

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council met on Thursday, November 6, 2014 at 6:13 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 – Absent

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
- Jennifer Hawkins, EDC Director

Visitors:

Manuel Bustos	Blanca Bustos
Lance Reaves	Troy Brimage
Jason Travis	Brooks Bass
Ricardo Loeza	Ben Miller
Roy Yates	Glenda Fansher
Sandra Barnett	Darlene Weir
Loren Hayes	

Call to order.

Mayor Norma M. Garcia called the meeting to order at 6: 13 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance

Greg Flaniken led the Pledge of Allegiance.

Consideration of approving the October 20, 2014 Council Minutes.

On a motion by Councilwoman Loeza, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved the October 20, 2014 Council Minutes.

Attending citizens and their business.

There were none.

Proclamation - "Alzheimer's Awareness Month".

Mayor Norma proclaimed "Alzheimer's Awareness Month".

Consideration of approving and authorizing the City Manager to sign an agreement with Emergicon LLC Service Agreement for EMS billing and collection.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Mr. Brian Davis' recommendation to approve and authorize the City Manager to sign an agreement with Emergicon LLC Service Agreement for EMS billing and collection.

Consideration of rescheduling November 17, 2014 Council Meeting to November 18, 2014.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved rescheduling November 17, 2014 Council Meeting to November 18, 2014.

Consideration of approving the sale of 4.1 ft. of the Perry St. right-of-way included in Lot 2 of the proposed replat for Lawrence K. O'Neil, Jr. on Lots 7 through 12 and the East 2' of Lot 6, Block 663 of the Velasco Townsite as recorded in Volume 32, Page 14 of the Brazoria County Plat Records in the C. Henniger Survey, Abstract 211, City of Freeport, Brazoria County.

On a motion by Councilwoman Loeza, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved to reagendaed this item until staff receives a current appraisal on the property.

Consideration of approving Resolution No. 2014-2453 authorizing the City to enter into a loan agreement, promissory note, sales tax remittance, guaranty and subordination agreement and such other matters incident or related to the transaction for refinancing the outstanding debt for the construction of the City of Freeport's Municipal Marina with the First State Bank, Clute, Texas and Freeport Economic Development Corporation and pledging a general certificate of the City's sales and use tax and other sources of City revenue as might be necessary.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved EDC President Troy Brimage's recommendation to approve Resolution No. 2014-2453 authorizing the City to enter into a loan agreement, promissory note, sales tax remittance, guaranty and subordination agreement and such other matters incident or related to the transaction for refinancing the outstanding debt for the construction of the City of Freeport's Municipal Marina with the First State Bank, Clute, Texas and Freeport Economic Development Corporation and pledging a general certificate of the City's sales and use tax and other sources of City revenue as might be necessary. A saving of \$20,000.00 and a lower percentage of 3.5% to refinance and stay with a local bank.

Consideration of approving Ordinance No. 2014-2076 amending section 150.036 of the code of ordinance of said City, to adopt additional local amendments to the 2009 edition of the international property maintenance code, including provisions relating to the registration and inspection of rental (single-family) and (multi-family) dwelling complexes.

Jeff Pynes and staff reviewed a proposed plan for the landlords and renters in the City of Freeport. He strongly suggests that an ordinance is necessary to the health, safety and general welfare of the residence of the city. He presented a PowerPoint presentation of hazardous water, electrical and plumbing issues of rental property. He proposes a registration system, an inspection fee of \$2.50 per month on a monthly water bill. An inspection exceeding two per calendar year shall be assessed a fee of \$25.00 per inspection. After an inspection of the interiors and exteriors, the Building official will issue a Certificate of Compliance. A landlord may appeal a failed inspection by submitting a written request to the City Manager.

Councilman Bolton was appalled at the living conditions of rental property. He asked Chief Davis and Kola the Building Inspector to address issues immediately that are dangerous and unsafe. He asked that Council go in depth and schedules a work session on this matter.

Fire Chief Davis stated that just last week a house fire that occupied 10 people living in a structure of 4000 square feet. The structure did not have proper egress and proper wiring and extension cords. They are landlords that allow this kind of situation.

Greg Flaniken does not feel it is logistical feasible for the City to implement this type of program. He does feel that the City can make improvements and will work with the city on the rental property they manage. He encourages that landlords provide a safe and good clean place to live.

Blanca Bustos has rental properties in the City and is in agreement with the promoting safety issue. From her prospective the water bill is already high enough and does not feel an additional \$2.50 is warranted. She requests that this item be reagendaed so they can have more opportunity to discuss.

Brooks Bass suggested that Council schedule a work session as quick as possible to discuss the problems with landlords and to implement a program.

Troy Brimage as a landlord has seen extension cords running outside. He commented that the landlords that are present are not the slum lords.

Councilman McDonald stated that the Code Department needs to do the inspections service free.

Mayor Norma Garcia stated that a public hearing be scheduled and invite all landlords to be present.

This item was reagendaed.

Consideration of approving Resolution No. 2014-2454 supporting additional routes of heavy lift corridor in Brazoria County, Texas .

On a motion by Councilwoman Loeza, seconded by Councilman Bolton, with all present voting “Aye”, Council unanimously approved Resolution No. 2014-2454 supporting additional routes of heavy lift corridor in Brazoria County, Texas.

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

On a motion by Councilwoman Loeza, seconded by Councilman McDonald, with all present voting, Council approved and authorized the Mayor to sign the FLNG Industrial District Agreement in lieu of annexation.

Mayor Norma M. Garcia closed the formal session and opened the Executive Session at 7:00 p.m.

Executive Session:

Section 551.071, Government Code

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

- Freeport Municipal Golf Course
- FLNG – Industrial District Agreement
- Pending Contractual Negotiations regarding : H & H Ventures LLC

Mayor Norma M. Garcia closed the Executive Session and opened the Formal Session at 7:27 p.m. to motion on Agenda No. 13.

Adjourn

On a motion by Councilman McDonald, seconded by Councilwoman Loeza, with all present voting “Aye”, Mayor Norma Garcia adjourned the meeting at 7:29 p.m.

Mayor Norma Moreno Garcia
City of Freeport, Texas

City Secretary – Delia Munoz
City of Freeport, Texas