



**AGENDA
REGULAR MEETING
FREEPORT CITY COUNCIL
TUESDAY, FEBRUARY 18, 2020 at 6:00 P.M.**

Mayor:

Brooks Bass

Council Members:

Ken Green
Jerry Cain
Sandra Loeza
Roy Yates

City Manager:

Timothy Kelty

THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON TUESDAY, THE 18th DAY OF FEBRUARY 2020, AT 6:00 P.M., AT THE FREEPORT POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD, FREEPORT TEXAS FOR THE FOLLOWING PURPOSES:

CALL TO ORDER: *The Mayor will call the meeting to order, declare a quorum if present, and declare notices legally posted pursuant to Open Meetings Act.*

INVOCATION AND PLEDGE OF ALLEGIANCE: (Council Member)

CITIZENS' COMMENTS:

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.

PRESENTATIONS/ANNOUNCEMENTS: Announcements by Mayor, City Council and/or Staff

1. Employee of the month for January 2020.
2. Presentation by Freese and Nichols, Texas Water Development Board Grant Program.
3. Presentation by Freese and Nichols for the Pump Station.

CONSENT AGENDA:

Consent Agenda items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.

4. Consideration and possible action on the approval of City Council meeting minutes from February 3, 2020. **(Wells)**
5. Consideration and possible action authorizing the Mayor to execute a revised Interlocal Cooperation Contract with the DPS of the State of Texas regarding the Failure to Appear Program. **(Russell)**

COUNCIL BUSINESS – REGULAR SESSION:

6. Direction and discussion on City Hall renovation. **(Kelty/Russell)**
7. Discussion regarding Riverfest. **(Kelty)**
8. Consideration of granting a variance, authorizing the sale of alcohol on the parcel with tax ID of 148809, comprised of the businesses in the Arlan's Market shopping center area. **(Kelty)**

WORK SESSION:

9. **The City Council may deliberate and make inquiry into any item listed in the Work Session.**
 - A. Mayor Brooks Bass announcements and comments.
 - B. Councilman Green Ward A announcements and comments.
 - C. Councilman Cain Ward B announcements and comments.
 - D. Councilwoman Loeza Ward C announcements and comments.
 - E. Councilman Yates Ward D announcements and comments.
 - F. City Manager Tim Kelty announcement and comments
 - G. Updates on current infrastructure.
 - H. Update on reports / concerns from Department heads.

CLOSED SESSION:

10. Executive Session regarding Attorney Consultation (Possible Litigation) in accordance with Vernon's Texas Government Code Annotated, Sections 551.071.

COUNCIL BUSINESS – REGULAR SESSION:

ADJOURNMENT:

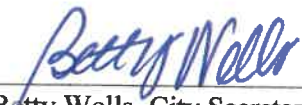
11. Adjourn.

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).

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

ACCESSIBILITY STATEMENT This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (979) 233-3526.

CERTIFICATE I certify the foregoing notice 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, before 6:00 p.m. in accordance with Open Meetings Act.



Betty Wells, City Secretary
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, February 3, 2020 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 Brooks Bass
Councilman Jerry Cain
Councilman Ken Green
Councilwoman Sandra Loeza
Councilman Roy E. Yates Absent

Staff: Tim Kelty, City Manager
Stephanie Russell, Assistant City Manager
Betty Wells, City Secretary
Chris Duncan, City Attorney
Brenda Miller-Ferguson Human Resource Director
David Hoelewyn, Street Department Director
Nat Hickey, Property Manager
Brian Dybala, Freeport Golf Course Director
LeAnn Strahan, Freeport Destination Director
Mike Praslicka, Freeport Fire Deputy Chief
Billy Shoemaker, Code/Permit Director

Visitors:

Melanie Oldham	Manning Rollerson
Mario Muraira	David Towers
Nicole Mireles	Sam Reyna
Keith Stumbaugh	Edmeryl Williams
Angie Williams	Cindy Cain
Kenny Hayes	Donna Hayes
Desiree Pearson	Tommy Pearson
Troy Brimage	Sabrina Brimage
Eric Hayes	Cliff Vandergrift

Call to order.

Mayor Brooks Bass called the meeting to order at 6:00 p.m.

PRESENTATIONS/ANNOUNCEMENTS: Announcements by Mayor, City Council and/or Staff

Presentation of the Investment Report for the quarter ending December 31, 2019.

Assistant City Manager Stephanie Russell presented to Council the Investment Report for the quarter ending December 31, 2019.

Citizen's Comments

Nicole Mireles spoke to council of her concerns on the PayScale for City Employees. She said that she feels the Matrix PayScale was a good thing for the City Employees. She said that we are losing too many officers for reasons of low pay. She said that she wants council to look back into the Matrix PayScale.

Eric Hayes spoke to council of his concern on his alley at 1507 West Broad and the repairs that are needed. He said that on Mulberry side there is a two-foot-deep hole. He also said that he received a certified letter from the Port Freeport he said that it appears that they are going forward with the eminent domain and the offers are about \$400 less than the original offer.

Melanie Oldham spoke of her concern for the salary for City of Freeport employees. She also said that she feels the City should check into getting a Grant Writer. She addressed her concern of the Port Freeport taking private and City property along with City streets through the Eminent Domain and she hopes that Council stands up for the City.

Manning Rollerson spoke to council about the East End Park. He also stated that on January 30, 2020 a letter was sent out to Mayor Brooks Bass. Mr. Rollerson stated that papers have been filed to save the park. He said that on Cherry Street dump trucks, teenagers, and motorcycles race down this road, someone is going to get hurt.

Ms. Edmeryl Williams said that after the section of her street was paved, the water runs back into her yard on 520 E.6th Street. She said this did not happen before. She also said that the City should not be throwing the residents in the East End under the bus. She said that they are citizens, and that their taxes are paid. She said that there are children and teens who do not live in the East End that use the park, she said that it is not a scary place. Mayor Bass said that we will protect the City of Freeport the best that they can.

CONSENT AGENDA:

Consideration and possible action on the approval of City Council meeting minutes from January 21, 2020.

Discuss and consider changing the date of the second meeting in February due to the Presidents Day holiday, to Tuesday, February 18, 2020.

Consideration to approve Resolution No. 2020-2617 to amend TexPool authorized representatives.

On a motion by Councilwoman Loeza, seconded by Councilman Cain, with all present voting "Aye", Council unanimously approved the Consent Agenda.

REGULAR SESSION

Consideration and possible action approving Ordinance No. 2020-2596 amending Freeport Code of Ordinance regarding the boundaries and times for School Zones affecting Traffic

City Manager Tim Kelty presented to council the proposed Ordinance No. 2020-2596 to amend the Freeport Code of Ordinance for the boundaries and times for school zones. He said that this was reviewed by BISD, Freeport Police Department and the BISD Police Department. With this amendment to the ordinance it establishes a uniform speed limit of 20MPH during specific hours for each school, including Brazosport High School, Freeport Elementary, Velasco Elementary and Freeport Intermediate School.

On a motion by Councilwoman Loeza, seconded by Councilman Green, with all present voting "Aye", Council unanimously approved Ordinance No. 2020-2596 amending Freeport Code of Ordinance regarding the boundaries and times for School Zones affecting Traffic

Consideration and possible action on Resolution No.2020-2618 amending the master fee schedule.

LeAnn Strahan, Freeport Destination Director, presented to council the proposed Resolution No. 2020-2618 to amend the Master Fee Schedule to add applicable fees for the Freeport Recreation Center. This will add admission fees for residential/non-residential membership fees, pool party rentals, and basketball registration. Along with the clarification of ages, military discounts, and non-resident surcharges.

On a motion by Councilman Cain, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Resolution No.2020-2618 amending the master fee schedule.

Consideration of Resolution No. 2020-2619 appointing qualified person(s) to Board of Adjustments.

City Manager Tim Kelty presented to council Resolution No. 2020-2619 appointing qualified person(s) to the Board of Adjustments. Mayor Bass said that this has traditionally been an annual meeting, but that this a very important board. It is the board of last resort. He said that when someone applies for a variance it goes to this board, and they decide whether to grant it or not and it requires seventy five percent of the board be in attendance. Mr. Kelty said that there are four individuals that have expressed interest in serving on this board, Mario Muraira, Carlos Varela, Keith Stumbaugh, and Dean Knox. The board has four seats that are currently occupied. The board is made of five regular members and two alternates. The board is short one regular member, and two alternates at this time.

On a motion by Councilman Green and seconded by Councilman Cain with all present and voting "Aye", council unanimously appointed Keith Stumbaugh as the Regular on the Board of Adjustments to fill out the vacant term.

On a motion by Councilman Green and seconded by Councilwoman Loeza, with all present and voting "Aye" council unanimously appointed Mario Muraira, and Carlos Varela as alternates on the Board of Adjustments to fill out those remaining vacant terms.

Discussion and direction for City Hall renovations

City Manager Tim Kelty said last year there was discussion regarding moving Council Chambers and Municipal Court to City Hall. In addition to those improvements, there is also a need for public rest rooms on the first floor and more and better secured office space on the first floor for Human resources and Assistant City Manager

Mr. Kelty said, there is \$66,000 that was included in this year's budget for a preliminary architectural service for the O.A. Fleming building that was being considered at the time the budget was adopted that could be used. Mr. Kelty said with this renovation, it would free up needed additional space at the Police Department as well. He asked for authorization to move forward with that planning and asked if there was anything else Council wanted to include

Mayor Bass asked Mr. Kelty to come back on next council meeting with a punch list with things that need to be done. Nicole Mireles asked if the O.A. Fleming building is no longer an option. Desiree Pearson asked if there has been testing for mold in City Hall. Mayor Brooks Bass said that this will be one of the things that will be discussed.

WORK SESSION:

Mayor Bass spoke about the election coming up in May, he said that Ken Green has filed for Ward A, and Sandra Loeza for Ward C. Mayor Bass said that he and City Manager Tim Kelty met with BISD and had a lengthy meeting about the O.A. Fleming building. Mayor Bass said that he knows what he wants, and that is land to build houses on. He said that he is not inclined to be in a three-way deal with the Port of Freeport and the school district. He would rather have a two-way deal and just deal with the school district. He said that the ball fields are owned by the City, these are under a fifty-year lease with the school district. He feels that Mr. Massey superintendent wants to discuss this and get this resolved. We need to get this resolved in a way that will be beneficial to both entities. Mayor Bass said that we are working on it. Mayor Bass asked that Betty Wells, City Secretary work with Tim Kelty, City Manager to get a called meeting with proper notice for every Boards and Commissions that we have in the City of Freeport.

Councilman Green said that he, the City Manager, and David Hoelewyn the Street Department Director had a chance to ride around Ward A. He said that there has been some major development on roadways. He said that there is improvement that will happen this year.

Councilman Cain said that he sees a lot of spots on the roads where the water cannot make it to the drain. He asked if there is something that can be done to take care of where the water stands along the curb. Street Department Director David Hoelewyn said that they are making the repairs that can be made, Councilman Cain said that he has seen production on the roads that were torn up, and he said that this is good to see.

Councilwoman Loeza said that she was on 5th and Dixie, it looks like there has been trash dumped in the cul-de-sac. She also said that there are two vehicles that look like they are not working, and if there is anything can be done to get these moved. She asked if there is an ordinance on having windows boarded up. She asked about the street signs, if they are broken can the City replace them. She asked about a large utility pole that is in a ditch on Ave H, Billy Shoemaker said that he will go by and see if the pole belongs to Centerpoint.

City Manager Tim Kelty said that we are in the final stages of interviews for the Public Works position. Mr. Kelty said that he also met with a couple ladies last week on the Mainstreet Program, he said that we will be putting that back in the Strategic Plan for next year. He said that he met with Jerry Meeks and David Hoelewyn and we will be finalizing all of the water and sewer lines for the next street repairs that council has approved. Mr. Kelty said that he met with Freese and Nichols and he is excited that they have identified a lot of projects through the various studies that they have been doing.

Update on reports / concerns from Department heads

Brenda Ferguson Human Resource Director said that she wanted to address the Matrix System, she said that they are not ignoring the concerns. She said that they have done some preliminary studies to look at this, and she said that she and Mr. Kelty are meeting with staff.

Billy Shoemaker, Code and Permit Director, told council that Church's Chicken plans have been submitted back to Freese and Nichols, which submitted back to Church's Chicken. Mr. Shoemaker said that the issue is that Church's is wanting to renovate the building, but he believes that the building should be torn down and rebuilt.

LeAnn Strahan, Freeport Destination Director, informed council of the Daddy-Daughter Sock Hop Dance that will be on February 15, 2020 from 6:00 p.m.-8:30 p.m. the tickets are on sale at the Freeport Museum and the Visitor's Information Center.

David Hoelewyn, Street Department Director informed council that the alley on Mulberry will be getting fixed. Mr. Hoelewyn said that today they were tied up with the County putting in asphalt.

Open session was closed at 7:05 pm and Council entered into Executive Session.

CLOSED SESSION:

Executive Session regarding a.) economic development (Projects 2019-2 and 2019-3) and b. Attorney Consultation (Possible Litigation) and, c. Deliberation about Real Property (Project 2020-1) in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Sections 551.071, 551.072, and 551.087.

REGULAR SESSION

Mayor Brooks Bass opened regular session at 7:38pm

Adjourn

On a motion by Councilwoman Loeza, seconded by Councilman Green, with all present voting "Aye", Mayor Brooks Bass adjourned the meeting at 7:39 PM.

Mayor, Brooks Bass
City of Freeport, Texas

City Secretary, Betty Wells
City of Freeport, Texas



City Council Agenda Item # 5

Title: Consideration and Possible Action Regarding Authorizing the Mayor to execute a revised Interlocal Cooperation Contract with the Department of Public Safety (DPS) of the State of Texas regarding the Failure to Appear (FTA) Program.

Date: February 18, 2020

From: Stephanie Russell, Assistant City Manager/Finance Director

Staff Recommendation:

Staff recommends authorizing the Mayor to execute the revised Interlocal Cooperation Contract with the DPS of the State of Texas regarding the FTA Program.

Item Summary:

DPS has submitted a revised interlocal for the City's consideration to accommodate changes to Chapter 706 of the Texas Transportation Code in regards to Court fees effective January 1, 2020.

Background Information:

The City originally entered into an Interlocal Cooperation Contract with DPS for the FTA Program in 2012. The purpose of the contract is to implement the provision of Texas Transportation Code Chapter 706. The FTA program is initiated when a person fails to appear, fails to pay, or fails to satisfy a judgment as required by law. The City collects all fees associated with this program and remits the State's portion back each quarter.

Special Considerations:

N/A

Financial Impact:

Effective January 1, 2020, the City's Municipal Court will receive \$4.00 fee – the previous fee due to the City was \$10.00. Based on the number of violations for this offense last year (110), the fiscal impact to the City is approximately \$660 annually in lost revenue.

Board or 3rd Party recommendation:

N/A

Supporting Documentation:

Interlocal Cooperation Contact, Failure to Appear (FTA) Program

**Interlocal Cooperation Contract
Failure to Appear (FTA) Program**

State of Texas

County of _____

I. PARTIES AND AUTHORITY

This Interlocal Cooperation Contract (Contract) is entered into between the Department of Public Safety of the State of Texas (DPS), an agency of the State of Texas and the _____ Court of the [City or County] of _____ (Court), a political subdivision of the State of Texas, referred to collectively in this Contract as the Parties, under the authority granted in Tex. Transp. Code Chapter 706 and Tex. Gov't Code Chapter 791 (the Interlocal Cooperation Act).

II. BACKGROUND

As permitted under Tex. Transp. Code § 706.008, DPS contracts with a private vendor (Vendor) to provide and establish an automated FTA system that accurately stores information regarding violators subject to the provisions of Tex. Transp. Code Chapter 706. DPS uses the FTA system to properly deny renewal of a driver license to a person who is the subject of an FTA system entry.

III. PURPOSE

This Contract applies to each FTA Report submitted by the Court to DPS or its Vendor and accepted by DPS or its Vendor.

Court will supply information to DPS, through its Vendor, that is necessary to deny renewal of the driver license of a person who fails to appear for a complaint or citation or fails to pay or satisfy a judgment ordering payment of a fine and cost in the manner ordered by the Court in a matter involving any offense that Court has jurisdiction of under Tex. Code Crim. Proc. Chapter 4.

IV. PERIOD OF PERFORMANCE

This Contract will be effective on the date of execution and will automatically renew on the anniversary date of execution for up to three additional years unless terminated earlier.

V. COURT RESPONSIBILITIES

A. Written warnings

A peace officer authorized to issue citations within the jurisdiction of the Court must issue a written warning to each person to whom the officer issues a citation for a traffic law violation. This warning must be provided in addition to any other warnings required by law. The warning must state in substance that if the person fails to appear in court for the prosecution of the offense or if the person fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner ordered by the Court, the person may be denied

renewal of the person's driver license. The written warning may be printed on the citation or on a separate instrument.

B. FTA Report

An FTA Report is a notice sent by Court requesting a person be denied renewal in accordance with this Contract. The Court may submit an FTA Report to Vendor if a person fails to appear or fails to pay or satisfy a judgment as required by law. There is no requirement that a criminal warrant be issued in response to the person's failure to appear. The Court must make reasonable efforts to ensure that all FTA Reports are accurate, complete, and non-duplicative. The FTA Report must include the following information:

1. the jurisdiction in which the alleged offense occurred;
2. the name of the court submitting the report;
3. the name, date of birth, and Texas driver license number of the person who failed to appear or failed to pay or satisfy a judgment;
4. the date of the alleged violation;
5. a brief description of the alleged violation;
6. a statement that the person failed to appear or failed to pay or satisfy a judgment as required by law;
7. the date that the person failed to appear or failed to pay or satisfy a judgment; and
8. any other information required by DPS.

C. Clearance Reports

The Court that files the FTA Report has a continuing obligation to review the FTA Report and promptly submit appropriate additional information or reports to the Vendor. The clearance report must identify the person, state whether or not a fee was required, and advise DPS to lift the denial of renewal and state the grounds for the action. All clearance reports must be submitted immediately, but no later than two business days, from the time and date that the Court receives appropriate payment or other information that satisfies the person's obligation to that Court.

To the extent that a Court uses the FTA system by submitting an FTA Report, the Court must collect the statutorily required \$10.00 reimbursement fee. If the person is acquitted of the underlying offense for which the original FTA Report was filed, the Court will not require payment of the reimbursement fee.

Court must submit a clearance report for the following circumstances:

1. the perfection of an appeal of the case for which the warrant of arrest was issued or judgment arose;
2. the dismissal of the charge for which the warrant of arrest was issued or judgment arose;
3. the posting of a bond or the giving of other security to reinstate the charge for which the warrant was issued;
4. the payment or discharge of the fine and cost owed on an outstanding judgment of the Court; or

5. other suitable arrangement to pay the fine and cost within the Court's discretion.

DPS will not continue to deny renewal of the person's driver license after receiving notice from the Court that the FTA Report was submitted in error or has been destroyed in accordance with the Court's record retention policy.

D. Quarterly Reports and Audits

Court must submit quarterly reports to DPS in a format established by DPS.

Court is subject to audit and inspection at any time during normal business hours and at a mutually agreed upon location by the state auditor, DPS, and any other department or agency, responsible for determining that the Parties have complied with the applicable laws. Court must provide all reasonable facilities and assistance for the safe and convenient performance of any audit or inspection.

Court must correct any non-conforming transactions performed by the Court, at its own cost, until acceptable to DPS.

Court must keep all records and documents regarding this Contract for the term of this Contract and for seven years after the termination of this Contract.

E. Accounting Procedures

Court must keep separate, accurate, and complete records of the funds collected and disbursed and must deposit the funds in the appropriate municipal or county treasury. Court may deposit such fees in an interest-bearing account and retain the interest earned on such accounts for the Court.

Court will allocate \$6.00 of each \$10.00 reimbursement fee received for payment to the Vendor and \$4.00 for credit to the general fund of the municipal or county treasury.

F. Non-Waiver of Fees

Court will not waive the \$10.00 reimbursement fee for any person that has been submitted on an FTA Report, unless the person is deemed to be indigent, or the person is acquitted of the charges for which the person failed to appear.

Failure to comply with this section will result in: (i) termination of this Contract for cause; and (ii) the removal of all outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.

G. Litigation Notice

The Court must make a good-faith attempt to immediately notify DPS in the event that the Court becomes aware of litigation in which this Contract or Tex. Transp. Code Chapter 706 is subject to constitutional, statutory, or common-law challenge, or is struck down by judicial decision.

VI. PAYMENTS TO VENDOR

Court must pay the Vendor a fee of \$6.00 per person for each violation which has been reported to the Vendor and for which the Court has subsequently collected the statutorily required \$10.00 reimbursement fee. In the event that the person has been acquitted of the underlying charge or is indigent, no payment will be made to the Vendor or required of the Court.

Court agrees that payment will be made to the Vendor no later than the last day of the month following the close of the calendar quarter in which the payment was received by the Court.

DPS will not pay Vendor for any fees collected by Court.

VII. GENERAL TERMS AND CONDITIONS

- A. **Compliance with Law.** The Court understands and agrees that it will comply with all local, state, and federal laws in the performance of this Contract, including administrative rules adopted by DPS.
- B. **Contract Amendment.** DPS and Court may amend this Contract through a written amendment signed by an authorized signatory on behalf of the respective party.
- C. **Notice.** The respective party will send the other party notice as noted in this section.

Court	Department of Public Safety
Attn.:	Enforcement & Compliance Service
Address:	5805 North Lamar Blvd.
Address:	Austin, Texas 78752-0001
Fax:	(512) 424-5311 [fax]
Email:	Driver.Improvement@dps.texas.gov
Phone:	(512) 424-7172

- D. **Termination.** Either party may terminate this Contract with 30 days' written notice. DPS may also terminate this Contract for cause if Court doesn't comply with Section V.F., *Non-Waiver of Fees*. After termination, the Court has a continuing obligation to report dispositions and collect fees for all violators in the FTA system at the time of termination. Failure to comply with the continuing obligation to report will result in the removal of all

outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.

VIII. CERTIFICATIONS

The Parties certify that (1) the Contract is authorized by the governing body of each party; (2) the purpose, terms, rights, and duties of the Parties are stated within the Contract; and (3) each party will make payments for the performance of governmental functions or services from current revenues available to the paying party.

The undersigned signatories have full authority to enter into this Contract on behalf of the respective Parties.

Court*

Department of Public Safety

Authorized Signature

Driver License Division Chief or Designee

Title

Date

Date

*An additional page may be attached if more than one signature is required to execute this Contract on behalf of the Court. Each signature block must contain the person's title and date.



City Council Agenda Item # 6

Title: Discussion and Direction Regarding Scope of Work for Renovations at City Hall.

Date: February 18, 2020

From: Timothy Kelty, City Manager and Stephanie Russell, ACM

Staff Recommendation:

Staff recommends hiring an architect to assess conditions, evaluate space needs, and recommend preliminary designs and cost estimates to renovate City Hall.

Item Summary:

Based on the discussion and direction during the last Council meeting, staff has developed the following scope of work for renovations to City Hall:

1. Design of a new Council Chambers and Court room;
2. Addition of bathrooms on the first floor;
3. Provide adequate breakroom facilities for staff on the first floor;
4. Renovation of bathrooms on the second floor;
5. Evaluation of space needs to determine the most efficient floor plan;
6. Increasing security;
7. Bringing the building up to code;
8. Adding and removing walls to maximize space; and
9. Interim Continuity of Operations plan during construction.

Background Information:

The currently building is approximately 38,000 square feet consisting of three floors. The HVAC system and main elevator were replaced in 2019. The building currently serves as City Hall and leased space to Olin Corporation (third floor), Gulf LNG, Amistad, Brazosport Hispanic Chamber, and Creative Design Marketing. Additionally, there has been recent interest in leasing additional space at City Hall.

Special Considerations: N/A

Financial Impact:

The FY2019-2020 Budget included \$66,500 to conduct a feasibility study for City Hall moving to the OA Fleming building that may be utilized for this project.

Board or 3rd Party recommendation: N/A

Supporting Documentation: N/A



City Council Agenda Item # 7

Title: Discussion regarding Riverfest.

Date: February 18, 2020

From: Tim Kelty, City Manager

Staff Recommendation: Item be presented to council for update and feedback.

Item Summary:

Riverfest, traditionally held the last full weekend in April, has been significantly scaled back for 2020 and is not being widely promoted.

Parks and Recreation Director Kim Townsend had been out on Family Medical Leave for an extended period starting in October and had only been working part time since early December. When event planning responsibility was transferred to LeAnn Strahan in Mid-January during the reorganization it was soon determined that nothing had yet been done to prepare for the event.

At this time, we do plan to have the following activities during the Friday and Saturday of the normally scheduled event:

- Friday

The annual BBQ cook-off sponsored by the Fire department will move forward as planned. Teams set up and start smoking early Friday with the first judged event late Friday afternoon.

Friday evening we will have a band in the pavilion free and open to the public with security. (It will be BYOB)

- Saturday

Saturday morning and through out the afternoon we will have Bounce houses, rock climbing wall and shaved ice for sale in the park.

The fire department's BBQ cook-off will continue throughout the day with 3 judged events, one in the morning and 2 in the afternoon.

Additionally, staff is exploring other activities for those two days. We are meeting later in the week with the Brazoria County Hispanic Lions club that has inquired about running a crawfish boil and cook-off for the public

Background Information: Riverfest has a long tradition in Freeport which goes back to the Blessing of the Fleet. It has been a significant part of community life and something that people have looked forward to year after year.

Last year attendance was way down and I understand that it has been dwindling for the last few years. The vendors I spoke with last year were extremely unhappy and disappointed. It is our intent to start planning now and use the event this year to promote a bigger and better Riverfest 2021 and build excitement around a great family fun event that will entertain local residents and draw people in from outside

Special Considerations

Financial Impact: None

Board or 3rd Party recommendation: None

Supporting Documentation: None



City Council Agenda Item # 8

Title: Consideration of granting a variance, authorizing the sale of alcohol at on the parcel with tax ID of 148809 comprised of the businesses in the Arlan's Market shopping center area.

Date: February 18, 2020

From: Tim Kelty, City Manager

Staff Recommendation: Staff recommends granting the variance for this property.

Item Summary:

According to the City Charter, Businesses are prohibited from the sale of alcohol on a property located within 300 feet of a school or church. The corner of this property is only 260 feet from the corner of the property on which the school is located. Unless a variance is granted by the City Council alcohol would be prohibited on the whole Arlan's Market shopping center parcel.

The new Mexican Restaurant Maria Bonita's located near the Red Top restaurant came in on Friday to secure the City Secretary's signature on their State TABC liquor license application. Upon investigation, the 300-foot rule was identified.

The issue is very problematic because on that parcel also sit other businesses selling alcohol with permits dating back to at least 2013, and no variance from City Council can be found. In fact the Chinese restaurant which previously occupied the building also had a license from the state.

Special Considerations

If council will approve this variance in will clean up this oversite.

Financial Impact: The ability of these business to sell alcohol on these premises generate significant revenue for the city.

Board or 3rd Party recommendation: None

Supporting Documentation: None



Sport BLVD
148818
BLVD

W Second ST
W Second ST

Old Hwy 36

Old Hwy 36

Old Hwy 36

148819

S Brazosport BLVD
S Brazosport BLVD

148806

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