

# City of Freeport

NOTICE OF PUBLIC MEETING  
THE FREEPORT CITY COUNCIL  
MONDAY, FEBRUARY 2, 2009 6:00 P.M.  
MUNICIPAL COURT ROOM  
FREEPORT POLICE DEPARTMENT, 430 N. BRAZOSPORT BLVD.  
FREEPORT, TEXAS 77541

## AGENDA FORMAL SESSION

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of the approval of the January 20, 2009 Council Minutes.  
Pg. 58-62
5. Attending Citizens and Their Business.
6. Consideration of the approval of Ordinance No. 2009- 2215 amending Ordinance No. 2009-2214 calling the annual general election for the City of Freeport for May 9th, 2009 to correct the locations given for voting on the day of the election.  
Pg. 63-64
7. Consideration of the approval of rescheduling February 16th, 2009 council meeting to February 17th, 2009 due to Presidents Day holiday.
8. Consideration of the approval of a request for a variance by Rodney W. Griggs of the First St. Emanuel Baptist Church, 2023 Skinner Street, to install a 5' x 8' sign.  
Pg. 65-67
9. Consideration of the approval of revising the Consent to Use of Easements for the installation of a natural gas line for its tenants previously granted to Port Freeport by deleting the easements on Lots 8 & 9, Block 8 of the Freeport Townsite and all of the Terminal Street right of way. Pg. 68-74

10. Consideration of the approval of authorizing the City Manager to advertise for bids for an easement to install a natural gas pipeline to serve Port Freeport tenants in the existing easements on Lots 8 & 9, Block 8 of the Freeport Townsite and all of the Terminal Street right of way; and setting a bid date therefore. Pg. 75-77
11. Consideration of the approval of a request from Port Freeport to install and maintain an antenna and a repeater on the FM1495 Water Tower of the City.
12. Consideration of the approval any action to be taken as result of closed executive session.

Elected Official Report

**Work Session**

Administration Report

- A. Rene Damian of Damian & Associates presents a preliminary Scope of Work on the Central Lift Station.
- B. Bob Welch, Finance Director review financials for the quarter ending December 31, 2008. Pg. 78-84

**Executive Session**

Section 551.074, Government Code:

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

Acting City Manager – Jeff Pynes

Adjourn

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

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

In compliance with the 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 prior to the meetings. Please contact the City Secretary office at 979.233.3526.

I, Delia Muñoz, City Secretary, City of Freeport, Texas, hereby 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 hour a day public access, 200 W. 2nd Street, Freeport, Texas, on January 29, 2009, at or before 5:00 p.m.

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Delia Muñoz  
City Secretary

State of Texas

Brazoria County

City of Freeport

BE IT REMEMBERED, that the City of Freeport, met on Tuesday, January 20, 2009, at 6:00 p.m., at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas, for the purpose of considering the following agenda:

City Council:

Larry L. McDonald  
Clan Cameron  
Jim Saccomanno  
Ron Wise  
Norma M. Garcia

Economic Development Corp.

Tan Darver  
Clan Cameron  
Oliver (Johnny) McQuaig  
Lila Diehl  
Bobby J. Casale

Staff:

Acting City Manager, Jeff Pynes  
City Attorney, Wallace Shaw  
Delia Munoz, City Secretary  
Nat Hickey, Property Manager  
Brian Dybala, Golf Course Director  
Bob Welch, Finance Director  
Mary Stotler, Main Street Director  
Larry Ellis, Building Inspector

Visitors:

Susie Wise	Rosa McDonald
Manning Rollerson	Doug Boone
Jason Montier	Buddy McKim
Cele Damian	Ron Damian
Rene Damian	Jim Pirrung
Brenda Laird	Cathy Williams
Kathy Varnado	Annette Sanford
Jim Adkins	Joyce Adkins
Eric Hayes	Lila Diehl
Bobby Casale	Wright Gore, III
Abel Garcia	Roy Yates
Jerry Meeks	Robert Worley
Lila Lloyd	Jerry Meeks
Jimmy Allan	Edna Allan
Freddie Brown	Jim Goins
Joyce Neuburg	Manuel Bustos

Esteban Bustos  
Helen McQuaig

Bob Durham  
David McKim

Call to Order.

Mayor McDonald recognized a quorum with City Council and the Economic Development Corporation. He opened the meeting at 6:00 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of the approval of the January 5, 2009 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved January 5, 2009 Council Minutes.

Attending Citizens and Their Business.

Bobby Casale requested a no smoking ordinance be placed on the agenda. He wanted to share information from the Justice Department office regarding the council responding to the audience, and that this topic be placed on the agenda.

Robert Worley, President and CEO of the Brazoria County Economic Alliance, discussed economic development in general and the EDC. Looking forward to the day, EDC has a director. He discussed the projects on the table and that maybe some have slowed due to the economy, but no project has been cancelled. He feels like Freeport has a great future and that Port Freeport is a major factor. He thanked Mayor McDonald and Dan Tarver for their vision and felt that under their leadership "Freeport" has a great future.

Consideration of the approval of accepting the bids and awarding the contract for mowing services for the City of Freeport.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved the bids and awarded the contract for mowing services to Bustos Lawn Service (01.25 sq. ft) for the City of Freeport.

Consideration of the approval of Resolution No. 2009-2190 appointing Lila Lloyd to the Freeport Historical Board & Main Street Advisory Board of said City.

On a motion by Councilman Saccomanno, seconded by Councilwoman Garcia, with all present voting 4 to 1, Council approved Resolution No. 2009-2190 appointing Lila Lloyd to the Freeport Historical Board & Main Street Advisory Board of said City. Councilman Cameron opposed.

Consideration of the approval of Ordinance No. 2009-2212 amending the budget for the fiscal year 2008-2009.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved Ordinance No. 2009-2212 amending the budget for the fiscal year 2008-2009.

Consideration of the approval of Ordinance No. 2009-2213 vacating and abandoning a portion of the unopened street right-of-way known as Sweeny Street and authorizing the mayor or in his absence, the Mayor Pro Tem to execute a special warranty deed conveying the same.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved Ordinance No. 2009-2213 vacating and abandoning a portion of the unopened street right-of-way known as Sweeny Street and authorizing the mayor or in his absence, the Mayor Pro Tem to execute a special warranty deed conveying the same.

Consideration of the approval of Ordinance No. 2009-2214, calling the Annual General Election for the City of Freeport for May 9, 2009, at which all the voters residing in said City shall be permitted to vote for or against the candidates for Mayor of the City of Freeport, Texas and in which the voters of said City residing in Wards B and D shall be permitted to vote for or against the candidates for positions B and D on the City Council of the City of Freeport, Texas.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved of Ordinance No. 2009-2214, calling the Annual General Election for the City of Freeport for May 9, 2009, at which all the voters residing in said City shall be permitted to vote for or against the candidates for Mayor of the City of Freeport, Texas and in which the voters of said City residing in Wards B and D shall be permitted to vote for or against the candidates for positions B and D on the City Council of the City of Freeport, Texas.

Consideration of the approval of a request for a variance by Buddy McKim of Drymalla Construction Company to rebuild a marquee for the Brazosport High School, 1800 West Second Street.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved a request for a variance by Buddy McKim of Drymalla Construction Company to rebuild a marquee for the Brazosport High School, 1800 West Second Street.

Consideration of the approval of entering an Interlocal Agreement with Brazoria County and the City of Freeport for the widening of FM 1495 feeder road.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting 4 to 1, Council approved an Interlocal Agreement with Brazoria County

and the City of Freeport for the widening of FM 1495 feeder road. The City's maximum cost is estimated at \$31,630.00, with Roy E. Yates from Freeport Welding and W. D. Dorsett of Dorsett Brothers committing \$15,000 each to the project. Councilman Wise opposed.

Consideration of the approval any action to be taken as result of closed executive session.

No action taken

#### Elected Official Report

Councilman Saccomanno reported that the Senior Citizens had 93 members for the year 2008. They are planning a trip to Galveston in February and have a Black History presentation coming from a group from West Columbia.

Councilman Cameron met with the Freeport Library Board, all county library are running accept one, applied for several grants. The county library having their annual book sale on Thursday, Friday and Saturday of next week.

Mayor McDonald and Chief Pynes participated in the Martin Luther King Parade on Monday, January 19, 2009. The golf course has new golf carts.

Mr. Dan Tarver introduced Mr. Joe Scribner of Gattis Pizza. A new business in town located at the Oasis Shopping Center. His facility will be for dining in or take out. He brought 5 boxes of hot pizza to share with the audience and Mayor McDonald announced a 10 minutes recess. Annette Sanford thanked him for this new business in Freeport.

Mayor McDonald reconvened the meeting at 7:02 p.m.

#### **Work Session**

##### Administration Report

Mary Stotler, Main Street Director reports on the Mardi Gra project.

Mary Stotler, Main Street Director announced the 3<sup>rd</sup> Annual Mardi Gras Masquerade Ball. Entertainment will be by the Brazosport High School & Intermediate School Jazz Bands and Blues Brothers Tribute Band. The event will take place at RiverPlace, on Friday, February 20<sup>th</sup>, 2009. Tickets are \$25.00 each and a table of 8 will be \$185.00. Tickets can be bought at City Hall or on the website. Dinner, dancing, beads, silent auction will take place. Costumes are welcomed or black and white attire is acceptable.

Dan Tarver, President of EDC reports on the Freeport Marina Project.

Dan Tarver, President of the Economic Development Corporation discussed and updated the audience and council on the progress of the Freeport Marina project.

Wright Gore, III, stated that he enjoyed working with the new EDC members. In the past he would have not gotten plans or drawing of the Marina. He had problems with the past board with navigation issues, but now was resolved. He wants the marina project to be a success and pledges to help the City.

Roberto Casares, asked Council to file criminal charges on those that took advantage of their position.

Jerry Masters, remembers a few years ago that the reason the marina was developed was to help Freeport. Not to get anybody rich, but to have businesses and a tax base.

Lila Lloyd has seen Freeport die and sees that property is being sold cheap or given away. The Port keeps buying property and do not pay taxes. The Marina project would bring us some tax revenue. She said if you wanted information to go the City and asked for it. Those things do not change and numbers will stay the same. She didn't believe that anything was being hidden from the citizens.

Mayor McDonald closed the work session and opened the Executive Session at 7:50 p.m.

### **Executive Session**

Section 551.074, Government Code:

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

Acting City Manager – Jeff Pynes

( no action taken)

Mayor McDonald closed the Executive Session and reconvened the open session at 8:17 p.m.

### **Adjourn**

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, the meeting was adjourned at 8:17 p.m.

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Delia Munoz  
City Secretary

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Larry L. McDonald  
Mayor

ORDINANCE NO. 2009-2215

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, AMENDING ORDINANCE NO. 2009-2214 CALLING THE ANNUAL GENERAL ELECTION FOR THE CITY OF FREEPORT FOR MAY 9, 2009, TO CORRECT THE LOCATIONS GIVEN FOR VOTING ON THE DAY OF THE ELECTION; 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, on January 20, 2009, by its Ordinance No. 2009-2214, the annual election of officers for the City of Freeport, Texas ("the City") was called for May 9, 2009, and the location for voting on the day of the election for voters not residing in Brazoria County Election Precinct 8 was specified as being the Freeport Library when Brazosport High School should have been specified.

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

First, Section Two of Ordinance No. 2009-2214, read, passed and adopted on January 20, 2008, is hereby amended to read as follows:

"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 located at Brazosport High School, John Magee Performance Center, 1800 West Second Street, Freeport, Texas, where all other voters shall vote on election day."



Second, 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.

Third, this ordinance shall be effective immediately upon its passage and approval.

READ, PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2009.

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

ATTEST:

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

APPROVED AS TO FORM ONLY:

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

C:\Freeport.Elc\09Electn-Amn



200 West 2nd Street • Freeport, TX 77541-5773

(979) 233-3526 • Fax: (979) 233-8867 • www.freeport.tx.us

Feb 2, 2004

# APPLICATION FOR VARIANCE

FOR OFFICIAL USE ONLY

Case No. \_\_\_\_\_

Date filed: \_\_\_\_\_

ZBA Date: \_\_\_\_\_

Request for:  Variance  
 Non conforming use

Please provide the following information:

1. Address or General Location of Site: 2023 Skinner Rd.

2. Subdivision: Velasco Town Site Block 719 Lot 13 Acre(s) \_\_\_\_\_

3. Current Zoning Classification: \_\_\_\_\_

4. Proposed or existing use of site (be specific) Church marquee sign for 14' overall height.

5. Requesting a variance to the following sections of the Zoning Ordinance (list each section and attach additional sheets if necessary):  
Section that states ground signs to be ~~6'~~ minimum clearance plus the sign cabinet.

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purposes of this application. The application fee of \$150.00 to cover the cost of this variance request application has been paid to the City of Freeport on Jan, 2004.

I also certify that I have been informed and understand the regulations regarding variances as specified in the Zoning Ordinance of the City of Freeport. I understand it is necessary for me or my authorized agent to be present at the Zoning Board of Adjustment public hearing.

Rodney W Griggs  
Owner's Signature

Rodney W Griggs SR  
Owner's name printed or typed

2023 SKINNER  
Owner's Address

Freeport TX 77541  
City State Zip

In lieu of representing this request myself, as owner of the subject property, I hereby authorize the person designated below to act in the capacity of my agent for the application, processing, representation and/or presentation of this request. The designated agent shall be the principal contact person with the City, and vice versa, in processing and responding to requirements, information or issues relative to this request.

Rodney W Griggs  
Signature of owner  
Michael Johnson  
Signature of agent  
6411 Airline Dr. Houston, TX 77076  
Address of agent

Rodney Griggs  
Name printed or typed  
Michael Johnson  
Name printed or typed  
713-659-1121  
Phone Number

DESIGN WIND CRITERIA: 120 mph 3-SEC GUST

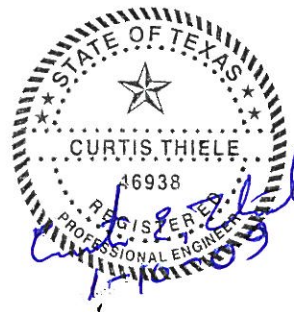
BASE SUPPORT STEEL

SECTION	AREA (ft <sup>2</sup> )	SHAPE FACTOR	WIND (psf)	FORCE <sup>1</sup>	MOM <sup>2</sup>
①	40	1.0	40	1600	18000
②	34	↓	↓	1400	6000
				3000	24000

$$S \geq M/F_b \geq \frac{24,000 \text{ ft} \cdot \text{lb} (12 \text{ ft})}{30,000 \text{ psi}} = 9.6 \text{ in}^3$$

USE 6 5/8" O.D. (.280 STD. WALL) STEEL PIPE

$$S = 8.5 \text{ in}^3$$



FOUNDATION DESIGN

$$d = \frac{A}{2} \left( 1 + \sqrt{1 + \frac{4.36h}{A}} \right)$$

$$= \frac{3.5}{2} \left[ 1 + \sqrt{1 + \frac{4.36(8')}{3.5}} \right]$$

$$d = 7.6'$$

$$A = \frac{2.34P}{S_b}$$

$$= \frac{2.34(3000 \text{ lb})}{1333 (t.s.)}$$

$$A = 3.5$$

$$P = 3000 \text{ lb}$$

$$b = 18 \text{ in}$$

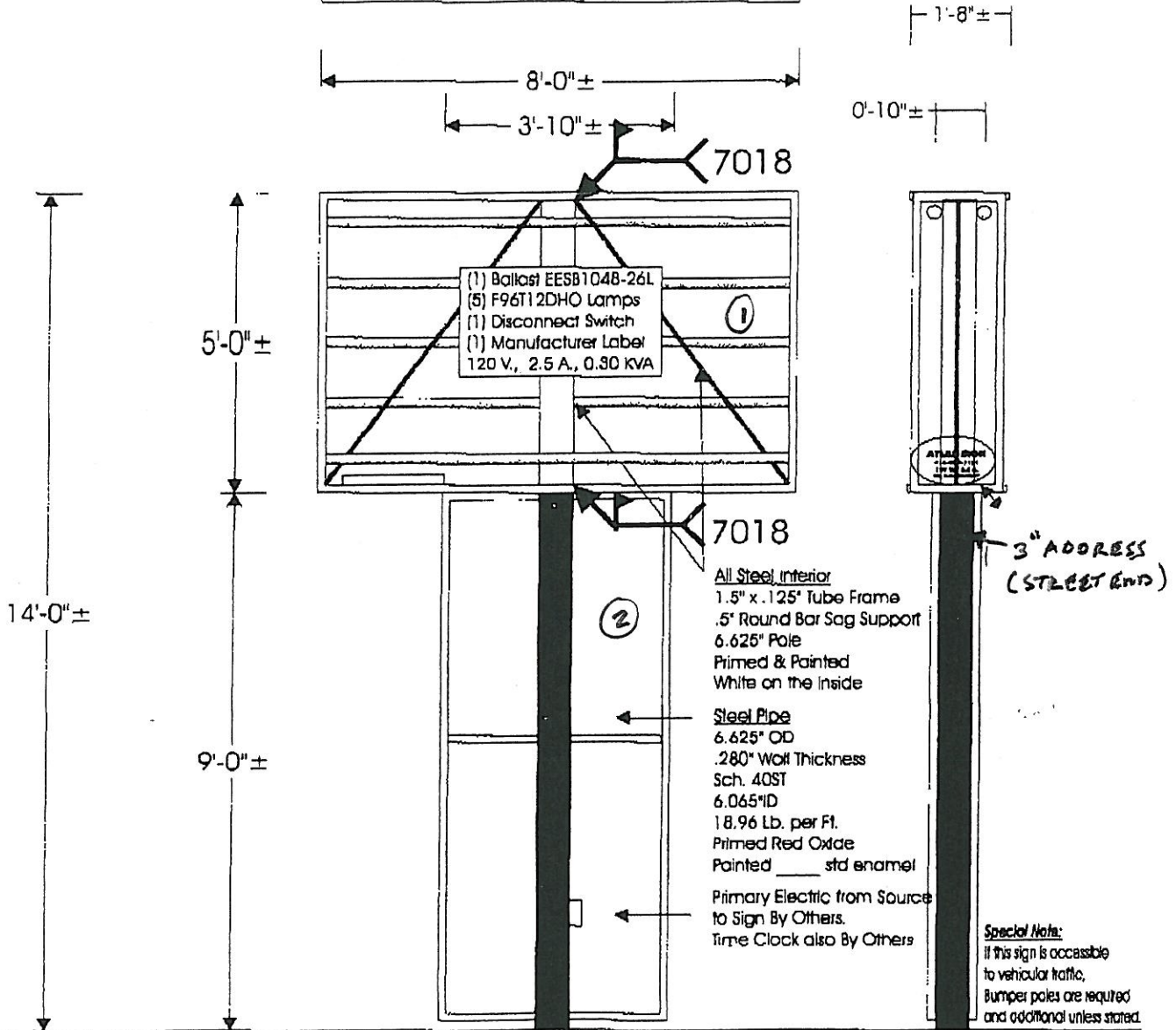
$$S_1 = \frac{2 \times 250 \text{ psf} \times 8'}{3} = 1333$$

$$h = \frac{24000 \text{ ft} \cdot \text{lb}}{3000 \text{ lb}} = 8'$$

USE CONCRETE FOOTING 18"  $\phi$  x 8' DEEP

Top View

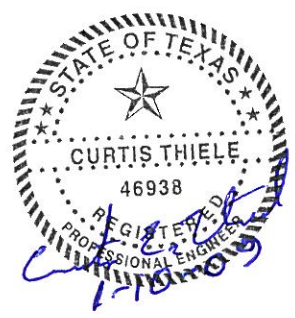
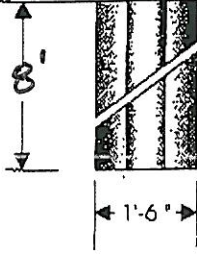
Alum. Pop Rivets from filler to frame.  
Rivets shall be placed every 8" approximately.



**Special Note:**  
If this sign is accessible to vehicular traffic, bumper poles are required and additional unless stated.

**Colors / Materials / Notes:**

- Fillers:** Pre-finished .040" PFA Mochoton aluminum
- Frame:** 1 1/2" Steel Tube, primed and painted white
- Faces:** 3/16" White acrylic #7328, decorated w/ 2 mil cast vinyl film
- Copy:** #805 Ivory Oracal 8500
- Internal Illumination:** 800 milliamp fluorescents, 12" Centers, 120 v., 60 Hz.
- Steel Pole:** 6.625" OD, primed
- Foundation:** Drilled pier, direct burial, of steel support concrete footing



THE STATE OF TEXAS       X  
  X  
COUNTY OF BRAZORIA      X

CONSENT TO USE OF EASEMENTS

The CITY OF FREEPORT, TEXAS (a municipal corporation lying and situated in Brazoria County, Texas, herein called "the City"), hereby consents to PORT FREEPORT (a body corporate and politic also lying and situated in Brazoria County, Texas, herein called "the Port"), granting the following rights-of-way for the installation of a natural gas pipeline (hereinafter "the Pipeline") providing natural gas service to American Rice, Inc., a Delaware corporation, its assigns, or the best high bidder on such easements ("Easement Holder"):

**Deleted:** First Parcel

A 5 foot wide strip, being 2.5 feet left and 2.5 feet right of the herein described centerline, being a portion of the 20-foot wide easement granted to the City of Freeport by instrument dated September 9, 1947, recorded in Volume 412, Page 502 of the Deed Records of Brazoria County, Texas, being out of a 2.41 acre tract described by deed on June 25, 1956 from Freeport Sulphur Company to Brazos River Harbor Navigation District, as recorded in Volume 658, Page 174 of the Brazoria County Deed Records as follows:

**Deleted:** A five foot wide strip along the southerly line of the 1855 foot by 20 foot sewer easement that is adjacent to the south line of Blocks 8, 9, 23 and 24 of the Freeport Townsite of the City granted by the Freeport Sulphur Co. to the City by the instrument dated September 9, 1947, recorded in Volume 412, page 402 of the Deed Records of Brazoria County, Texas.¶

Commencing at a point in the northern boundary line of said Brazos River Harbor Navigation District (B.R.H.N.D.) called 2.41 acre tract, and the northern boundary line of said 20-foot wide easement, said point being the southeastern corner of Lot 8, Block 8, of the City of Freeport Original Townsite according to the map or plat thereof recorded in Volume 2, page 95, B.C.D.R.;

Thence North 76°07'57" West, along the northern boundary line of said B.R.H.N.D. called 2.41 acre tract, also being the northern boundary line of said 20-foot easement and the southern boundary line of said Freeport Original Townsite, a distance of 28.53 feet to the Point of Beginning at the horizontal intersection of the herein described centerline;

Thence South 79°41'41" West, a distance of 34.79 feet to an angle point, located 15 feet south measured at right angle to the northern boundary line of said B.R.H.N.D. called 2.41 acre tract also being the northern boundary line of said 20-foot easement;

Thence North 74°45'48" West, 15 feet south measured at right angle to the northern boundary line of said B.R.H.N.D. called 2.41 acre tract, also being the northern boundary line of said 20-foot easement, a distance of 1047.50 feet to an angle point;

Thence North 15°13'12" East, a distance of 15.00 feet to the Point of Terminus located in the northern boundary line of said B.R.H.N.D. called 2.41 acre tract, also being the northern boundary line of said 20-foot easement, same being the southern boundary line of all that certain called 2.4391 acre tract of land conveyed by deed on November 24, 1999 from Freeport Welding and Fabrication, Inc. to Brazos River Harbor Navigation District, as recorded in Clerk's File No. 99-053095 of the Brazoria County Official Records.

Being a total length of 66.50 rods (1097.3 feet).

under the following terms and conditions:

First, the Port will specify in the easements that after the installation of the line, the Easement Holder, at its expense, will restore the above easements to a condition that is the same or better than the condition the same are in on the date the easement is granted by the Port.

Second, the Port will specify in the easements that the Easement Holder will maintain the line so as to prevent it from becoming a hazard to the safety of the citizens of the City or the customers and tenants of the Port; and, if it becomes necessary for the Easement Holder to excavate in connection with such maintenance, the Easement Holder will, at its expense, restore the above easements to a condition that is the same or better than the condition the same are in on the date the easement is granted by the Port.

Third, the rights granted to the Port by this consent shall not be used to extend the line north of East 5<sup>th</sup> St., without the express written consent of the City.

Fourth, as used herein, the term "Indemnified Parties" means the Port and the City of Freeport, and their respective officers, directors, employees, agents, successors and assigns. To the fullest extent permitted by law and regardless of any degree of fault, omission or negligence, strict liability, strict statutory liability, strict products liability or negligence per se of the Indemnified Parties, any easements granted to the Easement Holder shall require the Easement Holder to assume all liability for, and agree to defend, indemnify and hold the Indemnified Parties harmless from all claims, fines, damages, liabilities, losses, costs, expenses (including without limitation reasonable attorneys' fees and court costs), penalties, assessments, environmental response costs, and/or injunctive obligations, which may be suffered or incurred at any time by the Indemnified Parties, on account of injuries to or death of any persons, damage to or destruction of any property, and/or any violation of any applicable law, rule, regulation, or order of any governmental entity, caused by, resulting from, or arising out of the construction, operation, maintenance (and failure to maintain), repair (and failure to repair), replacement, removal and use of the Pipeline and/or any related equipment and appurtenances, or the rights granted herein.

GRANTED this \_\_\_\_ day of \_\_\_\_\_, 2009.

THE CITY OF FREEPORT, TEXAS

By \_\_\_\_\_  
Larry McDonald, Sr., Mayor

ATTESTED: \_\_\_\_\_  
Delia Munoz, City Secretary

AGREED AND ACCEPTED the \_\_\_\_ day of \_\_\_\_\_, 2009.

PORT FREEPORT

By \_\_\_\_\_  
James F. Brown, Jr., Chairman  
Port Commission

ATTESTED: \_\_\_\_\_  
Ravi K. Singhanía, Secretary  
Port Commission

THE STATE OF TEXAS X

COUNTY OF BRAZORIA X

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2009, by LARRY  
McDONALD, SR., as the Mayor of the City of Freeport.

\_\_\_\_\_  
Notary Public, State of Texas

THE STATE OF TEXAS X

COUNTY OF BRAZORIA X

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2009, by JAMES F.  
BROWN, JR., as Chairman of the Port Commission.

\_\_\_\_\_  
Notary Public, State of Texas

Port Freeport/American Rice Pipeline Easement  
City of Freeport Consent to Use of Easements, 09 01 26 5D



THE STATE OF TEXAS           X  
  X  
COUNTY OF BRAZORIA        X

CONSENT TO USE OF EASEMENTS

The CITY OF FREEPORT, TEXAS (a municipal corporation lying and situated in Brazoria County, Texas, herein called "the City"), hereby consents to PORT FREEPORT (a body corporate and politic also lying and situated in Brazoria County, Texas, herein called "the Port"), granting the following rights-of-way for the installation of a natural gas pipeline (hereinafter "the Pipeline") providing natural gas service to American Rice, Inc., a Delaware corporation, its assigns, or the best high bidder on such easements ("Easement Holder"):

A 5 foot wide strip, being 2.5 feet left and 2.5 feet right of the herein described centerline, being a portion of the 20-foot wide easement granted to the City of Freeport by instrument dated September 9, 1947, recorded in Volume 412, Page 502 of the Deed Records of Brazoria County, Texas, being out of a 2.41 acre tract described by deed on June 25, 1956 from Freeport Sulphur Company to Brazos River Harbor Navigation District, as recorded in Volume 658, Page 174 of the Brazoria County Deed Records as follows:

Commencing at a point in the northern boundary line of said Brazos River Harbor Navigation District (B.R.H.N.D.) called 2.41 acre tract, and the northern boundary line of said 20-foot wide easement, said point being the southeastern corner of Lot 8, Block 8, of the City of Freeport Original Townsite according to the map or plat thereof recorded in Volume 2, page 95, B.C.D.R.;

Thence North 76°07'57" West, along the northern boundary line of said B.R.H.N.D. called 2.41 acre tract, also being the northern boundary line of said 20-foot easement and the southern boundary line of said Freeport Original Townsite, a distance of 28.53 feet to the Point of Beginning at the horizontal intersection of the herein described centerline;

Thence South 79°41'41" West, a distance of 34.79 feet to an angle point, located 15 feet south measured at right angle to the northern boundary line of said B.R.H.N.D. called 2.41 acre tract also being the northern boundary line of said 20-foot easement ;

Thence North 74°45'48" West, 15 feet south measured at right angle to the northern boundary line of said B.R.H.N.D. called 2.41 acre tract, also being the northern boundary line of said 20-foot easement, a distance of 1047.50 feet to an angle point;

Thence North 15°13'12" East, a distance of 15.00 feet to the Point of Terminus located in the northern boundary line of said B.R.H.N.D. called 2.41 acre tract, also being the northern boundary line of said 20-foot easement, same being the southern boundary line of all that certain called 2.4391 acre tract of land conveyed by deed on November 24, 1999 from Freeport Welding and Fabrication, Inc. to Brazos River Harbor Navigation District, as recorded in Clerk's File No. 99-053095 of the Brazoria County Official Records.

Being a total length of 66.50 rods (1097.3 feet).

under the following terms and conditions:

First, the Port will specify in the easements that after the installation of the line, the Easement Holder, at its expense, will restore the above easements to a condition that is the same or better than the condition the same are in on the date the easement is granted by the Port.

Second, the Port will specify in the easements that the Easement Holder will maintain the line so as to prevent it from becoming a hazard to the safety of the citizens of the City or the customers and tenants of the Port; and, if it becomes necessary for the Easement Holder to excavate in connection with such maintenance, the Easement Holder will, at its expense, restore the above easements to a condition that is the same or better than the condition the same are in on the date the easement is granted by the Port.

Third, the rights granted to the Port by this consent shall not be used to extend the line north of East 5th St., without the express written consent of the City.

Fourth, as used herein, the term "Indemnified Parties" means the Port and the City of Freeport, and their respective officers, directors, employees, agents, successors and assigns. To the fullest extent permitted by law and regardless of any degree of fault, omission or negligence, strict liability, strict statutory liability, strict products liability or negligence per se of the Indemnified Parties, any easements granted to the Easement Holder shall require the Easement Holder to assume all liability for, and agree to defend, indemnify and hold the Indemnified Parties harmless from all claims, fines, damages, liabilities, losses, costs, expenses (including without limitation reasonable attorneys' fees and court costs), penalties, assessments, environmental response costs, and/or injunctive obligations, which may be suffered or incurred at any time by the Indemnified Parties, on account of injuries to or death of any persons, damage to or destruction of any property, and/or any violation of any applicable law, rule, regulation, or order of any governmental entity, caused by, resulting from, or arising out of the construction, operation, maintenance (and failure to maintain), repair (and failure to repair), replacement, removal and use of the Pipeline and/or any related equipment and appurtenances, or the rights granted herein.

GRANTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

THE CITY OF FREEPORT, TEXAS

By \_\_\_\_\_  
Larry McDonald, Sr., Mayor

ATTESTED: \_\_\_\_\_  
Delia Munoz, City Secretary

AGREED AND ACCEPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

PORT FREEPORT

By \_\_\_\_\_  
James F. Brown, Jr., Chairman  
Port Commission

ATTESTED: \_\_\_\_\_  
Ravi K. Singhania, Secretary  
Port Commission

THE STATE OF TEXAS           X

COUNTY OF BRAZORIA         X

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2009, by LARRY McDONALD, SR., as the Mayor of the City of Freeport.

\_\_\_\_\_  
Notary Public, State of Texas

THE STATE OF TEXAS           X

COUNTY OF BRAZORIA         X

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2009, by JAMES F. BROWN, JR., as Chairman of the Port Commission.

\_\_\_\_\_  
Notary Public, State of Texas

Port Freeport/American Rice/Pipeline Easement  
City of Freeport.Consent to Use of Easements.09.01.26.5D

**PROPOSED ARI GAS PIPELINE EASEMENT  
ROD CALCULATIONS**

Leg	Length, feet	Property Owner						City 20' San. Sewer Easement
		Terminal Street R.O.W.	Lots 8 & 9	Port	H.B.V.R.R.	TxDot		
1	1,617.55	1,617.55						
2	176.39	59.00	117.39					
3	34.79			34.79				
4	1,165.08						1,165.08	
5	149.98			134.98			15.00	
6	540.00			540.00				
7	203.35			203.35				
8	113.65				113.65			
9	554.52			554.52				
10	97.80			97.80				
11	916.27			751.47	164.80			
12	20.01			20.01				
13	628.32			628.32				
14	359.16			209.16		150.00		
15	1,203.97			1,203.97				
TOTAL, FEET	7,780.84	1,676.55	117.39	4,378.37	278.45	150.00	1,180.08	
TOTAL, RODS	471.57	101.61	7.11	265.36	16.88	9.09	71.52	

**Remarks**

City of Freeport, within Terminal Street Right of Way  
Block 9, Lot 9, within City of Freeport drainage easement  
Block 9, Lot 8, within City of Freeport drainage easement  
Port Freeport, within 20' City of Freeport Sanitary Sewer Easement  
Port Freeport, within the Freeport Welding Tract  
H.B.V.R.R. 100-foot strip  
Port Freeport, between H.B.V.R.R. 100-foot strip & H.B.V.R.R. 135-foot strip  
H.B.V.R.R. 135-foot strip  
Port Freeport, between H.B.V.R.R. 135-foot strip & F.M. 1495 Right of Way  
F.M. 1495 Right of Way  
Port Freeport, between F.M. 1495 Right of Way & Houston Pipeline 50-foot easement

Tract No.	Length	
	Feet	Rods
1	1,059.90	64.24
	84.80	5.14
	31.60	1.92
2	1,097.30	66.50
3	885.10	53.64
	100.00	6.06
4	690.80	41.87
	164.85	9.99
5	1,267.00	76.79
	150.00	9.09
6	<u>1,697.60</u>	<u>102.88</u>
Total	7,228.95	438.12

**Summary**

Port Freeport	275.18
City of Freeport	137.79
H.B.V.R.R.	16.05
TxDot	<u>9.09</u>
Total	438.12

# Council

## MEMORANDUM

---

**To: Mayor and City Council**

**From: Bob Welch**

**Re: Financials -Quarter Ending 12/31/08**

**Date: February 2, 2009**

Attached you will find the financial review for the Quarter Ending December 31, 2008.

I have attached:

- Summary Statements of Operations
- Statement of Operations by Fund
- Significant Revenues Breakdown
- Cash Statement as of 12/31/08
- A Capital Purchases List
- Debt Service Schedule

If you have any questions, please let me know!



**STATEMENT OF OPERATIONS**  
**MONTH ENDING: 12/31/2008**

**BASELINE**  
**25.0%**

CONSOLIDATED FUNDS	YEAR-TO-DATE ACTUAL			CHG	%	BUDGET 2008 - 2009				
	2007-2008	2008-2009				CURRENT	ORIGINAL		%BUDGET 2007-2008	
<b>REVENUES:</b>										
Taxes	2,330,358	2,414,825	84,467	3.6%	8,663,081	27.9%	8,663,081	27.9%	29.1%	
Permits & Fees	20,834	75,993	55,159	264.8%	49,900	152.3%	49,900	152.3%	19.4%	
Garbage Revenue	186,329	184,421	(1,908)	-1.0%	890,000	20.7%	890,000	20.7%	25.7%	
Revenue Producing	20,462	24,741	4,279	20.9%	101,850	24.3%	101,850	24.3%	20.3%	
Fines & Fees	117,735	89,903	(27,832)	-23.6%	492,855	18.2%	492,855	18.2%	23.2%	
Miscellaneous	197,100	151,725	(45,375)	-23.0%	1,099,055	13.8%	1,099,055	13.8%	22.6%	
Golf Course	75,537	107,077	31,540	41.8%	359,788	29.8%	359,788	29.8%	21.4%	
Ambulance	113,061	123,489	10,428	9.2%	470,000	26.3%	470,000	26.3%	25.0%	
Water & Sewer	850,370	1,045,068	194,698	22.9%	3,536,000	29.6%	3,536,000	29.6%	23.1%	
<b>NET REVENUES:</b>	<b>3,911,786</b>	<b>4,217,242</b>	<b>305,456</b>	<b>7.8%</b>	<b>15,662,529</b>	<b>26.9%</b>	<b>15,662,529</b>	<b>26.9%</b>	<b>26.4%</b>	
Bond Proceeds	0	0	-	0.0%	-	0.0%	-	0.0%	0.0%	
<b>TOTAL REVENUES:</b>	<b>3,911,786</b>	<b>4,217,242</b>	<b>305,456</b>	<b>7.8%</b>	<b>15,662,529</b>	<b>26.9%</b>	<b>15,662,529</b>	<b>26.9%</b>	<b>22.0%</b>	
<b>EXPENDITURES:</b>										
Salaries / Labor	982,407	1,121,225	138,818	14.1%	4,807,624	23.3%	4,807,624	23.3%	22.0%	
Benefits	399,518	459,557	60,039	15.0%	1,601,042	28.7%	1,601,042	28.7%	26.6%	
Supplies	102,208	62,228	(39,980)	-39.1%	688,043	9.0%	688,043	9.0%	17.0%	
Services	1,324,215	1,185,120	(139,095)	-10.5%	5,692,259	20.8%	5,692,259	20.8%	25.6%	
Maintenance	72,918	131,355	58,437	80.1%	626,053	21.0%	626,053	21.0%	14.7%	
Sundry	141,837	166,805	24,968	17.6%	319,262	52.2%	319,262	52.2%	39.6%	
Bonds/Leases/Depr	223,879	229,123	5,244	2.3%	827,652	27.7%	827,652	27.7%	36.9%	
Capital Outlay	414,050	74,206	(339,844)	-82.1%	3,898,573	1.9%	3,898,573	1.9%	7.8%	
<b>TOTAL EXPENSES:</b>	<b>3,661,032</b>	<b>3,429,619</b>	<b>(231,413)</b>	<b>-6.3%</b>	<b>18,460,508</b>	<b>18.6%</b>	<b>18,460,508</b>	<b>18.6%</b>	<b>19.7%</b>	
<b>NET OPERATING</b>	<b>250,754</b>	<b>787,623</b>	<b>536,869</b>	<b>214.1%</b>	<b>(2,797,979)</b>	<b>xxx</b>	<b>(2,797,979)</b>	<b>xxx</b>	<b>xxx</b>	
<b>TOTAL TRANSFERS:</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0.0%</b>	<b>-</b>	<b>0.0%</b>	<b>-</b>	<b>0.0%</b>	<b>0.0%</b>	
<b>NET</b>	<b>250,754</b>	<b>787,623</b>	<b>536,869</b>	<b>214.1%</b>	<b>(2,797,979)</b>	<b>xxx</b>	<b>(2,797,979)</b>	<b>xxx</b>	<b>xxx</b>	





STATEMENT OF OPERATIONS BY FUND

FOR THE YEAR ENDING:

12/31/2008

	YEAR-TO-DATE ACTUAL				BUDGET 2008-2009				%BUDGET 2007-2008	BUDGET 2007-2008
	2007-2008	2008-2009	CHG	%	CURRENT		ORIGINAL			
<b>TOTAL CONSOLIDATION:</b>										
REVENUES	3,911,787	4,217,241	305,453	7.8%	15,662,529	26.9%	15,617,017	27.0%	22.3%	17,523,078
EXPENSES	3,661,034	3,429,618	-231,416	-6.3%	18,460,508	18.6%	17,988,600	19.1%	20.4%	17,968,769
NET: OPERATING	250,754	787,623	536,869	214.1%	-2,797,979	-28.1%	-2,371,583	-33.2%	-56.3%	-445,691
INTERFUND TRANSFERS	0	0	0	0.0%	0	0.0%	256,113	0.0%	0.0%	-421,388
BOND PROCEEDS	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	0
NET	250,754	787,623	536,869	214.1%	-2,797,979	-28.1%	-2,627,696	-30.0%	-1031.8%	-24,303
<b>CONSOLIDATIONS</b>										
<b>GOVERNMENTAL FUNDS:</b>										
REVENUES	2,872,414	3,175,067	302,653	10.5%	11,124,591	28.5%	11,124,591	28.5%	22.0%	13,030,652
EXPENSES	2,506,799	2,317,800	-188,999	-7.5%	13,072,428	17.7%	13,072,428	17.7%	19.2%	13,052,597
NET: OPERATING	365,615	857,267	491,652	134.5%	-1,947,837	-44.0%	-1,947,837	-44.0%	-1666.1%	-21,945
INTERFUND TRANSFERS	100,000	0	-100,000	-100.0%	702,265	0.0%	702,265	0.0%	403.8%	24,764
BOND PROCEEDS	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	0
NET	265,615	857,267	591,652	222.7%	-2,650,102	-32.3%	-2,650,102	-32.3%	-568.7%	-46,709
<b>ENTERPRISE FUNDS:</b>										
REVENUES	1,039,373	1,042,173	2,800	0.3%	4,537,938	23.0%	4,492,426	23.2%	23.1%	4,492,426
EXPENSES	1,154,235	1,111,818	-42,417	-3.7%	5,388,080	20.6%	4,916,172	22.6%	23.5%	4,916,172
NET: OPERATING	-114,862	-69,644	45,218	-39.4%	-850,142	8.2%	-423,746	16.4%	27.1%	-423,746
INTERFUND TRANSFERS	-100,000	0	100,000	-100.0%	-702,265	0.0%	-446,152	0.0%	22.4%	-446,152
NET	-14,862	-69,644	-54,782	368.6%	-147,877	-6964407.0%	22,406	-310.8%	-66.3%	22,406
<b>GOVERNMENTAL</b>										
<b>GENERAL FUND #10</b>										
REVENUES	2,779,903	3,045,985	266,081	9.6%	10,444,106	29.2%	10,444,106	29.2%	29.8%	9,327,969
EXPENSES	1,996,750	2,078,419	81,669	4.1%	9,523,739	21.8%	9,523,739	21.8%	22.8%	8,748,079
NET: OPERATING	783,154	967,566	184,412	23.5%	920,367	105.1%	920,367	105.1%	135.1%	579,890
INTERFUND TRANSFERS	-900,000	-1,000,000	-100,000	11.1%	-297,735	335.9%	-297,735	335.9%	92.3%	-975,236
NET	1,683,154	1,967,566	284,412	16.9%	1,218,102	161.5%	1,218,102	161.5%	108.2%	1,555,126
<b>STREET &amp; DRG #14</b>										
REVENUES	30,244	3,484	-26,760	-88.5%	30,000	11.6%	30,000	11.6%	30.2%	100,000
EXPENSES	281,160	864	-280,296	-99.7%	152,300	0.6%	152,300	0.6%	39.9%	704,080
NET: OPERATING	-250,916	2,620	253,536	-101.0%	-122,300	-2.1%	-122,300	-2.1%	41.5%	-604,080
INTERFUND TRANSFERS	1,000,000	1,000,000	0	0.0%	1,000,000	100.0%	1,000,000	100.0%	100.0%	1,000,000
NET	-1,250,916	-997,380	253,536	-20.3%	-1,122,300	88.9%	-1,122,300	88.9%	78.0%	-1,604,080
<b>HOTEL MOTEL #18</b>										
REVENUES	674	129	-545	-80.9%	18,750	0.7%	18,750	0.7%	3.7%	18,000
EXPENSES	5,010	5,004	-6	-0.1%	18,750	26.7%	18,750	26.7%	27.8%	18,000
NET: OPERATING	-4,336	-4,875	-539	12.4%	0	0.0%	0	0.0%	0.0%	0
INTERFUND TRANSFERS	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	0
NET	-4,336	-4,875	-539	12.4%	0	0.0%	0	0.0%	0.0%	0
<b>CONSTR EQUIP #62</b>										
REVENUES	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	3,000,000
EXPENSES	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	3,000,000
NET: OPERATING	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	0
INTERFUND TRANSFERS	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	0
BOND PROCEEDS	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	0
NET	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	0
<b>COO2008 CONST #63</b>										
REVENUES	0	14,833	14,833	0.0%	40,000	37.1%	40,000	37.1%	0.0%	0
EXPENSES	0	5,555	5,555	0.0%	2,797,979	0.2%	2,797,979	0.2%	0.0%	0
NET: OPERATING	0	9,278	9,278	0.0%	-2,757,979	-0.3%	-2,757,979	-0.3%	0.0%	0
INTERFUND TRANSFERS	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	0
BOND PROCEEDS	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	0
NET	0	9,278	9,278	0.0%	-2,757,979	-0.3%	-2,757,979	-0.3%	0.0%	0
<b>CONSTR EQUIP DEBT SVC #64</b>										
REVENUES	61,593	53,949	-7,645	-12.4%	290,604	18.6%	290,604	18.6%	10.5%	584,683
EXPENSES	223,879	227,959	4,080	1.8%	282,104	80.8%	282,104	80.8%	38.4%	582,438
NET: OPERATING	-162,286	-174,010	-11,724	7.2%	8,500	-2047.2%	8,500	-2047.2%	-7228.8%	2,245
INTERFUND TRANSFERS	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	0
NET	-162,286	-174,010	-11,724	7.2%	8,500	-2047.2%	8,500	-2047.2%	-7228.8%	2,245
<b>COO 2008 DEBT SVC #65</b>										
REVENUES	0	56,688	56,688	0.0%	301,131	18.8%	301,131	18.8%	0.0%	0
EXPENSES	0	0	0	0.0%	297,556	0.0%	297,556	0.0%	0.0%	0
NET: OPERATING	0	56,688	56,688	0.0%	3,575	1585.7%	3,575	1585.7%	0.0%	0
INTERFUND TRANSFERS	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%	0
NET	0	56,688	56,688	0.0%	3,575	1585.7%	3,575	1585.7%	0.0%	0
<b>ENTERPRISE</b>										
<b>GOLF COURSE #15</b>										
REVENUES	75,535	107,079	31,544	41.8%	359,688	29.8%	358,251	29.9%	21.1%	358,251
EXPENSES	135,747	130,960	-4,787	-3.5%	672,887	19.5%	657,128	19.9%	20.7%	657,128
NET: OPERATING	-60,212	-23,881	36,331	-60.3%	-313,199	7.6%	-298,877	8.0%	20.1%	-298,877
INTERFUND TRANSFERS	-100,000	0	100,000	-100.0%	-315,060	0.0%	-314,574	0.0%	31.8%	-314,574
NET	39,788	-23,881	-63,669	-160.0%	1,861	-1283.2%	15,697	-152.1%	253.5%	15,697
<b>AMBULANCE #20</b>										
REVENUES	113,022	123,705	10,683	9.5%	473,100	26.1%	455,750	27.1%	24.8%	455,750
EXPENSES	88,348	140,759	52,411	59.3%	612,613	23.0%	450,842	31.2%	19.6%	450,842
NET: OPERATING	24,674	-17,054	-41,728	-169.1%	-139,513	12.2%	4,908	-347.5%	502.7%	4,908
INTERFUND TRANSFERS	0	0	0	0.0%	-139,513	0.0%	-52,126	0.0%	0.0%	-52,126
NET	24,674	-17,054	-41,728	-169.1%	0	0.0%	57,034	-29.9%	43.3%	57,034
<b>WATER &amp; SEWER #56</b>										
REVENUES	850,816	811,389	-39,427	-4.6%	3,705,150	21.9%	3,678,425	22.1%	23.1%	3,678,425
EXPENSES	930,140	840,099	-90,041	-9.7%	4,102,580	20.5%	3,808,202	22.1%	24.4%	3,808,202
NET: OPERATING	-79,324	-28,709	50,615	-63.8%	-397,430	7.2%	-129,777	22.1%	61.1%	-129,777
INTERFUND TRANSFERS	0	0	0	0.0%	-247,692	0.0%	-79,452	0.0%	0.0%	-79,452
NET	-79,324	-28,709	50,615	-63.8%	-149,738	19.2%	-50,325	57.0%	167.6%	-50,325



**STATEMENT OF OPERATIONS**  
**MONTH ENDING: 12/31/2008**

**BASELINE**  
**25.0%**

CONSOLIDATED FUNDS	YEAR-TO-DATE ACTUAL			BUDGET 2008-2009		%BUDGET 2007-2008	BUDGET 2007-2008	
	2007-2008	2008-2009	GHG	%	CURRENT			ORIGINAL
Property Taxes	542,277	494,837	(47,440)	-8.7%	2,393,863	2,393,863	23.2%	2,333,654
Sales Taxes (General Fund)	268,529	260,932	(7,597)	-2.8%	1,350,000	1,350,000	23.3%	1,151,865
Franchise Taxes	186,077	186,638	561	0.3%	614,800	614,800	30.0%	619,500
Industrial District	1,333,475	1,472,418	138,943	10.4%	4,278,418	4,278,418	34.4%	3,887,310
Municipal Court	117,735	89,903	(27,832)	-23.6%	492,855	492,855	23.3%	504,904
Water	466,158	461,543	(4,615)	-1.0%	1,867,000	1,867,000	24.7%	1,950,000
Sewer	335,567	321,805	(13,762)	-4.1%	1,500,000	1,500,000	21.5%	1,250,000
Bond Proceeds	0	0	0	0.0%	0	0	0.0%	3,000,000
	3,249,818	3,288,076	38,258	1.2%	12,496,936	12,496,936	26.3%	14,697,233

% of Total Revenue      83.1%      78.0%      79.8%      79.8%      82.5%



**CASH BALANCES / FLOW**

**AS OF:**

**12/31/08**

GOVERNMENTAL & ENTERPRISE FUNDS	Texpool	Texas Gulf	Petty Cash	12/31/08		12/31/08		11/30/08	09/30/08
				TOTAL	Reserved	Unresrv	TOTAL		
10 General Fund	2,037,574	1,015,228	5,640	3,056,442	98,950	2,959,492	3,058,442	2,768,381	2,962,493
14 Street & Drainage Fund	755,153	-21,168	0	733,985	0	733,985	733,985	733,881	1,782,592
15 Golf Course	0	491	0	491	0	491	491	-1,016	58,164
18 Hotel/Motel Tax Fund	0	56,977	0	56,977	56,977	0	56,977	56,969	54,427
20 Ambulance Fund	0	95,964	0	95,964	0	95,964	95,964	100,916	138,405
56 Water & Sewer Fund	0	-94,781	180	-94,601	22,471	-117,072	-94,601	-43,861	-42,881
62 Capital Construction Fund	0	0	0	0	0	0	0	0	0
63 COO 2008, Construction	3,214,535	-5,555	0	3,208,980	3,208,980	0	3,208,980	3,210,484	3,199,702
64 Capital Debt Service Fund	0	14,722	0	14,722	14,722	0	14,722	14,720	14,660
65 COO 2008, Debt Svc	0	243,929	0	243,929	243,929	0	243,929	243,893	243,478
87 Payroll Clearing Fund	0	19,963	0	19,963	0	19,963	19,963	19,960	19,909
<b>TOTAL GOVERNMENTAL CASH</b>	<b>6,007,262</b>	<b>1,325,769</b>	<b>5,820</b>	<b>7,338,851</b>	<b>3,646,029</b>	<b>3,692,822</b>	<b>7,338,851</b>	<b>7,104,325</b>	<b>8,430,950</b>

**Change Cash**

236,182 -1,092,099

+ Change Net Income

1,689,990 787,623

- Change Non-Cash Assets

1,451,207 1,336,690

+ Change Liabilities

-2,602 -543,032


**Cash Flow:**

236,182 -1,092,099

DEPT / DESCRIPTION		ITEM / PROJECT	BUDGETED\$	ACTUAL\$
10-400	Main Street	Historical Museum: 311 Park Street	\$10,000	
10-410	General Administration	Misc. Land Purchases	54,000	
10-420	Service Center	Roof for Heavy Equipment Bay	25,000	3,900
10-430	Municipal Court	Marshall Vehicle	18,900	19,149
10-525	Police	CID Replacement Vehicle	15,868	14,489
10-525	Police	2 - Patrol Vehicles/Equipment	47,659	0
10-525	Police	CID Furniture	18,000	
10-525	Police	Covered Parking(for vehicles & equipment)	17,000	
10-525	Police	Swat Vest	19,100	
10-530	Fire	Vehicle - Fire Marshall	27,000	
10-530	Fire	Concrete For Trailer		4,500
10-575	Streets	Dump Truck 1- Ton	30,000	
10-575	Streets	Mini Trackhoe	30,000	
10-575	Streets	Tractor - 4 Wheel Drive	30,000	
10-575	Streets	Truck - 1 Ton	30,000	
10-655	Parks	Truck - 1/2 Ton	30,000	
10-655	Parks	Park Improvement Project- TX Parks Grant	117,600	
10-665	Recreation Center	Cardiovascular Equipment	7,500	
14-575	Streets & Drainage	Misc. Drainage Projects	137,200	840
15-656	Golf Course	Sprayer For Greens/Fairways	31,914	
15-656	Golf Course	Verticutter Rollers/Spikers For Greens	10,086	
20-535	Ambulance / EMS	Vehicle- EMS Coordinator	27,000	
20-535	Ambulance / EMS	Copier	6,947	
56-565	Water & Sewer	City-Wide Meter Replacements	40,000	14,564
56-565	Water & Sewer	CDBG Project	249,870	
56-565	Water & Sewer	Sewer Line Replacement	70,000	11,210
63-410	C00 2008 Const. Fnd.	Velasco Blvd.	1,499,815	5,554
63-410	C00 2008 Const. Fnd.	Misc. Streets: County Project	313,114	
63-410	C00 2008 Const. Fnd.	Belt Press: Sewer Plant	325,000	
63-410	C00 2008 Const. Fnd.	Misc. Sewer/Street/Alleyway Projects	660,000	
<b>TOTAL CAPITAL:</b>			<b>\$3,898,573</b>	<b>\$74,206</b>



AS OF: 12/31/08

DESCRIPTION	ISSUE	ORIGINAL	BALANCE	RATE	PAYOFF
COO, REFUNDING BONDS, SERIES 2003 Economic Development Corporation Phase I Entryway	10/24/03	\$2,185,000	\$1,621,000	4.84%	10/24/18
					
PAYMENTS:					
	<b>DUE</b>	<b>AMOUNT</b>			
	10/24/08	166,229			Principal & Interest.
	04/24/09	39,228			Interest Only.
W&S, REVENUE REFUNDING BONDS, SERIES 2004 Sewer Plant, refunding Series 1995	08/20/04	\$1,943,000	\$1,272,000	4.85%	10/01/14
PAYMENTS:					
	<b>DUE</b>	<b>AMOUNT</b>			
	10/01/08	212,138			Principal & Interest.
	04/01/09	30,846			Interest Only.
COO, SERIES 2003 Capital Construction/Equipment Purchases	10/24/03	\$3,000,000	\$2,225,000	4.84%	10/24/18
PAYMENTS:					
	<b>DUE</b>	<b>AMOUNT</b>			
	10/24/08	227,959			Principal & Interest.
	04/24/09	53,845			Interest Only.
COO, SERIES 2008 Street Replacement; Velasco Blvd	03/03/08	\$3,350,000	\$3,350,000	3.79%	04/01/23
	<b>DUE</b>	<b>AMOUNT</b>			
	10/01/08	63,483			Interest Only.
	04/01/09	228,483			Principal & Interest.

BALANCE DUE: \$8,468,000