

State of Texas

County of Brazoria

City of Freeport 77541

BE IT REMEMBERED, that the Freeport City Council met on Tuesday, February 17, 2015 at 6:05 p.m., at the Freeport Municipal Court, 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 – Absent
Councilwoman Sandra Loeza
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
Dan Pennington, Police Chief
Brian Davis, Fire Chief
Larry Fansher, Park Director
David Hoelewyn, Street Director

Visitors: Annette Sanford Melanie Oldham
Judy Schaffer Larry Schaffer
Ron Wise Jerry Meeks
Nicole Mireles Sam Reyna
Eric Hayes Chief Burby
John Longoria Ronnie Woodruff
Lance Reaves Larry Nutt
Elijah Galicia

Call to order.

Mayor Norma M. Garcia called the meeting to order at 6:05 p.m.

Invocation.

Wallace Shaw led the invocation.

Pledge of Allegiance.

Texas City Chief Burby led the Pledge of Allegiance.

Consideration of approving the February 2, 2015 Council Minutes.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved the February 2, 2015 Council Minutes.

Attending citizens and their business.

Brazosport Water Authority, Board President Juan Longoria, spoke in support of the 59 million Revenue Bonds; for the seven current member cities to pay for a desalination plant and a pipeline needed to provide water to Rosenberg. BWA has scheduled a meeting for Tuesday, February 24, 2015 at the Lake Jackson Civic Center to discuss the Rosenberg deal and to answer questions about the project. Lake Jackson, Clute, and Richwood have already approved the BWA Revenue Bonds. Mayor Garcia stated that one council member was absent and she wanted it reagendaed so that he may have the opportunity to hear the BWA presentation.

General Manager Ronnie Woodruff and BWA attorneys were present.

Proclamation: Brazoria County Head Start Early Learning Schools Proclamation.

Mayor Norma Garcia read the proclamation out loud.

Announcement : Freeport Police Department receives "Recognized Law Enforcement Agency" from the Texas Law Enforcement Recognition Program.

Chief Robert Burby awarded the Freeport Police Department a plaque for receiving the "Recognized Law Enforcement Agency" from the Texas Law Enforcement Recognition Program". The Freeport Police Department will also be recognized at the Texas Police Chiefs Association annual conference in April. Chief of Police Dan Pennington accepted the plaque.

Consideration of approving Resolution No. 2015-2462 supporting the creation of the Lower Brazos River Coalition, the mission of which is to protect the interests of its members by increasing the current flows in the Brazos River.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2462 supporting the creation of the Lower Brazos River Coalition, the mission of which is to protect the interests of its members by increasing the current flows in the Brazos River.

Consideration of approving Resolution No. 2015-2463 approving issuance up to a maximum amount of \$59,000,000 Brazosport Water Authority Water Supply System Revenue Bonds; and containing other provisions relating to the subject.

Mayor Garcia stated that one council member was absent and she wanted it reagendaed so that he may have the opportunity to hear the BWA presentation.

Consideration of approving Ordinance No. 2015-2083 amending the definition of unsafe building or structure contained in Section 150.025 (k) of the Code of Ordinances.

A brief discussion on the amendment stating “that the repair of such building would require the replacement of more than 75% of its structural member” was an issue. This item was reagednd.

Consideration of approving Ordinance No. 2015-2084 abandoning the unopened and unused right-of-way for the 500 Block of East Fourth Street shown on the plat of the Freeport Townsite as the right-of-way between Block 3 and 4 of said Townsite, and repealing Ordinance No. 2015-2079.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved Ordinance No. 2015-2084 abandoning the unopened and unused right-of-way for the 500 Block of East Fourth Street shown on the plat of the Freeport Townsite as the right-of-way between Block 3 and 4 of said Townsite, and repealing Ordinance No. 2015-2079.

Consideration of approving Ordinance No. 2015-2085 amending Ordinance No. 2015-2082 of said City, which the Annual General Election for the City of Freeport for the second Saturday in May 2015, being May 9, 2015 at which the voters of said City residing in Ward B and D shall be permitted to vote for or against the candidates for Position B and D on the City Council of the City of Freeport and at which time the voters of said City shall elect at large a Mayor for said City; amending the provisions of said ordinance designating polling places for early voting; providing for ratification and confirmation by the Mayor of said City of the action taken by this ordinance; and providing for an effective date of this ordinance.

On a motion by Councilwoman Barbree, seconded by Councilman McDonald, with all present voting “Aye”, Council unanimously approved Ordinance No. 2015-2085 amending Ordinance No. 2015-2082 of said City, which the Annual General Election for the City of Freeport for the second Saturday in May 2015, being May 9, 2015 at which the voters of said City residing in Ward B and D shall be permitted to vote for or against the candidates for Position B and D on the City Council of the City of Freeport and at which time the voters of said City shall elect at large a Mayor for said City; amending the provisions of said ordinance designating polling places for early voting; providing for ratification and confirmation by the Mayor of said City of the action taken by this ordinance; and providing for an effective date of this ordinance.

Consideration of approving and authorizing the Mayor to sign an Amendment (2) to the PSG agreement for operation, maintenance and management services, known as Veolia Water.
Consideration of approving and setting a bid date for street striping at a per lineal foot price within the City.

On a motion by Councilman McDonald, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved and authorized the Mayor to sign an Amendment (2) to the PSG agreement for operation, maintenance and management services, known as Veolia Water.

Consideration of approving and setting a bid date for street striping at a per lineal foot price within the City.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved March 16, 2015 for a bid date for street striping at a per lineal foot price within the City.

Consideration of approving and setting a bid date for street replacement of asphalt streets, including catch basins, for portions of Seventh Street and Ash Street within the City.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved March 16, 2015 for a bid date for street replacement of asphalt streets, including catch basins, for portions of Seventh Street and Ash Street within the City.

Consideration of approving and setting a bid date for street replacement of concrete streets, including curbs, gutters catch basins and sidewalk, for portions of Cedar Street and North Ave. J. within the City.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved March 16, 2015 for a bid date for street replacement of concrete streets, including curbs, gutters catch basins and sidewalk, for portions of Cedar Street and North Ave. J. within the City.

Consideration of approving the modified truck route in the City of Freeport.

Mr. Pynes requested this item be reagendaed. The Planning Commission at this moment is in process of reviewing the proposed change from 8th Street to Terminal Street. He stated that most of the signage will be TxDot right of way and will request larger signs. Their priority is to move the trucks out of the residential area.

Consideration of taking action on any item discussed in Executive Session.

Mayor Garcia reconvened the formal session to motion on the Executive Session.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, to instruct Mr. Pynes to get directions from Olson & Olson LLP on this item.

- USOR Site PRP Group v A & M Contractors, et al., Us District Court, Southern District of Texas.

Mayor Norma Garcia opened the Work Session at 7:20 p.m.

Work Session:

Discussion regarding residential housing initiatives.

Mr. Pynes reported to Council that he has done research on what other communities are doing to stimulate housing growth. He has talked to developers on a plan to stimulate a strong residential development. The developer or individual would acquire a lot and build a minimum house with standards with certain square footage, driveway, garage, sidewalk; front portion of the house has to be decorative and landscaping. The City would offer a 380 agreement with our terms and guidelines.

Discussion regarding improvements on alleys.

Mr. Pynes is requesting guidance on improvements on alleys. Councilman McDonald stated that the money coming in from FLNG needs to be earmarked strictly for infrastructure. Mr. Pynes suggested making the alleys a no thru street and residence paying their prorated share. Mayor Norma Garcia gave Mr. Pynes 30 days to come up with a plan for improvements on the alleys.

Discussion regarding public infrastructure improvements.

Mayor Garcia would like to start repairing infrastructures in the City and gave Mr. Pynes 30 days to come up with a plan or schedule.

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matter 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:

- USOR Site PRP Group v A & M Contractors, et al., Us District Court, Southern District of Texas.

Mayor Norma Garcia closed the Executive Session at 7:51 p.m. and reconvened the Formal Session to motion in open session.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilman McDonald, with all present voting "Aye", Mayor Norma M. Garcia adjourned the meeting at 7:52 p.m.

Mayor Norma M. Garcia
City of Freeport, Texas

City Secretary- Delia Munoz
City of Freeport, Texas