

NOTICE OF PUBLIC HEARING  
THE FREEPORT CITY COUNCIL  
MONDAY, DECEMBER 1, 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 November 18, 2014 Council Minutes. Pg. 986-990
5. Attending citizens and their business.
6. Consideration of a request from Will J. Brooks, Parade Co-Chairman of the 29<sup>th</sup> Annual Dr. Martin Luther King Jr. Celebration Committee (MLKCC) request permission, support and participation to close portions of the streets during the parade to be held on Monday, January 19, 2015. The parade will start at 11:00 a.m. at East Park and Fourth Street and continue along 2<sup>nd</sup> Street to Hwy. 288 B to the rally at the Freeport Municipal Park. Pg. 991
7. Consideration of approving and authorizing the City Manager to sign the agreement accepting a FEMA Grant FY 2014 Port Security Grant Program, EMW- 2014 -PU-APP-00458 for \$743,475.00 and there is a 25% match of \$247,825.00 that the City must contribute for a total of 991,300.00. Pg. 992
8. Consideration of approving an Ordinance No. 2014-2078 amendment to CenterPoint Energy Houston Electric's rate schedule for lighting services; establishing an effective date for the amended tariff; finding the City's rate case expenses reasonable; and requiring reimbursement of the City's legal and consultant expenses. Pg. 993-997
9. Consideration of approving and setting a public hearing date for the purpose of determining whether or not the structures located on hereinafter described real property located within the corporate limits of the City fail to meet the standards set forth in the Standard Code and is/are therefore "unsafe" as that term is defined in the Standard Code. Pg. 998

## Work Session

- A Powerpoint presentation of homes/structures that the Building Official has identified with reasonable grounds as failing to meet the standards set forth in the Standard Unsafe Building Abatement Code adopted by section 150.025 and 150.026 of the Code of Ordinances of said City (hereinafter "the Standard Code") and is/are therefore "unsafe" as that term is defined in the City Ordinance. Pg. 999-1020

## 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, November 26, 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 Tuesday, November 18, 2014 at 6:10 p.m., at the Municipal Court Room, Freeport Police Department, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Norma Moreno Garcia  
Councilman Larry McDonald  
Councilman Fred Bolton  
Councilwoman Sandra Loeza  
Councilwoman Sandra Barbee

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

Visitors: Annette Sanford      Thomas Zirlott  
Lance Reaves      Melanie Oldham  
Moby Burrige      Evelyn Burrige  
Eric Hayes      Loren Hayes  
Jerry Meeks      Ronald Theriot Sr.  
James Barnett      Scott Bounds  
Dorothy Smith      Juanita Crane  
Mario Muraira

Call to order.

Mayor Norma M. Garcia called the meeting to order at 6:10 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma M. Garcia led the Pledge of Allegiance.

Consideration of approving the November 6, 2014 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved the November 6, 2014 Council Minutes.

Attending citizens and their business.

There were none.

Consideration of approving and signing a replat for Thomas and Charlene Zirlott on Lots 1 through 7, Block 802, Velasco Townsite, Recorded in Volume 32, Page 14 of the Brazoria County Deed Records in the J. F. Fields Survey Abstract 62 and the S.T. Angier Survey Abstract 8, City of Freeport, Brazoria County, Texas, dated October 2014.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved signing a replat for Thomas and Charlene Zirlott on Lots 1 through 7, Block 802, Velasco Townsite, Recorded in Volume 32, Page 14 of the Brazoria County Deed Records in the J. F. Fields Survey Abstract 62 and the S.T. Angier Survey Abstract 8, City of Freeport, Brazoria County, Texas, dated October 2014.

Consideration of approving and authorizing the City Manager to pay portion of Oyster Creek attorney bill for Freeport LNG Industrial District Agreement.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved and authorized the City Manager to to pay \$10,031.00 of Oyster Creek attorney bill for Freeport LNG Industrial District Agreement.

Consideration of approving the bid(s) and awarding the surface and surface only of Lots 13 through 21, Block 6, Velasco Townsite, City of Freeport, Brazoria County, known as 119 S. Gulf Boulevard.

On a motion by Councilman McDonald, seconded by Councilwoman Loeza, with all present voting "aye", Council approved the bids and awarded the surface and surface only of Lots 13 through 21, Block 6, Velasco Townsite, City of Freeport, Brazoria County, known as 119 S. Gulf Boulevard to the only bidder Gardner Campbell.

Consideration of approving the bid(s) and awarding the sale of a nine noncontiguous (9) tract package of property located in and around the City of Freeport as further described in Exhibit A.

Mayor Norma Garcia opened the Work Session at 6:15 p.m.

Regarding Freeport Golf Course Irrigation Ponds.

City Manager Jeff Pynes advised Council that Texas Commission on Environmental Quality (TCEQ) is requiring that the irrigation ponds lining at the Freeport Golf Course get tested. Mr. Nat Hickey has done extensive research and has not been able to find certification. Councilman Bolton as for the projected cost of the testing of the lining of the ponds. Mr. Pynes estimated a cost of \$40,000.00. TCEQ has given the City 60 days for certification.

Regarding the City of Freeport – Police Department was recently awarded a FEMA, Grant FY 2014 Port Security Grant Program (PSGP) EMW-2014-PU-00458.

Chief Dan Pennington was notified that the grant application was selected for funding. These funds will be used to expand the number of license plates recognition (LPR) cameras to cover all outbound and inbound points to the City and adding cameras on SH 1495 near the bridge. The current cameras are placed on Ave. J & Skinner, Entrance to the City, Dow Bridge Hwy. 36 and 523 Bridge. Council Bolton said it would benefit the Port and FLNG and asked if they had been approached for contributing. Chief Dan Pennington said he would inquire.

Mayor Garcia closed the Work Session at 6:20 p.m.

At 6:20 p.m., this time, Mayor Norma Garcia announced:

I hereby advise you that we are going into Executive Session pursuant to section 551.071 of the Texas Open Meeting Act, to seek advice of our attorney about pending or contemplated litigation or a settlement offer or other matters about which legal advice is sought.

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:

- a. Consultation with City's attorney to receive advice on pending or contemplated litigation or a settlement offer to wit: Freeport Economic Development Corporation v Hiram Walker Royall, Freeport Waterfront Properties, L.P. , Freeport Marina, L. P., Freeport Marina GP, LLC Briarwood Holdings, LLC, and Briarwood Capital Corporation; Cause No. 55780 in the 239<sup>th</sup> Brazoria County District Court; Consolidated with Briarwood Holdings, LLC v City of Freeport Economic Development Corporation and City of Freeport; Cause No. 54864 in the 239<sup>th</sup> Brazoria County District Court.
- b. Consultation with City's attorney to receive legal advice regarding the following to wit: Bid Packet titled "Sale of Real Property of Freeport 9-Tract Package" and award thereof.
- c. Consultation with City's Attorney to receive legal advice regarding the following to wit: Declaring certain personal property as surplusage to sell, including certain assets relating to the marina and including a hoist marina forklift.

At 6:40 p.m. this time, Mayor Norma Garcia closed the Executive Session and Reconvene in Open Session and stated that no vote or action was taken in the Executive Session. Council now will take action on the following agenda items No. 9, 10, 11, 12 and 13.

Councilman McDonald was not present for agenda items 9 through 13.

Agenda Item No. 9: Consideration of approving the bid(s) and awarding the sale of a nine noncontiguous (9) tract package of property located in and around the City of Freeport as further described in Exhibit A .

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the bid(s) and awarding the sale of a nine noncontiguous (9) tract package of property located in and around the City of Freeport as further described in Exhibit A, contingent upon receiving an original signed agreement by Briarwood Holds LP.

Agenda Item No. 10: Consideration of approving Resolution No. 2014-2455 of the City of Freeport, Texas authorizing execution and approval of a settlement agreement and mutual release for civil lawsuit Cause Numbers 55780 and 54864 filed in the 239<sup>th</sup> Judicial District Court in Brazoria County, Texas involving the City, the Freeport Economic Development Corporation, Hiram Walker Royall, Freeport Waterfront Properties Et Al; and containing other provisions relating to the subject matter.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Resolution No. 2014-2455 of the City of Freeport, Texas authorizing execution and approval of a settlement agreement and mutual release for civil lawsuit Cause Numbers 55780 and 54864 filed in the 239<sup>th</sup> Judicial District Court in Brazoria County, Texas involving the City, the Freeport Economic Development Corporation, Hiram Walker Royall, Freeport Waterfront Properties Et Al; and containing other provisions relating to the subject matter.

Agenda No. 11: Consideration of approving Ordinance No. 2014-2077 awarding the bid for the sale of nine noncontiguous tracts of land located within the City of Freeport, Brazoria County; authorizing the City Manager to execute for and on behalf of the City such Special Warranty Deeds and Quitclaim Deed to the purchaser of five of such nine tracts of land; authorizing the City Manager to coordinate the execution of such Special Warrant Deed and other documentation necessary from the Freeport Economic Development Corporation to the purchaser of four of such tracts of land; find and determining that public convenience and necessity no longer require the continued existence of a portion of East Brazos Street right of way that said portion of East Brazos street right of way be vacated, abandoned and closed; and containing other provisions relating to the subject.

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved Ordinance No. 2014-2077 awarding the bid to Briarwood Holding LP, for the sale of nine noncontiguous tracts of land located within the City of Freeport, Brazoria County; authorizing the City Manager to execute for and on behalf of the City such Special Warranty Deeds and Quitclaim Deed to the purchaser of five of such nine tracts of land; authorizing the City Manager to coordinate the execution of such Special Warrant Deed and other documentation necessary from the Freeport Economic Development Corporation to the purchaser of four of such tracts of land; find and determining that public convenience and necessity no longer require the continued existence of a portion of East Brazos Street right of way that said portion of East Brazos street right of way be vacated, abandoned and closed; and containing other provisions relating to the subject.

Agenda No. 12: Consideration of approving Resolution No. 2014-2456 declaring certain personal property as surplusage; providing for disposition of same by the City Manager; and containing other provisions relating to the subject matter.

On a motion by Councilman Bolton, seconded by Councilwoman Leoza, with all present voting 'Aye", Council unanimously approved Resolution No. 2014-2456 declaring certain personal property as surplusage; providing for disposition of same by the City Manager; and containing other provisions relating to the subject matter.

Agenda No. 13: Consideration of approving Resolution No. 2014-2457 forgiving any and all indebtedness to the City of Freeport, Texas by the Freeport Economic Development Corporation listed in Exhibit A attached hereto and made part hereof.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting 'Aye", Council unanimously approved Resolution No. 2014-2457 forgiving any and all indebtedness to the City of Freeport, Texas by the Freeport Economic Development Corporation listed in Exhibit A attached hereto and made part hereof.

Consideration of taken action on any items discussed in Executive Session.

No vote or action was taken in the Executive Session.

Adjourn

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Mayor Norma M. Garcia adjourned the meeting at 6:50 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

**Dr. Martin Luther King, Jr.**  
Brazoria County, Texas  
**Celebration Committee**



216 Banyan Dr.  
Lake Jackson, TX 77566  
Contact: Mr. Will J. Brooks  
Phone: (979) 202-7590 Cell  
Phone: (979) 297-2801 Home

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November 19, 2014  
Attention: Ms. Delia Munoz  
200 West 2<sup>nd</sup> Street  
Freeport, TX 77541

To the City Council of Freeport:

It is my pleasure to inform you about the 29th Annual Dr. Martin Luther King, Jr. Celebration Committee (MLKCC). We are a non-profit organization since 1986, MLKCC – Brazoria County has sponsored events to celebrate the state and federal holiday honoring the birthday of the late Dr. Martin Luther King, Jr. and to perpetuate his memory and the legacy of his achievements for future generations. Additionally, our MLKCC seeks to honor Dr. King's admonition of service to the community by sponsoring both the MLKCC and Dennis R. Edwards Memorial scholarships to deserving Brazoria County high school graduates. This celebration conducts various worthy community uplifting projects, and encourages its members to take roles in numerous civic, charitable, and cultural endeavors. This annual celebration is a time of unity and togetherness promoted through events including a Community Worship Service, MLKCC Commemorative Banquet, and Parade & Rally.

Dr. Martin Luther King, Jr. Celebration Committee request permission to close portions of the following streets during the Parade to be held on Monday, January 19, 2015. The parade will start at 11:00 am and the set up (staging area) will start at 8:30 am on Cherry, East Park and Fourth Street. The parade route will begin at East Park Avenue and Fourth Street and continue along 2<sup>nd</sup> Street to 288-B to the Freeport Municipal Park. The celebration will continue through the Rally at the Freeport Municipal Park until 4:30 pm. In order to move forward with success, we are requesting your permission, support and participation in the 29th Annual Dr. Martin Luther King, Jr. Celebration.

Thank you in advance for your consideration and we look forward to celebrating the legacy of Dr. Martin Luther King, Jr. with you.

Sincerely,  
*Will J. Brooks*

Will J. Brooks  
Parade Co-Chairman  
On behalf of MLKCC-BC Parade & Rally Committee



Attn: City Council

December 1, 2014

The City of Freeport (Police Department) was recently awarded a FEMA grant, FY 2014 Port Security Grant Program (PSGP), EMW-2014-PU-APP-00458. The grant amount is for \$743,475.00 from FEMA and there is a 25% match of \$247,825.00 that the City must contribute for a total of 991,300.00. These funds have to be used to expand the license plate recognition (LPR) camera system, establish a back-up Emergency Operation Center (EOC)/Dispatch area, and to install a software platform capable of integrating unconnected security applications/devices. The City of Freeport (Police Department) has to complete this project by August, 2016.

**Daniel "Dan" W. Pennington** / Chief of Police

[dpennington@freeport.tx.us](mailto:dpennington@freeport.tx.us)

Cell: (979)824-9593

Cell: (832)693-5133 - Personal



**Freeport Police Department**

Office: (979)239-1211 ext:132 / Fax: (979)239-3830

430 N Brazosport Blvd

Freeport TX, 77541

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AGENDA INFORMATION SHEET  
ITEM NO. 2014-2078

**ORDINANCE APPROVING AN AMENDMENT TO CENTERPOINT ENERGY HOUSTON ELECTRIC'S RATE SCHEDULE FOR LIGHTING SERVICES; ESTABLISHING AN EFFECTIVE DATE FOR THE AMENDED TARIFF; FINDING THE CITY'S RATE CASE EXPENSES REASONABLE; AND REQUIRING REIMBURSEMENT OF THE CITY'S LEGAL AND CONSULTANT EXPENSES**

**BACKGROUND**

**Base Rate Increase:**

On or about August 8, 2014, CenterPoint Energy Houston Electric, LLC ("CenterPoint") submitted to the City an application to amend its tariff for lighting services; it submitted a similar application with the Public Utility Commission of Texas (PUCT).

Under its application CenterPoint proposes to add four new light emitting diode (LED) street-lighting options, and proposes that its amendment to its tariff be effective October 1, 2014.

The changes CenterPoint proposes to its street-lighting tariff would offer the following services:

- The four new options will consist of a 45-, 95-, 115-, and 180-watt luminaire, in the differing configurations. The assumed monthly kilowatt-hour (kWh) usage by the proposed 45-, 95-, 115-, and 180-watt lamp is 17 kWh, 32 kWh, 38 kWh, and 64 kWh, respectively;
- CenterPoint's initial rates for the new LED lamps are the same as it currently charges for traditional bulb lighting service; the rates for the new service are shown in "Attachment A" appended to this Agenda Information Sheet, which is the proposed tariff for Street Lighting Services, "Section 6.1.1.6, Lighting Services (Street Lighting and Miscellaneous Lighting Services)."

CenterPoint stated that, while it is not now seeking recovery for its investment in the LED lighting, it intends to seek recovery of its investment in a future proceeding. The potential future recovery of LED lighting investment may increase street-lighting customers' bills and CenterPoint's aggregate revenues. CenterPoint states that it is not certain when such a filing will be made or what the potential impact to those customers will ultimately be. As filed, CenterPoint's application to change it rates noted that the location and timing of deployment of the new LED lights would be at its sole discretion

and “may be based upon a negotiated deployment schedule, and will reflect, at a minimum, the capital requirements associated with the project, any customer required contribution in aid of construction, the physical capability to replace/install the LED street lights, and the availability of manufacturers to supply the requested LED luminaires.”

**Prior City Action:**

In September 2014, the City suspended CenterPoint’s proposed effective date of October 1, 2014, for 90 days to December 30, 2014, to provide the City the opportunity to review CenterPoint’s proposed amendments to its lighting tariffs.

**City Action Is Required by No Later than December 30, 2014**

The suspension period of 90 days expires on December 30, 2014. Thus, the City must take final action on CenterPoint’s proposed change in its tariff for Lighting services by no later than December 30, 2014; if the City does not take final action by December 30, 2104, CenterPoint’s proposed tariff is deemed approved by operation of law.

The City’s options are:

1. To take no action and CenterPoint’s proposed tariff will deemed approved by operation of law effective December 31, 2014.
2. Deny CenterPoint’s proposed changes to its tariff; if the City denies CenterPoint’s application, CenterPoint will file an appeal to the Public Utility Commission of Texas (PUCT). Note that the PUCT approved CenterPoint’s application in October 2014.
3. Approve CenterPoint’s request, in part or in whole.

**RATE CASE EXPENSES:**

The City’s reasonable rate case expenses are subject to reimbursement by CenterPoint. To date, the coalition of Texas Coast Utilities Coalition of Cities (TCUC) of which the City is a member, has incurred approximately \$3,500.00 in legal fees and expenses.

**RECOMMENDATION: APPROVE CENTERPOINT’S CHANGES TO ITS TARIFFS WITH THE EXPRESS CONDITION THAT APPROVAL OF THE TARIFF DOES NOT INCLUDE APPROVAL OF FUTURE RECOVERY OF EXPENSES CENTERPOINT MAY CLAIM AS THE COST OF THE NEW “LED” LIGHTING; AND ON THE EXPRESS CONDITION THAT CENTERPOINT WILL INSTALL THE NEW LIGHTING, SHOULD THE CITY ELECT TO INSTALL SUCH LIGHTING**

**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE BY THE CITY OF \_\_\_\_\_, TEXAS (“CITY”) APPROVING AN AMENDMENT TO CENTERPOINT ENERGY HOUSTON ELECTRIC’S RATE SCHEDULE FOR LIGHTING SERVICES, TARIFF “6.1.1.6, LIGHTING SERVICES;” ESTABLISHING AN EFFECTIVE DATE FOR THE AMENDED TARIFF; FINDING THE CITY’S RATE CASE EXPENSES REASONABLE; AND REQUIRING REIMBURSEMENT OF THE CITY’S LEGAL AND CONSULTANT EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE**

**WHEREAS**, on or about August 8, 2014 CenterPoint Energy Houston Electric, LLC (“CenterPoint”) submitted to the City an application to amend its tariff for lighting services and submitted a similar application with the Public Utility Commission of Texas (PUCT); and

**WHEREAS**, the City is a regulatory authority under the Public Utility Regulatory Act (“PURA”) and under Chapter 33, §33.001 et seq. of PURA has exclusive original jurisdiction over CenterPoint’s rates, operations, and services within the municipality; and

**WHEREAS**, the City, in matters regarding applications by CenterPoint to change rates, has in the past joined with other local regulatory authorities to form the Texas Coast Utilities Coalition of Cities (“TCUC”) and hereby continues its participation in TCUC; and

**WHEREAS**, CenterPoint’s proposed LED tariff, Rate Schedule “Section 6.1.1.6, Lighting Services (Street Lighting and Miscellaneous Lighting Services),” presents new issues with regard to rates for LED street lights, and raises questions with regard to the locations in which CenterPoint will deploy the new technology; and

**WHEREAS**, CenterPoint’s application raises issues with regard to the effect of the new LED tariffs will have on future charges for street-lighting services; and

**WHEREAS**, it is in the City's citizens' interest to explore the opportunity to receive the new LED street-lighting service; and

**WHEREAS**, CenterPoint proposed October 1, 2014 as the effective date for its change in rates; and

**WHEREAS**, the City suspended CenterPoint's proposed effective date from October 1, 2014, to December 30, 2014 to allow the City time to review and evaluate CenterPoint's application to change its rates so as to enable the City to adopt a final decision as a local regulatory authority with regard to CenterPoint's requested change in rates.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF \_\_\_\_\_, TEXAS THAT:**

**Section 1.** The findings set out in the preamble are in all things hereby approved.

**Section 2.** CenterPoint's Lighting Services rate schedule at **Section 6.1.1.1.6, of CenterPoint's Tariff for Retail Service** appended to this Ordinance as "Attachment A" is approved subject to the following conditions:

- A. CenterPoint Houston agrees to track the costs associated with providing LED street lighting service under Section 6.1.1.1.6 of CenterPoint Houston's Tariff for Retail Delivery Service so that such costs may be appropriately allocated in the Company's next DCRF and base rate proceedings.
- B. CenterPoint Houston agrees to track the costs associated with providing LED street lighting service under Section 6.1.1.1.6 of CenterPoint Houston's Tariff for Retail Delivery Service so that such costs may be appropriately allocated in the Company's next DCRF and base rate proceedings.

- C. Approval of CenterPoint’s amendment to Section 6.1.1.1.6 of CenterPoint Houston’s Tariff for Retail Delivery Service does not include approval of or agreement that CenterPoint’s capital expenditures or expenses related to the deployment or installation of LED lighting are just and reasonable expenses, or to recovery in future changes in rates of such expenditures or expenses.
- D. Within thirty days from adoption of this Ordinance CenterPoint, shall file a tariff in all matters consistent with the tariff appended to this Ordinance and incorporate such tariff into its schedule of tariffs.
- E. At the City’s election, CenterPoint shall deploy LED street lighting service within the City’s corporate limits.

**Section 3.** The City finds the expenses incurred for its participation in the Texas Coast Utilities Coalition of Cities (“TCUC”) to participate and review CenterPoint’s rate application in the amount not to exceed \$3,500.00 to be just, reasonable, and necessary, and directs CenterPoint to submit payment for the TCUC’s rate-case expenses, by no later than thirty (30) days following adoption of this Ordinance.

**Section 4.** The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**Section 5.** This Ordinance shall become effective from and after its passage.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY SECRETARY**

NOTICE OF PUBLIC HEARING

TO ALL PERSONS IN INTEREST, CITIZENS, CORPORATIONS, FIRMS  
AND THEIR AGENTS AND ATTORNEYS:

A Public Hearing will be held in the Police Department Municipal Courtroom of the City of Freeport, Texas, ("the City") located therein at 430 North Brazosport Boulevard, Freeport, Texas, beginning at \_\_\_\_\_ o'clock, p.m., on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the City Council of the City of Freeport, Texas, sitting as the Board of Adjustments and Appeals under the Standard Unsafe Building Abatement Code adopted by Sections 150.025 and 150.026 of the Code of Ordinances of the City (hereinafter "the Standard Code"), for the purpose of determining whether or not the structures located on hereinafter described real property located within the corporate limits of the City fail to meet the standards set forth in the Standard Code and is/are therefore "unsafe" as that term is defined in the Standard Code:

Block 8, Lot 7, South View Gardens a/k/a 1003 w 11<sup>th</sup> St.

Block 20, Lot 3-4 Velasco Townsite a/k/a 304 S. Front

Block 12, Lot 14, Freeport, a/k/a 410 W 6<sup>th</sup> ST.

Block 50, Lot 18-19-20 Velasco Townsite a/k/a 411 S. Avenue F

Block 87, Lot 4, Freeport, a/k/a 619 W 6<sup>th</sup> St.

Block 87, Lot 3, Freeport, a/k/a 623 W 6<sup>th</sup> St.

0.203 Acres, Tract 14, Block I-II, A0089 JNO MCNEE, a/k/a  
3434 Bowie Ln.

Block 116, Lot 15, Freeport, a/k/a 1026 W 4<sup>th</sup> St.

Block 86, Lot 4-5, Freeport a/k/a 615 W 5<sup>th</sup>

Block 22, Lot 2, Freeport, a/k/a 307 E 7<sup>th</sup> St.

BY ORDER OF THE CITY COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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Delia Munoz, City Secretary,  
City of Freeport, Texas

PUBLISH ONCE NOT LESS THAN FIFTEEN (15) DAYS BEFORE HEARING

JOIN US AS WE

# KEEP FREEPORT BEAUTIFUL



BECAUSE IT'S OUR TOWN.

## City of Freeport

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### Priority List

### Building Repair/Demolition

**Year-2014**

**December 1st, 2014**

**Kola Olayiwola, MCP, CFM**  
**Building and Code Official**  
**Master City Planner**



## 1003 W. 11<sup>th</sup> St. (Vacant House)



Case History	Status	Comment	Proposed Action
<p><b>Frazier Charlene:</b> Active letter- dated 3/4/2014. Requested that Building be repaired or demolished.</p> <p>Property is in process of foreclosure. 61 outstanding liens. Taxes due thru 2014 = \$2,617.86</p>	<p>Vacant- In Poor Condition</p>	<p>This house has deteriorated significantly and at the point of collapsing.</p>	<ul style="list-style-type: none"> <li>➤Request for demolition.</li> <li>➤Allow 30 days to comply.</li> </ul>

**1003 W. 11<sup>th</sup> St. (Vacant House)**



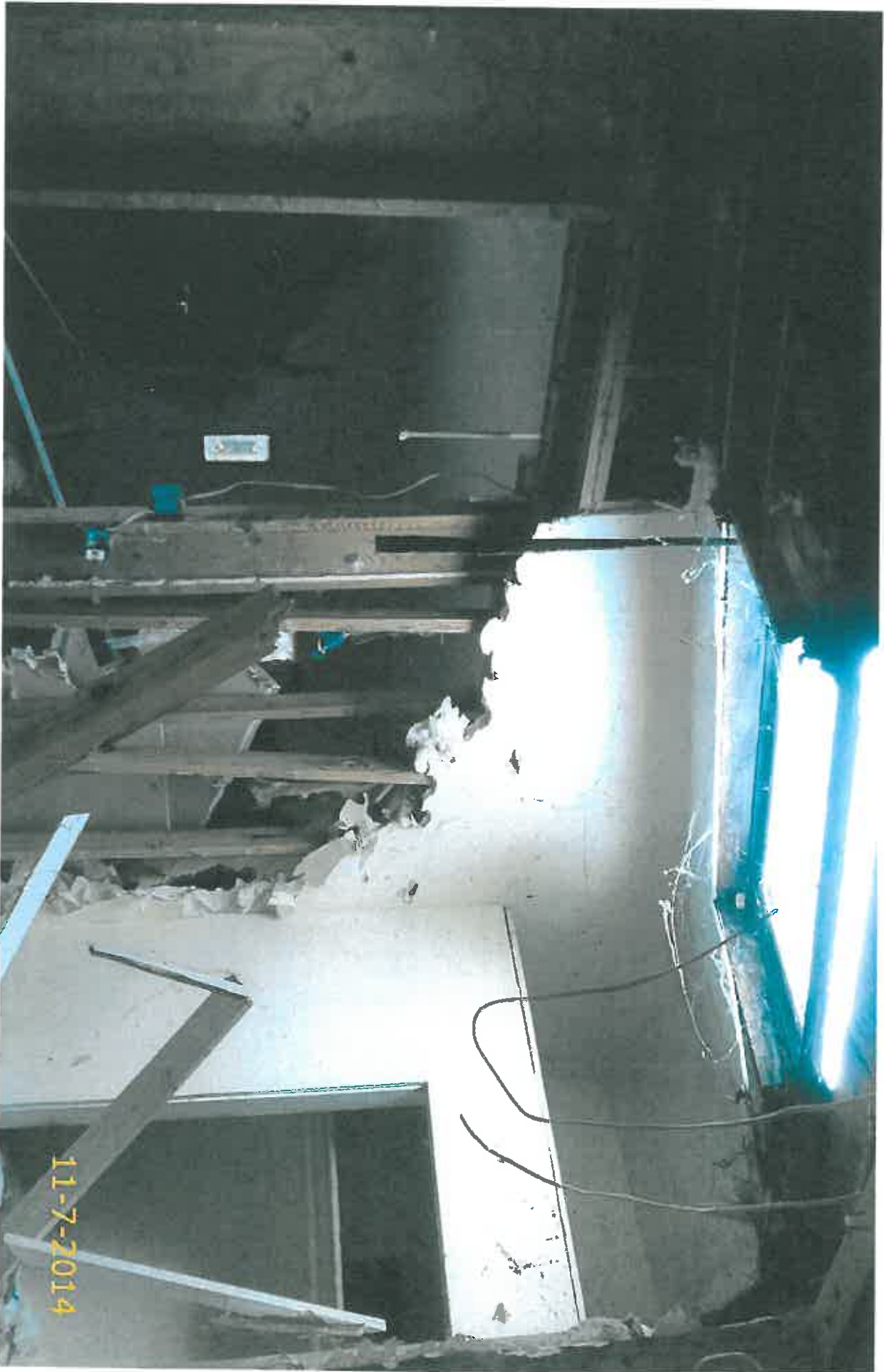
02/28/2014

## 304 S. Front (Vacant House)



Case History	Status	Comment	Proposed Action
<p><b>Bosley Misty:</b> Current notifications sent October, 2014. New owner as of 7/17/2013. No liens on record.</p>	<p>Vacant- Interior and Exterior are in poor condition.</p>	<p>Obvious roof damage with gaping holes. The interior is gutted.</p>	<ul style="list-style-type: none"> <li>➤ Request Demolition.</li> <li>➤ Allow 30 days for compliance.</li> </ul>

**304 S. Front (Vacant House)**



## 410 E. 6th St. (Vacant House)



Case History	Status	Comment	Proposed Action
<p><b>Williams, Ella, Mae:</b>            Several notifications in 2012, 2013 &amp; 2014; to demolish unsafe structure.            Meeting with the City Arbitration Group 1/28/2012.            Allowed time to repair house, but no action.</p>	<p>Vacant-            In Poor            Condition</p>	<p>Building is falling apart and it's ready to cave in.</p>	<ul style="list-style-type: none"> <li>➤ Request Demolition.</li> <li>➤ Allow 30 days for compliance.</li> </ul>

One (1) outstanding mowing lien.  
 Taxes delinquent thru Dec'2014 = \$1,790.78 dollars.

410 E. 6th St. (Vacant House)



01/27/2014

**411 S. Ave. F (Vacant House)**



<b>Case History</b>	<b>Status</b>	<b>Comment</b>	<b>Proposed Action</b>
<p><b>Herron James</b>                      Last letter was on 10/3/12:  <u>Ownership dispute- looks like property has been entrusted to the City of Freeport as of 2/24/2014.</u></p>	<p>Vacant-                      In Poor                      Condition.</p>	<p>Property has                      deteriorated                      significantly and now                      tending towards                      collapse.</p>	<p>➤ Request Demolition.                      ➤ Allow 30 days for                      compliance.</p>

411 S. Ave. F (Vacant House)





**619 W. 6<sup>TH</sup> St. (Vacant House)**



<b>Case History</b>	<b>Status</b>	<b>Comment</b>	<b>Proposed Action</b>
<p><b>Pineda, David:</b>                      Several notifications in 2013 and 2014, all returned unclaimed.                      Four (4) outstanding mowing liens. Taxes are current.</p>	<p>Vacant- Interior and Exterior are in poor condition.</p>	<p>Obvious roof damage, lots of fatigued and falling structural components on the inside.</p>	<ul style="list-style-type: none"> <li>➤ Request Demolition.</li> <li>➤ Allow 30 days for compliance.</li> </ul>

619 W. 6th St (Vacant House)



**623 W. 6<sup>th</sup> St. (Vacant House)**



<b>Case History</b>	<b>Status</b>	<b>Comment</b>	<b>Proposed Action</b>
<p><b>Ashley, Dennis:</b>                      Several notifications in 2011, 2012, 2013 and 2014.                      Ten (10) outstanding mowing liens.                      Taxes due thru 2014 = \$151.66</p>	<p>Vacant-                      Interior and Exterior are in poor condition.</p>	<p>Obvious roof damage, front porch is unstable.</p>	<ul style="list-style-type: none"> <li>➤ Request Demolition.</li> <li>➤ Allow 30 days for compliance.</li> </ul>

623 W. 6<sup>th</sup> St (Vacant House)



**3434 Bowie Ln. (Vacant House)**

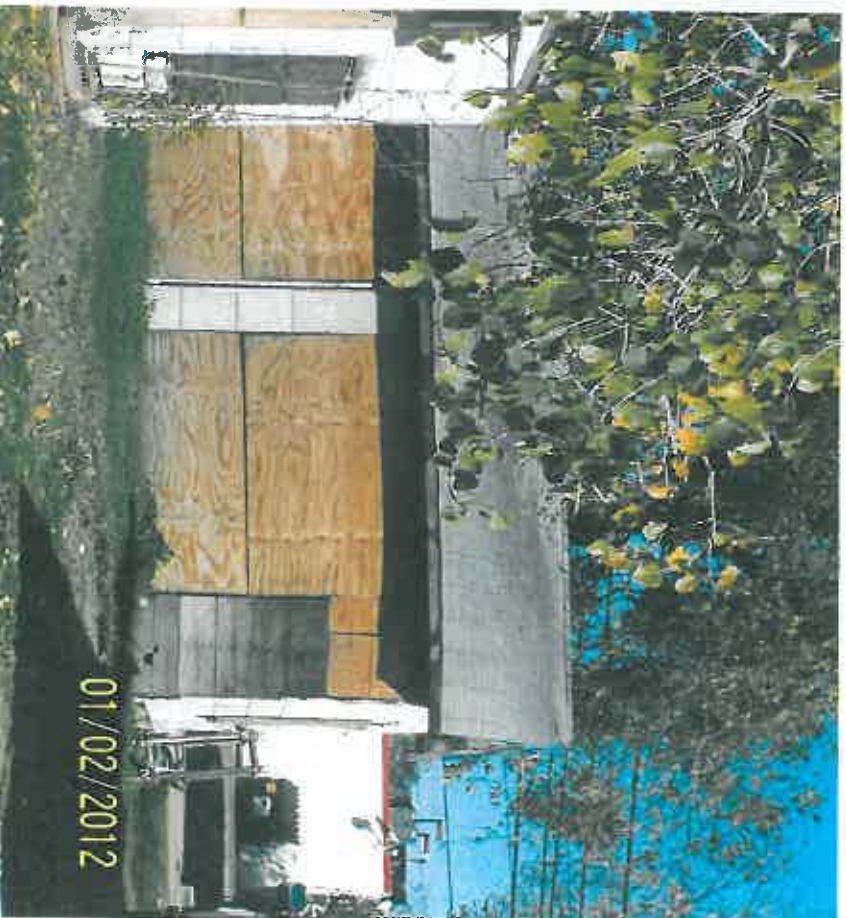


<p><b>Case History</b></p>	<p><b>Status</b></p>	<p><b>Comment</b></p>	<p><b>Proposed Action</b></p>
<p><b>Mckay Dennis Webster:</b> Case has been in the works since 2012. Owner(s) have not being responsive.</p>	<p>Vacant- Interior and Exterior are in poor condition.</p>	<p>Obvious roof damage with gaping holes. The interior is gutted.</p>	<ul style="list-style-type: none"> <li>➤ Request Demolition.</li> <li>➤ Allow 30 days for compliance.</li> </ul>

3434 Bowie Ln. (Vacant House)



**1026 W 4th St. (Vacant House)**



<b>Case History</b>	<b>Status</b>	<b>Comment</b>	<b>Proposed Action</b>
<p><b>The City of Freeport:</b> Case has been in the works since 2012. This is City-in-trust property.</p> <p><b>Taxes Delinquent 5-years.</b> <b>Amount owed thru Dec'2014 = \$5,464.49</b></p>	<p>Vacant- Interior and Exterior are in poor condition.</p>	<p>Obvious roof damage with gaping holes.</p>	<ul style="list-style-type: none"> <li>➤ Request Demolition.</li> <li>➤ Allow 30 days for compliance.</li> </ul>

**1026 W. 4th St. (Vacant House)**





**615 W. 5<sup>th</sup> St. (Storage Bldg)**



Case History	Status	Comment	Proposed Action
<p><b>Martinez Avilla Velma:</b>            Compliance letters sent: <u>4/5/2010</u>,  <u>3/28/2011</u>, <u>8/3/2012</u> and <u>6/4/2014</u>.</p> <p><b>Outstanding mowing liens.</b></p>	<p>Vacant-            In Poor            Condition.</p>	<p>Structural            components are            falling apart.</p>	<p>➤ Request Demolition.            ➤ Allow 30 days for            compliance.</p>

**615 W. 5th St. (Storage Bldg)**



**307 E. 7<sup>th</sup> St. (Vacant House)**



<b>Case History</b>	<b>Status</b>	<b>Comment</b>	<b>Proposed Action</b>
<p><b>Edwards Sylvia Estate:</b>            Compliance letters sent: 11/14/2008,            9/29/2010 and 3/17/2011</p> <p>Two (2) outstanding mowing liens.            Taxes are current.</p>	<p>Vacant-            In Poor            Condition.</p>	<p>Structural            components are            falling apart.</p>	<p>➤ Request Demolition.            ➤ Allow 30 days for            compliance.</p>

307 E. 7th St. (Vacant House)



## Average Cost Estimates for Demolition

### Structures with Asbestos

Lab Test and Reports = \$575  
Specifications & Methodology = \$1000  
Project Mgt/air monitor @ \$400/day for 4-days = \$1,600  
Asbestos Removal @ \$5/sq.ft. for 1,500sq.ft (average) = \$7,500  
Actual Demolition (1,500-sq.ft) Structure = \$5,000  
**Total Demo Cost for Bldg with Asbestos = \$15,675**

### Structures without Asbestos

Lab Test/Report to confirm no Asbestos (ACM) = \$575  
Actual Demolition (1,500-sq.ft.) Structure = \$5,000  
**Total Demo Cost for Bldg without Asbestos = \$5,575**

**Kola Olaviwola, MCP, CFM**  
**Building & Codes Official**  
**Master City Planner**