ms. Mireles said she wanted to read something that was sent to her off social media which is a public record. She read "you can-not win here unless you are chosen by City Hall, wait till you hear our new Council speak, no professionals on Council now, very sad, but I killed it". Ms. Mireles said that person is here and she went up to the Council to talk to them. Ms. Mireles said shame on her. She said there is issues but step up to the plate and be positive. Ms. Mireles said she knows she had lost. She said she had been on Council and had lost. She asked but did she quit going to the Council meetings? She asked did she quit being involved? She said to get involved in a positive way. She said she finds it offensive to her that the Council does not have professionals. She said the Council should be offended by that too. She said she is very disappointed in what was written on social media. Ms. Mireles said thank God she did not get picked because she would hate to have somebody on Council with that mindset.

PRESENTATIONS/ANNOUNCEMENTS:

Presentation of Employee of the Month for the Month of March 2024.

City Manager Lance Petty presented the Employee of the Month for the Month of March 2024 to Firefighter Evelyn Betancourt, Firefighter Abdiel Martinez, and Firefighter Ricky Swagno.

Proclamation for National Correctional Officer's Week.

Police Chief Jennifer Howell presented a Proclamation for National Correctional Officer's Week being May 5, 2024 - May 11, 2024.

Proclamation for National Police Week.

Police Chief Jennifer Howell presented a Proclamation for National Police Week being May 9, 2024 - May 18, 2024.

Presentation of the Investment Report for the Quarter Ending March 31, 2024.

Finance Director Cathy Ezell presented to Council the Investment Report for the Quarter Ending March 31, 2024.

COUNCIL BUSINESS – REGULAR SESSION:

Consideration and possible action on the approval of City Council Meeting Minutes, from April 15, 2024.

Councilman Pena said he had a couple of edits to the request. He said he wanted to let the record show the minutes are incorrect, and they need to be updated and corrected. He said the minutes reflected that he was escorted by Chief Howell when, in fact, he left on his own. Councilman Pena said Chief Howell never contacted him or communicated any directions to leave the premises as it was obvious he was already leaving on his own after Mayor Bass had expressed obscenities. He said this was the first change he would like to make. He said the second change that he sees is that the minutes do not reflect the perverted vulgarity purposely used by Brooks Bass. He said Brooks Bass used the term penis to address him in open session and foolishly feigned to cover it up by pretending it was a slip of the tongue. Councilman Pena said he would like this

corrected and, in reality, it was his egregious attempt to malign his surname with racist name twisting, using profanity in an open session in the Mayor's role. Councilman Pena said the Mayor was an embarrassment to Freeport. Councilman Pena said to Mayor Bass thankfully it was his last meeting, and he hopes the Mayor can stop repeating the perverted words of penis. Councilman Pena said to Mayor Bass to keep the word penis out of his mouth.

A motion was made by Councilman Pena to amend the minutes. Motion died due to a lack of a second.

A motion was made by Mayor Bass to approve the City Council Meeting Minutes, from April 15, 2024, seconded by Councilman Matamoros with all present and voting "Aye" 4-1 motion passed. Councilman Pena voted "Nay".

Consideration and possible action approving Ordinance No. 2024-2728 adding a New Subsection (8) to Article II Registration and Inspection of Multi-Family Rental Complexes.

Building Official Shelby Araujo said the City has received numerous complaints from citizens of Freeport expressing concerns about the conditions associated with multifamily rental complexes throughout the City. She said the City Council had directed staff to create a registration and inspection program for multifamily rental complexes, and staff had completed the proposed ordinance for approval. She said the proposed ordinance was presented to the Planning and Zoning Commission on April 23, 2024, and was passed by a 3-2 vote with changes. Ms. Araujo said on Section 16-51 under the inspections section and (D) it was changed from 4 days to 72 hours. She said under sections 16-48 under registration it was to add the phone numbers of the individuals. She said the third change was wanting to actually incorporate the exemption of Section 8 from this program. She said the financial impact of this program would be a full-time inspector on staff. She said they are setting the unit at \$5 per unit per month.

Mayor Bass asked why is the \$5 per month on the tenant versus the landlord? Building Official Shelby Araujo said under section 16-49 it states "an apartment complex inspection fee will be charged to each complex, and will be included with the monthly water utility bill for each complex." Ms. Araujo said right now they are still trying to hash it out as in terms of meters. She said some have master meters and some have individual meters and so they are going through that process. Interim City Attorney David Olson said the intent is to charge the complex owner and not the individual tenant and we all recognize that all expenses are essentially passed in some capacity but it is not to bill the tenants individually. Mayor Bass asked so this ordinance change at this time does not put the onus on the tenant and it puts the onus on the complex owner or the landlord? Building Official Shelby Araujo said yes correct. City Manager Lance Petty said a lot of these apartment complexes have a master meter and so all their water submetered inside the units and that is done on the private side and that would not be charged back to the individuals. Mayor Bass said to Mr. John Damian the way he is hearing it was that he will not be charged any additional monies any additional increases for this service.

Mayor Bass said he had a couple of corrections on page 5 Section 16-52 (B) 4A there is an s by itself and that needs to be moved over to apartments. Mayor Bass said he was not sure of the year that was on it but it had January 1, 2023 and this would be retroactive. Interim Attorney David Olson said there was going to be a grace period given and asked if Ms. Araujo knew what that period was going to be at this time? Building Official Shelby Araujo said it is all going to be about education in the first few months and reaching out to the apartment owners and letting them know there will be an inspection program coming into place. Ms. Araujo said they will also be giving out all of the checklists as in terms of interior and exterior so they are actually just knowing not what to expect when they get out there. Interim City Attorney David Olson said it was going to be up to the Council on how much time they would like to give them to get up to speed. Mayor Bass said he agrees but he can not vote on something that has an improper date. Mayor Bass said he would say June 1, 2024 instead of January 1, 2023.

A motion was made by Mayor Bass to approve Ordinance No. 2024-2728 with the two corrections moving the s to the apartment and changing January 1, 2023 to June 1, 2024, seconded by Councilman Matamoros with

discussion that followed.

Councilman Matamoros said on page 6 Section 16-54- Five- Year standards for Apartment Complexes it states January 1, 2027 and it should be 2029.

An amended motion was made by Mayor Bass to include January 1, 2029 under Section 16-54- Five- year standards for Apartment Complexes, seconded by Councilman Matamoros with discussion that followed.

Councilman Cain said he would like the Building Official Shelby Araujo to expand on the HUD. Councilman Cain asked if they would be exempt from this since they already go through a similar process with the State? Building Official Shelby Araujo said she reached out HUD Authority this afternoon and spoke to Ms. Craner and they do actually go through an annual program every year and they do get the initial inspections annually or whenever new tenants move out and the new ones move in. Ms. Araujo said they do issue inspection reports and so they are possibly going to work out something as in terms of if on the 10th they could possibly ask for the inspection report. Interim City Attorney David Olson said the only reason that was not put in there is because staff had some concerns that some of this stuff had slipped through the cracks and some of the inspections that HUD had done the City had gone back and found issues with that report. Mr. Olson said if they are going to exempt somebody like the HUD Authority he thinks it needs to be universal to any governmental entity that does a similar type of an inspection if they can provide such report. Mr. Olson asked if the Council would want that extra layer and want to allow staff the opportunity to go in there and just make sure that they are doing their inspections properly? Mayor Bass said he does not have an issue with that as long as they are able to look at their reports and then confirm it with our own eyes or with the reporting system. Interim City Attorney David Olson said currently as it is written it does not accept them or provide any kind of break and he thinks the idea was and it was discussed the possibility of some sort of abbreviated inspection where just going through their inspection report just to double check and not doing their own primary inspection some hybrid of an inspection. Interim City Attorney David Olson said he is not 100% sure of what that looks like but that is going to have to rely more on staff to come up with what that inspection actually looks like but really need some guidance from the Council as to which direction they want this to go in. Mayor Bass said he is okay with giving them a break especially if they do inspections but as long as they are doing the inspections correctly and his thought process would be that they could be exempt but need to do an oversight as well. Building Official Shelby Araujo said she spoke to Brazoria County HUD and they said that the turnaround times on certain types of complaints could possibly be one to two weeks. Councilman Cain said he thinks the safety of the citizens is the utmost importance.

Councilman Pena said this ordinance in his opinion is carelessly fast tracked and it is over reaching. He said first and foremost he is concerned that in the month of February the Council directed City staff to create a workshop and committee of residents and business owners or whoever the Council had selected to discuss and outline how a rental ordinance if at all should be created. He said he is wondering why they are skipping that whole process of having that workshop so that they could actually have feedback from residents and business owners because as it is structured now. He said he is all for safety and he always talks about safety and cleanliness but you start imposing all these fines and overreaching big government on what is at least 60% of the housing community in Freeport which is about 60% which comes out to with the last Census 10,000 folks here and it comes out to about 6,000 residents. He said he is not interested in raising rents here and he knows that at the forum it was expressed by one of the candidates and he thinks it was candidate Ward D Councilman elect Mr. Davis had expressed he had also had been in a rental property before and he also had said it is going to make sense that if these landlords are having to make the repairs that are necessary even when they are on section A or public housing that rents are going to go up. Councilman Pena said he wants to make sure that they can create a program where the renters are not being hurt in having their limited incomes affected in terms of paying for rent and he is concerned about that. He said he is also concerned about the increased cost to the City that they are not really taking into consideration and how many other options there are to lean on other agencies that can do what they do better than us. He said we do not have anybody and not even any housing, and any

public housing in Freeport but the surrounding cities around us do so he is sure we can glean off of that. He said he had always said we should have an office space in City Hall strictly for public housing and this way more residents have better options and right now there are none. Councilman Pena said instead of trying to penalize the landlords we have to incentivize the landlords and so he just has a problem that this ordinance had been fast tracked just to appease what he calls as a vanity ordinance. Councilman Pena said to get it right and he is not saying we can not get it right so that it is safe and clean and economically advantageous for the City and for the residents and businesses. He said what he is saying is that as it is now this thing is over reaching and it is going to hurt the economy and it is a matter of supply and demand the rents go up and people can not afford them and if they are imposing all of these fees through code enforcement they are going to raise rents. He said he is glad to hear that at the forum that was discussed and agreed upon but that is not reflected in this ordinance. Councilman Pena asked how do we solve this problem? He said this problem can be solved but we do not have to hurry up because they are trying to get it done before one Councilman leaves. He said he is not sure why this is being done at the last minute and why it was rushed when even in February it was asked specifically for City Staff, City Hall, City Management, City Manager to get a workshop a committee of residents put together and that was never done. He asked why are we allowing this to move forward? He asked why it even went to P & Z which was a 3 to 2 vote and it was not unanimous. He said usually P & Z is pretty good about this and say this all make sense it is all buttoned up or they button it up and then they send it out unanimously but it was a 3 to 2. He said he just wants to ask everybody to look at that and take a pause of prudence, but to rush to pass this harmful ordinance will hurt the housing economy. He said as it is we are in a recession and taxes have been up from the last year and now they are going to impose more maintenance no if and or buts and he is saying it is going to have the ripple effect of affecting the families their rents how they are able to put food on their table but when those monies have to go to rent because it is mandatory and people's rents go up that means there is less money and less disposable money. He said and what this actually affects are the local business the local mom and pops and so this has a trickle down economics effect and a trickle up that will bring it down for Freeport and just wants to make sure that everybody is aware of that and the public as well and these are the issues he tries to bring up it is just business one on one and it is economics one to one. Councilman Pena said you do not have to be a professional to know that. He said you just had to go through eight grade and he was taught that. He said another thing he wanted to bring up and he had another quote because he watched the forum Mayor Elect Jerry Cain had also quoted typically when you buy a home you have the opportunity to get an inspection and he is exactly right about that and he also went on to say that renters should be no different. He said and that is where he wants to help clarify and asked who pays for the inspection if a home is bought? Councilman Pena said the owner does and it is usually about \$300 and if the inspection is cool and if it is good and it is clean they move forward and buy the house and if it is not then they tell the seller they want those fixes or want a concession on the price. Councilman Pena asked why are we trying to change that or try to create that paradigm and put all of that responsibility on the City? He said it makes no sense when the market takes care of it on the buying and selling like Mayor Elect Jerry Cain expressed but that does not exist on the rental market except for the fact that folks can go look at a house and determine whether or not they want to live there or not. Councilman Pena said he is not sure why they want to create all of this additional cost to the City that can actually hurt the economy and for that matter hurt the residents. He said the aim is right but the target is wrong. He said the problem is the arm and they are trying to do surgery on the leg. He said he would like to make a motion to table this so it can be done right and everybody can be happy like the landlords, the City, the residents who are going to be paying the taxes because taxes are going to go up. He said forget the fact that the rents are going to go up but taxes are going to also go up and asked why? He said because they are going to be paying for more code enforcement staff. He said to make sure that we all know about all the various issues on this here so they can cross every T and dot so that in fact they can cultivate a better rental market for Freeport. He said because this is the Bluebird and this is the blue collar economy. He said this is the blue collar City of Brazoria County and this is where folks come for affordable living and there is not section A and there is no public housing at least none that is promoted by the City. He said and he thinks if they just made a little effort in that direction so that they can lean on Section A and they can lean on public housing that they could save the residents save the City money, residents rent, and residents tax money and for that matter the economy.

A motion was made by Councilman Pena to table this item.

Mayor Bass said there are some things that are worth more than money and it is the safety of the individuals that are living there. Councilman Pena said he is just worried about the rent money. Mayor Bass said he finds Councilman Pena's argument unpersuasive and they have talked about rental inspections for the multi use for a number of years which is what is coming to fruition tonight. Mayor Bass said Councilman Pena keeps saying 6,000 people. Mayor Bass said well that is individual houses which he hopes this Council with Councilman Pena's help or not will continue down the road and will do rental inspections on individual houses because he does not know how many times he had been stopped and he had gone and seen houses that are in poor condition having to run extension cords from one side of the room to the other and holes in the floor covered up by tarps or ceiling fans hanging down by the wires.

Councilman Pena said this was fast tracked.

Mayor Bass called the motion to a vote, with all present voting "Aye" 4-1 motion passed. Councilman Pena voted "Nay".

Mayor Bass said this is going to be important for the citizens of Freeport. He said this is going to be important for their well-being in Freeport and he encourages the Council to go on and do a single family unit inspection to ensure that folks have quality and safe homes to live in and to raise their children in.

Consideration and possible action approving the agreement and Resolution No. 2024-2855 to permanently close at-grade public road crossing for west 1st street at railroad milepost 15.435 with Union Pacific Rail Road.

City Manager Lance Petty said staff was contacted by Union Pacific Rail Road and received an agreement to review and approve the permanent at-grade closure of the Public Road Crossing at West 1st Street and S. Magnolia. He said the crossing is not utilized due to the clearance and width of the crossing. He said the overall condition of the infrastructure is in much-needed repair. He said Union Pacific at their sole cost, is proposing to fill in and permanently close at the time of approval by the Council. Mr. Petty said the storm water system over there is underground, so it will not have any effect on the drainage over there, because there are inlets on the other side of that crossing that lead to the storm water pump station, and he knows at the recommendation of the Mayor he had asked him to contact them about painting the bridge for us. Mr. Petty said he contacted them numerous times and had numerous conversations with them about it, but they do not own any of the railways. He said Burlington Northern BASF owns them and the one that was in question and Union Pacific does not own that one as well. Mr. Petty said he did attach some photos of the area and the Council can see the condition of the crossing right now and how narrow it is.

Mayor Bass said he is against this because he likes having the egress and ingress underneath the railroad right there. He said he thinks it is kind of cool and they just need to repair it as it is. He said this is a democracy and asked the Council what they would like to do?

Councilman Matamoros asked if they do enclose it and notice that the drainage is affected adversely do we have rights to have them come out and correct it? He said because he did not see that in the agreement. City Manager Lance Petty said that amendment can be added if they needed but currently all of the storm water is underground and there are inlets that tie into it. Interim City Attorney David Olson said even if it is not in the agreement they would be obligated to fix it if they somehow adversely affected any of the infrastructure.

Councilman Cain said storm water drainage was his concern as well and if Mr. Petty is confident enough that it will not affect it negatively then he would be okay with moving on.

Councilman Pena asked if there was any study on that space made by engineering? City Manager Lance Petty said not from the City side. Councilman Pena said he knows when streets are closed or any modifications to

address any kind of flooding or drainage issue they have had a street study before. Councilman Pena said he would like to see something like that to make sure that it makes sense. He said he is not sure why this was not done with this one.

City Manager Lance Petty said if the Council wishes to have the City engineer take a look at it he would be happy to do that. Councilman Pena said he knows this was done for 9th Street. Councilman Cain said he would wish to have the railroad paid for and have their engineers look at it.

A motion was made by Mayor Bass to table this item put on another agenda and have Mr. Petty call them and say that the Council wants them to pay for a mutually agreed upon engineering firm to discuss the parameters of it, seconded by Councilman Cain.

This item was tabled.

Consideration and possible action approving Grant Resolution No. 2024-2856 for Catalytic Converter Program.

Police Chief Jennifer Howell said the Police Department is looking to apply for a grant that is done by the State through DPS regarding catalytic converter thefts, vehicle thefts, and one of the things is they could update the equipment. She said the license plate readers are commonly referred to as LPR, are over eight years old, and they are no longer supported by the manufacturer as far as maintenance wise goes. She said they were looking at applying for a grant to get updated LPRs with the growth of the community and the increase in the Port. Chief Howell said, as Rob had talked about earlier with the increase of vehicles that come in they could see the advantage of being able to have those updated.

A motion was made by Mayor Bass to approve Grant Resolution No. 2024-2856 for Catalytic Converter Program, seconded by Councilman Cain with discussion that followed.

Councilman Matamoros asked what was the future cost of these cameras? Police Chief Jennifer Howell said one of the things that they are evaluating was that they are trying to find out if there are some other grants that could potentially cover those reoccurring costs so depending on how many cameras they did go with and what all area points of the City would depend on the cost. Chief Howell said the annual cost could go anywhere from roughly about \$25,000 on up depending on how many cameras that were placed throughout the City but have some other possible grants that might cover those re-occurring costs but that is something they are exploring as well. Councilman Matamoros asked who would bear those costs if there were future costs and asked if Chief Howell was stating that they would apply for grants to hopefully cover those costs and if not it would fall on the City to cover those costs? Chief Howell said yes in order to keep up on any maintenance contracts or anything.

Mayor Bass called the motion to a vote, with all present voting "Aye" 5-0 council unanimously approved the motion.

Consideration and possible action approving Resolution No. 2024-2857 authorizing a revision to the City of Freeport Policy Handbook Chapter 9- Employee Wages and Benefits Section 9.11 Tuition Reimbursement.

Human Resource Director Donna Fisher said when the tuition reimbursement policy was last revised it was in 2019, and at that point in time, the City would reimburse for up to seven credit hours or up to \$700 per semester. She said there was no annual cap set on that because at that time most colleges had 16 week-long semesters and then six-week summer semesters. She said semester lengths vary anywhere from 3 to 16 weeks and an employee could conceivably do a lot of short semesters and get up to \$700 reimbursement for each of those short semesters, which was not anticipated when this policy was put into place. Ms. Fisher said she would like to place an annual cap of \$1,400 per employee per fiscal year for tuition reimbursement.

A motion was made by Mayor Bass to approve Resolution No. 2024-2857 authorizing a revision to the City of Freeport Policy Handbook Chapter 9-Employee Wages and Benefits Section 9.11 Tuition Reimbursement,

seconded by Councilman Matamoros with discussion that followed.

Mayor Bass said education is a good thing and the workforce is better off with it.

Mayor Bass called the motion to a vote, with all present voting "Aye" 5-0 council unanimously approved the motion.

Discussion of the proposed new light locations in the 2024 Annual Street Lighting Plan.

GIS Coordinator Laura Cramer said she was presenting the proposed light locations for the 2024 illumination plans. She said the Council will not be taking any action on this tonight, and it is for simple discussion.

Mayor Bass said the map looked good to him. Mayor Bass asked when they would start working on these? GIS Coordinator Laura Cramer said right now they are working on 2023, so it would probably be at the beginning of next year.

Councilman Pena asked if all the lights that were mapped out for 2023 should be installed by when? GIS Coordinator Laura Cramer said they are working on it, and they are in the process of pulling all the permits now. Councilman Pena asked if there was a timetable as to when it would be completed? Ms. Cramer said she is not sure, and she thinks it is really on them pulling the permits for their crews, and she would say the next three to four months.

Councilman Matamoros said he had a suggestion. He said he did read the packet that they are given up to 50 per year, but there are two areas that he would like to see have lights added to them. He said one area is Avenue Q and the curve on Avenue R going on Q. He said this is a pretty dark area. He said also going down Avenue Q about halfway through there is another cross street on Terry have a light there as well. Councilman Matamoros said if he had to give up a light he will. He said there is a light that is proposed for Avenue H and Skinner and he would prefer to give that one up. He said the other light would be Zapata on the North side of Brazosport Boulevard. Councilman Matamoros said these are all the changes he would have for Ward C.

Update on 8th Street parking study completed by City engineer Kimley Horn.

City Manager Lance Petty said on September 26, 2023 a motion was made by Planning and Zoning to draft an ordinance to install no parking signs on the 1700 block of 8th Street to include both sides of the road for safety concerns. He said the motion passed 5-0. He said staff presented it to the Council on March 4, 2024, for consideration and possible action approving Ordinance No. 2024-2719 to add No Parking signs in the 1700 block of 8th Street as a specific location where the stopping, standing or parking for vehicles is prohibited. Mr. Petty said at this meeting the City Council instructed staff to task the City Engineer, Kimley Horn to complete a parking study pertaining to the safety issues recommended by the Planning and Zoning Commission. He said the City Engineer, Kimley Horn has completed the requested study and had recommended that street parking should be allowed along 8th Street from SH 288 to Velasco Boulevard. He said this recommendation does include improvements by the City to install updated signage to support parking on 8th Street. He said, with the guidance of the Council, he can instruct staff to go ahead and get those signs ordered and installed. He said they also had recommended installing some cutbacks at the intersections to bring the road out. He said those are going to be a little bit more expensive, but there is funding through TxDot and HGAC for safer out-to-school programs. He said they would be reaching out to try to get some funding for these improvements because those funds could be used within a half mile of the school and that will encompass every bit of this. Mr. Petty said he would be looking to try to get some funding sources for this.

Mayor Bass said he knows the big issue is the 1700 block.

Councilman Cain said yes the 1700 block is the main concern and for years there was no parking on that. He said there was a council before them and he is not able to say when it was or who was on it that did that for a reason and it was for safety. He said they went in and removed them and he does not remember the exact

reasoning that was behind it but they did remove the no parking signs. He said he thinks there was a conflict in an ordinance somewhere but the citizens that he had spoke to in Ward B want the no parking signs back up. Mayor Bass asked if it was citizens that live specifically on that block? Councilman Cain said yes.

City Manager Lance Petty said that road is pretty busy because that is the main stretch going to the elementary and there is daily traffic average of 1,261 cars and it is during that school time in the morning and in the evenings.

Mayor Bass said he had heard the same thing from many folks who live down there that they would like no parking.

Consideration and possible action approving Ordinance No. 2024-2729 amending the Section 2-354 Hotel Occupancy Tax adding section (i) Penalties.

Finance Director Cathy Ezell said currently the City's Hotel Occupancy Tax Ordinance does not allow for charging penalties and interest on past due Hotel Occupancy Taxes. She said the change that she is bringing forward tonight would allow for the collection of penalties and interest on any person or company that fails to collect Hotel Occupancy Tax as opposed by the Ordinance, fails to file a report as required, fails to pay the City the tax imposed, or files a false report. She said it also added that the City Attorney can file suit that is something that is done currently, if there is nonpayment of Hotel Occupancy taxes. She said she researched this with various other cities, every City she has worked in the past charged penalties and interest on delinquent taxes Hotel Occupancy Taxes just like delinquent utility bills, delinquent property taxes. She said this is something that is done as common practice. She said it had come up as they had worked through one of the bigger delinquencies that the City has, that the Ordinance does not allow them to charge penalties and interest, and that is to correct that wrong.

Mayor Bass asked if legal had looked at this? Interim City Attorney David Olson said he had essentially and is just bringing the local Ordinance into compliance with what State law already allows.

A motion was made by Mayor Bass to approve Ordinance No. 2024-2729 amending the Section 2-354 Hotel Occupancy Tax adding section (i) Penalties, seconded by Councilman Matamoros with discussion that followed.

Councilman Pena asked how many people allegedly owe back HOT taxes currently in Freeport? Finance Director Cathy Ezell said right now she had two that she is working on. Councilman Pena asked who those two were? Ms. Ezell said one is Motel 6 and the other was Councilman Pena. Councilman Pena said he is being targeted again. He said he is curious how many times it had been asked for the City Attorney Olson and Olson to create and modify the HOT tax Ordinance in attempt. Ms. Ezell said she had only been here since 2021 and this is the first time she had done it because if Councilman Pena believed her or not this was not because of Councilman Pena she said this is because she had another hotel that owes quite a bit of delinquent hotel occupancy taxes like tens of thousands of dollars. Ms. Ezell said it is in regards to the fact that these are delinquencies that these taxes are owed and we need to try to collect these and it is in the interest and penalties that will be charged on that. She said it was not brought forward because of Councilman Pena but the fact that this needs to be done as Mr. Olson stated to be in accordance with State law and what it is allowed to do by State law. Councilman Pena said he looked it up and it was four times. Councilman Pena said he just wants the public to know how much was asked for Olson to pursue this. He said he believes this is a personal vendetta and how much had been wasted and so he would like to know publicly how much had been spent by the City billed by Olson and Olson on this particular topic and does not know if he could get that by the next meeting or for that matter the remainder of the week. He said it should be readily available he would image. He said he wants to make sure this ordinance is called the Pena tax ordinance because he already paid an outside attorney to outline how it needs to be written correctly so as to save the City from high lawyer fees of Olson and Olson yet again he is spending his own money to ensure the City can legally collect HOT taxes from an ordinance that right now is still defective. He said he had it reviewed by an attorney again. Councilman Pena said he spent

more money than he would of ever owed which is \$0 in trying to ensure that the City does not spend a single tax dollar to pay Olson and Olson to correct an ordinance and to avoid court legal fees yet the campaign to send and persecute and prosecute takes priority from the direction of Bass and yes man. Councilman Pena said the last thing he wants to say is this ordinance is an illegal collection and harassment by City Hall of businesses and owners and it needs to stop. He said he is hoping with the current Mayor no longer seated there the justice can prevail and that this stupid and personal vendetta policies are no longer hurting the City of Freeport and if he had a personal vendetta he should seek them out personally. Councilman Pena said he had offered for the last five months to meet with the attorney that he retained it was fixed so that the ordinance is no longer defective and they can save taxpayer money and for that matter court fees. Mayor Bass said to Councilman Pena we appreciate his generosity on that.

Councilman Matamoros said the statement that was just made is unequivocally false and Mayor Bass did not bring this up. Councilman Matamoros said he is the one that brought it up because he did the research. Councilman Matamoros said he saw it with his own eyes where people have stayed at Councilman Pena's Air B&B and Councilman Pena billed and charged HOT tax and never remitted that to the City. Mayor Bass asked so there is a bill that had an HOT tax on it that Councilman Matamoros saw? Councilman Matamoros said yes. Councilman Matamoros said so this is when he saw it and he brought it up and asked. Councilman Matamoros said other surrounding cities are looking at their books and seen why are they not collecting HOT taxes. Councilman Matamoros so this slanderous accusation against the Mayor that he is the one that brought this up to City staff and then it was brought to the attention of Council.

Mayor Bass asked Councilman Matamoros if he had a copy of that? Councilman Matamoros said he does not have a copy with him but he can have it whenever if legal or whoever needs to see it he can have it ready.

Mayor Bass called the motion to a vote, with all present voting "Aye" 4-1 motion passed. Councilman Pena voted "Nay".

Consideration and possible action approving Interlocal Agreement for Cooperative Radio Frequency Use between Port Freeport and the City of Freeport.

Fire Chief Chris Motley said this is an interlocal agreement on radio communications. He said, over the term cooperative radio frequency agreement, what they are addressing is public safety interoperability, meaning they can talk on the same frequency across frequencies as well at all levels of government or even private sector and non-governmental organizations as well. He said this interlocal agreement will be between the Port of Freeport and City of Freeport. Chief Motley said he reached out to them about the relocation of the tower and repeater that was at Hopper Field when they replaced the lighting, and they did not include the equipment, but also the LED equipment interferes with the transmission, so that just became a part of that discussion. He said the director of security and him had a long discussion and also came up with other responses after action and review of responses to facilities that were not able to communicate with the same frequency. He said in 2022 the FEMA firefighter grant that came to the Council had multiple band radios and this is a part of that as well. He said what agreed in the interlocal agreement is agreeing that each agency maintains their own frequencies is by FFC, their own equipment but is able to transmit on each organization's radio frequency. He said the Port had agreed to at their EOC headquarters is to provide a rack space for their VHF radio and with their generator and radio tower they will be able to put their intent on their tower as well at no cost. Chief motley said the only cost is what they incurred and those POs were already written when they were going to do Hopper Field they had been waiting to complete this agreement so they can move forward on addressing that. He said in the packet it goes back to the communications from September 11th forms Dems and all that that were taught and they follow under public safety response. He said this also provides not just fire but police department as well and their VHF radio system and if they are responding to a plant partner that is within the Port interlocal agreement they would be able to transmit on their UHF frequency directly with them when they respond as well. Chief Motley said he encourages the Council support recommended approve this interlocal cooperative radio frequency grant between Port Freeport and the City of Freeport.

A motion was made by Mayor Bass to approve Interlocal Agreement for Cooperative Radio Frequency Use between Port Freeport and the City of Freeport, seconded by Councilman Cain with all present voting "Aye" 5-0 council unanimously approved the motion.

WORK SESSION:

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

Councilman Pena Ward A announcements and comments.

Councilman Pena said he wanted to thank everybody that came out there as usual. He said he knows it is a sacrifice of their time but an investment in their City and our City of Freeport, and he appreciates everybody that comes out to speak on behalf of moving Freeport forward. He said he also wanted to touch on Riverfest and thank the City, City staff, all the emergency departments, and first responders that were out there to help make this a success. He said he is not sure what the numbers of attendance were compared to last year, and he is curious about what those might be and if Mr. Petty might have those, but as we promote Riverfest and, for that matter, Fishing Fiesta the point is it is about the water. He said he wanted to mention the Cinco de Mayo promotion that last week was promoting Hispanic Heritage, and as well as the Downtown Freeport. He said he wanted to thank the Historic board for putting that on and Ana Silbas, and it was another great effort by the City staff as well. He said he would also like to congratulate Councilman elect from Ward B Mr. Jarvis Davis. He said he had a chance to visit and witness his commitment to transparency and serving the residents of Freeport. He said, and as far as all the other residents that participated in electing their Councilman he would like to thank them for being a part of the election process, and he only ask that they extend their commitment to Freeport from the polling booth to also hold their elected officials accountable and attend every meeting that they can and get involved in our community so that they might have the best Freeport ever. He said he would also like an answer to the question as to why they did not have the swearing in of the newly elected officials this evening? Mayor Bass said because the election office had not canvassed the vote yet and they will be canvassed and there will be a special meeting on the 13th for everybody to be sworn in. Councilman Pena said he also would like to ask for the Chief of Police to be in Executive Session to protect himself and the public from outburst and violent outburst and illegal threats that Mr. Bass had demonstrated in the past.

Councilman Cain Ward B announcements and comments.

Councilman Cain said he wanted to thank everybody that came out tonight. Councilman Cain said to Mayor Bass they obviously came to see his last meeting. Mayor Bass said he does not think so. Councilman Cain said to Mayor Bass it had been an honor working beside his side and he would like to thank him for his guidance and leadership. Councilman Cain said, as Councilman Pena said the Riverfest was a great success. He said every City can have a festival, carnival, food trucks, corn dogs, funnel cakes, and whatever they want, but most of them cannot have boat races in the middle of it. He said the boat and the wind just added so much to the boat races. He said when they were out there warming up just making donuts out there, and they would hit full throttle and next thing you know the whole boat is out of water. He said this was incredible, so his hat off to all those that were involved in the Riverfest. Councilman Cain said, unfortunately, he was unable to make the Cinco de Mayo celebration, but knowing the way Ana does it he is sure it was a great success as well. He said he would like to thank all the citizens that went out and voted in this past election. He said regardless of who won, the citizens got it right. Councilman Cain said he says that because the citizens are the ones that elected the Council to be up there. He said congratulations to those that did make it and for those that did not he is not going to say that those that lost but those that did not make it his hat off to them, because it is a real stressful situation to put yourself in and unlike some of the elections in the past where there had been a lot of bickering

back and forth both brought there and in private on the streets everybody was professional. Councilman Cain said on election day all the candidates were sitting out there in one general spot and everybody was sharing their ideas and beliefs and that is the way it should be. He said so his hat off to the City of Freeport. He thanked everyone for the support and he is personally looking forward to three years.

Councilman Matamoros Ward C announcements and comments.

Councilman Matamoros said he would like to thank the residents and visitors who attended in person and viewed online. He thanked those residents who spoke during citizens' comments and on any agenda items. He said he would like to highlight a successful Phillips 66 golf tournament at the Freeport Golf Course. He said speaking with many of his colleagues, they were raving about the condition of the golf course. He congratulated Brian and his staff for the hard work to keep it in such great shape. He said he also would like to let the Council know that the EDC had been granted a \$50,000 grant for the parks project from Phillips 66. He said with the money that they have set aside and the \$50,000, it will go a long way to help the parks get the needed upgrades. He said Riverfest was a great success. He said he was fortunate enough to be a judge for the little Mr. and Miss Riverfest and that it was a good time with the boat races and the booths along with the music and barbecue judging. He said he would like the Council aware as the Council liaison for the Board of Adjustments that there was a lawsuit filed by Councilman Pena against the Board of Adjustments, and so he would like to discuss that at the next meeting. He said it was filed late and never served to the City.

Councilman Matamoros said he would also like to congratulate Councilman elect Jarvis Davis on his election victory, reelection of Mr. Winston Rossow, and Mayor elect Jerry Cain. Councilman Matamoros said he would like to thank Mayor Bass for all his dedication to the City and his time served on the City, EDC, and other numerous boards as a liaison while Councilman and Mayor this is just proof of his dedication to the City. He said they may not have agreed on everything but it was kept civil. Councilman Matamoros thanked Mayor Bass. He said he also wanted to thank his family for their dedicated service to our great City.

Councilman Rossow Ward D announcements and comments.

Councilman Rossow said he wanted to thank all the voters. He thanked everyone that voted for him. He said apparently they want him to be there for another three years, and he was so glad to be a part of the Council and the City of Freeport. He said to those who really know him they know he loves this City and he had said it more than once if he could live anywhere in the world, but he chose to live in Freeport. He said his wife always asks him what they are doing in Freeport. Councilman Rossow said Cinco de Mayo was a success, and he believes everything done in Freeport is successful, and he knows there are a lot of negative things going on in this City but that happens in every City. Councilman said he wants the residents to look forward to Yard and Business of the month. He said they were going to be riding around looking, and they needed the citizens to nominate yards and businesses that looked good. He said Riverfest was successful and the boat races and fireworks, everything was a success. He said he thanked God for having all these events all the time. Councilman Rossow said he wanted to thank the Mayor. He said he loved Mr. Brooks and his dad loved his dad, so it had been going on for a long time. He said they really enjoy the Brooks. He thanked God for the Mayor and said he would be missed greatly and is hoping Jerry can keep this thing going and keep the meeting flowing. He thanked Freeport and said he loved Freeport.

Mayor Brooks Bass announcements and comments.

Mayor Bass introduced his family in the audience. He said normally he would not say anything back about what people put on Facebook because almost everyone knows that he thinks Facebook is the devil. He said in response to Councilman Pena's latest rant. He said it was a 30-minute rant that somebody talked to him about. Mayor Bass said there is a lot of stuff in there that he could talk about, but he is not going to talk about it. He said Councilman Pena said he talked about him using cocaine or the N-word in meetings. Mayor Bass said the only n word he had used in meetings is nincome poop, and he was trying to describe Councilman Pena. Mayor Bass said he thinks the biggest issue he had with Councilman Pena is that he had comments about interracial couples. Councilman Pena asked Interim City Attorney David Olson if this was allowed? Councilman Pena said this is not on the agenda. Mayor Bass said Councilman Pena said he was told, or he had been told. Mayor Bass said to Councilman Pena said his brother Mike is married to a beautiful Hispanic woman. Mayor Bass

said his sister Melissa is married to a beautiful African American man. His oldest brother Beau is going to be married. Councilman Pena said to Mayor Bass to take a lie detector. Mayor Bass said to Councilman Pena he was full of manure and that it stinks in there. Mayor Bass said this is the point he wanted to have with Councilman Pena make that he had a more interracial family than he does. Councilman Pena said to Mayor Bass he does not know anything about him. Mayor Bass said to Council elect Councilman Davis he is going to have to keep his hat off when he goes up there and sits up there. He said he let him wear it in the audience but up there he does not need to wear it. Mayor Bass said Councilman Pena is his own person and he is going to do whatever he wants regardless of polite society or not. Mayor Bass said the City of Freeport is in his heart and always had been. He said he is 57 years old and he was born and raised here and he loves it and will probably never leave. He said it had been his pleasure and his high honor to represent the citizens as Councilman Ward B and as Mayor and he is sad to go but there is a time for everything. He said all he would say is what Dan Rather said with one word on his last transmission and it is courage.

Desiree Pearson resides at Front Street. She said Councilman Pena referred to Mayor Bass as racial comments to him. She said she looked at both of his arrest the DWI and the two felonies and Councilman Pena identified as a white male. She said she does not know what is on his driver's license but if so he could not be calling the Mayor racial because Councilman Pena identified as a white male. Ms. Pearson said also the transparency Councilman Pena is talking about is costing the City with the attorney fees. She said Councilman Pena fails to tell the people he is costing the City over \$150,000 on the Braztex witch hunt which he does not ever say that he led that.

City Manager Lance Petty announcements and comments.

City Manager Lance Petty said from the City staff he would like to thank Mayor Brooks Bass as well for his service and dedication. He said the Mayor had attended everything that is needed from the Mayor and, honestly over his 31-year career this is his fourth City, and he had never had a Mayor that had an educational background of their City. He said just to listen to the Mayor speak about the City of Freeport and the history of it is something in itself. Mr. Petty said he knew he came here from about 45 minutes northwest of Fort Worth, and he had no idea about hurricanes and as soon as he got here, the Mayor said there was one brewing, and instantly he thought we better run. Mayor Bass said in a calming voice to not worry he had his eye on it and 90% of the time the DOW bubble takes care of it so we would be alright. Mr. Petty said he has been a great Mayor, and he appreciated everything he had done and the knowledge he had gained for the City of Freeport. He said when his wife and he came down to visit and interview, they both looked at each other and said if he was offered the job this is where they were going. He said the City is friendly, and it does not matter what color you are. He said they were shocked at the residents here and how beautiful it is here. He said we really have something special here and something to look forward to, and he is glad to be a part of that. Mr. Petty thanked Mayor Bass.

A motion was made by Mayor Bass to include City Manager Lance Petty into the meeting Executive Session, seconded by Councilman Cain with all present voting "Aye" 5-0 council unanimously approved the motion.

A motion was made by Councilman Pena to include the Police Chief in Executive Session to help protect himself. Councilman Pena said yes it is real funny but when the citizens go up and say their safety is a concern of their personal safety he just wants to let them know his safety is also important. Councilman Pena said he hopes the Council censures the Mayor for his obscene profanity in the last meeting.

A motion was made by Councilman Pena to invite the Chief of Police or any commissioned officer in Executive Session. Motion died due to a lack of a second.

CLOSED SESSION:

Executive Session regarding a.) (Consultation with Attorney) 1) Update regarding Marinell Music vs. City of

Freeport 2) Payroll Issue pursuant to Section 551.071. b.) (Deliberations about Real Property) 1) 200 West 2nd Street 2) O.A Fleming 3) Jim Maddox Properties, Freeport 19 LLC., Skinner Street Development 4) Update regarding Realty World Development pursuant to Section 551.072.

The regular session closed at 7:37 P.M. and Council entered into Executive Session.

COUNCIL BUSINESS – REGULAR SESSION:

Take any action resulting from Executive Session.

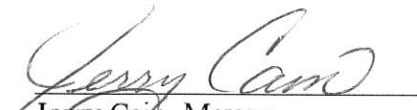
Executive Session ended at 7:56P.M. and Council entered back into regular session.

There was no action from Executive Session.

ADJOURNMENT:

Adjourn

A motion was made by Councilman Cain to adjourn the meeting, seconded by Councilman Matamoros with all present and voting "Aye" 5-0. Mayor Bass adjourned the meeting at 7:56P.M.


Jerry Cain, Mayor


Clarisa Molina, City Secretary