

NOTICE OF PUBLIC MEETING  
THE FREEPORT CITY COUNCIL  
TUESDAY, JANUARY 17TH, 2012, 6:00 P.M.  
FREEPORT 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 5th, 2011 Council Minutes.  
Pg. 1-4
5. Attending citizens and their business.
6. Consideration of receiving, discussing and approving a final report from the Charter Review Commission 2011-2012. Pg. 5-6
7. Consideration of approving Ordinance No. 2012-2298, adopting the 2009 editions of the International Building Code, International Residential Code, International Mechanical Code, International Existing Building Code, International Property Maintenance Code, International Plumbing Code, International Fuel Gas Code, and International Energy Conservation Code and the 2008 Edition of the International Electrical Code, also known as the National Electrical Code. Pg. 7-10
8. Consideration of approving Resolution No. 2012-2274 appointing qualified person(s) to the Senior Citizens Commission of the City. Pg. 11-13
9. Consideration of authorizing the City Manager to sign a WEBQA Service Agreement to purchasing software for Code Enforcement & Building Department.  
Pg. 14-17
10. Consideration of selling the city's interest on Block 133, East ½ of Lot 9, Lot 10, Freeport Townsite, known as 1204 W. 5<sup>th</sup> Street, Id No. 4200-1357-000. Pg. 18-23
11. Consideration of approving a request from Chairperson Shannon Averett, to host the Veteran Day Parade in the City of Freeport on November 11th, 2012. Pg. 24

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matters in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Consultation with City Attorney

Adjourn

Items not necessary discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed.

This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

In compliance with the Americans with Disabilities Act, the City of Freeport will provide for reasonable accommodations for persons attending City Council Meetings. Request should be received 48 hours prior to the meeting. Please contact the City Secretary office at 979-233-3526.

I, Delia Munoz City Secretary for the City of Freeport, Texas certify that this agenda was posted 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 West 2nd Street, Freeport Texas, January 12<sup>th</sup>, 2012 at or before 5:00 p.m.

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City Secretary - Delia Muñoz  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council and the Planning Commission of the City of Freeport met on Monday, December 5th, 2011 at 6:02 p.m., at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard for the purpose of considering the following agenda items:

City Council: Norma M. Garcia  
Michelle Kent  
Fred Bolton  
Nicolosa Mireles  
Sandra Barbree

Planning Commission: Edward Garcia  
Eddie Virgil  
Tobey Davenport

Staff: Jeff Pynes, City Manager  
Wallace Shaw, City Attorney  
Delia Munoz, City Secretary  
Nat Hickey, Property Manager  
Brian Davis, Fire Chief  
Ty Morrow, Police Chief

Visitors: Jim Pirrung Dorothy Pirrung  
Joyce Adkins Jerry Meeks  
Mary Garcia

Call to Order.

Mayor Norma Garcia called the meeting to order at 6:02 p.m.

Invocation.

Mr. Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma Garcia led the Pledge of Allegiance.

Consideration of approving the November 21st, 2011 Council Minutes.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved the November 21st, 2011 Council Minutes.

Attending citizens and their business.

Joyce Adkins complained that Council had not made a report on their committees in over 2 years, and that the Charter Review had not been discussed and researched enough.

Recognition and Appreciation to the management of the City's 2nd Annual Thanksgiving Feast.

This item was reagendaed.

Joint Public Hearing: The City Council and the Planning Commission of said city will conduct a joint public hearing to consider a proposed amendment to the Comprehensive Zoning Ordinance of said city, codified as Chapter 155 of the Code of Ordinances of said City, adding provisions allowing a decorative fence in front yards, specifying regulations therefor and containing an exception for existing front yard fences.

The Planning Commission had a quorum; Mayor Norma Garcia opened the Joint Public Hearing at 6:06 pm.

Chairman Edward Garcia of the Planning Commission read out a list of provisions allowing decorative fences in front yards. It is the Planning Commission recommendation to amend section 155.023 of the Code of Ordinances to include decorative fences.

Joyce Adkins commented that the building official was not present.

There being no comments from staff or audience, Mayor Garcia closed the Joint Public Hearing at 6:10 p.m. The Planning Commission was excused.

Public Hearing: The City Council will discuss whether or not to adopt an ordinance to continue to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253.

Mayor Norma Garcia opened the Public Hearing at 6:06 p.m. Mr. Shaw explained to Council the meaning of "tax tangible personal property". This is a legislation requirement that the City has to adopt an ordinance if the City wished to continue to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253.

There being no comments from staff or audience, Mayor Garcia closed the Public Hearing at 6:15 p.m.

Consideration of approving Ordinance No. 2011-2297 amending the comprehensive zoning ordinance of the city, now codified as chapter 155 of the Code of Ordinances of the City, to add to Division (L) of Section 155.023 at the end thereof provisions permitting decorative fences and providing regulations therefor.

On a motion by Councilman Bolton and seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved Ordinance No. 2011-2297 amending the comprehensive zoning ordinance of the city, now codified as chapter 155 of the Code of Ordinances of the City, to add to Division (L) of Section 155.023 at the end thereof provisions permitting decorative fences and providing regulations therefor.

Consideration of approving Ordinance No. 2011-2298 to continue to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253.

On a motion by Councilwoman Mireles and seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Ordinance No. 2011-2298 to continue to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253.

Consideration of approving Resolution No. 2011-2273 to add the Sale of Firearms Ammunition and Hunting Supplies as permitted use in the C-2 District, General Commercial, per Section 155.024, Classification of New and Unlisted Commercial Uses.

On a motion by Councilman Bolton and seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved Mr. Pynes' recommendation to approve Resolution No. 2011-2273 to add the Sale of Firearms Ammunition and Hunting Supplies as permitted use in the C-2 District, General Commercial, per Section 155.024, Classification of New and Unlisted Commercial Uses.

Consideration of authoring the City Manager to set a bid date on the marina dry stacks construction project.

On a motion by Councilman Bolton, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved setting February 6th, 2012, 10:00 a.m., for a bid date on the marina dry stacks construction project.

Consideration of authorizing the City Manager to set a bid date to complete the Phase 2 of the marina concrete project.

On a motion by Councilman Mireles, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved setting February 6th, 2012, at 10:00 a.m. for a bid date to complete the Phase 2 of the marina concrete project.

Consideration of approving an Interlocal Agreements 12-0002 and 12-0003 between Brazoria County and the City of Freeport.

On a motion by Councilman Mireles, seconded by Councilman Bolton, with all present voting “aye”, Council unanimously approved an Interlocal Agreement 12-0002 and 12-0003 between Brazoria County and the City of Freeport.

Consideration of cancelling January 2nd, 2012 Council Meeting due to a City Holiday and rescheduling January 16th, 2012 to January 17th, 2012, due to Martin Luther King Holiday.

On a motion by Councilwoman Mireles and seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved cancelling January 2nd, 2012 Council Meeting due to a City Holiday and rescheduling January 16th to January 17th, 2012 due to Martin Luther King Holiday.

Mayor Norma Garcia closed the Formal Session and opened the Executive Session at 6:25 p.m.

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matters in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Annexations and/or other Industrial District Agreements

Mayor Norma Garcia reconvened the formal session to adjourn.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting “aye”, the meeting adjourned at 6:50 p.m.

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Mayor Norma M. Garcia  
City of Freeport

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City Secretary – Delia Munoz  
City of Freeport

CITY OF FREEPORT  
CHARTER REVIEW COMMISSION  
FINAL REPORT

To the Honorable Mayor and City Council:

The Charter Review Commission for the June to December, 2011, term, having reviewed the Home Rule Charter of the City and having consulted with the City Manager, the City Attorney and others who are to be consulted, recommends the following changes be submitted to the citizens.

First, consider amending the first sentence of Section 3.02 Qualifications to read:

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

Second, consider amending Item (m) of Section 3.07, Powers of the City Council, to read as follows:

"(m) Fix the salaries and compensation of the employees of the City and of all officers of the City other than that of the Mayor and other members of the City Council."

Note: The above rewording of Item (m) of Section 3.07 clarifies that the compensation of officers mentioned in that item is the compensation of officers like the municipal court judge, etc. who are appointed.

Third, consider repealing Items (e) and (f) of Section 4.05, Municipal Court, and adding Item (c) to Section 4.02, Department of Police, to read as follows:

"(c) The Chief of Police shall appoint one of the members of the Police Department to act a warrant officer. The warrant officer shall execute warrants and other process issued by the Judge or Clerk of the Municipal Court, attend and act as bailiff at all sessions of the Municipal Court, act as security officer for all Municipal Court personnel and perform such other and further duties as may be requested of him by the Municipal Court Judge or assigned by the Chief of Police, with priority being given by the warrant officer to discharging the duties of warrant officer as specified herein."

Fourth, consider amending the first sentence of Section 4.07, Department of Health, to read as follows:

"The City Council may appoint a City Health Officer who shall be a licensed physician qualified to practice medicine in the State of Texas and a resident of the City of Freeport."

Fifth, considering amending Item (d) of Section 8.03, Planning Commission, to read as follows:

"(1) Make recommendations for the amendment, extension and additions to the master plan for the physical development of the City;"

Sixth, amend the first sentence of Section 9.14, Contingent Appropriation, to read:

"Provisions shall be made in the annual budget and in the appropriation ordinance for an appropriation of a reserve in an amount of not more than five per centum (5%) of the total budget, not to exceed eight million dollars, to be used by the City Manager, with the consent of the City Council, in case of unforeseen contingencies."

Respectfully submitted,

\_\_\_\_\_  
Sandra W. Wicke, Chairman

\_\_\_\_\_  
Jason Thompson, Member

\_\_\_\_\_  
Mingo Marquez, Jr., Vice Chairman

\_\_\_\_\_  
Dorothy Pirrung, Member

\_\_\_\_\_  
Lila Lloyd, Secretary



ORDINANCE NO. 2012-2298

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING THE CODE OF ORDINANCES OF SAID CITY TO ADOPT THE 2009 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, AND INTERNATIONAL ENERGY CONSERVATION CODE AND THE 2008 EDITION OF THE INTERNATIONAL ELECTRICAL CODE, ALSO KNOWN AS THE NATIONAL ELECTRICAL CODE; ADOPTING LOCAL AMENDMENT THERETO; PROVIDING THAT ANY PERSON VIOLATING SAID CODE, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND ASSESSED A FINE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10.99 OF SAID CODE OF ORDINANCES; PROVIDING THAT EACH DAY ANY SUCH VIOLATION CONTINUES AND EACH PART OF ANY DAY ANY SUCH VIOLATION OCCURS SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THIS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

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

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

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

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

First, Section 150.001 of the Code of Ordinances of the City is hereby amended to substitute "International Building Code, 2009 Edition" for "International Building Code, 2003 Edition" at all places in which the latter appears therein; and Division (A) of Section 150.003 is amended to substitute "International Code published by the International Code Council" for Standard Code published by the Southern Building Code Congress".

Second, Section 150.010 of the Code of Ordinances of the City is hereby amended to substitute "International Residential Code, 2009 Edition" for "International Residential Code, 2003 Edition" at all place in which the latter appears therein; and any section references contained in Section 150.011 of said Code of Ordinances are amended to correspond with the sections of the former.

Third, Section 150.015 of the Code of Ordinances of the City is hereby amended to substitute "International Existing Building Code, 2009 Edition" for "Standard Existing Building Code, 1988 Edition" at all place in which the latter appears therein; and any section references contained in Section 150.016 of said Code of Ordinances are amended to correspond with the sections of the former.

Fourth, Section 150.035 of the Code of Ordinances of the City is hereby amended to substitute "International Property Maintenance Code, 2009 Edition" for the "International Property Maintenance Code, 2003 Edition" at all place in which the latter appears therein; and any section reference in Section 150.036, 150.037 and 150.038 of said Code of Ordinances are amended to correspond with the sections of the former.

Fifth, Section 150.045 of the Code of Ordinances of the City is hereby amended to substitute "International Plumbing Code, 2009 Edition" for "International Plumbing Code, 2003 Edition" at all place in which the latter appears therein; and any section reference in Sections 150.046 and 150.047 of said Code of Ordinances are amended to correspond with the sections of the former.

Sixth, Section 150.055 of the Code of Ordinances of the City is hereby amended to substitute "International Fuel Gas Code, 2009 Edition" for "International Gas Code, 2003 Edition" at all place in which the latter appears therein; and any section reference in Section 150.056 of said Code of Ordinances are amended to correspond with the sections of the former.

Seventh, Section 150.065 of the Code of Ordinances is hereby amended to substitute "International Mechanical Code, 2009 Edition" for "Standard Mechanical Code, 1997 Edition" at all place in which the latter appears therein; and any section references in Section 150.066 of said Code of Ordinances are amended to correspond with the sections of the former.

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

Ninth, Section 151.01 of the Code of Ordinances of the City is hereby amended to substitute "International Electrical Code, 2008 Edition" for "International Electrical Code, 2003 Edition" at all places in which the latter appears therein; and any section references in Sections 151.02 and 151.03 of said Code of Ordinances are amended to correspond with the sections of the former.

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

Eleventh, 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.

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

Thirteenth, 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.

Fourteenth, this ordinance shall take effect and be in force from and after its descriptive caption has been published twice in the Brazosport Facts.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Norma Moreno Garcia, Mayor  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Dalia Munoz, City Secretary  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Wallace Shaw, City Attorney,  
City of Freeport, Texas

C:\Freeport.TechOrd\TechCd#18-Ord

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING QUALIFIED PERSONS TO THE SENIOR CITIZENS COMMISSION OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, two (2) vacancies exists on the Senior Citizen Commission of the City of Freeport, Texas ("the City") as a result of the resignations of Mary Darnell and Beverly Garrison; and,

WHEREAS, the City Council of the City desires to appoint the below named qualified persons as members of said commission to fill such vacancies.

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

SECTION ONE (1): REMOVAL AND APPOINTMENT

The City Council of the City nominate, constitute and appoint the following named qualified persons to such commission for the remainder of the terms of the said Mary Darnell and Beverly Garrison, respectively, and until the respective successors of such appointees have been appointed and qualified, to-wit: SAMMYE TROKELL MOORE and ONA JOHNSON.

SECTION TWO (2): DUTIES

The above named appointee shall perform all of the duties imposed on members of the Senior Citizens Commission of the City by law and the ordinances and resolutions of the City.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, such appointee shall take the Constitutional Oath of Office and signed the affidavit required by law.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Norma Moreno Garcia, Mayor  
City of Freeport, Texas

ATTEST: \_\_\_\_\_  
Delia Muñoz, City Secretary  
City of Freeport, Texas



Please return to the City Secretary:

200 West 2nd St  
Freeport, TX 77541  
Phone: 979.233.3526  
Fax: 979.233.8867  
dmunoz@freeport.tx.us

## Boards and Commissions Application

Name: ONA Johnson

Address: 1754 W 10<sup>th</sup> ST, FREEPORT TX

Home Phone: (979) 233-5601 Alternate Phone (979) 236-8569

Email (optional): OJohnson555@gmail.com

Do you live inside the City Limits? Yes  No  If yes, for how long? 40 years

Do you live in the Extra Territorial Jurisdiction? Yes  No

Are you registered to vote in Brazoria County? Yes  No

Please indicate by rank which Board or Commission you wish to serve on by placing your 1st through 3rd choice in the appropriate box.

<input type="checkbox"/>	Planning Commission
<input type="checkbox"/>	Main Street/Historical Board
<input type="checkbox"/>	Board of Adjustments
<input type="checkbox"/>	Urban Renewal Board
<input checked="" type="checkbox"/>	Senior Citizens Committee

<input type="checkbox"/>	Library Board
<input type="checkbox"/>	Beautification/Parks & Recreation
<input type="checkbox"/>	Charter Review
<input type="checkbox"/>	Economic Development

The City Council will make appointments to the Boards and Commissions. This application will be given to them for review. Please explain why you wish to serve, and what you consider to be your qualifications.

*I would like to serve on the Senior Citizens Committee to help in any way that I can. I am a member of ALLP at Brazosport College - a member of Actions in Lake Jackson. I belong to the First United Methodist Church in Freeport where I was a girl scout leader for many years. I was also a Sunday School teacher for many years.*

Signature Ona Johnson Date: 1-9-12

Step 1: Fill Out this Application.

Step 2: Attach a cover letter or resume if you would like.

Step 3: Mail the application and any other related information to the City Secretary, or fax: (979) 233-8867.

If you have any questions about the process or about a particular board or commission, please call Delia Munoz at (979) 233-3526.



Please return to the City Secretary:

200 West 2nd St  
Freeport, TX 77541  
Phone: 979.233.3526  
Fax: 979.233.8867  
dmunoz@freeport.tx.us

# Boards and Commissions Application

Name: Sammye Troxell Moore

Address: 1527 W. 7

Home Phone: (979) 233-6163 Alternate Phone (979) 236-8616

Email (optional): \_\_\_\_\_

Do you live inside the City Limits? Yes  No  If yes, for how long? 45 yrs

Do you live in the Extra Territorial Jurisdiction? Yes  No

Are you registered to vote in Brazoria County? Yes  No

Please indicate by rank which Board or Commission you wish to serve on by placing your 1st through 3rd choice in the appropriate box.

	Planning Commission
	Main Street/Historical Board
	Board of Adjustments
	Urban Renewal Board
1	Senior Citizens Committee

3	Library Board
2	Beautification/Parks & Recreation
	Charter Review
	Economic Development

The City Council will make appointments to the Boards and Commissions. This application will be given to them for review. Please explain why you wish to serve, and what you consider to be your qualifications.

I would like to be involved in my community. I have been a member (now retired) of the Fire Dept over 25 yrs. I served on the Traffic Commission for several years.

Signature: Sammye Moore Date: 1/8/12

Step 1: Fill Out this Application.

Step 2: Attach a cover letter or resume if you would like.

Step 3: Mail the application and any other related information to the City Secretary, or fax: (979) 233-8867.

If you have any questions about the process or about a particular board or commission, please call Delia Munoz at (979) 233-3526.

# WEBQA SERVICES AGREEMENT

## For GovQA Services

### Schedule 1

A. Services:      Software:                      GovQA  
                         Seats:                                      Unlimited Seats  
                         Data:                                      All Customer Data is Owned By Customer

B. Fees:            Main Modules:                      At a Locked-In subscription cost per month for term of      \$325

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Code Enforcement | <input checked="" type="checkbox"/> Building Permits     |
| <input checked="" type="checkbox"/> Inspections      | <input checked="" type="checkbox"/> All Service Upgrades |
| <input checked="" type="checkbox"/> Full Reporting   |  |

Implementation and Training:                      At a Locked-In cost of                      \$2,500

- |   |
|---|
| <input checked="" type="checkbox"/> One-time setup and load of <u>10</u> case types per module                        |
| <input checked="" type="checkbox"/> 3 Online Training sessions – to be used at client's discretion                    |
| <input checked="" type="checkbox"/> 1 Follow up refresher training session  |
| <input type="checkbox"/> <u>0</u> Day(s) of On-Site Training  |
| <input checked="" type="checkbox"/> One-time property address database import   |
| <input checked="" type="checkbox"/> One-time legacy data conversion (Freeport will provide data to WebQA as CSV file) |

Storage:

- |  |
|--|
| <input checked="" type="checkbox"/> 10 GB storage free with service. Additional 10GB is \$20/month |
|--|

C. Terms:            **Annual Billable Term Starting: January 1, 2012 Ending: December 31, 2012** Upon the expiration of this initial term, the term will continue to auto-renew to subsequent annual Optional Terms unless Customer notifies WEBQA in writing of its intention not to extend the term at least sixty (60) days prior to expiration of the current term end date. Renewal terms will not increase by more than eight percent. Customer will hold a kickoff meeting to launch implementation no later than 30 days from contract start date.

D. Billing:            Fees are exclusive of all taxes. Fees are billed on an annual basis in advance and are due upon receipt of invoice. This secures site, servers and resources necessary to begin project.  
Payments over 45 days from initial contract start date will accrue interest at a rate of one (1%) per month. Renewal payments made after contract renewal date will accrue interest at a rate of one (1%) per month

E. Remittance:    All payments should be made directly to WebQA and will not be deemed received until actually received in WebQA offices. WebQA mailing address for all payments is:

Accounts Receivable Dept.,  
WebQA Inc,  
900 S. Frontage Road, Suite 110  
Woodridge, IL 60517

F. Special:            No special implementation or customization at this time.

G. Contacts:

Organization Name \_\_\_\_\_  
Main Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Work Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_  
Billing Contact Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Work Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_  
Purchase Order Number: \_\_\_\_\_ Duns Number: \_\_\_\_\_



~~WEBQA SERVICES AGREEMENT~~  
**For GovQA Services**

THIS SERVICE AGREEMENT (the "Agreement") between WEBQA, Inc. ("WEBQA") with its principal place of business at 900 S. Frontage Road, Suite 110 Woodridge, IL, 60517 and The City of Freeport, a city with its principal place of business at 200 W. 2nd Street Freeport, TX 77541 ("Customer") is made effective as of January 1, 2012 ("Effective Date").

**1. WEBQA DELIVERY OF SERVICES:**

WEBQA grants to Customer a non-exclusive, non-transferable, limited license to access and use the GovQA Service on the Authorized Website(s) identified in Schedule 1 in consideration of the fees and terms described in Schedule 1.

**2. CUSTOMER RESPONSIBILITIES:**

Customer acknowledges it is receiving only a limited license to use the Service and related documentation, if any, and shall obtain no title, ownership nor any other rights in or to the Service and related documentation, all of which title and rights shall remain with WebQA. In addition, Customer agrees that this license is limited to applications for its own use and may not lease or rent the Service nor offer its use for others. All Customer data is owned by the Customer. Under no circumstances is the system intended to capture confidential information. Confidential information is defined as social security numbers and financial information.

Customer agrees to maintain the Authorized Website(s) identified in Schedule 1, provide WEBQA with all information reasonably necessary to setup or establish the Service on Customer's behalf, and allow a "Powered by GovQA" logo with a hyperlink to WebQA's website home page on the Authorized Website.

**3. SERVICE LEVELS:**

WEBQA will use commercially reasonable efforts to backup and keep the Service and Authorized Website(s) in operation consistent with applicable industry standards and will respond to customers' requests for support during normal business hours.

The services are provided on an "as is" basis, and customer's use of the services is at its own risk. WebQA does not warrant that the services will be uninterrupted or error-free or unaffected by force majeure events.

**4. WARRANTY AND LIABILITY:**

WEBQA MAKES NO REPRESENTATION OR WARRANTY AS TO MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE SERVICE AND SHALL HAVE NO LIABILITY FOR ANY CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING, BUT NOT LIMITED TO, DATA LOSS AND BUSINESS INTERRUPTION, AND THE PARTIES AGREE THAT THE ONLY REMEDIES THAT SHALL BE AVAILABLE TO CUSTOMER UNDER THIS AGREEMENT SHALL BE THOSE EXPRESSLY SET FORTH IN THIS AGREEMENT. WEBQA'S LIABILITY UNDER ANY CIRCUMSTANCE INVOLVED HEREIN IS EXPRESSLY LIMITED TO THE AMOUNT RECEIVED UNDER THIS AGREEMENT.

**5. TERMINATION:**

Either party may terminate this agreement if the terminating party gives the other party sixty (60) day's written notice prior to termination. Should Customer terminate without cause after the first date of the term as defined in Schedule 1, Customer must pay the balance of the current contracted term and this payment obligation will immediately become due. WebQA may terminate services if payments are not received by WebQA as specified in Schedule 1 at which time all monies associated to the current term will become immediately due. Cause is defined as WebQA's failure to timely perform this agreement.

Upon any termination, WebQA will discontinue Services under this agreement; WebQA will provide Customer with an electronic copy of all of Customer's data, if requested; and, provisions of this Agreement regarding Ownership, Liability, Confidentiality and Miscellaneous will continue to survive.

**6. INDEMNIFICATION**

Each Party agrees to fully indemnify and hold harmless the other for any and all costs, liabilities, losses, and expenses resulting from any claim, suit, action, or proceeding brought by any third party, if and to the extent caused by the Party from which indemnity is sought.

**7. ACCEPTABLE USE:**

Customer represents and warrants that the Services will only be used for lawful purposes, in a manner allowed by law, and in accordance with reasonable operating rules, policies, terms and procedures.

WEBQA may, upon misuse of the Services, request Customer to terminate access to any individual and Customer agrees to promptly comply with such request unless such misuse is corrected.

**8. CONFIDENTIALITY:**

Each party hereby agrees to maintain the confidentiality of the other party's proprietary materials and information, including but not limited to, all information, knowledge or data not generally available to the public which is acquired in connection with this Agreement, unless disclosure is required by law. Each party hereby agrees not to copy, duplicate, or transcribe any confidential documents of the other party except as required in connection with their performance under this Agreement. Customer acknowledges that the Services contain valuable trade secrets, which are the sole property of WebQA, and Customer agrees to use reasonable care to prevent other parties from learning of these trade secrets or have unauthorized access to the Services. WebQA will use reasonable efforts to insure that any WebQA contractors maintain the confidentiality of proprietary materials and information.

**9. MISCELLANEOUS PROVISIONS:**

This Agreement will be governed by and construed in accordance with the laws of the State of Texas. Venue for any claim, action or proceeding arising out of this contract shall be Brazoria County, TX.

WEBQA may not assign its rights and obligations under this Agreement, in whole or part, without prior written consent of Customer, which consent will not be unreasonably withheld.

**10. ACCEPTANCE:**

Authorized representatives of Customer and WEBQA have read the foregoing and all documents incorporated therein and agree and accept such terms effective as of the date first written above.

**Customer: The City of Freeport, TX**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**WebQA Inc.**

Signature: \_\_\_\_\_

Print Name: John Dilenschneider

Title: CEO Date: \_\_\_\_\_

## Freeport, TX Statement of Work

AREA	SCOPE	ASSUMPTIONS
Modules	A total of 3 modules: Code Enforcement, Building Inspections, and Permits.	
Cases	A total of 10 case types per module will be configured during implementation.	WebQA will configure the initial 10 case types. System will allow the city to create additional case types.
Custom Fields	A total of 500 custom fields will be available for cases, contractors and task forms.	
Child Cases	Child cases will be used to link a main permit to sub-permits.	Child cases are single records and do not communicate with parent cases. Parent cases will display documents tied to child cases but will not interact with tasks, statuses, fees or contractors of a child case.
Tasks/Inspections	Task lists will be automatically set up for each specific case type. Tasks lists will be completely configurable.	Tasks will automatically be assigned to the appropriate staff member and generate a notification email to that staff member. Task completion dates may be automatically calculated based on a predetermined number of days after a record is created. Task completion dates may be adjusted manually. City will have the ability to add, remove or reorder task lists.
	Tasks will interact with case details.	Tasks results will have the ability to trigger a status change, document add or change in assigned staff.
Fees	System will track fees, payments and other deductions associated with case types.	
Documents	System will allow attachments to be added to a case type and viewed in a thumbnail style view.	
	System will be able to automatically generate documents.	Documents may automatically be generated based on the creation of a record or a completed task. All documents that should be added as system templates must be supplied as Microsoft Word documents.
Templates	A total of 10 letter templates per module will be configured during implementation.	WebQA will create the initial 10 templates per module. System will allow the city to create additional templates as needed.
Contractors	Contractors may be stored, tracked and reported on in the system.	
Action Rules	System will have the ability to trigger changes to a case based on specified criteria.	System will include work flow capability to allow cases to be routed to proper department and staff member. Statuses and criteria from drop down lists, check box lists and radio button lists can be used to generate a task, generate a document, assign a fee to a case, and assign a staff member to a case. Action Rules run off of a robot and the "action" may take 5 minutes to generate.

## Freeport, TX Statement of Work

Users	System allows for unlimited users. System will allow for setting configured to each individual user, with appropriate levels of access to be set.	
Reporting	Custom reports can be saved, shared and scheduled to be automatically delivered and emailed to specified staff.	
Property Information	System will be able to store city address information for validating addresses.	Property Information must be supplied in one flat file using template provided by implementation engineer.
		Property updates will be performed twice per year. Updates must be supplied in one flat file and contain only new or updated records.



PROPERTY MANAGEMENT

Jeff Pynes  
Chief Executive Officer  
City Manager

December 21, 2011

Jeff Pynes  
City Manager

re: Lot 9-E/2-10, Block 133, Freeport Townsite  
1204 West 5th Street  
Tax ID 4200-1357-000

Request the following Trust Property item be placed on the City Council Agenda, January 17, 2012. This property has been approved for sale by the Brazoria County Resale Committee.

**Discuss / consider the sale of the City's interest in the east 1/2 of lot 9 and lot 10, block 133, Freeport Townsite, known as 1204 West 5th Street**

Find enclosed the following documents:

- a. Property management data sheet
- b. Plat showing location of property
- c. Tax resale property information sheet
- d. Resale Committee Bid analysis sheet

N C Hickey  
Property

encl

/s



## PROPERTY MANAGEMENT

Council Agenda Date:

December 21, 2011

Agenda Item: \_\_\_\_\_

Legal Description: Lot 9-E/2-10, Block 133, Freeport Townsite  
Street Address: 1204 West 5th Street  
Tax ID Numbr: 4200-1357-000  
Type of Property: Trust  
Sheriff Sale Date: July 27, 2010  
Sheriff Deed Number: 2010034663

Years Delinquent: 6  
Taxes Extinguished by Sheiff Sale: \$16,385.00

Appraisal District Value: \$70,710.00  
Offer by: **Francisco Rios** \$14,000.00  
Court Cost & Post Judgment: \$ 5,592.27

Amount left to distribute: \$ 8,407.73  
**Distribution amount to Freeport: \$ 2,286.58**  
Recommendation: Pleasure of Council

Action:  Accept  
 Reject  
 Re-agenda

### COMMENTS:

2-story garage apartment on back side of property has been declared an unsafe structure and is scheduled for demolition.

The City has \$1,920.00 outstanding post judgment care of premises liens (as of this date), excluding penalty and interest.

Motion by \_\_\_\_\_ Second by \_\_\_\_\_ Vote \_\_\_\_\_

Trust Sale - Council action

Brazoria CAD

Property Search Results > Property ID 210204 CITY OF FREEPORT IN TRUST for Year 2011

Property Details

Account  
 Property ID 210204  
 Geo ID 4200-1357-000  
 Type Real  
 Legal Description FREEPORT, BLOCK 133, LOT 9-E/2 LOT 10 (CAUSE # 49644)  
 Location Address 1204 W 5TH ST FREEPORT, TX  
 Neighborhood CITY OF FREEPORT T/S  
 Mapsco  
 Jurisdictions CAD, CFP, DB2, GBC, JBR, NAV, ROE, SBR  
 Owner Name CITY OF FREEPORT IN TRUST  
 Address 200 W 2ND ST FREEPORT, TX 77541-5773

Property Appraised Value: \$70,710

Map Layers

Radius Search



Website version 1 2 2 0  
Disclaimer

Database last updated on: 12/14/2011 5:52 AM

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

**Tax Resale Property Information**

RESALE MEETING OF: September 27, 2011

Legal Description: FREEPORT, BLOCK 133, LOT 9-E1/2 LOT 10

Physical Address: 1204 W 5TH

Account Number: 4200-1357-000

In Trust To: CITY OF FREEPORT

Adjudged Value/Year: \$78,060.00

Minimum Bid at Sale: \$15,149.27

Offer: \$14,000.00

Offer made by: FRANCISCO RIOS

Sheriff's Deed Filed: August 16, 2010

Redemption Expiration: 2/16/2011

City weed/demo liens: UNKNOWN → 2442.23

Land Value: (Current) \$7,880.00

Improvement Value:(Current) \$61,970.00

Previous Owner: MARTHA MCALPINE

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.

*Extensive work done  
Jill quit 7-16-07*

02-015488	94
05-072241	94
04-073949	189.40
07-021912	144.00
08-004188	94
08-004203	204.25
08-034209	79.25
08-034179	244.75
08-034187	79.25
08-057669	204.25
08-057660	79.25
09-012723	380.00
09-021802	177.91
09-031947	177.91
10-031985	177.91

*Proc adjpts*  

$$\begin{array}{r} 2442.23 \\ - 521.50 \\ \hline 1920.73 \\ - 175.00 * \\ \hline 2445.73 \text{ (we)} \end{array}$$

*\*Asbestos Survey.*

*Garage kept per condemnation*

RECEIVED  
 DEC 15 2011  
 PROPERTY MGMT  
 Pg. 20

**BID ANALYSIS**

<b>Cause Number:</b>	49644	<b>Account Number:</b>	4200-1357-000
<b>Offer Amount:</b>	\$14,000.00	<b>Value \$:</b>	\$69,850.00
<b>Person Offering:</b>	<b>FRANCISCO RIOS</b>	<b>Adjudged Value\$:</b>	\$78,060.00

**Judgement Information**

Taxing Entity	Tax Years	Amount Due
BC	1987-2008	\$1,776.91
Brazosport ISD		\$5,811.02
BRHND		\$263.91
Brazosport College		\$615.11
Velasco Drainage		\$383.81
City of Freeport		\$3,306.20
	<b>Total</b>	<b>\$12,156.96</b>

**Costs**

Court Costs	\$753.00	Sheriff Fees	\$553.33
Publication Fees	\$180.00	Research Fees	\$175.00
Ad Litem		Recording fee's	\$28.00
	Liens	0	
Cost of Deed		Deed file date	
	<b>Total</b>		<b>\$1,689.33</b>

**Post Judgement Information**

Taxing Entity	Tax Year's	
BC	2009-2010	\$632.11
Brazosport ISD		\$1,781.66
BRHND		\$77.34
Brazosport College		\$260.28
Velasco Drainage		\$127.59
City of Freeport		\$1,023.96
	<b>Post Judgment Total</b>	<b>\$3,902.94</b>

**Proposed Distribution**

<b>Offer Amount</b>	\$14,000.00	<b>Costs + P &amp; J</b>	\$5,592.27
<b>Net to Distribute \$</b>			<b>\$8,407.73</b>

BC	14.62%	\$1,228.91
Brazosport ISD	47.80%	\$4,018.89
BRHND	2.17%	\$182.52
Brazosport College	5.06%	\$425.41
Velasco Drainage	3.16%	\$265.44
City of Freeport	27.20%	\$2,286.56

RECEIVED  
DEC 15 2011  
PROPERTY MGMT



Wednesday, December 21, 2011

### Property Tax Status

[Begin a New Search](#)   [Go to Your Portfolio](#)   [Tax Office FAQ's](#)

[Request a Tax Statement](#)

Make your check or money order payable to:

Ro'Vin Garrett, RTA  
111 E Locust  
Angleton, Texas 77515



A Convenience Fee of up to 2.65% will be charged for all credit card payments by the vendor providing this service. For eChecks, a convenience fee of \$1.50 will be charged for each transaction. The fee covers the cost of making payments by credit card possible. The fee will appear as a charge to 'Certified Payments'. No part of this fee is retained by Brazoria County.

Unless otherwise noted, all data refers to tax information for 2011. All amounts due include penalty, interest, and attorney fees when applicable. Due to the large volume of work during heavy payment periods amounts due may not reflect payments that have been received but not yet processed.

**Account Number:** 42001357000

**Address:**  
CITY OF FREEPORT IN TRUST  
200 W 2ND ST  
FREEPORT, TX 77541-5773

**Property Site Address:**  
1204 W 5TH ST

**Legal Description:**  
FREEPORT, BLOCK 133, LOT 9-E/2 LOT 10  
(CAUSE # 49644)

**Current Tax Levy:** \$0.00

**Current Amount Due:** \$0.00

**Prior Year Amount Due:** \$16,385.00

**Total Amount Due:** \$16,385.00

**Last Payment Amount for Current Year Taxes:**  
Not Received

**Pending Credit Card or E-Check Payments:**  
No Payment Pending

[Click Here to Pay Now](#)

**Jurisdictions:**

BRAZORIA COUNTY  
BRAZOSPORT COLLEGE  
BRAZOSPORT ISD  
CITY OF FREEPORT  
PORT FREEPORT  
SPECIAL ROAD & BRIDGE  
VELASCO DRAINAGE DIST. NO 2

**Market Value:** \$70,710

**Land Value:** \$7,880

**Improvement Value:** \$62,830

**Capped Value:** \$0

**Agricultural Value:** \$0

**Exemptions:** XMP

**Last Certified Date:** 07/28/2011

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

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Wednesday, December 21, 2011

**Taxes Due Detail by Year**

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Account No.: 42001357000

\* Additional Collection Costs

Year	Base Tax Due	as of December 31, 2011		as of January 31, 2012		as of February 29, 2012	
		Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due
2006	\$2,048.81	\$2,155.35	\$4,204.16	\$2,179.95	\$4,228.76	\$2,204.52	\$4,253.33
2007	\$2,432.80	\$2,208.97	\$4,641.77	\$2,238.17	\$4,670.97	\$2,267.37	\$4,700.17
2008	\$2,009.47	\$1,535.24	\$3,544.71	\$1,559.33	\$3,568.80	\$1,583.44	\$3,592.91
2009	\$1,718.33	\$1,065.37	\$2,783.70	\$1,085.99	\$2,804.32	\$1,106.59	\$2,824.92
2010	\$820.22	\$390.44	\$1,210.66	\$400.25	\$1,220.47	\$410.12	\$1,230.34
<b>Total Amount Due:</b>	<b>\$9,029.63</b>	<b>\$7,355.37</b>	<b>\$16,385.00</b>	<b>\$7,463.69</b>	<b>\$16,493.32</b>	<b>\$7,572.04</b>	<b>\$16,601.67</b>

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

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Jan 13, 2012

I am, Shannon Averett, I am the Chairperson for the 2012 Veteran's Day Parade. I am asking for the City Council to approve hosting the November 11<sup>th</sup>, 2012 Veterans Day Parade.

Thank you

Shannon Averett  
902 W. Broad St.  
Freeport, Tx 77541  
979-201-6990