

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, September 11, 2023 at 6:00 PM at the Freeport, Police Department, Municipal Court Room, 430 North Brazosport Boulevard Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Brooks Bass
Councilman Jeff Pena
Councilman Jerry Cain
Councilman George Matamoros
Councilman Winston Rossow

Staff: Tim Kelty, City Manager
Lance Petty, Assistant City Manager/PWD
John Hightower, Interim City Attorney
Clarisa Molina, Assistant City Secretary/Administrative Assistant
Cathy Ezell, Finance Director
Toby Cohen, IT Manager
Chris Motley, Fire Chief
Brian Dybala, Golf Course Director
Jennifer Howell, Police Chief
Robert Johnson, EDC Director

Visitors:	Yesenia Gonzales	Hector Montoya
	Ana R.	Braudenese Wilson
	Gina Adams	Leo Salazar
	Kenneth Hayes	Caselda Aquines
	Jason Hayes	Michelle Backman
	Carlos Arana	Thaddeus Backman
	Sarah Damian	

THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:

CALL TO ORDER:

Mayor Bass, called the meeting to order at 6:00PM.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation and Pledge was led by City Manager Tim Kelty.

CITIZENS' COMMENTS:

Gina Adams spoke on behalf of local businesses. She said she has been receiving many complaints from

businesses saying the city has not been welcoming to those businesses. She said the business expo is coming up and would like to work with the city to have a session for the businesses.

Caselda Aquines is the owner of la Caza Azul at 307 South Gulf Blvd. She said they thrive on music and understand that loud music has to have a limit, and if a neighbor goes to their business and ask them to lower the music they will. She said her intention is not to harm the city in any way. She said a CO was verbally given to her but she has not received it. She said no one could prove to her why she had to replat her property. She said she is a small business and does not have the capital. She said everyone should be given the same rules. She spoke of her issue with cops harassing and driving around the business within ten minutes.

Sarah Damian spoke of the impact businesses have had on the city. She said she was at Caza Azul this weekend and noticed at least three police vehicles drove by within the forty-five minutes. . She spoke to the food truck that was at the business and was told it was a lengthy process to get their permit to be able to come to Freeport. She said it is embarrassing to see businesses come and go from Freeport. She said she loves her city and great people that come to frequent the city. She said does not believe people will keep coming to the city. She said she encourages the city to have an open discussion regarding small businesses.

Jason Hayes, owner of Outriggers, expressed his concerns about the sign ordinance and said he would like this ordinance to be back on the agenda for possible revisions. He expressed his concerns about the noise ordinance and would like this to be placed on the agenda also. He said something has to be done that will work best for the businesses but also for the city and residents.

Michelle Backman said she was there to represent the City of Freeport but also the small businesses. She said she remembers everyone wanted to come to Freeport and now everyone wants to stay away. She said something must be done with Building Official Kacey Roman. She said the businesses are trying to do positive things for the community. She said council is in position to make changes. She said she loves her city but does not like the way it is being treated. She asked the council to stop harassing small businesses.

Carlos Arana said he is the manager at La Caza Azul and spoke of his concerns of food trucks not wanting to come to Freeport. He said they are trying to bring businesses to Freeport but it is not being allowed. He said all he is asking for is support.

Leo Salazar owner of La Caza Azul said he thought once opening the business it would be the best ever, until they started receiving complaints of loud music. He spoke of his concerns about police officers scaring customers away from his business by driving around the property. He said they had talked to food trucks who were not being able to get inspections or an inspection taking too long to receive. He said food trucks have no issues in coming to other cities like Clute and Lake Jackson, just in Freeport. He said he drove around Freeport and businesses do not have enclosed dumpsters like they were asked to have. He said the hardest thing to do was opening his business.

COUNCIL BUSINESS – REGULAR SESSION:

Public Hearing: Public Hearing Regarding FY 2023-2024 Proposed Budget.

Mayor Bass opened the public hearing at 6:26PM.

Finance Director Cathy Ezell said all changes have been made that were presented at the last meeting. She said the originally proposed budget changes included, increasing revenues by \$374,300, discussed expenditures were cut by \$267,519 and other discussed expenditures were increased by \$128,850, with a net decrease in expenditures to the General Fund of \$138,668. She said the Hotel Occupancy Tax fund increased by \$70,000, Court Security increased by \$36,960, Debt service increased by \$9,729. The Water/Sewer fund increased by

\$2,800, Project Fund increased by \$300,000 and City-EDC Project fund expenditures increased by \$85,000. Ms. Ezell said the Freeport Economic Development budget is included and will also be approved when council approves the budget. She said a Utilities Operation Manager was also added to the Water/Sewer fund. She said this is a position that will monitor the Veolia contract and shadow Veolia. She said Veolia was issued a letter that their contract would not be renewed. Ms. Ezell said the changes discussed help meet the reserve and still allow a little over a million dollars to be available over and above the ninety-day reserve required in the general fund.

City Manager Tim Kelty said the budget is based on the .533 tax rate.

Mayor Bass asked Finance Director Cathy Ezell what amount has to be carried per ordinance? Ms. Ezell replied and said \$4,444,839. Mayor Bass asked what amount will be in reserve over and above that required amount? Ms. Ezell said \$1,001,820.

City Manager Tim Kelty read an email sent to him from Cathy Cox expressing her concerns about the kitchen behind the pavilion and down the stairs from Riverplace. Mr. Kelty said she is in favor of getting the kitchen renovated.

Councilman Cain said the kitchen renovation can possibly be discussed in the future with an amendment if necessary.

Mayor Bass closed the public hearing at 6:33PM.

Consideration and possible action of approving Ordinance No. 2023-2705 Adopting the FY2023-2024 Budget.

Finance Director Cathy Ezell said this ordinance if adopted will establish the budget and staff recommends approving this ordinance.

A motion was made by Mayor Bass to approve Ordinance No. 2023-2705 Adopting the FY 2023-2024 Budget, seconded by Councilman Matamoros with discussion that followed.

Councilman Pena said sales tax will not be generated if nothing is done about Code Enforcement and allowing the community to be pro business. Mr. Pena said not only dialing in on the ordinances but how money is being spent. He said when he looks at the expenditures, 25% of them are salaries, 20% are benefits and 33% that takes up the budget. He asked are we getting what we are paying for? Councilman Pena said this is why he keeps asking for cuts. He said he will make a deal with council if safer roads, money goes to the beaches and on the waterwaste, cut and sunset the museum in two years, sunset the recreation center in two years and sunset the golf course in four years. He said if the budget is cut by 25% starting with staffing and no bonuses for anybody making over \$100,000 he said if these changes are made to the budget he will resign from his council seat.

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

Consideration and possible action of approving Ordinance No. 2023-2706 Establishing a Tax Rate for the 2023 Tax Year.

Finance Director Cathy Ezell presented to council Ordinance 2023-2706 Establishing a Tax Rate for the 2023 Tax Year. She said the proposed tax rate was \$0.533. She said this is a decrease from the tax rate of \$0.60 from the previous year. Because market values went up, it must state that it is an increase in taxes. She said this rate will cover the budget that has been approved.

Mayor Bass made a Motion to adopt the Maintenance and Operations tax rate of \$0.468339 per \$100 valuation, which will raise more taxes for maintenance and operations than last year, Seconded by Councilman Matamoros with discussion that followed.

Councilman Pena said this tax rate is a bait and switch. He said he thinks good tax rates make for good communities. He said if taxes are being raised he hopes the City is kind to the businesses and residents that are trying to help build Freeport. He said he is not interested in raising the taxes and hopes there is a change on the motion.

Mayor Bass said the tax rate of \$0.468339 is down from last year, which had a total tax rate of \$0.60. He said this is a decrease from the tax rate.

City Manager Tim Kelty said the Governor and State Legislature have limited Cities' ability to raise property tax rates to 3%, and if in fact in the future we loose the ability to collect the Industrial District Revenue, we would be short-sited in cutting the rate further.

Councilman Pena said he stands against the tax increase.

Sarah Damian spoke on the TV screens not being on. She asked council to utilize the two screens if the budget was being discussed. She said to have materials accessible to the public so they can be a part of the budget conversation.

Mayor Bass called for a voice vote on the motion. Councilman Pena, "Nay", Councilman Cain, "Aye", Councilman Matamoros "Aye", Councilman Rossow, "Aye", Mayor Bass "Aye". Motion passed with a 4-1 vote.

Mayor Bass made a motion to adopt the Debt Service tax rate of \$0.064661 per \$100 valuation. Seconded by Councilman Cain with discussion that followed.

Mayor Bass Called for voice vote on the motion. Councilman Pena, "Nay", Councilman Cain, "Aye", Councilman Matamoros "Aye", Councilman Rossow, "Aye", Mayor Bass "Aye". Motion passed with a 4-1 vote.

Ratification of Increased Property Tax Revenues Reflected in the Fiscal Year 2023-2024 Adopted Budget.

Finance Director Cathy Ezell presented to the council for ratification of Increased Property Tax Revenues Reflected in the Fiscal Year 2023-2024 Adopted Budget.

A motion made by Mayor Bass to ratify the Increased Property Tax Revenues Reflected in the Fiscal Year 2023-2024 Adopted Budget. Seconded by Councilman Matamoros, with discussion that followed.

Councilman Pena said cuts can be made so the budget is not exceeding or require tax increases.

Mayor Bass called for a voice vote on the motion. Councilman Pena, "Nay", Councilman Cain, "Aye", Councilman Matamoros "Aye", Councilman Rossow, "Aye", Mayor Bass "Aye". Motion passed with a 4-1 vote.

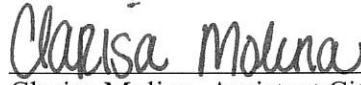
ADJOURNMENT:

Adjourn

A motion was made by Councilman Cain to adjourn the meeting, seconded by Councilman Matamoros with all present voting "Aye" 5-0, Mayor Bass adjourned the meeting at 6:50PM.



Brooks Bass, Mayor



Clarisa Molina, Assistant City Secretary