

31

SIGN IN SHEET
CITY COUNCIL MEETING NOV 20, 2017

Name	Address	FPT TX
Douglas + Doreen	1603 W 2nd St	77541
Jan Reyna	2002 N Ave B	Freeport
Marian P. Myers	126 West 6th	Freeport
Moby + Evelyn Burridge	FREEPORT	
Margaret Mahan	1330 W 8th	Freeport
Jennifer Hawkins	319 W 1st	77541
Lila L Boyd	1620 N. A.T 7P	
Keith Stumbaugh	518 W 4th St	Freeport, TX
Esther Williams (MLKCC)	PO BOX 2681	Freeport, TX
Melanie Oldham		
Edmyr Wilham	520 E. 6th	
Ange L. Wilham		

NOTICE OF PUBLIC HEARING
THE FREEPORT CITY COUNCIL
MONDAY, NOVEMBER 20TH, 2017 6:00 P.M.
FREEPORT MUNICIPAL COURT ROOM
430 NORTH BRAZOSPORT BOULEVARD
FREEPORT, TEXAS

AGENDA

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Attending citizens and their business.
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 the November 6 & 7, 2017 Council Meeting. Pg. 783-789
6. Consideration of approving a commercial tax abatement application for a new motel for Digant Patel Properties, LLC, 1701 North Ave. K, Freeport Texas and setting a public hearing date to consider designating the following described property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners there of granting a tax abatement on Block 1 Lot Reserve A, (unrestricted) Sairam S/D acres .6457. Pg. 790-804
7. Consideration of a request from Will J. Brooks, Parade Co-Chairman of the 32nd Annual Dr. Martin Luther King Jr. Celebration Committee (MLKCC), permission to close portions of the following streets during the parade to be held on Monday, January 15, 2018. The parade will start at 11: 00 a.m. at East Park and Fourth Street and continue through the Rally at the Freeport Municipal Park until 4:00 p.m. Pg. 805

8. Consideration of accepting the Charter Review final report and determine which proposed amendment(s) are to be included in the Charter Amendment Election in May 5, 2018.
Pg. 806-807

- (1) Amend the first sentence of Section 3.02 Qualifications to read respectively as follows:
“The Mayor and each member of the City Council shall be a registered voter and a resident of the City of Freeport for A least twelve (12) consecutive months and in the case of members of the City Council other than the Mayor, a resident of the Ward sought to be represented for at least six (6) consecutive months immediately preceding his or her application to have his or her name placed on the official ballot and the filing of proof of his or her qualifications are required by law”.
- (2) Amend Section 4.04A Multiple Duties to read as follows:
“ The duties of the City Manager, City Secretary, Tax Assessor and Collector and Director of Finance may be performed by the same individual for not more than six (6) consecutive months”.
- (3) Add to Section 11. General Provisions the following new section:
Section 11.15 Gender Neutral Provision
“Whenever in this Charter the pronoun he, him or his are used, such pronouns shall be construed to mean he or she, him or her and his or hers”.

9. Consideration of authorizing publication of the final report of the Charter Review Amendments for May 5, 2018 Elections.

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

Work Session:

- A. Mayor Troy T. Brimage announcements and comments.
- B. Councilman McDonald Ward A announcements and comments.
- C. Councilman Bass Ward B announcements and comments.
- D. Councilwoman Mireles Ward C announcements and comments.
- E. Councilman Yates Ward D announcements and comments.

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:

1. Discuss and possible action regarding claims asserted by Jeff Pynes in connections with the termination of his employment with the City.
2. Discuss and possible action to engage Olson & Olson, LLP, to provide legal services to the City in connection with legal issues and claims arising out of the termination from employment of Jeff Pynes.
3. Discuss and possible action to engage Belt Harris to provide forensic accounting services to the City regarding the financial records of the Freeport Museum Foundation and certain financial transactions of the City of Freeport.

Section 551.074, Government Code

Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee, to wit:

1. Discuss and possible action to appoint an acting City Manager to serve until a City Manager is appointed.

Adjourn

Items not necessarily 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, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, November 16, 2017 at or before 5:00 p.m.

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 Monday, November 6, 2017 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

City Council:

Mayor Troy T. Brimage
Councilman Larry L. McDonald
Councilman Brooks Bass
Councilwoman Nicole Mireles
Councilman Roy E. Yates

Staff:

Gilbert Arispe, Assistant City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Raymond Garivey, Chief of Police
Chris Motley, Fire Chief
Billywayne Shoemaker, Building Inspector
Jennifer Hawkins, Economic Development Corporation
Bob Welch, Finance Director
Kim Townsend, Park Supervisor
LeAnn Strahan, Administrative Assistant

Visitors:

Manning Rollerson	Sam Reyna
Melanie Oldham	Larry Fansher
James Pirrung	Christina Travis
LeAnn Strahan	Sabrina Brimage
Jerry Meeks	Douglas Domingues
Roy Schroeder	Kyle Hammonds
Michelle Backman	Bill Morris
Edward T. Garcia	Gloria Millsap
Edmeryl Williams	Angie L. Williams
Keith Stumbaugh	Margaret McMahan
James Barnett	Sandra Barnett
Ana Silbas	Amy Carrales
Darlene Weir	Moby Burrridge
Evelyn Burrridge	

Call to order.

Mayor Troy T. Brimage called the meeting to order at 6:00 p.m.

Invocation.

Mr. Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Troy T. Brimage led the Pledge of Allegiance.

Attending citizens and their business.

Roy Schroeder of Corporate Hair, 1714 Brazosport Boulevard is concerned about drainage and stated that his building was compromised. Presently there is a hotel being built behind their business and his concern is the drainage. Billywayne Shoemaker, Building Inspector has been in contact with the contractors and the grade is good for the existing culvert to work. The contractor will build a concrete ditch to have the water flow to the retention pond. Mayor Troy T. Brimage assures Mr. Schroeder that it will be taken care of.

Edward T. Garcia of 1924 North Ave. G, served on Council from 1990 to 1998, and knows that it is not an easy job and congratulated the Mayor and Council. He commended Mayor Troy T. Brimage and Council for serving the City and making decisions that are difficult but in the best interest of the City. He applauded Councilwoman Nicole Mireles for her actions on his ward.

Manning Rollerson of 537 E. 2nd Street observed survey lines 5 feet into his property when he was mowing. He called the City to inquire as to who had permits to get on his property. He called 811 and was told that a fire hydrant was being installed on 2nd and Terminal.

Michelle Backman of Pinky's Daiquiri's, 307 South Gulf Boulevard addressed Council on her investment and assured Councilwoman Mireles that she is following all the rules and regulations, maintaining her property, paying taxes, acquired all required permits and has complied with all the Texas Alcohol Beverage Commission rules. She wanted Council to know that she is obeying the law and has not had any complaints during her events.

Consideration of approving the October 16, October 24, and October 30, 2017 Council Minutes.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved the October 16, October 24, and October 30, 2017 Council Minutes.

Consideration of approving Ordinance No. 2017- 2142 amending the Code of Ordinances of said city to add thereto a new section, to be known as Section 71.07 prohibiting the operation of a vehicle at any point on the levee surrounding the old Brazos River Channel or on any point on the river bank thereof, from the Velasco Boulevard Bridge westward to the state right of way line of State Highway 288.

On a motion by Councilman Bass, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved Ordinance No. 2017-2142 amending the Code of

Ordinances of said city to add thereto a new section, to be known as Section 71.07 prohibiting the operation of a vehicle at any point on the levee surrounding the old Brazos River Channel or on any point on the river bank thereof, from the Velasco Boulevard Bridge westward to the state right of way line of State Highway 288.

Consideration of selling the City's interest on Block 8, Lot 19, Velasco Townsite, known as 111 S. Ave. C, Tax Id No. 8110-0097-000 (89%).

On a motion by Councilman Bass, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved selling the City's interest on Block 8, Lot 19, Velasco Townsite, known as 111 S. Ave. C, Tax Id No. 8110-0097-000 (89%).

Consideration of selling the City's interest on Block 8, Lot 19, Velasco Townsite, known as 111 S. Ave. C, Tax Id No. 8110-0097-110 (11%).

On a motion by Councilman Bass, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved selling the City's interest on Block 8, Lot 19, Velasco Townsite, known as 111 S. Ave. C, Tax Id No. 8110-0097-110 (11%).

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

Mayor Troy T. Brimage reconvened the Formal Session at 7:59 p.m.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved to accept the offer of Jeff Pynes to mutually terminate his employment as City Manager of the City of Freeport effective immediately.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved appointing Bob Welch as Acting City Manager.

On a motion by Councilwoman Mireles, seconded by Councilman Bass, with all present voting "Aye", Council unanimously approved appointing Councilman McDonald as liaison to the Freeport Historical Museum.

Mayor Troy T. Brimage opened the Work Session at 6:27 p.m.

Work Session:

Mayor Troy T. Brimage announcements and comments.

Mayor Troy T. Brimage attended a SPCA Board meeting and announced that it will cost the city roughly around \$150,000.00 a year to operate the SPCA facility. In 2015-2016; 827 animals were picked up and 921 in 2016-2017. A huge increase in cats being picked up and taken to the SPCA shelter.

Councilman McDonald Ward A announcements and comments.

No comments

Councilman Bass Ward B announcements and comments.

Councilman Bass reported tires are being thrown out at Velasco Boulevard to Loop Road. He advised that you call the Police Department if any one sees illegal dumping. He commended the Parks Department for the mowing the entry way and park. The Charter Review has scheduled another meeting.

Councilwoman Mireles Ward C announcements and comments.

Councilman Mireles saw the Street Department cleaning manholes; she appreciates the department being proactive.

Councilman Yates Ward D announcements and comments.

LeAnn Strahan announced that the City has started a pilot program for recycling at the Service Center. A bin is erected at the Service Center and broke down into 3 categories (plastic, cardboard, aluminum). The secretary at the Service Center will buzz you in. The hours are from 8:00 a.m. to 5:00 p.m. Councilman Yates stated that it was good to see the City be environmental friendly.

Discuss using a mobile application to accept payment for court and water.

Mansur Plumber from Adcomp systems Group discussed a mobile application that allows residents to receive text notifications and pop up reminders on water and citations on their cell phones. Councilman Bass asked for the cost. Mr. Plumber stated "nothing to the City". A credit card convenient fee to anyone using the card. City recovers 100% of the money.

Update by Jennifer Hawkins EDC Director on the proposed master plan.

Jennifer Hawkins EDC reviewed the progress plan on the proposed master plan with Council. The first meeting was on Tuesday, October 24, 2017 with Freeport Economic Development, Port Freeport and the City Council, followed by a community tour.

The next meeting will be tomorrow; Joint Workshop (1), Tuesday, November 7, 2017 at 7:00 p.m. at the Police Department Council Room. The workshop topic will consist on getting input on Issues and Needs Discussion with the City Council, Freeport Economic Development, Planning Commission and Port Freeport. The meeting is intended to last no more than one hour. They will review ways in which Freeport is the same/different since 10 years ago. Listed major community accomplishments over the last 10 years.

The next meeting will be December 6, 2017. A Town Hall meeting is planned for January 16, 2018.

Updates on current infrastructure.

No comments.

Discuss proposals for contract engineering services for next council meeting.

No comments.

Mayor Troy T. Brimage closed the Formal Session and opened the Executive Session at 6:47 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:

- Industrial District Agreement
 - Freeport Historical Museum
- Motion done in open session

Section 551.074, Government Code

Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee, to wit:

- City Manager
- Motion done in open session

Mayor Troy T. Brimage reconvened the Formal Session for a motion at 7:59 p.m.

Adjourn

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Mayor Troy T. Brimage adjourned the meeting at 8:02 p.m.

Mayor Troy T. Brimage
City of Freeport, Texas

City Secretary Delia Munoz
City of Freeport, Texas

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED that the Freeport City Council, Freeport Economic Development Corporation, Port Freeport, and Planning Commission of the City of Freeport met Tuesday, November 7, 2017 at 7:07 p.m. City Council chambers located at 430 N. Brazosport Blvd, Freeport, Texas for a workshop to discuss a proposed Master Plan.

CITY COUNCIL:

Mayor Troy T. Brimage
Councilman Roy Yates
Councilman Brooks Bass
Councilwoman Nicole Mireles
Councilman Larry McDonald

ECONOMIC DEVELOPMENT CORPORATION:

Jason Travis: President
Trey Sullivan: Vice President
Brad Stephens
Roy Yates
Mark Friudenberg

Chris Duncan: Attorney
Jennifer Hawkins: Director
Nat Hickey: Administrator

PLANNING COMMISSION:

Sandra Loeza
Cindy Cain
Lesla Girourd

PORT FREEPORT

Rudy Santos

GUESTS PRESENT:

Darlene Wier
Carol Jansky
Christopher Motley
Yvette Ruiz
Delia Munoz
Billywayne Shoemaker

Larry Fansher
Eric Hayes
Melanie Oldham
Patricia Lamont
Donald Lamont
Bob Welch
Gary Mitchell
Sue Darcy
Meredith Dang
Gary Mueller

OPEN SESSION:

Mayor Troy T Brimage opened the meeting at 7:00 pm.

Gary Mitchell of Kendig Keast Collaborative opened the meeting and introduced all members of his team attending (Meredith Dang, Gary Mueller of KKC and Sue Darcy of Marsh Darcy). He also gave a brief and general outline including information about the ‘focus groups’ and the PAC.

Meredith Dang presented demographic information about Freeport from the 2010-2016 census. Key points that Ms. Dang focused on were:

- The most popular age demographic was in the young 30’s.
- There is a small amount of long term residents.
- There are a large number of newcomers, probably renting.

Mr. Mitchell asked every participant in the room what their personal hopes for Freeport were. Among the answers were:

- Focus on aging housing through code enforcement
- Building new homes
- Developing the waterfront

Ms. Darcy, whose expertise is economic development and redevelopment reminded residents that Freeport has a lot to offer and it will all be taken into consideration.

- Industry
- Waterways
- Schools
- Marsh areas
- Parks

ADJOURN

Mayor Troy T. Brimage adjourned the meeting at 8:02 pm.

Mayor Troy T. Brimage
City of Freeport, Texas

**COMMERCIAL TAX ABATEMENT
GUIDELINES AND CRITERIA**

**PROCEDURES
AND
APPLICATION**

CITY OF FREEPORT, TEXAS

**ECONOMIC DEVELOPMENT INCENTIVES
CITY OF FREEPORT**

I. Introduction

The City of Freeport is committed to desirable economic development. A successful economic development program depends on a viable working relationship between all aspects of the public and private sector. In addition to insuring the protection of the environment and other natural resources as high priority, any attempts to stimulate the economy should be relatively assured of eventful positive economic effects on the City of Freeport's revenue raising capabilities.

This document describes guidelines and criteria to opportunities that the City may consider in attempts to assert positive economic development. Nothing herein shall imply or suggest that the City of Freeport is under obligation to afford these opportunities to any applicant.

All applicants shall be reviewed on a case by case basis. The customized design of a total incentives package is intended to allow maximum flexibility in addressing the unique concerns of each applicant while enabling the City to respond to the changing needs of the community. Consideration will be given to applicants according to the criteria listed in this document.

II. TAX ABATEMENT

A. Definitions

1. **Abatement** means the full or partial exemption from ad valorem taxes on certain real property in a reinvestment zone designated by the city council for economic development purposes.
2. **Affected jurisdiction** means Brazoria County and any school district, the majority of which is located in the county and levies ad valorem taxes upon and provides services to property located within the proposed or any existing reinvestment zone designated by the city council.
3. **Agreement** means a contractual agreement between a property owner and/or lessee and an affected jurisdiction for the purposes of tax abatement.
4. **Base year value** means the assessed value of eligible property January 1 preceding the execution of the agreement, plus the agreed upon value of eligible property improvements made after January 1 but before the execution of the agreement.

5. *City* means Freeport, Texas.
6. *Deferred maintenance* means improvements necessary for continued operations which do not improve productivity or alter the process technology.
7. *Distribution Center Facility* means buildings and structures, including machinery and equipment, used or to be used primarily to receive, store, service, or distribute goods or materials owned by the facility operator, where a majority of the goods or services are distributed to points at least 50 miles from its location in Brazoria County, Texas.
8. *Expansion* means the addition of buildings, structures, machinery or equipment purposes of increasing production capacity.
9. *Facility* means property improvements completed or in the process of construction which together compromise an integral whole.
10. *Manufacturing facility* means buildings and structures, including machinery and equipment, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change.
11. *Modernization* means the replacement and upgrading of existing facilities which increases the productive input or output, updates the technology or substantially lowers the unit cost of the operation. Modernization may result from the construction, alteration or installation of buildings, structures, fixed machinery or equipment. It shall not be for the purpose of reconditioning, refurbishing or repairing.
12. *New facility* means a property previously undeveloped which is placed into service by means other than or in conjunction with expansion or modernization.
13. *Other basic industry* means buildings and structures, including fixed machinery and equipment not elsewhere described, used or to be used for the production of products or services, which serve a market primarily outside the Brazoria Primary Metropolitan Statistical Area (PMSA) and result in the creation of new permanent jobs and create new wealth in the PSMA.
14. *Personal property* means tangible personal property located on the real property, excluding that personal property located on the real property prior to the period covered by the abatement agreement with the City, and other than inventory or supplies.
15. *Productive life* means the number of years a property improvement is expected to be in service.

16. *Regional entertainment facility* means buildings and structures, including machinery and equipment, used or to be used to provide entertainment through the admission of the general public where the majority of users reside at least 50 miles from its location in Brazoria County.

17. *Research facility buildings* means buildings and structures, including machinery and equipment, used or to be used primarily for research or experimentation to improve or develop new tangible goods or materials or to improve or develop the production processes thereto.

18. *Reinvestment zone* means any area of the City which has been designated a reinvestment zone for tax purposes and which is located within the taxing jurisdiction of the City. It is the intent of the City to designate reinvestment zones on case by case basis in order to maximize the potential incentives for eligible enterprises to locate or expand within the City.

19. *Regional Service facility* means buildings and structures, including machinery and equipment, used or to be used to service goods where a majority of the goods being serviced originate at least 50 miles from the facilities location in Brazoria County.

20. *Value of property* means the assessed value of eligible property for purposes of ad valorem taxation.

B. General Criteria - All applicants should meet the following criteria before being considered for abatement.

1. The project expands the local tax base.
2. The project creates permanent full time employment opportunities.
3. The project in all likelihood would not otherwise be developed.
4. The project makes a contribution to enhancing further economic development.
5. The project must remain in good standing to all reasonable aesthetic and environmental concerns.
6. The project has not begun and no construction has commenced at time of application approval.
7. Companies seeking to qualify for tax abatement on the basis of job retention shall document that without the creation of a reinvestment zone and/or tax abatement, it will either reduce or increase operations.

8. The project should not have any of the following objections:

- a. There would be substantial adverse affect on the provision of government service or tax base.
- b. Insufficient financial capacity.
- c. Planned or potential use of the property would constitute a hazard to public safety.
- d. Planned or potential use of the property would give adverse impacts to adjacent properties; or,
- e. Any violation of laws of the U.S. or State of Texas or ordinances of the City would occur.
- f. Property owned or used by the State of Texas or its political subdivisions.
- g. Property owned by an organization owned, operated or directed by a state political subdivision.

C. Specific Criteria - If the project in the application meets the general criteria, is a facility of a targeted enterprise and has a capital cost that exceeds \$50,000.00, then abatement of any or all of the increased value will be considered. In no case would tax abatement exceed the maximum allowed by state law, presently 100% for 10 years.

<u>Total Investment</u>	<u>Abatement Per Year</u>
\$50,000 to \$100,000	90% 85%
\$100,000 to \$1,000,000	90% 85% 80%
Over \$1,000,000	100% 100% 100% 75% 50% 25% 25%

DESIGNATION OF A REINVESTMENT ZONE

The City Council by ordinance must designate an area as a reinvestment zone. Prior to adopting such an ordinance the City Council must conduct a public hearing on the designation that entitles all interested persons to speak and present evidence for or against the designation. Not later than the seventh day before the date of the hearing, notice of the hearing must be:

1. Published in a newspaper having general circulation in the City.
2. Delivered in writing to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone.
3. Should any affected jurisdiction be able to show cause in the public hearing why the grant of abatement will have a substantial adverse effect on its bonds, tax revenue, service capacity or the provision of services, that showing shall be reason for the City to deny any designation of the reinvestment zone, the granting of the abatement or both.

TAX ABATEMENT AGREEMENT

The City by resolution may enter into a tax abatement agreement in accordance with the criteria contained in this document. At least seven days before entering into the agreement, the City will deliver written notice of its intent to each taxing unit that is included in the reinvestment zone.

1. Any agreement will include, but not be limited to, the following specific Items.

a. All appropriate stipulations included in the application as outlined by this document for a reinvestment zone and tax abatement agreement; and

b. The amount and duration of the tax abatement; and

c. A method for determining the qualifications of meeting the criteria and applicant's promise to meet and maintain these qualifications over the term of the agreement; the City will be allowed, upon written request and reasonable notice, to inspect and audit such records of the applicant as are necessary to substantiate that the applicant is meeting criteria agreed upon during the term of the abatement; and

d. A provision that in the event the agreement is not kept, the tax abatement agreement will be determined null and void and all abated taxes will be paid immediately to the City and all other taxing units participating in the agreement; and

e. Any and all other statutory requirements pertaining to municipal tax abatements agreements, including but not limited to those requirements set forth in Section 312.205 of the State Tax Code (Vernon's 1992 with 1976 supplement), as amended.

2. Eligible Property. Abatement may be extended to the value of buildings, structures, fixed machinery, equipment, site improvements plus that office space and related fixed improvements necessary to the operation and administration of the facility. The economic life of the property and improvements must exceed the life of the abatement agreement.

a. Abatement may be granted to new facilities;

b. Abatement may be granted for improvements to existing facilities for purposes of modernization and expansion.

3. Recapture

a. In the event that the facility is completed and begins producing goods and/or services, but subsequently discontinues such production for any reason excepting fire, explosion or other casualty or natural disaster for a period of one year during the abatement period, then the agreement shall terminate and so shall the abatement of taxes for the calendar year during which the facility no longer produces. The taxes otherwise abated for the calendar year shall be paid to the City within (60) days from the termination.

b. Should the City determine that the company or individual is in default according to the terms and conditions of the abatement agreement, the City shall notify the company or individual, in writing, at the address stated in the agreement, and if such non-compliance is not resolved within (60) days from the date of such notice, then the agreement shall be terminated.

c. In the event that the company or individual:

(1). allows its ad valorem taxes owed the City or affected jurisdiction to become delinquent and fails to timely and properly follow legal procedures for their protest and/or contest, or

(2). violates any of the terms and conditions of the abatement agreement and fails to resolve such violations with sixty (60) days from the date of written notice of such violations, the agreement then may be terminated and all taxes previously abated by virtue of the agreement will be recaptured and paid within (60) days of the termination.

4. Upon completion of construction, the City shall annually evaluate each facility receiving abatement to ensure compliance with the agreement and report possible violations to the City Council and the City Attorney.

5. The City must deliver a report to the Texas Comptroller's Office describing the guidelines and criteria, reinvestment zone, terms of any abatement agreements, and any other information required by the Comptroller. The reports will be submitted by March 31 of the year following the designation of a zone or the execution of a tax abatement.

APPLICATION FOR TAX ABATEMENT INSTRUCTIONS

1. Attach additional pages if there is not enough space allotted to answer questions on the application.

2. Applicants and projects must meet the requirements established by the City of Freeport Guidelines and Criteria in order to receive positive consideration.

3. Applicants must submit an application processing fee in the amount of Five Hundred Dollars (\$500) or one percent (1%) of the value of the proposed improvement(s), whichever is less, to cover cost to the City of attorney's fees and legal notices to be published.

4. Applicants must submit an adequately definitive legal description that sufficiently describe the tract(s) of land comprising the proposed reinvestment zone (tax abatement area) upon which the new facility, expansion or modernization project will be located. Applications with insufficient or indefinite legal descriptions will not be returned to the applicant for amendment such applications will not be considered for hearing until corrected.

5. Applicant must submit the attached *Certification of Appraised Value of Properties* form which is part of this application. This certification should cover the proposed tax abatement area and it is the responsibility of the applicant to obtain this information from the Brazoria County Appraisal District.

APPLICANT INFORMATION

The taxing unit may consider applicant's financial capacity in determining whether to enter into an abatement agreement. Established companies for which public information is available, or the wholly owned businesses of such companies, should include with the new application a copy of their latest annual report to the stockholders. Other applicants and new companies should attach a statement showing:

- (1). when the company was established
- (2). business references (name, contact person, accountant, attorney)
- (3). may be required to submit an audit financial statement and business plan.

PROJECT INFORMATION

Only facilities listed in the General Criteria of the Guidelines may receive abatement. Check guidelines definitions to see if project qualifies.

If the project is a Regional Entertainment Facility, Regional Service Facility, Regional Distribution Center Facility or other basic industry, include the following items;

- (1). market studies
- (2). business plans
- (3). agreements or other materials demonstrating that the facility is intended to serve a market of which the majority is substantially outside the City of Freeport.

ECONOMIC MARKET

Permanent Employment Estimates

In estimating the permanent employment, include the total number of jobs retained or created at this site by your firm as well as known permanent jobs of service contractors required for operation.

Estimated Appraised Value on Site

The value on January 1 preceding abatement should be the value established by the Brazoria County Appraisal District. If the applicant must estimate value because taxable value is not known or is combined with other properties under a single tax account, please so state. To qualify, the abated properties must be expected to result in an addition to the tax base of at least fifty thousand dollars (\$50,000) after the period of abatement expires. Projections of value should be a best estimate" based on taxability in Texas. The projection of project values not abated should include personal property and ineligible project related improvements such as an office in excess of that used for plant administration, housing, etc.

APPLICATION FOR TAX ABATEMENT
COMMERCIAL/INDUSTRIAL

This application should be filed at least ninety (90) days prior to the beginning of construction or the installation of equipment. This application will become part of any later agreement or contract and knowingly false representations thereon will be grounds for the voiding of any later agreement or contract.

Original copy of this application and attachments should be submitted to:

City Manager
City of Freeport
200 West Second Street
Freeport, TX 77541

APPLICANT INFORMATION

Company Name: Digpri Investments LLP Submittal Date: 11/8/17
Sole Proprietor () Partnership Corporation () Other: ()
Address: 2506 Summer Creek dr. Pearland TX 77569
Name/Title/Address/Telephone of Company contact on this project:
Digant Patel - president 281-948-1729

PROJECT INFORMATION

Check type of facility to be abated:

- | | | | |
|------------------|-----|-------------------------------|-------------------------------------|
| Manufacturing | () | Regional Distribution | () |
| Regional Service | () | Regional Entertainment Center | () |
| Research | () | Other Basic Industry | <input checked="" type="checkbox"/> |

Proposed facility address and legal description: (attach exhibit if necessary):

1701 North AVE 12, Freeport TX 77541

Attach a map showing the site. (Attach as Exhibit)

Proposed facility located in the following taxing jurisdictions:

- | | |
|-------------------|---|
| School District | Brazosprt Independent School District |
| Drainage District | <input checked="" type="checkbox"/> Velasco Drainage District |
| City | <input checked="" type="checkbox"/> City of Freeport |

Other Taxing Jurisdictions: Brazoria County; Port Freeport

Describe product or service to be provided: Hotel, motel

long term stay

Application is for: New Facility Expansion () Modernization ()

PROJECT DESCRIPTION

Please attach a statement which:

1. fully explains the project;
2. describes the site and existing improvements;
3. describes all proposed improvements; and,
4. provides a list of improvements and fixed equipment for which abatement is requested.

ECONOMIC IMPACT INFORMATION

A. Estimated cost of improvements:

Real Estate Added: \$ 50,000
 Personal Property Added: \$ 240,000

B. Permanent employment estimates: 10

If existing facility, current plant employment: N/A
 Estimated number of jobs retained: 10 jobs created:
 Number of employees anticipated at start up: 15 within
 1 year

C. Construction employment estimates:

Construction to start: Month: Oct Year: 2017
 Construction to be completed: Month: Oct Year: 2018
 Number of construction jobs anticipated: At start: 10
 Peak 20 Finish: 10

D. School District impact estimates: (for projects over \$5,000,000)

Number of families transferred to area: 5
 Number of students added to ISD: 4

E. City Impact estimates:

Gallons of treated water required from city: 120,000
 Gallons of effluent water to be treated by city: 124,000
 Project Started? Yes No () Finished Yes () No ()

F. Estimated appraised value on site: 2,500,000

	LAND	IMPROVEMENTS	PERSONAL PROPERTY
Valuation of existing property as of January 1, preceding this abatement Application	\$ <u>50,000</u>	\$ <u>240,000</u>	\$ <u>50,000</u>
Valuation of Personal Property and Improvements, not subject to abatement, excluding exempt pollution control equipment, upon completion of project subject to this application	\$ <u>50,000</u>	\$ <u>240,000</u>	\$ <u>50,000</u>
Estimated value, upon completion of project of exempt pollution control equipment.	\$ <u>50,000</u>	\$ <u>240,000</u>	\$ <u>50,000</u>
Estimated value of abated improvements after abatement agreement expires	\$ <u>50,000</u>	\$ <u>240,000</u>	\$ <u>50,000</u>

G. Statement of planned efforts to use Vendors and Services located in the City of Freeport:

Please attach a statement describing willingness and planned efforts to use qualified vendors and services located in the City of Freeport where applicable in the construction and operation of the facility.

DECLARATION

To the best of my knowledge, the above information is an accurate description of project details.

D. Patel
Company Official Signature

Digant Patel
Printed Name and Title of
Company Official

11/8/17
Date Signed

CERTIFICATION OF APPRAISED VALUE OF PROPERTIES
AS OF JANUARY 1, 20 _____

To: City of Freeport
 Fm: Brazoria County Appraisal District
 Date: _____, 20____

The Brazoria County Appraisal District hereby certifies that the following appraised values as of January 1, 20____ for property of _____ Described in Exhibit "A" attached hereto are listed in the records of Brazoria County Appraisal District and indicated by the following Account Numbers:

PERSONAL PROPERTY

APPRAISAL VALUE

Account No. _____	\$ _____
Account No. _____	\$ _____
<u>LAND</u>	
Account No. _____	\$ _____
Account No. _____	\$ _____
Account No. _____	\$ _____
Account No. _____	\$ _____
<u>IMPROVEMENTS</u>	
Account No. _____	\$ _____
Account No. _____	\$ _____
Account No. _____	\$ _____
Account No. _____	\$ _____

Certified this _____ day of _____, 20____

Chief Appraiser
 Brazoria County Appraisal District

By: _____

**BRAZORIA COUNTY APPRAISAL DISTRICT
CERTIFICATION OF APPRAISED VALUE OF PROPERTIES
AS OF JANUARY 1, 2017**

TO: CITY OF FREEPORT

FROM: BRAZORIA COUNTY APPRAISAL DISTRICT

DATE: November 15, 2017

The Brazoria County Appraisal District hereby certifies that the following appraised values as of January 1, 2017, for property of **DIGANT PATEL PROPERTIES LLC** described in Exhibit "A" attached hereto are listed in the records of the Brazoria County Appraisal District and indicated by the following account numbers:

<u>PERSONAL PROPERTY ACCOUNT(S)</u>	<u>APPRAISED VALUE(S)</u>
-------------------------------------	---------------------------

<u>LAND ACCOUNT(S)</u>	
------------------------	--

8110-4036-000	
---------------	--

	\$21,090
--	----------

<u>IMPROVEMENT ACCOUNT(S)</u>	
-------------------------------	--

Certified on November 15, 2017

BRAZORIA COUNTY APPRAISAL DISTRICT


Cheryl Evans, Chief Appraiser

Brazoria CAD

Property Search Results > 262046 DIGANT PATEL PROPERTIES LLC for Year 2017

Property

Account

Property ID: 262046 Legal Description: VELASCO (FREEPORT), BLOCK 1, LOT RESERVE A
(UNRESTRICTED) SAIRAM S/D ACRES .6457
Geographic ID: 8110-4036-000 Agent Code:
Type: Real
Property Use Code:
Property Use Description:

Location

Address: 1701 N AVE K Mapsco:
FREEPORT,
Neighborhood: Map ID:
Neighborhood CD:

Owner

Name: DIGANT PATEL PROPERTIES LLC Owner ID: 1125081
Mailing Address: 2506 SUMMER CREEK DRIVE % Ownership: 100.000000000000%
PEARLAND, TX 77584-7206
Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$21,090	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$21,090	
(-) Ag or Timber Use Value Reduction:	-	\$0	

(=) Appraised Value:	=	\$21,090	
(-) HS Cap:	-	\$0	

(=) Assessed Value:	=	\$21,090	

Taxing Jurisdiction

Owner: DIGANT PATEL PROPERTIES LLC
% Ownership: 100.000000000000%
Total Value: \$21,090

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$21,090	\$21,090	\$0.00
CFP	CITY OF FREEPORT	0.628005	\$21,090	\$21,090	\$132.44
DR2	VELASCO DRAINAGE DISTRICT	0.085000	\$21,090	\$21,090	\$17.93
GBC	BRAZORIA COUNTY	0.380234	\$21,090	\$21,090	\$80.19
JBR	BRAZOSPORT COLLEGE	0.303249	\$21,090	\$21,090	\$63.95

NAV	PORT FREEPORT	0.040100	\$21,090	\$21,090	\$8.45
RDB	ROAD & BRIDGE FUND	0.060000	\$21,090	\$21,090	\$12.65
SBR	BRAZOSPORT INDEPENDENT SCHOOL DISTRICT	1.255300	\$21,090	\$21,090	\$264.75
Total Tax Rate:		2.751888			
				Taxes w/Current Exemptions:	\$580.36
				Taxes w/o Exemptions:	\$580.37

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	0.6457	28125.00	0.00	0.00	\$21,090	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2018	N/A	N/A	N/A	N/A	N/A	N/A
2017	\$0	\$21,090	0	21,090	\$0	\$21,090
2016	\$0	\$21,090	0	21,090	\$0	\$21,090
2015	\$0	\$21,090	0	21,090	\$0	\$21,090
2014	\$0	\$21,090	0	21,090	\$0	\$21,090
2013	\$0	\$21,090	0	21,090	\$0	\$21,090
2012	\$0	\$21,090	0	21,090	\$0	\$21,090
2011	\$0	\$21,090	0	21,090	\$0	\$21,090
2010	\$0	\$21,090	0	21,090	\$0	\$21,090
2009	\$0	\$21,090	0	21,090	\$0	\$21,090
2008	\$0	\$15,000	0	15,000	\$0	\$15,000
2007	\$0	\$15,000	0	15,000	\$0	\$15,000
2006	\$0	\$15,000	0	15,000	\$0	\$15,000
2005	\$0	\$15,000	0	15,000	\$0	\$15,000
2004	\$0	\$15,000	0	15,000	\$0	\$15,000
2003	\$0	\$10,630	0	10,630	\$0	\$10,630
2002	\$0	\$10,630	0	10,630	\$0	\$10,630
2001	\$0	\$10,630	0	10,630	\$0	\$10,630

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	8/7/2017	WD	WARRANTY DEED	DIGANT PATEL PROPERTIES LLC	DIGPRI INVESTMENT INC	17	041350	
2	2/25/2016	WD	WARRANTY DEED	HAAS LIMITED PARTNERSHIP	DIGANT PATEL PROPERTIES LLC	16	008628	
3	8/18/2008	WD	WARRANTY DEED	MARUTINANDAN INC	HAAS LIMITED PARTNERSHIP	08	041851	

Questions Please Call (979) 849-7792

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

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



November 15, 2017
Attention: Ms. Delia Munoz
200 West 2nd Street
Freeport, TX 77541

To the City Council of Freeport:

It is my pleasure to inform you about the 32nd annual Dr. Martin Luther King, Jr. Celebration Committee (MLKCC). We are a non-profit organization since 1986, MLKCC – Brazoria County has sponsored events to celebrate the state and federal holiday honoring the birthday of the late Dr. Martin Luther King, Jr. and to perpetuate his memory and the legacy of his achievements for future generations. Additionally, our MLKCC seeks to honor Dr. King's admonition of service to the community by sponsoring both the MLKCC and Dennis R. Edwards Memorial scholarships to deserving Brazoria County high school graduates. This celebration conducts various worthy community uplifting projects, and encourages its members to take roles in numerous civic, charitable, and cultural endeavors. This annual celebration is a time of unity and togetherness promoted through events including a Community Worship Service, MLKCC Commemorative Banquet, and Parade & Rally.

Dr. Martin Luther King, Jr. Celebration Committee request permission to close portions of the following streets during the Parade to be held on Monday, January 15, 2018. The parade will start at 11:00 am and the set up (staging area) will start at 8:30 am on Cherry, East Park and Fourth Street. The parade route will begin at East Park Avenue and Fourth Street and continue along 2nd Street to 288-B to the Freeport Municipal Park. The celebration will continue through the Rally at the Freeport Municipal Park until 4:30 pm. In order to move forward with success, we are requesting your permission, support and participation in the 32nd Annual Dr. Martin Luther King, Jr. Celebration.

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

Sincerely,
Will J. Brooks

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

CITY OF FREEPORT
CHARTER REVIEW COMMISSION (2017)
FINAL REPORT

To the Honorable Mayor and City Council:

The Charter Review Commission for the June to December, 2017, term, reviewed the Home Rule Charter of the City of Freeport, Texas (the City), at several meetings attended by members of the general public, notice of each of which was given in accordance with the Texas Open Meetings Act. At each of such meetings, an opportunity to speak was given to members of the public who were present. We also consulted with the City Manager, the City Attorney and others who are to be consulted. We recommend that the following proposed changes, each of which is indicated by underlining, be submitted to citizens of the City at the next annual election to be held on the First Saturday in May, 2018:

1) Amend the first sentence of Section 3.02 Qualifications to read respectively as follows:

The Mayor and each member of the City Council shall be a registered voter and a resident of the City of Freeport for at least twelve (12) consecutive months and, in the case of members of the City Council other than the Mayor, a resident of the Ward sought to be represented for at least six (6) consecutive months immediately preceding his or her application to have his or her name placed on the official ballot and the filing of proof of his or her qualifications as required by law.

2) Amend Section 4.04A MULTIPLE DUTIES to read as follows:

The duties of the City Manager, City Secretary, Tax Assessor and Collector and Director of Finance may be performed by the same individual for not more than six (6) consecutive months."

3) Add to Article 11. General Provisions the following new section:

Section 11.15. Gender Neutral Provision

Whenever in this Charter the pronouns he, him or his are used, such pronouns shall be construed to mean he or she, him or her and his and hers."

Respectfully submitted this 14th day of November, 2017.


Sandra Barbree, Chairperson


Ana Silbas, Secretary

Amy Carr

Amy Carrales, Member

Donna Hays

Donna Hays, Member

Rita Cundieff

CCF STATEMENT TO THE FTREEPORT CITY COUNCIL 11/20/17

Good evening Mr. Mayor and City Council Members. My name is Douglas Domingues and I live in Ward B in Freeport. As the Spokesperson of the Concerned Citizens of Freeport, I am here to submit the following statement in behalf of our organization. The Concerned Citizens of Freeport agrees with and supports the Freeport City Council's recent decision to terminate the employment of Jeff Pynes as Freeport City Manager. In the wake of this decision there is much for you, as the governing body of the city, to do. It is prudent and customary that when there is a change in the top administrator to perform a thorough audit of financial records of the city and associated entities for the protection of the city, its residents and any future city manager. The engagement of Belt Harris to provide forensic accounting services regarding the financial records of the Freeport Museum Foundation and certain city financial transactions, as listed in the Executive Session of tonight's council meeting agenda, is definitely a step in the right direction.

Then there is the matter of the "employment contract" between former Freeport Mayor Norma Garcia and Mr. Pynes' attorney Ron Helson which would currently award Mr. Pynes \$200,000 in city funds if the terms of the contract are completed. The CCF believes this contract is illegal and don't think it would stand up in court if challenged. Since before its inception in August of 2016, the Concerned Citizens of Freeport have publicly contested the legality of this contract and continue to do so for the following reasons:

1. The Freeport City Charter, Section 11.02 governing Personal Interest states "No officer or employee of the city shall have a financial interest, direct or indirect, in any contract with the city".
2. In the July 11, 2016 City Council meeting, on a 3-2 vote, the council authorized Mayor Garcia to negotiate a new "employment contract" for the City Manager. I know personally that is what happened because I was there. However, the Council meeting minutes for that night state that Council authorized the Mayor to "sign" and negotiate the new employment contract. A Freedom of information request subsequently revealed that the City Secretary failed to record the audio of the vote, eliminating any evidence of what actually transpired. We believe the meeting minutes for that City Council meeting were deliberately falsified to hide the truth.
3. After it was negotiated, the Jeff Pynes "employment contract", was never brought before the City Council to be voted on or approved by the Freeport city council as required by the city charter.

The Concerned Citizens of Freeport looks forward to getting these distractfull issues behind us soon so the city can get down to business of fixing our infrastructure problems and growing our city. We want to partner with the city and do our part to help move Freeport toward a more prosperous future. Thank you, Mr. Mayor and City Council members for the direction you are taking the city in. We support these efforts.