

NOTICE OF PUBLIC HEARING  
THE FREEPORT CITY COUNCIL  
MONDAY, NOVEMBER 7, 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 October 3, 2016 Council Minutes. Pg. 775-778
6. **Announcement:** New Fire Chief Christopher David Motley, Oath of Office ceremony will take place at 7:30 p.m. at the Freeport Fire Department, after city council meeting.
7. 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. 779-781
8. Consideration of approving Ordinance No. 2016-2124 amending the Code of Ordinances of said City to adopt the 2015 Editions of the International Building Code, International Residential Code, International Mechanical Code, International Existing Building Code, International Property Maintenance Code, International Plumbing Code, International Fuel Gas Code, International Energy Conservation Code, the International Swimming Pool and

SPA Code, the 2014 Edition of the International Electric Code, also known as the National Electric Code, the 2015 Edition of the International Fire Code, and the 2015 Edition of the NFPA 101 Life Safety Code, together with the appendices thereto and any amendments to any of such codes; adopting local amendment thereto. Pg. 782-789

9. Consideration of approving Ordinance No. 2016-2126 electing for the City to make current service and prior service contributions to the City's account in the benefit accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation. Pg. 790-791
10. Consideration of approving Ordinance No. 2016-2127 amending portions of sections 94.01, 94.02, 94.03 and 94.06 of the Code of Ordinance of said City to conform the same to the applicable provisions of the junk vehicle law now contained in subchapter E of Chapter 683 of the Texas Transportation Code. Pg. 792-796
11. Consideration of approving a replat of Anderson Subdivision 6.05 acres - 5 Lots 6.05 Acres out of a 40.3468 acre tract in the William McDermott League, Abstract 341, Brazoria County, Texas, said 40.3468 acres being described in a deed recorded in File 1997-045513 of the official records of Brazoria County, Texas.
12. Consideration of approving a replat of Willowbreeze Farm a Subdivision out of a 73.33 acre tract being the same tract conveyed to Llama Llama LLC, a Texas Limited Liability Company as recorded in Clerk's File No. 20016-033631 of the official records of Brazoria County, Texas William McDermott Survey Abstract 341, Brazoria County, Texas September 2016.
13. Consideration of approving a replat of a 0.882 Acre Tract comprised of Lots 7 & 8, Block 1 recorded in County Clerk's File No. 16-005521 and Lots 9, 10, 11, 12, Block 1 recorded in County Clerk's File No. 15-002062 all of the Velasco Townsite and a called 0.295 Acre Tract recorded in County Clerk's File No. 16-005521 all of the Brazoria County Official Records and a portion of a closed Road (S. Front St.) all being in the Eli Mitchell Survey Abstract 99 , City of Freeport, Brazoria County, Texas September 16, 2016.
14. Consideration of approving Resolution No. 2016-2508 accepting a grant from the Houston-Galveston Area Council (HGAC) for the purchase of 13 new in-car video recording cameras and microphone transmitters to be installed in the police department's marked patrol fleet. Pg. 797-798
15. Consideration of approving and releasing the City's interest in trust property on Block 5, Lot 7, Freeport Townsite, known as 527 East 5th Street, Tax Id. No. 4200-0082-000. Pg. 799-803

16. Consideration of approving and releasing the City's interest in trust property on Block 5, Lot 9, Freeport Townsite, known as 537 East 5<sup>th</sup> Street, Tax Id. No.4200-0084-000.  
Pg. 804-808
17. Consideration of approving and releasing the City's interest in trust property on Block 5, Lot 10, Freeport Townsite, known as 536 East 6<sup>th</sup> Street, Tax Id. No. 4200-0085-000.  
Pg. 809-813
18. Consideration of authorizing the City Attorney to prepare an ordinance for closing, abandoning and/or the sale of Ash Street right of way on West 9<sup>th</sup> Street, Windsor Terrace Subdivision, between Block 3, Lot 18, (Zoned R-2) and Lot 1, Block 4 (Zoned R-3).  
Pg. 814-822
19. Consideration of taking action on any item discussed in Executive Session.

**Work Session:**

- A. Discussion by the City Manager on the selection process and appointment of the new Fire Chief.
- B. Update on city wide lighting to LED with CenterPoint.

**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:

- Regarding closing, abandoning and/or the sale of Ash Street Right-of-Way on West 9<sup>th</sup> Street, Windsor Terrace Subdivision, between Block 3, Lot 18 (Zoned R-2) and Block 4, Lot 1, (Zoned R-3).

**Section 551.072, Government Code**

Deliberations concerning the purchase, exchange, lease or value of real property when deliberation in an open meeting might have a detrimental effect on the position of the City Council in negotiations with a third person, to wit;

- Regarding contractual negotiations for a new Recycling and Bulky Trash Deployment Center.

**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, October 14, 2016 at or before 5:00 p.m.

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Delia Munoz, City Secretary

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport met on Monday, October 3, 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 – Absent  
Councilman Larry L. McDonald  
Councilman Fred Bolton  
Councilwoman Nicole Mireles  
Councilwoman Sandra Barbree – Absent

Staff:

Gilbert Arispe, Assistant City Manager  
Wallace Shaw, City Attorney  
Delia Munoz, City Secretary  
Dan Pennington, Police Chief  
Nat Hickey, Property Manager  
Jennifer Hawkins, Economic Development Corp.

Visitors:

Eric Hayes	Sam Reyna
Jerry Meeks	Melanie Oldham
Ruth Renobato	Ruben Renobato
Angie L. Williams	Edmeryl Williams

Call to order.

Mayor Pro Tem Fred Bolton called the meeting to order at 6:00 p.m.

Invocation.

Mr. Shaw offered the invocation.

Pledge of Allegiance.

Mayor Pro Tem Fred Bolton led 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 that there is a (4) minute time limit as approved by City Council on June 21, 2010.

There were none.

Consideration of approving September 16, & 19, 2016 Council Minutes.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved the September 16 & September 19, Council Minutes.

**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 Pro Tem Fred Bolton opened the 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 at 6:03 p.m.

Chief Dan Pennington had no modifications on the present curfew ordinance.

There being no more comments from staff or audience, Mayor Pro Tem closed the Public Hearing at 6:04 p.m.

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).

On a motion by Councilwoman Mireles, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved Ordinance 2016-2121 readopting Chapter 130 of the Code of Ordinance of said City, providing a Juvenile Curfew for minors(s).

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.

On a motion by Councilwoman Nicole Mireles, seconded by Mayor Pro Tem, with all voting 2 to 1, this item was reagendaed. Councilman McDonald opposed.

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.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved 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.

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.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting 2 to 1, this item was reagendaed. Mayor Pro Tem Fred Bolton opposed.

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.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved 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.

Consideration of designating a representative and an alternate to the Houston-Galveston Area Council General Assembly for the year 2017.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye" to designate Councilwoman Barbree to the Houston-Galveston Area Council General Assembly for the year 2017 and Mayor Norma Moreno Garcia as an alternate.

Consideration of approving the relocation of AT&T Cable from elevated to underground from Hickory Street to Navigation Boulevard.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", this item was reagendaed.

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.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved 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.

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.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved 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.

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).

Councilwoman Mireles stated that she had no documentation if Mr. Pablo Gomez was committed on buying the half of the right of way.

Councilman McDonald stated that he and Eric Hayes own twenty seven acres south of 9th Street.

Eric Hayes asked for an opportunity to bid on the right of way.

On a motion by Mayor Pro Tem Fred Bolton, seconded by Councilman McDonald with all present voting "Aye", Council approved to reagenda this item.

Adjourn

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Mayor Pro Tem Fred Bolton adjourned at 6:33 p.m.

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Delia Munoz - City Secretary  
City of Freeport, Texas

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City Secretary Delia Munoz  
City of Freeport, Texas



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.

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Norma Moreno Garcia, Mayor,  
City of Freeport, Texas

ATTEST:

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Delia Muñoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

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Wallace Shaw, City Attorney,  
City of Freeport, Texas

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**COMMUNITY DEVELOPMENT**

**MEMO**

Jeff Pynes, City Manager

Re: Adoption of new building codes

Please place the following item on the City Council Agenda for October 17, 2016:

Consideration by City Council of the adoption of the 2015 International Building Codes and the 2014 National Electrical Code. This item is necessary in order for the City to maintain a good insurance rating. This adoption would also make the City of Freeport consistent with the State adopted codes.

Respectfully,

A handwritten signature in black ink, appearing to read 'Oscar Arevalo', with a horizontal line extending from the end of the signature.

Oscar Arevalo, CBO, Building Official



Norma Moreno Garcia  
Mayor

Jeff Pynes  
Chief Executive Officer  
City Manager

October 13, 2016

Gilbert Arispe  
Assistant City Manager

Re: ICC Code Adoptions

Dear Jeff Pynes:

The City of Freeport was recently audited by the Insurance Service Office(ISO). The Building Code Effectiveness Grading Schedule(BCEGS) evaluates several factors in the enforcement of building and life safety codes. The City scored well in several areas but received lower scores for not having the latest building codes adopted. The ISO rating program does not recognize an adopted code if it is not within three years of the most recent published codes.


In order for the City of Freeport to maintain a good BCEG score it is recommended that the City adopt the latest edition of the International Codes. The current adopted codes are the 2009 International Residential Code, International Building Code and associated Plumbing, Mechanical, Gas, Energy, and Property Maintenance Codes. The 2011 National Electrical Codes is also currently adopted.

It is recommended that the following codes be adopted: 2015 International Building Code(IBC), International Residential Code(IRC), 2015 International Fire Code(IFC), 2015 International Energy Conservation Code(IECC), 2015 International Plumbing Code(IPC), 2015 Existing Building Code(IEBC), 2015 International Property Maintenance Code(IPMC), 2015 International Mechanical Code(IMC), 2015 International Fuel Gas Code(IFGC), 2015 International Swimming Pool and Spa Code(ISPSC), 2014 National Electrical Code(NEC), NFPA 101 Life Safety Code, including all appendices in each of the codes.

Once these codes are adopted by the City of Freeport we will be able to contact the Insurance Services Office(ISO) to let them know that we have updated the required codes to complete the audit with improved scores.

If you have any questions I am available to provide additional information.

Respectfully,

  
Oscar Arevalo, CBO, Building Official.

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING THE CODE OF ORDINANCES OF SAID CITY TO ADOPT THE 2015 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL ENERGY CONSERVATION CODE, THE INTERNATIONAL SWIMMING POOL AND SPA CODE, THE 2014 EDITION OF THE INTERNATIONAL ELECTRICAL CODE, ALSO KNOWN AS THE NATIONAL ELECTRICAL CODE, THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, AND THE 2015 EDITION OF THE NFPA 101 LIFE SAFETY CODE, TOGETHER WITH THE APPENDICES THERETO AND ANY AMENDMENTS TO ANY OF SUCH CODES; ADOPTING LOCAL AMENDMENT THERETO; PROVIDING THAT ANY PERSON VIOLATING ANY OF SAID CODES, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND ASSESSED A FINE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10.99 OF SAID CODE OF ORDINANCES; PROVIDING THAT EACH DAY ANY SUCH VIOLATION OCCURS AND EACH PART OF ANY DAY ANY SUCH VIOLATION SHALL CONTINUE SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THIS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

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

WHEREAS, Chapter 214 of the Local Government Code of Texas and Sections 2.01, 2.02 and Item (u) of Section 3.07 of the Home Rule Charter of the City authorizes the City Council thereof to adopt the provisions of this Ordinance; and,

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

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

First, Section 92.50 of the Code of Ordinances of the City is hereby amended to substitute "International Fire Code, 2015 Edition" for "International Fire Code, 2009 Edition" at all places in which the latter appears in Chapter 92 of said Code; and any amendments to the "International Fire Code, 2015 Edition" are hereby adopted.

Second, Section 150.001 of the Code of Ordinances of the City is hereby amended to substitute "International Building Code, 2015 Edition" for "International Building Code, 2009 Edition" at all places in which the latter appears in Chapter 150 of said Code; and Division (A) of Section 150.003 is amended to substitute "International Code published by the International Code Council" for "Standard Code published by the Southern Building Code Congress"; and any amendments to the "International Building Code, 2015 Edition" are hereby adopted.

Third, Section 150.010 of the Code of Ordinances of the City is hereby amended to substitute "International Residential Code, 2015 Edition" for "International Residential Code, 2009 Edition" at all places in which the latter appears therein; any section references contained in Section 150.011 of said Code of Ordinances are amended to correspond with the sections of the former; and any amendments to the "International Residential Code, 2015 Edition" are hereby adopted.

Fourth, Section 150.015 of the Code of Ordinances of the City is hereby amended to substitute "International Existing Building Code, 2015 Edition" for "Standard Existing Building Code, 1988 Edition", at all places in which the latter appears and to substitute "International Code published by the International Code Council" for "Standard Code published by the Southern Building Code Congress" at all place in which the latter appears in the first sentence of said section; and to substitute "International Code" for "Standard Code" at all places at which the latter appears in the second and third sentences of said section; and any amendments to the "International Existing Building Code, 2015 Edition" are hereby adopted.

Fifth, Section 150.035 of the Code of Ordinances of the City is hereby amended to substitute "International Property Maintenance Code, 2015 Edition" for the "International Property Maintenance Code, 2009 Edition" at all place in which the latter appears therein; any section reference in Sections 150.036, 150.037 and 150.038 of said Code of Ordinances are amended to correspond with the former; and any amendments to the "International Property Maintenance Code, 2015 Edition" are hereby adopted.

Sixth, Section 150.045 of the Code of Ordinances of the City is hereby amended to substitute "International Plumbing Code, 2015 Edition" for "International Plumbing Code, 2009 Edition" at all places in which the latter appears therein; any section reference in Sections 150.046 and 150.047 of said Code of Ordinances are amended to correspond with the sections of the former; and any amendments to the "International Building Code, 2015 Edition" are hereby adopted; and any amendments to the "International Plumbing Code, 2015 Edition" are hereby adopted.

Seventh, Section 150.055 of the Code of Ordinances of the City is hereby amended to substitute "International Fuel Gas Code, 2015 Edition" for "International Gas Code, 2009 Edition" at all place in which the latter appears therein; any section reference in Section 150.056 of said Code of Ordinances is amended to correspond with the former; and any amendments to the "International Fuel Gas Code, 2015 Edition" are hereby adopted.

Eighth, Section 150.065 of the Code of Ordinances of the City is hereby amended to substitute "International Mechanical Code, 2015 Edition" for "International Mechanical Code, 2009 Edition" at all place in which the latter appears in the first sentence thereof ; any section references in Section 150.066 of said Code of Ordinances are amended to correspond therewith and "International Code" is hereby substituted for "Standard Code" at any place the latter appears in the second sentence thereof; and any amendments to the "International Mechanical Code, 2015 Edition" are hereby adopted.

Ninth, Section 150.75 of the Code of Ordinances of the City is hereby amended to substitute "2015 International Swimming Pool and Spa Code published by the International Code Council, Inc." for the "Standard Swimming Pool Code, 1997 Edition, published by the Southern Building Code Congress, International, Inc." in the first sentence thereof; to substitute "International Code" for "Standard Code" in the second and third sentences thereof; and any amendments to the "International Swimming Pool and Spa Code, 2015 Edition" are hereby adopted.



Tenth, Chapter 150 of the Code of Ordinances of the City is hereby amended add thereto the following section:

"Section 150.80 Life Safety Code

The NFPA 101 Life Safety Code, 2015 Edition, together with the appendices, and all amendments thereto, are hereby adopted and shall apply to all repairs, alterations, renovations and maintenance of commercial buildings and appurtances thereto. A copy of said code shall be maintained in the office of the City Secretary."

Eleventh, Section 150.100 of the Code of Ordinances of the City is hereby amended to substitute "International Energy Conservation Code, 2009 Edition" for "International Energy Conservation Code, 2003 Edition" at all places in which the latter appears therein; any section references in Sections 150.101 or 150.102 of said Code of Ordinances are amended to correspond with the sections of the former; and any amendments to the "International Energy Conservation Code, 2015 Edition" are hereby adopted.

Twelfth, Section 151.01 of the Code of Ordinances of the City is hereby amended to substitute "International Electrical Code, 2014 Edition" for "International Electrical Code, 2008 Edition" at all places in which the latter appears therein; any section references in Sections 151.02 of said Code of Ordinances are amended to correspond with the sections of the former; and any amendments to the "International Electrical Code, 2014 Edition" are hereby adopted.

Thirteenth, any person violating the Code of Ordinances of the City, as amended by this ordinance, shall be guilty of a misdemeanor and upon conviction therefore assessed a fine as prescribed in Section 10.99 of said Code; and each day such violation occurs and each part of any day any such violation continues shall constitute a separate offense.

Fourteenth, nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

Fifteenth, this ordinance is cumulative of and in addition to all other ordinances of the City on the same subject and all such ordinances are hereby expressly saved from repeal. Provided, however, where the provisions of any International Code adopted or amended by this Ordinance conflict with the Standard Unsafe Building Abatement Code, 1985, adopted by Section 150.025 of the Code of Ordinances of the City, or the local amendments thereto contained in Section 150.026 of said Code of Ordinances, the provisions of said Standard Unsafe Building Abatement Code and said amendments thereto shall prevail. Provided further, where the provisions of any International Code adopted or amended by this ordinance conflicts with the Comprehensive Zoning Ordinance of the City and any amendments thereto, the provisions of the Zoning Ordinance or amendments thereto shall prevail; but where the provisions of any International Code adopted or amended by this ordinance and any other ordinance of the City conflict or overlap, whichever imposes the more stringent regulations or penalties, as the case may be, shall prevail.

Sixteenth, 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.

Seventeenth, 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

C:\Freeport.TechOrd\TechCd#24A-Ord



Norma Moreno Garcia  
Mayor

Jeff Pynes  
Chief Executive Officer  
City Manager

November 1, 2016

Gilbert Arispe  
Assistant City Manager

Mayor Norma Moreno Garcia  
Freeport City Council Representatives

All fulltime employees of the City of Freeport, along with the vast majority of cities in Texas, are covered under the Texas Municipal Retirement System (TMRS). The retirement plan is funded by 7% of employee salary contribution, 14% of the City matching funds and coupled with account interest earned on a yearly basis. Statutorily, there is an established maximum contribution rate limit, which is 14%.

TMRS is asking for approval to remove the statutory rate to allow the fund liability actuarial to regain equitable amortization tolerances of the plan unfunded liability actuarial. Although we will be suspending maximum rate, the actual multiplier rate will stabilize once the interest and value multipliers regain fund tolerance levels. Stabilization is expected within the next five years.

The proposed rate increase is already reflected in the 2016-2017 budget. Passage of this initiative will not affect our ability to maintain budget allocations nor will they require a budget adjustment.

Failure to authorize the recommended established maximum contribution rate will cause our unfunded actuarial liability to rise and will affect the past and current retiree employee benefits.

Staff and management recommend approval of the proposed TMRS ordinance to continue the quality retirement benefits for our employees.

*Bob Welch*

Mr. Bob Welch  
Finance Director

Jeff Pynes  
City Manager



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

**AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS; CONTAINING A PREAMBLE; ELECTING FOR THE CITY TO MAKE CURRENT SERVICE AND PRIOR SERVICE CONTRIBUTIONS TO THE CITY'S ACCOUNT IN THE BENEFIT ACCUMULATION FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM AT THE ACTUARIALLY DETERMINED RATE OF TOTAL EMPLOYEE COMPENSATION.**

**WHEREAS**, the City of Freeport (the "City"), is a participating municipality in the Texas Municipal Retirement System (the "System"), and has undertaken to provide certain retirement, death and disability benefits to its employees pursuant to Subtitle G, Title 8, Government Code, (hereinafter, the "TMRS Act"); and

**WHEREAS**, the City Council desires to authorize funding of such benefits as herein provided; n

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

**Section 1.** Pursuant to Section 855.407(g) of the TMRS Act, the City hereby elects to make future normal and prior service contributions to its account in the benefit accumulation fund of the System at such combined rate of the total compensation paid by the City to employees who are members of the System, as the System's actuary shall annually determine as the rate necessary to fund, within the amortization period determined as applicable to the City under the TMRS Act, the costs of all benefits which are or may become chargeable to or are to be paid out of the City's account in said accumulation fund, regardless of other provisions of the TMRS Act limiting the combined rate of city contributions.

**Section 2.** The provisions of the ordinance shall become effective on the first day of January, 2017.

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**

C:\Freeport.Ord\TMRS-Ord



Norma Moreno Garcia  
Mayor

Jeff Pynes  
Chief Executive Officer  
City Manager

Gilbert Anspe  
Assistant City Manager

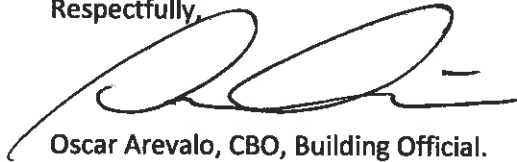
October 26, 2016

Re: Junk Vehicle Ordinance

Dear Jeff Pynes:

The junk vehicle ordinance currently adopted by the City of Freeport is not consistent with State Law. It was also lacking regulations for watercraft in dilapidated condition. The proposed ordinance includes all the necessary updates to address both of those concerns. The definitions for several items were also expanded for better clarification and enforcement. The adoption of this ordinance will give the Code Enforcement Officers the necessary tools to address several issues they have encountered in the community but did not have the necessary enforcement authority. If you have any questions I am available to provide additional information.

Respectfully,



Oscar Arevalo, CBO, Building Official.



AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING PORTIONS OF SECTIONS 94.01, 94.02, 94.03 AND 94.06 OF THE CODE OF ORDINANCES OF SAID CITY TO CONFORM THE SAME TO THE APPLICABLE PROVISIONS OF THE JUNK VEHICLE LAW NOW CONTAINED IN SUBCHAPTER E OF CHAPTER 683 OF THE TEXAS TRANSPORTATION CODE; PROVIDING THAT ANY PERSON VIOLATING SAID CODE OF ORDINANCES, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND ASSESSED A FINE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10.99 OF SAID CODE OF ORDINANCES; PROVIDING THAT EACH DAY ANY SUCH VIOLATION OCCURS AND EACH PART OF ANY DAY ANY SUCH VIOLATION OCCURS SHALL CONTINUE SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; 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, 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 and 217.042 of the Local Government Code, Section 683.074 of the Transportation Code and Section 2.01, 2.02 and Item (u) of Section 3.07 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 has determined to 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.

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

First, the following definitions now appearing in Section 94.01 of the Code of Ordinances of the City of Freeport, Texas, are hereby amended to read and the following definitions not now appearing in Section 94.01 of said Code are hereby added, each to read as follows:

"All terms used in this chapter, unless specifically defined otherwise, shall have the meanings ascribed to them by the Texas Transportation Code. The following terms are specifically defined

**ANTIQUE VEHICLE** means a passenger car, truck, or motorcycle that:

- (a) Is at least twenty-five (25) years old;
- (b) Is a collector's item;
- (c) Is used exclusively for exhibitions, club activities, parades, and other functions of public interest;
- (d) Is not used for regular transportation; and
- (e) Does not carry advertising.

**CLASSIC VEHICLE** means a motor vehicle that is at least twenty-five (25) years old and that has not been changed from the original manufacturer's specifications.

**CUSTOM VEHICLE** means a vehicle:

- (a) That is:
  - 1. At least twenty-five (25) years old and of a model year after 1948; or
  - 2. Manufactured to resemble a vehicle that is at least twenty-five (25) years old and of a model year after 1948; and
- (b) That:
  - 1. Has been altered from the manufacturer's original design; or
  - 2. Has a body constructed from materials not original to the vehicle.

**ENFORCEMENT AUTHORITY** means any peace officer or code enforcement officer employed by the City of Freeport.

**JUNKED VEHICLE** A vehicle as defined in Item (9) of Section 621.001 of the Transportation Code that is:

- (1) is self-propelled; and
- (2) is:
  - (A) wrecked, dismantled or partially dismantled, or discarded; or
  - (B) inoperable and has remained inoperable for more than:
    - (i) 72 consecutive hours, if the vehicle is on public property; or
    - (ii) 30 consecutive days, if the vehicle is on private property.
- (b) For purposes of this subchapter, "junked vehicle" includes a motor vehicle, aircraft, or watercraft. This subchapter applies only to:
  - (1) a motor vehicle that displays an expired license plate or does not display a license plate;
  - (2) an aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or
  - (3) a watercraft that:
    - (A) does not have lawfully on board an unexpired certificate of number; and
    - (B) is not a watercraft described by Section 31.055, Parks and Wildlife Code.

Second, Section 94.02 of said Code of Ordinance is hereby amended to add thereto the following:

It is unlawful for a person to maintain, possess, or locate a public nuisance described in this section within the City of Freeport. Provided, however, a person authorized to enforce this chapter may enter private property to examine the junked vehicle or parts of a junked vehicle, to obtain information to identify the junked vehicle or parts of a junked vehicle, to remove or direct the removal of the junked vehicle or parts of a junked vehicle authorized any person to remove a junked vehicle or parts of a junked vehicles from any premises.



Third, Item (B) of Section 94.03 of said Code of Ordinances is hereby amended to read as follows:

"(B) A request for a hearing must be made not later than the tenth day after the notice was personally delivered, mailed, or placed on the public nuisance. The city manager or his designee shall conduct the public hearing if timely requested by a person described in Division (A) of this section who received a notice required by Division (A) of this section. The hearing shall be held not earlier than the eleventh day after the service of notice required by this Division. At the hearing, the junked vehicle is presumed to be inoperable, unless demonstrated otherwise. The order requiring the removal of the public nuisance must contain a description, license plate number, and identification number of the public nuisance, if available.

Fourth, Division (A) of Section 94.06 of the Code of Ordinances is hereby amended to read as follows:

"(A) Any peace officer or Code Enforcement Officer or his agent, may enter upon private property for the purposes specified in this chapter to examine vehicles or parts thereof, obtain information as to the identity of vehicles and to remove or cause to be removal of a vehicle or parts of thereof declared to be a nuisance pursuant to this Chapter. The municipal court of the city shall have authority to issue all orders necessary to enforce such Chapter."

Fifth, 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 therefor assessed a fine as prescribed in Section 10-99 of said Code; and each day such violation continues and each part of any day any such violation occurs shall constitute a separate offense.

Sixth, nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

Seventh, 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.

Eighth, 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.

Ninth, 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.

Tenth, this ordinance shall take effect and be in force from and after the descriptive caption of this ordinance 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

**Munoz, Delia**

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**Subject:** FW: Grant for Agenda  
**Attachments:** CJD Resolution 3019701.doc

Delia,

We just got approved for a grant from HGAC to replace all 13 of our old in-car video recorders and microphone transmitters in our patrol vehicle fleet. This grant does not require any city "match" and is 100% funded by HGAC. The attached grant resolution is the final step needed so that the hold on our funds will be released meaning we can get reimbursed for this purchase of \$46,800. The resolution has the same verbiage as in years past. Below appears the language you can include on the agenda, with Mr. Pynes' permission. Let me know if you need anything else. Thank you.

Chief Dan Pennington

**RESOLUTION \_\_\_\_\_**

**WHEREAS**, the City of Freeport finds it in the best interest of the citizens of Freeport, that the Data, Communication, and Mobile Video Recorder Equipment Upgrade Project to be operated for 2016-2017FY; and

**WHEREAS**, the City of Freeport agrees to provide applicable matching funds for the said project as required by the Harris – Galveston County Area FY 2016 – 2017 grant application; and

**WHEREAS**, the City of Freeport agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Freeport assures that the funds will be returned to the Criminal Justice Division in full.

**WHEREAS**, the City of Freeport designates Jeff Pynes, City Manager, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, BE IT RESOLVED** that the City of Freeport approves submission of the grant application for the Data, Communication, and Mobile Video Recorder Equipment Upgrade Project to the Office of the Governor.

Signed by: Mayor Norma Garcia \_\_\_\_\_

Passed and Approved this \_\_\_\_\_ (Day) of \_\_\_\_\_ (Month), 2016.

Grant Number: 3019701

**PROPERTY MANAGEMENT**

**MEMO**

May 5, 2015

Jeff Pynes

re: Lot 7, Block 5, Freeport Townsite  
Tax ID 4200-0082-000  
527 East 5th Street

Please place the following item on the May 16, 2016, Council agenda:

Discuss /consider the sale of City interest in lot 7. block 5,  
527 East 5th Street.

This property is in trust to the City of Freeport.

Attached are the following documents regarding this property:

- (a) Trust property bid sheet
- (b) Bid Analysis
- (c) CAD sheet showing property location
- (d) Pictometry photo.

**This is a Re-Agenda item from May 2, 2016, Council agenda**

  
N C Hickey  
Property

attach

Approved for 5-16-2016 agenda:

---

J Pynes

Trust property sale-agenda item

**Tax Resale Property Information**

RESALE MEETING OF:

March 22, 2016

**Legal Description:** FREEPORT, BLOCK 5, LOT 7  
ACRES .1607

**Physical Address:** E 5TH ST

**Account Number:** 4200-0082-000

**In Trust To:** CITY OF FREEPORT

**Adjudged Value:** \$2,800.00

**Minimum Bid at Sale:** \$2,302.27

**Offer:** \$2,302.27

**Offer made by:** LOREN HAYES

**Sheriff's Deed Filed:** 1/21/2015

**Redemption Expiration:** 7/21/2015

**Post Judgment Taxes:** \$125.25

**Post Judgment Years:** 2014-2015

**City weed/demo liens:** UNKNOWN

**Land Value: (Current)** \$2,800.00

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

**Previous Owner:** CARRIE THOMAS

**Precinct:** 1

**School District:** BISD

<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

**BID ANALYSIS**

<b>Cause Number:</b>	72717	<b>Account Number:</b>	4200-0082-000
<b>Offer Amount:</b>	\$2,302.27	<b>Value \$:</b>	\$2,800.00
<b>Person Offering:</b>	LOREN HAYES	<b>Adjudged Value\$:</b>	\$2,800.00

**Judgement Information**

Taxing Entity	Tax Years	Amount Due
BC	2007-2013	\$152.83
BCED	2007-2013	\$0.00
Brazosport ISD	2007-2013	\$418.29
BRHND	2007-2013	\$17.84
Brazosport College	2007-2013	\$70.03
Velasco Drainage	2007-2013	\$31.00
City of Freeport	2007-2013	\$237.60
<b>Total</b>		<b>\$927.59</b>

**Costs**

Court Costs	\$181.34	Sheriff Fees	\$42.51
Publication Fees	\$71.80	Research Fees	\$200.00
Ad Litem		Recording fee's	\$16.66
Liens		Certified Mail	
Cost of Deed		Deed file date	
<b>Total</b>			<b>\$512.31</b>

**Post Judgement Information**

Taxing Entity	Tax Year's	
BC	2014-2015	\$21.88
BCED	2014-2015	\$0.00
Brazosport ISD	2014-2015	\$55.14
BRHND	2014-2015	\$1.98
Brazosport College	2014-2015	\$12.33
Velasco Drainage	2014-2015	\$4.29
City of Freeport	2014-2015	\$29.63
<b>Post Judgment Total</b>		<b>\$125.25</b>

**Proposed Distribution**

<b>Offer Amount</b>	<b>Costs</b>
\$2,302.27	\$512.31
<b>Net to Distribute \$</b>	<b>\$1,789.96</b>

BC	16.48%	\$294.91
BCED	0.00%	\$0.00
Brazosport ISD	45.09%	\$807.17
BRHND	1.92%	\$34.43
Brazosport College	7.55%	\$135.14
Velasco Drainage	3.34%	\$59.82
City of Freeport	25.61%	\$458.49

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02/02/2015 Select Date

image 1 of 14



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**PROPERTY MANAGEMENT**

**MEMO**

May 5, 2015

Jeff Pynes

re: Lot 9, Block 5, Freeport Townsite  
Tax ID 4200-0084-000  
527 East 5th Street

Please place the following item on the May 16, 2016, Council agenda:

Discuss /consider the sale of City interest in lot 7. block 5,  
537 East 5th Street.

This property is in trust to the City of Freeport.

Attached are the following documents regarding this property:

- (a) Trust property bid sheet
- (b) Bid Analysis
- (c) CAD sheet showing property location
- (d) Pictometry photo.

**This is a Re-Agenda item from May 2, 2016, Council agenda**



N C Hickey  
Property

attach

Approved for 5-16-2016 agenda:

---

J Pynes

Trust property sale-agenda item

**Tax Resale Property Information**

RESALE MEETING OF:

March 22, 2016

**Legal Description:** FREEPORT, BLOCK 5, LOT 9  
ACRES .2461

**Physical Address:**

**Account Number:** 4200-0084-000

**In Trust To:** CITY OF FREEPORT

**Adjudged Value:** \$4,290.00

**Minimum Bid at Sale:** \$4,290.00

**Offer:** \$4,290.00

**Offer made by:** LOREN HAYES

**Sheriff's Deed Filed:** 1/21/2015

**Redemption Expiration:** 7/21/2015

**Post Judgment Taxes:** \$191.86

**Post Judgment Years:** 2014-2015

**City weed/demo liens:** \$2,174.96

**Land Value: (Current)** \$4,290.00

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

**Previous Owner:** CARRIE THOMAS

**Precinct:** 1

**School District:** BISD

<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

**BID ANALYSIS**

<b>Cause Number:</b>	72717	<b>Account Number:</b>	4200-0084-000
<b>Offer Amount:</b>	\$4,290.00	<b>Value \$:</b>	\$4,290.00
<b>Person Offering:</b>	LOREN HAYES	<b>Adjudged Value\$:</b>	\$4,290.00

**Judgement Information**

Taxing Entity	Tax Years	Amount Due
BC	2007-2013	\$232.10
BCED	2007-2013	\$0.00
Brazosport ISD	2007-2013	\$635.45
BRHND	2007-2013	\$27.10
Brazosport College	2007-2013	\$106.55
Velasco Drainage	2007-2013	\$47.03
City of Freeport	2007-2013	\$360.96
<b>Total</b>		<b>\$1,409.19</b>

**Costs**

Court Costs	\$181.33	Sheriff Fees	\$64.54
Publication Fees	\$71.80	Research Fees	\$200.00
Ad Litem		Recording fee's	\$16.67
Liens	\$2,174.96	Certified Mail	
Cost of Deed		Deed file date	
<b>Total</b>			<b>\$2,709.30</b>

**Post Judgement Information**

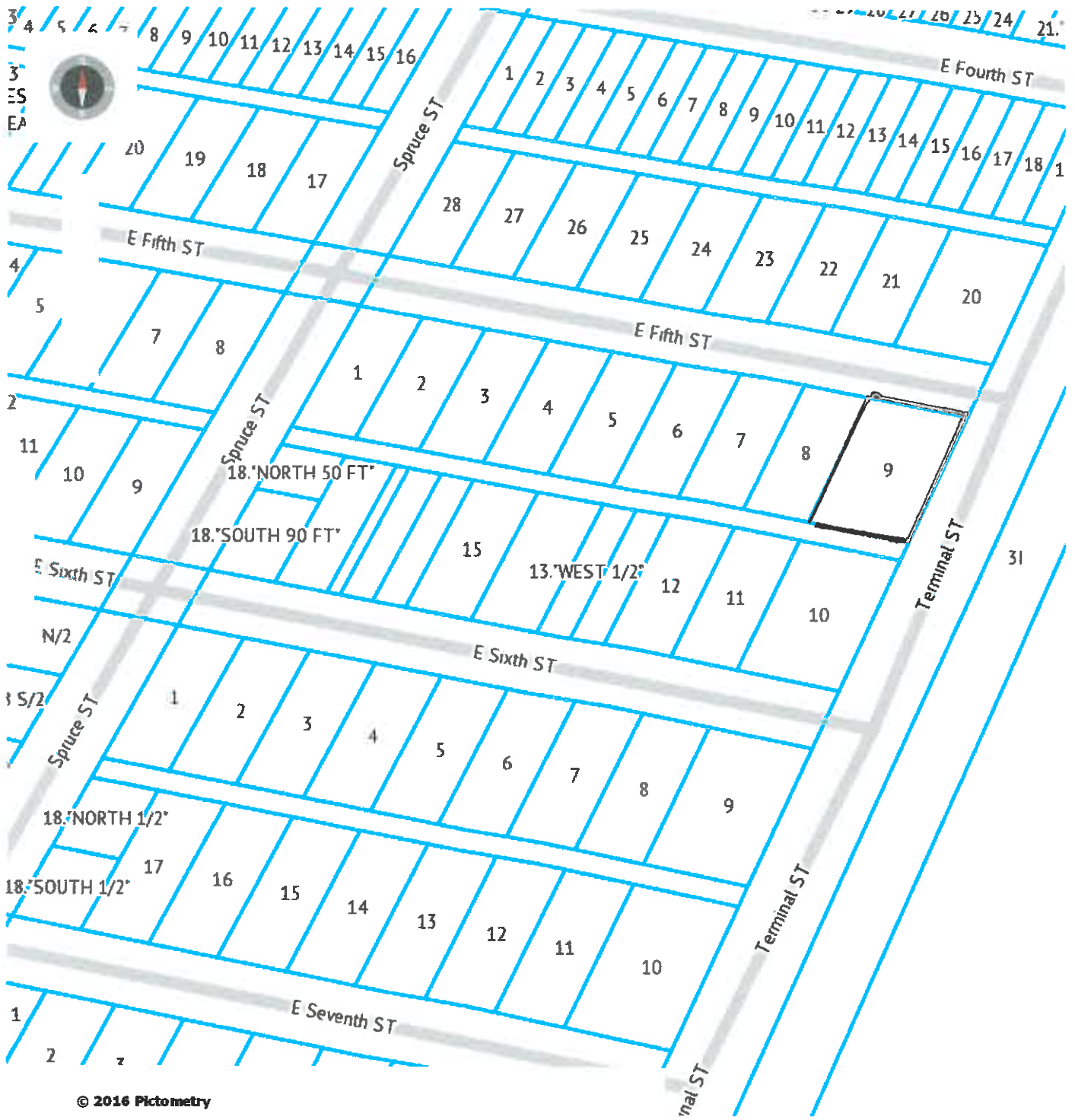
Taxing Entity	Tax Year's	
BC	2014-2015	\$33.51
BCED	2014-2015	\$0.00
Brazosport ISD	2014-2015	\$84.47
BRHND	2014-2015	\$3.02
Brazosport College	2014-2015	\$18.90
Velasco Drainage	2014-2015	\$6.58
City of Freeport	2014-2015	\$45.38
<b>Post Judgment Total</b>		<b>\$191.86</b>

**Proposed Distribution**

<b>Offer Amount</b>	<b>Costs</b>
\$4,290.00	\$2,709.30
<b>Net to Distribute \$</b>	<b>\$1,580.70</b>

BC	16.47%	\$260.35
BCED	0.00%	\$0.00
Brazosport ISD	45.09%	\$712.79
BRHND	1.92%	\$30.40
Brazosport College	7.56%	\$119.52
Velasco Drainage	3.34%	\$52.75
City of Freeport	25.61%	\$404.89

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02/02/2015 Select Date

image 1 of 14

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**PROPERTY MANAGEMENT**

**MEMO**

May 5, 2015

Jeff Pynes

re: Lot 10, Block 5, Freeport Townsite  
Tax ID 4200-0085-000  
536 East 6th Street

Please place the following item on the May 16, 2016, Council agenda:

Discuss /consider the sale of City interest in lot 10. block 5,  
536 East 6th Street.

This property is in trust to the City of Freeport.

Attached are the following documents regarding this property:

- (a) Trust property bid sheet
- (b) Bid Analysis
- (c) CAD sheet showing property location
- (d) Pictometry photo.

**This is a Re-Agenda item from May 2, 2016, Council agenda**



N C Hickey  
Property

attach

Approved for 5-16-2016 agenda:

---

J Pynes

Trust property sale-agenda item

## Tax Resale Property Information

RESALE MEETING OF:

March 22, 2016

**Legal Description:** FREEPORT, BLOCK 5, LOT 10  
ACRES .2460

**Physical Address:** E 6TH ST

**Account Number:** 4200-0085-000

**In Trust To:** CITY OF FREEPORT

**Adjudged Value:** \$4,290.00

**Minimum Bid at Sale:** \$4,290.00

**Offer:** **\$4,290.00**

**Offer made by:** LOREN HAYES

**Sheriff's Deed Filed:** 1/21/2015

**Redemption Expiration:** 7/21/2015

**Post Judgment Taxes:** \$191.86

**Post Judgment Years:** 2014-2015

**City weed/demo liens:** \$14,100.43

**Land Value: (Current)** \$4,290.00

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

**Previous Owner:** **CARRIE THOMAS**

**Precinct:** 1

**School District:** BISD

<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



**BID ANALYSIS**

<b>Cause Number:</b>	72717	<b>Account Number:</b>	4200-0085-000
<b>Offer Amount:</b>	\$4,290.00	<b>Value \$:</b>	\$4,290.00
<b>Person Offering:</b>	LOREN HAYES	<b>Adjudged Value\$:</b>	\$4,290.00

**Judgement Information**

Taxing Entity	Tax Years	Amount Due
BC	2003-2013	\$324.24
BCED	2003-2013	\$0.00
Brazosport ISD	2003-2013	\$973.22
BRHND	2003-2013	\$41.76
Brazosport College	2003-2013	\$132.97
Velasco Drainage	2003-2013	\$64.92
City of Freeport	2003-2013	\$523.13
<b>Total</b>		<b>\$2,060.24</b>

**Costs**

Court Costs	\$181.33	Sheriff Fees	\$95.21
Publication Fees	\$71.80	Research Fees	\$200.00
Ad Litem		Recording fee's	\$16.67
Liens	\$14,100.43	Certified Mail	
Cost of Deed		Deed file date	
<b>Total</b>			<b>\$14,665.44</b>

**Post Judgement Information**

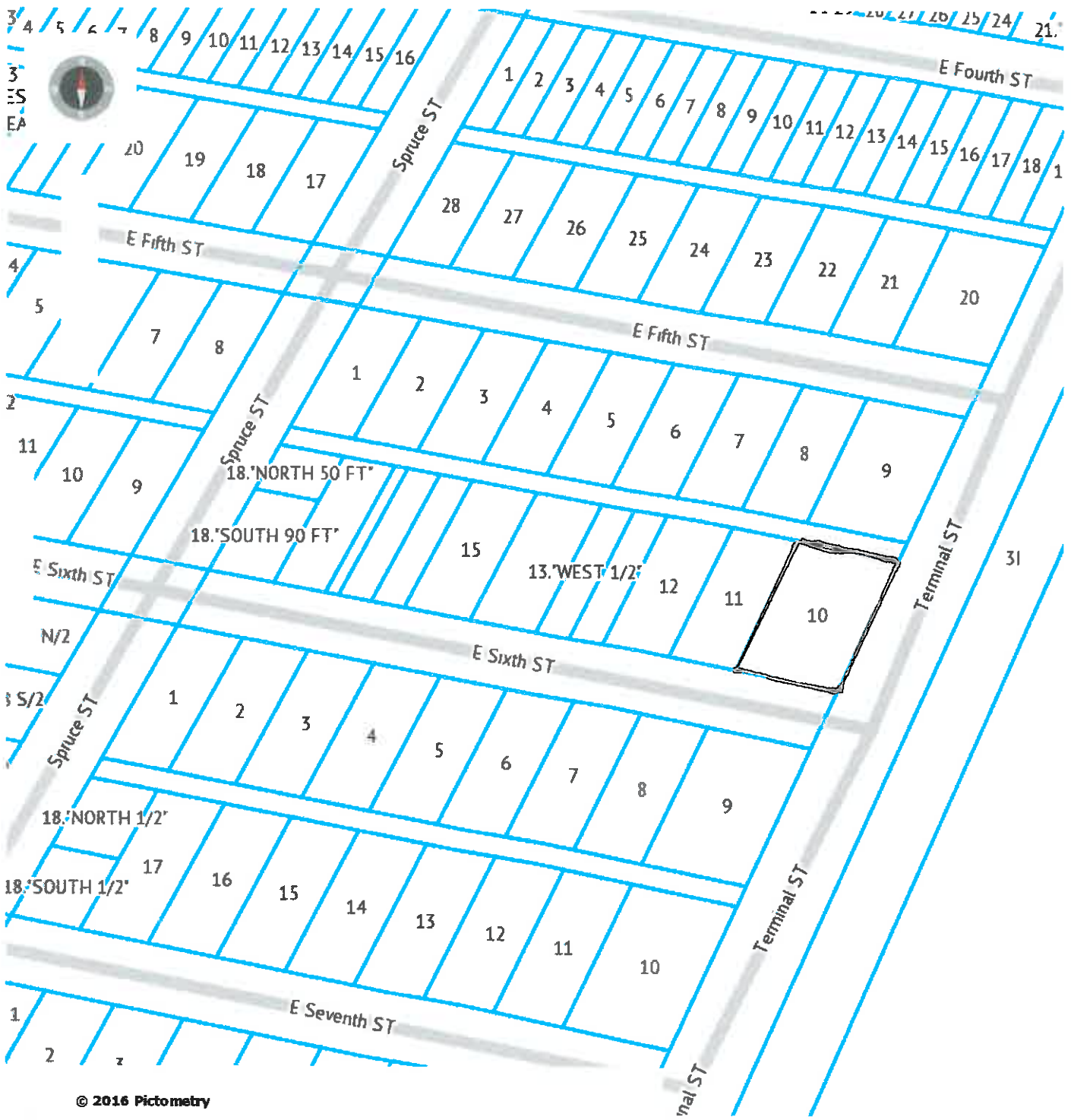
Taxing Entity	Tax Year's	
BC	2014-2015	\$33.51
BCED	2014-2015	\$0.00
Brazosport ISD	2014-2015	\$84.47
BRHND	2014-2015	\$3.02
Brazosport College	2014-2015	\$18.90
Velasco Drainage	2014-2015	\$6.58
City of Freeport	2014-2015	\$45.38
<b>Post Judgment Total</b>		<b>\$191.86</b>

**Proposed Distribution**

<b>Offer Amount</b>	<b>Costs</b>
\$4,290.00	\$14,665.44
<b>Net to Distribute \$</b>	<b>-\$10,375.44</b>

BC	15.74%	\$0.00
BCED	0.00%	\$0.00
Brazosport ISD	47.24%	\$0.00
BRHND	2.03%	\$0.00
Brazosport College	6.45%	\$0.00
Velasco Drainage	3.15%	\$0.00
City of Freeport	25.39%	\$0.00

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map: Auto

02/02/2015 Select Date

image 1 of 13

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map: Auto 02/02/2015 Select Date image 1 of 16

**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

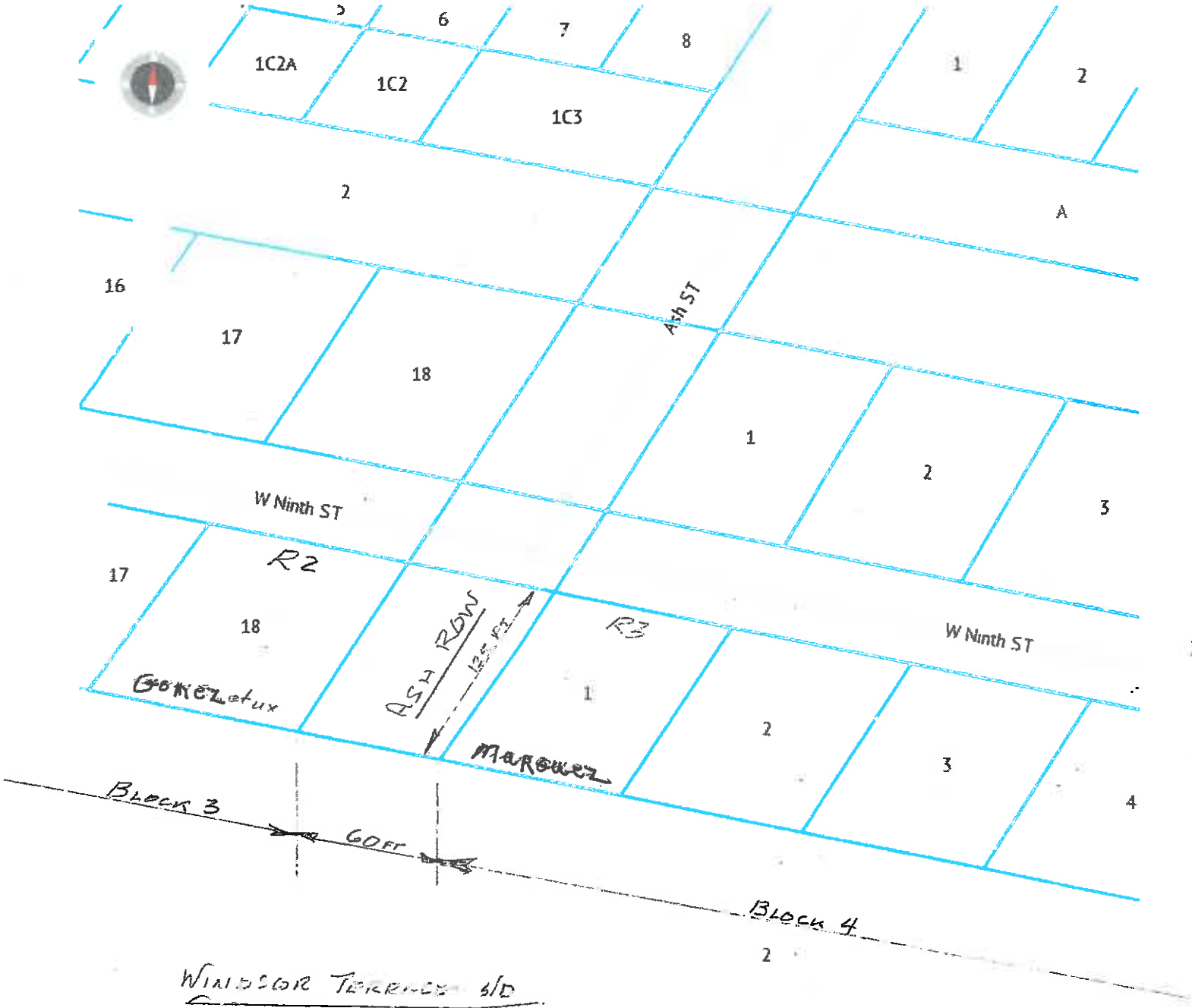
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map: Mosaic 01/17/2015 - 02/26/2015 Select Date

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ERIK ANIO MARGUEZ



**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 D. 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 Stree  
Freeport Tx 77541

RECEIVED

SEP 30 2016

re: Ash Street Right of Way

PROPERTY MGMT

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.

*N C Hickey*  
N C Hickey  
Property Manager

Yes, I would be interested in acquiring. Signed *Pablo Gomez* Date 9-30- 2016

No, not interested in acquiring Signed \_\_\_\_\_ Date \_\_\_\_\_ 2016

encl





**ANGLETON REAL ESTATE APPRAISAL**  
217 SEBESTA ROAD, ANGLETON, TEXAS 77515  
TELEPHONE (979-849-9600) OR (979-849-3334) FAX (979-849-8358)

**BARRY A. COLEMAN**  
TEXAS APPRAISER CERTIFICATION  
NUMBER TX-1324203-G

**WILLIAM E. COLEMAN, SRA**  
TEXAS APPRAISER LICENSE  
NUMBER TX-1360034 R

August 10, 2016

Mr. Nat Hickey  
Property Manager  
City Of Freeport  
200 West Second Street  
Freeport, Texas 77541

Pursuant to your request, I have this date completed a letter of value for the property known as the Ash Street Right-of-way, Freeport, Texas, legally described as:

7,200 (60'x120') square feet of land more or less known as the Ash Street Right-of-way, a publicly dedicated right-of-way between Lot 18, Block 3 and Lot 1, Block 4, Windsor Terrace Subdivision, City of Freeport, Brazoria County, Texas.

The purpose of this letter is to estimate the market value of the fee simple estate of the subject property, as is, as of 4, 2016.

Market value as used in this report, and as defined by FIRREA 12 CFR Part 34, is defined as:

“The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. buyer and seller are typically motivated;
- b. both parties are well informed or well advised and each acting in what he considers his own best interest;
- c. a reasonable time is allowed for exposure in the open market;
- d. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto;

- e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.”

It is my opinion, based on inspection and analysis of data, subject to contingent and limiting conditions, and under the Extraordinary Assumption that the right-of-way can be converted into a single family lot, with permits for construction of a single family residence obtainable, that the subject has a value of:

**FIVE THOUSAND SIX HUNDRED DOLLARS**  
**( \$5,600.00 )**

The purpose of this letter is to state the market value of the subject property, based upon pertinent facts, analysis and conclusions contained within the appraisers files pertaining to the subject property and the final estimate of value. It should be noted that without proper review of the appraisers file and his conclusions as to the final estimate of value, that the valuation held herein may not be understandable. Additionally, the city of Freeport is the client and only intended user of this letter.

Thank you for the opportunity of serving you in regard to this matter.

Respectfully submitted,

  
Barry A. Coleman

Texas Appraiser Certification  
Number TX-1324203-G

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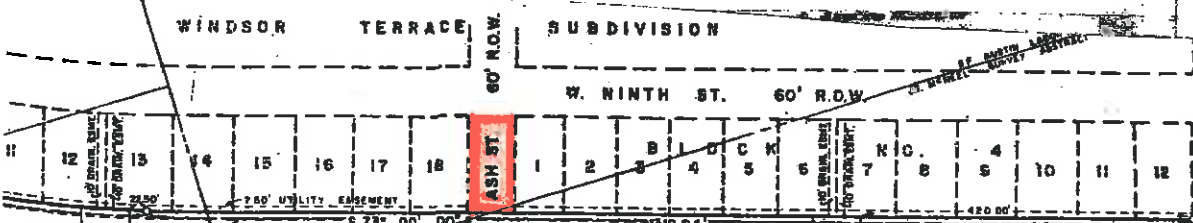
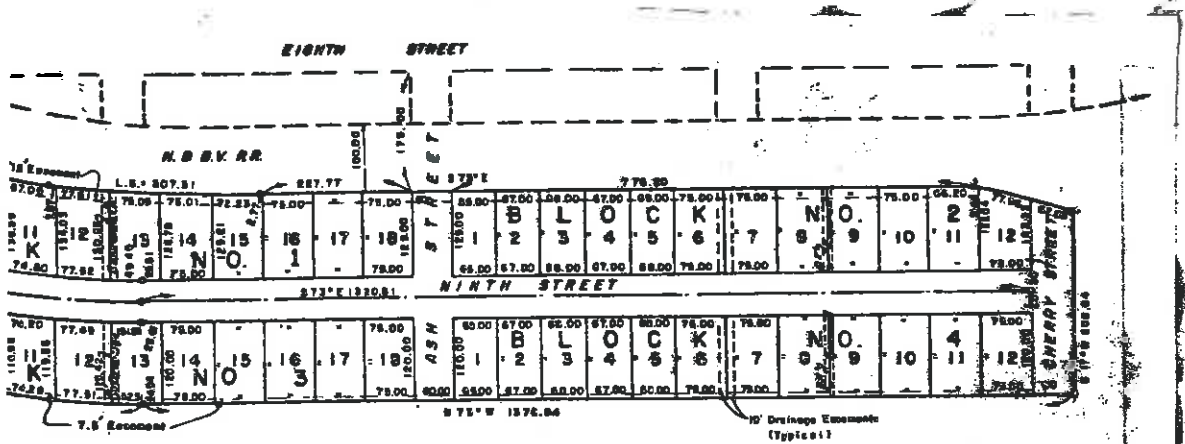


map: Mosaic 01/17/2015 - 02/26/2015 Select Date

MAP OF  
 TRACT NO. \_\_\_\_\_ SURVEY NO. \_\_\_\_\_ ORIGIN  
 COUNTY, TEX

SCALE: \_\_\_\_\_

**TERRACE SUBDIVISION**  
 SECTION NO. 1



**TRACT 2**  
 27.000 ACRES

19 RIVER HARBOR NAVIGATION DISTRICT

**HARBOR LIGHTS SUBDIVISION**  
 33.174 ACRES

**FREEPORT PROPERTIES S/D**

A RESUBDIVISION OF PARTS OF THE AVALON  
 FIRST ADDITION AND  
 A SUBDIVISION OF A TRACT IN J.G. McNEEL  
 SURVEY, A-335, AND J.E.B. AUSTIN SURVEY.

CITY OF FREEPORT  
 BRAZORIA COUNTY, TEXAS

J.E.B. AUSTIN LABOR ABSTRACT NOS. 31 & 32