



**AGENDA  
REGULAR MEETING  
FREEPORT CITY COUNCIL  
MONDAY, OCTOBER 16, 2023 AT 6:00 PM**

**Mayor:**

Brooks Bass

**Council Members:**

Jeff Pena

Jerry Cain

George Matamoros

Winston Rossow

**City Manager:**

Timothy Kelty

**THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON MONDAY, OCTOBER 16, 2023 AT 6:00 PM, AT THE FREEPORT, POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD FREEPORT TEXAS**

**This meeting will be live streamed via YouTube Live and may be accessed on the City of Freeport Facebook page: <https://www.facebook.com/freeporttexas> or by visiting <https://www.youtube.com/@cityoffreeporttx8375/streams>**

**THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:**

**CALL TO ORDER:** The Mayor will call the meeting to order, declare a quorum if present, and declare notices legally posted pursuant to Open Meetings Act.

**INVOCATION AND PLEDGE OF ALLEGIANCE:** (Council Member)

**CITIZENS' COMMENTS:**

Members of the public are allowed to address the City Council at this time, and must include name and address. Note, specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open meetings Act unless said notice appears herein. The public is reminded that there is a (4) minute time limit as approved by City Council on June 21, 2010.

**PRESENTATIONS/ANNOUNCEMENTS:** Announcements by Mayor, City Council and/or Staff.

1. Presentation for Employee of the Month, for the month of September 2023. **(Tim Kelty)**
2. Proclamation recognizing October 21st 2023, as Wildcat Social Club Day **(Tim Kelty)**

#### **CONSENT AGENDA:**

Consent Agenda items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.

3. Consideration and possible action on the approval of City Council Meeting Minutes, from October 2, 2023. **(Betty Wells)**
4. Consideration and possible action approving the interlocal agreement with Brazoria County to continue the professional services of LJA Engineering for the regional stormwater management program and permit applications as part of the Brazoria County Stormwater Coalition. **(Laura Cramer)**

#### **COUNCIL BUSINESS – REGULAR SESSION:**

5. Consideration and possible action amending Ordinance No.1734 in regards to Reserve Officers. **(Jennifer Howell)**
6. Consideration and possible action approving the Fiscal Year 2023/2024 Brazoria County Interlocal Road Project. **(Lance Petty)**
7. Consideration and possible action to approve the proposal from CRG Texas for the removal of the existing underground fuel tanks at the Service Center. **(Lance Petty)**
8. Consideration and possible action approving Resolution No. 2023-2821 for EDC Budget Amendment #2 for Fiscal Year 2023. **(Cathy Ezell, Robert Johnson)**
9. Consideration and possible action approving Ordinance No. 2023-2711 for Budget Amendment #2 for Fiscal Year 2023. **(Cathy Ezell)**
10. Consideration and possible approving Resolution No. 2023-2820 amending the policy regarding public comments during a City Council meeting. **(Tim Kelty)**
11. Consideration and possible action granting a 4.7 acre drainage easement to the Velasco Drainage District, along the levee from behind the Pocket Park on Avenue A to Riverside Park. **(Tim Kelty)**
12. Consideration and possible action authorizing the City Manager to carry over unused vacation. **(Mayor Brooks Bass)**
13. Consideration and possible action amending the Zoning Ordinance allowing for and regulating the use of portable storage containers. **(Kacey Roman)**

14. Discussion and possible action to award a bid to the apparent low bidder for WWTP.  
**(Lance Petty, Cathy Ezell)**
15. Consideration and possible action for a budget amendment to perform repairs needed at the Freeport Municipal Park Kitchen. **(Jerry Cain, George Matamoros)**

**WORK SESSION:**

16. The City Council may deliberate and make inquiry into any item specifically listed as a Subsection under the itemized Sections A-H 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.
  - A. Mayor Brooks Bass announcements and comments.
  - B. Councilman Pena Ward A announcements and comments.
  - C. Councilman Cain Ward B announcements and comments.
  - D. Councilman Matamoros Ward C announcements and comments.
    1. HOT
    2. Starbucks Agreement with EDC.
  - E. Councilman Rossow Ward D announcements and comments.
  - F. City Manager Tim Kelty announcements and comments.
    1. City Hall Renovation update.
  - G. Updates on current infrastructure.
  - H. Update on reports / concerns from Department heads.

**CLOSED SESSION:**

17. Executive Session regarding a.) Consultation with City attorney (Pending Litigation) Music v. City of Freeport, et al., Washington v. City of Freeport et al., City of Freeport v. Shri Maa, LLC d/b/a Motel 6, and Duncan V. City of Freeport; b.) personnel matters regarding complaints filed against Councilman Jeff Pena, in accordance with the Texas Government Code Annotated, Chapter 551, Sections 551.071 and 551.074.

**COUNCIL BUSINESS – REGULAR SESSION:**

18. Take any action resulting from Executive Session.

**ADJOURNMENT:**

19. Adjourn

Items not necessarily discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

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ACCESSIBILITY STATEMENT This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (979) 233-3526.

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CERTIFICATE I certify the foregoing notice was posted in the official glass case at the rear door of the City Hall, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, before 6:00 p.m. in accordance with Open Meetings Act.



Betty Wells,  
City Secretary, City of Freeport, Texas

