



**AGENDA  
REGULAR MEETING  
FREEPORT CITY COUNCIL  
MONDAY, DECEMBER 2, 2019 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 MONDAY, THE 2nd DAY OF DECEMBER 2019, 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. Swearing in of Council Member for Ward B. (Wells)

**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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.

2. Consideration and possible action on the approval of City Council meeting minutes from November 18, 2019. **(Wells)**
3. Consideration to approve the necessary road closures downtown for the "Christmas Story" Market. Sunday, December 8, 2019. **(Strahan)**
4. Consideration of approving Resolution No. 2019-2613 for changing the signatories with the Texas Gulf Bank. **(Russell)**

**COUNCIL BUSINESS – REGULAR SESSION:**

5. Consideration and action regarding the selecting a Mayor Pro Tem from among eligible Council members. **(Kelty)**
6. **Public Hearing:** Discuss and consider approval of a proposed re-plat of Dossey Subdivision. A 0.09 and a 0.003 acre tract out of lot 1-A Block 1 of Bernard Acres Subdivision, section 1, in the C.G.H. and H.H. Alsbury League, Abstract 4, according to the recorded plat in volume 7, page 65 of the plat records of Brazoria County, Texas. Located in the ETJ of The City of Freeport, Brazoria County, Texas. **(Shoemaker)**
7. **Public Hearing:** Tax Increment Reinvestment Zone (TIRZ) **(Holman)**
8. Consideration and possible action of approving Ordinance No. 2019-2590 for proposed TIRZ. **(Holman)**
9. Consideration of approval of streets for 2019-2020 interlocal agreement with Brazoria County for paving. **(Hoelewyn)**
10. Discussion regarding improvements to Antonelli's. **(Townsend)**

**WORK SESSION:**

11. **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:**

12. Executive Session regarding economic development (Projects 2019-2 and 2019-3) and Attorney Consultation (Possible Litigation) accordance with Vernon's Texas Government Code Annotated, Chapter 551, 551.087 and Chapter 551, 551.071

**COUNCIL BUSINESS – REGULAR SESSION:**

13. Consideration in open session of taking action on any matter discussed in closed executive session. (Kelty)

**ADJOURNMENT:**

14. 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).

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**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.

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**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 2<sup>nd</sup> Street, Freeport Texas, before 6:00 p.m. in accordance with Open Meetings Act.



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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, November 18, 2019 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 Troy Brimage
- Councilman Brooks Bass
- Councilman Ken Green
- Councilwoman Sandra Loeza
- Councilman Roy E. Yates

Staff:

- Tim Kelty, City Manager
- Stephanie Russell, Assistant City Manager
- Betty Wells, City Secretary
- Laura Tolar, Assistant City Secretary. Special Events Coordinator
- Chris Duncan, City Attorney
- Brenda Miller-Ferguson Human Resource Director
- Courtland Holman, Economic Development Director
- Billy Shoemaker-Building Department Director
- Ray Garivey-Freeport Chief of Police
- David Hoelewyn, Street Department Director
- Nat Hickey, Property Manager
- Chris Motley, Freeport Fire Chief
- Kris Viera, Freeport Fire
- Cody Chandler, Freeport Fire
- Ach Armstrong, Freeport Fire
- Jessica Dyson, Freeport Fire
- Donna Fisher, Human Resource Specialist
- Brian Dybala, Freeport Gold Course Director

Visitors:

Mario Muraira	Eric Hayes
Kenny Hayes	Donna Hayes
Sabrina Brimage	Briana Brimage
Tommy Pearson	Keith Stumbaugh
Desiree Pearson	Melanie Oldham
Nicole Mireles	Jerry Meeks
Sam Reyna	Jim Barnett
Sandra Barnett	Brendan Brimage

**Call to order.**

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

**PRESENTATIONS/ANNOUNCEMENTS: Announcements by Mayor, City Council and/or Staff**  
City fire department employee's Jessica Dyson and Brennon Malone were recognized as Employees of the Month for October 2019. Jessica Dyson was present and received a certificate for the recognition.

Travis James of TXP made a presentation to Council regarding a Tax Increment Reinvestment Zone (TIRZ). Mr. James said that the City will need to publish and hold a Public Meeting before any action to approve a TIRZ.

On a motion by Councilman Green, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved scheduling a Public Hearing for December 2, 2019.

**Citizen's Comments**

There were no citizen's comments.

**CONSENT AGENDA:**

Consideration and possible action on the approval of City Council meeting minutes from November 18, 2019

Consideration of approving the Annual Brazoria County Fire Fighters Association Fire Protection Agreement.

Consideration of a request from Will J. Brooks, Parade Co-Chairman of the 34th 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 22, 2019. The parade will start at 11:00 a.m. at East Park and Fourth Street, down 2nd Street to Brazosport Blvd. to Freeport Municipal Park and the Rally at the Freeport Municipal Park will end at 4:30 p.m

On a motion by Councilman Bass, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the Consent Agenda. With the correction of the date for the MLKCC Parade. January 22, 2020.

**REGULAR SESSION**

Discussion regarding the request by Ms. Donna Jones for the transfer of city-owned riverfront property adjacent to her properties at 6 and 10 Front Street

Councilman Yates spoke to Council about Ms. Jones wanting to buy the waterfront property. He said that she was told that she would have to agree to make improvements on the property, or it would go back to the city. Mr. Yates said that he against this. He asked why she can't just buy the property. Chris Duncan, City Attorney said that there is no reason to discuss the sale of this property when Ms. Jones is not here. He recommended that if she is wanting to buy the property, she should get an appraisal and make an offer to purchase and present that request to Council for discussion.

Consideration and possible action of approving EDC Bylaws.

Courtland Holman spoke to Council with the recommendation of approving the new EDC bylaws. He said that this was basically started from scratch. Mr. Holman said that the old bylaws were not clear in the language. He said that one of the things that needed changing is the required attendance of by board members, that they were missing too many regular meetings. The recommended bylaws also allowed for the City the City Council Liaison and Ex-officio members to attend EDC Executive Sessions. Councilman Bass confirmed with City Attorney Chris Duncan that he had reviewed the bylaws.

On a motion by Councilman Bass, seconded by Councilman Yates, with all present voting "Aye", Council unanimously approved EDC Bylaws.

Consideration of approving Ordinance No. 2019-2589 for proposed 2019-2020 budget amendment # 1

Assistant City Manager Stephanie Russell presented Ordinance No. 2019-2589 for proposed 2019-2020 budget amendment # 1. This is a budget amendment for \$300,000.00 to be transferred to the EDC for the approved 380 agreement. She also said that the Freeport Police Department received a grant for \$106,000.00. She said that she is reflecting the revenue and the expenditure for this. The grant will have a net zero impact to the budget.

On a motion by Councilman Bass, seconded by Councilman Green, with all present voting "Aye", Council unanimously approved. Ordinance No. 2019-2589 for proposed 2019-2020 budget amendment # 1

Consideration and possible action for the creation of the position of public works director.

City Manager Tim Kelty presented to Council on the creation of a position of a public works director. He said that this is something that was recommended in the Strategic Community Plan adopted last year and was discussed during the strategic planning meeting staff held prior to developing the budget. He believes that this can be done without a budget amendment this year. Kelty said that the creation of this position is being timed with the retirement of Street Department Director, David Hoelewyn coming up in the next few months. Councilman Bass asked what the advantage is. Mr. Kelty said that field crew can be shared among the various departments based upon fluctuating demand within each department on large projects. He said that it will allow for a stronger organizational efficiency, and accountability for keeping track of all the projects that are going on.

On a motion by Councilman Bass and seconded by Councilwoman Loeza, with all present voting 3 to 1, Council approved the. the creation of the position of public works director. Councilman Yates opposed.

**WORK SESSION:**

Mayor Troy Brimage spoke to Council and the public of his stepping down as Mayor and running for State Representative spot. He said that his priority is the City of Freeport. He said that he will step down after the closing of the meeting on November 18, 2019. Councilman Brooks Bass will step into the Mayor seat for the next year and half. This is done as our Charter 3.05 & 3.06 states how it is done. He asked that council to continue to focus on the infrastructure and the repairs that they are now focused on.

Councilman Green spoke to David Hoelewyn on the area of the 500 block of West 4<sup>th</sup> alley way he said there is a barricade that has been there for a year. David said that is Veolia, he said there is a sink hole that needs to be repaired. He said that 518 West 4<sup>th</sup> has just a little more work that needs to be done.

Councilman Bass thanked Mayor Brimage for his leadership. He thanked David Hoelwyn for his and his crews work. He said that the numbered streets are raised up above the side streets. Mr. Bass said that after the last few rains that we have had, Holly Street between Broad and 2<sup>nd</sup> Street has been full of water. We must make sure water is getting to the drains. Mr. Bass said that he is assuming that David's crew will be going and checking on the drains during rain.

Councilwoman Loeza said that she appreciates the work that has been done on Victoria Street. But since Victoria has been closed traffic is taking Jones Street, and it is getting torn up. She said that there are some big potholes. There is also a pothole on Ave H. Yellowstone has a large pothole as well. She said that she does see all the roadwork going on and she appreciates it.

Councilman Yates asked if anyone knows what is going on with the interchange with Hwy 288 and Hwy 332. Mr. Kelty said that the contractor pulled off the job, but the project should be starting back up next month.

City Manager Tim Kelty said that Mr. Holman, Chris Duncan and himself went to a PID workshop. Mr. Kelty with Council presented Mayor Brimage a plaque of appreciation for his service. He spoke about the Young Professionals Quorum which was held last Thursday which the City hosted. He said this was sponsored by the Hispanic Chamber and it is something that we will probably do on a quarterly or regular basis. Mr. Kelty said an exciting thing that is happening is the City has a meeting later this week in establishing a Sister City with a Port City in Mexico. There will also be a meeting with Freese and Nichols on Thursday. Mr. Kelty also said that applications for Ward B can be picked up at City Hall and need to be dropped off Friday by 5 pm. And we will hold a special meeting on November 26, 2019

#### Update on reports / concerns from Department heads

Brian Dybala said that he did not have anything. But he did want to thank Mayor Brimage for all that he had done.

David Hoelwyn said that Pecan Street has been completed by the contractor. He said that this week they are supposed to finish up the joint seals with tar on Yaupon. David said that they are supposed to make the first pour on Victoria this Wednesday, and they have started taking out road on Skinner. He said that he spoke with Tim Kelty and Roy Yates about the pump system. Kenny Hayes asked David if the generators were fixed yet. The part has been ordered for the generator and it will ship on December 5, 2019.

Kenny Hayes thanked Mayor Brimage for all that he has done.

#### **CLOSED SESSION:**

No executive session was held

#### Adjourn

On a motion by Councilman Bass, seconded by Councilwoman Loeza, with all present voting "Aye", Mayor Troy Brimage adjourned the meeting at 6:57 PM.

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Mayor, Troy Brimage  
City of Freeport, Texas

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City Secretary, Betty Wells  
City of Freeport, Texas



## City Council Agenda Item #3

**Title:** Road Closures for “A Christmas Story” Market

**Date:** December 2, 2019

**From:** LeAnn Strahan

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**Staff Recommendation:**

To approve the necessary road closures downtown for the Christmas market scheduled for Sunday, December 8, 2019.

**Item Summary:**

The Christmas market activities will require road closures for the purpose of public safety. On Friday, December 6<sup>th</sup>, the Street Department will be moving the stage that will block off the north turn lane on Broad St. between West and East Park. On Sunday at 10:00am, roads to be closed will include:

- ‘Road Closed signs’ at Broad/Cherry, Broad/FM 1495
- Barricades at the alley between Broad/FM 1495
- Barricades at east bound lane at alley between Broad/Cherry
- Barricades at south and east Broad/W Park
- Barricades at 4<sup>th</sup> & W/E Park
- Barricades at 2<sup>nd</sup> & E Park

Roads to remain open are W Park/2<sup>nd</sup> and west bound Broad/Cherry, so that there will be a route for the horse drawn carriage rides (4:00-8:00pm).

**Background Information:**

This is the second annual Christmas market event in downtown Freeport. Last year we had three food truck vendors, over thirty sales vendors, local youth entertainment, carriage rides, snow hills and movie in the park. This year we have four food trucks and anticipate more vendor participation, and the movie at dusk will be *A Christmas Story*.

**Special Considerations**

None

**Financial Impact:**

None

**Board or 3<sup>rd</sup> Party recommendation:**



None

**Supporting Documentation:**

See map

# "A CHRISTMAS STORY" MARKET ROAD CLOSURES



**X BARRICADES**

**ROAD CLOSED ROAD CLOSED SIGNS**



## City Council Agenda Item #4

**Title:** Consideration of a Resolution Designating Signatories of City Bank Accounts.

**Date:** December 2, 2019

**From:** Stephanie Russell, Assistant City Manager/Finance Director

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**Staff Recommendation:**

Staff recommends approval of the resolution.

**Item Summary:**

The list of authorized persons for the City's bank accounts require updating to reflect the new Mayor, Brooks Bass.

**Background Information:**

Banks normally require a City resolution designating which City officials are authorized to open bank accounts and to execute checks and other orders for payment of City funds.

**Special Considerations:** N/A

**Financial Impact:** N/A

**Board or 3<sup>rd</sup> Party recommendation:** N/A

**Supporting Documentation:**

Resolution

**RESOLUTION NO. 2019-2613**

**A RESOLUTION OF THE CITY COUNCIL OF FREEPORT, TEXAS, DESIGNATING SIGNATORIES OF CITY BANK ACCOUNTS.**

WHEREAS, the City of Freeport, has funds held by Texas Gulf Bank, N.A.; and

WHEREAS, the authorized persons listed for the City of Freeport accounts require updating based on the appointment of the new Mayor, Brooks Bass, during the November 26, 2019 special meeting; and

WHEREAS, banks with whom the City does business normally require a City resolution designating which City officials are authorized to open bank accounts and to execute checks and other orders for payment of City funds; and

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. The City of Freeport approves the actions needed to update the authorized persons listed for all City of Freeport bank accounts.
2. The following persons namely be and are hereby authorized to sign/execute and submit all the necessary papers, letters, agreements, documents, writings, submissions etc. to the financial institutions listed above as may be required for day-to-day transaction, operation and correspondence:

Brooks Bass, Mayor  
Timothy Kelty, City Manager  
Stephanie Russell, Assistant City Manager/Finance Director

3. That this Resolution shall continue in force until express written notice of its rescission or modification has been furnished to and received by a Bank.

PASSED AND APPROVED this 2nd day of December 2019

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Betty Wells, City Secretary

\_\_\_\_\_  
Brooks Bass, Mayor



## City Council Agenda Item # 5

**Title:** Consideration and action regarding the selection of a Mayor Pro-Tem.

**Date:** December 2, 2019

**From:** Tim Kelty, City Manager

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**Staff Recommendation:** Staff recommends that a nomination be made, and vote be taken by council on the appointment of a Mayor Pro Tem to serve until the next election is held and canvased.

**Item Summary:**

With the assumption of the position of Mayor by previous Mayor Pro-Tem Bass, the Mayor Pro-Tem position has become vacant. It is important that another councilmember be appointed to the Mayor Pro-Tem position in case Mayor Bass is absent or is unable to perform as Mayor.

**Special Consideration:** According to section 3.04 of the Freeport Charter, "...the council shall select on a rotating basis among the Wards, a Member of the City Council, who has been a on City Council for at least 2 years to serve as Mayor Pro Tem...".

**Financial Impact.** None

**Board or 3<sup>rd</sup> Party recommendation:** None

**Supporting Documentation:** None



## City Council Agenda Item # 6

**Title:** Discuss and consider approval of a proposed re-plat of Dossey Subdivision. A 0.09 and a 0.003 acre tract out of lot 1-A Block 1 of Bernard Acres Subdivision, section 1, in the C.G.H. and H.H. Alsbury League, Abstract 4, according to the recorded plat in volume 7, page 65 of the plat records of Brazoria County, Texas. Located in the ETJ of The City of Freeport, Brazoria County, Texas.

**Date:** December 2, 2019

**From:** Billywayne Shoemaker Building Official

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**Staff Recommendation:**

Approve the replat, located in the ETJ.

**Item Summary:**

Hold public hearing and upon closing of public hearing approve replat.

**Background Information:**

Replat requested based on a division of property within the family establishing two independent tracks.

**Special Considerations:**

This property is Located in the City's ETJ

**Financial Impact:**

None

**Board or 3<sup>rd</sup> Party recommendation:**

Planning and Zoning held their public hearing and vote to approve the re-plat and forward this item to council for final approval.

**Supporting Documentation:**

Copy of plat and associated paperwork will be attached.











## City Council Agenda Items # 7&8

**Title:** Public Hearing and Consideration and possible action on Ordinance 2019-2590 establishing a Tax Increment Reinvestment Zone in the City of Freeport for the purpose of furthering Economic Development.

**Date:** December 2, 2019

**From:** Courtland Holman, Executive Director

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**Staff Recommendation:**

Staff recommends that City Council conduct a required public hearing regarding the establishment of the City's first Tax Increment Reinvestment Zone (TIRZ). And, following the public hearing, adopt the proposed ordinance in support of its creation in order to incentive development in the TIRZ area, especially in the Downtown.

**Item Summary:**

As an Economic development tool, a TIRZ will allow the city to focus financial resources on economic development. It is a priming mechanism that generates revenue from economic development in support of additional economic development in a targeted area.

Travis James of TXP has been hired by the Freeport EDC and City to develop the City's first TIRZ in order to jumpstart development in blighted and/or underperforming areas within the specific mapped area in the city.

Staff, working with Mr. James and the City Attorney, have developed the map identifying the TIRZ area, property identification in the TIRZ mapped area, and Ordinance along with the Preliminary Project and Financing Plan.

The Ordinance establishes the TIRZ Boundaries and the Board of Directors which is proposed to be made up of the Freeport EDC Board as well as one representative appointed by each additional participating jurisdiction. The City will be inviting Brazoria County, the Drainage District, the Port Authority, and Brazosport College district to become participating jurisdictions of the TIRZ. The duration of the TIRZ is set to be no longer than 30 years during which time the TIRZ may capture up to 50% of the incremental ad velorum revenue generated as a result of growth and new economic development investment within the zone.

**Background Information:**

In September TXP was hired by the Freeport EDC and City to explore and develop a TIRZ by end of the 2019 calendar year. Both City Manager Tim Kelty and Executive Director Courtland Holman of the Freeport EDC have met with Travis during the last few months in development of the TIRZ as well as talked to City Council on the merits of a TIRZ to incentivize development within our Downtown and underperforming or blighted areas in the TIRZ.

TXP presented to the FEDC board on November 12, 2019 the process in development of the TIRZ. This was a presentation only with no action required.

On November 18, 2019 Travis presented the function of a TIRZ, its set up, steps to create and potential taxing jurisdiction partnership to maximize funding that would be allocated into the TIRZ to provide City Council sufficient information so that a TIRZ can be approved at a December 2019 City Council, enabling the TIRZ to start capturing the 2019 tax increment in the zone to incentive commercial development projects.

**Special Considerations:**

Because of significant investment in the zone over the last year, if the zone is established before December 31 of this year, the TIRZ has the strategic opportunity to capture more than \$6,000 in its first year which is important to start and stimulate additional revenue in the future.

**Financial Impact:**

Is not currently calculatable because it is based upon future development. Potentially VERY Significant to future General fund revenue

**Board or 3<sup>rd</sup> Party recommendation:** This action is recommended by the EDC Board.

**Supporting Documentation:**

TIRZ Ordinance, Mapped Area, List of Properties in TIRZ boundary and Preliminary Project and Financing Plan

ORDINANCE NO. 2019-2590

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY OF FREEPORT AS A REINVESTMENT ZONE FOR TAX INCREMENT FINANCING PURPOSES PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE TO BE KNOWN AS TAX REINVESTMENT ZONE NUMBER ONE (1), CITY OF FREEPORT; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

**WHEREAS**, the City of FREEPORT, Texas (the "City"), pursuant to the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, (the "Act") may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

**WHEREAS**, the Act provides that the governing body of a municipality by ordinance may designate a geographic area that is in the corporate limits or extra-territorial jurisdiction of the municipality to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

**WHEREAS**, the City Council desires to promote the development of a certain geographic area in the City, which is more specifically described as being a 345 Acre tract of land, more or less, describe further as: BEGINNING at the Southeast corner of Velasco Block, 766, Lot 12, THENCE along the North right-of-way of North Gulf Boulevard approximately 1181 feet, to the intersection with the East right-of-way of Skinner Street, THENCE along the East right-of-way of Skinner Street approximately 1075 feet, to the intersection with the North right-of-way of Avenue A Street, THENCE along the North right-of-way of Avenue A Street approximately 6,418 feet to the intersection with the West right-of-way of Britt Bailey Street, THENCE along the West right-of-way of Britt Bailey Street approximately 367 feet, to the intersection with the North right-of-way of Avenue B, THENCE along the North right-of-way of Avenue B approximately 532 feet to the intersection with the East right-of-way of Archer Street, THENCE a direct line of approximately 307 feet to the intersection with the West right-of-way of the Union Pacific rail line, THENCE along the West right-of-way of the Union Pacific rail line and continuing into the center point of the Old Brazos River a total distance of approximately 503 feet, THENCE along the center point of the Old Brazos River a total distance of approximately 5,163 feet, THENCE a direct line of approximately 416 feet to the Northeast corner of Tract B1 A0028 S F Austin, Freeport Acres, THENCE along the North property line of Tract B1 A0028 S F Austin, Freeport Acres approximately 301 feet to the Northwest corner of Tract 3I (4) 28 S F Austin 87 T F McKinney, Freeport Acres, THENCE along the West property line of 3I (4) 28 S F Austin 87 T F McKinney, Freeport Acres approximately 283 feet to the intersection with the East right-of-way of Terminal Street; THENCE along the East right-of-way of Terminal Street

approximately 321 feet to the center point of Second Street; THENCE along the center point of Second Street approximately 1919 feet to the East right-of-way of Pine Street; THENCE along the East right-of-way of Pine Street approximately 2,410 feet to the Southwest corner of Tract 5A , A0087 Thos Mckinney; THENCE along the Northern boundary of the Union Pacific rail right-of-way approximately 1083 feet to the intersection with the East right-of-way of Cherry Street; THENCE along the East right-of-way of Cherry Street approximately 663 feet to the intersection of the East right-of-way of Cherry Street with the North right-of-way of Seventh Street; THENCE along the North right-of-way of Seventh Street approximately 1444 feet to the West right-of-way of Maple Street; THENCE along the West right-of-way of Maple Street Maple Street approximately 1083 feet to the intersection of the West right-of-way of Maple Street with the North right-of-way of Fourth Street; THENCE along the North right-of-way of Fourth Street approximately 925 feet to the intersection of the North right-of-way of Fourth Street and the West right-of-way of Oak Street; THENCE along the West right-of-way of Oak Street approximately 747 feet to the intersection of the West right-of-way of Oak Street with the North right-of-way of Second Street; THENCE along the North right-of-way of Second Street approximately 5,653 feet to the Southeast corner of Brazos Cove Section 1, Lot Reserve B, Landscape, Open Space; THENCE along the outer boundary line of Brazos Cove Section 1 until return to the North right-of-way of Second Street; THENCE along the North right-of-way of Second Street approximately 610 Feet; THENCE a direct line approximately 155 feet to the point of intersection of the South right-of-way of Second Street and the East right-of-way of Arbutus Street; THENCE along the East right-of-way of Arbutus Street approximately 645 feet to the intersection of the East right-of-way of Arbutus Street with the North right-of-way of Fourth Street; THENCE along the North right-of-way of Fourth Street approximately 1375 feet to the intersection of the North right-of-way of Fourth Street with the East right-of-way of Brazosport Boulevard; THENCE along the East right-of-way of Brazosport Boulevard approximately 675 feet to the intersection of the East right-of-way of Brazosport Boulevard with the South right-of-way of Second Street; THENCE along the South right-of-way of Second Street approximately 902 to the East water line of the New Brazos River; THENCE along East water line of the New Brazos River approximately 5,030 feet; THENCE from the prior point along the East water line of the New Brazos River approximately 176 feet to the POINT OF BEGINNING, containing 345 Acres of land more or less, as depicted on the map attached hereto as Exhibit "A" and incorporated herein, through the creation of a new reinvestment zone as authorized by and in accordance with the Act (the "Zone"); and

**WHEREAS**, pursuant to and required by the Act, the City has prepared a Preliminary Reinvestment Zone Project and Financing Plan for Tax Increment Reinvestment Zone Number One, City of FREEPORT, attached as Exhibit "B" (hereinafter referred to as the "Preliminary Project and Finance Plan"); and

**WHEREAS**, notice of the public hearing on the creation of the Zone was published on November 22, 2019, in The Brazosport Facts, a newspaper of general circulation in the city of Freeport, which date is before the seventh (7th) day before the public hearing held on December 2, 2019; and

**WHEREAS**, at the public hearing on December 2, 2019, interested persons were allowed to speak for or against the creation of the Zone, its boundaries, or the concept of tax increment financing, and owners of property in the Zone were given a reasonable opportunity to protest the inclusion of their property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and

**WHEREAS**, evidence was received and presented at the public hearing in favor of the creation of the Zone; and

**WHEREAS**, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on December 2, 2019; and

**WHEREAS**, the City has taken all actions required to create the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act, and all other laws applicable to the creation of the Zone; and

**WHEREAS**, the percentage of the property in the Zone, excluding property that is publicly owned, that is currently used for residential purposes is less than thirty (30) percent; and

**WHEREAS**, a Preliminary Project and Finance Plan has been prepared for the Zone

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

**Section 1. RECITALS INCORPORATED**

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

**Section 2. FINDINGS**

The City Council, after conducting the above described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

- a) That the public hearing on creation of the Zone has been properly called, held and conducted and that notice of such hearing has been published as required by law.
  
- (b) That the proposed improvements in the Zone will significantly enhance the value of all the taxable real property in the Zone and will be of general benefit to the City.
  
- (c) That the Zone meets the criteria and requirements of the Act because the Zone substantially arrests and impairs the sound growth of the City, retards the provision of housing accommodations, constitutes an economic and social liability and is a menace to the public health, safety, morals, and welfare in its present condition and use because of the presence of:

1. a substantial number of substandard, deteriorated, and deteriorating structures;
2. the predominance of defective or inadequate sidewalk and street layout; and
3. the deterioration of site or other improvements.

That the Zone is a geographic area located wholly within the corporate limits of the City of FREEPORT;

(e) That less than thirty percent (30%) of the property in the Zone, excluding property that is publicly owned, is used for residential purposes. A list of properties designated by their property tax account number with the Brazoria County Appraisal District is attached as Exhibit "B" and incorporated herein.

(f) That the total appraised value of taxable real property in the Zone, and in existing reinvestment zones of the City, does not exceed fifty percent (50%) of the total appraised value of taxable real property in the City and in industrial districts created by the City; and

(g) That development or redevelopment of the property within the boundaries of the Zone will not occur solely through private investment in the reasonably foreseeable future.

### **Section 3. DESIGNATION AND NAME OF THE ZONE**

That the City, acting under the provisions of the Act, does hereby designate as a reinvestment zone, and create and designate a reinvestment zone over the area more specifically described as being a 345 Acre tract of land, more or less, describe further as: BEGINNING at the Southeast corner of Velasco Block, 766, Lot 12, THENCE along the North right-of-way of North Gulf Boulevard approximately 1181 feet, to the intersection with the East right-of-way of Skinner Street, THENCE along the East right-of-way of Skinner Street approximately 1075 feet, to the intersection with the North right-of-way of Avenue A Street, THENCE along the North right-of-way of Avenue A Street approximately 6,418 feet to the intersection with the West right-of-way of Britt Bailey Street, THENCE along the West right-of-way of Britt Bailey Street approximately 367 feet, to the intersection with the North right-of-way of Avenue B, THENCE along the North right-of-way of Avenue B approximately 532 feet to the intersection with the East right-of-way of Archer Street, THENCE a direct line of approximately 307 feet to the intersection with the West right-of-way of the Union Pacific rail line, THENCE along the West right-of-way of the Union Pacific rail line and continuing into the center point of the Old Brazos River a total distance of approximately 503 feet, THENCE along the center point of the Old Brazos River a total distance of approximately 5,163 feet, THENCE a direct line of approximately 416 feet to the Northeast corner of Tract B1 A0028 S F Austin, Freeport Acres, THENCE along the North property line of Tract B1 A0028 S F Austin, Freeport Acres approximately 301 feet to the Northwest corner of Tract 3l (4) 28 S F Austin 87 T F Mckinney, Freeport Acres, THENCE along the West property line of 3l (4) 28 S F Austin 87 T F Mckinney, Freeport Acres approximately 283 feet to the intersection with the East right-of-way of Terminal Street; THENCE along the East right-of-way of Terminal Street approximately 321 feet to the center point of Second Street; THENCE along the center point of Second Street approximately 1919 feet to the East right-of-way of Pine Street; THENCE along the East right-of-way of Pine Street

approximately 2,410 feet to the Southwest corner of Tract 5A , A0087 Thos Mckinney; THENCE along the Northern boundary of the Union Pacific rail right-of-way approximately 1083 feet to the intersection with the East right-of-way of Cherry Street; THENCE along the East right-of-way of Cherry Street approximately 663 feet to the intersection of the East right-of-way of Cherry Street with the North right-of-way of Seventh Street; THENCE along the North right-of-way of Seventh Street approximately 1444 feet to the West right-of-way of Maple Street; THENCE along the West right-of-way of Maple Street approximately 1083 feet to the intersection of the West right-of-way of Maple Street with the North right-of-way of Fourth Street; THENCE along the North right-of-way of Fourth Street approximately 925 feet to the intersection of the North right-of-way of Fourth Street and the West right-of-way of Oak Street; THENCE along the West right-of-way of Oak Street approximately 747 feet to the intersection of the West right-of-way of Oak Street with the North right-of-way of Second Street; THENCE along the North right-of-way of Second Street approximately 5,653 feet to the Southeast corner of Brazos Cove Section 1, Lot Reserve B, Landscape, Open Space; THENCE along the outer boundary line of Brazos Cove Section 1 until return to the North right-of-way of Second Street; THENCE along the North right-of-way of Second Street approximately 610 Feet; THENCE a direct line approximately 155 feet to the point of intersection of the South right-of-way of Second Street and the East right-of-way of Arbutus Street; THENCE along the East right-of-way of Arbutus Street approximately 645 feet to the intersection of the East right-of-way of Arbutus Street with the North right-of-way of Fourth Street; THENCE along the North right-of-way of Fourth Street approximately 1375 feet to the intersection of the North right-of-way of Fourth Street with the East right-of-way of Brazosport Boulevard; THENCE along the East right-of-way of Brazosport Boulevard approximately 675 feet to the intersection of the East right-of-way of Brazosport Boulevard with the South right-of-way of Second Street; THENCE along the South right-of-way of Second Street approximately 902 to the East water line of the New Brazos River; THENCE along East water line of the New Brazos River approximately 5,030 feet; THENCE from the prior point along the East water line of the New Brazos River approximately 176 feet to the POINT OF BEGINNING, containing 345 Acres of land more or less, as depicted on the map attached hereto as Exhibit "A"; and further described by a list of properties designated by their property tax account number with the Brazoria County Appraisal District is attached as Exhibit "B" both exhibits incorporated herein to promote the development of the area. The reinvestment zone shall hereafter be named for identification as Tax Increment Reinvestment Zone Number One, City of Freeport, Texas (the "Zone").

#### **Section 4. BOARD OF DIRECTORS**

That there is hereby created a Board of Directors for the Zone, which shall consist of eleven (11) members, including any members appointed by the participating taxing jurisdictions. Positions One through Seven on the Board of Directors shall be reserved for board members of the Freeport Economic Development Corporation, as appointed by the City Council. Positions Eight, Nine, Ten and Eleven shall be reserved for other participating taxing jurisdictions levying taxes within the Zone, each of whom may appoint one director. Any participating taxing jurisdiction entitled to appoint a director shall be assigned a Board position number in the order the appointment is received by the City.



Failure of any taxing unit to appoint a director as provided herein, shall be deemed a waiver of the right to appoint a director, and the City Council as a whole, shall be entitled to appoint persons to the position.

Any participating taxing jurisdiction who is deemed to have waived the right to appoint a director to the Board, shall have the position filled by nomination and approval of an eligible person by the City Council as a whole.

The initial directors to the Board of Directors of the Zone shall be appointed by resolution or ordinance of the City or participating taxing jurisdiction(s) within ninety (90) days of the passage of this Ordinance or the date they became a participating taxing jurisdiction, whichever is sooner. An increase in the number of Board of Directors shall be accomplished by resolution or Ordinance of the City, but shall not exceed a total of fifteen (15) members. All members of the Board of Directors shall meet eligibility requirement as set forth in Chapter 311 of the Act. The directors appointed to odd-numbered positions shall be appointed for a two-year term, beginning on the effective date of this Ordinance, while the directors appointed to even-numbered positions shall be appointed to a one-year term, beginning on the effective date of this Ordinance. All subsequent appointments shall be for two-year terms. A vacancy on the Board of Directors is filled for the unexpired term by appointment of the governing body of the taxing unit that appointed the director who served in the vacant position. Each year the City Council shall annually designate one (1) member of the Board of Directors to serve as chairman for a one (1) year term that begins on January 1st of the following year. The Board of Directors shall elect from its members a vice chairman to preside in the absence of the chairman or when there is a vacancy in the office of the chairman. The Board of Directors may elect other officers as it considers appropriate.

The Board at Directors shall make recommendations to the City Council concerning the administration, management and operation of the Zone. The Board of Directors shall prepare or cause to be prepared and adopt a project plan and a reinvestment zone financing plan for the Zone, and shall submit such plans to the City Council for its approval. The City hereby authorizes the Board of Directors to exercise all of the City's powers necessary to administer, manage or operate the Zone and to prepare the project plan and reinvestment zone financing plan, including the power to employ consultants, legal counsel and financial advisors, or enter into any reimbursement agreements with consultants, legal counsel and financial advisors payable solely from the Tax Increment Fund established pursuant to Section 7 of this Ordinance, subject to the approval of the City Manager or his designee, that may be reasonably necessary or convenient to assist the Board of Directors in the administration, management or operation of the Zone and the preparation of the project plan and reinvestment zone financing plan. Notwithstanding the foregoing, the Board of Directors shall not be authorized to issue bonds, impose taxes or fees, exercise the power of eminent domain, or give final approval to the project plan and reinvestment zone financing plan. The Board of Directors of the Zone may not exercise any power granted to the City by Section 311.008 of the Act without additional authorization from the City.

**Section 5. DURATION OF THE ZONE**

That the Zone shall take effect immediately upon the passage and approval of this Ordinance, and termination of the operation of the Zone shall occur on December 31, 2049, or at an earlier time designated by subsequent ordinance, or at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, and the interest on the bonds, have been paid in full.

**Section 6. TAX INCREMENT BASE**

That the Tax Increment Base of the City or any other taxing unit participating in the Zone is the total appraised value of all real property taxable by the City or other taxing unit participating in the Zone and located in the Zone, determined as of January 1, 2019, the year in which the Zone is designated as a reinvestment zone (the "Tax Increment Base").

**Section 7. TAX INCREMENT FUND**

That there is hereby created and established a Tax Increment Fund for the Zone which may be divided into subaccounts as authorized by subsequent ordinances. All Tax Increments, as defined below, shall be deposited in the Tax Increment Fund. The Tax Increment Fund and any subaccount shall be maintained at the depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. The annual Tax Increment shall equal the percentage of the tax increment, as defined by Section 311.012(a) of the Act that each participating taxing jurisdiction unit, other than the City, which levies real property taxes in the Zone has elected to dedicate to the Tax Increment Fund under agreement with the City, plus fifty percent (50%) of the City's portion of the tax increment, as defined by Section 311.012(a) of the Act, less any amounts that are to be allocated from the Tax Increment pursuant to the Act. All revenues from the sale of any tax increment bonds, notes, or other obligations hereafter issued by the City for the benefit of the Zone, if any; revenues from the sale of property acquired as part of the project plan and reinvestment zone financing plan, if any; and other revenues to be used in the Zone shall be deposited into the Tax Increment Fund. Prior to termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Act, for the Zone, to satisfy the claims of holders of tax increments bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purposes pursuant to Section 311.010(b) of the Act.

**Section 8. SEVERABILITY**

That should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the City as a whole or any part thereof, other than the part so declared invalid.

**Section 9. OPEN MEETINGS**

It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at City Hall

for the time required by law preceding this meeting, as required by the Open Meetings Law, Texas Government Code, Chapter 551, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof have been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 10. That this Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by Section 311.004(a)(3) of the Act and the City's Charter.

The foregoing ordinance was **READ, PASSED AND ADOPTED** this **2nd day of December 2019**.

\_\_\_\_\_  
Brooks Bass, Mayor,  
City of Freeport, Texas

ATTEST:

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Betty Wells, City Clerk,  
City of Freeport, Texas

\_\_\_\_\_  
Christopher Duncan, City Attorney,  
City of Freeport, Texas







**Downtown Tax Increment Reinvestment Zone  
Preliminary Project & Financing Plan**

**City of Freeport, Texas  
November 15, 2019**



**Prepared by**



**TXP, Inc.**  
1310 South 1st Street, Suite 105  
Austin, Texas 78704  
(512) 328-8300 phone  
[www.txp.com](http://www.txp.com)

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## Section 1 – Project Plan

### Overview

The City of Freeport, Texas is considering implementing a tax increment reinvestment zone (TIRZ) to fund a portion of the infrastructure and maintenance costs associated with redeveloping Downtown Freeport. Many of the opportunities, challenges, and required improvements are outlined in the *Freeport Strategic Community Plan (2019)* by Kendig Keast Collaborative. The proposed new zone would be named the TIRZ #1 – Downtown Freeport (TIRZ 1).

This document is designed to meet the legal requirements of designating a TIRZ. The statutes governing tax increment financing are located in Chapter 311 of the State of Texas Tax Code.

This preliminary feasibility study and project plan is required by state law. However, to assist Freeport and other taxing entities in understanding the overall financing plan, TXP has included preliminary revenue projections assuming other entities participate in the TIRZ.

### Existing Tax Increment Financing Districts in the City of Freeport

There are no existing TIRZs in Freeport. According to state law, cities with less than 100,000 residents may not create a new TIRZ if the total appraised value of taxable real property in the proposed reinvestment zone and in the existing reinvestment zones would exceed 50.0 percent of the total appraised value of taxable real property within the city and its industrial districts. In addition, a TIRZ may not be created if more than 30.0 percent of the property in the proposed new TIRZ (excluding publicly-owned property) is used for residential purposes at the time of designation. The proposed TIRZ 1 complies with these state rules.

### Description of the Tax Increment Reinvestment Zone 1

The proposed TIRZ 1 will cover approximately 560 acres (including roads and right of way). The 2019 baseline assessed property value of the TIRZ is approximately \$38.5 million.

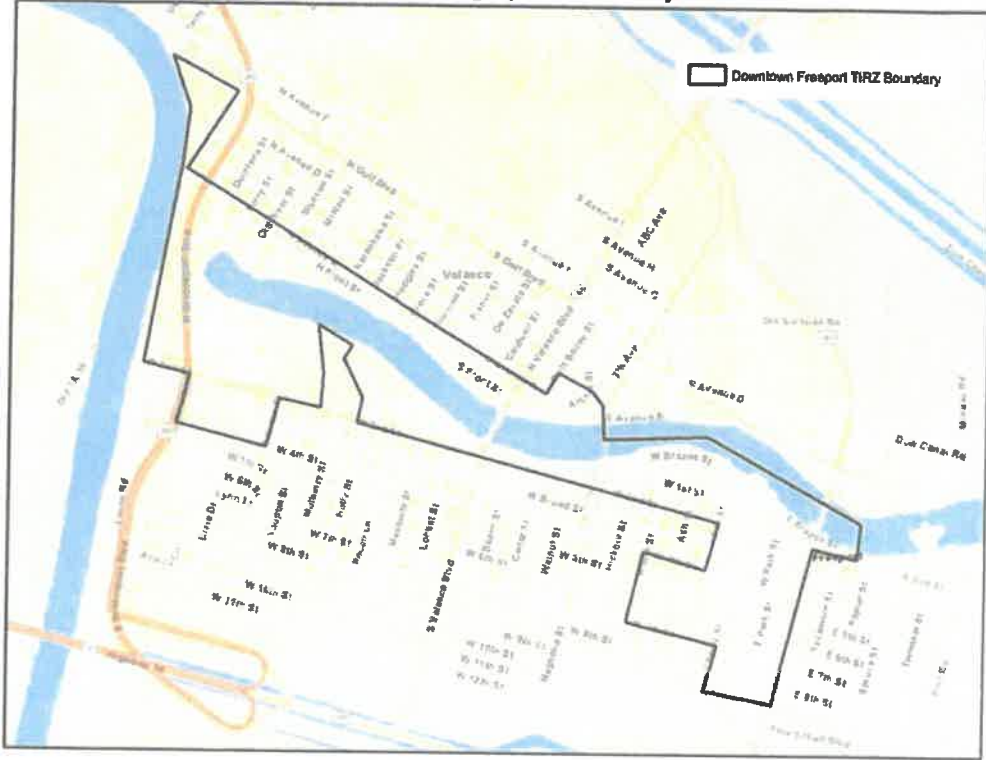
**Table 1: Existing Land Use of Proposed TIRZ 1 (2019)**

Land Use	Est. Parcel Count	Acreage	City of Freeport Assessed Value
Residential	199	48	\$20,329,088
Vacant Lots & Tracts	111	77	\$2,683,630
Commercial Real Estate	101	53	\$15,515,289
Exempt Property	44	88	\$0
Other*	41	80	\$0
<b>Total</b>	<b>496</b>	<b>345</b>	<b>\$38,528,007</b>

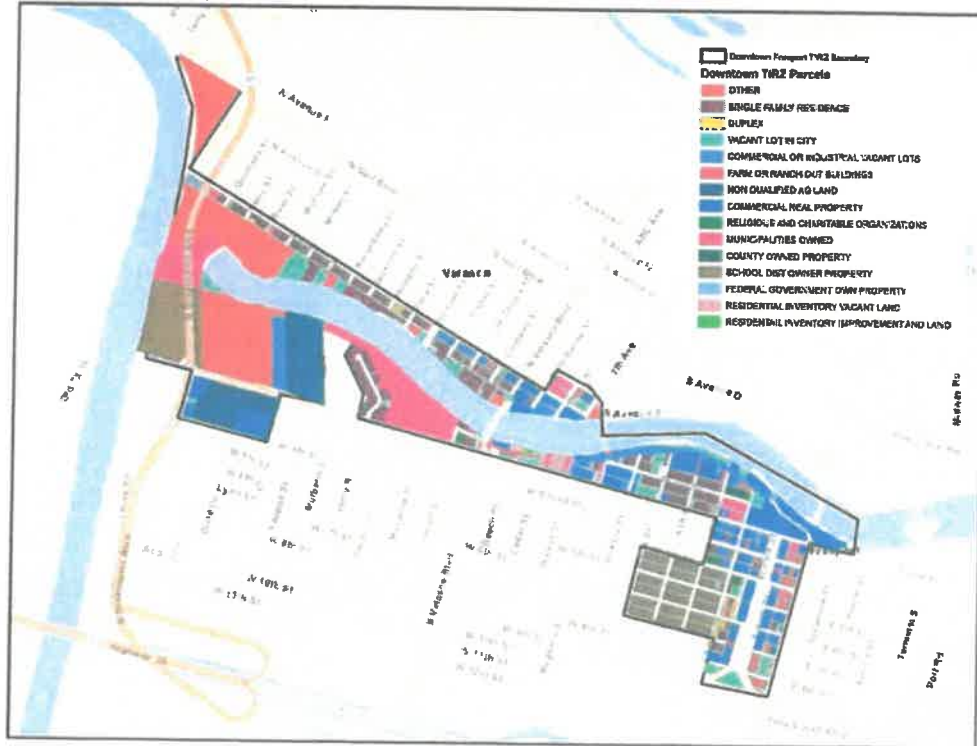
Source: Brazoria County Appraisal District

\* The majority of this property is publicly owned land but the BCAD GIS shapefile does not have a state land use code

**Figure 1: Proposed Downtown TIRZ Geographic Boundary**



**Figure 2: Existing Land Use within the Downtown TIRZ**





**Relocation of Displaced Persons**

This plan currently does not call for nor anticipate the displacement and relocation of persons for the proposed projects.

## Section 2 – Project Plan Improvements

TIRZ 1 will provide support for catalytic infrastructure and economic development projects that will facilitate the redevelopment of properties within Downtown Freeport. The vision and justification for transforming the downtown area are outlined in the *Freeport Strategic Community Plan (2019)* by Kendig Keast Collaborative.

Public infrastructure investment is required to redevelop the Downtown area. This is the priority area of TIRZ 1. Additional infrastructure and enhancement projects are included in the project plan if the resources are available. In addition, other projects might be added to the list as future development projects and related opportunities present themselves. The anticipated project costs are divided into five major categories.

### Eligible Project Costs

#### **1. Parks & Streetscape Enhancements**

This category includes gateway features, linear parks, corridor landscaping, public plazas, etc.

#### **2. Infrastructure Improvements**

This category includes water, sanitary sewer and storm water improvements, roadway and street intersection enhancements, public transportation, relocation of aboveground utilities, public sidewalks, etc.

#### **3. Economic Development Grants**

It is anticipated that economic development loans or grants might be made to assist in creating the tax base that facilitates implementing the project plan. The City, with advisement from the TIRZ Board shall have the authority to establish and administer economic development programs, including but not limited to grants and loans, authorized under Chapter 380 of the Texas Local Government Code. Should such loans or grants be made, it will be done with the intent to fulfill the public purposes of developing and diversifying the economy, eliminating unemployment or underemployment, and developing or expanding transportation, business, and commercial activity in the TIRZ.

#### **4. Non-Project Costs**

It is not possible to quantify other non-project costs at this time, other than to say that they are anticipated.

#### **5. Administration & Implementation**

Administration costs, including reasonable charges for time spent by City of Freeport employees, will be eligible for reimbursement as project costs.

### Section 3 – Financing Plan

Tax increment financing is a tool used by local governments to publicly finance needed infrastructure and other improvements within a defined area. These improvements are usually undertaken to promote the viability of existing businesses and to attract new commercial enterprises to the area. The statutes governing tax increment financing are located in Chapter 311 of the State of Texas Tax Code.

The costs of improvements in the defined zone are repaid by the contribution of future property tax revenues by each taxing unit that levies taxes against the property. Specifically, each taxing unit can choose to dedicate all, a portion, or none of the tax revenue that is attributable to the increase in property values due to the improvements within the reinvestment zone. The additional tax revenue that is received from the affected properties is referred to as the tax increment. Each taxing unit determines what percentage of its tax increment, if any, it will commit to repayment of the cost of financing the public improvements.

#### **Compliance & Reporting**

The TIRZ Board policies shall comply with all federal, state, and local laws, rules and regulations. The TIRZ Board will submit project status reports and financial reports as required by state law.

#### **Public Sector Entities Participating in TIRZ 1**

All project costs will be paid through the contribution of incremental property taxes collections. This preliminary plan assumes that the City of Freeport and other taxing entities but the school district will contribute a portion of their total tax rate (maintenance and operations (M&O) and interest and sinking (I&S) ad valorem tax rate for 30 years.

**Table 2: Taxing Jurisdictions within the Downtown TIRZ 1**

<b>Entity</b>	<b>Property Tax Rate per \$100 (2019)</b>
City of Freeport	\$0.628005
Brazoria County	\$0.415233
Velasco Drainage District	\$0.084550
Brazosport College	\$0.300177
Port Freeport	\$0.040100

Source: TXP, Brazoria County, City of Freeport

### **Financial Forecast Assumptions**

- **TIRZ Duration** – TXP has assumed the TIRZ will have a 30-year lifespan.
- **TIRZ Allocation** – TXP has assumed the City of Freeport and other taxing entities will contribute a portion of their total incremental tax collections.
- **Tax Rate** – While tax rates do change over time, the 2019 tax rates were held constant for the duration of the TIRZ.
- **Existing Properties** – The 2019 baseline property value of the TIRZ is approximately \$38.5 million but varies slightly by taxing jurisdiction based on exemptions offered.
- **Real Property** – Only taxable real property values are included in the tax increment calculations. By law, business personal property values are excluded from TIRZ.
- **Inflation & Appreciation Rate** – The inflation rate used for construction costs and the value of improvements is 2.5 percent per year.
- **Net Present Value** – The net present values of the tax increment were calculated at a discount rate of 5.0 percent.
- **Future Development Patters** – To provide an order of magnitude estimate, TXP has assumed \$500,000 per year in new taxable real property value will be built. This translates into \$15.0 million of new real property values over 30 year.



### Financial Forecast Summary Results

The following table depicts the anticipated revenue generated over 30 years. The revenue forecast assumes the TIRZ is established in 2019 (baseline year). The first TIRZ increment will occur in 2020 (total 2020 value less 2019 baseline value). Note, 2020 taxes are not due until January 2021.

**Table 3: Preliminary TIRZ 1 Taxable Property Value Forecast @ 50% Contribution**

Year	Period	City of Freeport	Brazoria County	Velasco Drainage District	Brazosport College	Port Freeport	Total
2019	0	\$0	\$0	\$0	\$0	\$0	\$0
2020	1	\$4,594	\$3,038	\$619	\$2,196	\$293	\$10,740
2021	2	\$9,383	\$6,204	\$1,263	\$4,485	\$599	\$21,935
2022	3	\$14,333	\$9,477	\$1,930	\$6,851	\$915	\$33,506
2023	4	\$19,449	\$12,859	\$2,618	\$9,296	\$1,242	\$45,465
2024	5	\$24,736	\$16,355	\$3,330	\$11,823	\$1,579	\$57,824
2025	6	\$30,200	\$19,968	\$4,066	\$14,435	\$1,928	\$70,596
2026	7	\$35,845	\$23,701	\$4,826	\$17,133	\$2,289	\$83,794
2027	8	\$41,679	\$27,558	\$5,611	\$19,922	\$2,661	\$97,431
2028	9	\$47,706	\$31,543	\$6,423	\$22,803	\$3,046	\$111,520
2029	10	\$53,933	\$35,660	\$7,261	\$25,779	\$3,444	\$126,077
2030	11	\$60,366	\$39,913	\$8,127	\$28,854	\$3,855	\$141,114
2031	12	\$67,011	\$44,307	\$9,022	\$32,030	\$4,279	\$156,648
2032	13	\$73,875	\$48,845	\$9,946	\$35,311	\$4,717	\$172,694
2033	14	\$80,964	\$53,533	\$10,900	\$38,700	\$5,170	\$189,268
2034	15	\$88,287	\$58,375	\$11,886	\$42,200	\$5,637	\$206,385
2035	16	\$95,849	\$63,375	\$12,904	\$45,814	\$6,120	\$224,063
2036	17	\$103,659	\$68,539	\$13,956	\$49,547	\$6,619	\$242,320
2037	18	\$111,723	\$73,871	\$15,042	\$53,402	\$7,134	\$261,172
2038	19	\$120,051	\$79,377	\$16,163	\$57,383	\$7,666	\$280,639
2039	20	\$128,649	\$85,062	\$17,320	\$61,492	\$8,215	\$300,739
2030	21	\$137,527	\$90,932	\$18,516	\$65,736	\$8,782	\$321,492
2041	22	\$146,693	\$96,992	\$19,750	\$70,117	\$9,367	\$342,918
2042	23	\$156,155	\$103,249	\$21,024	\$74,640	\$9,971	\$365,038
2043	24	\$165,923	\$109,707	\$22,339	\$79,309	\$10,595	\$387,872
2044	25	\$176,006	\$116,374	\$23,696	\$84,128	\$11,239	\$411,443
2045	26	\$186,414	\$123,256	\$25,097	\$89,103	\$11,903	\$435,774
2046	27	\$197,157	\$130,359	\$26,544	\$94,238	\$12,589	\$460,887
2047	28	\$208,245	\$137,690	\$28,037	\$99,538	\$13,297	\$486,807
2048	29	\$219,689	\$145,257	\$29,577	\$105,008	\$14,028	\$513,558
2049	30	\$231,498	\$153,065	\$31,167	\$110,653	\$14,782	\$541,166
Total		\$3,037,599	\$2,008,441	\$408,960	\$1,451,927	\$193,960	\$7,100,887
NPV @ %5%		\$1,146,498	\$758,057	\$154,356	\$548,009	\$73,207	\$2,680,127

Source: TXP



## Conclusion

Based on the preliminary development concepts and activity zones within this area, anticipated tax revenue, and market demand projections, a TIRZ is economically and financially feasible. The TIRZ could generate significant revenue to pay for infrastructure and redevelopment costs. Over the next 30 years, the TIRZ could generate \$7.1 million in nominal TIRZ revenue. Using a 5.0 percent discount rate, the anticipated TIRZ could generate \$2.7 million.

These projections are based on the best available datasets and information related to market conditions in the region. Given the high visibility of this area, for example, the substantial commitment of a few large developers could have a significantly positive impact on both the level and timing of future growth. Moreover, the financial projections make no allowance for positive spillover to the value of other properties in area as a result of new development (beyond inflation), which easily could occur. At the same time, a slowdown in development as a result of a weaker national economy, negative changes in key drivers of regional economy, or other unforeseen issues could materially reduce the volume of construction put in place, and resulting tax revenue, over the next 30 years.



## **Legal Disclaimer**

**TXP, Inc. (TXP) reserves the right to make changes, corrections, and/or improvements at any time and without notice. In addition, TXP disclaims any and all liability for damages incurred directly or indirectly as a result of errors, omissions, or discrepancies. TXP disclaims any liability due to errors, omissions, or discrepancies made by third parties whose material TXP relied on in good faith to produce the report.**

**Any statements involving matters of opinion or estimates, whether or not so expressly stated, are set forth as such and not as representations of fact, and no representation is made that such opinions or estimates will be realized. The information and expressions of opinion contained herein are subject to change without notice, and shall not, under any circumstances, create any implications that there has been no change or updates.**



## City Council Agenda Item #9

**Title:** Consideration of approval of streets for 2019-2020 interlocal agreement with Brazoria County for paving.

**Date:** 12/2/2019

**From:** David Hoelewyn, Street and Drainage Director

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**Staff Recommendation:** Staff recommends council authorize this list of streets for the 2019/2020 Asphalt agreement with Brazoria County.

**Item Summary:** This request is for approval of the streets listed below for the total estimated cost of \$575,599.00. It is the materials only cost for the street reconstruction being completed through the 2019-2020 Interlocal agreement with Brazoria County. Karankawa Street and Quintana Street were originally approved for the 2018-2019 interlocal agreement but were delayed because water and sewer improvements were not completed in time.

**Background Information:** The 2.175 miles of streets identified for this 2019/2020 fiscal year were:

Karankawa Street---N. Ave. B to Gulf Blvd.	\$92,800.00
Quintana Street-----N. Ave. F to N. Ave. G	\$11,550.00
North Avenue S ---Skinner to Terry	\$55,800.00
South Avenue D----Archer to Hwy. 1495	\$99,986.00
South Avenue G----Dezavalla to Velasco	\$31,535.00
North Avenue H----Yellowstone to Autrey	\$107,396.00
Varner Street-----Hwy. 288 to North Avenue L	\$44,646.00
West Broad Street---Hickory to Cedar	\$65,706.00
6 <sup>th</sup> Street-----Rail road tracks to Cedar	\$26,180.00
Tack oil for asphalt	\$8,000.00
Rental of milling machine	\$32,000.00

Under the terms of the interlocal agreement, the city shall pay for all materials used in the work and may purchase the materials through the county suppliers, utilizing the County's competitively procured material pricing. This is a little over the 2 miles normally done by the County but we will be pushing for this list because they were a little under this year.

**Special Considerations:** We will work to have any necessary associated water and sewer main work completed before the end of March and it is hoped that this work will begin around March or April of next year and be completed before the end of the fiscal year. Another batch of streets will be presented for consideration for the upcoming 2020/2021 fiscal year.

**Board or 3<sup>rd</sup> Party recommendation:** None

**Financial Impact:** The total amount for the 2019-2020 Brazoria County Interlocal Agreement is \$575,599.00.

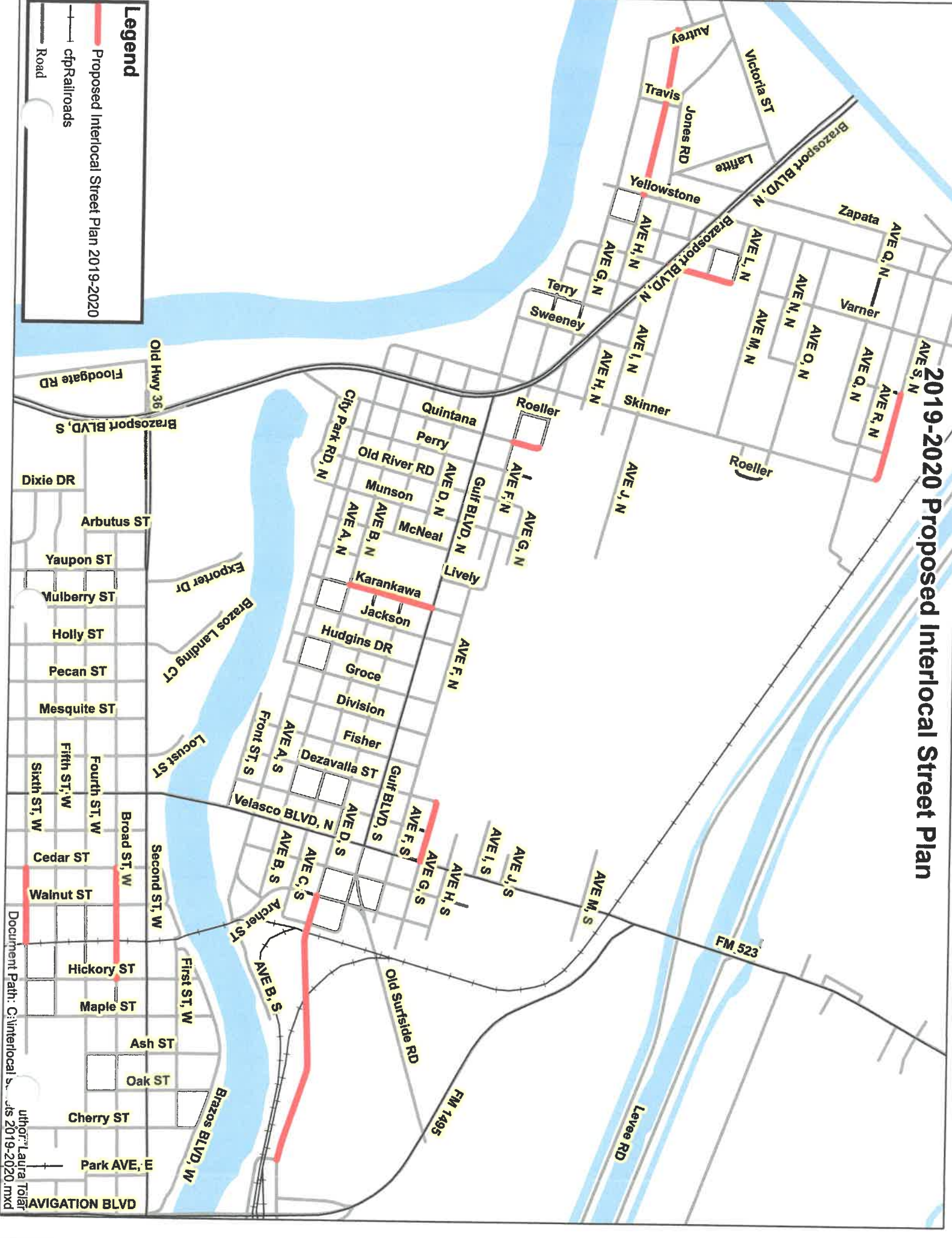
**Supporting Documentation:** The 2019-2020 Street plan calculations sheet, map showing project locations..



# 2019-2020 Proposed Interlocal Street Plan

## Legend

- Proposed Interlocal Street Plan 2019-2020
- cfp/Railroads
- Road





## City Council Agenda Item # 10

**Title:** Antonelli's Restoration

**Date:** 12/2/2019

**From:** Kim Townsend

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**Staff Recommendation:** Staff recommends Jesus Ramirez to restore the Historic Antonelli's to preserve some of Freeport's History. Antonelli's has been a part of Freeport since the 1930's. We would like to ask council to approve the restoration to preserve this Historic Building.

**Item Summary:** The restoration would consist of replacing and repairing the flooring, painting it back to its natural state and replacing all the old rotten wood on the porch and columns.

**Background Information:**

**Special Considerations**

**Financial Impact:** The amount to complete this project is quoted at \$8900.00 from Mr. Ramirez.

**Board or 3<sup>rd</sup> Party recommendation:**

**Supporting Documentation:** Following quotes on this project consist of

Jesus Ramirez \$8900.00

American Eagle \$17,495.00

Lashlee Painting and Remodeling \$24,400.00



## **Proposal**

**June 25, 2019**

**To: Kim Townsend  
Director  
500 Brazosport Boulevard  
Freeport, Texas 77541**

**From: Jesus Ramirez  
206 North Ave. A  
Freeport, Texas 77541  
979-709-2760**

**Project: Antonelli's Root Beer Stand  
Highway 288  
Freeport, Texas 77541**

### **Repair Root Beer Stand:**

- **Replace porch decking**
- **Replace fascia and soffit boards all around the building.**
- **Replace 2 walls with hardiblack**
- **Replace 7 columns (rotten)**
- **Paint all the building with the original colors.  
(red, black, yellow, red)**

**Total \$8,900.00**

# PROPOSAL AND CONTRACT

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## AMERICAN EAGLE WORKS LLC.

P.O. BOX 3124 FREEPORT, TX. 77542-1324 PH: (915)219-1061  
email: [americaneagleworksllc@gmail.com](mailto:americaneagleworksllc@gmail.com)

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**DATE:** August 25, 2019  
**PROJECT** HISTORIC ROOT BEER STAND BUILDING  
**TO:** CITY OF FREEPORT  
**JOB REF.** RESTORATION OF ANTONELLI'S  
**JOB ADDRES:** 200 W. 2<sup>ND</sup> STREET  
**CITY:** FREEPORT  
**STATE:** TEXAS, 77541  
**PH:** (979) 248.2473 / (979)233.3306

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WE PROPOSSE TO PROVIDE UNDER AGREED CONDITIONS ON THIS PROPOSAL ALL THE RESTORATION FOR BUILDING HISTORIC ROOT BEER STAND UNDER ESPECIFICATION BY CITY. ALL WORKS UNDER STANDAR CODE AND REGULATION CITY. THAT INCLUDE MATERIAL AND LABOR AS FOLLOW:

#### EXTERIOR:

- 1) Level existing foundation.
- 2) Demo all damaged wood and replace as need include the siding, felt paper (Tyvek), doors as well match whit existing.
- 3) Repair or install new bracing, fascia, trim, decking matching as existent.
- 4) Pressure wash all exterior and preparation (send, chalk and sealing) for paint one coat of primer and two coats of paint.

#### INTERIOR:

- 1) Demolition damaged wood and replace include the felt paper (Tyvek) as need.
- 2) Preparation for paint (sealing, chalk, patch and fill existing wood as need.
- 3) Replace plywood for floor as need.
- 4) Install laminate flooring and quarter round.
- 5) Preparation and paint ( one primer and two paint)

Note: all proposal list above mentioned not include the follow:

- 1) Plumbing works include underground or repairs for works areas of building.

- 2) Electrical works or repairs at construction areas from the building.
- 3) Roof replacements or repair works.
- 4) Windstorm certificate. Taxes by State.
- 5) Cabinets or countertops.

WE HEREBY PROPOSE TO FURNISH ALL LABORE AND MATERIAL IN ACCORDANCE WITH THE ABOVE SPECIFICATIONS FOR THE LUMP SUM. \$ 17,495/00 DLLS. (SEVENTEEN THOUSAND, FOUR HUNDRED NINETY FIVE DLLS.)PAYMENT BE MADE AS FOLLOWS:

INSTALLATION DOWN PAYMENT OF 40% AND 60 % AS PROGRESS ADVANCE UPON COMPLETION ALL WORK TO BE COMPLETED IN ACCORDING TO STANDARD PRACTICES. ANY ALTERIATION OR DEVIATION FROM THE ABOVE SPECIFICATIONS INVOLVING EXTRA WORK WILL BE EXECUCED ON UPON WRITTEN ORDER. AND WILL BECAME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE, THIS PROPOSAL IS ACCEPTED AND YOU ARE HEREBY AUTHORIZED TO START WORK UPON FIRS NOTICE.

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CITY OF FREEPORT: KIM TOWNSEND (Parks and Recreation Director)

**Re: 500 N. Brazosport Blvd**

**Ida Lashlee <lashleepainting@att.net>**

Mon 8/12/2019 1:37 PM

To: Sally Bailey <sbailey@freeport.tx.us>

August 12, 2019

On Wednesday, August 7, 2019, 4:43:53 PM CDT, Ida Lashlee <lashleepainting@att.net> wrote:

Lashlee's Painting & Remodeling  
419 Azalea  
Lake Jackson, TX 77566  
979-297-6889

August 7, 2019

Kim Townsend  
Root Beer Stand  
Freeport, TX 77541  
979-248-2473

Labor and material to level floor and add extra support. Remove and replace all wood necessary to return to original condition. Paint interior and exterior same color as now painted.

Twenty-four thousand four hundred dollars-----\$ 24,400.00

Peanut Lashlee  
Lashlee's Painting & Remodeling  
979-482-0550

APPROVAL OF PROPOSAL

Signature \_\_\_\_\_

Signature \_\_\_\_\_