

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, July 1, 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 Jerry Cain
- Councilman Jeff Pena
- Councilman Jarvis Davis
- 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
- Chris Motley, Fire Chief
- Rudy Ragle, Public Works Director
- Ana Silbas, Main Street Director
- Shelby Araujo, Building Official

Visitors:	Nicole Mireles	Margaret Bachman
	Sam Reyna	Gary Guerrero
	Kenny Hayes	Ruben Renobato
	Con McCleester	Carol Parker
	Diane McCleester	Mark Parker
	Manning Rollerson	

THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:

CALL TO ORDER:

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation and Pledge was led by Councilman Davis.

CITIZENS' COMMENTS:

Main Street Coordinator Ana Silbas said she wanted to give a few updates and upcoming events for Freeport Main Street. She said the Freeport Main Street is partnering with the Freeport Economic Development Corporation to host the Small Business Development Breakfast and just wanted to make these announcements so that the public is aware. She said this is a development breakfast and is set for July 11th at Ann's Party Place

located at 202 North Gulf Boulevard. Ms. Silbas said the presenter for this event is Brazosport College Small Business Development Center and this event will take place from 8:00A.M. to 10:00A.M. She said additionally, they will have the Downtown Community Visioning Session Number Two. She said this is the last session that will be held for the Downtown comprehensive plan and this will be held July 18th at Freeport River Place. She said the UTSA Center for Urban and Regional Planning Research will provide an overview of the Comprehensive Downtown Plan Historic District and Design Guidelines. She said this event would take place from 6:00P.M. to 8:00P.M. She said light refreshments would be provided by the Texas Gulf Bank. Ms. Silbas said, on behalf of the Freeport Historical Commission and Main Street Advisory Board, she would like to thank the City Administration, City Council, and the Freeport Economic Development Corporation for supporting this endeavor. She said, last but not least, KidFest is also scheduled for August 3rd at the Historic Downtown Freeport from 3:00P.M. to 7:00P.M. and the theme this year is Wildlife Adventure and calling everyone out to go out to join and discover the great outdoors together. She said there would be inflatables, food, music, face painting, and more. She said she wanted to invite the community out to make all these events great.

Sam Reyna resides at 2002 North Avenue G. He said at the last Council meeting Ms. Nicole Mireles addressed the issue of waste collection. He said Ameriwest is not picking up all the bulk and green waste. He said we are at the start of hurricane season. He said if a hurricane comes ashore anywhere close to Freeport there will be mattresses, sofas, chairs, and tree limbs scattered all over the City. He said Ameriwest picks up bulky waste once a month and Waste Connections picks it up once a week. Mr. Reyna said Ameriwest has two yearly Citywide waste disposal and Waste Connections had four Citywide waste disposal. He said Waste Connection had grabbing trucks that were used to pick up most of the green waste and were used once for a week. He said Ameriwest has some grabbing trucks that they use in their first month of operation and has not seen them since, and it is in the contract agreement that Ameriwest will provide all equipment to perform the work and render services required by the contract. Mr. Reyna said in his opinion they broke the contract. Mr. Reyna said it was brought to his attention that the word shall in the City Charter Section 3.02 is not a legal obligation and must be amended by the word must to make it mandatory. He said it was brought to his attention because of another issue, and he is using it to address the Ameriwest contract. He said this is from the Supreme Court as it turns out, shall is not a word of obligation and the Supreme Court of United States ruled that shall really means may. He said it is quite a surprise to attorneys who were taught in law school that shall mean must and in fact must is the only word that imposes a legal obligation that something is mandatory. He also said that must not are the only words that say something that is prohibited. Mr. Reyna handed out a copy of the Ameriwest contract. He said to the Council to look at how many words there are highlighted with the word shall and must be amended to the word must. He said Ameriwest is not picking up all the other bulky trash. He said the Code Enforcement officers are doing the job that they are supposed to be Code Enforcement and are not supposed to be picking up green waste. He said Ms. Patti and Ms. Hope's trucks always have green waste in their truck and they are doing Ameriwest job. He said Ameriwest is not doing anything and waits every six months for him to take the trash over there, and then they have the Building Department picking up green waste. He said they got it made and had to go.

Manning Rollerson resides at 126 West 6th Street. He said he is concerned about a statement that was made on Juneteenth in the community that was totally racist and hateful and to see the Police Department over there at the time that was made on Freedom Day for black people is wrong. He said because the Police Department has to serve every member of the community and for business owners to say happy n****r day in this community after the struggles of this community and what happened to the black and brown people in the East End and the City government that was involved. He said to the Council something will have to be done about this because he already sought out ways to bring a lawsuit against the City for part of a hate crime. He said he was directed to the FBI. Mr. Rollerson said he told Mr. Lance and the Chief that Tammy would never say happy n****r day in this community again. He said the rest of them would want to stand there and want to accept that, but he did not serve a country to put his life on the line to be called an n****r or looked at as an n****r. He said that issue needs to be addressed. He said to Mr. Olson that he did talk to the Federal Office, and he did process the

papers, and he wanted to know why the officers were in that building when it was said more than six times happy n****r day. He said the City is liable.

Desiree Pearson resides on Front Street. She said she wants the public that is watching online to realize that Mr. Pena removed himself from the courtroom at the meeting during the Pledge and the Prayer because he did not want to be around it, but they needed to know his true colors. She asked if there were also any updates on his felonies or the DWI trial coming up? She said she was just wondering if they would be advised of that.

CONSENT AGENDA:

Consideration and possible action on the approval of City Council Meeting Minutes, from June 17, 2024 and Special City Council Meeting Minutes, from June 24, 2024.

Consideration and possible action approving the road closures from 12:00P.M.-9:00P.M. for KidFest August 3, 2024.

Consideration and possible action accepting the Audited Financial Report and Auditor's Opinion for Fiscal Year ended September 30, 2023.

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

COUNCIL BUSINESS – REGULAR SESSION:

Consideration and possible action approving Resolution No. 2024-2868 for the appointment of a candidate to fill the vacant position that will expire on May 31, 2026 and for the appointment of a candidate to fill the remainder of the term for Mr. William Leitch which expires on May 31, 2025.

City Manager Lance Petty said staff recommended appointing two new board members to the Freeport Historical Commission and Main Street Advisory Board. He said, initially appointed by the City Council, the Historical Commission and Main Street Advisory Board was established by Ordinance to oversee the revitalization and preservation of the Historic Downtown Commission. Mr. Petty said three candidates submitted an application, which were Clarissa Solis, Sandra Wood-Wicke, and Sandra Leavey. He said one position was to fill the remainder of Mr. Leitch's position expires on May 31st, 2025.

Mayor Cain said he spoke with Ms. Leavey earlier today and she said she was not going to be able to make it to the meeting tonight.

A motion was made by Councilman Matamoros to appoint Ms. Sandra Leavey to fill the remainder of the term for Mr. William Leitch which expires on May 31, 2025, seconded by Councilman Pena with all present and voting "Aye" 5-0. The Council unanimously approved the motion.

A motion was made by Councilman Matamoros to appoint Clarissa Solis to fill the vacant position that will expire on May 31, 2026, seconded by Mayor Cain with all present and voting "Aye" 4-1. Councilman Pena voted "Nay".

Consideration and possible action approving the Mayor and the City Secretary to sign and attest a Real Estate Lease with Brazos Care for 1163 square feet of space on the second floor of the Freeport City Hall located at 1201 North Avenue H.

City Manager Lance Petty said staff recommended approval of the lease agreement. He said Olson and Olson did review the lease. He said Brazos Care has requested a twelve-month lease beginning June 1, 2024, for the offices currently numbered 217, 218, 219A, 219B, and 219C, which include 1,163 square feet of floor space.

He said the lease proposed includes a monthly rental of offices for \$1,453.75 per month, payable in advance. He said Brazos Cares is a nonprofit organization that has leased space in the new City Hall facility located at 1201 North Avenue H for the last five years. Mr. Petty said Brazos Cares is in the process of building an office space located on Gulf Blvd. and requested to renew their lease with the City for 12 months at their previous rate of \$1.25 a square foot. He said Brazos Cares did accommodate the City when the City transitioned into the new building by moving their services to the 2nd floor. He said they also had paid their lease up to date without the contract signed.

A motion was made by Councilman Matamoros to approve the Mayor and the City Secretary to sign and attest a Real Estate Lease with Brazos Care for 1163 square feet of space on the second floor of the Freeport City Hall located at 1201 North Avenue H, seconded by Councilman Rossow with discussion that followed.

Councilman Pena asked if Brazos Cares was originally on the first floor? City Manager Lance Petty said yes. Councilman Pena asked where they currently reside? Mr. Petty said on the second floor. Councilman Pena asked if they would just continue with their current lease? Mr. Petty said yes. Councilman Pena asked what rate they lease the property at currently? Mr. Petty said \$1.25 a square foot. Councilman Pena asked if they are basically continuing their same rate? Mr. Petty said yes and took less square footage as well. Councilman Pena asked if the lease rate was not adjusted for the less of square footage? Mr. Petty said yes. Councilman Pena said his concern about this is that they are in the process of trying to determine the future of where they are going to go in terms of occupancy of a City Hall, and so he has a problem signing any kind of long term lease when here in the next couple of months, they will be getting reports and BIDs and estimates about the future of City Hall at least in terms of where the City and City staff will be residing. Councilman Pena said he is just reluctant to get into any additional leases that might give the impression that they are behold to staying in that space. He said he is curious if this lease can not be adjusted so that it actually is between the current landlord that the City of Freeport is leasing from and Brazos Care. He said he would certainly like to make sure that Brazos Cares stays in the building which they have called home, but certainly wants to make sure that the City is not tying their hands in any undue way legally and or perception wise. Councilman Pena asked if there was any chance that they might be able to have that lease with the current landlord versus it being subleased to the City? City Manager Lance Petty said the City is currently leasing the entire building, all three floors and that is what is being paid for. Mr. Petty said the City is subleasing that out so they reimburse that money monthly off the lease. Mr. Petty said a three-year lease was signed because that will give enough time if the City moves forward with other opportunities, so they will not negotiate or issue a lease to any sublease person in the building more than the three years that their is of the term of the lease. Councilman Pena asked what it is that the City is paying right now for the lease on a monthly or annual basis? Mr. Petty said he believes \$21,920. Councilman Pena asked whether the current lease that is between Brazos Care is it with the current owner or with the City? Mr. Petty said it is with the City. Councilman Pena asked if there is any way to just continue it if it is the same lease agreement and have the lease amount adjusted and just showing it month to month and if there is any harm in doing that? Mr. Petty said they were looking for a 12-month lease because it is going to take them that much time to get into their new building. Councilman Pena asked if they were going into a new building? Mr. Petty said yes next to their place on Gulf Boulevard.

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

Consideration and possible action approving the Interlocal Agreement between the City of Freeport and the Brazoria County Health Department.

Mayor Cain tabled this item.

Discussion on possible remodel or sale of City Hall property located at 200 West 2nd Street.

Councilman Pena asked if he could make a comment/motion to table this item. He said it was his understanding that at the last formal council meeting, they would not take on this discussion until they actually had that information available in terms of the numbers and figures for the various options that the council would be

considering, so that the public could also consider those numbers. Councilman Pena said he was surprised to see this item on the agenda this weekend. He said he thought they were going to wait till August.

A motion was made by Councilman Pena to table agenda item number seven. Motion died due to a lack of a second.

Councilman Jarvis Davis asked if this was a discussion and if any decisions were to be made? Mayor Cain said it just a simply discussion and the reason they wanted to put it in an open session as opposed to executive session as they have been doing is for the input of the citizens.

Nicole Mireles resides at 2002 North Avenue G. She said the only thing she wanted to say is she thinks she has been kind of loud about this for months. Ms. Mireles said, as far as for us, our taxpayer money goes into refurbishing and redoing downtown. She said her personal opinion is do not mess with it anymore. She said a lot of money has already been put into it for remediation, asbestos, mold, and whatever else that was in there. She said her personal opinion would be to sell it as is and let the new owners fix it up and do what needs to be done to bring it up to speed. She said she likes the location the City is at now, it is more central and accessible to people that come from out of town. She said to get a bigger sign that says City Hall is down this road. Ms. Mireles said if worst comes to shove, there is also the small building next to the Police Department. She asked why do we keep holding on to it? She said to sell it. She said when she was on Council they were trying to figure out what to do with it. She said it was just deteriorating. She said let somebody put something in there maybe a coffee shop or whatever, and sell it as is and with a stipulation that within two years or a year, it would need to be open and established, if not, the City would take it back. She said that was just her opinion and she would suggest not putting any money into the old City Hall.

Kenneth Hayes resides at 414 Mystery Harbor Lane. He said his opinion on that is that the building is a piece of crap when it was given to the City. He said there is no reason that the City should spend so much money on bringing it up. He said it was never going to be a good building. He said it has always had mold problems and will always have because of the design of the building. He said the City should sell it as is and try to buy the current one the City is in right now.

Mayor Cain said he was really hoping there were more people wanting to speak about this agenda item.

Manning Rollerson said he was speaking for the business community downtown. Mr. Rollerson said they have given up everything in this City because a certain part of the City people do not want to invest. He asked why did they spent all the money for the study Downtown for the Historical District? He asked why \$475,000 is not accounted for, and they want to get from under City Hall? He said a lot of money is being lost in this City. He said the City looks like crap, and it is because of the way it is run. Mr. Rollerson said the business owners from downtown have spent hundreds of thousands of dollars trying to bring up businesses and for City hall to run off like they did the people on the East End, it says a lot about the representation of the City. He said the Council is not standing and fighting for the people that have elected them and are finding the easy way out. He said it is sad and to keep City Hall Downtown. He said the people Downtown should not have to worry that the government always turns their backs on them and finds the easy way out. He said too many people have invested. He said he does not care what anybody says Downtown Freeport means a lot. He said if they can pay for another building then they can fix the one Downtown and get the money back and finish it.

City Manager Lance Petty said staff recommended the Council discuss the property located at 200 West Second Street. He said he had some preliminary numbers to look at. He said in 2022, the City did ask an architect to do a scope of work for the complete remodel of the building and in 2022, that came in a little over \$3 Million. He said at today's prices the estimate is around \$3.9 million to \$4.5 million. He said he did reach out to the architect that did the original scope of work to get an amendment done to it, to give new costs to go out and rebuild the scope and the process. He said that process is from anywhere from \$75,000 to \$85,000 additional cost to him.

Mr. Petty said that the construction cost they are anticipating is between \$3.9 million and \$4.5 million. He said he wanted to get it out to discuss it with the public and the Council to get some insight on which way to go from there.

Councilman Rossow said he does not think the City should put any more money into the City Hall Downtown. He said we currently have a really nice building. He said for the City to put it on the market and somebody would buy it and put up a restaurant or a place to stay. He said once it sells, then it is gone. Councilman Rossow said it has been there forever. He said he graduated in 1971, and they had their prom on the top floor and that was over 50 years ago. He said the place is not where they want it to be.

Councilman Davis said he was really hoping there were more citizens that would come out to speak about this. He asked if there was going to be another discussion about this agenda item again? He hopes that the word gets spread through the town and for the people watching if they have an opinion on this to come out and state their opinion. Councilman Davis said he is really torn both ways about this. He said as a business, he does not think it is a bad move. He said the history side of that building has been downtown a long time. He said as for the committees, they have a blueprint to bring up downtown. He said he just wants the City of Freeport to be represented downtown. He said if the money is right and if it can afford to do it. He said they can not make bad decisions with money. Councilman Jarvis said he understands that they poured money in there, but they made bad decisions about how to fix it and how much money to put into it. He said it is the City's fault that the building looks like it does. He said the City has been in that building for so long it should have already been remodeled floor by floor. He said he has a lot of respect for the Council and believe they will make good decisions. He asked what board we want to be on? He asked if they want to be a board that everyone is talking about or the one that never gets anything done or does it wrong? He asked when they would step out with faith and do it the right way? He said if the builder can get it remodeled the right way, it is going to cost to get it done right. He said to break ground Downtown and not give up on Downtown shows a lot about the City and can say the City is putting together and building. He said then right behind it, they have the Historical Committee coming in, putting together and people saying it is convenient for people or is convenient for them people at the same time. He said everybody goes to City Hall, and they are going to see all Downtown is coming up and that is what takes others down there. He said he understands why they want to sell the building. He said there have been a lot of bad decisions made, and he said he wants to show the City that the Council can do something right.

Councilman Matamoros said his thoughts are looking at the updated anticipated construction budget of \$3.9 million to \$4.5 million. He asked Mr. Petty what can they purchase the City Hall located at 1201 North Ave H for? City Manager Lance Petty said \$2 million. Councilman Matamoros said to be a Council to be good stewards of the funds that the residents are giving for taxes. He said he would much rather spend \$2 million dollars on a building versus the \$3.9 million to \$4.5 million. Councilman Matamoros said those extra funds could go into infrastructure which needs to be upgraded. He said if he is not mistaken, they did, as citizens pass some bonds to upgrade the City Hall on West 2nd Street. He said it is his understanding that they can utilize those funds for other reasons other than purchasing the City Hall such as infrastructure. Councilman Matamoros said that there is extra money that could be put towards infrastructure. He said with just those two things being stated, he could not go look at his constituents and tell them they are going to go spend top \$4.5 million on a building. He said yes it is going to look great if they did it and the employees would be happy. He said there are other needs that they have to take care of. Councilman Matamoros said he could not look them in their eyes and vote if they were to remodel the City Hall on West 2nd Street. He said with that being said, he would sell that building, and hopefully they can sell it to a developer who would want to put in some condos or apartments on the second and third floor that would help the revitalization of Downtown. He said the first floor could be used to put in some businesses. Councilman Matamoros said it is not like they are going to abandon the downtown. He said they have to make sure that they take all of these things into consideration when spending the funds that the taxpayers are giving. He said they are a different City Council. He said they are not like previous, and so they will try and make the best decisions they think that will benefit the residents of

Freeport now and in the future.

Councilman Pena said he does not know if he has anything else to say in support of tearing down the building or in support of saving it. He said right now they have to follow the money and this is why he wanted to table this item. He said people are dropping numbers of \$2 million and \$4.5 million. He said they have not even gotten the numbers and also might as well say all the taxes are going to be \$1 billion dollars next year and believe it because they said that. He said to look at the facts, reports, make smart decisions, make some informed decisions, and that is all he has ever asked for. Councilman Pena said do not throw around 2.5, 2.0, 4.5 or 3.9 million because those numbers mean nothing tonight. He said it is funny if you laugh about it because these numbers do not make any sense. Councilman Pena said he can look at any resident in the eye and tell them that it is worth investing in Downtown. He asked you know why? He said this kind of money with this kind of project in conjunction with all the other projects that Ana Silbas and Robert Johnson are doing and the project the council just passed for the museum, all of that is transformative and if you can not look at the residents and constituents in their eyes and tell them they are spending this kind of money for a reason and a good reason, then maybe you just do not get it and do some homework and get everyone educated on this. Councilman Pena said in his opinion, from what he has seen for the last five years, the Downtown building has been purposely neglected. He said the elevator was an easy fix from \$25,000 to \$30,000 and would have fixed it if not replaced it brand new. He asked what it would cost to repair it or replace it? He said that the previous City Manager had an allowance of \$50,000 without requiring the City Council's permission, but he neglected to fix the elevators. Councilman Pena said the building deteriorated one part, one floor, one window, every step, and so now it looks terrible. He said of course, it is terrible now it has been neglected. He said had it been maintained all that time, there might have been some money saved, but certainly money would have had to be spent. He asked who wins that this building has been neglected? He asked the local businesses? He said no. He said if they decide to neglect this building and get rid of it and just go down away with it, because nobody has the vision or the imagination or the idea of how they can transform Freeport image and reputation. He said the local businesses do not win. He said to ask Tammy from Sweet T's, the man at the convenience store, Jason at Outriggers, the residents in Downtown, or anybody in Ward A. He asked the residents if they win? He said he does not think they win because, just yet another part of history 50 years ago they went to prom there. He said that it was lost and asked, so what is going to happen? He said the city will probably demolish it as they have done a lot of other buildings that have history. He asked who also suffers, as he mentioned earlier? He said the image of Freeport suffers. He asked who does not suffer? He said this is the thing you might want to ask. He said it was just an idea he would like to put out there. He asked who does not suffer if City Hall gets sold or demolished? He said it is a four-letter word, and it starts with the letter P, and it is not Pena, it is the Port. He said the Port wins, yet again it started this way with the piece by piece dismantling of the East End before he was even there. He said the people tell him the stories over and over and he sees it. He said now they have the downtown building, and just sell it to the Port. He said in fact, let's be sure that this bad idea of investing in City Hall is truly pursued. He said stop it all, stop the reinvestment in the downtown period. He said please stop the EDC because they are developing on the waterfront. He said the point he wants to make is to stop the downtown investment because they own property there. Councilman Pena said they are talking about divesting of real estate and if they are going to divest of the City Hall they need to divest the waterfront property, they need to divest the EDC buildings, and they need to divest from the TIRZ. He said they need to divest from the museum. He said and this is why he asks careful what you ask because he has some real hard answers here.

Mayor Cain said there are a lot of good arguments in his opinion one way or the other. He said he totally agrees that the building itself of City Hall is a monument downtown that needs to remain. He said it is important for that building to be used. He asked is it important for it to be used as a City Hall? He said he did not know. He said as big as the building is if someone purchased it and built some shops at the bottom floor some residential up top even office spaces on the second floor or third floor. He said once again they would have people in the Downtown. He said people do not have to be City employees. Mayor Cain said he thinks the usage of the building is important, and he also thinks the numbers he is seeing are not solid numbers that were given to them by an engineer. Mayor Cain said if they just look at the history that they have seen in the recent past,

specifically the repairs at the wastewater treatment plant when they first got the numbers up until they finally passed it, it doubled. He said seeing this repair going almost doubling does not surprise him one bit. He said his personal opinion is, if they could sell the building, let someone else go in to refurbish it and do what they want to do with it and keep the City Hall where it is currently at. He said it would be a win-win for the City, and it would save around \$2 million of the taxpayers back as well.

Sam Reyna said at the last CCF meeting he told Mr. Lance Petty that he had an old box of dynamite and that was an option. Mayor Cain said they are not talking about tearing it down.

Desiree Pearson said she also had her prom there in 1973. She said it was only because Intermedics vacated the top floor, which had no use. She said she also has friends with Texas Gulf Bank that did a happy dance when they sold to the City and got rid of their problem. She said they had employees that were getting sick and had to get out of the building. He said there were employees that were refusing to work there. She said the City of Freeport lost one of the best City Secretaries, Betty Wells from her illness from being in that building. She said she thinks it is crazy, it is a money pit, and it has been forever. She said she had been in Freeport 69 years, and she does not consider it history of Freeport. She said she does not think City Hall being there draws people to go pay their water bill like they are going to shop downtown to pay a water bill. She said the location at 1201 North ave H is a good location, and it is a lot less maintenance since it is a newer building. She said she thinks it is a bad idea to just put money in the pit.

Rob Giesecke representing the Port of Freeport, said he did go tonight to address the Council but since the Port did come up he would like to make it clear that the Port of Freeport has no interest in buying property in Downtown Freeport. He said there are no designs on that building or any other buildings. He said he would like to remind everyone that under HB5336 that was the deal that they struck with on the East End property. He said they can not buy any property West of Pine Street or North of HWY 36 without voter approval. He said they are not seeking to do that, and they can not without taking it to the Council and the Citizens of Freeport. He said he hates to go up and get involved in the back and forth, but the intonation was to make a statement at the next meeting but he realized he was not going to be there for the next meeting.

Councilman Rossow said he purposely walked around the new building. He said he just wanted to see what it looked like all the way around. He said he talked to some of the employees and they were happy employees. He said good moods and asked them if the place was all that he was hearing and even the public was saying they liked the location. He said he has no control over who goes to the Council meeting, but when he was coming back from Paris he noticed there were 129 viewers on the internet. He said the City must be entertaining to watch. He said there are some real characters going through there, and it is growing. He said the public is listening to what they are saying right now and nobody out there is there. He said nobody out there is saying do not do that or do not go there. He said to let something happen to that building it is not going to get torn down. He said he sees a lot of deep pockets people in Brazoria County. He said they do not have to worry about it getting torn down it is going to get remolded but they are not going to do it. He said they were going to let someone else do it. He said at the same time there is a drive thru, a beautiful facility, and nobody that he knows of is getting sick. He said so he would like to reiterate, to him it is a no-brainer, but that is just his opinion. He said they talk about mistakes, and he does not think it is going to be a mistake if the City stays there.

Manning Rollerson said as elected officials, they are supposed to be the voice of the people, and they are not supposed to go by the concerns of the people. He asked where the business community is? He asked if the Council did not care about the business community down there. He said that is the statement every last one of the Council has all made. He said they were all talking about how beautiful the building at 1201 North Ave H is. Mr. Rollerson said that is the statement that was said by every one of the Council. He said at the end of the day how do the people down there have representation when all the Council has already made up their minds. He said when the business community is talking about it, they are abandoning them. He said now he does not want to see no employees sick in the building, but if the City government itself refuses to maintain their

property like any other landlord they should be held accountable. He said it is a cost when you neglect. He said we deserved better. Mr. Rollerson said the downtown area where that gentleman is investing over \$2 million in that building over there because of City Hall being there he asked if his investment went in vain? He asked should the EDC spend all this money downtown or the Historical District Downtown? He said that they are quick to sell out instead of fighting like they fight every day. He said they are showing them that they have no courage, and they will not stand up for what is right. He said they are showing exactly what happened to them over in the East End. He said the City was involved, and it was proven that the City was involved. He said the Council is showing the exact same thing as the East End. He said he would not trust one word that came out by any representative of the Port Of Freeport Mr. Rob Giesecke. He said the message he got at the end of this was the affidavits that are coming out that are Mr. Winston, Mr. Matomoros, Mr. Cain what was stated on the podium it is going to be legal ramification because every citizen in the city deserves better than what they said about Manning Rollerson and he has the affidavit.

Nicole Mireles said Mr. Rollerson is talking about the business community but asked where they are at? She said like the Council was saying hoping for more citizens, more opinions, and thoughts. She said she guessed Mr. Rollerson speaks for everybody downtown. She said she knows she does not. She said when she goes out there she just says her opinion. Ms. Mireles said it was always Mr. Rollerson speaking for the people downtown. She said she did not see them.

Mayor Cain said the Council is trying to get input from the Citizens about the decisions that they have to make.

Shonda Marshall said she was not going to make any comments about this because she just was not. She said she remembers that about six months ago, maybe a little longer. She said excuse her for sounding like Martin Luther King, but she had a dream. She said in her dream she saw that Downtown Freeport and the City Hall building were totally redone, and it was beautiful, and she did not know if God gave her that dream to show her maybe the direction they should go. She said they have to make an investment in the downtown and into the properties. She said it does not matter if they are in a newer building where City Hall is currently. She said, as was stated earlier, if they do not take care of it, then who is to say that the same thing will happen in this new building that happened at City Hall Downtown. She said about where the employees walk and there is mold and getting sick. She said of course, they do not want that for the employees at all, however they have to invest in the buildings and take care of the buildings. She the EDC along with Main Street and probably some of the other boards are as well working really hard to invest in downtown and bring it back to life. She asked, so what does that say when City Hall walks away, and they are telling business owners to go downtown, but yet they do not want to be no part of that scene, so they are just going to walk away. She said it sounded like a double standard to her or that they are contradicting themselves. She said they have to show faith in the fact that they believe in Downtown. She said yes, it is a lot of money to spend, but consider it an investment. She said they invest in anything else they want to see succeed, so why not invest in Freeport. She said as she mentioned earlier about her dream, the whole downtown was beautiful, and it was flourishing, and it was so procerus. She said it was an amazing dream. She said it started with refurbishing with the City Hall Downtown. She asked that they take it for what it is worth. She said invest in Downtown and the City Hall. She said she had no clue that this would be on the agenda for City Council.

City Manager Lance Petty said he would like the council to know the estimated cost for all the bells and whistles in this building. He said he would not take a proposal to the Council for that building that is watered down scope of work. He said in 2022, when BIDs came in a little over \$3 million, it was too much for the City at that time to pay for it. Mr. Petty said he has been open and honest with the Council. He said he would not go out and get an advertisement or the scope of work or anything less that does not offer all the bells and whistles. He said he does not want something that they will have trouble with later on down the road. He said he instructed that to the architect if they move forward with this to get a scope of work together for advertisement for this project that it will have all the bells and whistles.

Consideration and possible action approving Ordinance No. 2024-2733 to install two additional stop signs at

the intersection of Pecan Street and 8th Street, making it a four-way stop.

Building Official Shelby Araujo said this was taken to the Planning and Zoning Commission on June 7th, 2024. She said chairperson Mr. Andrew Dill requested to have this item placed on the Planning and Zoning agenda to discuss possible action. She said information obtained from Chief Howell states that over the last 3 years, there have been two crashes listed and one traffic complaint of cars blocking a driveway. She said the P&Z commission voted 3-1 in approval of adding the two stop signs. Ms. Araujo said the financial impact would be to add the two additional stop signs to make the 8th Street and Pecan Street intersection a four-way stop.

A motion was made by Councilman Rossow to approve Ordinance No. 2024-2733 to install two additional stop signs at the intersection of Pecan Street and 8th Street, making it a four-way stop, seconded by Councilman Matamoros with discussion that followed.

Councilman Matamoros said on page 173 it has the two existing stop signs that the stop sign on the North side of West 8th Street which will be the East side of Pecan, and asked if that tree would be blocking the stop sign? He said, looking at the picture, the tree looks pretty low and would not like to put a stop sign and for it to be blocked. City Manager Lance Petty said the City goes and cuts the trees that are hanging over the road. Councilman Matamoros asked if it was Mr. Andrew Dill who requested this item to be placed on the Planning and Zoning agenda and if there were any other residents who asked for this item to be brought up to the Planning and Zoning? Ms. Araujo said to her knowledge no and nobody showed up to speak, as in terms of the request.

Councilman Rossow said he worked for the County over 21 years and his job was doing signs. He said that every time there was a stop sign put up there is a reason for that stop sign. He said it could be a yield sign but it is being asked for a stop sign. Councilman Rossow said if this was going to stop a wreck or a crash, that is why he voted for it. He said he would always vote for a stop sign.

Councilman Pena asked if there was in fact a study done for this intersection? City Manager Lance Petty said it was completed back when no parking signs were being looked at. Councilman Pena asked if the stop signs were included also. Mr. Petty said that was a part of the study it showed the traffic count especially during the school year.

Mayor Cain called the motion to a vote with all present and voting "Aye" 5-0 motion passed unanimously.

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 and for all those that are tuned in. He said he is sure everyone the Council get comments about the residents and citizens in Freeport. He said he wanted to thank all those that spoke. He said he missed the comment of Mr. Rollerson when he was making, the comment about the racial comment, and asked if the City was participating in that comment? City Manager Lance Petty said it was not the City staff making the comment. Interim City Attorney David Olson said they are going to look into it. He said he would be very curious to find out about that. He said he wants to make sure he gives everyone at home the truth, since the cameras do not face the public. He said during the time of prayer he will continue to exercise his first amendment right to stand with the residents. He said he did not sit down in the lobby and did

not go outside to smoke a cigarette because he does not smoke cigarettes, not cigarettes at least, not cigars, marijuana, but did smoke a pipe from time to time. He said he just wanted to let everyone know he was in the audience by the directors of the City. He said he will always stand with the residents at least those who are telling the truth. He said if anyone wants to pray with him, to just call him and if they would like to exercise their American freedom of celebrating the liberty feel free to join him at the firework show the coming weekend. He said to him is the best firework show in Brazoria County. He said he was looking forward to that. He said he wanted to mention that the misleading and lying comment was made by the family members of the Braztex LLC which was found by one of the law firms that \$250,000 was owed to the City of Freeport and was suspiciously dropped in December 2023, just in time the Mayor helped his buddy Brimage. Councilman Pena said he wanted to remind everybody that the investigation was brought to the Council by members of concerned citizens that are still there and thanked them for bringing that forward to the Council, but just know it is the neighbors that are asking for accountability and the Council fortunately responded at the time by investigating and asking the law firms responded by doing a formal audit of those contracts and the citizens were correct and thanked them for coming forward. He said the bottom line is that it is still owed. He said because he speaks out about the corruption of the City city, he gets attacked by his family and friends that sit on the front rows of the Council and the cameras will not show them, but they are there. He said he wanted to remind everyone that the investigation report that exposed those details is public records. He said with a simple records request they can see the truth and proof that over \$250,000 is owed just the same as the City is owed the \$345,000 from Covarrubias. He said this is another thing that helped to press upon the Council to held City Hall accountable. He said he is now in receipt of new violations that employees and residents have brought to his attention and will be presenting those corrupt and possibly illegal actions within the City to the City Council in the near future. He said he wants to remind everyone that he is not a perpetrator of these attacks, but he is allowed to defend himself and simply respond to the many attacks by those who have been exposed to corruption. He said he saw the agenda tonight and gave him heartburn yet again because the lies are still being perpetuated. He said on his podcast COF Easy Money Ezell and other Councilmembers and the Brazosport Facts. He said the Facts Newspaper have been repeating over and over for more than a year that he owes hotel occupancy taxes, and it is a flat out lie, and they know it is a lie. He said if this was true the City would of taken action. He said a demand letter would be sent with what was owed the same way the City Council did with Braztex. He said he has not received one and has asked the City to just take him to court and they have not. He said he has said he is happy to sit down and show in the ordinance that is defective and correct it so that all the residents and businesses in the City of Freeport can start rightfully paying for those taxes. He said he was happy to meet with Mr. Olson and his attorney he said he invited the residents. He said if they have to go to court then they will go to court and spend more than \$10,000 to be found that the City in fact was illegally taxing, but instead, they know this but choose to lie over and over. Councilman Pena said at the last Council meeting The Facts reporter Emily Hanson went apathetic on him while screaming at him to pay his taxes. He said The Facts should be screaming Pena owes no taxes, and it is a lie, but they do not. He said the truth is Emily is out of control and her screaming is a clear violation of journalism. He said if she was there he would certainly repeat this again. He said he would politely instruct Emily and all the citizens to go to [SPJ.org](https://www.spj.org/) Society of Professional Journalists and read their ethical rules. He said the Facts violate the rules on a regular basis. He said, so no he does not owe any taxes but if those guys keep ignoring the defective ordinance and keep repeating the lies and, well if it is being said long enough then it must be true. He said he wants to make sure that the public is aware that the terrible conduct of representative of Ward C George Matamoros and, request he is censured for his unhinged and personal attacks at the last two meetings. He said those letters of censure and his conduct would be released. He said lastly he wanted to make sure he requested security in the Executive Session to make sure to check Mr. Matamoros' violent temper. He said the folks in the front row can laugh at him, but it does not discredit the truth. He said he would not be silenced.

Councilman Davis Ward B announcements and comments.

Councilman Davis thanked everybody that came out. He said everybody's opinion is needed. He said he respects everybody's opinion. He said he appreciated all those that got up and gave their thoughts on City Hall. He said more citizens are needed to be involved. He said he does not know how it is going to be done but appreciates those that are involved. Councilman Davis said there is a lot of talk about the Council not doing

anything or doing that, but there are some things getting done. He said he likes everything that is being done and there might be some residents that do not like what is going on. He said for the residents to keep going to the Council and letting them know what their concerns are.

Councilman Matamoros Ward C announcements and comments.

Hotel Occupancy Taxes (HOT)

Councilman Matamoros said he would like to thank all the residents who attended in person and viewed online. He also thanked those who made comments on citizens' comments or agenda items. He said he echoed what Councilman Davis stated about the residents coming out and stating their opinions. He said if residents are not able to come out, he can be reached and his information is on the City's website. He said he will speak to anyone, especially if they are within his ward. Councilman Matamoros asked Finance Director Cathy Ezell for an update on the Hotel Occupancy Taxes? He asked how are things going with the collection of the hotel occupancy taxes that are delinquent? Finance Director Cathy Ezell said suit has been filed against Motel 6 for nonpayment of Hotel Occupancy Taxes. Ms. Ezell said she is still working with Olson and Olson to complete all the documents to file suit on Planned Strategies for 224 West Park which is Councilman Pena's short-term rental. She said they are still working on getting all the documentation together to file suit. Councilman Matamoros said he just wanted to make the residents know that the Fishing Fiesta starting July 4th through July 7th. He said he looks forward to seeing the Brazoria County Hispanic Lions Club and how they run the fishing fiesta this year. He said he was looking forward to the fireworks display July 6th which begins at 9:00P.M. He said these are some great things. He said July 4th Independence Day is coming and wanted to make sure all the residents are careful with the fireworks and let them know they are illegal to pop them within City limits. He said to please be careful that there are some areas that are starting to become a little drier and would hate to see somebody lose their house. Councilman Matamoros congratulated Mr. Petty on the parks along with the EDC. He said they have been completed. He said he took his daughters the first day that they were fully installed with the mulch, and they were happy. He said he hopes the residents will take care of these nice enchantments of the parks and if anyone sees someone that wants to vandalize the parks to please say something. He said there are not unlimited funds to keep rehabilitating the parks. Councilman Matamoros thanked Philips 66 for their sponsorship for the playground equipment at Stephen F Austin. He said for everyone to stay safe and be aware just in case the storm comes this way.

Councilman Rossow Ward D announcements and comments.

Councilman Rossow said he also wanted to invite everyone to the 4th of July celebration that would be at the park. He said the 4th through the 7th. He said he appreciated everyone that came out and all those listening on the World Wide Web. He said he wanted to give a shout-out to his Bridge Harbor family. He said he invites any concern anyone has in the City. He said as long as Rudy Ragle the Public Works Director and Lance Petty the City Manager are doing what they are doing because they have been doing a great job. He said he does get phone calls from all over the City of Freeport and if anyone wants to contact him, his name, email, and phone number are on the web. He said he appreciates the Parks Department investing in the future and children. He said children are the future.

Mayor Jerry Cain announcements and comments.

Mayor Cain thanked all those who showed up and spoke especially on agenda item number seven. He said that it is a touchy item and trying to be as transparent as they can is the reason why it was brought up in open session because they want to hear everybody's opinion. He said this is one of those decisions that is going to be made that is possibly going to change things a lot in the City. He said he does want the citizens' input. He said the 4th of July festival is coming up this weekend, and he would like to invite everybody out. He said he agrees that the fireworks display that is done in the water is hands down better than any other in the County. He said those that are watching on the www. if they do not believe him, go out and check it out. He said he also wanted to remind everybody that it is also illegal to light fireworks in the City limits, especially those that go off at midnight. He said Councilman Rossow made a comment that he was on vacation and looked at the YouTube version of the Council meeting and there were 100 people watching. He said he had been told that the Council meetings have become boring, and he does not necessarily apologize for that. He said he does hope that people

everywhere will continue to watch, but he hopes it gets to the point where they are watching it for the substance and not the entertainment. He said to the Council if they can continue to work together, then possibly they can get there.

City Manager Lance Petty announcements and comments.

City Manager Lance Petty said he just wanted to say there are a lot of good things going on in Freeport. He said over the last couple of years concrete roads have been finishing up. He said the waste water treatment plant is fixing to start construction. He said a lot of the waste water collection lines have been replaced already. He said there is also the 19 acres that is being worked on right now with an agreement. Mr. Petty said also the OA Fleming property that is in the Downtown. He also said there is the 8.8 acres of the EDC. He said also the Main Street study when that study comes back to help develop Downtown. He said there are numerous of businesses that reach out to the City looking for a place in Freeport to be on Boulevard. He said there are a lot of great things going on in Freeport and he will continue to pursue all these opportunities and move forward from there. He thanked the EDC for helping fund the parks project and also Phillips 66. He said there would be a ribbon cutting for Stephen F Austin park with Phillips 66 scheduled.

A motion was made by Councilman Pena to invite Chief of Police of any Commissioned Officer in Executive Session. Motion died due to a lack of a second.

CLOSED SESSION:

Executive Session regarding a.) (Consultation with Attorney) Update on payroll issues pursuant to Section 551.071.

The regular session closed at 7:33P.M. and Council entered into the Executive Session.

COUNCIL BUSINESS – REGULAR SESSION:

Take any action resulting from Executive Session.

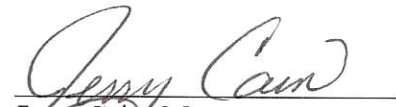
Executive Session ended at 7:43P.M. and Council entered back into regular session.

There was no action from Executive Session.

ADJOURNMENT:

Adjourn

A motion was made by Councilman Pena to adjourn the meeting, seconded by Councilman Davis with all present and voting "Aye" 5-0. Mayor Cain adjourned the meeting at 7:43P.M.


Jerry Cain, Mayor


Clarisa Molina, City Secretary