

CITY OF FREEPORT
NOTICE OF PUBLIC MEETING
MONDAY, MARCH 19TH, 2012, 6:00 P.M.
RIVER PLACE, 733 MYSTERY HARBOR LANE
FREEPORT, TEXAS

AGENDA
FORMAL SESSION

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of approving the March 5th, 2012 Council Minutes. Pg. 108-113
5. **Awarding:** Acknowledge and award the participants of the City of Freeport's 3rd Annual Youth Art Display & Competition.


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, March 15th, 2012 at or before 5:00 p.m.



Delia Munoz - City Secretary
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport, met on Monday, March 5th, 2012 at 6:03 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

Staff: Gilbert Arispe, Asst. City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Bob Welch, Finance Director
Ty Morrow, Police Chief

Visitors: Jim Pirrung Dorothy Pirrung
Lila Lloyd Annette Sanford
Bobby Casale Annette Bennett
Steve Gagnon Tobey Davenport
Kari Duran Wayne Bahr
William Culver

Call to Order.

Mayor Norma Garcia called the meeting to order at 6:03 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma Moreno Garcia led the Pledge of Allegiance.

Consideration of approving the February 6th, 2012 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting "aye", Council unanimously approved the February 6th, 2012 Council Minutes.

Attending citizens and their business.

Jim Pirrung reported that participation has gone down in Freeport for Home Delivery Meals. Home Delivery Meals are available and are taken to people who are indigent and home bound. He asked for volunteers to call him at 979-233-7267 or Ann Brown at 979-297-3144, or Lee Cox at 979-297-4233.

Tobey Davenport stated that he lives next door to beautiful Memorial Park. He stated that the Brazosport Independent School District bond coming up in the May; would not be in the best interest of the community. He thanked Council for their time and efforts to the community.

Bobby Casale stated that he had scheduled a meeting with the Finance Officer and Superintendent of the Brazosport Independent School District to discuss the proposed \$50 million bond issue election coming in May 2012. He found nothing to justify a \$50 million dollar bond; to mortgage property for 25 years payout is ridiculous.

Steve Gagnon is not against education, but feels that Brazosport Independent School District needs to live within their budget. He had studied the school districts Comprehensive Annual Report and feels the school bond is not going in classrooms and not focused on education.

Annette Bennett a resident from Freeport spoke against the BISD bond issue. Her contingent is that we are spending money on things that are not guarantee to improve the student's education and to give them the tools they need to succeed in a college or vocational schools. She recommends that BISD live within its means.

Announcement: March 19th, 2012, awarding City of Freeport 3rd Annual Youth Art Display & Competition at River Place.

Mr. Gilbert Arispe announced the next city council meeting will be at River Place. They will be awarding the winners and participates for the City's 3rd Annual Youth Art Display & Competition at River Place. The pictures are on display at City Hall.

Proclamation: Proclaiming the month of April 2012 as Fair Housing Month.

Mayor Norma Garcia proclaimed the month of April 2012 as Fair Housing Month.

Consideration of ratifying Resolution No. 2012-2276 authorizes the establishment of the Community Revitalization Plan for the Villa Brazos neighborhood and any all other actions necessary to carry out this resolution.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting “aye”, Council unanimously approved Mr. Gilbert Arispe recommendation to approve the ratifying of Resolution No. 2012-2276 authorizing the establishment of the Community Revitalization Plan for the Villa Brazos neighborhood and any all other actions necessary to carry out this resolution.

Consideration of ratifying Resolution No. 2012-2278 authorizes the developer for Villa Brazos, to act in behalf of the City to apply for home funds from the Texas Department of Housing and Community affairs (“TDHCA”) to satisfy the requirement of funding by a local political subdivision.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting “aye”, Council unanimously approved Mr. Gilbert Arispe recommendation to approve the ratifying of Resolution No. 2012-2278 authorizes the developer for Villa Brazos, to act in behalf of the City to apply for home funds from the Texas Department of Housing and Community affairs (“TDHCA”) to satisfy the requirement of funding by a local political subdivision.

Consideration of ratifying Resolution No. 2012-2277 designating City Manager to act for and on behalf of the City of Freeport in dealing with the State of Texas General Land Office for the purpose of applying for state assistance to clean and maintain the public beach.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved Mr. Gilbert Arispe recommendation to approve the ratifying of Resolution No. 2012-2277 designating City Manager to act for and on behalf of the City of Freeport in dealing with the State of Texas General Land Office for the purpose of applying for state assistance to clean and maintain the public beach.

Consideration of approving a Comcast Resolution No. 2012-2279, electing not to require the remittance of a peg fee by holders of a state issued certificate of franchise authority.

On a motion by Councilman Bolton, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved a Comcast Resolution No. 2012-2279, electing not to require the remittance of a peg fee by holders of a state issued certificate of franchise authority.

Consideration of approving Ordinance No. 2012-2301 amending the budget for the year 2011-2012.

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting "aye", Council unanimously approved Mr. Bob Welchs' recommendation to approve Ordinance No. 2012-2301 amending the budget for the year 2011-2012.

Consideration of advertising and setting a bid date for April 2nd, 2012 for mowing services for the City of Freeport.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved setting April 2nd, 2012 for a bid date for mowing services for the City of Freeport.

Consideration of selling the city's interest on Block 133, East ½ of Lot 9, Lot 10, Freeport Townsite, known as 1204 W. 5th Street, Id. No. 4200-1357-000.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting 3 to 2, Council approved selling the city's interest on Block 133, East ½ of Lot 9, Lot 10, Freeport Townsite, known as 1204 W. 5th Street, Id. No. 4200-1357-000. Mr. Gilbert Arispe advised Council that a letter of agreement of good faith had been signed by the purchaser. He will rehabilitate and clean up the property within 6 months or possibly get on the demolition list. Councilman Bolton and Councilwoman Mireles opposed.

Consideration of a request from the Fraternal Eagles Aerie # 3111, 6818 Hwy.332 East, to conduct a turkey shoot every Saturday from noon to 4:00 p.m. beginning March 17th, 2012 through May 19th, 2012.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved a request from the Fraternal Eagles Aerie # 3111, 6818 Hwy.332 East, to conduct a turkey shoot every Saturday from noon to 4:00 p.m. beginning March 17th, 2012 through May 19th, 2012.

Consideration of approving the bids and awarding the contract for constructing of concrete payment for the marina parking lot.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting 4 to 1, Council approved the bids and awarded the contract to Mike Sorrell Trucking & Materials Inc., for constructing of concrete payment for the marina parking lot. Councilwoman Mireles opposed.

Consideration of authorizing the City Manager to negotiate a temporary lease on 7.2 acres of land located in the Urban Renewal tract in: Block 648 Lot 1-24A, Block 649, 3, 4, 5A, 6A, 7A, 9A, Block 613 Lot 1-24, Block 612 Lot 1, 2, 3, 4, 5, 6, 21, 22, 23, 24, Block 614 Lot 11, 12, 13, 14, Block 615 Lot 11, 12, 13, 14, Block 616 Lot 11, 12, 13, 14, Block 617 Lot 11, 12, 13, 14, for Dow Chemical.

Mr. Gilbert Arispe explained that authorizing the City Manager to negotiate a temporary lease would be from 2 to 5 months. The area would be used for a pipeline fabrication of setting pipes down for Dow Chemical.

Lila Lloyd stated that the Urban Renewal Tract was designated for residential. She opposed the laying of pipe in the tract.

Wayne Bahr, Project Manager with Dow Chemical Plant reassured Council that the area would be used for lay down area for fabricating pipe, no drilling would occur. It would give them access to the right of way to get to the canal for storing of pipe, and they would leave the property in good shape if not better.

On a motion by Councilman Bolton, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved the City Manager to negotiate a temporary lease on 7.2 acres of land located in the Urban Renewal tract in: Block 648 Lot 1-24A, Block 649, 3, 4, 5A, 6A, 7A, 9A, Block 613 Lot 1-24, Block 612 Lot 1, 2, 3, 4, 5, 6, 21, 22, 23, 24, Block 614 Lot 11, 12, 13, 14, Block 615 Lot 11, 12, 13, 14, Block 616 Lot 11, 12, 13, 14, Block 617 Lot 11, 12, 13, 14, for Dow Chemical. Councilwoman Mireles abstained from voting.

Consideration of authorizing the City Manager to lease office space to Port Freeport.

On a motion by Councilman Bolton, seconded by Councilwoman Mireles, with all present voting “aye”, Council unanimously approved to reagenda this item for further study.

Mayor Norma Garcia closed the Formal Session and opened the Executive Session at 7:03 p.m.

Executive Session:

A. 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:

- Texas Commission on Environmental Quality (TCEQ) update.

B. Section 551.075, Government Code:
Deliberations concerning the deployment, or specific occasions for implementation,
of security personnel or devices.

- Security Grant Program coordinated by Chief Morrow.

Mayor Norma Garcia closed the Executive Session and reconvened the Formal Session at 7:30 p.m.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting “aye”, Council adjourned the meeting at 7:30 p.m.

Mayor Norma Moreno Garcia
City of Freeport, Texas

City Secretary – Delia Munoz
City of Freeport, Texas