

City of Freeport

NOTICE OF PUBLIC MEETING
THE FREEPORT CITY COUNCIL
TUESDAY, JANUARY 19TH, 2010, 6:00 P.M.
MUNICIPAL COURT ROOM
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.

AGENDA FORMAL SESSION

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of approving the December 31st, 2009 Council Minutes. Pg. 1-3
5. Attending citizens and their business.
6. Consideration of approving Ordinance No. 2010-2234 calling the Annual General Election for the City of Freeport for the second Saturday in May 2010, being May 8th, 2010 at which the voters of said City residing in wards A and C shall be permitted to vote for or against the candidates for positions A and C on the City Council of the City of Freeport. Pg. 4-10
7. Consideration of approving Ordinance No. 2010-2235 calling a Charter Amendment Election on the question of adopting six (6) amendments to the Home Rule Charter of said City. Pg. 11-24
8. Consideration of approving Ordinance No. 2010-2236 calling a Referendum Election to permit the qualified voters of said City to vote for or against the sale of beer and mixed beverages on any day between 12:00 midnight and 2:00 a.m. by holders of beer or mixed beverages retail dealers late hours permits. Pg. 25-31b
9. Consideration of approving Resolution No. 2010-2218 providing that the Annual Election called by the City Council of said City for the elections of council members for council positions A and C and the special election for the submission to the voters of proposed Charter Amendments and the Referendum Election, all called for the 8th day of May 2010, be held jointly with all elections called for the same day by other political subdivisions located in Brazoria County, Texas. A joint election agreement and contract for elections services with the County Clerk of Brazoria County, Texas. Pg. 32-33

10. **Public Hearing** to consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners thereof granting a tax abatement: Javier & Guadalupe Caro, Lot 22, Brazos landing Section 1, known as 126 Brazos Landing Court. Pg. 34
11. Consideration of approving Ordinance No. 2010-2237 designating improvements to land located within the incorporated limits of said City as a reinvestment zone to be known as the Javier & Guadalupe Caro, reinvestment zone. Pg. 35-37
12. Consideration of approving Resolution No. 2010-2219 authorizing and executing a tax abatement agreement for Javier & Guadalupe Caro, 126 Brazos Landing Court. Pg. 38-48
13. Consideration of selling the City's interest on Block 2, Lot 12 & 13, Freeport Townsite, known as 530 E. Broad Street, Tax Id. 4200-0040-000. Pg. 49-51b
14. Consideration of selling the City's interest on Block 4, Lot 8, Southview Gardens, known as 927 W. 9th Street, Tax ID. 7750-0066-000. Pg. 52-57b
15. Consideration of selling the City's interest on Block 5, Lot 1, Victory (Freeport), known as 1213 W. 10th Street, Tax Id 8125-0038-000. Pg. 58-65
16. Consideration of approving the bids and awarding the contract for the City Hall network virtualization. Pg. 66-69
17. Consideration of approving a tax abatement application for Allan R. Lawson , 1721 N. Ave U. , and setting February 16th, 2010 for a public hearing to consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner(s) thereof granting a tax abatement and instructing the city attorney to prepare the necessary documents; Block 785, Lot 22, 23, 24, 24A, Velasco Townsite. Pg. 70-75

Work Session:

1. Update by Stoney Burke, City of Freeport BWA representative regarding repairs on Hwy. 523.
2. Implementing the City's First Annual Youth Art Display & Competition. Pg. 76

Executive Session:

A. Section 551.074, Government Code

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

- Review applications for Chief of Police position.

Adjourn

NOTE: ITEMS NOT NECESSARY DISCUSSED IN THE ORDER THEY APPEAR ON THE AGENDA. THE COUNCIL, AT ITS DISCRETION, MAY TAKE ACTION ON ANY OR ALL OF THE ITEMS AS LISTED.

This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code). In compliance with the American with Disabilities Act, the City of Freeport will provide for reasonable accommodations for persons attending City Council Meetings. Request should be received 48 hours to the meetings. Please contact the City Secretary office at 979-233-3526.

I, Delia Muñoz, City Secretary, for the City of Freeport, Texas certify that this agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building, with 24 hours a day public access, 200 W. 2nd Street, Freeport, Texas, January 14th, 2009 at or before 5:00 a.m.

Delia Munoz, City Secretary
City of Freeport, Texas

Consideration of the approval of the December 7th, 9th, and 10th, 2009, Council Minutes.

On a motion by Councilman Wise, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved the December 7th, 9th, and 10th, 2009 Council Minutes.

Attending citizens and their business.

There were none.

Consideration of the approval of Ordinance No. 2009-2233 adopting pursuant to the provisions of Section 1.03 of the Home Rule Charter of said City, annexing approximately 122 acres of land out of the John Martin Survey, Abstract 331, The Richard H. Barrow Survey, Abstract 639 and the Stephen F. Austin Survey, Abstract 29, Brazoria County, Texas.

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved Ordinance No. 2009-2233 adopting pursuant to the provisions of Section 1.03 of the Home Rule Charter of said City, annexing approximately 122 acres of land out of the John Martin Survey, Abstract 331, The Richard H. Barrow Survey, Abstract 639 and the Stephen F. Austin Survey, Abstract 29, Brazoria County, Texas.

Consideration of the approval of setting January 19th, 2010 for a public hearing to consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners thereof granting a tax abatement: Javier & Guadalupe Caro, Lot 22, Brazos landing Section 1, known as 126 Brazos Landing Court.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved setting January 19th, 2010 for a public hearing to consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners thereof granting a tax abatement: Javier & Guadalupe Caro, Lot 22, Brazos landing Section 1, known as 126 Brazos Landing Court.

Consideration of the approval of selling the City's interest on Block 13, U/5 - Int. - Lot 9 thru 12, known as 218-224 South Ave. B., Tax Id. 8110-0164-000.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting 3 to 1, Council approved the selling the City's interest on Block 13, U/5-Int. - Lot 9 thru 12, known as 218-224 South Ave. B., Tax Id. 8110-0164-000. Councilwoman Garcia opposed.

Consideration of the approval of accepting the bid of Jesse Aguilar, Jr. in the amount of \$6,536 for Block 631, Lots 20 & 21, Velasco Townsite and instructing the City Attorney to prepare a deed for same.

On a motion by Councilman Wise, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved the bid of Jesse Aguilar, Jr. in the amount of \$6,536 for Block 631, Lots 20 & 21, Velasco Townsite and instructing the City Attorney to prepare a deed for same.

Consideration of the approval of canceling January 4th, 2010 council meeting and rescheduling January 18th, meeting to January 19th , 2010 due to Martin Luther King, Jr. holiday.

On a motion by Councilwoman Garcia, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved canceling January 4th, 2010 council meeting and rescheduling January 18th, meeting to January 19th , 2010 due to Martin Luther King, Jr. Holiday.

Discuss and consider the report of the Charter Review Commission and instruct the City Attorney which recommendation(s) if any, to place in the Charter Review Election Ordinance.

City Council reviewed and discussed the charter review amendments. Councilman Wise suggested prioritizing the amendments, phrasing the wording to read simple, and not boggle the ballot.

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved amendments 1, 2, 3, 4, 6, and 7 of the Charter Review recommendations, exempting number five (5) to be placed in the Charter Review Election Ordinance.

Adjourn

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting "aye", Council adjourned at 10:22 a.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CALLING THE ANNUAL GENERAL ELECTION FOR THE CITY OF FREEPORT FOR THE SECOND SATURDAY IN MAY, 2010, BEING MAY 8, 2010, AT WHICH THE VOTERS OF SAID CITY RESIDING IN WARDS A AND C SHALL BE PERMITTED TO VOTE FOR OR AGAINST THE CANDIDATES FOR POSITIONS A AND C ON THE CITY COUNCIL OF THE CITY OF FREEPORT; PROVIDING POLLING PLACES FOR SAID ELECTION; ESTABLISHING THE QUALIFICATIONS FOR CANDIDATES FOR THE OFFICES TO BE VOTED UPON; PROVIDING FOR APPLICATIONS FOR CANDIDATES AND SPECIFYING A FILING DEAD LINE AND THE DATE WHEN FILING MAY BEGIN; PROVIDING FOR THE QUALIFICATION OF ELECTORS; APPOINTING THE OFFICERS OF SAID ELECTION AND DESIGNATING THE NUMBER OF CLERKS TO ASSIST IN CONDUCTING SAID ELECTION AND THE COMPENSATION TO BE PAID THE ELECTION JUDGE AND CLERKS; PROVIDING FOR EARLY VOTING; PROVIDING FOR RATIFICATION AND CONFIRMATION BY THE MAYOR OF SAID CITY OF THE ACTION TAKEN BY THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, pursuant to Section 3.01 of the Home Rule Charter of the City of Freeport, Texas ("the City"), CLAN CAMERON and RON WISE were elected on the second Saturday in May, 2008, to Council Position A and Council Position C, respectively, for a two (2) year term each.

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

SECTION ONE--Election for Wards A and C Called.

Pursuant to said Section 3.01, the Mayor and City Council hereby order and ordain, respectively, that the election required to be held in Wards A and C for Council Position A and C, now held by CLAN CAMERON and RON WISE, respectively, be hold on the second Saturday in May, 2010, being May 8, 2010, between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m., each election being for a term of two (2) years.

SECTION TWO--Municipal Polling Places

As provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference, for the purpose of the election called by this ordinance, there shall be two (2) municipal polling places, one located outside the City of Freeport at the Oyster Creek City Hall, located at 3210 FM 523 in the Village of Oyster Creek, Texas, where voters residing in Brazoria County Election Precinct 8 but also residing within the City shall vote on election day and one within the City of Freeport, Texas, located at the Brazosport High School, John Magee Performance Center, 1800 West Second Street, Freeport, Texas, where all other voters shall vote on election day.

SECTION THREE--Candidates, Applications and Filing Fees.

(a) Everyone who has attained the age of eighteen (18) years, who has resided within the incorporated limits of the City for a period of six (6) months immediately preceding the last day on which a candidate's application for a place on the ballot could be delivered to the City Secretary, as hereinafter provided, and who:

(1) resides in Ward A, as defined in said Ordinance No. 2002-2001, on the day such application is filed, shall be eligible to become a candidate for the office of Council Position A by filing a sworn application, as hereinafter provided; and,

(2) resides in Ward C, as defined in said Ordinance No. 2002-2001, on the day such application is filed, shall be eligible to become a candidate for the office of Council Position C by filing a sworn application, as hereinafter provided.

(b) Each candidates application shall be in writing, contain the matters set out in Section 141.031, Texas Election Code and be filed with the City Secretary of the City.

(c) An application may not be filed earlier than the ninety-first (91st) day before the day hereinabove specified for said election and must be filed not later than 5:00 o'clock p.m. of the sixty-first (61) day preceding the day hereinabove specified for said election, being February 6, 2010, and March 8, 2010, respectively.

SECTION FOUR--Electors.

Every person eligible to vote under the provisions of Chapter 11 of Title 2 of the Texas Election Code who is a resident of the City and who is duly registered to vote in the county election precinct where and on the day on which he or she votes, shall be entitled to vote for or against the candidates for Council Position A if such voter resides in Ward A, as defined in said Ordinance No. 2002-2001, and for or against the candidates for Council Position C if such voter resides in Ward C, as defined in said Ordinance No. 2002-2001.

SECTION FIVE--Officers of Election and Compensation Thereof.

The Presiding Judge, Alternate Presiding Judge and clerks needed on the day of election for the election called by this ordinance, for the early ballot board and the central counting station shall be appointed, have the duties and be compensated as provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference.

SECTION SIX--Early Voting.

Early voting shall begin on April 26, 2010, and end on May 4, 2010, such early voting to be conducted by the County Clerk of Brazoria County, Texas, at the following locations between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except voting at such locations on May 1, 3 and 4, 2010, shall be between the hours of 7:00 a.m. to 7:00 p.m., to-wit:

<u>ANGLETON MAIN LOCATION</u>	Brazoria County Courthouse East Annex, 1524 E. Mulberry, Room 144, Angleton, TX
<u>ALVIN BRANCH LOCATION</u>	Alvin Library, 105 S. Gordon, Alvin, TX
<u>BRAZORIA BRANCH LOCATION</u>	Precinct 4 County Barn 1001 Market St., Brazoria, TX
<u>CLUTE/LAKE JACKSON LOCATION</u>	Brazosport College, 500 College Drive, Lake Jackson, TX
<u>FREEPORT BRANCH LOCATION</u>	Freeport Library, 410 Brazosport Boulevard,, Freeport, TX
<u>MANVEL BRANCH LOCATION</u>	Brazoria County Courthouse North Annex, 7313 Corporate Drive, Manvel, TX
<u>EAST PEARLAND BRANCH LOCATION</u>	Justice of the Peace, Pct. 3, Place 2, Courtroom, 2436 South Grand Blvd., Pearland, TX
<u>WEST PEARLAND BRANCH LOCATION</u>	Westside Event Center, 2150 Countryplace Pkwy, Pearland, TX
<u>SWEENEY BRANCH LOCATION</u>	Sweeny Community Center, 205 W. Ashley Wilson Rd., Sweeny, TX
<u>WEST COLUMBIA BRANCH LOCATION</u>	West Columbia City Council Chambers, 512 E. Brazos, West Columbia, TX

SECTION SEVEN--Method of Voting and Conducting Election.

Both early voting and all voting on the day named above for the holding of said charter amendment election shall be in the manner specified in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, mentioned above.

SECTION EIGHT--Notice of Election.

(a) The Mayor of the City is hereby authorized and directed to issue a notice of said special election, including a substantial copy of above and foregoing proposition, and to cause the same to be posted in accordance with Section 4.003(a) (2) of the Election Code for at least twenty-one (21) days prior to the date named above for the holding of said election on the bulletin board used for posting notices of meetings of the City Council.

(b) The City Secretary of the City is hereby authorized and directed to cause a copy of such notice, including a substantial copy of above and foregoing proposition, to be published in a newspaper in accordance with Section 4.003(a) (1) of the Election Code, such publication to be at least ten (10) days before but not more than thirty (30) days before the date named above for the holding of said special election.

SECTION NINE--Ratification and Confirmation by Mayor.

By signing this ordinance, the undersigned Mayor of the City hereby ratifies and confirms as his action all matters hereinabove recited which by law come within his jurisdiction.

SECTION TEN--Effective Date.

This ordinance shall be effective immediately upon its passage and approval.

READ, PASSED AND APPROVED this ____ day of _____, 2010.

Larry McDonald, Sr., Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:



Wallace Shaw, City Attorney,
City of Freeport, Texas

NOTICE OF ELECTION FOR COUNCIL POSITIONS A AND C

TO: ALL PERSONS ENTITLED TO VOTE UNDER THE PROVISIONS OF CHAPTER 11 OF TITLE 2 OF THE TEXAS ELECTION CODE WHO ARE RESIDENTS OF WARDS A AND C OF THE CITY OF FREEPORT, TEXAS, AND ARE DULY REGISTERED TO VOTE IN THE PRECINCT WHERE AND ON THE DAY ON WHICH THEY VOTE, GREETINGS:

I.

You will take notice that an annual general election will be held in Wards A and C of the City of Freeport, Texas, on the second Saturday in May, 2010, being May 8, 2010, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing for a two year term each, persons to the following named offices of the City of Freeport, Texas, to-wit:

Council Position A, now held by CLAN CAMERON; and,
Council Position C, now held by RON WISE.

II.

As provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, there shall be two (2) municipal polling places for said election, one located outside the City of Freeport at the Oyster Creek City Hall, located at 3210 FM 523 in the Village of Oyster Creek, Texas, where voters residing in Brazoria County Election Precinct 8 but also residing within the City shall vote on election day and one within the City of Freeport located at the Brazosport High School, John Magee Performance Center, 1800 West Second Street, Freeport, Texas, where all other voters residing with the City shall vote on election day.

III.

Early voting shall begin on April 26, 2010 and end on May 4, 2010, such early voting to be conducted by the County Clerk of Brazoria County, Texas, at the following locations between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except voting at such locations on May 1, 3 and 4, 2010, shall be between the hours of 7:00 a.m. to 7:00 p.m., to-wit:

ANGLETON MAIN LOCATION

Brazoria County Courthouse
East Annex, 1524 E. Mulberry,
Room 144, Angleton, TX

ALVIN BRANCH LOCATION

Alvin Library, 105 S. Gordon,
Alvin, TX

BRAZORIA BRANCH LOCATION

Precinct 4 County Barn
1001 Market St., Brazoria, TX

CLUTE/LAKE JACKSON LOCATION

Brazosport College, 500 College
Drive, Lake Jackson, TX

FREEPORT BRANCH LOCATION

Freeport Library, 410 Brazosport
Boulevard, Freeport, TX

MANVEL BRANCH LOCATION

Brazoria County Courthouse North
Annex, 7313 Corporate Drive,
Manvel, TX

EAST PEARLAND BRANCH LOCATION

Justice of the Peace, Pct. 3,
Place 2, Courtroom, 2436 South
Grand Blvd., Pearland, TX

WEST PEARLAND BRANCH LOCATION

Westside Event Center, 2150
Countryplace Pkwy, Pearland, TX

SWEENY BRANCH LOCATION

Sweeny Community Center, 205
W. Ashley Wilson Rd., Sweeny, TX

WEST COLUMBIA BRANCH LOCATION

West Columbia City Council
Chambers, 512 E. Brazos,
West Columbia, TX

WITNESS MY OFFICIAL SIGNATURE HEREUNTO AFFIXED this ____ day of
_____, 2010.

Larry McDonald, Sr., Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

MAYOR'S RETURN

I certify that on the ____ day of _____, 2010, I posted a true and correct copy of the foregoing "Notice of Election", on the bulletin board located at the Freeport City Hall used for posting notices of meetings of the City Council, such day being more than twenty-one (21) days prior to said election.

Larry McDonald, Sr., Mayor,
City of Freeport, Texas

CITY SECRETARY'S RETURN

I hereby certify that I caused a copy the above and foregoing "Notice of Election" to be published in the Brazosport Facts, heretofore designated as the official newspaper of the City of Freeport, Texas, it being a newspaper published in the adjoining City of Clute, in Brazoria County, Texas, which meets all of the criteria set forth in Section 2051.044 of the Government Code. I requested that, such publication be one (1) time, not less than ten (10) days nor more than thirty (30) days before the date hereinabove fixed for the holding of said election.

WITNESS my official signature and the seal of said City hereunto affixed this ____ day of _____, 2010.

Delia Muñoz, City Secretary
City of Freeport, Texas

ORDINANCE NO. 2010-2235

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CALLING A CHARTER AMENDMENT ELECTION ON THE QUESTION OF ADOPTING SIX (6) AMENDMENTS TO THE HOME RULE CHARTER OF SAID CITY; PROVIDING FOR ONE (1) MUNICIPAL POLLING PLACE AND DESIGNATING THE LOCATION THEREOF; PROVIDING FOR THE QUALIFICATION OF ELECTORS; APPOINTING THE OFFICERS OF SAID ELECTION AND DESIGNATING THE NUMBER OF CLERKS TO ASSIST IN CONDUCTING SAID ELECTION AND THE COMPENSATION TO BE PAID THE ELECTION JUDGE AND CLERKS; PROVIDING FOR EARLY VOTING; PROVIDING FOR RATIFICATION AND CONFIRMATION BY THE MAYOR OF SAID CITY OF THE ACTION TAKEN BY THIS ORDINANCE; PROVIDING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, Section 11.13 of the Home Rule Charter of the City of Freeport, Texas, provides that the City Council shall appoint a Charter Review Commission at its first regular meeting in June of each odd numbered year; and,

WHEREAS, heretofore in June of 2009 a Charter Review Commission was appointed for the said City; and,

WHEREAS, said Section 11.13 of said Charter provides that it shall be the duty of the Charter Review Commission, among other things, to propose, if it deems desirable and advisable, amendments to said Charter to improve the effective application of said Charter to current conditions, and to report its findings and present its proposed amendments, if any, to the City Council; and,

WHEREAS, the Charter Review Commission appointed in June of 2009 heretofore reported its findings and presented to the City Council in writing seven (7) proposed amendments to the Home Rule Charter of the City; and,

WHEREAS, after reviewing and discussing such report, the City Council has decided to submit six (6) of the amendments recommended in such report, the substance of which are set forth below; and,

WHEREAS, said Sections 11.12 and 11.13 of said Charter provides that if any amendment or amendments are presented as a part of the report of the Charter Review Commission, the City Council may order such amendment or amendments to be submitted to the voters of said City in the manner provided in Chapter 9 of the Local Government Code, as now or hereafter amended; and,

WHEREAS, Article 9.004 of said Code, requires the submission of such amendment or amendments at an election to be held on the first authorized uniform election date prescribed by the Election Code that allows sufficient time to comply with the other requirements of law and that occurs on or after the 30th day after the date of the adoption of the ordinance ordering such election; and,

WHEREAS, under the applicable provisions of the Election Code, the next such uniform election date will be the second Saturday in May, 2010, being the May 8, 2010; and,

WHEREAS, the City Council of the City of Freeport has determined to submit the hereinafter mentioned amendments to the voters of the City and to do so on the second Saturday in May, 2010, which is the May 8, 2010, and which is also the date for the annual municipal election for the year 2010; and,

WHEREAS, pursuant to Section 3.01 of the Home Rule Charter of the City of Freeport, Texas, and Ordinance No. 1718 of the City of Freeport, Texas, read, passed and adopted on the 2nd day of March, 1992, the City of Freeport, Texas, has been divided in four (4) single member election districts or wards known as Wards A, B, C and D; and,

WHEREAS, said Section 9.004 provides that notice of the election for the submission of any amendments shall be given by publication thereof, in some newspaper of general circulation published in the City, on the same day in each of two (2) successive weeks, with the date of the first publication occurring before the 14th day before the date of said election, and that the form or such notice shall include a substantial copy of the proposed amendment or amendments; and,

WHEREAS, said Section 9.004 further provides that an amendment may not contain more than one subject and that the ballot shall be prepared so that a voter may approve or disapprove one or more amendments without having to approve or disapprove all of them.

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

SECTION ONE--Charter Amendment Election Called.

Pursuant to Section 11.12 of the Home Rule Charter of the City of Freeport, Texas, and Section 9.004, Chapter 9, Local Government Code of Texas, the Mayor and City Council of the City of Freeport, Texas, hereby order and ordain, respectively, that a Charter Amendment Election shall be held in and throughout the City of Freeport, Texas, on the second Saturday in May, 2010, being May 8, 2010, between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m., for the purpose of submitting to the qualified voters of the City the amendments to the Home Rule Charter of the City hereinafter set forth, the substance of which was heretofore proposed by the Charter Review Commission of the City appointed in June of 2009.

SECTION TWO--Form of Ballot

The ballot used at said election shall conform with the requirements of the Texas Election Code and Section 9.004, Chapter 9, Local Government Code of Texas, shall contain the following proposed amendments and prepared such manner that each amendment shall contain only one (1) subject and each voter may approve or disapprove any one or more amendments without having to approve or disapprove all of the amendments, to-wit:

AMENDMENT NUMBER ONE

Should Section 3.02. Qualifications be amended by removing the last sentence thereof which reads as follows:

"Any person holding an elective office of the city who desires to file for and seek election to a second elective office of the city must, prior to filling for such second elective office, resign from the elective office presently then held if more than one (1) year remains on the unexpired term of the elective office then held by such person."

AMENDMENT NUMBER TWO

Should Subsection (b) of Section 4.05 re: qualifications of Municipal Court Judge be amended to read as follows:

"(b) The Judge of said Court shall be a qualified voter of Brazoria County, Texas appointed by the City Council, shall hold such office at the pleasure of the City Council, and shall receive such salary as may be fixed by the City Council."

AMENDMENT NUMBER THREE

Should Subsection (e) of Section 4.05 re: Temporary Municipal Court Judge, be amended to read as follows:

" (e) At the request of the Judge of said Court, the City Council may appoint one or more Associate Judges for said Court to sit concurrently with the Judge of said Court. An Associate Judge of said Court shall have the same qualifications as the Judge of said Court, shall serve at the pleasure of the City Council, shall receive such salary as may be fixed by the City Council and, when acting in such capacity, shall have all of the powers and duties of the Judge of said Court."

AMENDMENT NUMBER FOUR

Should the first sentence of Section 4.06 re: City Attorney to read as follows:

"The City Council shall appoint a duly licensed attorney practicing law and a qualified voter in Brazoria County, Texas, who shall be the City Attorney."

AMENDMENT NUMBER FIVE

Should the first unnumbered paragraph of Section 8.03 and Subsection (a) thereof re: Planning Commission Membership be amended to read as follows:

"The City Council shall appoint a City Planning Commission consisting of five (5) members who shall be residents in the City of Freeport while serving and for not less than six (6) months prior to being appointed, and who shall serve without compensation.

(a) Term of Office: The terms of office of all persons serving on the Planning Commission shall be established by ordinance adopted by the City Council."

AMENDMENT NUMBER SIX

Should Subsection (b) of Section 8.03 re: Planning Commission Rules of Procedure be amended by adding thereto at the end thereof the following:

"The annual election of chairperson shall take place in June of each year or whenever all vacant positions have been filled, whichever is later."

SECTION THREE--Municipal Polling Places

As provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference, for the purpose of the election called by this ordinance, there shall be two (2) municipal polling places, one located outside the City of Freeport at the Oyster Creek City Hall, located at 3210 FM 523 in the Village of Oyster Creek, Texas, where voters residing in Brazoria County Election Precinct 8 but also residing within the City shall vote on election day and one within the City of Freeport located at Brazosport High School, John Magee Performance Center, 1800 West Second Street, Freeport, Texas, where all other voters shall vote on election day.

SECTION FOUR--Electors.

Every person eligible to vote under the provisions of Chapter 11 of Title 2 of the Texas Election Code who is a resident of the City of Freeport, Texas, and who is duly registered to vote in the county election precinct where and on the day on which he or she votes in the charter amendment election called by this Ordinance, shall be entitled to vote for or against each of the proposed amendments set forth above in Section Two of this Ordinance.

SECTION FIVE--Officers of Election and Compensation Thereof.

The Presiding Judge, Alternate Presiding Judge and Clerks needed on the day of election for the election called by this ordinance, for the early ballot board and the central counting station shall be appointed, have the duties and be compensated as provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference.

SECTION SIX--Early Voting.

Early voting shall begin on April 26, 2010, and end on May 4, 2010, such early voting to be conducted by the County Clerk of Brazoria County, Texas, at the following locations between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except voting at such locations on May 1, 3 and 4, 2010, shall be between the hours of 7:00 a.m. to 7:00 p.m., to-wit:

<u>ANGLETON MAIN LOCATION</u>	Brazoria County Courthouse East Annex, 1524 E. Mulberry, Room 144, Angleton, TX
<u>ALVIN BRANCH LOCATION</u>	Alvin Library, 105 S. Gordon, Alvin, TX
<u>BRAZORIA BRANCH LOCATION</u>	Precinct 4 County Barn 1001 Market St., Brazoria, TX
<u>CLUTE/LAKE JACKSON LOCATION</u>	Brazosport College, 500 College Drive, Lake Jackson, TX
<u>FREEPORT BRANCH LOCATION</u>	Freeport Library, 410 Brazosport Boulevard,, Freeport, TX
<u>MANVEL BRANCH LOCATION</u>	Brazoria County Courthouse North Annex, 7313 Corporate Drive, Manvel, TX
<u>EAST PEARLAND BRANCH LOCATION</u>	Justice of the Peace, Pct. 3, Place 2, Courtroom, 2436 South Grand Blvd., Pearland, TX
<u>WEST PEARLAND BRANCH LOCATION</u>	Westside Event Center, 2150 Countryplace Pkwy, Pearland, TX
<u>SWEENEY BRANCH LOCATION</u>	Sweeny Community Center, 205 W. Ashley Wilson Rd., Sweeny, TX

WEST COLUMBIA BRANCH LOCATION West Columbia City Council
Chambers, 512 E. Brazos,
West Columbia, TX

SECTION EIGHT--Method of Voting and Conducting Election.

Both early voting and all voting on the day named above for the holding of said charter amendment election shall be in the manner specified in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, mentioned above.

SECTION NINE--Notice of Election.

(a) The Mayor of the City is hereby authorized and directed to issue a notice of said election, to cause the same to be posted for at least twenty-one (21) days prior to the date named above for the holding of said charter election on the bulletin board used for posting notices of meetings of the City Council.

(b) As required by Section 9.004© of the Local Government Code the City Secretary shall cause a copy of the above notice, including a substantial copy of above and foregoing proposed amendments, to be published on the same day in each of two (2) successive weeks, with the first publication occurring before the fourteenth (14th) day before the date hereinabove fixed for the holding of said election.

SECTION TEN--Ratification and Confirmation by Mayor.

By signing this ordinance, the Mayor of the City of Freeport, Texas, hereby ratifies and confirms as his action all above recited matters which by law come within his jurisdiction.

SECTION ELEVEN--Effective Date.

This ordinance shall be effective immediately upon its passage and approval.

READ, PASSED AND ADOPTED this ____ day of _____, 2010.

Larry McDonald Sr., Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:



Wallace Shaw, City Attorney,
City of Freeport, Texas

C:\Freeport.Ord\10ChElc.2Ord

NOTICE OF CHARTER AMENDMENT ELECTION

TO: ALL PERSONS ENTITLED TO VOTE UNDER THE PROVISIONS OF CHAPTER 11 OF TITLE 2 OF THE TEXAS ELECTION CODE WHO ARE RESIDENTS OF THE CITY OF FREEPORT, TEXAS, AND ARE DULY REGISTERED TO VOTE IN THE PRECINCT WHERE AND ON THE DAY ON WHICH THEY VOTE, GREETINGS:

You will take notice that a charter amendment election will be held in and throughout the City of Freeport, Texas, on the second Saturday in May, 2010, being May 8, 2010, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of submitting to the voters of the City six (6) amendments to the Home Rule Charter of said City proposed by the Charter Review Commission thereof, being substantially as proposed by said Commission, viz:

AMENDMENT NUMBER ONE

Should Section 3.02. Qualifications be amended by removing the last sentence thereof which reads as follows:

"Any person holding an elective office of the city who desires to file for and seek election to a second elective office of the city must, prior to filling for such second elective office, resign from the elective office presently then held if more than one (1) year remains on the unexpired term of the elective office then held by such person."

AMENDMENT NUMBER TWO

Should Subsection (b) of Section 4.05 re: qualifications of Municipal Court Judge be amended to read as follows:

"(b) The Judge of said Court shall be a qualified voter of Brazoria County, Texas appointed by the City Council, shall hold such office at the pleasure of the City Council, and shall receive such salary as may be fixed by the City Council."

AMENDMENT NUMBER THREE

Should Subsection (e) of Section 4.05 re: Temporary Municipal Court Judge, be amended to read as follows:

"(e) At the request of the Judge of said Court, the City Council may appoint one or more Associate Judges for said Court to sit concurrently with the Judge of said Court. An Associate Judge of said Court shall have the same qualifications as the Judge of said Court, shall serve at the pleasure of the City Council, shall receive such salary as may be fixed by the City Council and, when acting in such capacity, shall have all of the powers and duties of the Judge of said Court."

AMENDMENT NUMBER FOUR

Should the first sentence of Section 4.06 re: City Attorney to read as follows:

"The City Council shall appoint a duly licensed attorney practicing law and a qualified voter in Brazoria County, Texas, who shall be the City Attorney."

AMENDMENT NUMBER FIVE

Should the first unnumbered paragraph of Section 8.03 and Subsection (a) thereof re: Planning Commission Membership be amended to read as follows:

"The City Council shall appoint a City Planning Commission consisting of five (5) members who shall be residents in the City of Freeport while serving and for not less than six (6) months prior to being appointed, and who shall serve without compensation.

(a) Term of Office: The terms of office of all persons serving on the Planning Commission shall be established by ordinance adopted by the City Council."

AMENDMENT NUMBER SIX

Should Subsection (b) of Section 8.03 re: Planning Commission Rules of Procedure be amended by adding thereto at the end thereof the following:

"The annual election of chairman shall take place in June of each year or whenever all vacant positions have been filled, whichever is later."

As provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, there shall be two (2) municipal polling places for said election, one located outside the City of Freeport at the Oyster Creek City Hall, located at 3210 FM 523 in the Village of Oyster Creek, Texas, where voters residing in Brazoria County Election Precinct 8 but also residing within the City shall vote on election day and one within the City of Freeport located at Brazosport High School, John Magee Performance Center, 1800 W. 2nd St., Freeport, Brazoria County, Texas, where all other voters residing with the City shall vote on election day.

Early voting shall begin on April 26, 2010, and end on May 4, 2010, such early voting to be conducted by the County Clerk of Brazoria County, Texas, at the following locations between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except voting at such locations on May 1, 3 and 4, 2010, shall be between the hours of 7:00 a.m. to 7:00 p.m., to-wit:

ANGLETON MAIN LOCATION

Brazoria County Courthouse
East Annex, 1524 E. Mulberry,
Room 144, Angleton, TX

ALVIN BRANCH LOCATION

Alvin Library, 105 S. Gordon,
Alvin, TX

BRAZORIA BRANCH LOCATION

Precinct 4 County Barn
1001 Market St., Brazoria, TX

CLUTE/LAKE JACKSON LOCATION

Brazosport College, 500 College
Drive, Lake Jackson, TX

FREEPORT BRANCH LOCATION

Freeport Library, 410 Brazosport
Boulevard,, Freeport, TX

MANVEL BRANCH LOCATION

Brazoria County Courthouse North
Annex, 7313 Corporate Drive,
Manvel, TX

EAST PEARLAND BRANCH LOCATION

Justice of the Peace, Pct. 3,
Place 2, Courtroom, 3801 East
Pear, Pearland, TX

WEST PEARLAND BRANCH LOCATION

Westside Event Center, 2150
Countryplace Pkwy, Pearland, TX

SWEENEY BRANCH LOCATION

Sweeny Community Center, 205
W. Ashley Wilson Rd., Sweeny, TX

WEST COLUMBIA BRANCH LOCATION

West Columbia City Council
Chambers, 512 E. Brazos,
West Columbia, TX

WITNESS MY OFFICIAL SIGNATURE HEREUNTO AFFIXED this ____ day of _____, 2010.

Larry McDonald, Sr., Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary
City of Freeport, Texas

MAYOR'S RETURN

I certify that on the ____ day of _____, 2010, I posted a true and correct copy of the foregoing "Notice of Charter Amendment Election", on the bulletin board located at the Freeport City Hall used for posting notices of meetings of the City Council, such day being more than twenty-one (21) days prior to said election.

Larry McDonald, Sr., Mayor
City of Freeport, Texas

CITY SECRETARY'S RETURN

I hereby certify that I caused a copy the above and foregoing "Notice of Charter Amendment Election" to be published in the Brazosport Facts, heretofore designated as the official newspaper of the City of Freeport, Texas, it being a newspaper published in the adjoining City of Clute, in Brazoria County, Texas, which meets all of the criteria set forth in Section 2051.044 of the Government Code, and has general circulation in the City of Freeport. I requested that such publication in such newspaper be on the same day in each of two (2) successive weeks, with the first publication occurring before the fourteenth (14th) day before the date hereinabove fixed for the holding of said charter election. I did not cause a copy the above and foregoing "Notice of Charter Amendment Election" to be published in the Freeport Sentinel, a newspaper previously published in the City of Freeport, Texas, having general circulation therein, but which newspaper does not appear to meet all of the criteria set forth in Section 2051.044 of the Government Code whereas Section 9.004(c) of the Local Government Code requires that a notice of a charter amendment election be published in a newspaper of general circulation published in the municipality calling such election, because it has ceased publication, because it has ceased publication.

WITNESS my official signature and the seal of said City hereunto affixed this ____ day of _____, 2010.

Delia Muñoz, City Secretary
City of Freeport, Texas

ORDINANCE NO. 2010-2236

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CALLING A REFERENDUM ELECTION TO PERMIT THE QUALIFIED VOTERS OF SAID CITY TO VOTE FOR OR AGAINST THE SALE OF BEER AND MIXED BEVERAGES ON ANY DAY BETWEEN 12:00 MIDNIGHT AND 2:00 A.M. BY HOLDERS OF BEER OR MIXED BEVERAGES RETAIL DEALERS LATE HOURS PERMITS; PROVIDING POLLING PLACES FOR SAID ELECTION; PROVIDING FOR THE QUALIFICATION OF ELECTORS; APPOINTING THE OFFICERS OF SAID ELECTION AND DESIGNATING THE NUMBER OF CLERKS TO ASSIST IN CONDUCTING SAID ELECTION AND THE COMPENSATION TO BE PAID THE ELECTION JUDGE AND CLERKS; PROVIDING FOR EARLY VOTING; PROVIDING FOR RATIFICATION AND CONFIRMATION BY THE MAYOR OF SAID CITY OF THE ACTION TAKEN BY THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Section 7.04 of the Home Rule Charter of the City of Freeport, Texas, provides that the City Council, upon its own motion and by a majority vote of its members, may submit to popular vote at any election for adoption or rejection any proposed ordinance, resolution or measure, or submit for repeal any existing ordinance, resolution or measure, in the same manner and with the same force and effect as provided in Article Seven of said charter for submission on petition, and may in its discretion call a special election for this purpose; and,

WHEREAS, Section 7.05 of said Charter provides that the ballots used when voting upon a proposed or referred ordinances, resolutions or measures, shall set forth their nature sufficiently to identify them and shall also set forth upon separate lines the words:

"FOR the ORDINANCE, and AGAINST the ORDINANCE", or
FOR the RESOLUTION, and AGAINST the RESOLUTION; and,

WHEREAS, Section 7.06 of said Charter provides that the person performing the duties of City Secretary shall publish at least once in the official newspaper of the City the proposed or referred ordinance or resolution at least fifteen (15) days before the date of the election, and shall give such other notices and do such other things relative to such election as are required in general municipal elections or by the ordinance or resolution calling such election; and,

WHEREAS, pursuant to Section 3.01 of the Home Rule Charter of the City of Freeport, Texas, and Ordinance No. 1718 of the City of Freeport, Texas, read, passed and adopted on the 2nd day of March, 1992, the City of Freeport, Texas, has been divided in four (4) single member election districts or wards known as Wards A, B, C and D.

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

SECTION ONE--Referendum Election Called.

Pursuant to Section 7.04 of the Homes Rule Charter of the City of Freeport, Texas, the Mayor and City Council of the City of Freeport, Texas, hereby order and ordain, respectively, that a Referendum Election shall be held in all of the wards of the City of Freeport, Texas, on the second Saturday in May, 2010, being the 8th day of May, 2010, between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m., in conjunction with the annual municipal election required by said Charter to be held on such day and at such time, for the purpose of allowing the qualified voters of the City to vote for or against the sale of beer and mixed beverages on any day between 12:00 midnight and 2:00 a.m. by holders of beer or mixed beverages retail dealers late hours permits.

SECTION TWO--Form of Ballot

The ballot used at said election shall conform with the requirements of Section 7.05 of the Homes Rule Charter of the City of Freeport, Texas, and the applicable requirements of the Texas Election Code and shall submit to the voters the following proposition:

FOR the sale of beer and mixed beverages on any day between 12:00 midnight and 2:00 a.m. by holders of beer or mixed beverages retail dealers late hours permits; or,

AGAINST the sale of beer and mixed beverages on any day between 12:00 midnight and 2:00 a.m. by holders of beer or mixed beverages retail dealers late hours permits.

SECTION THREE--Municipal Polling Places

As provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference, for the purpose of the election called by this ordinance, there shall be two (2) municipal polling places, one located outside the City of Freeport at the Oyster Creek City Hall, located at 3210 FM 523 in the Village of Oyster Creek, Texas, where voters residing in Brazoria County Election Precinct 8 but also residing within the City shall vote on election day and one within the City of Freeport, Texas, located at the Brazosport High School, John Magee Performance Center, 1800 West Second Street, Freeport, Texas, where all other voters shall vote on election day.

SECTION FOUR--Electors.

Every person eligible to vote under the provisions of Chapter 11 of Title 2 of the Texas Election Code who is a resident of the City of Freeport, Texas, and who is duly registered to vote in the county election precinct where and on the day on which he or she votes, shall be entitled to vote for or against the referred ordinance.

SECTION FIVE--Officers of Election and Compensation Thereof.

The Presiding Judge, Alternate Presiding Judge and clerks needed on the day of election for the election called by this ordinance, for the early ballot board and the central counting station shall be appointed, have the duties and be compensated as provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference.

SECTION SIX--Early Voting.

Early voting shall begin on April 26, 2010, and end on May 4, 2010, such early voting to be conducted by the County Clerk of Brazoria County, Texas, at the following locations between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except voting at such locations on May 1, 3 and 4, 2010, shall be between the hours of 7:00 a.m. to 7:00 p.m., to-wit:

<u>ANGLETON MAIN LOCATION</u>	Brazoria County Courthouse East Annex, 1524 E. Mulberry, Room 144, Angleton, TX
<u>ALVIN BRANCH LOCATION</u>	Alvin Library, 105 S. Gordon, Alvin, TX
<u>BRAZORIA BRANCH LOCATION</u>	Precinct 4 County Barn 1001 Market St., Brazoria, TX
<u>CLUTE/LAKE JACKSON LOCATION</u>	Brazosport College, 500 College Drive, Lake Jackson, TX
<u>FREEPORT BRANCH LOCATION</u>	Freeport Library, 410 Brazosport Boulevard,, Freeport, TX
<u>MANVEL BRANCH LOCATION</u>	Brazoria County Courthouse North Annex, 7313 Corporate Drive, Manvel, TX
<u>EAST PEARLAND BRANCH LOCATION</u>	Justice of the Peace, Pct. 3, Place 2, Courtroom, 2436 South Grand Blvd., Pearland, TX

WEST PEARLAND BRANCH LOCATION Westside Event Center, 2150
Countryplace Pkwy, Pearland, TX

SWEENEY BRANCH LOCATION Sweeny Community Center, 205
W. Ashley Wilson Rd., Sweeny, TX

WEST COLUMBIA BRANCH LOCATION West Columbia City Council
Chambers, 512 E. Brazos,
West Columbia, TX

SECTION SEVEN--Method of Voting and Conducting Election.

Both early voting and all voting on the day named above for the holding of said charter amendment election shall be in the manner specified in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, mentioned above.

SECTION EIGHT--Notice of Election.

The Mayor of the City of Freeport, Texas, is hereby authorized and directed to issue a notice of said election, to cause the same to be posted for at least twenty-one (21) days prior to the date named above for the holding of said referendum election on the bulletin board used for posting notices of meetings of the City Council, and the City Secretary of the City of Freeport, Texas, is hereby authorized and directed to cause a substantial copy of such notice, together with a copy of such refereed ordinance, to be published in the Brazosport Facts, a newspaper published in the adjoining City of Clute, in Brazoria County, Texas, there being no newspaper published at this time in the City of Freeport and the said Brazosport Facts being a newspaper having a general circulation in the City of Freeport, Texas, and the official newspaper of the City of Freeport, such publication to be at least fifteen (15) days before but not more than thirty (30) days before the date named above for the holding of said referendum election.

SECTION NINE--Ratification and Confirmation by Mayor.

By signing this ordinance, the undersigned Mayor of the City of Freeport, Brazoria County, Texas, hereby ratifies and confirms as his action all matters hereinabove recited which by law come within his jurisdiction.

SECTION TEN--Effective Date.

This ordinance shall be effective immediately upon its passage and approval.

READ, PASSED AND ADOPTED this ____ day of _____, 2010.

Larry McDonald, Sr., Mayor,
City of Freeport, Texas

ATTEST:

Delia Munoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw

Wallace Shaw, City Attorney,
City of Freeport, Texas

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THE STATE OF TEXAS X
COUNTY OF BRAZORIA X
CITY OF FREEPORT X

NOTICE OF REFERENDUM ELECTION

TO: ALL PERSONS ENTITLED TO VOTE UNDER THE PROVISIONS OF CHAPTER 11 OF TITLE 2 OF THE TEXAS ELECTION CODE WHO ARE RESIDENTS OF THE CITY OF FREEPORT, TEXAS, AND ARE DULY REGISTERED TO VOTE IN THE PRECINCT WHERE AND ON THE DAY ON WHICH THEY VOTE, GREETINGS:

I.

You will take notice that a referendum election will be held in and throughout the City of Freeport, Texas, on the first Saturday in May, 2010, being the 8th day of May, 2010, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of submitting the following to popular vote as provided in Section 7.04 of the Home Rule Charter of said City:

FOR the sale of beer and mixed beverages on any day between 12:00 midnight and 2:00 a.m. by holders of beer or mixed beverages retail dealers late hours permits; or,

AGAINST the sale of beer and mixed beverages on any day between 12:00 midnight and 2:00 a.m. by holders of beer or mixed beverages retail dealers late hours permits.

II.

As provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference, for the purpose of the election called by this ordinance, there shall be two (2) municipal polling places, one located outside the City of Freeport at the Oyster Creek City Hall, located at 3210 FM 523 in the Village of Oyster Creek, Texas, where voters residing in Brazoria County Election Precinct 8 but also residing within the City shall vote on election day and one within the City of Freeport, Texas, located at the Brazosport High School, John Magee Performance Center, 1800 West Second Street, Freeport, Texas, where all other voters shall vote on election day.

III.

Early voting shall begin on April 26, 2010, and end on May 4, 2010, such early voting to be conducted by the County Clerk of Brazoria County, Texas, at the following locations between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except voting at such locations on May 1, 3 and 4, 2010, shall be between the hours of 7:00 a.m. to 7:00 p.m., to-wit:

<u>ANGLETON MAIN LOCATION</u>	Brazoria County Courthouse East Annex, 1524 E. Mulberry, Room 144, Angleton, TX
<u>ALVIN BRANCH LOCATION</u>	Alvin Library, 105 S. Gordon, Alvin, TX
<u>BRAZORIA BRANCH LOCATION</u>	Precinct 4 County Barn 1001 Market St., Brazoria, TX
<u>CLUTE/LAKE JACKSON LOCATION</u>	Brazosport College, 500 College Drive, Lake Jackson, TX
<u>FREEPORT BRANCH LOCATION</u>	Freeport Library, 410 Brazosport Boulevard,, Freeport, TX
<u>MANVEL BRANCH LOCATION</u>	Brazoria County Courthouse North Annex, 7313 Corporate Drive, Manvel, TX
<u>EAST PEARLAND BRANCH LOCATION</u>	Justice of the Peace, Pct. 3, Place 2, Courtroom, 2436 South Grand Blvd., Pearland, TX
<u>WEST PEARLAND BRANCH LOCATION</u>	Westside Event Center, 2150 Countryplace Pkwy, Pearland, TX
<u>SWEENY BRANCH LOCATION</u>	Sweeny Community Center, 205 W. Ashley Wilson Rd., Sweeny, TX
<u>WEST COLUMBIA BRANCH LOCATION</u>	West Columbia City Council Chambers, 512 E. Brazos, West Columbia, TX

WITNESS MY OFFICIAL SIGNATURE HEREUNTO AFFIXED this ____ day of

_____, 2010.

Larry McDonald, Sr., Mayor,
City of Freeport, Texas

ATTEST:

Delia Munoz, City Secretary
City of Freeport, Texas

MAYOR'S RETURN

I certify that on the ____ day of _____, 2010, I posted a true and correct copy of the foregoing "Notice of Election", on the bulletin board located at the Freeport City Hall used for posting notices of meetings of the City Council, such day being more than twenty-one (21) days prior to said election.

Larry McDonald, Sr., Mayor
City of Freeport, Texas

CITY SECRETARY'S RETURN

I hereby certify that I caused a copy the above and foregoing "Notice of Election" to be published in the Brazosport Facts, a newspaper published in the adjoining City of Clute, in Brazoria County, Texas, there being no newspaper published at this time in the City of Freeport and the said Brazosport Facts being a newspaper having a general circulation in the City of Freeport, Texas, and the official newspaper of the City of Freeport, such publication being at least fifteen (15) days before but not more than thirty (30) days before the date named therein for the holding of said referendum election.

WITNESS my official signature and the seal of said City hereunto affixed this ____ day of _____, 2010

Delia Munoz, City Secretary
City of Freeport, Texas

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; PROVIDING THAT THE ANNUAL ELECTION CALLED BY THE CITY COUNCIL OF SAID CITY FOR THE ELECTION OF COUNCIL MEMBERS FOR COUNCIL POSITIONS A and C AND THE SPECIAL ELECTION FOR THE SUBMISSION TO THE VOTERS OF PROPOSED CHARTER AMENDMENTS AND THE REFERENDUM ELECTION, ALL CALLED FOR THE 8th DAY OF MAY, 2010, BE HELD JOINTLY WITH ALL ELECTIONS CALLED FOR THE SAME DAY BY OTHER POLITICAL SUBDIVISION LOCATED IN BRAZORIA COUNTY, TEXAS; AUTHORIZING THE MAYOR AND THE CITY SECRETARY OF SAID CITY TO EXECUTE AND ATTEST, RESPECTIVELY, A JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH THE COUNTY CLERK OF BRAZORIA COUNTY, TEXAS, WHICH SPECIFIES IN AN ATTACHMENT THERETO THE LOCATION OF THE COMMON POLLING PLACES AND WHICH AGREEMENT MAKES PROVISION FOR THE OFFICERS OF SAID JOINT ELECTION AND THEIR COMPENSATION, ALLOCATES THE EXPENSES OF SUCH JOINT ELECTION AND MAKES PROVISIONS FOR EARLY VOTING, THE BALLOT, BALLOT BOXES, ELECTION FORMS AND RECORDS AND THE CUSTODIAN THEREOF; PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY AND A CERTIFIED COPY THEREOF AND OF THE EXECUTED AND ATTESTED AGREEMENT HEREBY AUTHORIZED BE SENT TO THE COUNTY CLERK OF BRAZORIA COUNTY, TEXAS.

WHEREAS, Chapter 271 of the Texas Election Code, authorizes two or more political subdivision of this state located in the same county to hold jointly elections which are held on the same day;; and,

WHEREAS, the City Council of the City has called an election for the election of Council Members for Council Positions A and C on the City Council of the City, a special election for the submission of proposed charter amendment to the voters and a referendum election concerning whether or not the provisions in the Code of Ordinances of the City regulating the hours of sale of beer and mixed drinks should be amended; and,

WHEREAS, the County Clerk of Brazoria County, Texas, the county in which the City is located, has requested that the City hold such elections jointly with other political subdivisions in said county being held on the same day under the terms and conditions included in a written agreement and contract to be signed by the County Clerk and the appropriate officials of such other political subdivisions to which shall be affixed an attachment specifying the location of the common polling places and which agreement makes provision for the officers of said joint election and their compensation, allocates the expenses of such joint election and makes provisions for early voting, the ballot, ballot boxes, election forms and records and the custodian thereof for such joint election; and,

WHEREAS, the City Council of the City has determined and does here now declare that the adoption of this resolution and the execution of such agreement and contract is necessary to the health, safety and general welfare of the inhabitants of the City and will facilitate the holding of such elections;

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

First, that all of the elections called by the City Council of the City for May 8, 2010, be held jointly with the elections called by other political subdivision in Brazoria County, Texas, for the same day, and the Mayor and City Secretary of the City are hereby authorized to execute and attest, respectively, a Joint Election Agreement and Contract for Election Services described above in the preamble of this resolution.

Second, that the locations of the common polling places and the officers of said election and their compensation be designated and fixed, the expenses of such joint election be allocated and the provisions for early voting, ballots, ballot boxes, election forms and records and the custodian thereof be made all as provided in said agreement and contract.

Third, that early voting in such joint election as well as voting on the day of such joint election shall be conducted jointly by the County Clerk of said county and the City Secretary of the City and the comparable election officer of all of the other political subdivisions participating in such joint election as provided in said agreement and contract.

Fourth, this resolution shall take effect and be in force from and after its passage and adoption.

Fifth, the original of this resolution, after execution and attestation, shall be maintained by the City Secretary in the permanent records of the City and a certified copy hereof, and the executed and attested agreement and contract hereby authorized, be sent to the County Clerk of Brazoria County, Texas.

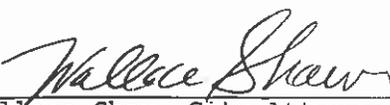
READ, PASSED AND ADOPTED this _____ day of _____, 2010.

Larry McDonald, Sr., Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:



Wallace Shaw, City Attorney,
City of Freeport, Texas

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NOTICE OF PUBLIC HEARING

The City Council of the City of Freeport, Texas, will hold a public hearing on Tuesday, the 19th day of January, 2010, beginning at 6:00, p.m., in the Police Department Municipal Courtroom located therein at 430 North Brazosport Boulevard, Freeport, Brazoria County, Texas, to consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners thereof granting a tax abatement:

Lot 22, Brazos Landing, Section 1, a subdivision in the City of Freeport, Brazoria County, Texas, according to the map or plat of said subdivision on file in the Plat Records of said county, known locally as 126 Brazos Landing Court.

At the same hearing, the City Council will consider whether or not to enter into an agreement granting a tax abatement to the owner or owners of the above described property.

All interested persons will be given an opportunity to speak and present evidence for or against such designation and for and against such abatement.

By order of the City Council this 31th day of December, 2009.



Delia Munoz, City Secretary
City of Freeport, Texas

ORDINANCE NO. 2010-2237

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT; DESIGNATING IMPROVEMENTS TO LAND LOCATED WITHIN THE INCORPORATED LIMITS OF SAID CITY AS A REINVESTMENT ZONE TO BE KNOWN AS THE JAVIER & GUADALUPE CARO REINVESTMENT ZONE AND PROVIDING FOR ITS INITIAL TERM AND THE RENEWAL THEREOF; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

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

WHEREAS, Sections 51.072 and 54.004 of the Local Government Code, Subchapter B of Chapter 312 of the Property Tax Code and Sections 2.01, 2.02 and 9.18 of the Home Rule Charter of the City of Freeport authorize the City Council thereof to adopt the provisions of this Resolution; and,

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

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

First, the City Council of the City of Freeport, Texas, (herein after sometimes "the City") makes the following findings of fact:

(1) That on September 14, 2009, the City Council of the City, pursuant to Subchapter B of Chapter 312 of the Property Tax Code, adopted Resolution No. 2009-2207 establishing a tax abatement and reinvestment zone policy and adopting guidelines and criteria for the same.

(2) That pursuant to such guidelines and criteria, December 1, 2009, JAVIER and GUADALUPE CARO (hereinafter sometimes "the Owners") filed a written application for a tax abatement for and the designation of a reinvestment zone consisting of improvements to the hereinafter described land for which the Owners are requesting a tax abatement.

(3) That the land on which the improvements for which the Owners seek to have designated as a reinvestment zone is within the corporate limits of the City.

(4) That the adoption of this ordinance designating such reinvestment zone was preceded by a public hearing at which all interested persons were given the opportunity to speak and present evidence for or against such designation.

(5) That written notice of such hearing was given to the presiding officer of each of the other taxing units having real property within such zone more than seven (7) days prior to the date of such hearing.

(6) That notice of such hearing was also published in a newspaper of general circulation within the City of Freeport, Texas, more than seven (7) days prior to the date of such hearing.

(7) That the designation of such zone is reasonably likely to contribute to the retention or expansion of primary employment or attract major investment to such zone.

Second, the request of the Owners to have the improvements to Lot 22, BRAZOS LANDING, Section 1, a subdivision in the City of Freeport, Brazoria County, Texas, known locally as 126 Brazos Landing Court, Freeport, Texas, designated as a reinvestment zone, as such zone is defined in Subchapter B of Chapter 312 of the Property Tax Code and in the guidelines and criteria adopted by the above mentioned resolution, is hereby approved and such improvements to such land are hereby designated as the JAVIER & GUADALUPE CARO Reinvestment Zone.

Third, as provided in Subchapter B of Chapter 312 of the Property Tax Code, such designation shall last for an initial term of five (5) years from the date on which this ordinance is read, passed and adopted as indicated below; and such designation may be renewed, with the consent of the City Council of the City of Freeport, Texas, for successive periods up to five (5) additional years.

Fourth, this ordinance is cumulative of and in addition to all other ordinances of the City of Freeport, Texas, on the same subject and all such ordinances are hereby expressly saved from repeal.

Fifth, where this ordinance and the comprehensive zoning ordinance of the city conflict or overlap, the zoning ordinance shall prevail and where this ordinance and any other ordinance conflict or overlap, whichever imposes the more stringent regulations or penalties, as the case may be, shall prevail.

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

Seventh, in the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Eighth, this ordinance shall take effect and be in force from and after its passage and adoption.

READ, PASSED AND ADOPTED this _____ day of _____, 2010.

Larry McDonald, Sr., Mayor
City of Freeport, Texas

ATTEST:

Delia Munoz, City Secretary
City of Freeport, Texas

APPROVED AS TO FORM ONLY:



Wallace Shaw, City Attorney,
City of Freeport, Texas

RESOLUTION NO. 2010-2219

AN RESOLUTION OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; ESTABLISHING A TAX ABATEMENT AND REINVESTMENT ZONE POLICY AND ADOPTING GUIDELINES AND CRITERIA FOR THE SAME; PROVIDING AN EFFECTIVE DATE AND FOR EXPIRATION AFTER TWO (2) YEARS; PROVIDING FOR AMENDMENT AND RESCISSION PRIOR TO EXPIRATION; PROVIDING FOR THE CONTINUATION FOR ITS DURATION OF ANY ABATEMENT CONTRACT ENTERED INTO PRIOR TO ANY SUCH AMENDMENT, RESCISSION OR EXPIRATION; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY.

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

WHEREAS, Sections 51.072 and 54.004 of the Local Government Code, Subchapter B of Chapter 312 of the Property Tax Code and Sections 2.01, 2.02 and 9.18 of the Home Rule Charter of the City of Freeport authorize the City Council thereof to adopt the provisions of this Resolution; and,

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

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

First, the City Council of the City hereby establishes a Tax Abatement and Reinvestment Zone Policy and adopts the guidelines and criteria for commercial and residential projects which are marked, respectively, "Exhibit A" and Exhibit B", and are attached hereto and made a part hereof as if set forth herein in full.

Second, this resolution, the Tax Abatement and Reinvestment Zone Policy hereby established and the guidelines and criteria therefor hereby adopted shall take effect upon the passage and adoption of this resolution and may be amended or rescinded by the City Council of the City at any time thereafter. Provided, however, unless rescinded prior thereto, this resolution and the guidelines and criteria adopted hereby shall expire two (2) years after the effective date hereof. Provided further, any abatement agreement entered into prior to such expiration or prior to any such amendment or rescision shall, for the duration of such agreement, remain in full force and effect, subject to the guidelines and criteria in effect on the date of the execution of such agreement.

Third, in the event any section or provision of this resolution or the guidelines and criteria hereby adopted are found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remainder thereof which shall remain in full force and effect.

Fourth, the original of this resolution, after execution and attestation, shall be maintained by the City Secretary in the permanent records of the City.

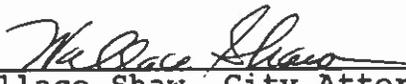
READ, PASSED AND ADOPTED this _____ day of _____, 2010.

Larry McDonald, Sr., Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:



Wallace Shaw, City Attorney,
City of Freeport, Texas

C\Freeport.Rsl\TaxAbtG1.Rsl

TAX ABATEMENT AGREEMENT

This Tax Abatement Agreement (this "Agreement") is made by and between the City of Freeport, Texas a municipal corporation and home-rule city (the "City"), and JAVIER CARO and wife, GUADALUPE CARO(collectively th "Owner"), individuals residing at 715 W. 8th St., Freeport, Texas, and the owners of interests in real property located within the Zone (as defined below).

W I T N E S S E T H:

WHEREAS, the construction of new/modernization of existing residences within the City is paramount to the City's continued economic development; and

WHEREAS, the Owner desires to construct a dwelling costing in excess of \$5,000.00 to be used for the Owner's personal residence; and

WHEREAS, the Owner has filed a written request for tax abatement, dated as of November 20, 2009, in accordance with the City's Resolution No. 2009-2207, (hereinafter "the Resolution") which establishes the property tax abatement program for the City of Freeport in designated reinvestment zones; and

WHEREAS, it is reasonably likely that this Agreement will attract major investment in the Zone that would be of benefit to property within the Zone and that would contribute to the economic development of the City; and

WHEREAS, the City Council has determined that the Improvements are practical and are of benefit to the land within the Zone and to the City; and

WHEREAS, City Council finds that there will be no substantial potential adverse effect on the provision of City services or on the tax base caused by this Agreement; and

WHEREAS, the Owner has represented that the facility will be designed and constructed to meet all applicable federal, state, and local environmental degradation of hazard; and

WHEREAS, the City Council finds that the planned use of the Improvements, when constructed and operated in accordance with applicable environmental standards, will not constitute a hazard to public health, safety, or morals; and

WHEREAS, City Council finds that the terms of this Agreement meet the applicable requirements of the Resolution and The Texas Tax Code; and

NOW THEREFORE,, the parties hereto, for and in consideration of the premises and mutual promises stated herein, agree as follows;

1. Definitions

The following terms shall have the meanings assigned below, unless otherwise defined or the context clearly requires otherwise.

"Abatement Period" means that period which commences on the first day of the Effective Date of Abatement and ends three (3) years thereafter.

"BCAD" means the Brazoria County Appraisal District.

"City" means the City of Freeport, Texas.

"City Manager" means the City Manager of the City.

"Effective Date of Abatement" means the January 1, 2010.

"Eligible Property" means the new residential structure which expands the local tax base as that term is defined in the Guidelines and Criteria for Tax Abatement in the City of Freeport attached to and adopted by the Resolution.

"Improvements" means the improvements to the property, more fully described in Section 5 below constituting the Project.

"Ordinance" means City of Freeport Ordinance Number 2010-_____, which created the Zone.

"Owner" means, collectively, JAVIER CARO and GUADALUPE CARO.

"Project" means the improvements to be constructed by the Owner on the Real Property as more fully described in Section 5(c) below.

"Property" means the real property to be improved, as more fully described in Section 3(a) below.

"Resolution" means City of Freeport Resolution 2009-2207 adopted September 14, 2009, establishing the property tax abatement program for the City in designated reinvestment zones, for which an abatement is being granted.

"Tax Code" means the Texas Property Tax Code, as amended.

"Zone" means the JAVIER & GUADALUPE CARO Reinvestment Zone, which is more particularly described In the Ordinance.

2. Authorization

This Agreement is authorized by Resolution which established the property tax abatement program for properties in designated reinvestment zones and by the Ordinance.

3. Property

(a) The Street Address of the taxable real property to be improved under this Agreement is 126 Brazos Landing Court, Freeport, Texas. It is more fully described in Exhibit "A" attached hereto and made a part hereof for all purposes.

(b) The BCAD tax account number of the Property is 2067-0022-000.

4. Representations and Warranties by the Owner

(a) The Owner represents and warrants (1) the Owner owns the Property and that the Property is located within the boundaries of the Zone; (2) the Owner is authorized to execute this Agreement and to complete the Improvements described in Section 5 hereof and in the project description marked Exhibit "B" and attached hereto; (3) that as of January 1, 2009, the Property had an approximate appraised value of \$24,300.00; (4) the construction of the Improvements described in Exhibit "B" began after January 1, 2009, and that construction of the Improvements were completed as of the effective date of this Agreement; (5) the construction of the Improvements shall be completed as described in Exhibit "B", all for the purpose of constructing the dwelling therein described; and (6) The total size of the Property is approximately 0.2656 acres.

(b) The Owner represents and warrants that the value of the Property will increase by at least \$120,000.00 upon completion of the Improvements.

(c) The Owner represents and warrants that the Improvements will not solely or primarily have the purpose of transferring employment from one part of the City to another.

(d) The Owner represents and warrants that it will construct and operate the Project described in Exhibit "B" attached hereto and incorporated herein by this reference.

- (e) The Owner represents and warrants that the Improvements will be designed, constructed, and operated in accordance with all applicable federal, state, and local environmental regulations, and that the construction and operation of the Improvements will not cause environmental degradation or hazard to the Property or the environs of the City.

5. Terms of the Agreement

- (a) The Owner shall make the Improvements substantially in conformity with the descriptions, plans and specifications as described in Exhibit "B".
- (b) The Improvements shall be completed in accordance with the provisions of Exhibit "B" and the City's Building and other Standard Codes and shall conform to the City's Zoning Ordinance. In case of any conflict, the Building or Standard Code, or Zoning Ordinance as the case may be, shall prevail. In addition, the Owner shall comply with City's Subdivision Ordinance, if applicable.
- (c) Upon completion of the Improvements, the Owner shall use the Property for the proposed use specified in this paragraph during the Abatement Period specified in Section 6 hereof. However, the City Council may approve a change from the proposed use in writing, if the City Council determines that the change is consistent with the guidelines adopted by the Resolution and with the City's general purpose of encouraging development or redevelopment of the Zone during the Abatement Period specified in Section 6 hereof. The proposed use of the Property (unless and until the City Council approves a change in use) is for a private dwelling, pursuant to and to the extent described in Exhibit "B" attached hereto and incorporated herein.
- (d) The Owner shall allow the City's employees access to the Property for the purpose of inspecting the Improvements to ensure that the Improvements were completed and are being maintained in accordance with the terms of this Agreement. All inspections will be made only after giving the Owner notice at least twenty-four (24) hours in advance thereof, and will be conducted in such manner as to not unreasonably interfere with the construction and/or operation of the Project. All inspections will be made with one (1) or more representatives of the Owner and in accordance with the owner's safety and security standards, but this shall not act as a limitation on the City's ability to perform any inspection or enter the affected property pursuant to the Code of Ordinances, the Building or other Standard Code or otherwise.

- (e) The Owner shall maintain the Improvements in good repair and condition during the Abatement Period specified in Section 6 hereof.
- (f) The Owner shall provide the City's employees access to all records requested and necessary for the purpose of conducting an audit of the Project. Any such audit shall be made only after giving the Owner notice at least seven (7) days in advance thereof, and will be conducted in such a manner as to not unreasonably interfere with the operation of the Project.
- (g) The Owner shall not assign this Agreement without the written approval of the City Council. In addition, any such assignment must be approved by City Council.

6. Tax Abatement

- (a) Abatement on the Improvements specifically listed in Exhibit "B" shall be permitted only for the value of new "eligible property" constructed or added after January 1, 2009, subject to the limitation stated in subsection 5(c) above. In addition, this exemption from taxation is specifically subject to the rights of the holders of outstanding bonds of the City. The portion of the value of new eligible Improvements subject to the abatement shall be 100% for three (3) years. If the construction period extends beyond three (3) years from the Effective Date of Abatement, the Improvements shall be considered completed for purposes of abatement and, in no case, shall the Abatement Period exceed three (3) years from the Effective Date of Abatement.
- (b) From the Effective Date of Abatement to the end of the Abatement Period, taxes shall be payable as follows:
 - 1. The value of (I) the property on which the project is located without regard to any improvements thereon and (ii) any tangible personal property not attached to the land And for which an abatement has not been specifically granted shall be fully taxable;
 - 2. The base year value of any improvements on the property which are not eligible improvements shall be fully taxable;
 - 3. The additional value of the eligible improvements constructed after January 1, 2009, but before the effective date of this Agreement, shall be taxable in accordance with Section 6(a) of this Agreement.

- (c) The City shall enter into only one tax abatement agreement for the Project described in Exhibit "B" of this Agreement during the existence of the Javier & Guadalupe Caro Reinvestment Zone.

7. Default and Recapture

- (a) This Agreement shall terminate in the event that the use and operation of the facility for the purpose specified in Section 5(c) above is discontinued, for any reason excepting fire, explosion, other casualty or accident, or natural disaster, continuously for a period in excess of twelve (12) month during the Abatement Period. The Owner shall not be entitled to the abatement of taxes for that twelve month period during which the facility did not produce a product or service. The taxes abated during that twelve month period shall become immediately due and payable, and shall be paid to the City within sixty (60) days from the date of termination of this Agreement.

- (b) The Owner shall be in default hereof in the event that the Owner:

1. allows ad valorem taxes owed the City to become delinquent and fails to timely and properly follow the legal procedures for their protect and/or contest; or
2. has made any material representation which is determined to be false or misleading in any respect; or
3. is in breach of any material warranty and fails to cure within 60 days from the date notice is provided thereof as described below (the "Cure Period"); or
4. violates any of the terms and conditions of this Agreement and fails to cure during the Cure Period.

(c) Should the City Council determine that the Owner is in default according to the terms and conditions of this Agreement, the City Manager shall notify the Owner in writing at the address stated in this Agreement, and if such default is not cured during the Cure period, then this Agreement may be terminated as to all parties and all taxes previously abated by virtue of this Agreement, shall be recaptured, and paid by the Owner within sixty (60) days of the termination.

8. Administration

(a) For purposes of this Agreement, the value of the real and personal Property comprising the Zone, including the value of the Improvements listed in Exhibit "B" hereof, shall be the same as the value of the Improvements determined annually by the chief appraiser of BCAD. Each year, the Owner shall furnish the City with such information as may be necessary for calculating the amount of abatement. Once the value of the Improvements has been established and the amount of the abatement calculated, the chief appraiser of the BCAD shall notify the affected jurisdictions that levy taxes of the amount of assessment.

(b) Upon the completion of construction of the Improvements, the City Manager shall annually evaluate each facility receiving abatement to ensure compliance with this Agreement and prepare a report of any violations of this Agreement.

9. Compliance with State and Local Regulations

Except as specifically provided herein, nothing in this Agreement shall be construed to alter or affect the obligation of the Owner to comply with any ordinance, rule or regulation of the City, or the laws and regulations of the State of Texas and the United States.

10. Merger

The parties agree that this Agreement contains all of the terms and conditions of the understanding of the parties relating to the subject matter hereof. All prior negotiations, discussions, correspondence and preliminary understandings between the parties and others relating hereto are superseded by this Agreement.

11. Notice

All notices shall be in writing and unless hand delivered, shall be sent by U.S. Mail certified, return receipt requested. If mailed, any notice or communication shall be deemed to be received three (3) days after the date of deposit in the United States Mail. Unless otherwise provided in this Agreement, all notices shall be delivered to the following address:

To the Owner

126 Brazos Landing Court
Freeport, TX 77541

To the City

If mailed or personally delivered:

City Manager
200 West Second Street
Freeport, TX 77541

Each party may designate a different address by giving the other party written notice ten (10) days in advance of such designation.

12. Effective Date

If approved by the Mayor and City Council, the Effective Date of this Agreement shall be the Effective Date of Abatement as defined in Section 1 hereof.

This agreement has been executed by the parties in multiple originals, each having full force and effect.

Javier Caro, Owner

Guadalupe Caro, Owner

THE CITY OF FREEPORT, TEXAS

BY _____
Its Mayor

ATTEST:

Its City Secretary

APPROVED AS TO FORM

Wallace Shaw

Its City Attorney

C:\Freeport.Abt\Caro-J&G-TxAbt-Agr



PROPERTY MANAGEMENT

Larry McDonald
Mayor

Clan Cameron
Councilmember
Ward A

Jim Phillips
Councilmember
Ward B

Ron Wise
Councilmember
Ward C

Norma Moreno Garcia
Councilmember/
Mayor Pro Tem
Ward D

Jeff Pynes
City Manager

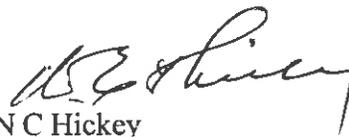
November 20, 2009
Jeff Pynes
Chief Executive Officer
City Manager

re: Lots 12 & 13, Block 2, Freeport Townsite
530 East Broad Street
Tax ID 4200-0040-000

Please place the following item on the December 7, 2009, City council agenda:

Discuss / consider the sale of the City's interest in
lots 12 & 13, block 2, Freeport, Townsite, known
as 530 East Broad Street.
Tax ID 4200-0040-000

Bid analysis and calculation sheet attached.


N C Hickey
Property Manager

attach

/s



**PROPERTY MANAGEMENT
MEMO**

Council Agenda Date: November 2, 2009
Agenda item: _____

Legal Description: Lot:12 & 13, Block 2, Freeport Townsite
Street Address: 530 East Broad Street

Type of Property Sale: Trust
Sheriff Sale Date: 3-6-09
Sheriff Deed Number: 2009011565

Years Taxes Delinquent: 2001-2009
Taxes extinguished by Sheriff Sale: \$ 708.30

Appraisal District Value: \$2,800.00
Offer by: Michael Hickey \$2,900.00
Court Cost & Post Judgment: \$4,116.91

Amount Left to Distribute: \$ 0
Distribution Amount to Freeport: \$ 0

Property Recommendation: Pleasure of Council

Action: Accept Offer
 Reject Offer
 Re-agenda

COMMENTS:

Motion by _____ Second _____ Vote _____

Trust sale-Council action

Brazoria CAD

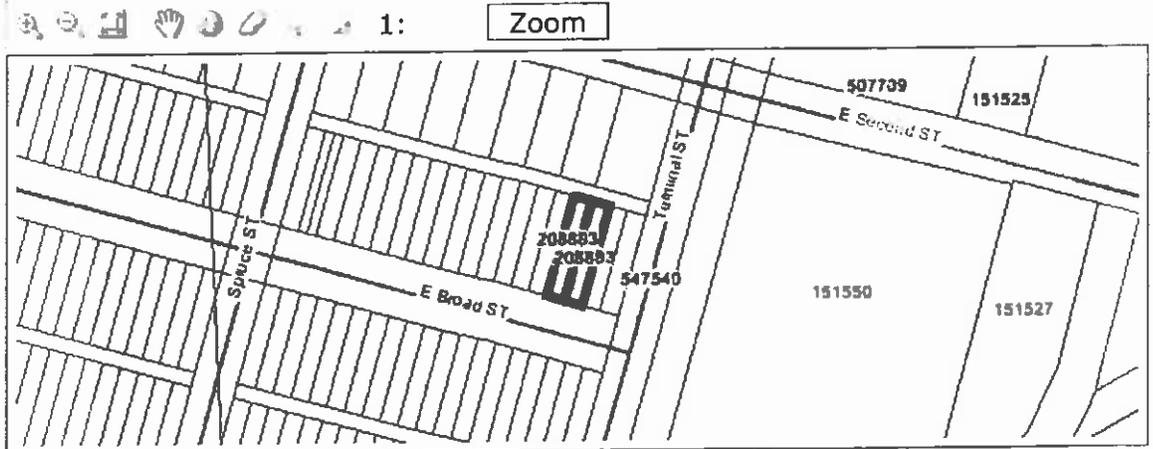
Property Search Results > Property ID 208883 CITY OF FREEPORT IN TRUST for Year 2009

Property Details

Account
 Property ID: 208883
 Geo. ID: 4200-0040-000
 Type: Real
 Legal Description: FREEPORT, BLOCK 2, LOT 12-13
 Location
 Address: E BROAD ST FREEPORT, TX 77541
 Neighborhood: FREEPORT ORIGINAL
 Mapsco
 Jurisdictions: CAD, CFP, DR2, GBC, JBR, NAV, RDB, \$BR
 Owner
 Name: CITY OF FREEPORT IN TRUST
 Address: 200 W 2ND ST FREEPORT, TX 77541-5773

Property
 Appraised Value: \$2,800

- Map Layers
- Radius Search



Website version: 1.2.2.2

Database last updated on: 10/13/2009 8 40 PM

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This site only supports Internet Explorer 6+, Netscape 7+ and Firefox 1.5+



Larry McDonald
Mayor

Clan Cameron
Councilmember
Ward A

Jim Phillips
Councilmember
Ward B

Ron Wise
Councilmember
Ward C

Norma Moreno Garcia
Councilmember
Mayor Pro Tem
Ward D

Jeff Pynes
Chief Executive Officer
City Manager

PROPERTY MANAGEMENT
MEMO

Council: . _____

Agenda item: . _____

Block & Lot(s): . Block 4, lot 8

Street Location: . 927 West 9th Street

Account : . 7750-0066-000

Taxes delinquent: \$ 1989 - 2009

Taxes extinguished: \$ 412.92

Value of property: \$ 4,800.00

Offer by James Forsyth: \$ 1,400.00

Court costs & post judgment: \$ 3,122.09

To distribute: \$ -0-

Liens - thru 8-15-05 \$ 1,602.79

Recommendation: Pleasure of Council .

Action: Sell
 Reject offer



Tax Resale Property Information

RESALE MEETING OF: October 27, 2009

Legal Description: SOUTH VIEW GARDENS (FREEPORT)
BLOCK 4, LOT 8

Physical Address: 927 9TH

Account Number: 7750-0066-000

In Trust To: CITY OF FREEPORT

Adjudged Value/Year: \$3,200.00

Minimum Bid at Sale: \$3,200.00

Offer: \$1,400.00

Offer made by: JAMES FORSYTH

Sheriff's Deed Filed: November 23, 2005

Redemption Expiration: 5/23/2006

City weed/demo liens: UNKNOWN 1602.75

Land Value: (Current) \$4,800.00

Improvement Value:(Current) \$0.00

Previous Owner: HAZEL TILLMAN

Precinct: 1

School District: BRAZOSPORT ISD

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

Notes: Michael Darlow was present at the meeting.

RECEIVED
NOV 10 2009
PROPERTY MGMT

BID ANALYSIS

Cause Number: 27836 **Account Number:** 7750-0066-000
Offer Amount: \$1,400.00 **Value \$:** \$4,800.00
Person Offering: JAMES FORSYTH **Adjudged Value\$:** \$3,200.00

Judgement Information

Taxing Entity	Tax Years	Amount Due
BC	1979-2003	\$1,448.29
BCED		\$1,015.12
Brazosport ISD		\$3,911.93
BRHND		\$387.80
Brazosport Collage		\$266.88
Velasco Drainage		\$537.92
Road Dist 34		\$0.00
City of Freeport		\$3,372.22
Total		\$10,940.14

Costs

Court Costs	\$1,094.50	Sheriff Fees	\$1,155.13
Publication Fees	\$154.20	Research Fees	\$350.00
Ad Litem		Recording fee's	\$24.00
Liens			0
Total		Cost of Deed	\$2,777.83

Post Judgement Information

Taxing Entity	Tax Year's	Amount Due
BC	2004-2009	\$48.73
BCED		\$0.00
Brazosport ISD		\$181.16
BRHND		\$7.79
Brazosport College		\$13.64
Velasco Drainage		\$9.24
Road Dist 34		\$0.00
City of Freeport		\$83.70
Post Judgment Total		\$344.26

Proposed Distribution

Offer Amount \$1,400.00 **Costs + P & J** \$3,122.09
Net to Distribute \$ -\$1,722.09

BC	13.24%	-\$227.98
BCED	9.28%	-\$159.79
Brazosport ISD	35.76%	-\$615.78
BRHND	3.54%	-\$61.04
Brazosport College	2.44%	-\$42.01
Velasco Drainage	4.92%	-\$84.67
Road Dist 34	0.00%	\$0.00
City of Freeport	30.82%	-\$530.82



Monday, November 30 2009

Taxes Due Detail by Year
[Begin a New Search](#) [Go to Your Portfolio](#)
[Return to the Previous Page](#) [Taxes Due by Jurisdiction](#)

Account No.: 77500066000

* Additional Collection Costs

Year	Base Tax Due	November		December		January	
		Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due
2005	\$82.18	\$73.63	\$155.81	\$74.64	\$156.82	\$75.61	\$157.79
2004	\$93.42	\$97.16	\$190.58	\$98.28	\$191.70	\$99.41	\$192.83
2003	\$92.47	\$109.50	\$201.97	\$110.61	\$203.08	\$111.69	\$204.16
2002	\$90.68	\$111.61	\$202.29	\$112.68	\$203.36	\$113.71	\$204.39
2001	\$90.49	\$123.89	\$214.38	\$124.92	\$215.41	\$125.97	\$216.46
2000	\$88.98	\$134.10	\$223.08	\$135.11	\$224.09	\$136.13	\$225.11
1999	\$87.55	\$144.03	\$231.58	\$145.06	\$232.61	\$146.04	\$233.59
1998	\$87.66	\$156.31	\$243.97	\$157.31	\$244.97	\$158.31	\$245.97
1997	\$88.34	\$169.70	\$258.04	\$170.72	\$259.06	\$171.74	\$260.08
1996	\$90.04	\$185.39	\$275.43	\$186.43	\$276.47	\$187.46	\$277.50
1995	\$90.04	\$197.84	\$287.88	\$198.86	\$288.90	\$199.89	\$289.93
1994	\$193.58	\$452.02	\$645.60	\$454.23	\$647.81	\$456.46	\$650.04
1993	\$444.56	\$1,099.39	\$1,543.95	\$1,104.52	\$1,549.08	\$1,109.60	\$1,554.16
1992	\$427.04	\$1,115.01	\$1,542.05	\$1,119.91	\$1,546.95	\$1,124.81	\$1,551.85
1991	\$408.04	\$1,121.70	\$1,529.74	\$1,126.39	\$1,534.43	\$1,131.10	\$1,539.14
1990	\$381.96	\$1,102.73	\$1,484.69	\$1,107.09	\$1,489.05	\$1,111.52	\$1,493.48
1989	\$519.78	\$1,572.36	\$2,092.14	\$1,578.32	\$2,098.10	\$1,584.28	\$2,104.06
Total Amount Due:	\$3,356.81	\$7,966.37	\$11,323.18	\$8,005.08	\$11,361.89	\$8,043.73	\$11,400.54

Tax Office:
[Search & Pay Taxes](#)
[Appraisal District](#)
[Tax Rates & Entities](#)
[Related Links](#)
[Tax Office FAQ](#)

Lien Payoff Calculation

	A	B	C	D	E	F	G	H	I	J
1	Owner			Block	Lot(s)		Situs	Address		Account
2	City of Freeport, Trustee			4	8		927	West 9th Street		7750-066-000
3										
4										
5	Cause No	N/A								
6	Judgment	N/A								
7	S/Deed	N/A								
8	Deed date	N/A								
9										
10										
11		Interest		No.	Per Mo		File	Adm	Total	
12	Lien	From	Base	Mo	Interest	P & I	Fee	Fee	Amount	c+f+g+h
13										
14	04-004092	7/14/2003	\$ 55.00	77	0.46	\$ 35.42	16	\$ 35.00	\$ 141.42	
15	04-004143	5/16/2003	\$ 250.00	79	2.08	\$ 164.32	16	\$ 35.00	\$ 465.32	
16	04-055523	8/10/2004	\$ 55.00	64	0.46	\$ 29.44	16	\$ 35.00	\$ 135.44	
17	04-055526	5/20/2004	\$ 200.00	67	1.67	\$ 111.89	16	\$ 35.00	\$ 362.89	
18	04-056257	6/18/2004	\$ 200.00	66	1.67	\$ 110.22	16	\$ 35.00	\$ 361.22	
19	05-059482	8/15/2005	\$ 59.50	52	0.5	\$ 26.00	16	\$ 35.00	\$ 136.50	
20										
21								Total	\$ 1,602.79	Calc thru 12-31.07
22										
23										
24										
25										
26										
27	Trust sale offer by James Forsyth 12-27-09									
28	For council action									
29										
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36										
37										
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42										
43	xc: Code									
44	Acct Rec									
45	File									
46										
47										
48										
49										
50										

Brazoria CAD

Property Search Results > 251445 CITY OF FREEPORT for Year 2009

Property

Account
 Property ID: 251445 Legal Description: SOUTH VIEW GARDENS (FREEPORT), BLOCK 4, LOT 8
 Geographic ID: 7750-0066-000 Agent Code:
 Type: Real

Location
 Address: 927 W 9TH ST Mapsco:
 FREEPORT, TX 77541
 Neighborhood: SOUTH VIEW GARDENS Map ID:
 Neighborhood CD: S7750

Owner
 Name: CITY OF FREEPORT Owner ID: 21410
 Mailing Address: 200 W 2ND ST % Ownership: 100.0000000000%
 FREEPORT, TX 77541-5773
 Exemptions: EX

*6- Liens
P7*

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$4,800	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
		<hr/>	
(=) Market Value:	=	\$4,800	
(-) Ag or Timber Use Value Reduction:	-	\$0	
		<hr/>	
(=) Appraised Value:	=	\$4,800	
(-) HS Cap:	-	\$0	
		<hr/>	
(=) Assessed Value:	=	\$4,800	

Taxing Jurisdiction

Owner: CITY OF FREEPORT
 % Ownership: 100.0000000000%
 Total Value: \$4,800

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$4,800	\$0	\$0.00
CFP	CITY OF FREEPORT	0.708266	\$4,800	\$0	\$0.00
DR2	VELASCO DRAINAGE DISTRICT	0.087130	\$4,800	\$0	\$0.00
GBC	BRAZORIA COUNTY	0.366286	\$4,800	\$0	\$0.00
JBR	BRAZOSPORT COLLEGE	0.175754	\$4,800	\$0	\$0.00
NAV	PORT FREEPORT	0.053500	\$4,800	\$0	\$0.00
RDB	ROAD & BRIDGE FUND	0.060000	\$4,800	\$0	\$0.00
SBR	BRAZOSPORT INDEPENDENT SCHOOL DISTRICT	1.228500	\$4,800	\$0	\$0.00
Total Tax Rate:		2.679436			

Taxes w/Current Exemptions:

\$0.00 Pg. 56

Taxes w/o Exemptions: \$128.61

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	S1	PRIMARY SITE	0.1470	6405.00	0.00	0.00	\$4,800	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2010		N/A	N/A	N/A	N/A	N/A
2009		\$0	\$4,800	0	4,800	\$4,800
2008		\$0	\$3,200	0	3,200	\$3,200
2007		\$0	\$3,200	0	3,200	\$3,200
2006		\$0	\$3,200	0	3,200	\$3,200
2005		\$0	\$3,200	0	3,200	\$3,200
2004		\$0	\$3,200	0	3,200	\$3,200
2003		\$0	\$3,200	0	3,200	\$3,200
2002		\$0	\$3,200	0	3,200	\$3,200
2001		\$0	\$3,200	0	3,200	\$3,200

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
1	11/14/2005 12:00:00 AM	SD	SHERIFF'S DEED	VANROMPAEY ISA	CITY OF FREEPOR	05	066752

Questions Please Call (979) 849-7792

Website version: 1.2.2.2

Database last updated on: 10/13/2009 8:40 PM

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Brazoria CAD

Property Search Results > Property ID 251445 CITY OF FREEPORT for Year 2009

Property Details

Account
 Property ID: 251445
 Geo. ID: 7750-0088-000
 Type: Real

Legal Description:
 SOUTH VIEW GARDENS (FREEPORT), BLOCK 4, LOT 8

Location
 Address: 927 W 9TH ST
 FREEPORT, TX 77541
 Neighborhood: SOUTH VIEW GARDENS

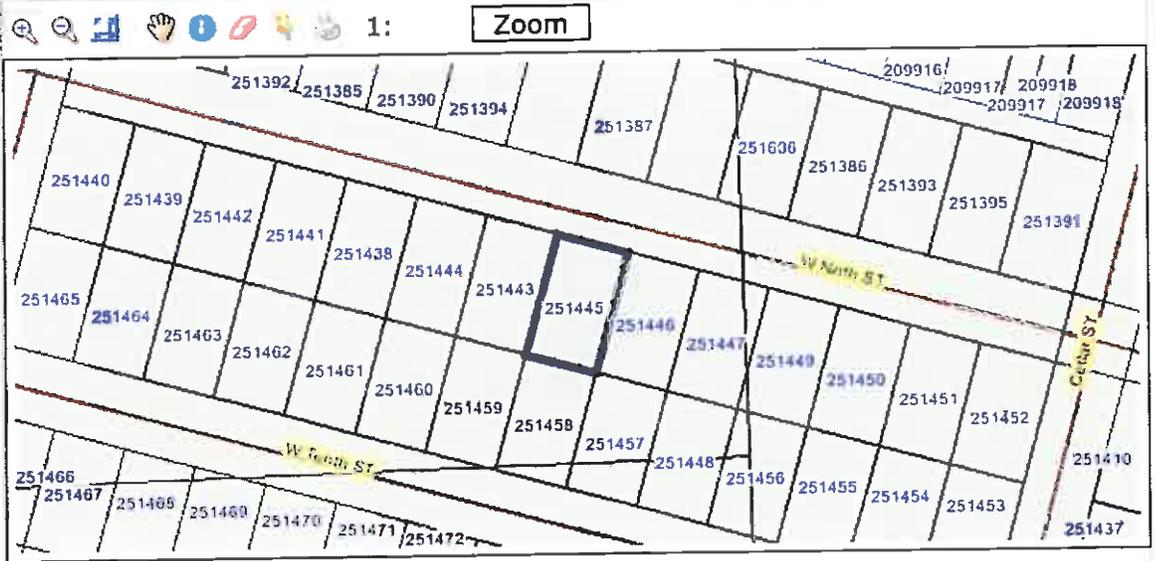
Mapsc0:
 CAD, CFP, DR2, GBC, JBR, NAV, RDB, SBR

Jurisdictions:

Owner
 Name: CITY OF FREEPORT
 Address: 200 W 2ND ST
 FREEPORT, TX 77541-5773

Property
 Appraised Value: \$4,800

[Map Layers](#)
[Radius Search](#)



Website version: 1.2.2.2

Database last updated on: 10/13/2009 8:40 PM

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pg 576



Larry McDonald
Mayor

Clan Cameron
Councilmember
Ward A

Jim Phillips
Councilmember
Ward B

Ron Wise
Councilmember
Ward C

Norma Moreno Garcia
Councilmember
Mayor Pro Tem
Ward D

Jeff Pynes
Chief Executive Officer
City Manager

PROPERTY MANAGEMENT
MEMO

Council: _____
Agenda item: _____

Block & Lot(s): . Block 5, lot 1
Street Location: . 1213 West 10th Street
Account : . 8125-0038-000

Taxes delinquent: \$ 1989 - 2009
Taxes extinguished: \$ 1,219.20

Value of property: \$ 4,580.00
Offer by James Forsyth: \$ 600.00
Court costs & post judgment: \$ 1,719.28

To distribute: \$ -0-

Liens outstanding - 2004 \$ 3,052.26

Recommendation: Pleasure of Council .

Action: [] Sell
[] Reject offer



Motion



Second

Vote



Tax Resale Property Information

RESALE MEETING OF: October 27, 2009

Legal Description: VICTORY (FREEPORT), BLOCK 5,
LOT 1

Physical Address: ACRES 2626
10TH

Account Number: 8125-0038-000

In Trust To: BRAZORIA COUNTY

Adjudged Value/Year: \$2,860.00

Minimum Bid at Sale: \$1,287.69

Offer: \$600.00

Offer made by: JAMES FORSYTH

Sheriff's Deed Filed: June 16, 1999

Redemption Expiration: 12/16/1999

City weed/demo liens: UNKNOWN

Land Value: (Current) \$4,580.00

Improvement Value:(Current) \$0.00

Previous Owner: JOSE GONZALES

Precinct: 1

School District: BRAZOSPORT ISD

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

Notes: Michael Darlow was present at the meeting.

RECEIVED
NOV 10 2009
PROPERTY MGMT

Lien Payoff Calculation

	A	B	C	D	E	F	G	H	I	J
1	Owner			Block	Lot(s)		Situs	Address		Account
2	City of Freeport, Trustee			5	1		1213	West 10th Street		8125-0038-000
3										
4										
5	Cause No	N/A								
6	Judgment	N/A								
7	S/Deed	N/A								
8	Deed date	N/A								
9										
10										
11		Interest		No.	Per Mo		File	Adm	Total	
12	Lien	From	Base	Mo	Interest	P & I	Fee	Fee	Amount	c+f+g+h
13										
14	04-004102	7/14/2003	\$ 337.00	77	2.81	\$ 216.37	16	\$ 35.00	\$ 604.37	
15	04-004110	7/14/2003	\$ 85.00	77	0.71	\$ 54.67	16	\$ 35.00	\$ 190.67	
16	04-004118	4/23/2002	\$ 337.00	96	2.81	\$ 269.76	16	\$ 35.00	\$ 657.76	
17	04-004127	7/12/2002	\$ 337.00	101	2.81	\$ 283.81	16	\$ 35.00	\$ 671.81	
18	04-004564	9/2/2002	\$ 337.00	99	2.81	\$ 278.19	16	\$ 35.00	\$ 666.19	
19	04-056267	6/14/2004	\$ 60.00	78	0.5	\$ 39.00	16	\$ 35.00	\$ 134.00	
20	04-056318	9/16/2004	\$ 50.00	63	0.42	\$ 26.46	16	\$ 35.00	\$ 127.46	
21								Total	\$ 3,052.26	Calc thru 12-31-09
22										
23										
24										
25										
26										
27	Trust sale offer by James Forsyth 12-27-09									
28	For council action									
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44	Acct Rec									
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BID ANALYSIS

Cause Number:	93T5247	Account Number:	8125-0038-000
Offer Amount:	\$600.00	Value \$:	\$4,580.00
Person Offering:	JAMES FORSYTH	Adjudged Value\$:	\$2,860.00

Judgement Information

Taxing Entity	Tax Years	Amount Due
BC	1986-1993	\$157.70
BCED		\$135.10
Brazosport ISD		\$369.08
BRHND		\$45.58
Brazosport College		\$26.35
Velasco Drainage		\$64.63
City of Freeport		\$420.76
Total		\$1,219.20

Costs

Court Costs	\$355.00	Sheriff Fees	
Publication Fees	\$183.70	Research Fees	
Ad Litem		Recording fee's	\$13.00
		Liens	0
		Cost of Deed	
		Total	
			\$551.70

Post Judgement Information

Taxing Entity	Tax Year's	
BC	1994-2009	\$150.02
BCED		\$0.00
Brazosport ISD		\$576.00
BRHND		\$35.32
Brazosport College		\$31.85
Velasco Drainage		\$43.44
City of Freeport		\$330.95
Post Judgment Total		\$1,167.58

Proposed Distribution

Offer Amount	Costs + P & J
\$600.00	\$1,719.28
Net to Distribute \$	-\$1,119.28

BC	12.93%	-\$144.78
BCED	11.08%	-\$124.03
Brazosport ISD	30.27%	-\$338.83
BRHND	3.74%	-\$41.84
Brazosport College	2.16%	-\$24.19
Velasco Drainage	5.30%	-\$59.33
City of Freeport	34.51%	-\$386.28

Brazoria CAD

Property Search Results > 262448 BRAZORIA COUNTY IN TRUST for Year 2009

Property

Account

Property ID: 262448 Legal Description: VICTORY (FREEPORT), BLOCK 5, LOT 1, CAUSE #93T5247

Geographic ID: 8125-0038-000 Agent Code:
 Type: Real

Location

Address: 1213 W 10TH ST FREEPORT, TX 77541 Mapsco:

Neighborhood: FREEPORT ORIGINAL Map ID:
 Neighborhood CD: CFP.O

*7 - Lien
pic*

Owner

Name: BRAZORIA COUNTY IN TRUST Owner ID: 49031
 Mailing Address: 111 E LOCUST ANGLETON, TX 77515 % Ownership: 100.0000000000%

Exemptions: EX

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$4,580	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$4,580	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$4,580	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$4,580	

Taxing Jurisdiction

Owner: BRAZORIA COUNTY IN TRUST
 % Ownership: 100.0000000000%
 Total Value: \$4,580

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$4,580	\$0	\$0.00
CFP	CITY OF FREEPORT	0.708266	\$4,580	\$0	\$0.00
DR2	VELASCO DRAINAGE DISTRICT	0.087130	\$4,580	\$0	\$0.00
GBC	BRAZORIA COUNTY	0.366286	\$4,580	\$0	\$0.00
JBR	BRAZOSPORT COLLEGE	0.175754	\$4,580	\$0	\$0.00
NAV	PORT FREEPORT	0.053500	\$4,580	\$0	\$0.00
RDB	ROAD & BRIDGE FUND	0.060000	\$4,580	\$0	\$0.00
SBR	BRAZOSPORT INDEPENDENT SCHOOL DISTRICT	1.228500	\$4,580	\$0	\$0.00
Total Tax Rate:		2.679436			

Taxes w/Current Exemptions:

\$0.00 Pg. 62

Taxes w/o Exemptions: \$122.72

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	S1	PRIMARY SITE	0.2626	11439.00	0.00	0.00	\$4,580	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2010		N/A	N/A	N/A	N/A	N/A
2009		\$0	\$4,580	0	4,580	\$4,580
2008		\$0	\$2,860	0	2,860	\$2,860
2007		\$0	\$2,860	0	2,860	\$2,860
2006		\$0	\$2,860	0	2,860	\$2,860
2005		\$0	\$2,860	0	2,860	\$2,860
2004		\$0	\$2,860	0	2,860	\$2,860
2003		\$0	\$2,860	0	2,860	\$2,860
2002		\$0	\$2,860	0	2,860	\$2,860
2001		\$0	\$2,860	0	2,860	\$2,860

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
1	6/8/1999 12:00:00 AM	SD	SHERIFF'S DEED	GONZALEZ JOSE [BRAZORIA COUNT	99	027511

Questions Please Call (979) 849-7792

Website version: 1.2.2.2

Database last updated on: 10/13/2009 8:40 PM

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Monday, November 30 2009

Taxes Due Detail by Year

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Account No.: 81250038000

* Additional Collection Costs

Year	Base Tax Due	November		December		January	
		Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due
1999	\$44.15	\$72.63	\$116.78	\$73.13	\$117.28	\$73.65	\$117.80
1998	\$78.35	\$139.69	\$218.04	\$140.59	\$218.94	\$141.49	\$219.84
1997	\$78.95	\$151.67	\$230.62	\$152.59	\$231.54	\$153.49	\$232.44
1996	\$80.48	\$165.73	\$246.21	\$166.62	\$247.10	\$167.57	\$248.05
1995	\$80.48	\$176.81	\$257.29	\$177.74	\$258.22	\$178.65	\$259.13
1994	\$30.94	\$72.23	\$103.17	\$72.60	\$103.54	\$72.96	\$103.90
1993	\$43.03	\$106.41	\$149.44	\$106.90	\$149.93	\$107.40	\$150.43
1992	\$50.18	\$131.03	\$181.21	\$131.59	\$181.77	\$132.18	\$182.36
1991	\$73.30	\$201.52	\$274.82	\$202.34	\$275.64	\$203.18	\$276.48
1990	\$68.62	\$198.10	\$266.72	\$198.90	\$267.52	\$199.70	\$268.32
1989	\$87.13	\$263.61	\$350.74	\$264.57	\$351.70	\$265.56	\$352.69
Total Amount Due:	\$715.61	\$1,679.43	\$2,395.04	\$1,687.57	\$2,403.18	\$1,695.83	\$2,411.44

Tax Office:

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[Tax Office Home Page](#)

[Commissioner's Court](#)
[Courthouse History](#)

E-mail: roving@brazoria-county.com
111 E. Locust Suite
Angleton, TX 77515
(979) 864-1320

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Brazoria CAD

Property Search Results > Property ID 262448 BRAZORIA COUNTY IN TRUST for Year 2009

Property Details

Account
 Property ID: 262448
 Geo. ID: 6125-0036-000
 Type: Real
 Legal Description: VICTORY (FREEPORT), BLOCK 5, LOT 1, CAUSE #93T5247
 Location Address: W 10TH ST FREEPORT, TX 77541
 Neighborhood: FREEPORT ORIGINAL
 Mapsco: CAD, CFP, DR2, GBC, JBR, NAV, RDB, SBR
 Jurisdictions:
 Owner Name: BRAZORIA COUNTY IN TRUST
 Address: 111 E LOCUST ANGLETON, TX 77515
 Property Appraised Value: \$4,580

[Map Layers](#)
[Radius Search](#)

1213 W. 10th

Website version: 1.2.2.2

Database last updated on: 10/13/2009 8:40 PM

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THE CITY OF

200 West Second St - Freeport, TX 77541

FREEPORT

979.233.3526 • Fax 979.233.8867

Larry McDonald
Mayor

Clan Cameron
Councilmember
Ward A

Jim Phillips
Councilmember
Ward B

Ron Wise
Councilmember
Ward C

Norma Moreno Garcia
Councilmember/
Mayor Pro Tem
Ward D

Jeff Pynes
Chief Executive Officer
City Manager

December 2, 2009

Jeff Pynes
City Manager
City of Freeport

Re: Request for Proposal for Network Upgrade

Mr. Pynes,

We have not had an upgrade to our network in over seven years. We would like to virtualize our network. This is the new structure that networks are moving to. Neighboring taxing entities have followed the same practice.

Our current server is out of disk space which makes saving and printing documents impossible at times. Also, it will allow for the files and equipment to be streamlined.

Another important benefit of virtualizing the server is the ease in hurricane preparation. We will simply be able to take a piece of server equipment and leave keeping our server secure from damage.

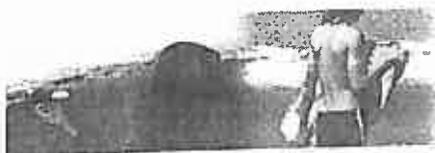
The winning bidder will be required to be onsite within an hour should we have a problem and need assistance. We are also requesting that the winning bidder be located in Brazoria County and certified to install and maintain the new server.

I am requesting this item be placed on the city council agenda for their approval.

Respectfully,



Laura Tolar
City of Freeport



INVITATION TO SUBMIT SEALED PROPOSALS

NOTICE IS HEREBY GIVEN that the City of Freeport, Texas, is interested in entering into a contract for the upgrading of its computer network to provide server virtualization according to the below mentioned specifications.

SEALED PROPOSALS addressed to the City Manager by any person, firm or corporation desiring to enter into such contract with the City will be received at the office of the City Manager located at 200 W. 2nd Street, Freeport, Brazoria County, Texas 77541, during normal business hours until 2:00 o'clock, p.m., on January 12, 2010, on which day, beginning at 2:00 o'clock, p.m., all such proposals will be opened and publicly read aloud. Any proposal received after 2:00 p.m. on such date will be returned unopened.

COPIES OF THE SPECIFICATIONS for such upgrade are available for public inspection at the Office of the City Secretary during normal business hours. A set of such documents may be obtained from such office upon payment of the customary copy charge.

A CASHIER'S OR CERTIFIED CHECK drawn on a bank acceptable to said Board and payable to the order of said City, **OR an ACCEPTABLE PROPOSAL BOND** with a corporate surety included on the latest list of surety companies holding certificates of authority from the State Board of Insurance, in the amount of not less than ten (10%) of the total proposal or \$1,000.00, whichever is less, must accompany the proposal as guarantee that if awarded the contract the person or entity making the proposal will enter into a contract with said City covering such upgrade within ten (10) days from the above date.

The contract will be awarded to the **LOWEST RESPONSIBLE PROPOSER OR to the PROPOSER WHO PROVIDES** goods or services at the **BEST VALUE** for the municipality.

The City **RESERVES** the right to **REJECT ANY AND ALL PROPOSALS**, to **WAIVE** any **INFORMALITIES** in bidding and, in the case of any **AMBIGUITY OR LACK OF CLEARNESS**, the City reserves the right to construe the same in a manner most advantageous to the City, or to reject the proposal.

BY ORDER OF THE BOARD OF THE CITY COUNCIL this 7th day of December, 2009.

Delia Munoz, City Secretary
City of Freeport, Texas

NOTE: Publish once per week for two consecutive weeks, first publication to be more than 14 days before date of meeting at which proposals are to be opened and read aloud.

Published 12/24/09
↓
12/31/09

Invitation to Bidders

The Information Technology Department, City of Freeport, Brazoria County, Texas is requesting proposals from qualified VIP Professional VMware contractors within Brazoria County for furnishing all necessary materials, machinery, tools, equipment, labor, and supervision for the following:

Server Virtualization Project

to replace existing two servers and related equipment with:

Dell Poweredge R710 Server

- Dual Intel quad-core CPUs
- 16GB Memory
- 1TB of redundant hard disk space

Equilogic PS4000

- 4TB redundant disk space
- Dual-storage controllers

Dell 42U Rack

- Rackmount monitor, keyboard, and mouse

Cisco ASA 5505 with unlimited connection license

Cisco 8-port gigabit managed switch

VMware Vsphere Enterprise Edition with 2 Processor license

VMware Vcenter license

Labor

- Setup VMware DRS (distributed resource scheduling)
- Setup VMware HA (high availability)
- Setup VMware FT (fault tolerance)
- Virtualize existing servers onto new VMware server
- Reroute existing Ethernet wiring to new rack

Maintenance Agreement

- 1-year contract consisting of one 3-hour visit each month
- 1-hour response time for emergencies

Sealed proposals, in duplicate, addressed to:

Mr. Jeff Pynes
City Manager
200 West Second Street, Second Floor
Freeport, TX 77541

will be received until 2pm CST January 12, 2010 at the City Secretary's office located at Freeport City Hall, 200 West Seconds Street, Second Floor, City of Freeport, Brazoria County, Texas and then publicly opened, read aloud, and tabulated.

Proposals shall be submitted in duplicate in a sealed envelope clearly labeled "**Proposal for Server Virtualization Project**".

Each proposal shall be accompanied by a Certified or Cashier's check drawn on a bank acceptable to the Owner or a Bidder's Bond from a surety company duly authorized in the State of Texas, according to the latest list of companies holding certificates of authority from the State Board of Insurance, in an amount not less than five percent (5%) of the total base bid, as a guaranty that the successful bidder will enter into a contract and execute bonds and guaranty on the forms provided within ten (10) days after the Notice of Award of Contract has been issued. Bidders must furnish proof of liability insurance coverage up to one-million dollars.

The Owner reserves the right to reject any and all bids, to waive any and all informalities in bidding, and in the case of ambiguity in the starting of bid prices, the Owner reserves the right to accept any bid considered favorable to the City of Freeport as determined by the City of Freeport Information Technology Department.

Freeport Information Technology Department

Mr. Jeff Pynes
City Manager



PCCare, Incorporated
221 Parking Way
Lake Jackson, Tx 77566

Phone 979.297.1117
FAX 979.297.1498

To: City Of Freeport
Phone:
Fax:
E-mail:

VM Server

Phase 1 – Server Virtualization

Hardware:

Dell PowerEdge R710 Server – \$6,599.00
Dell Equallogic PS4000E 4TB – \$17,000.00

Network Hardware:

Dell 42U Rack – \$1,295.00
Cisco ASA 5505 – \$1,042.00
15 Cable runs from 2nd floor to 1st floor – \$1,500.00
Cisco 8 port GB switch managed – \$1,200.00

Software:

VMware High availability – \$8,800.00

Installation:

\$9,000.00

Total -- \$46,436.00

All prices are quoted without tax unless otherwise specified. All prices are estimates and subject to change without notice. PCCare, Inc. provides a 1-year carry-in parts and labor-warranty on all computer systems. All labor quotes are estimated. Actual time would be billed.

**TAX REINVESTMENT ZONE
RESIDENTIAL APPLICATION**

SECTION I

Property Owner(s): Allen Lawson

Mailing Address:

Telephone Number:

PO Bx 2044, Freeport, TX 77542 / 779-482-0935

Property Owner's Representative: SAME

Mailing Address:

Telephone Number:

PO Bx 2044, Freeport, TX / 77542-2044

Property Address (physical):

1721 N AVE U, FREEPORT, TX 77541

Property Legal Description:

VE LASCO (FREEPORT), BLOCK 785, LOT 22-23-24-24A
(If metes and bounds, use attachment)

Located within: City of Freeport Freeport ET

Description of Project: NEW HOUSE CONSTRUCTION

Date of projected occupation of project/initiation of operations: Jan 2010

ALAN R LAWSON
1721 N AVE U
FREEPORT, TX 77541

1005
88-8551/3131

1-8-10 DATE

PAY TO THE ORDER OF City of Freeport \$ 75.00
Seventy five and 00/100 DOLLARS



Texas Dow Employees Credit Union
Lubbock, Texas

[Signature]

⑆3⑆3⑆855⑆15⑆ 1005 ⑈0020993259⑈

SECTION II

Fiscal Impact:

What is the value of real property improvements added to the tax rolls? \$ 180,000

What utility construction is required: None

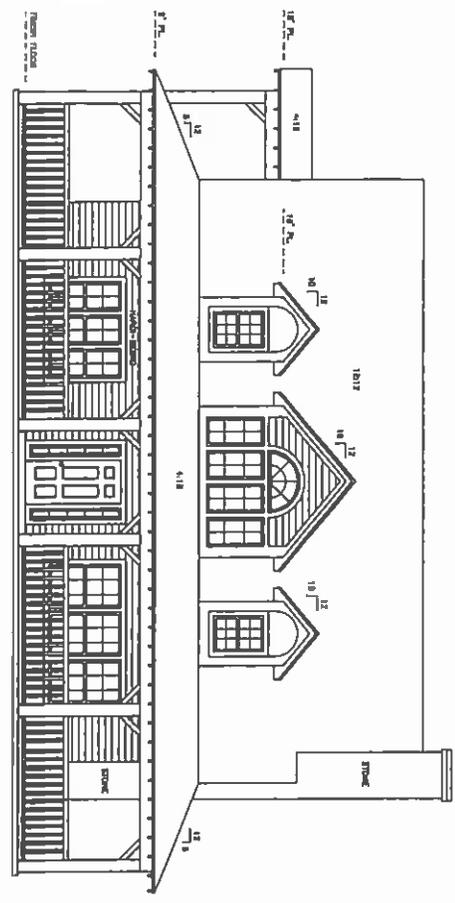
Community Impact:

Is the project compatible with the City's comprehensive plan? yes

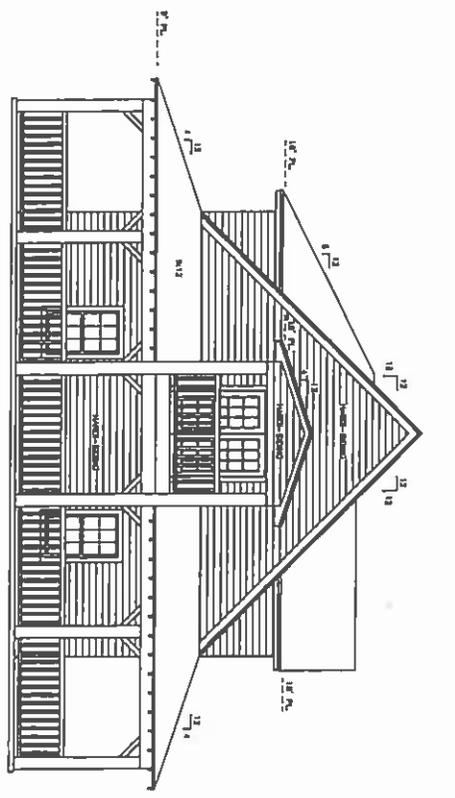
What adverse environment impact will be created by the project: None

Date: 1-5-2010

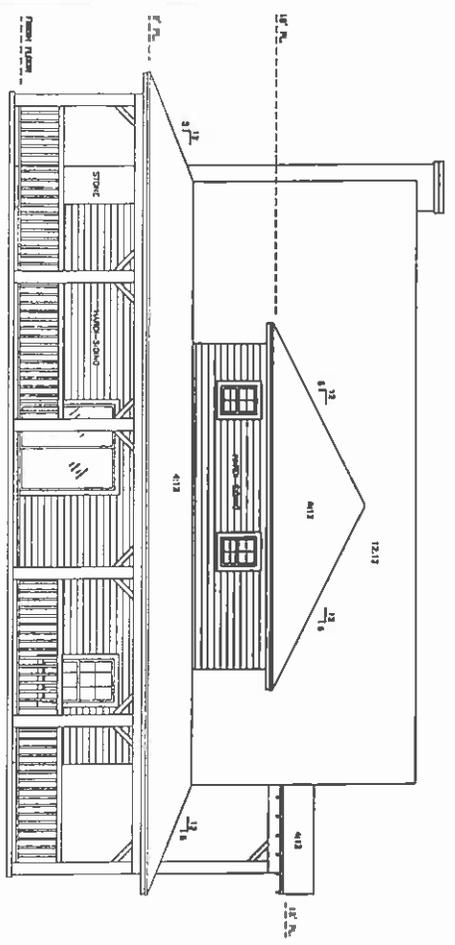
Applicant(s) Signature(s)
[Signature]



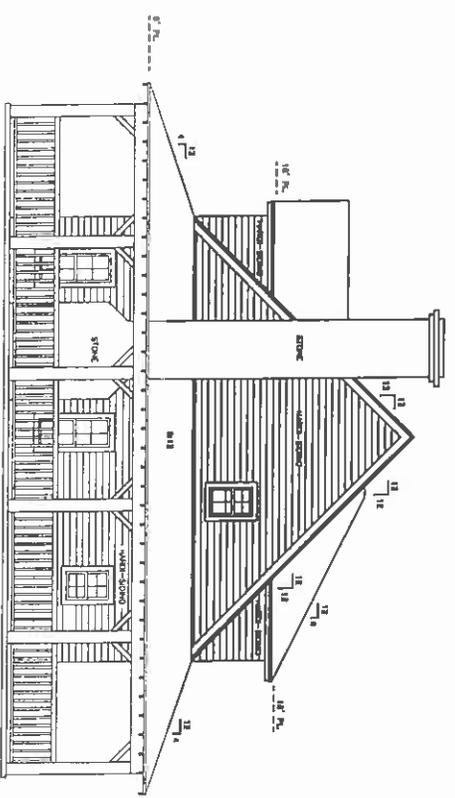
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

LAWSON RESIDENCE
EXTERIOR ELEVATIONS



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NO.	DATE	BY	REV.	DESCRIPTION
1	5/31/09	J. GALVAN	A	FOR REVIEW

SCALE: 1/4" = 1'-0" Pg. 72

