

NOTICE OF JOINT PUBLIC HEARING  
THE FREEPORT CITY COUNCIL  
&  
PLANNING COMMISSION  
MONDAY, JULY 7TH, 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 June 16, 2014 Council Minutes. Pg. 668-671
5. Attending citizens and their business.
6. **Joint Public Hearing:** The City Council and the Planning Commission of said City will conduct a Joint Public Hearing to consider granting to Freeport Christian Center a Specific Use Permit to construct and operate a church on Lots 2-8, Velasco Heights Annex, fronting on Zapata Street within the corporate limits of said City. Pg. 672-677
7. Consideration of approving Ordinance No. 2014-2068 granting to Freeport Christian Center a Specific Use Permit to construct and operate a church on Lots 2-8, Velasco Heights Annex, fronting on Zapata Street within the corporate limits of said City. Pg. 678-682
8. **Joint Public Hearing:** The City Council and the Planning Commission of said City will conduct a Joint Public Hearing an amendment to Exhibit A (layout plan) of the Specific Use Permit granted to Mr. Eric Hayes to construct an RV park on Brazosport Boulevard, BCIC Division 14, Lots 92 & 93, Freeport Texas. Pg. 683 & Map
9. **Joint Public Hearing:** The City Council and the Planning Commission of said City will conduct a Joint Public hearing to consider modifying the truck route in the City of Freeport. Pg. 684 & Map
10. Consideration of approving and signing a replat of Bridge Point Subdivision, recorded in County Clerks File 13-015361 B.C.O.R in the Eli Mitchell Survey, Abstract 99, City of Freeport Texas, Brazoria County.
11. Consideration of approving and renewing the City of Freeport Economic Development Corporation Sales Tax Remittance Guaranty and Subordination Agreement with the First State Bank of Louise, Texas. Pg. 685-689

12. Consideration of offer to Air Liquide to purchase a pipeline easement across the South end of Tract K1, Abstract 89, Brazoria County, Texas owned by the City of Freeport, granting permission for Air Liquide to have a survey conducted thereon at its expense for the purpose of establishing a legal description for such proposed easement and setting a bid date of August 18, 2014 to consider bids to purchase such easement. Pg. 690-696
13. Consideration of approving and authorizing the City Manager to purchase two air compressors for the City Hall in the amount of \$5,246.00 from the contingency fund.
14. Consideration of approving any action to be taken as a result of closed Executive Session.

Work Session:

- A. Consumer Confidence Report by Jerry Meeks of Veolia Water. Pg. 697-710
- B. Update on current budget revenues – proposed 2014-2015 revenues projection.

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:

- Related to Contractual Water/Sewer Operations.
- Pending negotiations with Hotel/Restaurant/Retail Developer.
- Skymark Development Company, Inc.

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, July 3rd, 2014 at or before 5:00 p.m.

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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 June 16, 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  
Councilman Larry L. McDonald  
Councilman Fred Bolton  
Councilwoman Sandra Loeza - absent  
Councilwoman Sandra Barbree

Staff: Jeff Pynes, City Manager  
Gilbert Arispe, Assistant City Manager  
Delia Munoz, City Secretary  
Wallace Shaw, City Attorney  
Nat Hickey, Property Manager  
Brian Davis, Fire Chief  
Dan Pennington, Chief of Police  
Bob Welch, Finance Director

Visitors: Jerry Meeks Nicole Mireles  
Sam Reyna Annette Sanford  
Eric Hayes Lila Diehl  
Julio Aluiso Eva Aluiso  
Lance Reaves Debra Martinez  
Felicia Moreno Valentina Moreno

**Call to order.**

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

**Invocation.**

Wallace Shaw offered the invocation.

**Pledge of Allegiance.**

Felicia Moreno led the Pledge of Allegiance.

Consideration of approving the June 2, 2014 Council Minutes.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved the June 2, 2014 Council Minutes.

Attending citizens and their business.

There were none.

Joint Public Hearing: The City Council and the Planning Commission of said City will conduct a Joint Public Hearing to consider granting to Freeport Christian Center a specific use permit to construct and operate a church on Lots 2-8, Velasco Heights Annex, fronting on Zapata Street within the corporate limits of said City.

The Planning Commission had no quorum. Mayor Norma Garcia reagendaed the Joint Public Hearing to July 7, 2014.

Consideration of approving Ordinance No. 2014-2068 granting to Freeport Christian Center a specific use permit to construct and operate a church on Lots 2-8, Velasco Heights Annex, fronting on Zapata Street within the corporate limits of said City.

This item was reagendaed.

Consideration of setting July 21<sup>st</sup>, 2014 for a Joint Public Hearing with the Planning Commission to consider granting an Amendment to Exhibit "A" (layout plan) of the Specific Use Permit granted to Mr. Eric Hayes to construct an RV park on Brazosport Boulevard, BCIC Division 14, Lots 92 & 93, Freeport Texas.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved setting the June 7, 2014 for a Joint Public Hearing with the Planning Commission to consider granting an Amendment to Exhibit "A" (layout plan) of the Specific Use Permit granted to Mr. Eric Hayes to construct an RV park on Brazosport Boulevard, BCIC Division 14, Lots 92 & 93, Freeport Texas.

Consideration of setting July 21, 2014 for a Joint Public Hearing with the Planning Commission to consider modifying the truck route in the City of Freeport.

On a motion by Councilman McDonald, seconded by Councilman Bolton, with all present voting "aye", Council unanimously approved setting July 7, 2014 for a Joint Public Hearing with the Planning Commission to consider modifying the truck route in the City of Freeport.

Consideration of approving Resolution No. 2014-2440 designating the Asst.City Manager Gilbert Arispe to act for and on behalf of the City of Freeport in dealing with the State of Texas General Land Office for the purpose of applying for state assistance to clean and maintain the public beaches.

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting 3 to 1, Council approved Resolution No. 2014-2440 designating the Asst. City Manager Gilbert Arispe to act for and on behalf of the City of Freeport in dealing with the State of Texas General Land Office for the purpose of applying for state assistance to clean and maintain the public beaches. Councilman McDonald opposed.

Consideration of approving and awarding the Performance of Depository Services for the City of Freeport beginning June 1, 2004 and ending September 30, 2014, and thereafter until a successor depository is selected and qualified.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved and award the Performance of Depository Services to Texas Gulf Bank for the City of Freeport beginning June 1, 2004 and ending September 30, 2014, and thereafter until a successor depository is selected and qualified.

Consideration of setting July 21, 2014 to conduct a public Hearing pursuant to Sections 26.001, et seq., Texas Parks, & Wildlife Code, to consider whether or not the portion of the park or recreation area within the corporate limits of said city known as Riverside Park located north of a westerly extension of the street shown on the plat of the Velasco Townsite as Ave. C and all of the park or recreation area within the corporate limits of said city known as Stephen F. Austin Park should be combined and moved to a new location within the corporate limits of the City to be selected and acquired by the City Council for the purpose of developing a modern sports complex at such new location.

On a motion by Councilwoman Barbree, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved setting July 21, 2014 to conduct a public Hearing pursuant to Sections 26.001, et seq., Texas Parks, & Wildlife Code, to consider whether or not the portion of the park or recreation area within the corporate limits of said city known as Riverside Park located north of a westerly extension of the street shown on the plat of the Velasco Townsite as Ave. C and all of the park or recreation area within the corporate limits of said city known as Stephen F. Austin Park should be combined and moved to a new location within the corporate limits of the City to be selected and acquired by the City Council for the purpose of developing a modern sports complex at such new location.

Mayor Norma Garcia opened the Work Session at 6:10 p.m.

Work Session:

Discuss budget priorities and goals for fiscal year 2014-2015.

Mr. Jeff Pynes getting input from all Department and Supervisors on budget priorities and goals for fiscal year 2014.

Councilman Bolton commented on pursuing a new recreation facility and repairing 2<sup>nd</sup> Street.

Annette Sanford mentioned that Cedar Street is in need of repairs and railroad track on Broad Street needs attention. .

Erik Hayes stated that Broad and Holly Street need lowering.

Ed Garcia Chairman of the Planning Commission stated that requested \$15, 000 from the City for college students to assist in developing a Master Plan.

Councilman McDonald stated that the City needs a maintainer for leveling the alleys and a grade-all for ditches. A certified mosquito sprayer is needed.

Mayor Garcia stated that Yellowstone and Skinner Street need attention.

Investment Grade Audit Presentation (IGA) by Schneider Electric.

Debra Jones, energy specialist with Schneider Electric presented to Council a 6 month energy audit on the City facilities. She identified and reviewed projects benefits for the City. The project cost is 4.7 million. A projected saving of \$350,000 per year and project will self-fund in less than 12 years. She reviewed the financing options.

- Replace mechanical systems at City Hall – near failure.
- Indoor and Outdoor lighting – safety and curb appeal.
- Energy Management System programing optimization.
- Leak detection in the water piping system.
- Comprehensive water meter replacement
- New automatic meter reading system.
- Reduced REP costs
- Pool pumping – moves it from constant on to optimized operating time.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting "Aye", Mayor Norma Garcia adjourned the meeting at 6:35 p.m.

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Mayor Norma M. Garcia  
City of Freeport, Texas

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City Secretary – Delia Munoz  
City of Freeport, Texas

City of Freeport  
Building Department  
Phone: 979-233-3526

For Office Use Only  
Case Number: \_\_\_\_\_  
Date Filed: 1-16-14  
P & Z Date: \_\_\_\_\_  
Council Date: \_\_\_\_\_

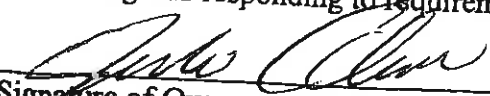
**Application for  
Specific Use Permit**

1. Address or general location of site: ZAPATA ST.
  
2. Subdivision Velasco Heights Block D Lots 2-8 Acres 7.08  
ANEX.
  
3. Current Zoning Classification: C-2
  
4. Proposed use of the site (please be specific): Build New Church  
Freeport Christian Center - we have out grown the  
existing Building that we are currently in.  
(Yellowstone)
  
5. Reason for requesting a specific use permit: Building Church.

I hereby certify that I am the owner or duly authorized agent of the owner, for the purposes of this application. The application fee of \$150.00 to cover the cost of this specific use permit application has been paid to the City of Freeport on 1-16, 2014. I also certify that I have been informed and understand the regulations regarding specific use permits as specified in the Zoning Ordinance of the City of Freeport. I understand it is necessary for me or my authorized agent to be present at both the Planning and Zoning Commission and the City Council public hearings.

Owner's Signature: Julio Aluiso  
Owner's Name: Julio Aluiso  
Address: Julio Aluiso  
City, State, Zip: Freeport Texas 77541 Phone: 979-709-1563

In lieu of representing this request myself as owner of the subject property, I hereby authorize the person designated below to act in the capacity as my agent for the application, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person with the City (and vice versa) in processing and responding to requirements, information or issues relative to this request.

  
\_\_\_\_\_  
Signature of Owner

Julio Aviso  
\_\_\_\_\_  
Name Printed or Typed

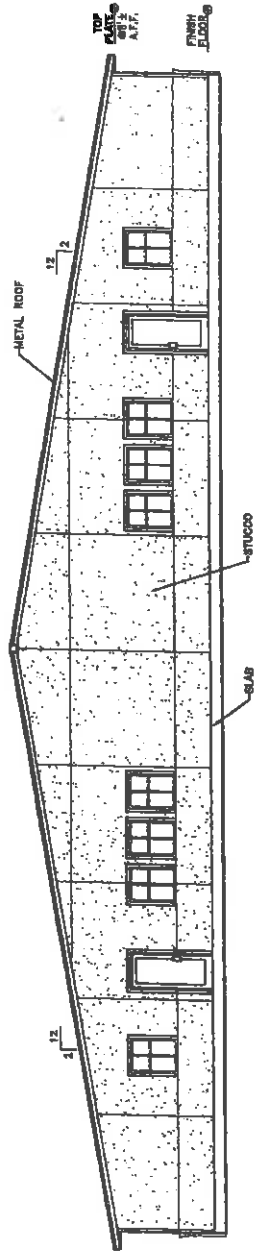
\_\_\_\_\_  
Signature of Agent

\_\_\_\_\_  
Name Printed or Typed

Address of Agent: 1623 N. Ave O, Freeport

Agent's Phone Number: 979. 709. 1563  
979. 900. 9091 - wife EVA

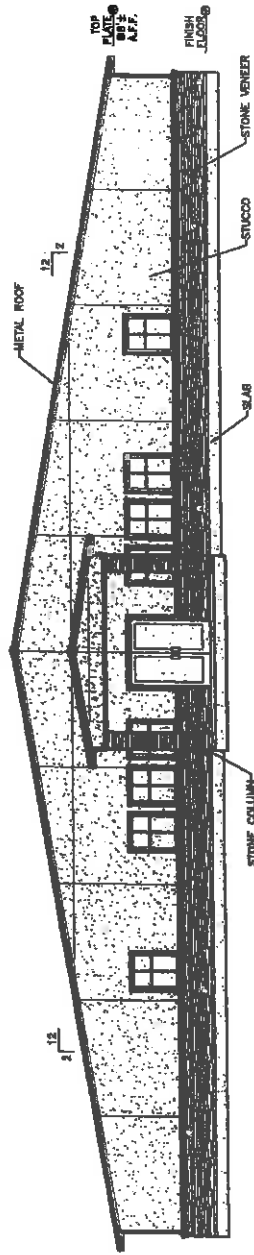




REAR ELEVATION

SCALE: 3/8" = 1'-0"

2



FRONT ELEVATION

SCALE: 3/8" = 1'-0"

1

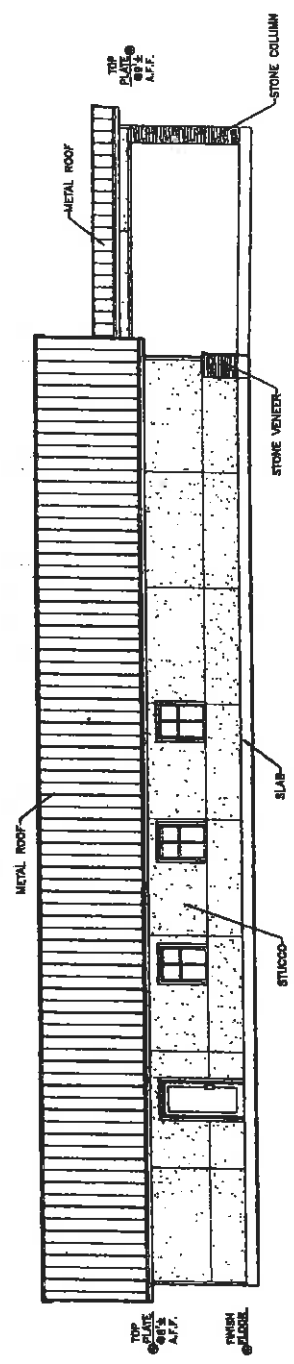
Absolute Drafting and Design

Billy Taylor  
979.708.8725  
btaylor.drafting@gmail.com

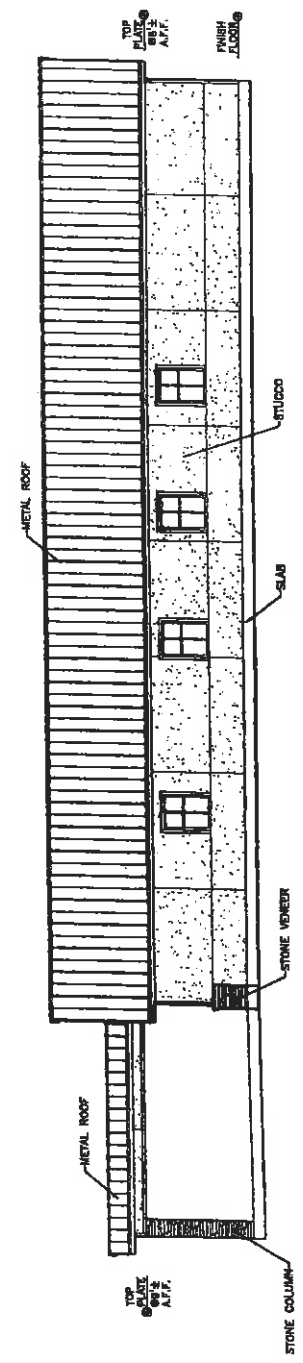
ELEVATIONS

A3.00

SCALE: AS NOTED  
DATE: 11.24.13



LEFT ELEVATION SCALE: 3/8\"/>



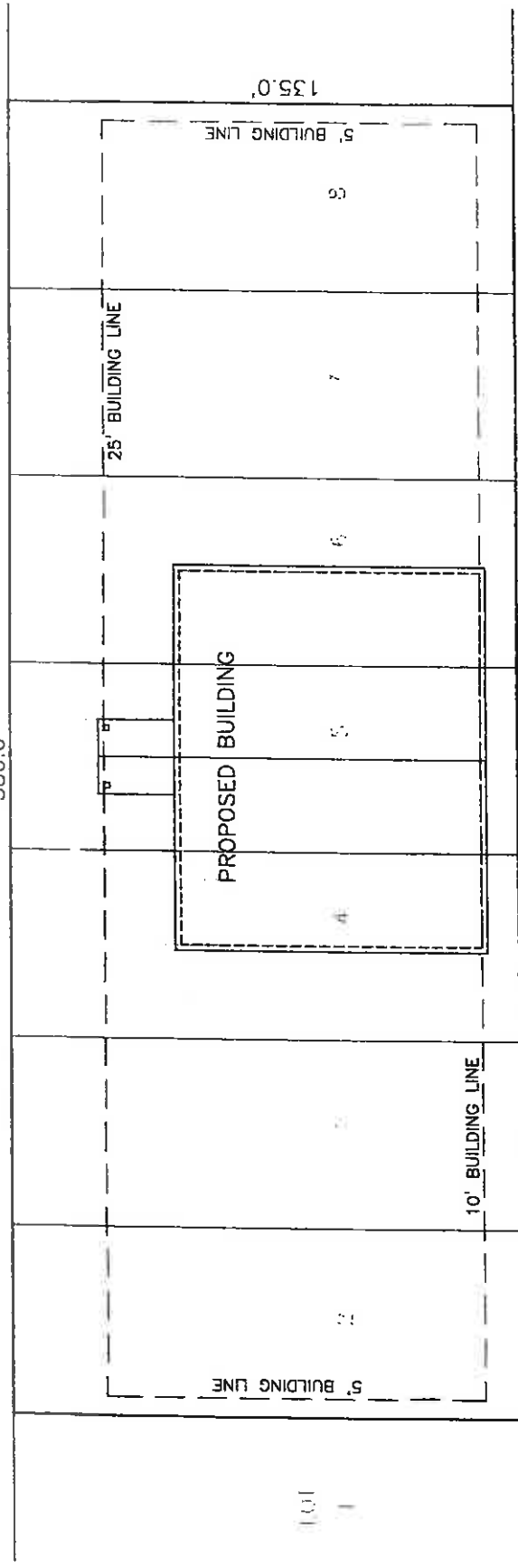
RIGHT ELEVATION SCALE: 3/8\"/>





ZAPATA ST. - 60' R.O.W.

350.0'



LOT 1

135.0'

**Absolute Drafting and Design**

Billy Taylor  
979.709.8725  
btaylor.drafting@gmail.com

REVISIONS:

SCALE: 1" = 30'

SITE PLAN

1

SITE PLAN

A2.00

SCALE: AS SHOWN  
DATE: 11.24.13

~~CONFIDENTIAL~~

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT AND CONCLUSIONS OF LAW; AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF SAID CITY TO PERMIT THE SPECIFIC USE OF LOTS 2 THROUGH 8, VELASCO HEIGHTS ANNEX, FRONTING ON ZAPATA STREET, WITHIN THE CORPORATE LIMITS OF SAID CITY, AS A CHURCH TO BE OPERATED BY CHRIST COMMUNITY CHURCH OF BRAZOSPORT, INC., UNDER CERTAIN CONDITIONS THEREIN SPECIFIED; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND APPROVAL.

WHEREAS, the City of Freeport, Texas, hereinafter sometimes called "the City", is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Subchapter A of Chapter 211 of the Local Government Code of Texas and Item (g) of Section 3.07 of the Home Rule Charter of the City authorizes the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City has determined and do here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and conforms to the comprehensive zoning plan of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

SECTION ONE--Findings of Fact and Conclusions of Law.

The City Council of the City makes the following findings of fact and conclusions of law, viz:

First, that all public hearings required by the Zoning Enabling Act of the State of Texas, now codified as Chapter 211 of the Local Government Code, and the present Comprehensive Zoning Ordinance of the City, codified as Chapter 155 of the Code of Ordinances of the City and hereinafter called "the Zoning Ordinance", were conducted in the manner and at the time required by said Code and the Zoning Ordinance.

Second, that not less than fifteen (15) days prior to the date of such hearings, a public notice thereof was published once in the Brazosport Facts, a newspaper of general circulation in and the official newspaper of the City, stating the time and place of such hearings.

Third, that not less than ten (10) days before the date of such public hearings, written notice of the application for the below mentioned Specific Use Permit was sent to all owners of real property located within the below described real property for which such permit is sought and within two hundred (200') feet from such property.

Fourth, that after giving due regard to the nature and condition of all adjacent uses and structures, the City Council of the City is of the opinion of that such proposed use conforms to the requirements and intent of the Zoning Ordinance and the Comprehensive Plan of the City; that the conditions herein below attached to the granting of such permit are necessary to the public interest; and that the proposed use under such conditions will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the public welfare of the community.

Fifth, that the health, safety, morals and general welfare of the inhabitants of the City will best be served by the adoption of this ordinance and the granting of the Specific Use Permit hereinafter mentioned.

SECTION TWO--Comprehensive Zoning Ordinance Amended and  
Specific Use Permit Granted.

The Zoning Ordinance is hereby amended and a Specific Use Permit is hereby granted with respect to the following described real property in the City of Freeport, Texas, to-wit:

Lots 2 through 8, Velasco Heights Annex, in the City of Freeport, Brazoria County, Texas, according to the map or plat of said annex recorded in the office of the County Clerk of said county,

fronting on Zapata Street, herein "the premises", which is owned by the FREEPORT CHRISTIAN CENTER, hereinafter "the owner", to authorize the use of the premises as a church to be operated by the owner, which is a non-profit corporation organized and existing as such under the laws of the State of Texas, herein "the Permittee", under the following terms and conditions, viz:

First, all parking between 7:00 a.m., and 7:00 p.m., shall be off-street; all storage must be in an on-premises building; the premises must be available for inspection by the City's Building Official at all times; and any activities other than those of a church and those permitted in a C-2 Zoning District by the Zoning Ordinance must be approved by a concurrent vote of a majority of the members of the City Council and the Planning Commission taken at any regular or special meeting thereof at which a quorum of each body is present. The term "activities of a church" means activities which are reasonably related to the use of the premises for church meetings, fellowships, Christian entertainment and religious worship by the members of the Permittee and its invitee.

Second, the Permit herein granted shall automatically terminate if the Permittee (a) ceases to be the owner, or (b) ceases, for thirty (30) consecutive days, to use the premises for the activities of a church as herein defined or any other use hereafter authorized as provided above in Item One.

Third, this permit may also be terminated by the City Council for a violation of any provision of Item First of this Section, or any amendment hereto, or if the Permittee leases or rents, for more than three (3) consecutive days, any portion of the premises to a third party or parties. Termination by the City Council shall be upon the affirmative vote of a majority of the members present and voting at any regular or special meeting thereof held after at least ten (10) days prior written notice sent by certified mail, return receipt requested and addressed to the Permittee at the premises, specifying the particular violation or violations. Any decision of the City Council thereon shall be entered upon the minutes of such meeting and shall be final and non-appealable.

SECTION THREE--Severance Clause.

In the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

SECTION FOUR--Effective Date.

This ordinance shall take effect and be in force from and after its passage and approval.



READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Norma Moreno Garcia, Mayor,  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Munoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Wallace Shaw, City Attorney,  
City of Freeport, Texas

C:\Freeport.SUP\Fpt Christian Ctr-SUP

**TO ALL PERSONS IN INTEREST, CITIZENS, CORPORATIONS, AND FIRMS, THEIR AGENTS AND ATTORNEYS, AND TO ALL PERSONS, FIRMS, AND CORPORATIONS OWNING ANY INTEREST IN THE BELOW DESCRIBED LAND OR ANY LAND LOCATED WITHIN TWO HUNDRED (200') FEET THEREOF AND TO ALL INHABITANTS AND LAND OWNERS OF AND IN THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS.**

**NOTICE**

**A joint public hearing will be held on Monday, July 7, 2014, at 6:00 o'clock p.m., central standard time, at the Police Department Municipal Courtroom of the City of Freeport, Texas, located at 430 North Brazosport Boulevard, within the corporate limits of said city, in Brazoria County, Texas, at which time and place the City Council and the Planning Commission of said city will conduct a joint public hearing to consider a proposed amendment to the Comprehensive Zoning Ordinance and Map of said city, codified as Chapter 155 of the Code of Ordinances of said City, granting to Loren Eric Hayes an amended specific use permit to operate an RV Park within said city on Lots 92 and 93, Brazos Coast Investment Company Subdivision, Division 14, A. Calvit Survey, Abstract 49 and J.F. Fields Survey, Abstract 62, Brazoria County, Texas, located on North Brazosport Boulevard northeast of its intersection with Zapata Street.**

**BY ORDER OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS,  
made on the 16th day of June, 2014.**

  
\_\_\_\_\_  
Delia Muñoz, City Secretary,  
City of Freeport, Texas

**NOTICE OF PUBLIC HEARING ON MODIFYING TRUCK ROUTE**

**BE IT KNOWN** that on Monday, July 7, 2014, beginning at 6:00 o'clock p.m., the City Council of the City of Freeport, Texas, will conduct a **JOINT PUBLIC HEARING** at the Freeport Police Department, Municipal Courtroom of the City of Freeport, Texas, located therein at 430 North Brazosport Boulevard, on the **PROPOSED MODIFICATION OF THE TRUCK ROUTE OF THE City**. **Written Comments** concerning such modification must be mailed to arrive at or be delivered in person to the office of the City Manager, 200 West 2<sup>nd</sup> Street, Freeport, Texas, 77541, at such office prior to 5:00 p.m. on the day of such hearing. **Verbal comments** will be accepted at the time of the hearing.

**BY ORDER OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS,**  
**made on the 16th day of June, 2014.**

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**Delia Munoz, City Secretary,**  
**City of Freeport, Texas**

**SALES TAX REMITTANCE, GUARANTY  
AND SUBORDINATION AGREEMENT**

This SALES TAX REMITTANCE, GUARANTY AND SUBORDINATION AGREEMENT (this "Agreement") is made to be effective as of February 11, 2010, by and among the CITY OF FREEPORT, TEXAS, a duly incorporated and existing home rule city operating and existing under the laws of the State of Texas (the "City"), the FREEPORT ECONOMIC DEVELOPMENT CORPORATION, a nonprofit development corporation organized and existing under the laws of the State of Texas, including Section 4B of the Development Corporation Act of 1979, Article 5190.6, Texas Revised Civil Statutes Annotated, as amended (the "Corporation") and FIRST STATE BANK OF LOUISE, TEXAS (the "Bank").

**RECITALS**

WHEREAS, the Corporation on behalf of the City is to finance the completion of the construction of a public marina (the "Project"); to promote economic development in the City; and

WHEREAS, such financing contemplates the issuance of the Corporation's note in a principal amount not to exceed \$1,750,000.00.

**AGREEMENT**

1. **Financing of Project:** For and in consideration of the City's covenants and agreements herein contained and subject to the terms contained herein, the Corporation hereby agrees to enter into the Loan Agreement, dated of even date herewith (as same may be amended, restated, supplemented and/or otherwise modified, the "Loan Agreement"), by and between the Corporation and the Bank, and a promissory note thereunder in a principal amount not to exceed \$1,750,000.00 (the "Note"), and the Corporation hereby agrees and covenants that all proceeds of the loan evidenced by the Note shall be used solely to pay the costs of the Project.

2. **Receipt and Transfer of Proceeds of Sales Tax.** The City agrees, in cooperation with the Corporation, to take such actions as are required to cause 1/2 of 1% sales and use tax (the "Sales Tax") received from the Comptroller of Public Accounts of the State of Texas for and on behalf of the Corporation to be deposited immediately upon receipt by the City to the credit of the Corporation.

3. **Guaranty.** Pursuant to the authority of Chapter 380, Local Government Code, as amended, the City hereby guaranties the payment of the principal of and interest on the Note by the Corporation. The City's guaranty is subject to annual appropriation.

4. **Subordination.** The City and the Corporation agree that the pledge of the Sales Tax to the Note shall be senior to the pledge or use thereof to the Corporation's existing loan from the City for the Project and the use thereof to pay the principal of and interest on any outstanding or future bonds, certificates of obligation or other indebtedness of the City. The City hereby

expressly subordinates its rights to the Sales Tax under its existing loan to the Corporation for the Project to the payment of all principal and interest on the Note.

5. **Revenues.** Neither the City nor the Corporation shall pledge any revenues, rents, lease or license payments received from the Project without the consent of the Bank.

6. **Modifications.** This Agreement shall not be changed orally, and no executory agreement shall be effective to waive, change, modify or discharge this Agreement in whole or in part unless such executory agreement is in writing and is signed by the parties against whom enforcement of any waiver, change, modification or discharge is sought and approved in writing by the Bank.

7. **Counterparts.** This Agreement may be executed in several counterparts, and all such executed counterparts shall constitute the same agreement. It shall be necessary to account for only one such counterpart in proving this Agreement.

8. **Severability.** If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall nonetheless remain in full force and effect.

9. **Applicable Law.** This Agreement shall in all respects be governed by, and construed in accordance with, the substantive federal laws of the United States and the laws of the State of Texas.


10. **Captions.** The section headings appearing in this Agreement are for convenience of reference only and are not intended, to any extent and for any purpose, to limit or define the text of any section or any subsection hereof.

11. **Capitalized Terms.** All capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Loan Agreement.


*[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BANK]*

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective as of the date and year first above written.

**FREEPORT ECONOMIC DEVELOPMENT  
CORPORATION**

By:   
Dan Tarver, President

ATTEST:

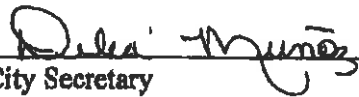
By:   
Lila Diehl, Secretary

*Signature Page to Sales Tax Remittance, Guaranty and Subordination Agreement*

CITY OF FREEPORT, TEXAS

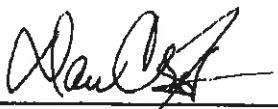
By:   
Larry McDonald, Mayor

ATTEST:

  
City Secretary

*Signature Page to Sales Tax Remittance, Guaranty and Subordination Agreement*

FIRST STATE BANK OF LOUISE, TEXAS

By:   
\_\_\_\_\_  
Dan Croft, President

*Signature Page to Sales Tax Remittance, Guaranty and Subordination Agreement*





June 25, 2014

CITY OF FREEPORT  
City Hall  
200 W. 2<sup>nd</sup> Street  
Freeport, TX 77541

VIA: USPS PRIORITY MAIL TRACKING NO. 9405 5036 9430 0323 5524 21

RE: OFFER FOR PIPELINE EASEMENT

Dear Sirs:

Air Liquide Large Industries U.S. LP ("Air Liquide"), represented herein by me, is constructing an industrial gas pipeline from Freeport, Texas to Bay City, Texas. We have located a route which crosses your property. Please see the enclosed plat, whereby the pipeline route is depicted on your property.

Air Liquide, in a good faith effort to reach an agreement, proposes to acquire a permanent easement from you located across the property as shown on the attached drawing. The offer to you in the amount of \$11,429.45 as total compensation, represents full monetary compensation for the easement we are seeking, including temporary workspace, access and damages, if any, to your property as a result of the permanent easement.

Please see the enclosed "Pipeline Easement and Right-of-Way Consideration Calculation Sheet Proposal" and plat for details regarding our offer.

**This offer is subject to, and any acceptance of this offer, is conditioned expressly upon, the satisfaction in the sole discretion of Air Liquide of each of the following conditions (and if such conditions are not met to Air Liquide's satisfaction by 5:00 PM CDT, July 7, 2014, or otherwise waived by Air Liquide this offer shall terminate and become void and of no force and effect, even if previously accepted by you, subject to the conditions):**

- Receipt and approval by Air Liquide of a Limited Title Certificate, at Air Liquide's sole cost and expense, showing Landowner vested in title
- Completion of a Legal Description and Plat certified by a Texas Registered Professional Land Surveyor, at Air Liquide's sole cost and expense
- Approval of the route design and feasibility study by the Air Liquide Pipeline Engineering and Construction Group
- Approval of all applicable agency permits associated with the pipeline Project
- Execution of an easement agreement and related recording memorandum in a mutually acceptable form prepared by Air Liquide
- Receipt of Landowner's completed IRS Form W-9 with Taxpayer Identification Number or Social Security Number, as applicable

AIR LIQUIDE LARGE INDUSTRIES U.S. LP  
3560 West 12<sup>th</sup> Street, Houston, Texas 77008

- Receipt of Landowner's written payment directive and Taxpayer Identification Number or Social Security Number, as applicable, if payment is made to someone other than the record title owner
- Landowner has identified all tenants and has settled all damage claims associated with the easement

*RW*  
Air Liquide appreciates your time and consideration of this offer. As indicated above, I need a response by 5:00 PM CDT on July 7, 2014. I would be happy to visit with you or your representative at any time about this offer. Please do not hesitate to contact me at (214) 783-8193.

Thank you for your time and prompt attention to this matter.

Sincerely,



Randell Wyatt  
Agent for Air Liquide Large Industries U.S. LP

Enc.(5)

- Pipeline Easement and Right of Way Consideration Calculation Sheet Proposal
- Plat depicting route across property
- IRS Form W-9
- Texas Real Estate Commission Form ERW.4-0
- Self addressed stamped envelope



DATE: 6/25/2014

Project #: 201302858

Project Name: South Texas Syngas Pipeline

Number of Pipelines: 1

Pipeline Easement and Right-of-Way Consideration Calculation Sheet Proposal

Tract No. 122

Landowner Name: CITY OF FREEPORT

Permanent Easement:	<u>12.70</u> Rods	<u>900.00</u> \$/Rod =	<u>\$11,429.45</u>	Easement Cost
Width	<u>30.00</u> Ft. X	<u>209.54</u> Ft. =	<u>6,286</u>	Easement Sq. Ft.
Temporary Easement:	<u>12.70</u> Rods	<u>    </u> \$/Rod =	<u>    </u>	Easement Cost
Width	<u>45.00</u> Ft.	<u>209.54</u> Ft. =	<u>9,429</u>	Easement Sq. Ft.
Temporary Workspace	<u>    </u> Ft. X	<u>    </u> Ft.	<u>    </u>	Amount Paid
		= <u>    </u> Sq. Ft. =	<u>    </u>	Workspace Cost \$/Sq. Ft.
Damages (Itemize):	Item Damaged	Number Damaged	Amount Paid	
	1) _____	_____	_____	
	2) _____	_____	_____	
	3) _____	_____	_____	
	4) _____	_____	_____	
	5) _____	_____	_____	
		Total Damages	_____	
		<b>Total Tract Payment</b>	<b>\$11,429.45</b>	

This offer is subject to, and any acceptance of this offer, is conditioned expressly upon, the satisfaction in the sole discretion of Air Liquide of each of the following conditions (and if such conditions are not met to Air Liquide's satisfaction by 5:00 PM CDT, July 7, 2014, or otherwise waived by Air Liquide this offer shall terminate and become void and of no force and effect, even if previously accepted by you, subject to the conditions):

- Receipt and approval by Air Liquide of a Limited Title Certificate, at Air Liquide's sole cost and expense, showing Landowner vested in title
- Completion of a Legal Description and Plat certified by a Texas Registered Professional Land Surveyor, at Air Liquide's sole cost and expense
- Approval of the route design and feasibility study by the Air Liquide Pipeline Engineering and Construction Group
- Approval of all applicable agency permits associated with the pipeline Project
- Execution of an easement agreement and related recording memorandum in a mutually acceptable form prepared by Air Liquide
- Receipt of Landowner's completed IRS Form W-9 with Taxpayer Identification Number or Social Security Number, as applicable
- Receipt of Landowner's written payment directive and Taxpayer Identification Number or Social Security Number, as applicable, if payment is made to someone other than the record title owner
- Landowner has identified all tenants and has settled all damage claims associated with the easement

Landowner Name(s): \_\_\_\_\_ Agent Name: Randell Wyatt  
 \_\_\_\_\_ Representing Air Liquide Large Industries U.S. LP

Landowner Signature(s): \_\_\_\_\_ Agent Signature: Randell Wyatt

Date: \_\_\_\_\_ Date: \_\_\_\_\_



**LEGEND**

- Proposed Route
- Property Boundary



OWNER: CITY OF FREEPORT

LEGAL DESC: ABST - 89 Tract - K1

UID: 122

COUNTY: BRAZORIA

EASEMENT LENGTH: 209.54

Are you interested in a pipeline across your property?

Yes  No

Will you grant survey permission to Air Liquide on your property?

Yes  No

Date:

## Request for Taxpayer Identification Number and Certification

**Give Form to the  
requester. Do not  
send to the IRS.**

Print or type  
See Specific Instructions on page 2.

Name (as shown on your income tax return)	
Business name/disregarded entity name, if different from above	
Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____  <input type="checkbox"/> Other (see instructions) ▶ _____	
<input type="checkbox"/> Exempt payee	
Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
City, state, and ZIP code	<b>Air Liquide Large Industries U.S. LP 2700 Post Oak Blvd., Suite 325 Houston, TX 77056</b>
List account number(s) here (optional)	

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

<b>Social security number</b>	
[ ] [ ] [ ] - [ ] [ ] [ ] - [ ] [ ] [ ] [ ] [ ] [ ]	
<b>Employer identification number</b>	
[ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]	

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

<b>Sign Here</b>	Signature of U.S. person ▶ _____	Date ▶ _____
------------------	----------------------------------	--------------

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

#### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

You may wish to laminate the pocket identification card to preserve it.

SYD RANDELL WYATT  
13665 RAWHIDE PKWY  
DALLAS, TX 75234

The person named on the reverse is registered by the Texas Real Estate Commission .

Inquiry as to the status of this license may be made to:

Texas Real Estate Commission  
P.O. Box 12188  
Austin, Tx 78711-2188  
www.trec.texas.gov  
(512) 936-3000  
Fax:(512) 936-3864

**Texas Real Estate Commission**  
P.O. Box 12188 Austin, Texas 78711-2188  
**Easement or Right-of-Way Agent**  
**Certificate of Registration**

Registration #: **30437**

Registration Expires: **05/31/2015**

Easement or Right-of-Way Agent:

**SYD RANDELL WYATT**

The person named above is registered by the Texas Real Estate Commission as an easement or right-of-way agent.

  
Douglas E. Oldmixon  
Administrator

**Texas Real Estate Commission**  
P.O. Box 12188 Austin, Texas 78711-2188  
**Easement or Right-of-Way Agent**  
**Certificate of Registration**

Registration #: **30437**

Registration Expires: **05/31/2015**

Easement or Right-of-Way Agent:

**SYD RANDELL WYATT**

The person named above is registered by the Texas Real Estate Commission as an easement or right-of-way agent.

  
Douglas E. Oldmixon  
Administrator



# Annual Drinking Water Quality Report

TX0200005

CITY OF FREEPORT

Annual Water Quality Report for the period of January 1 to December 31, 2013

This report is intended to provide you with important information about your drinking water and the efforts made by the water system to provide safe drinking water.

For more information regarding this report contact:

Name Jerry Meeks

Phone 979-233-4281

Este reporte incluye información importante sobre el agua para tomar. Para asistencia en español, favor de llamar al telefono (979) 233-3526.

CITY OF FREEPORT is Purchased Surface Water

## Sources of Drinking Water

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pickup substances resulting from the presence of animals or from human activity.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline at (800) 426-4791.

Contaminants that may be present in source water include:

- Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban storm water runoff, and residential uses.
- Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff, and septic systems.



- Radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. FDA regulations establish limits for contaminants in bottled water which must provide the same protection for public health.

Contaminants may be found in drinking water that may cause taste, color, or odor problems. These types of problems are not necessarily causes for health concerns. For more information on taste, odor, or color of drinking water, please contact the system's business office.

You may be more vulnerable than the general population to certain microbial contaminants, such as Cryptosporidium, in drinking water. Infants, some elderly, or immunocompromised persons such as those undergoing chemotherapy for cancer; persons who have undergone organ transplants; those who are undergoing treatment with steroids; and people with HIV/AIDS or other immune system disorders, can be particularly at risk from infections. You should seek advice about drinking water from your physician or health care providers. Additional guidelines on appropriate means to lessen the risk of infection by Cryptosporidium are available from the Safe Drinking Water Hotline (800-426-4791).

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. We are responsible for providing high quality drinking water, but we cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

**Information about Source Water Assessments**

A Source Water Susceptibility Assessment for your drinking water source(s) is currently being updated by the Texas Commission on Environmental Quality. This information describes the susceptibility and types of constituents that may come into contact with your drinking water source based on human activities and natural conditions. The information contained in the assessment allows us to focus source water protection strategies.

For more information about your sources of water, please refer to the Source Water Assessment Viewer available at the following URL: <http://gis3.tceq.state.tx.us/swav/Controller/index.jsp?wtsrc=>

Further details about sources and source-water assessments are available in Drinking Water Watch at the following URL: <http://dww.tceq.texas.gov/DW/W>

Source Water Name	Type of Water	Report Status	Location
SW FROM BRAZOSPORT WA	SW	___A___	_Brazos River, Brazoria County_____
SW FROM BRAZOSPORT WA	SW	___A___	_Brazos River, Brazoria County_____

Public participation opportunities will be held at 430 Brazosport Blvd., Council Chambers, July 7<sup>th</sup>, 2014 at 6:00 PM.

**2013 Regulated Contaminants Detected**

**Coliform Bacteria**

Maximum Contaminant Level Goal	Total Coliform Maximum Contaminant Level	Highest No. of Positive	Fecal Coliform or E. Coli Maximum Contaminant Level	Total No. of Positive E. Coli or Fecal Coliform Samples	Violation	Likely Source of Contamination
0	1 positive monthly sample.	1		0	N	Naturally present in the environment.

**Lead and Copper**

**Definitions:**

**Action Level Goal (ALG):** The level of a contaminant in drinking water below which there is no known or expected risk to health. ALGs allow for a margin of safety.

**Action Level:** The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

Lead and Copper	Date Sampled	MCLG	Action Level (AL)	90th Percentile	# Sites Over AL	Units	Violation	Likely Source of Contamination
Copper	2013	1.3	1.3	0.134	0	ppm	N	Erosion of natural deposits; Leaching from wood preservatives; Corrosion of household plumbing systems.
Lead	2013	0	15	1.03	0	ppb	N	Corrosion of household plumbing systems; Erosion of natural deposits.

P700

**Water Quality Test Results**

**Definitions:** The following tables contain scientific terms and measures, some of which may require explanation.

**Avg:** Regulatory compliance with some MCLs are based on running annual average of monthly samples.

**Maximum Contaminant Level or MCL:** The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

**Maximum Contaminant Level Goal or MCLG:** The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

**Maximum residual disinfectant level or MRDL:** The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

## Water Quality Test Results

Maximum residual disinfectant level goal or MRDLG:

The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

MFL million fibers per liter (a measure of asbestos)

na: not applicable.

NTU nephelometric turbidity units (a measure of turbidity)

PC/L picocuries per liter (a measure of radioactivity)

ppb: micrograms per liter or parts per billion - or one ounce in 7,350,000 gallons of water.

ppm: milligrams per liter or parts per million - or one ounce in 7,350 gallons of water.

ppt parts per trillion, or nanograms per liter (ng/L)

ppq parts per quadrillion, or picograms per liter (pg/L)

**Regulated Contaminants**

Disinfectants and Disinfection By-Products	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
Halacetic Acids (HAA5)*	2013	15	8.6 - 18.9	No goal for the total	60	ppb	N	By-product of drinking water disinfection.
Total Trihalomethanes (TTHM)	2013	33	28.6 - 44	No goal for the total	80	ppb	N	By-product of drinking water disinfection.
Inorganic Contaminants	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
Arsenic	04/26/2011	2.8	2.2 - 2.8	0	10	ppb	N	Erosion of natural deposits; Runoff from orchards; Runoff from glass and electronics production wastes.
Barium	04/26/2011	0.15	0.146 - 0.15	2	2	ppm	N	Discharge of drilling wastes; Discharge from metal refineries; Erosion of natural deposits.
Fluoride	04/26/2011	0.53	0.48 - 0.53	4	4.0	ppm	N	Erosion of natural deposits; Water additive which promotes strong teeth; Discharge from fertilizer and aluminum factories.
Nitrate [measured as Nitrogen]	2013	1	1.16 - 1.23	10	10	ppm	N	Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits.
Radioactive Contaminants	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
Beta-photon emitters	04/26/2011	5.7	5.3 - 5.7	0	50	pCi/L*	N	Decay of natural and man-made deposits.

\*EPA considers 50 pCi/L to be the level of concern for beta particles.

Combined Radium 226/228	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
	04/26/2011	1	1 - 1	0	5	pCi/L	N	Erosion of natural deposits.
Synthetic organic contaminants including pesticides and herbicides	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
Atrazine	04/26/2011	0.32	0.18 - 0.32	3	3	ppb	N	Runoff from herbicide used on row crops.
Chemical Used	Average Level of Quarterly Data	Lowest Result of a Single Sample	Highest Result of a Single Sample	MRDL	MRDLG	Units		Source of Chemical
Chlorine	1.54	0.53	3.50	4.0	<4.0	mg/L		Disinfectant used to control microbes

The TCEQ has completed a Source Water Assessment for all drinking water systems that own their sources. The report describes the susceptibility and types of constituents that may come into contact with your drinking water source based on human activities and natural conditions. The system(s) from which we purchase our water received the assessment report. For more information on source water assessments and protection efforts at our system, contact Jerry Meeks, Project Manager 979-233-4281.

**Violations Table**

<b>Chlorine</b>			
Some people who use water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.			
<b>Violation Type</b>	<b>Violation Begin</b>	<b>Violation End</b>	<b>Violation Explanation</b>
Disinfectant Level Quarterly Operating Report (DLQOR).	01/01/2013	03/31/2013	We failed to test our drinking water for the contaminant and period indicated. Because of this failure, we cannot be sure of the quality of our drinking water during the period indicated.
			Corrective Actions
			Testing for this time period were taken and all reports are available for review.

# Annual Drinking Water Quality Report

TX0200125

CITY OF FREEPORT SLAUGHTER ROAD

Annual Water Quality Report for the period of January 1 to December 31, 2012

This report is intended to provide you with important information about your drinking water and the efforts made by the water system to provide safe drinking water.

For more information regarding this report contact:

Name Jerry Meeks, Project Manager

Phone (979) 233-4281

Este reporte incluye información importante sobre el agua para tomar. Para asistencia en español, favor de llamar al telefono (979) 233 - 3526.

CITY OF FREEPORT SLAUGHTER ROAD is Ground Water

## Sources of Drinking Water

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pickup substances resulting from the presence of animals or from human activity.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline at (800) 426-4791.

Contaminants that may be present in source water include:

- Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban storm water runoff, and residential uses.
- Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff, and septic systems.



- Radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. FDA regulations establish limits for contaminants in bottled water which must provide the same protection for public health.

Contaminants may be found in drinking water that may cause taste, color, or odor problems. These types of problems are not necessarily causes for health concerns. For more information on taste, odor, or color of drinking water, please contact the system's business office.

You may be more vulnerable than the general population to certain microbial contaminants, such as *Cryptosporidium*, in drinking water. Infants, some elderly, or immunocompromised persons such as those undergoing chemotherapy for cancer; persons who have undergone organ transplants; those who are undergoing treatment with steroids; and people with HIV/AIDS or other immune system disorders, can be particularly at risk from infections. You should seek advice about drinking water from your physician or health care providers. Additional guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* are available from the Safe Drinking Water Hotline (800-426-4791).

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. We are responsible for providing high quality drinking water, but we cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

The TCEQ completed an assessment of your source water and results indicate that some of your sources are susceptible to certain contaminants. The sampling requirements for your water system are based on this susceptibility and previous sample data. Any detections of these contaminants may be found in this Consumer Confidence Report. For more information on source water assessments and protection efforts at our system, contact Jerry Meeks, Project Manager, (979) 233-4281.

**Information about Source Water Assessments**

A Source Water Susceptibility Assessment for your drinking water source(s) is currently being updated by the Texas Commission on Environmental Quality. This information describes the susceptibility and types of constituents that may come into contact with your drinking water source based on human activities and natural conditions. The information contained in the assessment allows us to focus source water protection strategies.

For more information about your sources of water, please refer to the Source Water Assessment Viewer available at the following URL: <http://gis3.tceq.state.tx.us/swav/Controller/index.jsp?wtstrc=>

Further details about sources and source-water assessments are available in Drinking Water Watch at the following URL: <http://dww.tceq.texas.gov/DWW>

Source Water Name	Type of Water	Report Status	Location
1 - 3134 HWY 36	GW	Active	3134 Hwy, 36

Public Participation Opportunities will be held 400 Brazosport Blvd, Council Chambers, July 1, 2013 at 6:00PM.

2012 Regulated Contaminants Detected

Water Quality Test Results

Definitions: The following tables contain scientific terms and measures, some of which may require explanation.

Avg: Regulatory compliance with some MCLs are based on running annual average of monthly samples.

Maximum Contaminant Level or MCL: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

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na: not applicable.

NTU: nephelometric turbidity units (a measure of turbidity)

pCi/L: picocuries per liter (a measure of radioactivity)

ppm: micrograms per liter or parts per billion - or one ounce in 7,350,000 gallons of water.

ppt: milligrams per liter or parts per million - or one ounce in 7,350 gallons of water.

ppb: parts per billion, or nanograms per liter (ng/L)

ppq: parts per quadrillion, or picograms per liter (pg/L)

**Regulated Contaminants**

Disinfectants and Disinfection By-Products	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
Halooacetic Acids (HAAs)*	2012	23	14.4 - 29.5	No goal for the total	60	ppb	N	By-product of drinking water disinfection.
Total Trihalomethanes (TTHM)	2012	128	81.5 - 155	No goal for the total	80	ppb	Y	By-product of drinking water disinfection.
Inorganic Contaminants	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Violation	Likely Source of Contamination
Barium	2012	0.241	0.241 - 0.241	2	2	ppm	N	Discharge of drilling wastes; Discharge from metal refineries; Erosion of natural deposits.
Fluoride	2012	0.46	0.46 - 0.46	4	4.0	ppm	N	Erosion of natural deposits; Water additive which promotes strong teeth; Discharge from fertilizer and aluminum factories.
Nitrate [measured as Nitrogen]	2012	0.08	0.08 - 0.08	10	10	ppm	N	Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits.
Selenium	2012	6.2	6.2 - 6.2	50	50	ppb	N	Discharge from petroleum and metal refineries; Erosion of natural deposits; Discharge from mines.
Year	Disinfectant	Average level of quarterly data	Lowest result of a single sample	Highest result of a single sample	Max residual disinfectant level (MRDL)	Max residual disinfectant level goal	The unit of measure	Source of Chemical
2012	Chlorine	.80	.22	2.60	4.0	<4.0	ppm	Disinfectant used to control microbes

Violations Table

**Total Trihalomethanes (TTHM)**

Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous systems, and may have an increased risk of getting cancer.

Violation Type	Violation Begin	Violation End	Violation Explanation
MCL, AVERAGE	04/01/2012	06/30/2012	Water samples showed that the amount of this contaminant in our drinking water was above its standard (called a maximum contaminant level and abbreviated MCL) for the period indicated.
MCL, AVERAGE	07/01/2012	09/30/2012	Water samples showed that the amount of this contaminant in our drinking water was above its standard (called a maximum contaminant level and abbreviated MCL) for the period indicated.
MCL, AVERAGE	10/01/2012	12/31/2012	Water samples showed that the amount of this contaminant in our drinking water was above its standard (called a maximum contaminant level and abbreviated MCL) for the period indicated.



THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS, OR ENTITY NAMED IN THE CERTIFICATION HEREON, SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

THE STATE OF TEXAS  
COUNTY OF BRAZORIA

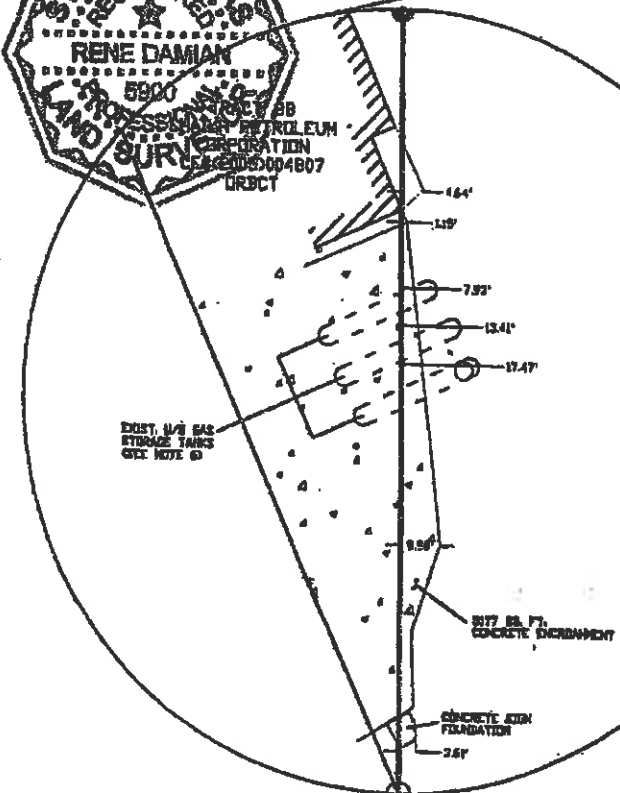
I, RENE DAMIAN, a Registered Professional Land Surveyor of the State of Texas, do hereby certify to Mr. Eric Hayes that the 8.837-acre tract being a portion of Tract 92 and all of Tract 93, both tracts being within the Brazos Coast Investment Company Subdivision No. 14, out of the J.F. Fields Labor No. 4, Abstract 62 and the Alexander Calvit League, Abstract 49, Brazoria County, Texas as recorded in Clerk File (2804) 043540 of the Official Records of Brazoria County, Texas was prepared by Damian & Associates and was surveyed on the ground on the 31st day of August, 2009.

The undersigned does hereby certify that this survey was this day made on the ground of the property legally described herein and is true and correct to the best of my knowledge and belief, and that there are no discrepancies, conflicts, and encroachments or overlapping of improvements, except as shown hereon, and that said has access to and from platted roadway.

Witness my hand, this the 19th day of October, 2009.

*René Damian*

RENE DAMIAN  
REGISTERED PROFESSIONAL LAND SURVEYOR  
REGISTRATION No. 5900



TRACT 86  
DOW CHEMICAL  
COMPANY

TRACT 94  
DOW CHEMICAL  
COMPANY

TRACT 87  
DOW CHEMICAL  
COMPANY

TRACT 88  
SHAIKH PETROLEUM  
CORPORATION  
CF#(2005)004807  
DRBCT

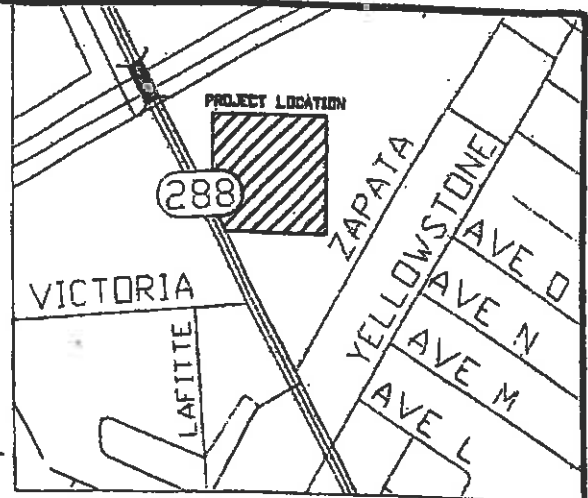
ERIC HAYES  
80C DIV 14 TRACT 92-93  
EAST 660.00'

J.F. FIELDS ABSTRACT 62  
ALEXANDER CALVIT ABSTRACT 49

TRACT 92

TRACT 91A  
KVETON DAVE  
CF#(2007)068671  
DRBCT

TRACT 91  
KVETON DAVE  
CF#(2007)068671  
DRBCT



VICINITY MAP  
N.T.S.



TRACT 926

TRACT 925

30' ROAD (UNDEVELOPED)

POWER LINE

NOTES:

- The basis of bearing for this survey is the found iron rod for the southeast corner of Tract 92, Brazos Coast Investment Company Subdivision No. 14 and the found iron rod for the northeast corner of Tract 93, Brazos Coast Investment Company Subdivision No. 14. The reference bearing is held at called N 00° 00' 00" W according to Volume 16, Page 277-278 of the Plat Record of Brazoria County, Texas.
- This survey was performed without the benefit of a title commitment.
- There is a 25' Building Line associated with the southwest corner of the diagonal property line of Tract 92, Brazos Coast Investment Company Subdivision No. 14.
- This property lies within Flood Zone X, Areas determined to be outside the 500-year flood plain, as shown on FEMA Maps Number 48039C07601 and 48039C07801 with an effective date of June 5, 1989 and a revised date of November 17, 1993. Reference Community Name - Freeport, City of, Community Number - 485467, Panels - 0760, Suffix 1, and 0780, Suffix 1.
- By order of the County Civil Court At Law No. 2, Brazoria County, Texas, on September 10, 1982, Tract 92A as shown herein, is owned by Southwestern Bell Telephone Company by virtue of condemnation. Refer to Brazoria County Court Records, Cause Number 11,236.
- Underground gas storage tanks shown in approximate locations. Locations shown by using best practical means of identification by land surveyors.

LEGEND

- Found Monument
- Found Iron Rod
- ⊙ Power Pole
- DRBCT Deed Records of Brazoria County, Texas
- CF Clerk File

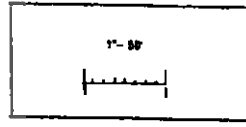
**SURVEY PLAT**

OF A  
8.837-ACRE TRACT  
BEING A PORTION OF TRACT 92 AND ALL OF TRACT 93,  
BOTH TRACTS BEING WITHIN THE BRAZOS COAST INVESTMENT COMPANY  
SUBDIVISION NO. 14  
OUT OF THE  
J.F. FIELDS LABOR NO. 4, ABSTRACT 62  
AND  
ALEXANDER CALVIT LEAGUE, ABSTRACT 49  
BRAZORIA COUNTY, TEXAS  
AS RECORDED IN CLERK FILE (2804) 043540 OF THE OFFICIAL RECORDS OF  
BRAZORIA COUNTY, TEXAS



ENGINEERED BY  
**DAMIAN & ASSOCIATES, INC.**  
ENGINEERING, PLANNING, SURVEYING AND MAPPING  
1819 N. AVE. 7  
FREEPORT, TEXAS 77641  
(779) 233-7171 OFFICE  
(779) 233-9071 FAX

SCALE: 1" = 100'



# Freeport Truck Route

**Legend**

- Truck Route
- Interior Truck Route Signs
- Major Roads Truck Route Sign
- No Trucks Point of Delivery Only Signs
- Roads
- Railroads
- Water

