

NOTICE OF PUBLIC HEARING
THE FREEPORT CITY COUNCIL
MONDAY , MAY 19TH, 2014, 6:00 P.M.
FREEPORT MUNICIPAL COURT ROOM
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.
FREEPORT, TEXAS
AGENDA
FORMAL SESSION

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of approving the May 5, 2014 Council Minutes. Pg. 586-591
5. Attending citizens and their business.
6. Consideration of approving Ordinance No. 2014-2065 canvassing the returns and declaring the results of the 2014 General Annual Election. Pg. 592-594
7. Consideration of approving Ordinance No. 2014-2066 canvassing the returns and declaring the results of the 2014 Charter Review Election. Pg. 595-598
8. Consideration of approving Ordinance No. 2014-2067 canvassing the returns and declaring the results of an election held in and throughout said city on the second Saturday in May 2014, being the 10th day of May 2014, on the question of approving or disapproving the proposed consolidation of Riverside Park with Stephen F. Austin Park and the sale of that portion of Riverside Park located north of a westerly extension of the public street shown on the plat of said Townsite as Ave C to finance the development at such consolidated park as modern sports complex. Pg. 599-603
9. Administer Oath of Office to duly elect Larry McDonald for Councilman Ward A and the re-election of Councilwoman Sandra Loeza for Ward C. Pg. 604
10. Recognition to Michelle Kent for service as city councilwoman to the City of Freeport 2010 -2014.
11. The Selection of the Mayor Pro Tem. Pg.605
12. Consideration of approving June 16th, 2014 for a Joint Public Hearing with the Planning Commission to consider a Specific Use Permit to build a new church on portion of the property legally described as Velasco Heights, A0049 A. Calvit Division 14 BCIC, Freeport Lots 2-8 Annex, Acres 1.084. Pg. 606-609

13. Consideration of approving an Earnest Money Contract and a Development Agreement to finalize the Skymark Development Company, Inc., proposal as awarded on Nov. 18, 2013 to facilitate development initiation.

14. Consideration of approving any action to be taken as a result of closed Executive Session.

Work Session:

A. Regarding Sanitary Sewer Initiative Plan submittal with Veolia Water.
Pg. 610-630

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matters in which his duty to the City Council under the Texas Disciplinary Rules of professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Skymark Development Company, Inc.- 380 Agreement

Adjourn

Items not necessary 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).

In compliance with the Americans with Disabilities Act, the City of Freeport will provide for reasonable accommodations for persons attending City Council Meetings. Request should be received 48 hours prior to the meeting. Please contact the City Secretary office at 979-233-3526.

I, Delia Munoz City Secretary for the City of Freeport, Texas certify that this agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, May16,2014, 2014 at or before 5:00 p.m.

Delia Munoz - City Secretary
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council met on May 5, 2014 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 Norma M. Garcia
Councilwoman Michelle Kent
Councilman Fred Bolton
Councilwoman Sandra Loeza
Councilwoman Sandra Barbree

Staff:

Jeff Pynes, City Manager
Gilbert Arispe, Asst. City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Bob Welch, Finance Director
Nat Hickey, Property Manager
Brian Davis, Fire Chief
Dan Pennington, Police Chief
Larry Fansher, Parks Director
Kola Olayiwola, Building Inspector

Visitors:

Annette Sanford	Manuel Bustos
Nicole Mireles	Mobey Burrige
Evelyn Burrige	Lila Lloyd
Melanie Oldham	Shannon Daughtry
Kenny Kouches	Jerry Meeks
Glenda Fansher	

Call to order.

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

Invocation.

Mr. Wallace Shaw offered the invocation.

Pledge of Allegiance.

Brenda Laird led the Pledge of Allegiance.

Consideration of approving the April 7, 2014 Council Minutes.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved the April 7, 2014 Minutes.

Attending citizens and their business.

There were none.

Consideration of approving Ordinance No. 2014-2063 declaring it to be a nuisance for and amending Section 91.08 of the Code of Ordinances of said City to provide that the owner or agent, tenant or lessee of any premises in the City shall be responsible for maintaining the Front, Back and Side Yards of such premises, including sidewalks, grass strips and one-half of any alley or unpaved right-of-way adjoining such premises, free and clear of accumulations of grass cutting, yard refuse or clippings and other trash. Garbage or litter of any kind, and providing that no person shall sweep into or deposit the same upon or in any street, alley, drainage structure or ditch within the City.

On a motion by Councilman Bolton, seconded by Councilwoman Kent, with all present voting "Aye", Council unanimously approved Ordinance No. 2014-2063 declaring it to be a nuisance for and amending Section 91.08 of the Code of Ordinances of said City to provide that the owner or agent, tenant or lessee of any premises in the City shall be responsible for maintaining the Front, Back and Side Yards of such premises, including sidewalks, grass strips and one-half of any alley or unpaved right-of-way adjoining such premises, free and clear of accumulations of grass cutting, yard refuse or clippings and other trash. Garbage or litter of any kind, and providing that no person shall sweep into or deposit the same upon or in any street, alley, drainage structure or ditch within the City.

Consideration of approving the bids, awarding the mowing contract, and authorizing the Mayor to sign and City Secretary to attest a contract with the successful bidder for the Building Department.

On a motion by Councilman Bolton, seconded by Councilwoman Kent, with all present voting "Aye", Council unanimously approved and awarded the mowing contract to Bustos Lawn Service, P.O. Box 2316, Freeport Texas.

Consideration of approving the bids, awarding the Mowing, Grounds Care, and Flowerbed Maintenance contract, and authorizing the Mayor to sign and City Secretary to attest a contract with the successful bidder for the Parks Department.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved and awarded the Mowing, Grounds Care and Flowerbed Maintenance Contract to Maldonado Nursery & Landscape Inc., 1707 Ojeman, Houston Texas.

Consideration of approving and authorizing the City Manager to sign a lease purchase with Tyler Technologies to purchase two kiosks for the City of Freeport.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved and authorized the City Manager to sign a lease purchase with Tyler Technologies to purchase two kiosks for the City of Freeport.

Consideration of selling the City's interest on Block 64, Lot 21, Velasco Townsite, known as 307 S. Ave. H, Tx. Id. 8110-0635-000.

On a motion by Councilman Bolton, seconded by Councilwoman Kent, with all present voting "Aye", Council unanimously approved selling the City's interest on Block 64, Lot 21, Velasco Townsite, known as 307 S. Ave. H, Tx. Id. 8110-0635-000.

Consideration of selling the City's interest on Block 116, Lot 15, Freeport Townsite, known as 1026 W. 4th Street, Tx. Id. 4200-1163-000.

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved selling the City's interest on Block 116, Lot 15, Freeport Townsite, known as 1026 W. 4th Street, Tx. Id. 4200-1163-000.

Consideration of selling the City's interest on Block 746, Lot 5 & 6, Velasco Townsite, known as 1414-1416 North Ave P, Tx. Id 8110-3440-000.

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting "Nay", Council unanimously declined to sell the City's interest on Block 746, Lot 5 & 6, Velasco Townsite, known as 1414-1416 North Ave P, Tx. Id 8110-3440-000.

Consideration of selling the City's interest on Block 777, Lot 24, Velasco Townsite, known as 1623 North Ave. P, Tx. Id. 8110-3852-000.

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting "Nay", Council unanimously declined to sell the City's interest on Block 777, Lot 24, Velasco Townsite, known as 1623 North Ave. P, Tx. Id. 8110-3852-000.

Consideration of authorizing the Mayor to sign and acknowledge and the City Secretary attest a deed from the Velasco Drainage District conveying the land between the Velasco Townsite and the left descending bank of the Old Brazos River, beginning at the point where a projection of the easterly boundary line of Front Street intersects the left descending bank of the Old Brazos River and then proceeding in an easterly direction to the point where the left descending bank of the Old Brazos River intersects a southerly projection of the common boundary of Lots 10 and 11 of Block 20 of said townsite.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved authorizing the Mayor to sign and acknowledge and the City Secretary attest a deed from the Velasco Drainage District conveying the land between the Velasco Townsite and the left descending bank of the Old Brazos River, beginning at the point where a projection of the easterly boundary line of Front Street intersects the left

descending bank of the Old Brazos River and then proceeding in an easterly direction to the point where the left descending bank of the Old Brazos River intersects a southerly projection of the common boundary of Lots 10 and 11 of Block 20 of said townsite.

Consideration of approving Resolution No. 2014-2439 authorizing the Mayor to sign and acknowledge and the City Secretary to attest a deed from the City of Freeport to Braztex Development, LLC, conveying the portion of the land between Bridgepoint Subdivision and the left descending bank of the Old Brazos River, beginning at the point where a southerly projection of the westerly boundary line of Lot 1 of said subdivision intersects the left descending bank of the Old Brazos River and continuing in an easterly direction to the point where the left descending bank of the Old Brazos River intersects a southerly projection of the easterly boundary line of Lot 16 of said subdivision.

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with all present voting "Aye", Council unanimously approved Resolution No. 2014-2439 authorizing the Mayor to sign and acknowledge and the City Secretary to attest a deed from the City of Freeport to Braztex Development, LLC, conveying the portion of the land between Bridgepoint Subdivision and the left descending bank of the Old Brazos River, beginning at the point where a southerly projection of the westerly boundary line of Lot 1 of said subdivision intersects the left descending bank of the Old Brazos River and continuing in an easterly direction to the point where the left descending bank of the Old Brazos River intersects a southerly projection of the easterly boundary line of Lot 16 of said subdivision.

Consideration of approving any action to be taken as a result of closed Executive Session.

- Skymark Development Agreement /380 Agreement and MUD

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "Aye" Council unanimously approved the Skymark Development -Municipal Utility District – MUD only.

Work Session:

Report on the collections of delinquent taxes by Mike Darlow of Perdue, Brandon, Fielder, Collins & Mott, L.L. P.

Mike Darlow presented to Council pie charts and yearly percentage of collections.

Discussion on purchasing a downtown building and relocating City Hall.

Brenda Laird is in favor of purchasing the old bank building for use as City Hall. She commented that the City Manager has done huge efforts and has added value to the Freeport Museum and Freeport history. The Parks Department is doing a wonderful job and she has fallen in love with downtown. She has spent numerous amount of time researching at the Freeport Museum and the library is exquisite.

Nicole Mireles, 2002 North Ave. G, asked that if we purchased the old bank building would the City Hall building be put on the tax roll.

She asked if the bank building had been assessed for mold or asbestos or any other issues. She was concerned on the amount of money it would take to renovate the bank building. An installation of an elevator for the bank building and making it ADA compliance would be necessary. She asked how much money was spent in the last five years in renovations of the City Hall and Museums. She asked if something was wrong with the City Hall building. She would like Council to concentrate more on street infrastructures.

Kenny Kouches is interested in the preservation of the City and moving City Hall downtown would bring fruition to downtown.

Mr. Jeff Pynes showed a PowerPoint presentation of the old historic bank building.

Councilwoman Barbree stated that industry donated a lot of the money for the Freeport Museum. The City and children deserves the Freeport Museum. A wonderful place to go and encourages all to go and visit.

Councilwoman Kent likes the idea of City Hall relocating to downtown because it, brings more people further downtown.

Demonstration of kiosks payment system for City Hall.

John Johnson of AdComp Systems Group presented a PowerPoint presentation of the kiosks online payment system. It would provide 24 hour accessibility. The system would take cash, credit cards, debit cards & checks. Residents will be able to make payments online after hours.

Mayor closed the Formal Session and opened the Executive Session at 7:09 p.m.

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matters in which his duty to the City Council under the Texas Disciplinary Rules of professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Pending Contractual Negotiations – Industrial District Agreement for Freeport LNG.
- Consultation pending legations on Freeport Marina.
- Skymark Development Agreement 380 Agreements and MUD
(motion made on item # 16 – open session)
- Contractual negotiations regarding building purchase.

Mayor Garcia closed the Executive Session at 8:21 p.m. and reconvened the Formal Session to motion on no. 16 on the agenda.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with all present voting "Aye", Mayor Norma M. Garcia adjourned the meeting at 8:21 p.m.

Mayor Norma M. Garcia
City of Freeport, Texas

City Secretary – Delia Munoz
City of Freeport, Texas

AN ORDINANCE OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS, MAKING CERTAIN FINDINGS OF FACT REGARDING AND CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE ANNUAL ELECTION HELD IN WARDS A AND C OF SAID CITY ON THE 10TH DAY OF MAY, 2014, FOR THE PURPOSE OF ELECTING PERSONS TO COUNCIL POSITION A AND COUNCIL POSITION C ON THE CITY COUNCIL OF SAID CITY, EACH BEING ELECTED FOR A TWO (2) YEAR TERM; PROVIDING FOR RATIFICATION AND CONFIRMATION OF THE ACTION TAKEN BY THIS ORDINANCE BY THE MAYOR OF SAID CITY; AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

BE IT ORDAINED AND ORDERED, RESPECTIVELY, BY THE CITY COUNCIL AND MAYOR OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS:

SECTION ONE--Scope of Ordinance

This ordinance relates to the annual election called by Ordinance No. 2014-2059 of the City of Freeport, Brazoria County, Texas, heretofore read, passed, adopted and ratified on February 3, 2014, by the City Council and Mayor of said City ordaining and ordering, respectively, that such an election be held in Wards A and C of said City on the second Saturday in May, 2014, to-wit, the 10th day of May, 2014, for the purpose of electing to office persons to fill the offices of Council Position A and Council Position C on the City Council of said City, each person to be elected to a two (2) year term.

SECTION TWO--Findings of Fact Regarding Election

The Mayor and City Council of the City of Freeport, Texas, make the following findings of fact and conclusions of law with respect to said election, to-wit:

First, that notice of said election was given in the manner and at the time required by law.

Second, that said election was duly called and held in the manner and at the time required by law, and said Ordinance No. 2014-2059 and that only qualified voters were permitted to vote at said election.

Third, that based on the election returns of said election, which are now before the Mayor and City Council and which are found to be in due form and order and to have been regularly made as required by law, at said election a total of 135 votes were cast in the Ward A election and 152 votes were cast in Ward C election.

Fourth, that the following named candidates received the number of votes set opposite their names, to-wit:

<u>NAME</u>	<u>POSITION</u>	<u>TOTAL VOTES</u>
LARRY L. McDONALD	COUNCIL POSITION A	68
MICHELLE KENT	COUNCIL POSITION A	49
AUDREY PENA	COUNCIL POSITION A	18
NICOLASA (NICOLE) MIRELES	COUNCIL POSITION C	74
SANDRA LOEZA	COUNCIL POSITION C	78

Fifth, that the following named person received the number of write-in votes for the position set opposite her name: NONE

Sixth, Section 5.05 of the Home Rule Charter of the City of Freeport provides that election to office shall be by plurality.

SECTION THREE--Declaring the Results of Election

The Mayor and City Council of the City of Freeport, Texas, hereby declare and ordain, respectively, that LARRY L. MCDONALD and SANDRA LOEZA have been elected for a two (2) year term each to Council Position A and Council Position C on the City Council of the City of Freeport, Texas, respectively, and that, upon filing the signed statement and taking the Constitutional Oath of Office as required by Article 16, Section 1 of the Texas Constitution, each such person shall be entitled to said office for such term and until his successor shall have been duly elected and qualified according to law.

SECTION FOUR--Ratification and Confirmation by Mayor

By signing this ordinance, the undersigned Mayor of the City of Freeport, Texas, hereby ratifies and confirms as his action all matters herein above recited which by law come within his jurisdiction.

SECTION FIVE--Effective Date

This ordinance shall be effective immediately upon its passage and adoption.

READ, PASSED AND ADOPTED this _____ day of May, 2014.

Norma Moreno Garcia, Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney,
City of Freeport, Texas

C:\Freeport.Elc\2014 Election-Canvass

AN ORDINANCE OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS, MAKING CERTAIN FINDINGS OF FACT REGARDING AND CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A CHARTER AMENDMENT ELECTION HELD IN AND THROUGHOUT SAID CITY ON THE SECOND SATURDAY IN MAY, 2014, BEING THE 10TH DAY OF MAY, 2014, ON THE QUESTION OF THE ADOPTION OF THREE (3) AMENDMENTS TO THE HOME RULE CHARTER OF SAID CITY; PROVIDING FOR RATIFICATION AND CONFIRMATION OF THE ACTION TAKEN BY THIS ORDINANCE BY THE MAYOR OF SAID CITY; PROVIDING FOR THE FILING OF A CERTIFIED COPY OF THIS ORDINANCE WITH THE SECRETARY OF STATE AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

BE IT ORDAINED AND ORDERED, RESPECTIVELY, BY THE CITY COUNCIL AND MAYOR OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS:

SECTION ONE--Scope of Ordinance

This ordinance relates to the charter amendment election called by Ordinance No. 2014-2061 of the City of Freeport, Brazoria County, Texas, heretofore read, passed, adopted and ratified on March 3, 2014, by the City Council and Mayor of said City ordaining and ordering, respectively, that such an election be held in and throughout the said City on the second Saturday in May, 2014, to-wit, May 10, 2014, for the purpose of permitting the qualified electors of said City to vote for or against the adoption of three (3) amendments to the Home Rule Charter of said City.

SECTION TWO--Findings of Fact Regarding Election

The Mayor and City Council of the City of Freeport, Texas, make the following findings of fact with respect to said election:

First, that notice of said election was given in the manner and at the time required by law.

Second, that said election was duly called and held in the manner and at the time required by law, and said Ordinance No. 2014-2061, read, passed and adopted on March 3, 2014, and that only qualified voters were permitted to vote at said election.

Third, that based on the election returns of said election, which are now before the Mayor and City Council and which are found to be in due form and order and have been regularly made as required by law.

Fourth, at said election the following listed amendments received the total votes "for" and "against" set opposite the numbered amendment:

<u>AMENDMENT NO.</u>	<u>FOR</u>	<u>AGAINST</u>
AMENDMENT NO. ONE	315	95
AMENDMENT NO. TWO	369	41
AMENDMENT NO. THREE	325	82

SECTION THREE--Declaring the Results of Election

The Mayor and City Council of the City of Freeport, Texas, hereby declare, order and ordain, respectively, that the following amendments have been duly adopted and are now a part of the Home Rule Charter of the City of Freeport, Texas:

AMENDMENT NUMBER ONE

Section 3.05 Mayor Pro Tem is amended to read as follows:

At the meeting of the City Council at which the returns of the annual election are canvassed each year, the members of the City Council shall select, on a rotating basis among the Wards, a member of the City Council who has been on City Council for at least two (2) years to serve as Mayor Pro Tem until the meeting of the City Council at which the returns of the annual election for the next succeeding year have been canvassed. The Mayor Pro Tem shall perform all of the duties of the Mayor in the absence or disability of the Mayor, and shall assume the office of Mayor for the remainder of the unexpired term in the event the office of the Mayor becomes vacant. If both the Mayor and the Mayor Pro Tem are absent from any meeting of the City Council, the members present shall elect from among themselves a Temporary Mayor Pro Tem to preside at such meeting.

AMENDMENT NUMBER TWO

Section 3.15 Publication of financial statement is amended to read:

As soon as possible after the close of each quarter of the fiscal year, the City Manager shall cause a financial statement for such quarter to be prepared and made available for inspection by the public in the office of the City Secretary and maintain such report on the City's website for the next succeeding quarter

of the fiscal year.

AMENDMENT NUMBER THREE

A new Subsection (d), which shall read as follows, is added to Section

4.01 City Manager:

■(d) Within six (6) months of his appointment, the City Manager shall establish and thereafter maintain a place of residence within the City for the duration of his employment by the City in such capacity. Provided, however, this requirement shall not apply to the person serving as the City Manager on the date it becomes a part of the Home Rule Charter.

SECTION FOUR--Notice to the Secretary of State

A certified copy of this ordinance shall be sent by the City Secretary to the Secretary of State.

SECTION FIVE--Effective Date

This ordinance shall be effective immediately upon its passage and adoption.

READ, PASSED AND ADOPTED this _____ day of May, 2014.

Norma Moreno Garcia, Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney,
City of Freeport, Texas

C\Freeport.Elc\2014 Charter Election-Canvass

AN ORDINANCE OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS, MAKING CERTAIN FINDINGS OF FACT REGARDING AND CANVASSING THE RETURNS AND DECLARING THE RESULTS OF AN ELECTION HELD IN AND THROUGHOUT SAID CITY ON THE SECOND SATURDAY IN MAY, 2014, BEING THE 10TH DAY OF MAY, 2014, ON THE QUESTION OF APPROVING OR DISAPPROVING THE PROPOSED CONSOLIDATION OF RIVERSIDE PARK WITH STEPHEN F. AUSTIN PARK AND THE SALE OF THAT PORTION OF RIVERSIDE PARK LOCATED NORTH OF A WESTERLY EXTENSION OF THE PUBLIC STREET SHOWN ON THE PLAT OF SAID TOWNSITE AS AVENUE C TO FINANCE THE DEVELOPMENT AT SUCH CONSOLIDATED PARK AS MODERN SPORTS COMPLEX; PROVIDING FOR RATIFICATION AND CONFIRMATION OF THE ACTION TAKEN BY THIS ORDINANCE BY THE MAYOR OF SAID CITY; PROVIDING FOR THE FILING OF A CERTIFIED COPY OF THIS ORDINANCE WITH THE SECRETARY OF STATE AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

BE IT ORDAINED AND ORDERED, RESPECTIVELY, BY THE CITY COUNCIL AND MAYOR OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS:

SECTION ONE--Scope of Ordinance

This ordinance relates to the election called by Ordinance No. 2014-2060 of the City of Freeport, Brazoria County, Texas, heretofore read, passed, adopted and ratified on February 18, 2014, by the City Council and Mayor of said City, ordaining and ordering, respectively, that an election be held in and throughout the said City on the second Saturday in May, 2014, to-wit, May 10, 2014, for the purpose of permitting the qualified electors of said City to vote for or against the consolidation of Riverside Park with Stephen F. Austin Park and the sale of that portion of Riverside Park located north of a westerly extension of public street shown on the plat of the Velasco Townsite as Avenue C to finance the develop a modern sports complex at such consolidated park.

SECTION TWO--Findings of Fact Regarding Election

The Mayor and City Council of the City of Freeport, Texas, make the following findings of fact with respect to said election:

First, that notice of said election was given in the manner and at

the time required by law.

Second, that said election was duly called and held in the manner and at the time required by law, and said Ordinance No. 2014-2060 read, passed and adopted on February 18, 2014, and that only qualified voters were permitted to vote at said election.

Third, that the election returns of said election, which are now before the Mayor and City Council, are found to be in due form and order and have been regularly made as required by law.

Fourth, that at said election, the votes "for" and "against" the sale of that portion of Riverside Park located north of a westerly extension of the public street shown on the plat of the Velasco Townsite as Avenue C to finance the develop a modern sports complex at Stephen F. Austin Park were:

<u>FOR</u>	<u>AGAINST</u>
263	145

SECTION THREE--Declaring the Results of Election

The Mayor and City Council of the City of Freeport, Texas, hereby declare, order and ordain, respectively, that a majority of the persons voting in said election approve of the consolidation of Riverside Park and Stephen F. Austin Park by voting in favor of the sale of that portion of Riverside Park located north of a westerly extension of public street shown on the plat of the Velasco Townsite as Avenue C to finance the develop a modern sports complex at Stephen F. Austin Park.

SECTION FOUR--Effective Date

This ordinance shall be effective immediately upon its passage and adoption.

READ, PASSED AND ADOPTED this ____ day of May, 2014.

Norma Moreno Garcia, Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney,
City of Freeport, Texas

C:\Freeport.Elc\2014 Riverside Park Sale Election-Canvass

**City of Freeport Annual General, Charter Amendment & Special Election Cumulative Report — Unofficial
Brazoria County — Joint Local Election — May 10, 2014**

Total Number of Voters : 12,873 of 181,813 = 7.08%
Number of District Voters: 445 of 5,427 = 8.20%

Precincts Reporting 73 of 73 = 100.00%
District Precincts Reporting 7 of 7 = 100.00%

Party	Candidate	Absentee	Early	Election	Total
City Council Position A, Vote For 1					
	Larry L. McDonald	5 62.50%	40 52.63%	23 46.10%	68 50.37%
	Michelle Kent	2 25.00%	23 30.26%	24 47.06%	49 36.30%
	Audrey Pena	1 12.50%	13 17.11%	4 7.84%	18 13.33%
	Cast Votes:	8 100.00%	76 100.00%	51 96.23%	135 96.54%
	Over Votes:	0 0.00%	0 0.00%	0 0.00%	0 0.00%
	Under Votes:	0 0.00%	0 0.00%	2 3.77%	2 1.46%
City Council Position C, Vote For 1					
	Nicole Mireles	1 50.00%	48 47.52%	25 51.02%	74 48.68%
	Sandra Loeza	1 50.00%	53 52.48%	24 48.98%	78 51.32%
	Cast Votes:	2 50.00%	101 98.06%	49 100.00%	152 97.44%
	Over Votes:	0 0.00%	0 0.00%	0 0.00%	0 0.00%
	Under Votes:	2 50.00%	2 1.94%	0 0.00%	4 2.56%
Amendment Number One, Vote For 1					
	For	19 76.00%	178 77.73%	118 75.64%	315 76.83%
	Against	6 24.00%	51 22.27%	38 24.36%	95 23.17%
	Cast Votes:	25 100.00%	229 89.80%	156 94.55%	410 92.13%
	Over Votes:	0 0.00%	0 0.00%	0 0.00%	0 0.00%
	Under Votes:	0 0.00%	26 10.20%	9 5.45%	35 7.87%
Amendment Number Two, Vote For 1					
	For	24 96.00%	209 91.27%	136 87.18%	369 90.00%
	Against	1 4.00%	20 8.73%	20 12.82%	41 10.00%
	Cast Votes:	25 100.00%	229 89.80%	156 94.55%	410 92.13%
	Over Votes:	0 0.00%	0 0.00%	0 0.00%	0 0.00%
	Under Votes:	0 0.00%	26 10.20%	9 5.45%	35 7.87%
Amendment Number Three, Vote For 1					
	For	21 84.00%	191 82.68%	113 74.83%	325 79.85%
	Against	4 16.00%	40 17.32%	38 25.17%	82 20.15%
	Cast Votes:	25 100.00%	231 90.59%	151 91.52%	407 91.46%
	Over Votes:	0 0.00%	0 0.00%	0 0.00%	0 0.00%
	Under Votes:	0 0.00%	24 9.41%	14 8.48%	38 8.54%

**City of Freeport Annual General, Charter Amendment & Special Election Cumulative Report — Unofficial
Brazoria County — Joint Local Election — May 10, 2014**

Page 2 of 2

05/10/2014 08:38 PM

Total Number of Voters : 12,873 of 181,813 = 7.08%

Number of District Voters: 445 of 5,427 = 8.20%

Precincts Reporting 73 of 73 = 100.00%
District Precincts Reporting 7 of 7 = 100.00%

Party	Candidate	Absentee		Early		Election		Total	
Referendum, Vote For 1									
	FOR the sale	18	72.00%	145	63.04%	100	65.36%	263	64.46%
	AGAINST the sale	7	28.00%	85	36.96%	53	34.64%	145	35.54%
	Cast Votes:	25	100.00%	230	90.20%	153	92.73%	408	91.69%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	0	0.00%	25	9.80%	12	7.27%	37	8.31%

In the name and by the authority of

THE STATE OF TEXAS

OATH OF OFFICE

I, _____, do

solemnly swear (or affirm), that I will faithfully execute the duties of the Office of _____

Of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Affiant

SWORN TO and subscribed before me by affiant on this _____ day of _____, 2009.

Signature of Person Administering Oath

Printed Name

Title

AMENDMENT NUMBER ONE

Section 3.05 Mayor Pro Tem is amended to read as follows:

At the meeting of the City Council at which the returns of the annual election are canvassed each year, the members of the City Council shall select, on a rotating basis among the Wards, a member of the City Council who has been on City Council for at least two (2) years to serve as Mayor Pro Tem until the meeting of the City Council at which the returns of the annual election for the next succeeding year have been canvassed. The Mayor Pro Tem shall perform all of the duties of the Mayor in the absence or disability of the Mayor, and shall assume the office of Mayor for the remainder of the unexpired term in the event the office of the Mayor becomes vacant. If both the Mayor and the Mayor Pro Tem are absent from any meeting of the City Council, the members present shall elect from among themselves a Temporary Mayor Pro Tem to preside at such meeting..

Wednesday, May 14, 2014

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111 E. Locust
Angleton, Texas 77515

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A Convenience Fee of up to 2.4% will be charged for all credit card payments by the vendor providing this service. For eChecks, a convenience fee of \$1.50 will be charged for each transaction. The fee covers the cost of making payments by credit card possible. The fee will appear as a charge to 'Certified Payments'. No part of this fee is retained by Brazoria County.

Unless otherwise noted, all data refers to tax information for 2013. All amounts due include penalty, interest, and attorney fees when applicable. Due to the large volume of work during heavy payment periods amounts due may not reflect payments that have been received but not yet processed.

Account Number: 81150005000

Address:
FREEPORT CHRISTIAN CENTER
PO BOX 2212
FREEPORT, TX 77542-2212

Property Site Address:
ZAPATA ST

Legal Description:
VELASCO HEIGHTS (A0049 A CALVIT DIV 14
(B C I C)(FREEPORT), LOT 2TO8,ANNEX,
ACRES 1.084

Current Tax Levy: \$0.00
Current Amount Due: \$0.00
Prior Year Amount Due: \$0.00
Total Amount Due: \$0.00

Last Payment Amount for Current Year Taxes:
Not Received

Active Lawsuits: None

Pending Credit Card or E-Check Payments:

No Payment Pending

Jurisdictions:

BRAZORIA COUNTY
BRAZOSPORT COLLEGE
BRAZOSPORT ISD
CITY OF FREEPORT
PORT FREEPORT
SPECIAL ROAD & BRIDGE
VELASCO DRAINAGE DIST. NO 2

Market Value: \$30,580
Land Value: \$30,580
Improvement Value: \$0
Capped Value: \$0
Agricultural Value: \$0
Exemptions: EXXV
Last Certified Date: 08/22/2013

[Taxes Due Detail by Year and Jurisdiction](#)

[Payment Information](#)

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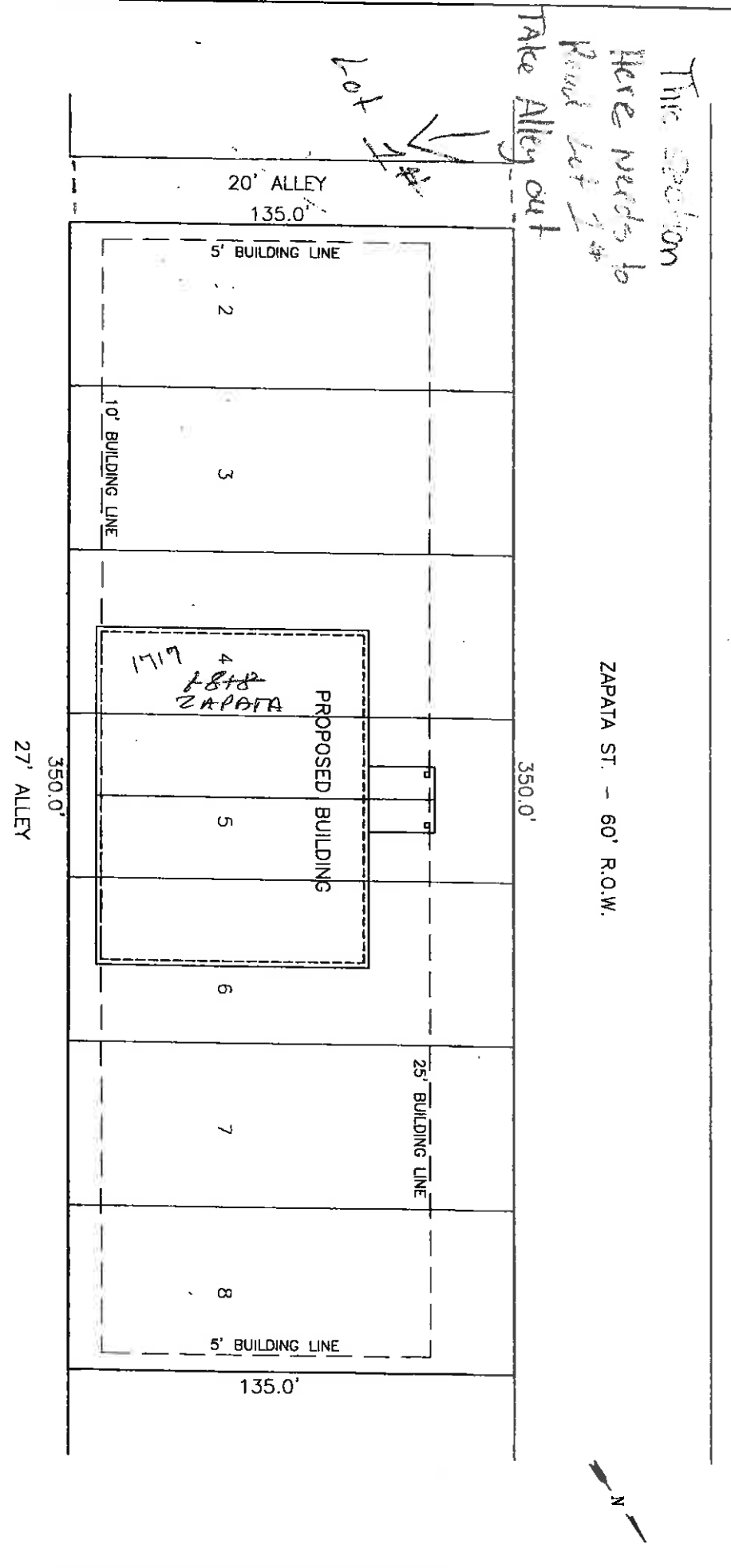
[Tax Rates & Entities](#)
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Legal Description

Velasco Heights (A0049 A Calvit
Division 14) Bc1c
Fireport, Lt 2-8
Annex, Acres 1.084

This section
Here needs to
Road lot 1st
Take Alley out



SITE PLAN

SCALE 1" = 20' 1

Absolute Drafting and Design
 Billy Taylor
 979.709.8725
 baylor.drafting@gmail.com

REVISIONS

SCALE AS NOTED
DATE: 12/13

SITE PLAN

A2.00





Victoria St

Brasport Blvd, N

Zapata

Zapata

Yellowstone

Ave L, N

Ave M, N

Ave N, N

Ave O, N

Varner

609

1

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91B

91

524A

524F

524C

1A

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May 19, 2014

Barbara Sullivan, Team Leader
Water Quality Management
TCEQ Houston Regional Office
5425 Polk St., Ste. H
Houston, TX 77023

Re: **Sanitary Sewer Overflow Initiative – City of Freeport SSO Plan Submittal:**
TCEQ Permit No. 10882 – 001; EPA ID No. TX0033332

Dear Ms. Sullivan:

Following your December 16, 2013 direction to proceed, and under cover of this letter, please be in receipt of the City of Freeport's SSI Plan and supporting documents for review by the TCEQ Regional Office. The City of Freeport proposes a 5-year SSI Plan that advances collection system above-ground and underground assets management, operations and maintenance in a logical and sustainable order.

A focus of the proposed 5-year SSI Plan is technical condition assessment using nationally standard grading criteria, followed by annually prioritized capital expenditure repairs and replacements of above-ground and underground assets. Funding sources are proposed to address aging infrastructure from both O&M practices and capital program management. Over a five year term the City believes this SSI Plan submittal will maximize lifecycles, reduce asset lifecycle cost, reduce inflow and infiltration, and result in an overall optimized system.

Lastly, the City of Freeport proposes performance metrics for improvements realized in the management, operations and maintenance of the collection system during each term. These measures are proposed for separate areas of Above-Ground Assets, Underground Assets and Resources.

The City believes this SSI Plan submittal will address our mutual concern for maintaining collection system capacity, and looks forward to TCEQ's critical review and recommendations.

Sincerely,

Jeff Pynes,
City Manager

Cc: Kim Laird, Environmental Investigator (TCEQ Houston Region)
William Roach, Area Manager (Veolia)
Jerry Meeks, Project Manager (Veolia)

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I. Background

System Demographics

Freeport

The City of Freeport's collection system spans 14.9 square miles, with a wastewater service population total of 3,499 homes and businesses and 12,049 residents according to the 2010 census. This area includes networks serving the Freeport Central WWTP and the Slaughter Rd. WWTP. Wastewater from the Bridge Harbor area of Freeport is transferred to treatment at the Oyster Creek WWTP by inter-local agreement between the jurisdictions. Annualized distributions of Freeport wastewater are presented in **Table 1** below.

Slaughter Rd.

Slaughter Rd. is a small residential area southwest of Freeport on Hwy. 35. Sewer service is provided to 16 residential connections, 1 church, 1 industrial/commercial, and 1 recreation (golf course). Sanitary sewage collected from Slaughter Rd. is lift pumped to a dedicated package wastewater treatment plant. The Slaughter Rd. collection system is approximately 9600 linear ft., predominately PVC, with construction in the early 1990's. It includes 17 manholes and 1 lift station.

Bridge Harbor

Bridge Harbor is a defined collection system service area that discharges wastewater to the Oyster Creek WWTP by inter-local agreement between Freeport and Oyster Creek. The Bridge Harbor area contains 129 connections, lines constructed with PVC, 25 fiberglass manholes, and 3 lift stations. Wastewater is discharged through a 10" force main to the Oyster Creek WWTP. Two additional lift stations along SH 332 discharge into the force main, and two SH 332 lift stations discharge into an Oyster Creek gravity line.

Table 1

Collection System Flows

	Total Million Gallons	
	<u>2011-12 FY</u>	<u>2012-13 FY</u>
Metered flow to Oyster Creek	15.214	12.183
Metered flow to Freeport WWTP	292.243	278.102
Metered flow to Slaughter Rd. WWTP	1.837	1.290

Freeport Collection System

Freeport's underground assets include approximately 263,000 linear ft. of gravity sewer, 4000 linear ft. of force main and 583 manholes. The majority of collection system piping is vitrified clay material ranging in size from 6" – 12", some concrete in the Lift Station 8 area and small sections with thin wall PVC. Predominant system construction was in the early 1950's to mid-1960's. New line construction and line replacements are constructed with schedule 26 PVC pipe. Manholes are predominately concrete, with replacements constructed of reinforced fiberglass.

Freeport Lift Stations

Collection system above-ground assets include 29 service area lift stations and the Central lift station. Central lift station discharges to the Freeport WWTP. Eighteen lift stations are concrete construction and date back to system construction in the 1950's – 60's. These are either suction and discharge piping or discharge piping only. The balance of lift stations are fiberglass or other material of construction.

SSO History

In the fourth quarter of 2013 two residences were impacted by SSOs. One residence was impacted by SSOs on two occasions resulting in extensive damage. The three SSO events were all directly related to Central lift station control failures following completion of a rehabilitation project. A prime contractor providing the lift station controls and a subcontractor providing a SCADA control link responded to correct the controls failure. The SSOs, impacted residences, contractors and the City are litigating the events.

There are seven residences in proximity to the Central lift station built in the early 1950's. Five residences are on Riverview and two are on 7th St. The residences were constructed under different standards than are currently in place, with foundation elevations near or at ground level. The City installed backwater valves on the seven individual service lines following the 2013 SSOs.

One of the seven residences was impacted earlier by an SSO during a 1997-98 rehabilitation project at Central lift station. Control failures were again the cause. In this prior control failure the prime contractor and the commercial electric provider litigated as to whether the cause was control failure or incoming power phasing from the electrical grid.

The City of Freeport has no history off SSO events beyond the two construction related impacts to four of the seven residences as described above. This has been true under both wet and dry conditions. The City has noted sluggish flow in some portions of the collections requiring frequent line cleanings, and higher water tables and inflow at specific lift stations following rain events. While these conditions have not generated SSOs they are certainly indicative of conditions with the potential to do so.

The four SSOs recorded over 17 years resulted from two lift station rehabilitation control failures and not from continuing collection system capacity issues. The City would like to focus the efforts and resources contemplated with this SSI Plan on the continued reduction or elimination of collection system conditions that could lead to capacity related SSOs going forward.

Resources

Annually collection system operations and maintenance (O&M) tasks are conducted by a ten (10) position staffing as follows.

<u>Position</u>	<u>Certifications</u>	<u>Years in Service</u>
Manager	Grade C Wastewater Journeyman Plumber	23.75
Chief Operator	Grade B Wastewater	16
Lab Manager	Grade C Wastewater Pipeline Assessment and Certification Manhole Assessment and Certification	11
Operator III	Grade C Wastewater	5.75
Operator III		11.5
Operator III		5.5
Operator II		19
Operator I	Grade D Wastewater Pipeline Assessment and Certification Manhole Assessment and Certification	12
Field Technician		5.75
Field Technician		4.5
Field Technician		< 0.5
Average Years of collection system service =		11.5 years

Collection system operations and maintenance tasks have typically been documented as the annual manhours recorded in six collection system task categories. A typical annual baseline summary follows as an example.

<u>O&M Task</u>	<u>Manhours</u>
Line cleaning	2500
Line repair/replacement	2000
Lift Station PM tasks	1450
Pump repair	390
Standby/call-out	600
Manhole inspection	<u>250</u>
Annual manhours	7190
Equivalent staff	3.5 Full time positions

Capacity Issues

The City acknowledges sluggish flow conditions in some parts of the collection system and much of its line material at 50 – 60 years in service. Locations of I&I are evidenced by specific lift station wetwells taking longer to pump down following a rain event than dry weather, also in wetwell debris deposits accumulating after a rain event.

The City's concern for underground assets condition and capacity assessment attempted to fund collection system CCTV inspection through available grant funding for two consecutive years before a grant was awarded for the work in FY13-14. Knowledge gained from the initial grant-funded underground assets condition and capacity inspections caused the City to move this assessment tool to an annually funded system O&M practice.

Staff responds to frequent customer calls for sluggish flow or sewer stoppage. On average about 25% of the total calls received are due to an actual collection system condition. Roughly 75% of customer calls are found to be in their service line, and most frequently due to discharging incompatible wastes to the sewer system. Only 25% of customer sewer stoppage calls are due to actual sewer system conditions. Public education in incompatible waste discharges to the sewer system is addressed more fully in the Scope Section of this Plan submittal. Beginning in FY 2014-15 line cleaning linear footage will be recorded for each numbered line segment responded to, and repeat line segment responses will move the pipe section to the CCTV inspection list and placement by priority in capital replacement.

System Assessment

Above-ground Assets

In March 2013 the City had an initial equipment criticality assessment conducted at its 29 lift stations and the Central lift station. It was followed up in April 2014 with a new condition assessment phase to use as part of a capital planning process for consolidated above-ground assets refurbishment and replacement. Assets information from those site visits be will updated through FY14-15 and begin annual capital funding in FY15-16..

Underground Assets

From May – August 2013 the City undertook a first year of collection system CCTV inspection. The project included a collection system condition assessment study of about 50,000 feet of sanitary sewer line performed, and conducted in accordance with the National Association of Sanitary Sewer Companies (NASSCO) Pipe Assessment & Certification Process (PACP). The project included sanitary sewer pipe line cleaning, digital video pipe inspection, and data management in an InfoNet computer maintenance management system (CMMS).

Numbered line segments serving four defined lift stations were selected for the first year inspection. The lift station service areas were selected as being representative of system materials of construction (6"-10" vitrified clay tile pipe), and age in the collection system (50 – 60 years). An initial 50,000 linear ft. (19% of total system) was targeted for inspection in the service areas of Lift Station Nos. 5, 6, 8 and 13.

Pipeline cleaning preceded video inspection to remove debris and obstructions from the pipe and to improve visibility within the pipe to optimize condition assessment accuracy. The completed cleaning length was greater than the targeted 50,000 linear ft. In total, 55,637 feet of pipe were cleaned with at least two passes ("light" cleaning) by the jetter nozzle. Many pipe sections required medium (2 - 4 passes) or heavy cleaning (4 – 6 passes) to prepare the line for inspection. Several pipe sections contained obstructions (rocks, concrete, roots, and pipe fragments) that prevented the inspection tractor from traveling the full pipe section length and required return trips for additional heavy cleaning.

In total, 37,690 feet of pipe were inspected following pipe cleaning. Additional cleaning removed many obstructions. When an obstruction was met the inspection was abandoned and corrective action was taken. If the obstruction could not be corrected with additional heavy cleaning, then the inspection was performed from the opposite line section direction. Examples of non-correctable obstructions were protruding taps and misalignments. A summary of line condition defects noted follows as this SSI Plan as Exhibits 1 and 2..

Digital inspection data was exported to a drive then imported into the InfoNet CMMS (InfoNet) for validation. PACP condition assessment defect codes were calculated for each line section and a numerical value assigned from 1 – 5, best to worst condition respectively. That condition assessment contains:

- Details on the type and location of defects observed in each pipe inspected.
- Individual condition assessment scores for each defect observed.
- Total condition assessment score for each pipe (index score)

A description of the PACP condition assessment index score system is provided below in Table 2:

Table 2

Grade	Description	Estimated Time to Failure
1:	EXCELLENT: Minor Defects	Unlikely in the foreseeable future
2:	GOOD: Defects that have not begun to deteriorate	20 Years of More
3:	FAIR: Moderate defects that will continue to deteriorate	10 to 20 years
4:	POOR: Sewer defects that will become grade 5 defects within the foreseeable future	5 to 10 years
5:	IMMEDIATE ATTENTION: Defects that require immediate attention	Has failed or is likely to fail in the next 5 years

Lines with condition assessment scores ranging between 4 and 5 have been prioritized based on criticality of failure including geographic location and proximity to other assets. Initial 2013 CCTV scope was targeted at 50,000 linear feet of the collection system, or 19% of total gravity line assets. Actual inspection footage completed and validated was 37,690 linear feet, or 14%. The City’s goal has been to inspect 20% of the total underground assets a year over a 5-year period. Beginning with the 2014-15 FY the City will adjust annual CCTV inspection targets to attain the 100% measure through the 2017-18 FY. Additional CCTV after the 2017-18 FY will be as needed for annexations or updating line section PACP index codes.

First Year CCTV Inspection Lessons Learned:

- Need for root control is in direct proportion to number of pipe defects coded
- Expect additional line section medium and heavy cleanings preceding CCTV inspection
- Conduct manhole inspection of 100% of assets preceding next CCTV phase
- Public outreach/education programs are needed to reduce incompatible waste discharges to the sanitary sewer system
- Adoption of a Fats, Oils and Greases control ordinance is indicated, including grease trap inspection and enforcement

II. Scope

Proposed Resources

In 2013 the City supplemented the annual staffing resource allocation with the addition of collection system assessment manhours. The City implemented its first year of a 5-year initiative for CCTV inspection and assessment of the Freeport sanitary sewer system in 2013. Two existing staff received training and from the National Association of Sanitary Sewer Companies (NASSCO) Pipe Assessment & Certification Process (PACP), and Manhole Assessment & Certification Process to conduct the inspections. The addition collection system instrumentation assessment tasks and manhours increased performance above a typical annual baseline as follows.

<u>New O&M Tasks</u>	<u>New Manhours</u>
Line cleaning	2600
CCTV Inspection	<u>2400</u>
Annual manhours	+5000
Equivalent staff	+2.4 Full time positions

The 2400 hours of CCTV Inspection were split between two staff technicians and included travel time for training, certification, and camera truck mobilization and demobilization. Effective in FY14-15 this SSI Plan would fund a new equivalent of six full time positions as the new annual collection system resources allocation. This staffing change is represented in Table 3 below.

Twenty-four hundred annual hours of existing certified technical staff would be dedicated to instrumentation assessment over 5 years including CCTV Inspection, Manhole Inspection and system Flow Monitoring. Line cleaning manhours accompanying CCTV inspections would continue to be tracked

separately under the Assessment task. Line cleaning manhours include time for cleaning plus time for vactoring dislodged materials.

Table 3

Collection system Tasks	Annual Manhours
Line cleaning	2,500
Line repair/replacement	2,000
Lift Station PM tasks	1,450
Pump repair	390
Standby/call-out	600
Manhole inspection	250
Technical assessment	2,400
Assessment cleaning	2,600
Total annual manhours	12,190
Full time equivalent staff	6.0

Proposed Assessment

The City of Freeport proposes to utilize a group of collection system technical assessment tools and methodologies over a 5-year period to advance system capacity management, operation and maintenance. Each assessment tool is explained more fully below, and summarized in **Table 4**.

CCTV Inspection

The City of Freeport proposes to continue its program of inspecting 20% of the collection system annually through the 2017-18 FY. Line segments selected for the first year inspection program were based on age in the system. Beginning in FY14-15 the line segments selected annually for inspection will be based on age in the system plus condition assessment priorities from manhole inspections.

Manhole Inspection

To supplement and build on the initial CCTV inspection capability the City proposes to conduct a manhole inspection program in Oct. – Nov. 2014. Intent of the survey is for instrumentation inspection of 100% of Freeport's manholes within two months. The panoramic digital inspection can identify attributes for diameter, depth, materials of construction, pipe diameters and elevations and more in accordance with the National Association of Sewer Service Companies (NASSCO) Manhole Assessment and Certification Process (MACP) guidelines.

Digital 360° video, GPS coordinates, condition assessment of the asset, and defects notations would be uploaded to the City’s ArcPlus database for assets management and mapping updates, as is current practice with the CCTV data.

The first manholes surveyed would be those connecting the line segments CCTV inspected in 2013 to more fully develop first year capital expenditures with prioritized line replacements plus prioritized manhole replacements. The entire network of 583 manholes would be surveyed before January 1, 2015. Manhole condition assessment ratings would then be used as a reference in scheduling the remaining four years of CCTV inspections.

Table 4
Schedule of Assessments

	Current FY 2013	CCTV (14%)			
Proposed SSI Five Year Plan	Year 1 (FY 14-15)	CCTV (20%)	Lift Station Criticality Assessment	Manhole Inspections (100%)	
	Year 2 (FY 15-16)	CCTV (23%)			Flow Monitoring
	Year 3 (FY 16-17)	CCTV (20%)			Flow Monitoring
	Year 4 (FY 17-18)	CCTV (23%)			Flow Monitoring
	Year 5 (FY 18-19)				Flow Monitoring

Flow Monitoring

The City proposes to conduct a 4-year inflow and infiltration (I&I) study to estimate the volume of clear water flow introduced into the sewer system as daily infiltration or direct inflow resulting from storm events. Flow monitoring would be performed with deployment of ultrasonic flow sensors to measure sewer water depths at a periodic rate. Sensor locations will be determined based on sewer system information derived from cleaning and CCTV inspection activities and may including known critical areas

or system hot spots. Six sensors would be rotated quarterly through lift station service areas logging data over a two year period. Sensors would be rotated quarterly over a second two year period to monitor I&I reductions from line replacements completed in FY14-15 through FY16-17.

Data logged and exported from the sensors will be imported into software for analysis. Using pipe data, such as gradient and diameter, the depth data can be converted to flow data with Manning's formula. Additionally, local rainfall data will be imported into the software and can be graphed to record rain intensity and accumulation. The results will include baseline flow rates (dry weather flow rates), Infiltration flow rates (associated with groundwater infiltration and soils saturated from rainfall events), and Inflow (direct water flow associated with rainfall events). Data can be downloaded in various file formats (e.g. .xls, .prn, etc.) for further processing or analysis.

Each measurement is stored in the unit's internal data logger until retrieved and removed. Measurements can be retrieved remotely by driving/walking past the location where the sensor is deployed. This data includes time stamps which provide the alarm recipient with start time corresponding to the event. Height information, factored with pipe and/or weir dimensions, is post-processed and converted to water flow rate and volume. The data can then be downloaded in various other file formats (i.e. xls, prn, etc.) for further processing.

Proposed Above-ground Assets Management

The above-ground assets management criticality and condition assessments conducted earlier will continue with equipment data collection and analysis of condition through FY14-15. Beginning in FY15-16 the asset analysis program will annually generate a refurbishment and replacement schedule prioritized on the latest criticality, condition and risk information. Above-ground assets will be join line replacements, manhole replacements, and lift station structural/mechanical collection system assets in annual capital expenditures in FY15-16.

Proposed Fats, Oils and Greases Control

Condition defects coding from the first year of the CCTV inspection indicated grease encrustation in 8 of 118 line segments. While these conditions can be corrected with normal line cleaning the generation of Fats, Oils and Greases (FOG) is a prohibited, collection system incompatible waste discharge. The City proposes enacting two courses of FOG control measures for Freeport beginning in FY14-15.

Ordinance

The City will begin a path to amend language in its current sanitary sewer use ordinance to strengthen the prohibition of FOG constituents. Freeport will engage the Texas Municipal League (TML) through its legal counsel for draft ordinance language prohibiting discharges of fats, oils and greases to its sewer system. Freeport's legal Counsel will draft one or more ordinances for review and ultimate adoption by the Council and Mayor. Ordinances would include amendments to prohibition of discharge (Title V: Public Works, Chapter 51: Sewers, Section 51.010 – Prohibited Discharges), grease trap inspections (Title V: Public Works, Chapter 51: Sewers, Section 51.111 – Monitoring Facilities), and enforcement (Title V: Public Works, Chapter 51: Sewers, Section 51.130).

Public Education

As referenced in Section I – Capacity Issues above roughly 75% of customer calls for sewer system stoppage or sluggish flow are found to be in the customer’s service line, and most frequently due to discharging incompatible wastes to the sewer system. Only 25% of customer sewer stoppage calls are due to actual sewer system conditions. The City proposes to commence a public education program to more directly inform customers about prohibitive and incompatible waste discharges to the sewer system. This first effort in public infrastructure education would parallel the legal creation, adoption and enactment periods for statutory FOG ordinance amendments.

The first year public education program would provide a tri-fold brochure with print and graphic information on impacts of FOG constituents to customer service lines and the collection system. Brochure distribution would be at public counter locations including City Hall billing and local merchants, and would be provided to the property owner at the conclusion of each system call-out response or grease trap inspection. In the second and subsequent years literature and refrigerator magnet information would be dispersed at local public events, festivals and celebrations.

Proposed Root Control

Freeport had not found root control to be an impact until reviewing the 2013 CCTV inspection condition assessment defects listing. Virtually every fracture, crack, misalignment or structural separation had developed root ball intrusion. With normal line alignment and condition root ball cutting as an O & M practice would be indicated. The alignment and condition assessment defects noted in the 2013 CCTV inspections prohibit root ball cutting as a corrective action. A cutting tool could structurally damage the clay tile pipe further than existing condition.

Root ball intrusion was noted in 44 of 118 line segments inspected in 2013. Many of those segments were condition defects index coded as a 4 or 5 rating and will be prioritized for replacement beginning in FY14-15. Line segments not prioritized for replacement in the proposed Year 1 SSI Plan will begin receiving chemical amendment for root control, and continuing annually (with subsequent CCTV inspections) until the line segment is prioritized for replacement.

The chemical amendment selected for control is ROOT X Pipeline Root Control, an environmentally friendly powder, added directly into man holes/cleanouts. The product foams up to reach the top of the pipe where most of the root intrusion was detected. It contains a surfactant to remain attached to roots without washing away. The City expects to provide root control chemical amendment to approximately 4500 linear ft. of affected line segments detected annually.

III. Funding

By ordinance the City of Freeport enters into annual budgeting and capital expenditure preparation in the second quarter of each CY for City Council discussion, revision and ultimate adoption prior to the start of the next fiscal year on 10/1/2014. The City of Freeport would plead the TCEQ consider the City’s financial preparation cycle and award an Agreed SSI Plan effective date of not earlier than 10/1/2014 to align with the City’s O&M and Capital funding capability.

O & M -Since 1995 the City has funded collection system operations and maintenance as one scope area of a professional services agreement with Veolia Water and their predecessor companies. The funding for collection system management, operations and maintenance services has been funded from the City's General fund under a 20-year contract which expires April 2015.

Many of the resources and services proposed with this SSI Plan submittal were not contemplated in the 1995 agreement. Freeport's Mayor and City Council voted to enter into negotiations with Veolia for an amended services agreement to include the additional SSI Plan scope proposed and to be ultimately adopted by the TCEQ as an Agreed SSI Plan. Veolia provided the 2013 CCTV inspection services and has the capability to conduct the proposed manhole inspection and flow monitoring programs described more fully in the Scope Section of this submittal. A final amended agreement and collection system management, operations and maintenance services would continue to be funded from the City's General fund.

Capital

Freeport's proposed two-year collection system capital expenditures budget with this SSI Plan submittal addresses line repair & replacements, manhole repair & replacements, lift station mechanical replacements and structural repairs, and lift station equipment and instrument assets. The two-year capital budget estimate is flexible enough to adjust for expenditures currently prioritized to those additional assets still being assessed and subject to capital funding inclusion in the two years. The four areas for annual collection system capital planning and estimation are summarized in **Table 5**.

First Year

Line replacements prioritized with a condition defect code of 5 from the 2013 CCTV inspections have been placed in the FY14-15 proposed capital. Line items for lift station mechanical replacements and structural repair have been included for 3 of 18 lift station assets. The First year proposed capital expenditures are detailed following this SSI Plan as **Exhibit 3**

Table 5

Schedule of Annual Collection System Capital Planning & Expenditure

Proposed SSI Five Year Plan	Year 1 (FY 14-15)	Lift stations 5, 6, 8 & 13 line segments	Manholes prioritized from 4th quarter 2014 inspection	Lift station mechanical replacements and structural repairs	
	Year 2 (FY 15-16)	Line sections prioritized from FY14-15 CCTV inspection	Manholes prioritized from 4th quarter 2014 inspection	Lift station mechanical replacements and structural repairs	Lift station equipment repair and replacements
	Year 3 (FY 16-17)	Line sections prioritized from FY15-16 CCTV inspection	Manholes prioritized from 4th quarter 2014 inspection	Lift station mechanical replacements and structural repairs	Lift station equipment repair and replacements
	Year 4 (FY 17-18)	Line sections prioritized from FY16-17 CCTV inspection	Manholes prioritized from 4th quarter 2014 inspection	Lift station mechanical replacements and structural repairs	Lift station equipment repair and replacements
	Year 5 (FY 18-19)	Line sections prioritized from FY17-18 CCTV inspection	Manholes prioritized from 4th quarter 2014 inspection	Lift station mechanical replacements and structural repairs	Lift station equipment repair and replacements

As one of the lessons learned from the 2013 CCTV inspection the City has also proposed inspecting 100% of manhole assets in the first two months of FY 2014-15 according to MACP condition assessment index coding. Manhole assessments with a panoramic instrument and coding to MACP index coding would be performed Oct. – Nov. 2014. In January 2015 the manhole assessment priority index codings would be overlaid with the line segments coded from the initial 2013 CCTV inspections. The manhole condition assessment recommendations for replacement would be overlaid with the 2013 line segment index code 5 recommendations to arrive at a revised FY 2014-15 budget. Priorities would be re-allocated Jan. – Feb. 2015 to complete FY14-15 within approved funds.

Second Year

Beginning in FY15-16 and three consecutive years thereafter the City would continue to propose funding for line replacements from ongoing CCTV inspections, priorities from FY14-15 manhole inspections, lift station mechanical replacements and structural repair, and add repair & replacement recommendations from asset investment analysis of lift station instrumentation and equipment. The City of Freeport believes these methods produce an annual collection system capital expenditure budget that can be reliably developed concurrently with scheduled annual City funding deliberations and increased knowledge of the system.

IV. Measurement

Measurement

As referenced above in the Background Section of this submittal the City has utilized manhours of work in specific task areas to gauge service performance across many City departments. Beginning with the FY 2014-15 the City of Freeport proposes to record, track, project and target annual collection system performance indicators described below and following.

Lift Station Above Ground Asset Maintenance – Measurement of Improvements

PM:CM Ratio	preventive: corrective maintenance ratio
Work Order Backlog	number of backlogged days on open work order
% Asset Coverage	% of total assets receiving annual maintenance

Collection System Underground Asset Maintenance – Measurement of Improvements

Customer Call-Outs	number
	% determined sewer flow issue
	% determined customer line issue
Line cleaning	linear ft. cleaned preventive
	% of system assets
	linear ft. cleaned maintenance
	% of system assets
	linear ft. cleaned for CCTV
	% of system assets
Line repair/replacement	% of prioritized assets from prior FY inspection repaired

Manhole inspection	% of prioritized assets from prior FY inspection replaced number inspected
Manhole replacement	% of system manholes number replaced
CCTV	% of system manholes linear ft. inspected
GIS data point collection	% of system assets number coordinates added % of system assets

Collection System Resources – Measurement of Improvements

RIR	reportable injury incidence rate compared with U.S. Bureau of Labor Standards
LTIR	lost time incidence rate compared with U.S. Bureau of Labor Standards Municipal Employees, wastewater
Safety Training hours	annual number of hours annual number of staff
Certification Training hours	annual number of hours annual number of staff
Technical Assessment Training hours	annual number of hours annual number of staff
Employee knowledge retention	years of service certifications

EXHIBITS

City of Freeport TX

**Sanitary Sewer Initiative Plan
Proposal**

**Submitted to the TCEQ Water Quality Management Section
Houston Regional Office**

Date: May 19, 2014

Exhibit 1

Identification		Location (Street)	Length		Condition Assessment Rating	Priority	Priority Recommendations				
Freeport Pipe ID	Inspection ID		Surveyed (ft)	Total Pipe (ft)			Collapsed (CSA: 5)	Broken (CSA: 5)	Intruding Tap (CSA: 5)	Fracture (CSA: 2-5)	Crack (CSA: 1-4)
5-24	3661B	W. 17TH	106.9	446.09	5100	1		X			X
5-45	385U	W. 9TH	232.7	352.52	513B	28		X	X		X
5-5	351D	VELASCO	71.3	260.24	5241	5		X	X		X
5-25	368AU	W. 10TH	212.4	439.27	5221	24		X	X		X
5-24	368D	W. 10TH	162.1	446.09	5211	15		X	X		X
5-40	379U	W. 9TH	348.5	348.73	5141	6		X	X		X
5-22	367D	W. 10TH	2.2	475.96	5141	7		X	X		X
5-42	381U	W. 9TH	343.1	347.99	5141	14		X	X		X
5-42	381D	W. 9TH	1.6	347.99	5121	19		X	X		X
5-15	345U	W. 11TH	52.3	698.84	5111	34		X	X		X
6-20	288U	W. 11TH	1,533	4,164	5241	104		X	X		X
8-26	304AU	7TH ST. EVEN SIDE	118.4	607.58	5314	62		X	X		X
8-15	312AU	5TH ST. ALLEY EVEN SIDE	-0.7	183.78	5121	20		X	X		X
			118	791							
13-21	256D2	TERRY	6.9	373.32	5100	2	X				X
13-38	239U	N AVE Q	355.1	354.9	574E	23		X	X		X
13-27	249D	TERRY	141.3	370.45	514B	18		X	X		X
13-86	230U	ZAPATA	305.3	638.72	5245	57		X	X		X
13-83	202D	SKINNER	44.1	400.95	5147	13		X	X		X
13-17	251U	VARNER	374.5	374.58	5146	76		X	X		X
13-86	230D	ZAPATA	338.5	638.72	5142	66		X	X		X
13-9	245D2	VARNER	260.4	264.9	5141	56		X	X		X
13-22	257U	TERRY	233.8	397.79	5199	51	X		X		X
13-50	220U	VARNER	174.4	374.07	5135	59		X	X		X
13-63	216D	WHARTON	189.8	373.66	5134	27		X	X		X
13-51	221U	WHARTON	172.5	324.64	5133	67		X	X		X
13-33	244AU	UVALDE	147.8	367.75	5132	39		X	X		X
13-66	216DU	UVALDE	10.1	338.23	5131	11		X	X		X
13-34	234D	YELLOWSTONE	397.9	376.9	5100	3		X	X		X
13-51	221D	YELLOWSTONE	34.3	324.64	5100	4		X	X		X
			3,187	6,294							

Exhibit 2

Identification Freeport Pipe ID	Inspection ID	Location (Street)	Length		Condition Assessment Rating	Priority	Priority Recommendations					
			Surveyed (ft)	Total Pipe (ft)			Intruding Tap (CSA: 5)	Fracture (CSA: 2-5)	Pipe Filled with Water (CSA: 4)	Crack (CSA: 1-4)	Replace Entire Pipe/ Sections	
5-49	359AU	W. 12TH	148.8	462.33	4221	22		X		X		X
5-4	347D	VELASCO	178.4	260.72	4137	52		X	X	X		X
5-28	364U	CEDAR	107.3	444.62	4100	8		X		X		X
Total Linear Ft			435				1,168					
6-19	286U	YALPON BETWEEN 10TH AND 11TH	127	282.59	4335	61		X			X	X
6-5	302U	W. 9TH	317	460.25	4333	58		X	X	X		X
6-5	302AU	W. 9TH	256.3	153.8	4100	9		X				X
6-20	287D	W. 11TH	156.5	405.13	4100	10		X		X		X
Total Linear Ft			857				1,302					
8-19	3038U	LYNN LANE ALLEY EVEN SIDE	168.8	496.65	4239	63	X	X			X	X
Total Linear Ft			169				497					
13-17	253U	WHARTON	282.9	374.11	413A	17	X	X			X	X
13-27	249U	UVALDE	196.8	370.45	4E3E	25	X	X			X	X
13-26	245U2	UVALDE	121.6	376.73	4D31	12	X	X			X	X
13-24	246D	WHARTON	71.6	374.69	4A35	21	X	X			X	X
13-32	244U	VARNER	121.5	370.19	413C	70	X	X			X	X
13-17	253D2	WHARTON	48.5	374.11	4922	16		X		X		X
13-11	258U	VARNER	388.9	388.93	4535	83		X		X		X
13-84	203U	SKINNER	143.1	378.84	4239	105		X		X		X
13-49	217U	WHARTON	343.2	343	4238	109		X		X		X
13-15	259AU	WHARTON	105	335.43	4231	81		X		X		X
13-26	245D	UVALDE	183	376.73	4139	77	X	X		X		X
13-21	256D	UVALDE	188.1	373.32	4138	69		X		X		X
13-48	216D3	VARNER	333.3	335.29	4134	26		X		X		X
13-36	236U	YELLOWSTONE	95.2	99.39	4134	87		X		X		X
13-12	259D	WHARTON	343.6	343.57	4133	80	X	X		X		X
13-79	207U	N. AVE. Q	205.3	385.23	4131	60		X		X		X
Total Linear Ft			3,122				5,550					

Exhibit 3

Proposed Collection System Year 1 Capital

Collection System Line Replacement

Provides for lines replacements as prioritized from CCTV inspections.

Line replacement material is Sch. 26 PVC.

Pipe bursting may be indicated at Lift Station No. 5 due to number of lines crossing residence backyards.

Pipe bursting may be indicated at Lift Station No. 8 due to number of concrete lines.

If pipe bursting is necessary the additional cost will impact remaining projects prioritization.

Year One	Total ft.		Size	\$ / ft.		Cost by location
Lift Station No. 5	4,161	829	6"	18	\$	14,922.00
		2291	8"	22	\$	50,402.00
		1041	10"	24	\$	24,984.00
					\$	90,308.00
Lift Station No. 6	386	386	8"	22	\$	8,492.00
					\$	8,492.00
Lift Station No. 8	791	791	6"	18	\$	14,238.00
					\$	14,238.00
Lift Station No. 13	6,294	2251	6"	18	\$	40,518.00
		4043	8"	22	\$	88,946.00
					\$	129,464.00
Total Year One Line Replacement:					\$	242,502.00

Lift Station Structural and Mechanical

Provides for replacement of lift station piping and concrete structural repair.

Lump sum estimates include bypass pumping, demolition, and epoxy coating to concrete surfaces.

		Year One	
Suction piping only	Piping	14,500.00 (2) Lift Stations	\$29,000
	Concrete repair	20,000.00 (2) Lift Stations	\$40,000
Suction Lift and Discharge piping	Piping	18,500.00 (1) Lift Station	\$18,500
	Concrete repair	20,000.00 (1) Lift Station	\$20,000
Total Year One Lift Station Structural and Mechanical			\$107,500

Exhibit 4

Proposed Collection System Year 2 Capital

Collection System Line Replacement

Provides for lines replacements as prioritized from CCTV inspections.

Line replacement material is Sch. 26 PVC.

Pipe bursting may be indicated at Lift Station No. 5 due to number of lines crossing residence backyards.

Pipe bursting may be indicated at Lift Station No. 8 due to number of concrete lines.

If pipe bursting is necessary the additional cost will impact remaining projects prioritization.

Year Two	Total ft.		Size	\$ / ft.		Cost by location
Lift Station No. 5	1,168	462	6"	18	\$	8,316.00
		706	8"	22	\$	15,532.00
Lift Station No. 6	1,302	1019	8"	22	\$	22,418.00
		283	10"	24	\$	6,792.00
Lift Station No. 8	497	497	6"	18	\$	8,946.00
						\$ 8,946.00
Lift Station No. 13	5,549	1509	6"	18	\$	27,162.00
		3941	8"	22	\$	86,702.00
		99	10"	24	\$	2,376.00
						\$ 116,240.00
Total Year Two Line Replacement:						\$ 178,244.00

Lift Station Structural and Mechanical

Provides for replacement of lift station piping and concrete structural repair.

Lump sum estimates include bypass pumping, demolition, and epoxy coating to concrete surfaces.

		Year Two	
Suction piping only	Piping	14,500.00 (2) Lift Stations	\$29,000
	Concrete repair	20,000.00 (2) Lift Stations	\$40,000
Suction Lift and Discharge piping	Piping	18,500.00 (1) Lift Station	\$18,500
	Concrete repair	20,000.00 (1) Lift Station	\$20,000
Total Year Two Lift Station Structural and Mechanical			\$107,500