

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, August 17, 2020 at 6:00 p.m. 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 Jerry Cain  
Councilman Ken Green  
Councilwoman Sandra Loeza  
Councilman Roy E. Yates

Staff: Tim Kelty, City Manager  
Stephanie Russell, Assistant City Manager  
Betty Wells, City Secretary  
Laura Tolar, Assistant City Secretary/ Special Projects Coordinator  
Chris Duncan, City Attorney  
Brenda Miller-Ferguson, Human Resource Director Via teleconference  
Chris Motley, Freeport Fire Chief  
Clarisa Molina, Administrator Assistant Via teleconference

Visitors:

Dencel Woodley	Edmeryl Williams
Tommy Pearson	Desiree Pearson
Manning Rollerson	Kenny Hayes
Ruben Renobato	David McGinty
Melanie Oldham	Norma Garcia
Jerry Meeks	Janice Goodrum
Angie Williams	Cindy Cain

Visitors, Via Teleconference:

Jessie Parker	Vander Williams
Robert Koole	Amanda
Pamela Tilley	John Hoss

**Call to order.**

Mayor Bass called the meeting to order at 6:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Invocation and the Pledge was led by Mayor Brooks Bass.

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

Presentation of Proclamation for Carlos Alberto Martinez, Sr.

Mayor Brooks Bass presented the Proclamation to the family of Carlos Alberto Martinez, Sr.

Presentation of the collection of delinquent taxes and court fine and fees from Mike Darlow with Perdue, Brandon, Fielder, Collins & Mott, LLP.

Mike Darlow with Perdue, Brandon, Fielder, Collins & Mott, LLP, presented to Council the collection of delinquent taxes and court fine and fees. He said that the report amount that was presented is actually lower, there were two properties that were paid. Mayor Bass said that he can see the increase of money that is coming in since 2017. Councilwoman Loeza asked how long it takes before the Court Fine and Fees go on the credit report? Mr. Darlow said that it will never be reported on credit.

Emergency management briefing COVID-19. (Motley/Garivey)

Freeport Fire Chief, Chris Motley said that all of Freeport Staff has recovered. He said that there are zero reported cases for the City of Freeport employees at this time. He said that they treat all patients as if they are positive with the COVID-19, he said that they are in complete PPE. Chief Motley said that there are steady supplies from the State, and the department has donated a case of masks to BISD. He said to remember to wash hands with soap and water, use hand sanitizer, practice social distancing. He also reminded us that we are in hurricane season.

**Citizen's Comments**

Janice Goodrum spoke to council about her corporation taking over the Taxicab Service. She is wanting to know how to get her rates lowered. She asked if this is something that will have to go before council. Mayor Bass told her that council is not suppose to reply to the comments, but she may speak with City Manager Tim Kelty, to get this placed on the agenda.

Manning Rollerson spoke to council about the property at 301 East Broad Street. He said this is the building that was in the paper. He said that he went to Court to get his church back. He said that religious freedom is given to us by the Constitution. Mr. Rollerson said that he better not hear the mention of God again in a meeting, until his church has the rights of religious freedom.

Desiree Pearson spoke to council on her concerns of citizens talking down on other individuals that are not in attendance of meetings. She said that she remembers in past meetings this was not allowed. Mayor Bass said that this is a public forum and people are allowed to speak. Mayor Bass said that he will shut down personal attacks if he hears them. Ms. Pearson spoke of the last council meeting where Troy Brimage was verbally attacked by Mr. Rollerson, she said that she did not understand why it was not stopped because the statements are not true. She said that she did not think this was allowed. Mayor Bass said if he hears he will speak up and shut them down.

Dencel Woodley spoke to council of his concerns of the East End of Freeport. He said that the City needs to hire an Eminent Domain attorney. He said that he has emailed Council, City Manager, and the Mayor a letter with his concerns. He said that the offers received by the Port will not allow owners to purchase property with what they own now, being on the River, and a City Park.

Mayor Bass said that Mr. Dencel Woodley teaches at Freeport School. He said that Mr. Woodley grew up and graduated from Freeport.

Ray Cantu spoke to Council about his concerns of his personal property at Roc's Kitchen. He said that he was told that he cannot remove two pieces of equipment. Mr. Cantu said that this was an eviction not that Roc's Kitchen just left Freeport. The items are a vent hood and a fire suppression system that his son paid a lot of money to have put in last year. Mr. Cantu said that we want to serve Freeport, and he hopes that council will consider allowing them to get their personal belongings from the building.

Mayor Bass asked if the property is 212 East Park Ave? Mr. Cantu said yes.

Mr. Cantu said that he will offer the equipment to the city for a fair price, or please allow them to remove the property.

## **CONSENT AGENDA**

Consideration and possible action on the approval of City Council meeting minutes from August 3, 2020 and August 10, 2020.

Consider changing the date of the first meeting in September due to the Labor Day holiday, to Tuesday, September 8, 2020.

On a motion by Councilman Yates, seconded by Councilman Green, with all present voting "Aye" 5-0 Council unanimously approved the Consent Agenda.

## **REGULAR SESSION**

Consideration and possible action on approving Ordinance No. 2020-2605 on the new Water/Sewer Rate.

Assistant City Manager Stephanie Russell presented to council Ordinance No. 2020-2605 on the new Water/Sewer Rate. She said that staff had presented to council the rate study done in April 2020, this was done by Freese and Nichols and they recommended a sixteen percent increase. She said that the increase that was done in July 2019 was a ten percent increase. She said that staff was asked to check into senior citizens discount, and she said that this something that can be done. She also said that staff is proposing a twelve percent increase at this time instead of the sixteen percent, and will need to seek a larger increase next year as a result.

Mayor Bass asked the dollar value on each individual household with the sixteen percent increase. Ms. Russell said that it would be \$7.53 per month. She said with the current proposal it is \$5.62 per month. Mayor Bass said this is usage up to 5000 gallons. Ms. Russell said yes.

Councilwoman Loeza asked if the Senior Citizens have to apply for the discount. Ms. Russell said yes.

Councilman Green asked if the revenues that the water and sewer produce if it pays the city's bills. Ms. Russell said that this fund was in the negative, and with the original rate increase it would make it to where the fund can carry itself. She said that with the new rate increase being presented it will bring us into the black, but the reserve will not be as big with the twelve percent increase. She said that this will need to be made up in the future.

Mayor Bass asked about a ten percent increase. He said that our goal was to build the reserve. He asked about the loans and bonds to fix the waste water treatment plan. City Manager Tim Kelty said that the rate being proposed, does support the engineering projects that are being proposed to this point. He said that a lot are being funded through a low interest loan, and without the rate increase, we would not be

able to do those improvement projects. He said that the fund was almost bankrupt last year. This is why we did the rate study.

Mayor Bass asked if the improvements for the I & I, the lift station and wastewater treatment plant, will this save the city money. City Manager Tim Kelty said yes. Mayor Bass asked if there are any other funding options for the sewer problems. Mr. Kelty said yes, in addition the city is seeking grant funding for part of the improvements.

Mayor Bass asked Jerry Meeks with Veolia, if the city is able to fix ninety percent of the I & I, what will that do for our wastewater treatment facility. Will that help to improve it? Mr. Meeks said yes. He said that the more we can take care of, the more wastewater we can push into the plant. Mr. Meeks said that the clarifier is down. Mayor Bass asked if TCEQ has been involved? Mr. Meeks said that they come around every two years.

Councilwoman Loeza asked if the recommendation is for twelve percent this year, and nine percent for next year. Ms. Russell said that staff will have to come back next year for the nine percent.

Melanie Oldham said that she appreciates the negotiation for the twelve percent, but she does not feel this is the time for a rate increase. She thanked council for the senior citizen discount. She asked that council defer this rate increase at this time. She suggested an 8.3 percent increase over the next three years.

Ruben Renobato spoke to council he said that the City of Freeport is one of the lowest in our area for water rates. He gave a comparison of other cities. He said even with this rate increase, City of Freeport will still have the second lowest rates. He said that the city has to start paying back the shortage, and he commends city management on the hard work. And he wants council to know that he supports this rate increase.

Mayor Brooks Bass said that Ed Garcia called and left a message that he does not support this rate increase.

Mayor Bass asked if we can wait another year on the rate increase? Mr. Kelty said that waiting will not be good. He said cost goes up. He said that the rates don't go into effect right away. We must give notice.

Councilman Yates said that this is a tough situation, but he said that we must do something. He said that there are not enough tax payers, we need more businesses and new homes.

Jeff Pena said that he has mixed opinions on the increase. He said that we need to take into consideration the COVID-19 and the loss of jobs. He also said that the city needs to hold off on raises to city employees. And to do a smaller increase.

City Manager Tim Kelty said that we need to remember that reducing the increase from 16 to 12 percent will cost \$75,000.00 in lost revenue this year. Every year we delay that loss grows. He said that staff recommends this, he said that there is a lot of work that must be done.

Mayor Bass said that his goal is to focus on the wastewater treatment plant. He commends staff for listening to the people. Mayor Bass said that he no longer wants to accept his monthly salary as Mayor from the city. He said to donate this to the water/sewer fund. He said hopefully this will help the citizens of Freeport in some way.

On a motion by Councilwoman Loeza, seconded by Councilman Cain, with all present voting “Aye” 5-0 Council unanimously approved Ordinance No. 2020-2605 on the new Water/Sewer Rate.

Record for receipt the certified values from the Brazoria County Tax Assessor used in calculating the No-New-Revenue Tax Rate and Voter-Approval Tax Rate for the 2020 tax year.

Assistant City Manager Stephanie Russell presented to council the Record for receipt the certified values from the Brazoria County Tax Assessor used in calculating the No-New-Revenue Tax Rate and Voter-Approval Tax Rate for the 2020 tax year. Ms. Russell said that this is a housekeeping item.

On a motion by Councilwoman Loeza, seconded by Councilman Green, with all present voting “Aye” 5-0 Council unanimously approved Record for receipt the certified values from the Brazoria County Tax Assessor used in calculating the No-New-Revenue Tax Rate and Voter-Approval Tax Rate for the 2020 tax year.

Consideration of and action on setting the City of Freeport proposed 2020 tax rate, setting public hearing (if necessary), and directing staff to publish the Notice of Proposed 2020 Tax Rate.

Assistant City Manager Stephanie Russell presented to council Consideration of and action on setting the City of Freeport proposed 2020 tax rate, setting public hearing (if necessary), and directing staff to publish the Notice of Proposed 2020 Tax Rate. She said that staff is proposing the No New Revenue Tax Rate. She said that this will still generate the revenue that will be needed for the new budget.

Mayor Bass asked what is the equivalency of the NNR tax, he asked what was it called before? Ms. Russell said it was the Effective Tax Rate. Mayor Bass asked you are proposing the No New Revenue Tax Rate? Ms. Russell said this is correct.

Councilwoman Loeza asked if this was discussed at the last meeting? Ms. Russell said that she does recommend the NNR tax rate. Mayor Bass said that this is two percent lower than what we adopted last year. Ms. Russell said yes, but it still gives us sufficient funds for our General Fund.

City Manager Tim Kelty said that this is not the final setting of the tax rate. This sets the maximum the city can consider. The actual rate will be set by ordinance next month.

Mayor Bass asked if this will fund the budget that we are looking at? Ms. Russell said that this is correct.

On a motion by Councilwoman Loeza, seconded by Councilman Cain, with all present voting “Aye” 5-0 Council unanimously approved consideration of and action on setting the City of Freeport proposed 2020 tax rate, setting public hearing (if necessary), and directing staff to publish the Notice of Proposed 2020 Tax Rate.

Record vote: Loeza, Approve. Yates, Approve. Brooks, Approve. Green, Approve. Cain, Approve.

Consideration and possible action regarding proposal for balancing HVAC at City Hall.

This item was tabled by Mayor Bass.

**WORK SESSION:**

Councilman Green thanked the Public Works department for the work that has been done on the end of Broad Street.

Councilman Cain asked if have a status on the house that burned on 10<sup>th</sup> and Velasco? Mr. Kelty said that he will get the information from Billy Shoemaker. Councilman Cain also said that he would like someone to take care of the junk cars, he said that this is an eyesore. Mayor Bass asked how many people are employed in the Code Department? City Manager Tim Kelty said there are a total of six in the Building/Code Department. Mr. Cain said that we need to reach out to the people and let them know that this is a violation.

Councilwoman Loeza said that she spoke to Ms. Ramirez, she said that she is in the works of getting a home built. She said that she is being told she has to have the house built two feet from the ground. Mr. Kelty said that this has been resolved. Ms. Loeza asked what the problem is with the new houses being built on Ave M? Mr. Kelty said that they have been red tagged because they failed to build the road he said that this should start back up, and the tags removed. Ms. Loeza said that the Arlan's parking lot lights have been repaired.

Councilman Yates said that on Karankawa Street there is an unsafe structure. He said that this needs to be roped off, he said that this is unsafe. He said it is a big mess and it needs attention. Mr. Yates thanked Mr. Renobato for his comment on the junk vehicles.

Mayor Bass said that over the last two weeks COVID-19 results have gone down, but it is still active. Talk to kids that are returning to school about staying safe, wash hands. He also wants to compliment the staff on the work being done around the city.

City Manager Tim Kelty said that the Mayor did sign a new mask order effective through the end of September. He complimented Chief Motley on the Hurricane Preparedness Meeting he put together, he said it was very informative.

#### Update on reports / concerns from Department heads

There was no comment from Department heads.

Open session was closed at 7:37 pm and Council entered into Executive Session.

#### **CLOSED SESSION:**

Executive Session regarding a.) (Potential Litigation) consultation with city attorney b.) (Deliberations about Real Property), 212 East Park Ave in accordance with Government Code Annotated, Chapter 551, Sections 551.071, 551.074.

#### **REGULAR SESSION**

Mayor Brooks Bass reconvened regular session at 8:18 P.M.

#### Consideration and possible action on the sale or transfer of property located at 212 East Park Avenue.

On a motion by Councilwoman Loeza seconded by Councilman Green, with all present voting "Aye"

5-0 Council unanimously approved authorizing the City Manager to allow the removal of the vent hood, and the fire suppression system from the property at 212 East Park Ave.

On a motion by Councilwoman Loeza seconded by Councilman Cain, with all present voting “Aye” 5-0 Council unanimously approved authorizing the transfer of the property located at 212 East Park Ave to EDC Board for sale for development with claw backs provisions for failure to comply with terms of development.

Adjourn

On a motion by Councilwoman Loeza, seconded by Councilman Yates, with all present voting “Aye”, Mayor Pro Tem, Sandra Loeza adjourned the meeting at 8:19 PM.

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Mayor, Brooks Bass  
City of Freeport, Texas

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City Secretary, Betty Wells  
City of Freeport, Texas