

NOTICE OF PUBLIC HEARING  
THE FREEPORT CITY COUNCIL  
MONDAY, OCTOBER 3, 2016, 6:00 P.M.  
FREEPORT MUNICIPAL COURT ROOM  
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.  
FREEPORT, TEXAS  
AGENDA

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Attending citizens and their business.

**Public Appearances:**

Members of the public are allowed to address the City Council at this time. Note, specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open Meetings Act unless said notice appears herein. The public is reminded that there is a (4) minute time limit as approved by City Council on June 21, 2010.

5. Consideration of approving September 16, & 19, 2016 Council Minutes. Pg. 727-732
6. **Public Hearing:** To review the Juvenile Curfew Ordinance of said City codified as Section 130.20 through 130.99 of said Code of Ordinances, for purpose of determining whether or not to abolish, continue or modify said ordinances.
7. Consideration of approving Ordinance No. 2016-2121 readopting Chapter 130 of the Code of Ordinances of said City, providing a Juvenile Curfew for minor(s). Pg. 733-743
8. Consideration of approving Ordinance No. 2016-2122 amending Section 71.50 of the Code of Ordinances of said City, which designates four-way stop intersections, to add thereto, as an additional four-way stop intersection, at which vehicular traffic on designated streets shall stop in the manner required by the Transportation Code, the intersection of North Ave. D and Old River Street; amending Section 71.51 of the Code of Ordinances to remove such intersection as Two-Way Intersection; providing for the erection, by or at the direction of the City Manager of said city. Pg. 744-746

9. Consideration of approving Ordinance No. 2016-2123 amending Division (B) of section 71.21 of the Code of Ordinance of said City, which establishes the prima facie speed limit for school crossing zones of 20 miles per hour, to adjust the times therein specified for the Velasco Elementary, O. A. Fleming Elementary, Jane Long Elementary, Lanier Middle School, Brazosport High School and Freeport Intermediate school speed zones to the current needs of each school; providing for the posting of signs or other traffic control devices giving notice thereof at such location. Pg. 747-751
10. Consideration of awarding a bid for the installation of concrete on 4th Street beginning on the East Side of Dixie Drive, 8th Street intersecting with Riverview, 1600 block of 5th Street intersecting with Yaupon to Mulberry, authorizing the City Manager or his designee to negotiate a contract with the successful bidder and authorizing the Mayor and the City Secretary, respectively to execute and attest such contract. Pg. 752
11. Consideration of approving a request from the fraternal Order Eagles # 3111, to conduct their Annual Turkey Shoot every Saturday from noon to 4:00 p.m., beginning October 22, 2016 and ending December 17, 2016. Pg. 753
12. Consideration of designating a representative and an alternate to the Houston-Galveston Area Council General Assembly for the year 2017. Pg. 754-755
13. Consideration of approving the relocation of AT&T Cable from elevated to underground from Hickory Street to Navigation Boulevard. Pg. 756
14. Consideration of approving and releasing the City's interest in trust property in Block 8, Lot 21, Velasco Townsite, known as 107 South Ave. C, Tax Id No. 8110-0098-000. Pg. 757-762
15. Consideration of approving and releasing the City's interest in trust property in Block D, Lot 20 (N/2) known as 1910 Zapata and Lot 19 (S/2) known as 1914 Zapata, Tax Id. 8115-0054-000. Pg. 763-771
16. Consideration of authorizing the City Attorney to prepare ordinance for closing, abandoning and/or the sale of Ash Street right-of way on West 9<sup>th</sup> Street, Windsor Terrace Sub-division, between Lot 18, Block 3 (Zoned R- 2) and Lot 1, Block 4 (Zoned R3). Pg. 772-774

## 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 in the official glass case at the rear door of the City Hall, within 24 hours a day public access, 200 West 2nd Street, Freeport Texas, September 30, 2016 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 City Council of the City of Freeport, met on Friday September 16, 2016 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 Moreno Garcia  
Councilman Larry L. McDonald  
Councilman Fred Bolton  
Councilwoman Nicole Mireles  
Councilwoman Sandra Barbree

Staff:

Jeff Pynes, City Manager  
Gilbert Arispe, Assistant City Manager  
Pat Julian Taylor, Assistant City Attorney  
Delia Munoz, City Secretary  
Bob Welch, Finance Director  
Nat Hickey, Finance Director  
Lonie Kershaw, Human Resources  
Dan Pennington, Police Chief  
Chris Motley, Building Department

Visitors:

Eric Hayes	Melanie Oldham
Ed Garcia	Manning Rollerson
Ruth Renobato	Ruben Renobato
Jim Barnett	Sandra Barnett
Sam Reyna	Diane Hester
Douglas Domingues	Jerry Meeks
Dennis Henderson	George Gala
Desiree Pearson	

Call to Order

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

Invocation.

Chief Dan Pennington offered the invocation.

**Pledge of Allegiance.**

Mayor Norma Moreno Garcia led the Pledge of Allegiance.

**Consideration of approving August 15 & 24, 2016 Council Minutes.**

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved the August 15 & 24, 2016 Council Minutes.

**Public Hearing: Proposed budget for fiscal year 2016-2017.**

Mayor Garcia opened the Public Hearing on the proposed budget for fiscal year 2016-2017 at 6:01 p.m.

Mr. Jeff Pynes presented the same budget that was presented on August 24, 2016 except for the following changes that were recommended by public input and or meetings with council members.

Deleting beach jeep \$42,000  
Delete 2 employees, Code Department \$89,750  
Add (1) Labor position to Street Department \$44,877  
Add Sound System – Mayor & Council \$15,000  
Add raise to Municipal Judges –Court Dept. \$24,000  
Add increase in Attorney fees – Wallace Shaw \$50,727

Ed Garcia of 1924 N. Ave. G stated that on August 26, 2016, at an open meeting with Port Freeport and Texas Department of Transportation announced the postponing of replacing 1495 Pine Bridge till 2018. The City had budgeted 2.1 million and suggested that the money be used for infrastructure.

Eric Hayes of 1507 W. Broad complained about water in the garage and his shop at 1935 Victoria Street.

Melanie Oldham of 922 W. 5<sup>th</sup> Street, stated that the budget was not balanced and requested the 2014-2015 Annual Audit Report. The 2016-2017 budget does not have enough for the water & sewer problems that exist in the City.

Diane Hester owns 14 rental properties in Freeport and the tenants complain about the water entering the homes. She asked Council for a resolution on drainage issues.

Councilman McDonald drove the City and took over 100 photos of drainage problems. He noticed missing covers on drainage. He saw wood, weeds, glass, plastic, rock hindering the flow of drainage. He suggested the City get manpower and machinery to start clearing the ditches to get the water to the Velasco Drainage District.

Councilwoman Mireles asked if we could hire contractors to clean up the ditches while the City hires an engineer to help with the drainage issues.

Councilman Bolton agreed on drainage issues, so whatever was needed, to get it done.

Mayor Norma Garcia closed the Public Hearing after no more comments from staff and audience at 6:26 p.m.

Consideration of approving Ordinance No. 2016-2119 adopting a budget for the fiscal year 2016-2017 for the City of Freeport.

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting 4 to 1, Council approved Ordinance No. 2016-2119 adopting a budget for the fiscal year 2016-2017 for the City of Freeport. Councilman McDonald opposed.

Consideration of approving Resolution No. 2016-2507 a license to right of way of the dedicated and opened street in the Freeport Town site, within the City of Freeport, Brazoria County, Texas known as East Brazos Boulevard, to wit: 0.180 acres out of the right of way of East Brazos Boulevard more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Resolution No. 2016-2507 granting a license to use the right of way of the dedicated and opened street in the Freeport Town site, within the City of Freeport, Brazoria County, Texas known as East Brazos Boulevard, to wit: 0.180 acres out of the right of way of East Brazos Boulevard more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Consideration of approving the sale of City's interest on Block 718, Lots 21-22 (undivided 1/2 interest) Velasco Townsite, known as 1217-1219 North Ave. P, Tax Id No. 8110- 3120-000.

On a motion by Councilwoman Mireles, seconded by Councilman McDonald, with all present voting 4 to 1, Council approved the sale of City's interest on Block 718, Lots 21-22 (undivided 1/2 interest) Velasco Townsite, known as 1217-1219 North Ave. P, Tax Id No. 8110- 3120-000. Councilwoman Barbree opposed.

Adjourn

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Mayor Norma Moreno Garcia adjourned the meeting at 6:32 p.m.

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Mayor Norma Moreno Garcia  
City of Freeport, Texas

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City Secretary Delia Munoz  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport, met on Monday, September 19, 2016 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 Moreno Garcia  
Councilman Larry L. McDonald  
Councilman Fred Bolton  
Councilwoman Nicole Mireles  
Councilwoman Sandra Barbree

Staff: Jeff Pynes, City Manager  
Gilbert Arispe, Assistant City Manager  
Wallace Shaw, City Attorney  
Delia Munoz, City Secretary  
Bob Welch, Finance Director  
Jennifer Hawkins, Economic Development Director  
Nat Hickey, Property Manager  
Chris Motley, Building Inspector

Visitors: Edward T. Garcia Mary Garcia  
Annette Sanford Margaret McMahan  
Melanie Oldham Larry Fansher  
Moby Burr ridge Evelyn Burr ridge  
Kenny Kouches Jerry Meeks

Call to order.

Mayor Norma Moreno Garcia opened the public hearing at 6:00 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Councilman McDonald offered the Pledge of Allegiance.

Attending citizens and their business.

**Public Appearances:**

Members of the public are allowed to address the City Council at this time. Note: Specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open Meetings Act unless said notice appears herein. The public is reminded of a (4) minute time limit as approved by City Council on June 21, 2010.

Consideration of approving Ordinance No. 2016-2120 accepting the certified appraisal roll from the Brazoria County Appraisal District for the 2016 tax year; establishing a tax rate for each \$100.00 valuation of taxable property within said city for such tax year; levying all taxes for said city for such tax year; allocating such taxes for certain municipal purposes therein enumerated; ordering that such taxes be assessed and collected; containing a severance clause; and providing an effective date for this ordinance.

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting 3 to 2, Council approved Ordinance No. 2016-2120 accepting the certified appraisal roll from the Brazoria County Appraisal District for the 2016 tax year; establishing a tax rate for each \$100.00 valuation of taxable property within said city for such tax year; levying all taxes for said city for such tax year; allocating such taxes for certain municipal purposes therein enumerated; ordering that such taxes be assessed and collected; containing a severance clause; and providing an effective date for this ordinance. Councilman McDonald and Councilwoman Mireles opposed.

**Public Hearing:** To review the Juvenile Curfew Ordinance of said City codified as Section 130.20 through 130.99 of said Code of Ordinances, for purpose of determining whether or not to abolish, continue or modify said ordinances.

Mayor Norma Garcia opened the Public Hearing at 6:05 p.m. to hear comments from staff and audience.

Ed Garcia of 1924 North Ave. G asked if the Juvenile Curfew Ordinance was being enforced.

Chief Dan Pennington said yes and that citations have been issued.

Mayor Norma Garcia closed the Public Hearing at 6:10 p.m.

Consideration of voting for the election of Places 6-9 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye" Council approved Kyle J. Jung for Place 6, C. J. Wax for Place 7, Larry Melton for



Place 8, and Andres Garza for Place 9, for the election of Places 6-9 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.

Consideration of approving a Led Street Light installation agreement with CenterPoint Energy Houston Electric, LLC and the City of Freeport.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved a Led Street Light installation agreement with CenterPoint Energy Houston Electric, LLC and the City of Freeport.

Consideration of authorizing the City Manager to expend funds for removing a sunken boat.

Melanie Oldham asked about the ownership of the sunken boat and how much would it cost to remove it.

Councilman McDonald stated that it belongs to Sue and Dan Allen and that they were deceased.

This item reagendaed for further study.

Mayor Norma M. Garcia closed the Formal Meeting and opened the Executive Session at 6:22 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:

- Councilwoman Nicole Mireles
- Park Department Employees

*No action taken*

Mayor Norma M. Garcia closed he Executive Session reconvened the Formal Meeting to adjourn at 6:35 p.m.

Adjourn

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

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Mayor Norma Moreno Garcia

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City Secretary Delia Munoz

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS; CONTAINING FINDINGS OF FACTS AND CONCLUSION OF LAW; DECLARING THE PRESENCE OF MINORS IN PUBLIC PLACES, ON THE PUBLIC STREETS, AND IN THE COMMERCIAL ESTABLISHMENTS OF SAID CITY DURING THE NOCTURNAL AND DAYLIGHT HOURS HEREINAFTER SPECIFIED TO BE A PUBLIC NUISANCE AND PROVIDING FOR THE ABATEMENT THEREOF AS THEREIN PROVIDED; AMENDING CHAPTER 130 OF THE CODE OF ORDINANCES OF SAID CITY, PROVIDING A CURFEW FOR MINORS, REGULATING USE OF STREETS BY MINORS DURING NOCTURNAL AND DAYLIGHT HOURS, AND PROVIDING FOR RELATED MATTERS SUCH AS PERMITS, REGULATIONS AND DEFENSES, PARENTAL RESPONSIBILITIES, POLICE PROCEDURES AND PENALTIES, AS WELL AS IMPLEMENTATION THROUGH VOLUNTARY RESEARCH AND LOCAL ACTION FOR THE PREVENTION OF JUVENILE DELINQUENCY; PROVIDING THAT ANY PERSON VIOLATING SAID CODE, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND ASSESSED A FINE IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE BUT NOT EXCEEDING FIVE HUNDRED (\$500.00) DOLLARS; PROVIDING THAT EACH DAY ANY SUCH VIOLATION CONTINUES AND EACH PART OF ANY DAY DURING WHICH ANY SUCH VIOLATION SHALL OCCUR SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; PROVIDING FOR CONTINUED EVALUATION OF THIS CURFEW ORDINANCE BY CITY COUNCIL WITH PUBLIC HEARINGS TO BE HELD BEFORE THE THIRD ANNIVERSARY OF THE ADOPTION HEREOF; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE ON FROM AND AFTER ITS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

WHEREAS, the City of Freeport, Texas, 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, Sections 51.072, 54.001, 54.004, 370.002 and 217.042 of the Local Government Code of Texas, Article 45.06 of the Code of Criminal Procedure of Texas and Sections 2.01 and 2.02 of the Home Rule Charter of the City of Freeport authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City of Freeport, Texas, is concerned about an increase in juvenile violence, juvenile gang activity, and crime by persons under the age of 18 in the City of Freeport, Texas, resulting in juveniles being involved in a wide range of unacceptable behavior including vandalism, public drinking and littering, drug use, breaking and entering, and harassment of residents; and,

WHEREAS, the City Council has determined the many of these problems involving minors occur during normal school hours as well as at night and early morning hours; and,

WHEREAS, the City Council has an obligation to provide for the protection of minors from each other and from other persons, for the enforcement of parental control over and responsibility for children, for the protection of the general public, and for the reduction of the incidence of juvenile criminal activities; and,

WHEREAS, the City Council believes that a curfew imposed upon those persons of compulsory school age will encourage participation in educational activities and will promote the public good; and,

WHEREAS, the City Council believes that a curfew for those under the age of 18 will help to attain the foregoing objectives and will serve to diminish the undesirable impact of such conduct on the citizens of the City of Freeport, Texas, and will promote the public good, safety and welfare;

WHEREAS, on the same day as but prior to the adoption hereof the City Council conducted two (2) public hearing, one on September 19, 2016, and on October 3, 2016, on the need to continue this curfew ordinance and to consider amendments thereto; and

WHEREAS, the City Council has determined and does here now declare that the re-adoption of this ordinance, as amended, is necessary to the health, safety and general welfare of the inhabitants of the City of Freeport, Texas.

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

First, Section 130.20 through 130.99 of the Code of Ordinances of the City of Freeport, Texas, added to said Code by Ordinance No. 1767, read, passed and adopted on the 20th day of June, 1994, and amended by Ordinance No. 1785, passed and adopted on the 19th day of June, 1995, and continued by Ordinance No. 2001-1957, read, passed and adopted on the 19th day of November, 2001, by Ordinance No. 2004-2069, read, passed and adopted on the 15<sup>th</sup> day of November, 2004, Ordinance No. 2007-2179, read, passed and adopted on the 5<sup>th</sup> day of November, 2007, Ordinance No. 2010-2264, read, passed and adopted on the 18<sup>th</sup> day of October, 2010, and Ordinance No. 2023-2049, read, passed and adopted on the 7<sup>th</sup> day of October, 2013, is hereby re-adopted in its entirety to read as follows:

"Sec. 130.20 SHORT TITLE

This subchapter shall be known and may be cited as 'the Curfew Ordinance of the City of Freeport, Texas.'

Sec. 130.21 PURPOSES; FINDINGS; CONCLUSIONS.

(A) This subchapter is enacted in accordance with the prevailing community standards and regulations for the conduct of minors on streets, in public places and in private businesses during normal school hours, at night, and during early morning hours for the good of minors in the City, to promote family responsibility here, and for the public good, safety and welfare of the citizens of the City.

(B) The City Council finds that the curfew established by this Curfew Ordinance meets a very real local need and should, based on the published experiences of other local governments, be a significant factor in minimizing juvenile delinquency in the City in the years ahead. The community sense of the proper time for the cessation of all outdoor activities by minors on the streets, in public places and in private businesses, is reflected in the curfew hours declared by this subchapter which takes into consideration those hours when minors are normally in school as well as those dangerous nocturnal and early morning hours when the accumulation of minors poses a special risk due to their special susceptibility to peer pressure, their immaturity and their lack of experience, all tendencies normally associated with those of youthful years.

(C) The City Council finds that the City is not overcrowded. Local school facilities and adequate indoor living space permits minors in the City to healthfully occupy their time during daytime and nighttime hours. Commercial recreational facilities are almost nonexistent and there is little or nothing for minors to do outdoors, but roam the streets and frequent the commercial establishments of the City which are open after the curfew hours which this subchapter declares.

(D) The City Council finds that minors roaming the streets, public places and frequenting commercial establishments during the curfew hours which this Curfew Ordinance declares constitutes a public nuisance which should be abated as hereinafter provided.

(E) The City council finds that School hours should generally be used for educational activities by minors.

(F) Parental responsibility for the whereabouts of children is the norm. Legal sanctions to enforce such results have had a demonstrated effectiveness over the years. As parental control increases, the likelihood of juvenile delinquency decreases. There is a need for daytime and nighttime curfew hours for minors in order to achieve, under local conditions, the purposes hereinbefore stated.

Sec. 130.22 DEFINITIONS.

For the purpose of this subchapter, the following terms and phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present terms include the future, words in the plural number include the singular and words in the singular number include the plural. The word 'shall' is always mandatory and not merely directory.

CHIEF OF POLICE. 'Chief of Police' means the Chief of Police of the City or his or her designated representative.

**COMMERCIAL ESTABLISHMENT.** 'Commercial establishment' means any privately owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment, and includes the entire premises thereof and all adjacent parking areas under the control of the owner of the commercial establishment.

**CUSTODY.** 'Custody' includes possession of a minor by a parent of such minor, possession by the guardian of the person of such minor, or possession by any other person to whom legal conservatorship or other legal custody of the minor has been given by order of a court of competent jurisdiction.

**CURFEW HOURS.** 'Curfew hours' shall mean:

(1) For any minor 14 years of age or younger, on each day of the week from 10:00 p.m. until 5:00 a.m. of the following day;

(2) For any minor 15 years of age or older, on any Sunday, Monday, Tuesday, Wednesday, or Thursday, from 11:00 p.m. until 5:00 a.m. of the following day, and on any Friday or Saturday, from 12:00 midnight until 5:00 a.m. of the following day;

(3) For any minor, on any day when school is in session within the Brazosport Independent School District during the fall and spring semesters, from 7:30 a.m. through 3:30 p.m., unless a later arrival time or earlier dismissal time has been authorized at the school of appropriate attendance for such minor, in which event such earlier or later time shall apply.

**DIRECT ROUTE.** 'Direct route' means the shortest path of travel through a public place to reach a final destination without detour or stops along the way.

**MINOR.** 'Minor' means any person under the age of 18, or, in equivalent phrasing often herein employed, any person 17 or less years of age, provided, however, such definition shall not include any married person or any person who has had the disabilities of minority removed in accordance with the Texas Family Code.

**PARENT.** 'Parent' means:

(1) The mother, a man presumed to be the biological father, a man who has been adjudicated to be the biological father by a court of competent jurisdiction, or an adoptive mother or father of a minor, but does not include any person whose parent-child relationship with a minor has been terminated by a court of competent jurisdiction.

(2) A person who stands in loco parentis to a minor.

(3) A person to whom guardianship, conservatorship or other legal custody of the minor has been given by order of a court of competent jurisdiction.

**PUBLIC PLACE.** 'Public place' means a physical location which is owned by the public or by a political subdivision of the State of Texas or the federal government.

**REMAIN.** 'Remain' means to stay behind, to tarry and to stay unnecessarily upon the streets, public places or the premises of commercial establishments including congregating in groups of minors (or the interacting of individual minors together) in which any minor included would not be using the streets for a purpose declared to be a defense in Section 130.24.

**STREET.** 'Street' means a way or place of whatsoever nature, open to the use of the public as a matter of right for purposes of vehicular travel or in the case of a sidewalk thereof for pedestrian travel. The term street includes legal right-of-way, including, but not limited to, the cartway or traffic lanes, the curb, the sidewalks, whether paved or unpaved, and any grass plots or other grounds found within the legal right-of-way of a street. The term street is implied irrespective of what it is called or formally named, whether alley, avenue, court, road or otherwise.

**TIME OF NIGHT.** 'Time of night' as referred to herein is based upon the prevailing standard of time, whether Central Standard Time or Central Daylight Saving Time, generally observed at that hour by the public in the City. Proof that a particular time was observed by the City's Police Department on any calendar day shall be prima facie evidence in the Municipal Court of the conformity of such time to the then prevailing standard of time.

**YEAR OF AGE.** 'Year of Age' continues from one birthday, such as the seventeenth to (but not including the day of) the next, such as the eighteenth birthday, making it clear that '17 or less years of age' is herein treated as equivalent to the phrase, 'under 18 years of age'.

**Sec. 130.23 CURFEW FOR MINORS.**

It shall be unlawful for a minor to be or remain in or upon the streets, public places or commercial establishments within the City during the curfew hours defined in Section 130.22 above.

**Sec. 130.24 DEFENSES.**

(A) It is a defense to prosecution of a minor under this subchapter for such minor being in or upon the streets, public places or commercial establishments within the City during the daytime or nighttime hours designated by this subchapter as times at which it is unlawful for such minor to remain in or upon such streets, public places or commercial establishments when such minor is:

(1) Accompanied by a parent having custody of such minor.

(2) Accompanied by an adult authorized by a parent of such minor having custody to take said parent's place in accompanying said minor for a designated period of time. For the purposes of this ordinance it shall be presumed that a step-parent of a minor who is accompanying such minor has been so authorized by a parent of a minor to take such parent's place in accompanying said minor.

(3) Exercising his or her rights under the First Amendment to the United States Constitution, such as the free exercise of religion, freedom of speech and the right of assembly. Such minor shall evidence the bona fides of such exercise by first delivering to the Chief of Police, at the City's Police Department, a written communication, signed by such minor and countersigned if practicable by a parent of such minor having custody of such minor, stating the home address and telephone number of the minor and the parent, addressed to the Chief of Police and specifying when, where and in what manner said minor will be on the streets at night or during hours when this subchapter is otherwise applicable to said minor in the exercise of a First Amendment Right which right shall be specified in such communication. This written communication shall be delivered to the office of the Chief of Police at least one week prior to the time specified in such communication as being the time when the minor will be exercising his or her First Amendment Right therein specified.

(4) Involved in a case of reasonable necessity, but then only after a parent of a minor or an employee of a public or private school has communicated to the City's police dispatcher, orally or in writing, the facts establishing such reasonable necessity, relating the same to specified streets at a designated time and a described purpose, including points of origin and destination. A copy of such written communication, or of the police record of an oral communication, in either case, duly certified by the Chief of Police to be correct, with an appropriate notation of the time it was received and of the names and addresses of such parent and minor, shall be admissible in evidence in the Municipal Court of the City as prima facie proof of the truth of all facts set forth therein.

(5) On the residential property where such minor resides, or where a parent of such minor resides.

(6) A student enrolled in a private school who was in fact released from attending class on the hour charged due to an official school holiday or in service day. Because of Court rulings requiring that students being home schooled receive equal protection of law with those in private schools, children who are being home schooled are also hereby placed under this defense.

(7) Engaged in an organized athletic activity sponsored by an official group or voluntary association comprised of adults and directly supervised by an adult or adults.

(8) Engaged in an out-of-school educational activity or an activity of a religious or other voluntary association attended by such minor. "Out-of-school educational activity" shall include organized trips for minors to parks, libraries, museums, recreation centers and other such private and public places so long as such trips are planned or permitted by a public school, a private school or by a group or association of home schoolers, and provided that such trips are directly supervised by an adult or adults.

(9) Returning home by a direct route from and within 30 minutes of release from school or from the excepted activities described in (A)(7) or (A)(8) of this Section.

(10) A student on his or her regular school lunch break.

(11) Authorized, by special permit from the Chief of Police, carried on the person of such minor thus authorized, as follows: When normal or necessary daytime or nighttime activities of a minor, particularly a minor well along the road to maturity, may be inadequately provided for by other provisions of this subchapter, then a request may be made to the Chief of Police, either for a regulation as provided in (A)(12) of this Section or for a special permit under this division (A)(11), as the circumstances warrant.

Upon the Chief of Police's finding of necessity for the use of the streets to the extent warranted by a written application by a minor and by a parent of such minor, if feasible, stating (i) the home, age and address of such minor, (ii) the name, address and telephone number of a parent thereof, (iii) the height, weight, sex, color of eyes and hair and other physical characteristics of such minor, (iv) the reason or necessity which requires each minor to remain upon the streets during the curfew hours otherwise prohibited, (v) the street or route and the beginning and ending of the period of time involved by date and hour, and (vi) a photo of the minor and (vii) school attended, if any, and current grade enrolled in by this minor. The Chief of Police may grant a permit in writing for the use by such minor of such streets at such hours as in the Chief of Police's opinion may reasonably be necessary. In an emergency this may be handled by telephone, or other effective communication, with a corresponding record being made contemporaneously, either to the Chief of Police or, if unavailable, by a police officer authorized by the Chief of Police to act on his behalf in an emergency, at the police station. A special permit may also be issued to minors, ages 16 and 17 with a Texas driver's license, whereby the parent makes written application as set out above, except (iv) and (v) and where the parent assumes all responsibility and liability for the actions of the minor, releasing the City from any liability from non-enforcement of this Curfew Ordinance as to that minor.

(12) Authorized, by regulation issued by the Chief of Police, in other similar cases for reasonable necessity, similarly handled, but adapted to normal or necessary daytime or nighttime activities of more minors than can readily be dealt with on an individual special permit basis. Normally such regulation by the Chief of Police permitting use of the streets should be issued sufficiently in advance to permit appropriate publicity through news media and through other agencies such as the schools, and shall define the activity, the scope of the use of the streets permitted, the period of time involved not to extend more than 10 minutes beyond the time for termination of such activity as therein specified, the reason for such minors attending such activity and a showing that such regulation is reasonably necessary and is consistent with the public interest and the purposes of this Curfew Ordinance. An application for such a regulation shall be in writing, signed by the applicant and be delivered to the office of the Chief of Police at least one week prior to the activity.

(13) In possession of a certified card of employment, signed by the Chief of Police and identifying the minor as outlined in (A)(11) of this Section. Such card shall be renewable every two months when the current facts so warrant.

(14) With parental consent, in a motor vehicle. This contemplates normal travel. From excess of caution, this clearly exempts bona fide interstate movement through the City. This also exempts interstate travel beginning or ending in the City.

(B) Each of the foregoing defenses, and their several limitations, such as provisions for notification, shall be severable.

#### Sec. 130.25 PARENTAL AND COMMERCIAL ESTABLISHMENT RESPONSIBILITY.

(A) It shall be unlawful for a parent or other person having custody of a minor as defined in this subchapter to knowingly permit or by inefficient control to allow such minor to be or remain upon any City street in violation of Section 130.23, under circumstances not constituting a Defense under Section 130.24, or otherwise beyond the scope of this subchapter. The term 'knowingly' includes knowledge which a parent should reasonably be expected to have concerning the whereabouts of a minor in that parent's legal custody. It is intended to continue to keep neglectful or careless parents up to a reasonable community standard of parental responsibility through an objective test. It shall, a fortiori, be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such minor. It shall be prima facie evidence of a violation of this division by a parent charged hereunder, if such parent having legal custody of a minor had no knowledge of such minor's whereabouts at the time when such minor was cited for the underlying violation of Section 130.23 that forms the basis of the charge against the parent.

(B) It shall be unlawful for the owner or operator of a commercial establishment to knowingly allow a minor to remain at such commercial establishment during the hours of curfew established in this ordinance beyond the time necessary to conduct and complete an expected activity associated with the normal business of that commercial establishment. It shall be no defense to this subdivision that a minor made a purchase, if the minor did not immediately make such purchase upon arrival and depart immediately thereafter. It shall be a defense to prosecution under this subdivision that the owner or operator of such commercial establishment has promptly notified the Police Department dispatcher that a minor or minors who are present on the premises after hours have refused to depart. A copy of the police record of such notification, duly certified by the Chief of Police to be correct, with an appropriate notation of the time it was received, shall be admissible in evidence in the Municipal Court of the City as prima facie proof of the truth of all facts set forth therein.



**Sec. 130.26 POLICE PROCEDURES.**

(A) A police officer of the City, upon finding or having his or her attention called to any minor in public places, on the streets of the City or at any commercial establishment within the City who appears to be in prima facie violation of this subchapter and not clearly subject to any Section 130.24 defenses, shall, subject to divisions (B), (C), and (D) of this section, take such minor to the City's police station where a parent of such minor having custody shall immediately be notified to come for such minor. This is intended to permit ascertainment, under constitutional safeguards, of relevant facts, and to centralize responsibility in the police supervisor then on duty for accurate, effective, fair, impartial and uniform enforcement, and recording, thus making available experienced supervisory personnel, the best of facilities and access to information and records. In the absence of convincing evidence such as a birth certificate or a driver's license or other similar identification, a police officer on the street shall in the first instance use his or her best judgment in determining age. The officer may issue a notice to appear as provided in Section 33.11 of this code.

(B) Where a minor has been picked up pursuant to an apparent prima facie violation of the daytime curfew provisions of this subchapter the police officer having such minor in his custody shall, prior to transporting such minor to the police station, attempt to ascertain whether or not the minor is enrolled as a student at a public school. If it appears the minor is truant from attendance at a school at which he or she is enrolled, then the officer shall as a first alternative attempt to immediately transport such minor to the appropriate school where the minor is enrolled in attendance, and release the minor to a truant officer or other school official with the authority to take responsibility for such minor, if possible. If it is not possible the officer shall transport the minor to the police station and follow the procedure outlined in the other provisions of this section in handling such minor. In any event, the officer shall make or cause to be made a report to the appropriate school truant officer for the public school where the minor is enrolled in attendance. If it is determined that the minor is not enrolled in a public school, the police officer shall follow the procedure outlined in division (A) of this section, in handling such minor.

(C) Police procedures shall constantly be refined in the light of experience and may provide, inter alia, that the police officer may deliver to a parent thereof the minor under appropriate circumstances, as for example, a minor of tender age near his or her home and whose identity and address is already known to the officer or may readily be ascertained.

(D) In any event, when a minor is taken into custody by a police officer under this section, the officer shall, without unnecessary delay:

(1) Release the minor to the minor's parent, guardian, custodian, or appropriate school official;

(2) Take the minor to the minor before the municipal court to answer the charge; or

(3) Take the minor to a place designated by the chief of Police as a juvenile curfew processing office.

(E) In any event, any police officer who has taken a minor into custody for a curfew violation under this subchapter, shall, within 24 hours, file a written report with the Chief of Police or shall participate (to the extent of the information for which he or she is responsible) in the preparation and filing of such a report by such supervisor within 24 hours.

(F) When a parent having custody has come to take charge of such minor and the appropriate information has been recorded, such minor shall immediately be released to the custody of such parent. If a parent having custody cannot be located, or fails to take charge of the minor within a reasonable time, then the minor shall be released to the juvenile authorities having jurisdiction over such minor (with referral by the municipal court judge of the City if required by the statutes applicable to such juvenile authorities) or the minor may temporarily be entrusted to another relative, neighbor or other person who will on behalf of a parent having custody assume the responsibility of caring for the minor pending the availability or arrival of such parent.

(G) To insure parental notice in the case of a first violation by a minor, the Chief of Police shall, by certified mail and return receipt requested, send to a parent having custody written notice of said violation with a warning that any subsequent violation will result in full enforcement of this subchapter against a parent of a minor in violation and of the applicable penalties.

(H) In the event a police officer of the City, upon finding or having his or her attention called to any minor remaining at a commercial establishment in apparent violation of Section 130.25(B), shall undertake action against such minor under this subchapter, such officer shall first ascertain from the Police Department dispatcher whether or not the owner or operator of such establishment has a defense as outlined above under Section 130.25(B) by virtue of having made a report to the police department dispatcher as therein provided. If no such report has been made then the officer shall issue a Municipal Court Misdemeanor Citation to such owner or operator charging a violation of Section 130.25(B).

**Sec. 130.97 REPORTS OF VIOLATIONS AND TRANSFER OF CASES TO THE BRAZORIA COUNTY JUVENILE PROBATION DEPARTMENT.**

(A) Any minor who has been twice convicted of a violation of any of the provisions of the subchapter and who stands charged with a third violation hereof shall be reported by the Chief of Police to the Brazoria County Juvenile Probation Department pursuant to the Texas Family Code.

(B) At the discretion of the Chief of Police, a similar report may be made to the Brazoria County Juvenile Probation Department concerning any other minor who has been taken into custody for a curfew violation, whenever the Chief deems it appropriate.

(C) The Municipal Court Judge may transfer to the Brazoria County Juvenile Probation Department any minor offender, whether for a first offense or subsequent offense, where such judge determines that there is a real need for supervision of said minor.

**Sec. 130.98 PENALTY.**

(A) Should any person, firm, or corporation, their agent, servant, or employee, charged with a violation of any provision of this subchapter, be convicted by a court of competent jurisdiction, such person, firm, or corporation, their agents, servants or employees, may be fined any sum not less than \$1 nor more than \$500 for each violation, provided however, that convictions of violations of Section 130.25(A) shall be subject to minimum fines for enhanced offenses as specified by Division (B) of this section.

(B) If, after a Section 130.26(G) notice of a first violation of Section 130.23 by a minor has been given to a parent or other person with custody of such minor as defined by this subchapter, such parent violates Section 130.25(A) (in connection with a second violation of Section 130.23 by such minor), such violation by such parent or other person having custody shall constitute a first offense of Section 130.25(A) by such parent or other person having custody and, upon conviction such parent or other person having custody shall be fined not less than \$25.00 for such first offense. If in the trial of a second offense under Section 130.25(A), enhanced, it is shown that the said parent or other person having custody has already been convicted of one previous violation of said Section, upon conviction the said parent or other person having custody shall be fined not less than \$50.00. If in the trial of a third or additional offense under Section 130.25(A), enhanced, it is shown that such parent or other person having custody has been convicted, respectively, of two or more violations of said Section as specified in the enhancement paragraph, such parent or other person having custody shall be fined not less than \$75.00 upon conviction of a third offense, enhanced, not less than \$100.00 for conviction of a fourth offense, enhanced, and so forth in increasing increments of \$25.00 for each subsequent conviction shown as alleged in the enhancement paragraph, up to a maximum of \$500.00. The judge presiding in a Municipal Court case filed under this subchapter, upon finding a parent or other person having custody guilty of a second or subsequent violation of Section 130.25(A), shall not only sentence such parent or other person having custody to pay such fine and the costs of prosecution but shall also assess any other punishment available to such judge under the laws of the State of Texas.

(C) Any person violating any of the provisions of this subchapter for which no penalty is otherwise provided shall be subject to the penalty set forth in Section 10.99.

#### Sec. 130.99 CONTINUING EVALUATION BY CITY COUNCIL

(A) Before the third anniversary of each re-adoption of this subchapter in its entirety, the City Council will hold public hearings to review and evaluate the provisions of this subchapter, and consider modifications of this subchapter to comply with Section 370.002 of the Local Government Code. Provided, however, such evaluation and consideration of updating may occur more often at the request of the Chief of Police.

(B) There shall be compiled and informally reported to the City Council through effective channels (such as the normal by-weekly distribution by the City Manager, to each member of the City Council, the Chief of Police and the City Attorney of noteworthy material) all exceptional cases hereunder of reasonable necessity, the notices of school and other activities, the special permits issued by the Chief of Police and the regulations adopted by the Chief of Police, as herein above authorized, for use by the City Council in connection with its evaluation and consideration of updating this subchapter.

(C) For the same reasons, as well as for the implementation beyond these legal aspects of the basic purposes hereof, the Chief of Police, City Manager and City Council, in coordinated efforts, shall work with existing, and may organize, voluntary groups and shall seek volunteer leadership in programs of research and of action dealing constructively on neighborhood and local bases, with juvenile delinquency and the prevention, control or containment thereof, in all its implications and with practicable steps toward attaining a better life for minors 17 or less years of age, and with the working of this Curfew Ordinance, community-wise and in individual cases, as one much needed legal goal toward that end, as well as for continuing present protection of minors and of other persons, and of property and other interests important to the welfare of the people of the City."

Second, each day any violation of this ordinance continues and each part of any day any such violation occurs shall constitute a separate offense.

Third, this ordinance is cumulative of and in addition to all other ordinances of the City of Freeport, Texas, on the same subject and all such ordinances are hereby expressly saved from repeal. Provided however, where this ordinance and another ordinance conflict or overlap, whichever imposes the more stringent regulations or penalties, as the case may be, shall prevail.

Fourth, no offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance is to be affected by the adoption of this ordinance but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to such date shall take place as if this ordinance had not been adopted.

Fifth, 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.

Sixth, this ordinance shall take effect from and after the descriptive caption of this ordinance has been published twice in the Brazosport Facts, the official newspaper of said City.

READ, PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

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

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

APPROVED AS TO FORM ONLY:

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

C\Freeport.Ord\Curfew-70rd

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

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING SECTION 71.50 OF THE CODE OF ORDINANCE OF SAID CITY, WHICH DESIGNATES FOUR-WAY STOP INTERSECTIONS, TO ADD THERETO, AS AN ADDITIONAL FOUR-WAY STOP INTERSECTION, AT WHICH VEHICULAR TRAFFIC ON DESIGNATED STREETS SHALL STOP IN THE MANNER REQUIRED BY THE TRANSPORTATION CODE, THE INTERSECTION OF NORTH AVENUE D AND OLD RIVER STREET; AMENDING SECTION 71.51 OF THE CODE OF ORDINANCES TO REMOVE SUCH INTERSECTION AS TWO-WAY INTERSECTION; PROVIDING FOR THE ERECTION, BY OR AT THE DIRECTION OF THE CITY MANAGER OF SAID CITY, OF THE STOP SIGNS AUTHORIZED BY THIS ORDINANCE; PROVIDING THAT ANY VIOLATION OF SAID CODE OF ORDINANCES, AS AMENDED BY THIS ORDINANCE, SHALL BE A MISDEMEANOR AND UPON CONVICTION PUNISHED BY A FINE NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS AND THAT EACH AND EVERY DAY ANY SUCH VIOLATION OCCURS AND EACH DAY OR PORTION THEREOF ON WHICH ANY SUCH VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

WHEREAS, Item (8) of Subsection (a) of Section 542.202 of the Transportation Code authorizes a municipality, as a local authority, with respect to streets and highways under their jurisdiction, to designate stop intersections; and,

WHEREAS, Subsection (b) of Section 542.203 of said Code provides that no ordinance enacted under said Section 542.202 that designates a stop intersection shall be effective until signs giving notice thereof are posted; and,

WHEREAS, Subsection (b) of Section 544.003 of said Code authorizes a municipality, as a local authority, to designate a highway or an intersection under its jurisdiction as a through highway or a stop intersection and place a stop sign at specified entrances thereto; and,

WHEREAS, Subsection (b) of Section 544.002 of said Code and Subsection (c) of Section 544.003 of said Code provide, respectively, that all traffic-control devices and all stop signs placed by a local authority must conform to the manual and specifications adopted by the Texas Department of Transportation under Section 544.001 of said Code; and,

WHEREAS, the City Council of the City of Freeport, Texas, has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of said City and the

members of the general public traveling upon the streets herein below named.

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

First, Section 71.50 of the Code of Ordinances is hereby amended to add thereto the following intersection as a four-way stop intersection:

“North Avenue D and Old River Street”

making it a four-way stop intersection; and Section 71.51 of the Code of Ordinances is hereby amended to delete said intersection as a two-way intersection.

Second, appropriate signs giving notice of the regulations adopted by this ordinance shall be posted by or at the direction of the City Manager as may be most appropriate conforming to the Texas Department of Transportation manual and specifications.

Third, any person violating the Code of Ordinances of the City of Freeport, Texas, as amended by this ordinance shall be guilty of a misdemeanor and upon conviction therefore assessed a fine not to exceed Two Hundred (\$200.00) Dollars; and each and every day any such violation occurs and each day or portion of each day any such violation continues shall constitute a separate offense.

Fourth, no offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance shall be affected by the adoption of this ordinance but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to such date shall take place as if this ordinance had not been adopted.

Fifth, 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.

Sixth, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Seventh, this ordinance shall take effect and be in force from and after its descriptive caption has been published twice in the Brazosport Facts.

READ, PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

ATTEST:

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

APPROVED AS TO FORM ONLY:

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

C\Freeport.Trf\StopIntr-6Ord

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

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING DIVISION (B) OF SECTION 71.21 OF THE CODE OF ORDINANCES OF SAID CITY, WHICH ESTABLISHES THE PRIMA FACIE SPEED LIMIT FOR SCHOOL CROSSING ZONES OF 20 MILES PER HOUR, TO ADJUST THE TIMES THEREIN SPECIFIED FOR THE VELASCO ELEMENTARY, O.A. FLEMING ELEMENTARY, JANE LONG ELEMENTARY, LANIER MIDDLE SCHOOL, BRAZOSPORT HIGH SCHOOL AND FREEPORT INTERMEDIATE SCHOOL SPEED ZONES TO THE CURRENT NEEDS OF EACH SCHOOL; PROVIDING FOR THE POSTING OF SIGNS OR OTHER TRAFFIC CONTROL DEVICES GIVING NOTICE THEREOF AT SUCH LOCATION; PROVIDING THAT ANY PERSON VIOLATING SAID CODE OF ORDINANCES, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND UPON CONVICTION ASSESSED A FINE NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS AND THAT EACH DAY AND EACH PART OF EACH DAY ANY VIOLATION THEREOF CONTINUES OR OCCURS SHALL BE A SEPARATE OFFENSE; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

WHEREAS, Item (13) of Section 541.302 of the Transportation Code defines a school crossing zone to mean a reduced-speed zone designated on a street by a local authority to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school during the time the reduced speed limit applies; and

WHEREAS, Items (11) and (12) of Subsection (a) of Section 542.202 of the Transportation Code authorizes a municipality, as a local authority, to designate school crossing zones, and to alter the speed limit on public streets and highways within its jurisdiction as authorized by said Code respectively; and,

WHEREAS, Item (2) of Subsection (b) of Section 542.203 of said Code provides that no ordinance which alters a speed limit shall be effective until signs, or other traffic control devices giving notice thereof are



posted on or at the entrance to the affected street or highway as may be most appropriate; and,

WHEREAS, Subsection (b) of Section 544.002 of said Code provides that all traffic-control devices placed by a local authority must conform to the manual and specifications adopted by the Texas Department of Transportation under Section 544.001 of said Code; and,

WHEREAS, the needs of the Velasco Elementary, O.A. Fleming Elementary, Jane Long Elementary, Lanier Middle School, Brazosport High School and Freeport Intermediate School with respect to the beginning and ending time for school crossing zones heretofore established by Section 71.21 of the Code of Ordinances of the City of Freeport, Texas, have changed and should be adjusted to adapt said section to such needs; and,

WHEREAS, the City Council of the City has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of said City, the motoring public and the students attending the above named public schools located therein.

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

First, Items (1) through (4) and (11) through (14) of Division (B) of Section 71.21 of the Code of Ordinances of said City of are hereby amended to read as follows:

(1) Fourth Street, between its intersection with Arbutus and its intersection with Brazosport Boulevard (SH 288), and Dixie Drive, between its intersection with Fourth Street and its intersection with Eighth Street, from 6:30 a.m. to 7:35 a.m. and from 2:55 p.m. to 4:00 p.m.

- (2) Brazosport Boulevard (SH 288), from 1,637 feet south of Fourth Street to the centerline of Second Street, a distance of approximately 0.4633 miles, from 6:30 a.m. to 7:35 a.m. and from 2:55 p.m. to 4:00 p.m.
- (3) Second Street, between its intersection with Yaupon Street and its intersection with Brazosport Boulevard (SH 288), from 6:30 a.m. to 7:35 a.m. and from 2:55 p.m. to 4:00 p.m.
- (4) Brazosport Boulevard (SH 288), from a point 1637 feet south of Avenue A to the centerline of Second Street, a distance of approximately 0.2367 miles, from 6:30 a.m. to 7:35 a.m. and from 2:55 p.m. to 4:00 p.m.
- (5) Eleventh Street, between its intersection with Pecan Street and its intersection with Velasco Boulevard, from 7:00 a.m. to 8:30 a.m. and from 3:00 p.m. to 4:30 pm.
- (6) Velasco Boulevard, between its intersection with Eleventh Street and its intersection with Twelfth Street, from 7:00 a.m. to 8:30 a.m. and from 3:00 p.m. to 4:30 pm.
- (7) Pecan Street, between its intersection with Tenth Street and its intersection with Twelfth Street, from 7:00 a.m. to 8:30 a.m. and from 3:00 p.m. to 4:30 pm.
- (8) Maple Street, between its intersection with Fourth Street and its intersection with Eighth Street, from 7:00 a.m. to 8:30 a.m. and from 3:00 p.m. to 4:30 p.m.
- (9) Fourth Street, between its intersection with Maple Street and its intersection with Ash Street, from 7:00 a.m. to 8:30 a.m. and from 3:00 p.m. to 4:30 pm.
- (10) Navigation Boulevard, between its intersection with Seventh Street and its intersection with Fourth Street, from 7:00 a.m. to 8:30 a.m. and from 3:00 p.m. to 4:30 pm.
- (11) Avenue B, between its intersection with McNeil Street and its intersection with Karankawa Street and from 7:00 a.m. to 8:35 a.m. and from 3:00 p.m. to 4:00 p.m.
- (12) Karankawa Street, between Avenue B and Gulf Boulevard, from 7:00 a.m. to 8:35 a.m. and from 3:00 p.m. to 4:00 p.m.
- (13) McNeil Street, between Avenue B and Gulf Boulevard, from 7:00 a.m. to 8:35 a.m. and from 3:00 p.m. to 4:00 p.m.

(14) Gulf Boulevard, between Old River Street and Karankawa Street, from 7:00 a.m. to 8:35 a.m. and from 3:00 p.m. to 4:00 p.m."

Second, the City Manager of the City of Freeport, is hereby authorized and directed to cause appropriate signs, or other traffic control devices conforming to the requirements of said Act giving notice of the foregoing speed limit to be posted at appropriate locations upon these portions of highways to which such limits apply.

Third, any person violating said ordinance as amended by this ordinance shall be guilty of a misdemeanor and upon conviction therefor fined not to exceed Two Hundred (\$200.00) Dollars.

Fourth, every day and each part of any day any such violation continues or occurs shall constitute a separate offense.

Fifth, no offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance shall be affected by the adoption of this ordinance but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to such date shall take place as if this ordinance had not been adopted.

Sixth, 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.

Seventh, this ordinance shall take effect and be in force from and

after its descriptive caption has been published twice in the Brazosport Facts.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
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

\SchZoneTimesOne-wayTurnsPkg.Ord2016

August 17, 2016 @ 2:00 p.m.

Installation of concrete on 4th Street beginning on Dixie Drive, 8th intersecting with Riverview, 1600 Block of 5th, from Yaupon to Mulberry.

1. Tandem Services  
4425 FM 2351 Ste. 5  
Friendswood, Texas 77546                      \$472,058.00
  
2. A-I Construction Services  
6108 Brittmoore Rd.  
Houston, Texas 77041                      \$1,028,960.07
  
3. AAA Asphalt Paving Inc.  
10526 Tanner Rd.  
Houston, Texas 77041                      \$616,144.00
  
4. Matula & Matula Construction  
122 West Way, Suite 325  
Lake Jackson Texas 77566                      \$468,103.50
  
5. Jasen Gast –Coastal Crude Services  
12131 Pebblebrook Drive  
Houston, Texs 77024                      \$1,200,000.00

Witness: Delia Munoz  
LeAnn Strahan  
Devon Price



Fraternal Order Eagles # 3111  
6818 Hwy. 332 E.  
Freeport, TX 77541  
979-239-2582

To: Freeport City Council

RE: Fraternal Order Eagles # 3111 Annual Turkey Shoot

Dear Freeport City Council;

The Fraternity of Eagles Aerie # 3111 would like to request to be placed on the next City Council meeting to discuss our annual Turkey Shoot. We would like to be allowed to conduct the shoot every Saturday from Noon to 4:00 p.m. beginning October 22, 2016 and ending December 17, 2016.

Proceeds will be for Christmas Baskets for the Brazosport Area.

Sincerely Yours,

Archie Joss  
Worthy President  
Fraternal Order Eagles # 3111



September 19, 2016

Hon. Norma Moreno Garcia  
Mayor  
City of Freeport  
200 W 2nd St  
Freeport, TX 77541

Dear Mayor Garcia:

I am writing regarding the appointment of your city's representative to H-GAC's 2017 General Assembly.

H-GAC's Bylaws provide that each member Home Rule city with a population under 25,000 as of the last (2010) Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet in early 2017.

I am enclosing the appropriate form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body. Please return the completed form by fax to 713-993-2414 or email [rick.guerrero@h-gac.com](mailto:rick.guerrero@h-gac.com).

A dinner meeting of Home Rule city representatives is scheduled for the evening of November 3. At that meeting, your 2016 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and look ahead to issues and progress in 2017.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form no later than October 19. If you have any questions during the designation process, please call Rick Guerrero at 713-993-4598.

Sincerely,

Jack Steele

JS/cj

Enclosure  
cc: City Secretary

**DESIGNATION OF REPRESENTATIVE AND ALTERNATE  
HOUSTON-GALVESTON AREA COUNCIL  
2017 GENERAL ASSEMBLY**

\*\*\*\*\*

**BE IT RESOLVED**, by the Mayor and City Council of \_\_\_\_\_, Texas,  
that \_\_\_\_\_ be, and is hereby designated as its Representative  
to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2017.

**FURTHER**, that the Official Alternate authorized to serve as the voting representative should  
the hereinabove named representative become ineligible, or should he/she resign, is  
\_\_\_\_\_.

**THAT** the Executive Director of the Houston-Galveston Area Council be notified of the  
designation of the hereinabove named representative and alternate.

**PASSED AND ADOPTED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_



**PROPERTY MANAGEMENT**

**MEMO**

September 2, 2016

—  
Jeff Pynes  
City Mgr

re: Relocation of AT & T Cables

Please place the following item on the City Council Agenda:

Discuss / consider the relocation of AT&T's Cable  
from elevated to underground from Hickory Street  
to Navigation Blvd.

Black line on the attached plat represents the existing installation and  
the red line represents the proposed relocation.

This relocation would require a re-location under Maple, Ash, Oak, and  
West 4th Streets. (See attached AT&T's attached plat)



N C Hickey  
Property

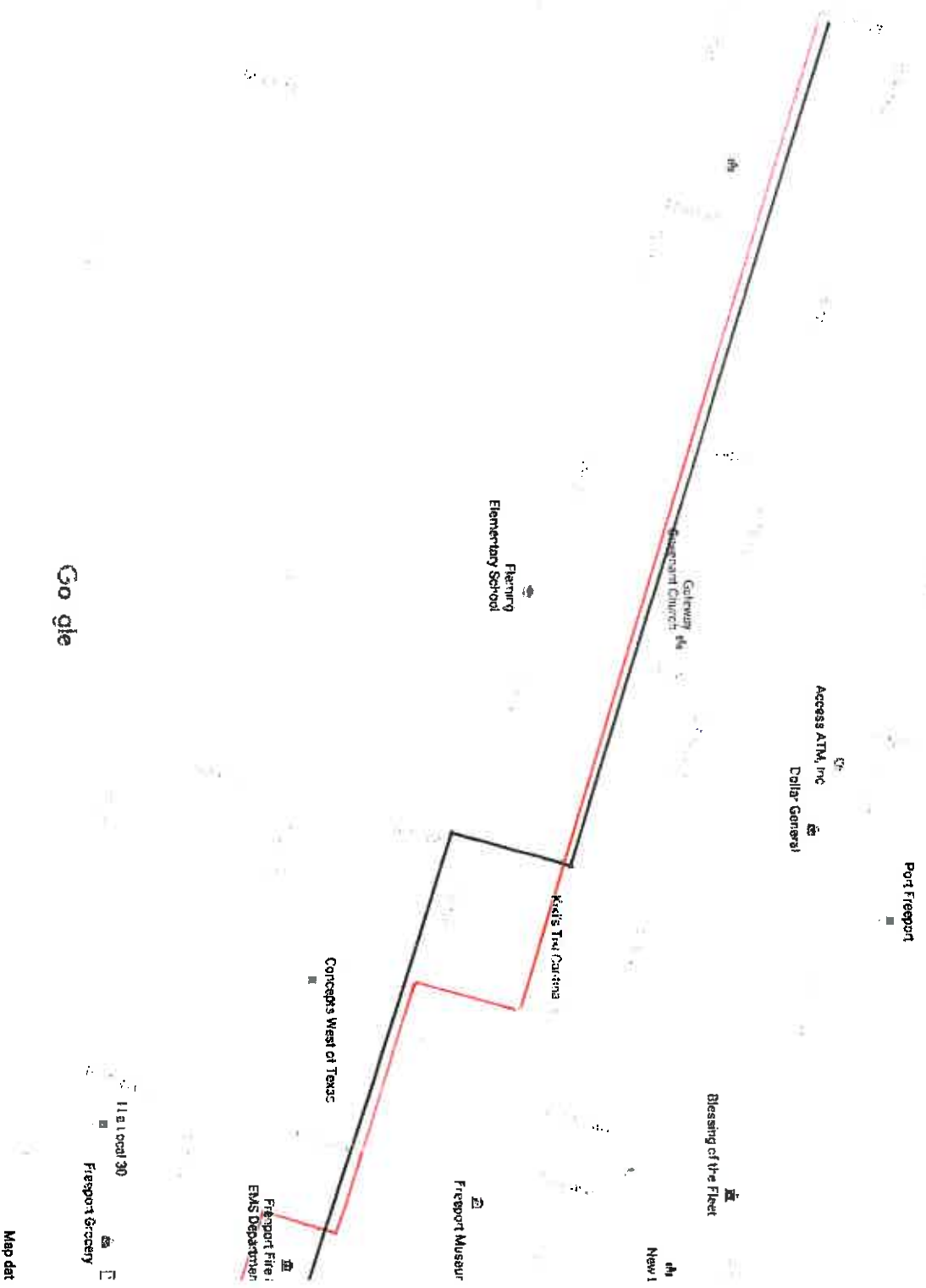
attach

/s

Black Line = Existing Service  
SPOX Train Stop

Red = Proposed New Service

7 24" Map



# Property Management

Jeff Pynes  
City Manager

September 1, 2016

Re: Block 8, Lot 21, Velasco Townsite  
107 South Ave. C.  
Tax Id. No. 8110-0098-000

Please place the following item on the October 3, 2016 City Council agenda:

Discuss/consider the sale of City's interest in Block 8, Lot 21, known as 107 South Ave. C, Velasco Townsite, Tax Id. 8110-0098-000

Find attached the following documents for Council consideration:

- a. Trust Property Sale Information Sheet
- b. County Bid Analysis
- c. Trust Property Sale Summary
- d. Small plat showing location of property
- e. Pictorial aerial view with property outlined.

NC Hickey  
Property Manager

Approved for Council Agenda:

9-29-16 JK  
Jeff Pynes

Xc Resale

**Tax Resale Property Information**

RESALE MEETING OF:

August 23, 2016

**Legal Description:** VELASCO (FREEPORT), BLOCK 8, LOT 21  
ACRES .0717

**Physical Address:** 147 S AVE C

**Account Number:** 8110-0098-000

**In Trust To:** CITY OF FREEPORT

**Adjudged Value:** \$2,340.00

**Minimum Bid at Sale:** \$2,340.00

**Offer:** \$1,100.00

**Offer made by:** CELLINA SERRANO

**Sheriff's Deed Filed:** 8/30/2013

**Redemption Expiration:** 3/1/2014

**Post Judgment Taxes:** \$196.68

**Post Judgment Years:** 2012-2013

**City weed/demo liens:** UNKNOWN

**Land Value: (Current)** \$2,340.00

**Improvement Value:(Current)** \$0.00

**Previous Owner:** GEORGE L. SPINING

**Precinct:** 1

**School District:** BRAZOSPORT ISD

<b>Vote:</b>	<b>AYE</b>	<b>NAY</b>
R. Garrett	X	
C. Garner	X	
Judge Sebesta	X	
D. Payne	X	
Civil Div. Rep.	X	

**Notes:** PBFCM representative present

RECEIVED  
SEP - 1 2016  
PROPERTY MGMT

**BID ANALYSIS**

<b>Cause Number:</b>	<b>66625</b>	<b>Account Number:</b>	<b>8110-0098-000</b>
<b>Offer Amount:</b>	<b>\$1,100.00</b>	<b>Value \$:</b>	<b>\$2,340.00</b>
<b>Person Offering:</b>	<b>CELLINA SERRANO</b>	<b>Adjudged Value\$:</b>	<b>\$2,340.00</b>

**Judgement Information**

<b>Taxing Entity</b>	<b>Tax Years</b>	<b>Amount Due</b>
BC	1992-2011	\$320.17
BCED	1992-2011	\$0.00
Brazosport ISD	1992-2011	\$1,090.15
BRHND	1992-2011	\$54.11
Brazosport College	1992-2011	\$95.31
Velasco Drainage	1992-2011	\$66.77
City of Freeport	1992-2011	\$596.15
<b>Total</b>		<b>\$2,222.66</b>

**Costs**

<b>Court Costs</b>		<b>Sheriff Fees</b>	<b>\$118.16</b>
<b>Publication Fees</b>		<b>Research Fees</b>	
<b>Ad Litem</b>		<b>Recording fee's</b>	
<b>Liens</b>		<b>Certified Mail</b>	
<b>Cost of Deed</b>		<b>Deed file date</b>	
<b>Total</b>			<b>\$118.16</b>

**Post Judgement Information**

<b>Taxing Entity</b>	<b>Tax Year's</b>	
BC	2012-2013	\$33.74
BCED	2012-2013	\$0.00
Brazosport ISD	2012-2013	\$86.96
BRHND	2012-2013	\$3.39
Brazosport College	2012-2013	\$18.14
Velasco Drainage	2012-2013	\$6.69
City of Freeport	2012-2013	\$47.76
<b>Post Judgment Total</b>		<b>\$196.68</b>

**Proposed Distribution**

<b>Offer Amount</b>	<b>Costs</b>
<b>\$1,100.00</b>	<b>\$118.16</b>
<b>Net to Distribute \$</b>	<b>\$981.84</b>

BC	14.40%	\$141.43
BCED	0.00%	\$0.00
Brazosport ISD	49.05%	\$481.56
BRHND	2.43%	\$23.90
Brazosport College	4.29%	\$42.10
Velasco Drainage	3.00%	\$29.50
City of Freeport	26.82%	\$263.34

**TRUST PROPERTY SALE SUMMARY**

Agenda Item \_\_\_\_\_

**Recommended for sale by County Resale Committee:**

R. Garrett, Tax Assessor  
C. Gardner, County Auditor  
Brazoria County Judge

D. Payne, County Commissioner, Pct 1  
Civil Division Representative  
PBFCM Representative present

**PROPERTY**

Date: September 1, 2016

Block 8, Lot 21. Velasco Townsite  
107 South Avenue C

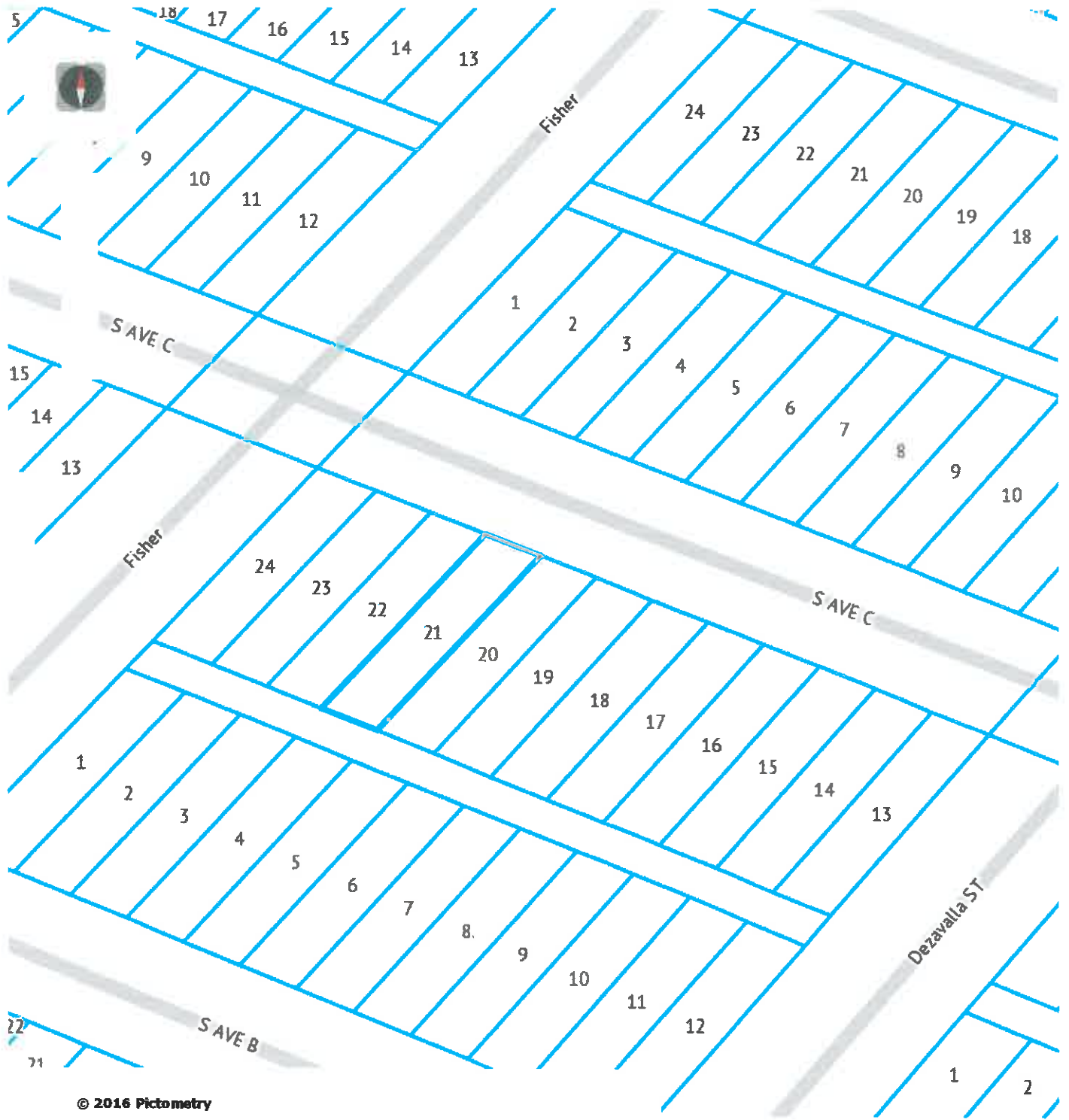
Tax ID	8110-0098-000
Lot(s) size	25 x 135 ft. each
Auctioned at Sheriff Sale	August 26, 2013
Offer by	Cellina Serano
Property Value	\$2,340.00
Offer Amount	\$1,000.00

**COUNCIL ACTION**

Approve     Reject     No Action     Re-agenda

Motion \_\_\_\_\_, Second \_\_\_\_\_ Vote:  Yea \_\_\_\_\_  No \_\_\_\_\_

# CONNECTEXPLORER™

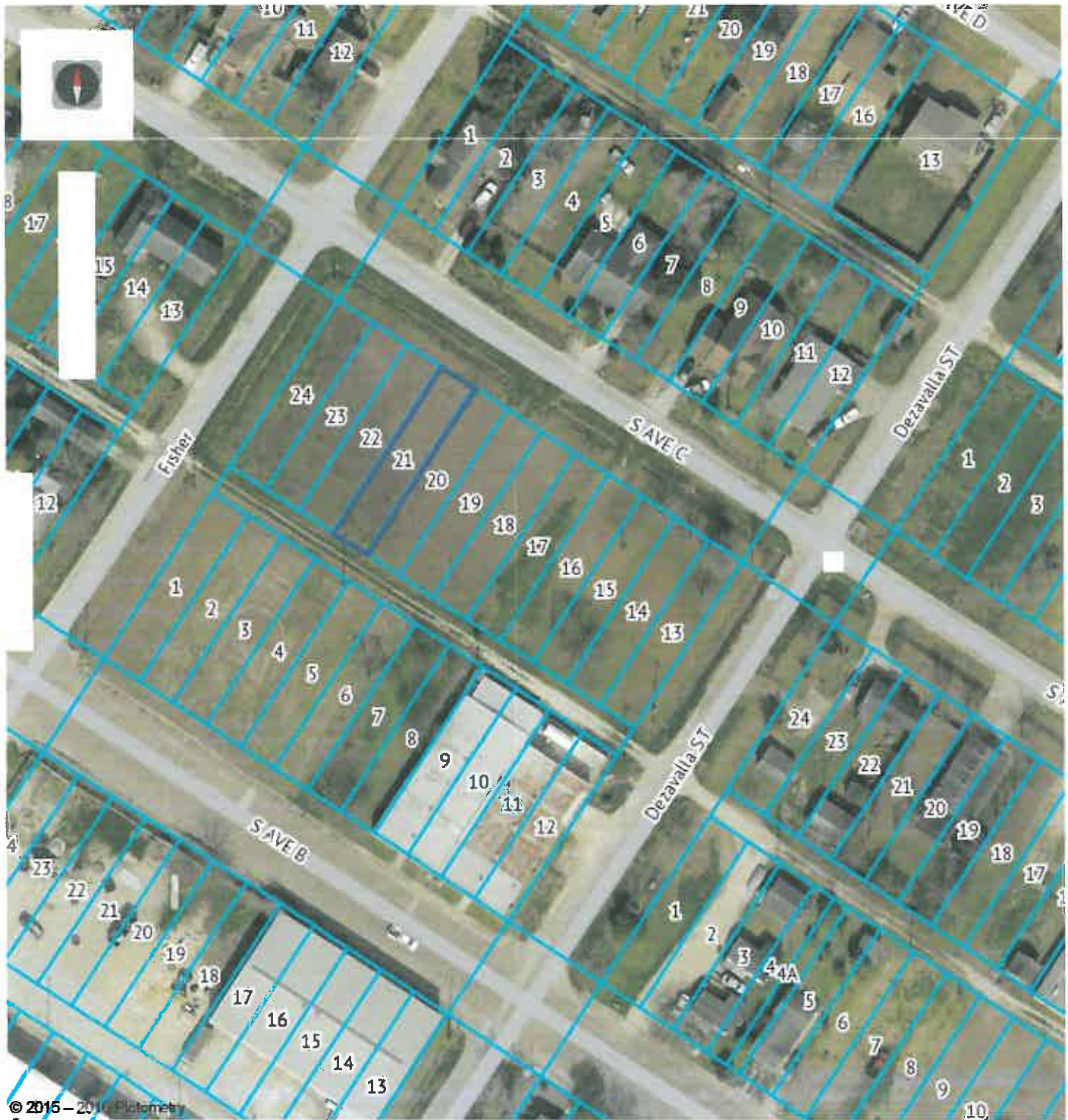


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map: Auto    02/02/2015 Select Date    image 1 of 15



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map: Mosaic 01/17/2015 - 02/26/2015 Select Date



**PROPERTY MANAGEMENT  
MEMO**

September 1, 2016

Jeff Pynes  
City Mgr

re: Velasco Heights (A0049 A Calvit Div 14, BCIC)  
Velasco Townsite  
Block D, Lot 20 (N/2), known as 1910 Zapata  
Block D, Lot 19 (S/2), known as 1914 Zapata

Please place the following item on the September 15, 2016 City Council agenda:

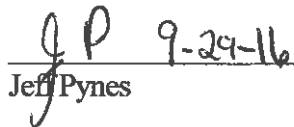
Discuss / consider the sale of City interest in Block D, Lot 20 (N/2), known as 1910 Zapata and Block D, Lot 19, (S/2) known as 1914 Zapata, Tax ID 8115-0054-000.

Find attached the following documents for Council consideration:

- a). Trust Property Sale Information Sheet
- b). County Bid Analysis
- c). Trust Property Sale Summary
- d). Small plat showing location of property
- e). Pictorial aerial view with property outlined.

N C Hickey  
Property

Approved for Council Agenda:

  
Jeff Pynes

xc Resale

/s

**Tax Resale Property Information**

RESALE MEETING OF:

August 23, 2016

**Legal Description:** VELASCO HEIGHTS (A0049 A CALVIT DIV 14  
(B C I C)(FREEPORT), BLOCK D, LOT 20  
(N/2)- LOT 19 (S/2) (CAUSE #51887  
ACRES .1550

**Physical Address:** ~~1914~~ ZAPATA      N/2 Lot 20 Block D = 1910 ZAPATA  
S/2 Lot 19 Block D = 1914 ZAPATA

**Account Number:** 8115-0054-000

**In Trust To:** CITY OF FREEPORT

**Adjudged Value:** \$3,040.00

**Minimum Bid at Sale:** \$3,040.00

**Offer:** \$3,000.00

**Offer made by:** PABLO ZUNIGA

**Sheriff's Deed Filed:** 2/10/2011

**Redemption Expiration:** 8/10/2011

**Post Judgment Taxes:** \$554.13

**Post Judgment Years:** 2009-2011

**City weed/demo liens:** UNKNOWN

**Land Value: (Current)** \$4,390.00

**Improvement Value:(Current)** \$0.00

**Previous Owner:** BETTY SIMPSON

**Precinct:** 1

**School District:** BRAZOSPORT ISD

Vote:	<u>AYE</u>	<u>NAY</u>
R. Garrett	X	
C. Garner	X	
Judge Sebesta	X	
D. Payne	X	
Civil Div. Rep.	X	

**Notes:** PBFCM representative present

RECEIVED  
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PROPERTY MGMT

# TRUST PROPERTY SALE SUMMARY

Agenda Item \_\_\_\_\_

## **Recommended for sale by County Resale Committee:**

R. Garrett, Tax Assessor  
C. Gardner, County Auditor  
Brazoria County Judge

D. Payne, County Commissioner, Pct 1  
Civil Division Representative  
PBFCM Representative present

---

## PROPERTY

Date: September 1, 2016

Velasco Heights (A0049 A Calvit Div 14, BCIC 14)  
Velasco Townsite  
Block D, Lot 20 (N/2), known as 1910 Zapata, and  
Block D, Lot 19 (S/2), known as 1914 Zaparta

Tax ID	8115-0054-000
Lot(s) size	25 x 135 ft. each
Auctioned at Sheriff Sale	February 8, 2011
Offer by	Pablo Zuniga
Offer Amount	\$3,000.00

---

## COUNCIL ACTION

Approve     Reject     No Action     Re-agenda

Motion \_\_\_\_\_, Second \_\_\_\_\_ Vote:  Yea \_\_\_\_\_  No \_\_\_\_\_

**BID ANALYSIS**

<b>Cause Number:</b>	51887	<b>Account Number:</b>	8115-0054-000
<b>Offer Amount:</b>	\$3,000.00	<b>Value \$:</b>	\$4,390.00
<b>Person Offering:</b>	<b>PABLO ZUNIGA</b>	<b>Adjudged Value\$:</b>	\$3,040.00

**Judgement Information**

Taxing Entity	Tax Years	Amount Due
BC	1991-2008	\$490.52
BCED	1991-2008	\$0.00
Brazosport ISD	1991-2008	\$1,767.53
BRHND	1991-2008	\$91.16
Brazosport College	1991-2008	\$122.74
Velasco Drainage	1991-2008	\$103.62
City of Freeport	1991-2008	\$962.92
<b>Total</b>		<b>\$3,538.49</b>

**Costs**

Court Costs	\$387.00	Sheriff Fees	\$173.72
Publication Fees	\$168.60	Research Fees	\$230.00
Ad Litem		Recording fee's	\$24.00
Liens		Certified Mail	
Cost of Deed		Deed file date	
<b>Total</b>			<b>\$983.32</b>

**Post Judgement Information**

Taxing Entity	Tax Year's	
BC	2009-2011	\$90.87
BCED	2009-2011	\$0.00
Brazosport ISD	2009-2011	\$252.04
BRHND	2009-2011	\$10.92
Brazosport College	2009-2011	\$37.82
Velasco Drainage	2009-2011	\$18.21
City of Freeport	2009-2011	\$144.27
<b>Post Judgment Total</b>		<b>\$554.13</b>

**Proposed Distribution**

<b>Offer Amount</b>	\$3,000.00	<b>Costs</b>	\$983.32
<b>Net to Distribute \$</b>			\$2,016.68

BC	13.86%	\$279.56
BCED	0.00%	\$0.00
Brazosport ISD	49.95%	\$1,007.36
BRHND	2.58%	\$51.95
Brazosport College	3.47%	\$69.95
Velasco Drainage	2.93%	\$59.06
City of Freeport	27.21%	\$548.79

# CONNECTEXPLORER



map: Mosaic 01/17/2015 - 02/26/2015 Select Date

# CONNECTEXPLORER



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map: Auto    02/02/2015 Select Date    image 1 of 15

# Brazoria CAD

## Property Search Results > 262268 CITY OF FREEPORT IN TRUST for Year 2016

### Property

#### Account

Property ID: 262268      Legal Description: VELASCO HEIGHTS (A0049 A CALVIT DIV 14) (B C I C) (FREEPORT) BLK D LOT 19 (S/2) - LOT 20 (N/2) (CAUSE #51887)

Geographic ID: 8115-0054-000      Agent Code:  
 Type: Real  
 Property Use Code:  
 Property Use Description:

#### Location

Address: 1914 ZAPATA FREEPORT,      Mapsco:  
 Neighborhood: -CITY OF FREEPORT T/S      Map ID:  
 Neighborhood CD: CFP

#### Owner

Name: CITY OF FREEPORT IN TRUST      Owner ID: 114250  
 Mailing Address: 200 W 2ND ST      % Ownership: 100.0000000000%  
 FREEPORT, TX 77541-5773  
 Exemptions: EX-XV

### Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$4,390	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$4,390	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$4,390	
(-) HS Cap:	-	\$0	
<hr/>			

(=) Assessed Value: = \$4,390

**Taxing Jurisdiction**

Owner: CITY OF FREEPORT IN TRUST  
 % Ownership: 100.000000000000%  
 Total Value: \$4,390

Entity	Description	Tax Rate	Appraised Value	Taxable
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$4,390	
CFP	CITY OF FREEPORT	0.645642	\$4,390	
DR2	VELASCO DRAINAGE DISTRICT	0.093878	\$4,390	
GBC	BRAZORIA COUNTY	0.426000	\$4,390	
JBR	BRAZOSPORT COLLEGE	0.277510	\$4,390	
NAV	PORT FREEPORT	0.041304	\$4,390	
RDB	ROAD & BRIDGE FUND	0.060000	\$4,390	
SBR	BRAZOSPORT INDEPENDENT SCHOOL DISTRICT	1.255300	\$4,390	
Total Tax Rate:		2.799634		

Taxes w/Current Exem  
Taxes w/o Exemptions

**Improvement / Building**

No improvements exist for this property.

**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	S1	PRIMARY SITE	0.1550	6750.00	0.00	0.00	\$4,390	\$0

**Roll Value History**

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2017	N/A	N/A	N/A	N/A	N/A	N/A
2016	\$0	\$4,390	0	4,390	\$0	\$4,390
2015	\$0	\$4,390	0	4,390	\$0	\$4,390
2014	\$0	\$4,390	0	4,390	\$0	\$4,390
2013	\$0	\$4,390	0	4,390	\$0	\$4,390
2012	\$0	\$4,390	0	4,390	\$0	\$4,390
2011	\$0	\$4,390	0	4,390	\$0	\$4,390
2010	\$0	\$4,390	0	4,390	\$0	\$4,390
2009	\$0	\$4,390	0	4,390	\$0	\$4,390
2008	\$0	\$3,040	0	3,040	\$0	\$3,040
2007	\$0	\$3,040	0	3,040	\$0	\$3,040
2006	\$0	\$3,040	0	3,040	\$0	\$3,040
2005	\$0	\$3,040	0	3,040	\$0	\$3,040



2004	\$0	\$3,040	0	3,040	\$0	\$3,040
2003	\$0	\$3,040	0	3,040	\$0	\$3,040
2002	\$0	\$3,040	0	3,040	\$0	\$3,040
2001	\$0	\$3,040	0	3,040	\$0	\$3,040

**Deed History - (Last 3 Deed Transactions)**

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	2/8/2011	SD	SHERIFF'S DEED	SIMPSON BETTY	CITY OF FREEPORT IN TRUST	11	005895	

**Questions Please Call (979) 849-7792**

Website version: 1.2.2.11

Database last updated on: 8/31/2016 9:17 PM

© N. Harris Computer Corporation

**PROPERTY MANAGEMENT**

**MEMO**

July 7, 2016

Jeff Pynes:

Please place the following item on the City Council agenda for consideration:

Discuss / consider closing, abandoning and/or the sale of Ash Street right-of-way on West 9th Street , Windsor Terrace sub-division, between lot 18, Block 3 (zoned R2) and lot 1, block 4 (zoned R3).

The Port is exchanging Mr Epifanio Marquez property on 303 East 6th for property on lot 1, block 4, Windsor Terrace sub-division and he is interested in acquiring a portion of the un-opened Ash Street right of way.

The Ash Street right of way abuts the western boundary of lot 1 block 4 of the Windsor Terrace subdivision (Mr Marquez property) which would entitle him to purchase one half (1/2) of the right of way abutting his property.

A decision of the Council as to whether or not to sell is necessary prior to any further action.

Nat  
Property

To: [unclear]  
7-11-16  
9-2-16



200 West 2nd Street • Freeport, TX 77541-5773  
 (979) 233-3526 • Fax: (979) 233-8867 • www.freeport.tx.us

**PROPERTY MANAGEMENT**

August 11, 2016

Mr Epifanio Marquez, Sr.  
 303 East 6th Street  
 Freeport Tx 77541

RECEIVED

AUG 13 2016

PROPERTY MGMT

re: Ash Street Right-of-way

Dear Mr Marquez:

Recently you made a request to close, abandon and sell that portion of Ash Street between property you will own, Block 4, Lot 1, known as 323 Windsor Terrace Subdivision, and Block 3, Lot 18, known as 403 West 9th Street.

Inasmuch as you will own lot 1, block 4 abutting this right of way, you are entitled to acquire 1/2, if you so desire, of the right of way which is 30 x 120 feet, at the appraised value of the property.

An independent appraisal of the property on/about August 10, 2016, determined the total value of the property to be \$5,600.00 plus appraisal, deed preparation and filing costs of \$276.00 for a total cost of \$5,876.00. **Your total cost for 1/2 of this right of way would be \$2,938.00.**

Would you indicate below on one copy of this letter, and return same in the self addressed stamped envelope, whether or not you would be interested in acquiring that 1/2 right of way abutting your property at the above stated value.

*N C Hickey*  
 N C Hickey  
 Property Manager

Yes, I would be interest acquiring. Signed Epifanio Marquez date 8/18/16  
 No, not interest in acquiring. Signed \_\_\_\_\_ date \_\_\_\_\_

encl  
 /s



PROPERTY MANAGEMENT

September 1, 2016

Mr Pablo Gomez  
403 West 9th Street  
Freeport Tx 77541

re: Ash Street Right of Way

Dear Mr Gomez:

A request has been made to close, abandon and sell a portion of Ash Street right of way between block 4, lot 1 and Block 1 lot 18, Windsor Terrace Subdivision.

Inasmuch as you own lot 18 block 1 abutting this right of way, you are entitled to acquire one half of this right of way, if he City Council electes to close same, which is 30 x 120 feet in size, at the appraised value of the proprty.

An independent apraisal of the property on/about August 10, 2016, determined the total value of the property to be \$5,600.00 plus appraisal, deed preparation and filing fee for a total cost of \$5876.00. **If interested, your total cost of one half (1/2) of this right of way would be \$2,938.00.**

Would you indicate below on one copy of this letter, and return same in the self addressed stamped envelope, whether or not you would be interested in acquiring that one half (1/2) right of way abutting your property at the above stated price.

*NC Hickey*  
N C Hickey  
Property Manager

Yes, I would be interested in acquiring. Signed \_\_\_\_\_ Date \_\_\_\_\_ 2016  
 No, not interested in acquiring Signed \_\_\_\_\_ Date \_\_\_\_\_ 2016

encl

