

City of Freeport

NOTICE OF PUBLIC MEETING

THE FREEPORT CITY COUNCIL

MONDAY, MAY 5th, 2008, 6:00 P.M.

MUNICIPAL COURT ROOM

FREEPORT POLICE DEPARTMENT, 430 N. BRAZOSPORT BLVD.

AGENDA

FORMAL SESSION

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of the approval of the April 21st, 2008 Council Minutes.
Pg. 556-560
5. Attending Citizens and Their Business.
6. **Proclamation:** Proclaiming May (2008) National Preservation Month.
Pg. 561-562
7. Consideration of the approval of Resolution No. 2008-2168 authorizing Wallace Shaw and Julian W. Taylor, III, the City Attorney and Assistant City Attorney of said City, Respectively, or Olson & Olson, a firm of Attorneys with offices in Houston, Texas, or any of them , to purchase or, failing purchase, to cause to be filed and prosecuted proceedings in eminent domain under chapter 21 of the property Code against all owners and lien holders of the fee simple title (exclusive of the title to the oil, gas and other minerals, or any, in and under and that may be produced there from but including all interest in the adjoining streets, easements and rights of way, of any) in the following lots and blocks in the Velasco Township of the City of Freeport, in Brazoria County: Pg. 563-571

Block 61	Lot 1	Block 581	Lot 17
Block 517	Lot 1	Block 609	Lot 8
Block 545	Lot 3	Block 609	Lot 20
Block 576	Lot 1	Block 617	Lot 16
Block 576	Lot 2	Block 647	Lot 11
Block 654	Lot 2	Block 684	Lot 15
Block 654	Lot 10	Block 684	Lot 16
Block 655	Lot 3		
Block 655	Lot 17		
Block 655	Lot 20		

8. Consideration of the approval of Resolution No. 2008-2169 amending authorized representatives with TexPool Services. Pg. 572-573
9. **Public Hearing:** Discussion regarding Centerpoint Energy Entex rate increase.
10. Consideration of the approval of Ordinance No. 2008-2196 denying the rate increase proposed by Centerpoint Energy Resources Corporation D/B/A Centerpoint Energy Entex, authorizing participation in a coalition of cities known as Texas Coast Utilities Coalition, authorizing the hiring of lawyers and rate experts. Pg. 574-577
11. Consideration of the approval of Ordinance No. 2008-2197 amending Division (B) of Section 71.21 of the Code of Ordinances of said City, which establishes the prima facie speed limit for school crossing zones of 20 miles per hour, to adjust the times therein specified for each such zone to the current needs of each school. Pg. 578-584
12. Consideration of the approval of Ordinance No. 2008-2198 amending Division (A) of Section 113.07 of the Code of Ordinances of said City revise the definitions of on-premises sign and off premises sign and to add a definition of changeable electronic variable message sign (CEVMS) ; amending Division (B) of said section 113.07 to add as item (13) a prohibition against changeable electronic variable message signs (CEVMS), whether on-premises or off-premises. Pg. 585-589
13. Consideration of the approval to authorize Chief Pynes to sign a Memorandum of Agreement with Freeport LNG to provide Emergency Response Service during increased MARSEC levels. Pg. 590-602
14. Consideration of the approval of a commercial tax abatement application for Freeport Welding & Fabricating, Inc., Phase III, 200 North Navigation Blvd, Freeport, Texas. Pg. 603-613 (separate packet)
15. Consideration of the approval of authorizing the Mayor to sign an Interlocal Cooperation Contract with the Port Freeport and the City of Freeport. Pg. 614-618
16. Consideration of the approval of selling the City's interest on Block 100, Lot 5, Freeport Townsite, known as 815 West Broad. Pg. 619-621
17. Consideration of the approval of selling the City's interest on Block 6, South 1/2- of Lot 18, Freeport Townsite, known as 502 E. 7th Street. Pg. 622-624

18. Consideration of the approval of selling the City's interest on Block 779, Lot 1 & 2, Velasco Townsite, known as 1622-1624 North Ave. Q. Pg. 625-627
19. Consideration of the approval of selling the City's interest on BCIC 14, Lot 13-14, A-49, Velasco Heights Annex, known as 1717 -1721 Yellowstone. Pg. 628-630
20. Consideration of the approval of selling the City's interest on Block 7, Lot 8, Freeport Townsite, known as 727 West 11th Street. Pg. 631-633
21. Consideration of the approval of selling the City's interest on Block 7, Lot 11, Southview Gardens Subdivision, known as 715 West 11th Street. Pg. 634-636

Elected Official Report

Work Session

Administration Report

- A. Discussion regarding financials for 2nd Quarter for Fiscal Year 2007-2008. Pg. 637-644
- B. Discussion regarding the closure, abandonment and sale of Caldwell Street right of way from Front Street to the townsite levee, within Velasco Townsite. Pg. 645-649
- C. Discussion regarding the closure, abandonment and sale of Groce Street right of way from Mystery Harbor Lane to the townsite levee, within Velasco Townsite. Pg. 645-649

Executive Session:

- A. 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:

City Manger

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 April 30, 2008 at or before 5:00 p.m.

Delia Muñoz
City Secretary

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Monday, April 21st, 2008, at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport, Texas for the purpose of considering the following agenda items:

City Council:

Larry L. McDonald
Clan A. Cameron
Jim Saccomanno-absent
John Smith, III
Norma M. Garcia

Staff:

Gary Beverly, City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Attorney
Nat Hickey, Property Manager
Larry Fansher, Public Works Director
Doug Caffey, Building Inspector
Jeff Pynes, Police Chief
John Stanford, Fire Chief
Bob Welch, Finance Director

Visitors:

Jim McEntire Wright Gore, III
Rosa McDonald Roddy Mohler
Barbara Mohler Pixie Floyd
Lila Lloyd Jim Pirrung
Dorothy Pirrung Jerry Meeks
Alonzo Martinez Mike Heather
Nelda Thrash Irene Ocanas
Edna Allan Larry Luck
Tom Black Ron Wise

Call to Order.

The meeting was called to order by Mayor McDonald 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 April 7, 2008 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved the April 7th 2008 Council Minutes.

Attending Citizens and Their Business.

There was no comments.

Proclamation: Proclaiming May (2008) Motorcycle Safety and Awareness Month.

Mayor McDonald read the proclamation and proclaimed May 2008 Motorcycle Safety and Awareness Month.

Consideration of the approval of a request from Habitat for Humanity of Southern Brazoria County to waive building permit fees, inspection fees, and Utility hookups on 404 W. Broad in Freeport, Texas.

Mr. Mike Heather, President of Habitat for Humanity of Southern Brazoria County stated the address was 402 instead of 404 W. Broad.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved a request from Habitat for Humanity of Southern County to waive building permit fees, inspection fees and utility hookups on 402 W. Broad in Freeport, Texas.

Consideration of the approval of setting a public hearing to consider designation of the reinvestment zone and entering a tax abatement agreement for Concepts West Logistic Center, 102 West 8th Street, Freeport, Texas.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved to table this item to the next subsequent meeting.

Consideration of the approval of setting a public hearing to consider the adoption of a proposed amendment to the rules governing plats and the subdivisions of land within the jurisdiction of said City contained in Chapter 154 of the Code of Ordinances.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved May 19th, 2008 at 6:00 p.m. to set a public hearing to consider the adoption of a proposed amendment to the rules governing plats and the subdivisions of land within the jurisdiction of said City contained in Chapter 154 of the Code of Ordinances.

Consideration of the approval of a request from the Brazosport LULAC Council # 4655, to sell alcohol, have a public dance at the Freeport Municipal Park and close East and West Park between 2nd and Cherry Street and intersecting side streets on 2nd, for the Annual Cinco De Mayo Parade, between 3:00 p.m. to 4:30 p.m., on May 3rd, 2008.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved a request from the Brazosport LULAC Council # 4655, to sell alcohol, have a public dance at the Freeport Municipal Park and close East and West Park between 2nd and Cherry Street and intersecting side streets on 2nd, for the Annual Cinco De Mayo Parade, between 3:00 p.m. to 4:30 p.m., on May 3rd, 2008.

Consideration of the approval to auction off the City of Freeport retired vehicles and equipment.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved Mr. Fansher’s recommendation to auction off the City of Freeport retired vehicles and equipment. The auction date has not been scheduled.

Consideration of the approval of selling the City’s interest on Block 100, Lot 5, Freeport Townsite, known as 815 West Broad.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved to table this item to the next subsequent meeting.

Consideration of the approval of selling the City’s interest on Block 6, South 1/2- of Lot 18, Freeport Townsite, known as 502 E. 7th Street.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved to table this item to the next subsequent meeting.

Consideration of the approval of selling the City’s interest on Block 779, Lot 1 & 2, Velasco Townsite, known as 1622-1624 North Ave. Q.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved to table this item to the next subsequent meeting.

Consideration of the approval of selling the City’s interest on BCIC 14, Lot 13-14, A-49, Velasco Heights Annex, known as 1717 -1721 Yellowstone.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved to table this item to the next subsequent meeting.

Consideration of the approval of selling the City's interest on Block 7, Lot 8, Freeport Townsite, known as 727 West 11th Street.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved to table this item to the next subsequent meeting.

Consideration of the approval of selling the City's interest on Block 7, Lot 11, Southview Gardens Subdivision, known as 715 West 11th Street.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved to table this item to the next subsequent meeting.

Elected Official Report

Mayor McDonald attended the fund raiser for the Pfc. Bradley Thomas on Sunday, April 21st, 2008 at the Freeport Municipal Park. He complimented the Freeport Police Department, City Manager, City Staff, for their attendance.

Councilman Smith and Chief Pynes attended the Senior Citizens meeting. The Senior Citizens will participate in an Evacuation Drill on April 29, 2008.

Mayor McDonald closed the formal session and opened the Work Session at 6:22 p.m.

Work Session

Administration Report

Gary Beverly met with Waste Management to discuss service and increase rate issues. Presently the current contract includes a fuel increase each month, trying to identify ways to reduce costs.

He reported on numerous events coming to Freeport:

- Riverfest opens April 25 thru 27th of April, 2008 at the Freeport Municipal Park.
- Main Street – 18th Annual 5K Flapjack Fun Run on April 26th, 2008.
- Carnival
- Crawfish Boil
- Fireworks – Saturday Night.
- Festivities include several bands
- Freeport Fire Department – 25th annual Barbeque Cook-off Including 45 teams
- Belly Dancers
- Informational – Newsletter going out with water bills.

- Police Department parking lot finished.
- Mr. & Mrs. Beverly painted the City Managers office.
- City Council Agendas are on line.
- Chief Pynes working with the Senior Citizens on the Evacuation Drill scheduled for July 29, 2008.
- Freeport Golf Course doing well depending on good weather.
- Gearing up summer programs with the Recreation Department.
- Fund Raiser for Pfc. Bradley Thomas was a huge success, even had parking problems at the Freeport Municipal Park.
- Community Service Officer has hit the ground running, doing an excellent job.

Discussion concerning employee's survey by City Manager - Gary Beverly.

Mr. Gary Beverly, City Manager sent a survey to employees requesting input about their work, goals, and other areas of the City. He explained the employee's survey by department. He discussed the questions, results, and comments from the survey. A total of 74 of 136 employees participated in the survey.

Mayor McDonald stated that it was a good start getting input from the employees.

Councilman Cameron and Councilman Smith agreed it was an excellent idea, setting a bench mark for improvements.

Adjourn

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting "aye", the meeting was adjourned at 6:51 p.m.

 Delia Munoz
 City Secretary

 Larry L. McDonald
 Mayor

MEMORANDUM

TO: FREEPORT CITY COUNCIL
FROM: MAIN STREET FREEPORT
SUBJECT: CALL TO HONOR NATIONAL HISTORIC
PRESERVATION MONTH
DATE: 5/5/08

The National Trust for Historic Preservation has declared May to be National Historic Preservation Month. To demonstrate the importance of preserving our heritage and history, the National Trust, the Texas Historical Commission, and the Texas Main Street Program have requested that all Main Street cities issue proclamations of support.

Main Street requests that Freeport City Council join cities across Texas and across the United States to declare May, 2008 to be National Historic Preservation Month.

Respectfully,

Mary Lee Stotler
Main Street Director

CITY OF FREEPORT

PROCLAMATION

CALL TO HONOR NATIONAL HISTORIC PRESERVATION MONTH

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, "*Making Preservation Work!*" is the theme for National Preservation Month 2008, cosponsored by Main Street Freeport and the City of Freeport, and the National Trust for Historic Preservation

NOW, THEREFORE, I, Larry McDonald, Mayor of Freeport, Texas do proclaim May 2008, as National Historic Preservation Month, and call upon the people of Freeport to join their fellow citizens across the great state of Texas and our United States in recognizing and participating in this special observance.

Mayor
Larry McDonald

RESOLUTION NO. 2008-2168

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDINGS OF FACT; AUTHORIZING WALLACE SHAW AND JULIAN W. TAYLOR, III, THE CITY ATTORNEY AND ASSISTANT CITY ATTORNEY OF SAID CITY, RESPECTIVELY, OR OLSON & OLSON, A FIRM OF ATTORNEYS WITH OFFICES IN HOUSTON, TEXAS, OR ANY OF THEM; TO PURCHASE OR, FAILING PURCHASE, TO CAUSE TO BE FILED AND PROSECUTED PROCEEDINGS IN EMINENT DOMAIN UNDER CHAPTER 21 OF THE PROPERTY CODE AGAINST ALL OWNERS AND LIENHOLDERS OF THE FEE SIMPLE TITLE (EXCLUSIVE OF THE TITLE TO THE OIL, GAS AND OTHER MINERALS, OF ANY, IN AND UNDER AND THAT MAY BE PRODUCED THEREFROM BUT INCLUDING ALL INTEREST IN THE ADJOINING STREETS, EASEMENTS AND RIGHTS-OF-WAY, IF ANY) IN THE FOLLOWING LOTS AND BLOCKS IN THE VELASCO TOWNSITE OF THE CITY OF FREEPORT, IN BRAZORIA COUNTY, TEXAS:

BLOCK LOT(S)	BLOCK LOT(S)	BLOCK LOT(S)	BLOCK LOT(S)
61 1	581 17	654 2	684 15
517 1	609 8	654 10	684 16
545 3	609 20	655 3	
576 1	617 16	655 17	
576 2	647 11	655 20	

AND PROVIDING THAT THIS RESOLUTION, AFTER EXECUTION AND ATTESTATION, SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY.

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, respectively; and,

WHEREAS, Section 2.03 of the Home Rule Charter of the City authorizes it to exercise the powers of eminent domain when necessary or desirable to carry out any of the powers conferred upon the City by such charter or by the Constitution and laws of the State of Texas; and,

WHEREAS, Item (5) of Subsection (a) of Section 251.001 of the Local Government Code authorizes a municipality's governing body, when such body considers it advisable, to exercise the right of eminent domain to acquire private property for public purposes, and Subsection 251.002 of said Code provides that an exercise of such power is governed by Chapter 21 of the Property Code; and,

WHEREAS, heretofore, the City Council of the City adopted an urban renewal plan and took the steps necessary to create the Urban Renewal Agency of the City to exercise urban renewal project powers under the Urban Renewal Law, adopted by Acts 1957, 55th Leg., p. 704, ch. 298, and then appearing as Article 12691-3, Revised Civil Statutes (1925); and,

WHEREAS, said plan includes as an urban renewal project the acquisition of the fee simple title to, among others, the herein-after described lots and parcels of land which are open land within the corporate limits of the City that, because of location or situation, is necessary for sound community growth and that is to be developed by replatting and planning, for predominantly residential uses;

WHEREAS, the Urban Renewal Law is now codified as Chapter 374 of said Code, and Section 374.015(d) thereof authorizes a municipality to acquire by eminent domain any interest in real property, including a fee simple interest, that the municipality considers necessary for or in connection with an urban renewal project; and,

WHEREAS, the Board of Commissioners of the Urban Renewal Agency of the City has adopted a companion resolution to this resolution authorizing the institution of eminent domain proceedings to acquire the fee simple title to such lots and parcels of land.

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

First, the City Council of the City hereby finds and declares that the recitations contained in the preamble to this resolution are true and correct.

Second, in order to acquire the fee simple title thereto (exclusive of the title to the oil, gas and other minerals, if any, in and under and that may be produced there from but including all interest in the adjoining streets, easements and rights-of-way, if any), WALLACE SHAW and JULIAN W. TAYLOR, III, the City Attorney and Assistant City Attorney of the City, respectively, or Olson & Olson, a firm of attorneys with offices in Houston, Texas, or any of them, be and they are hereby severally authorized and directed to purchase or, failing purchase, to cause to be filed and prosecuted, proceedings in eminent domain under said Chapter 21 of the Property Code against all owners and lien holders of the fee simple title (exclusive of the title to the oil, gas and other minerals, if any, in and under and that may be produced therefrom but including all interest in the adjoining streets, easements and rights-of-way, if any) of the following described real property lying and situated within the incorporated limits of the City, in the Velasco Townsite of the City of Freeport, in Brazoria County, Texas, to-wit:

BLOCK LOT(S)	BLOCK LOT(S)	BLOCK LOT(S)	BLOCK LOT(S)
61 1	581 17	654 2	684 15
517 1	609 8	654 10	684 16
545 3	609 20	655 3	
576 1	617 16	655 17	
576 2	647 11	655 20	

Third, the original of this resolution, after execution and attestation, shall be retained by the City Secretary of the City in the permanent records thereof.

PASSED AND ADOPTED this ____ day of _____, 2008.

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

ATTEST:

 Delia Munoz, City Secretary
 City of Freeport, Texas

APPROVED AS TO FORM ONLY:

 Wallace Shaw, City Attorney
 City of Freeport, Texas



200 West 2nd Street • Freeport, TX 77541-5773
(979) 233-3526 • Fax: (979) 233-8867 • www.freeport.tx.us

URBAN RENEWAL AGENCY

AGENDA

Wednesday, April 30, 2008 - 6:00 o'clock p.m.

City Council Chambers
Police Department Building
Brazosport Boulevard

1. Call to order
2. Recognize guests & comments
3. Directors Report
4. Discuss / consider Resolution 2008-01 authorizing the acquisition of the remaining lots in Project 1
5. Adjourn

NOTE: ITEMS NOT NECESSARILY DISCUSSED IN THE ORDER THEY APPEAR ON THE AGENDA. THE AGENCY, 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 Disability Act, the Agency will provide reasonable accommodations for persons attending the Urban Renewal Agency meeting. Requests should be received 48 hours prior to meeting. Contact the City Secretary's office at 979-233-3526.

I, Gary Beverly, City Manager, City of Freeport, Texas, hereby certify that this agenda was posted on the official bulletin board/glass door of Freeport City Hall, facing the rear parking lot of the building, 200 West 2nd Street, Freeport, Texas, with 24 hours a day public access, on April 25, 2008, at or before 5:00 o'clock p.m.



Gary Beverly

City Manager

URBAN RENEWAL AGENCY
City of Freeport

Minutes of the Meeting of the Freeport Urban Renewal Agency, April 30, 2008

Members present:

James Saccomanno, Council Liaison, 1507 West 10th Street, Freeport

Urban Renewal Commissioners:

Fred Bolton, 124 Brazos Landing Court, Freeport
John F Shoultz, Jr., 1822 West 11th Street, Freeport
Jason Montier, 1507 West 4th Street, Freeport
Ken Tyner, 1927 West 8th Street, Freeport
Coy Barnett, 1411 West 5th Street, Freeport

The Director reported Glenn Heath was in the hospital and would not be able to attend, however, he did have a friend call and advises he would be absent.

In the absence of Glenn Heath, Vice Chairman, the Director assumed conduct of the meeting.

Coy Barnett was appointed acting secretary of the meeting.

There were no visitors present.

Director's Report:

For the benefit of new commissioners a brief overview of the Urban Project was presented. A brief history of the project was presented by the Chairman (copy attached). There was general discussion regarding location of the project as well as the lots under consideration. Also there was discussion as to the value of the project to the City and the type of develop anticipated.

Discussion / consideration of Resolution 2008-01:

After general discussion, upon motion duly made and seconded, it was

VOTED: To refer Urban Resolution 2008-01 to the City Council for final action.

Yea - 6 No - 0

Upon motion duly made and seconded, it was

VOTED: To adjourn.

Yea - 6 No - 0

Meeting adjourned: 6:34 P.M.

Coy Barnett
Acting Secretary

URBAN RENEWAL PROJECT NO. 1
Velasco Townsite, City of Freeport
400+ Acres

GULF BOULEVARD

GULF BOULEVARD

LOTS TO BE ACQUIRED SHOWN IN RED

1.1 = 43.133 Ac

588
571
587
586
585
584
583

D3
Ac. 1.14:9960
EDC

604
603
602
601
574

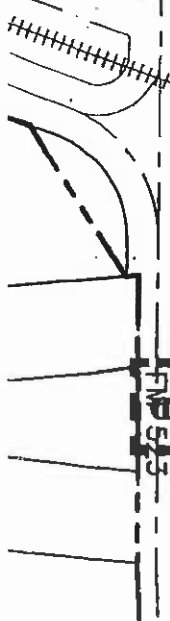
D2
Ac. 4.593
EDC

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DOW
CHEMICAL
PLANT 'C'

VELASCO BLVD (FM 633)



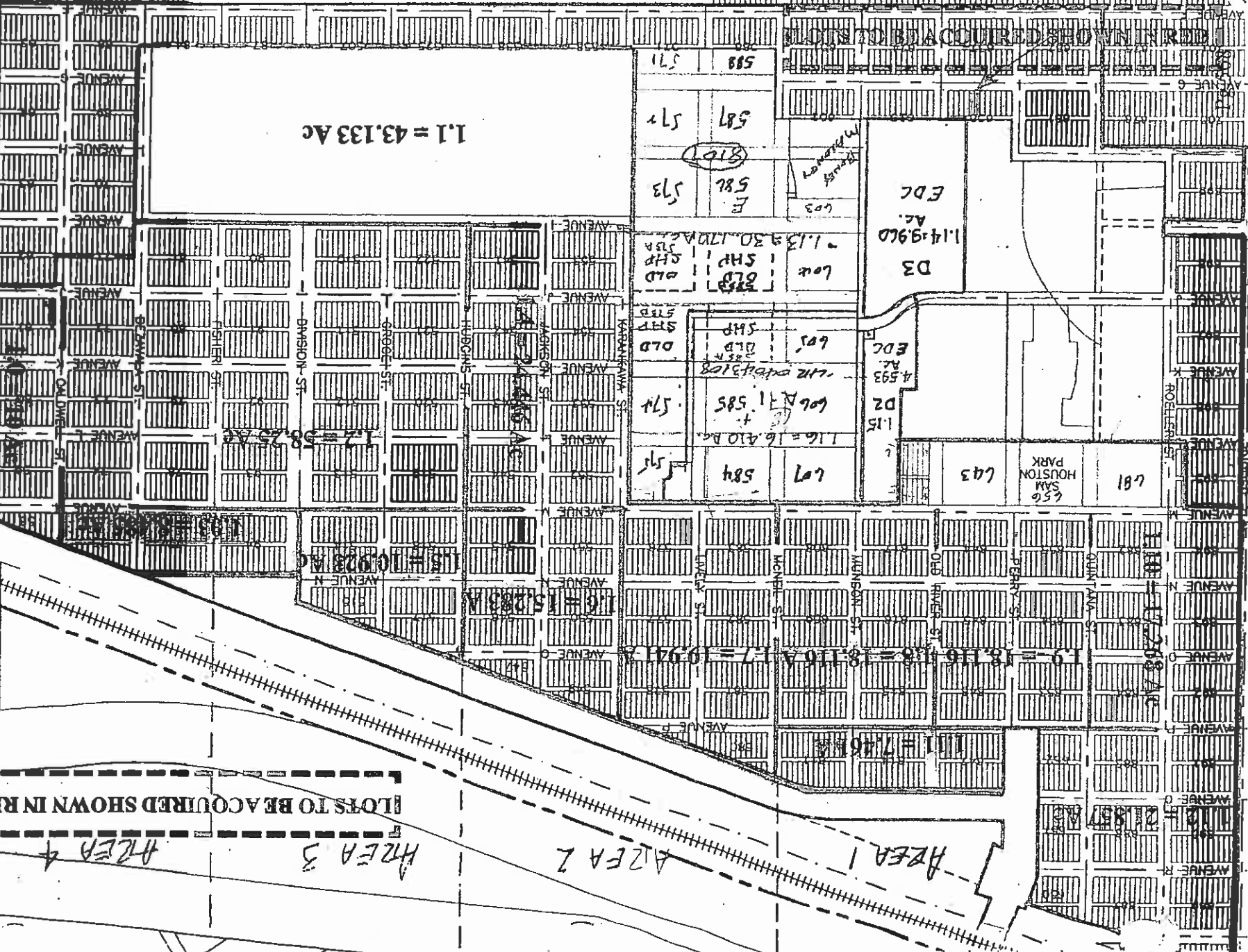
LOTS TO BE ACQUIRED SHOWN IN RED

AREA 4

AREA 3

AREA 2

AREA 1



URBAN RENEWAL AGENCY OF FREEPORT, TEXAS

RESOLUTION NO. 2008-01

A RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE, MAKING FINDINGS OF FACT, AUTHORIZING WALLACE SHAW AND JULIAN W. TAYLOR, III, THE CITY ATTORNEY AND ASSISTANT ATTORNEY OF SAID CITY, RESPECTIVELY, OR OLSON & OLSON, A FIRM OF ATTORNEYS WITH OFFICES IN HOUSTON, TEXAS, OR ANY OF THEM TO PURCHASE OR FAILING TO PURCHASE, TO CAUSE TO BE FILED AND PROSECUTED IN EMINENT DOMAIN UNDER CHAPTER 21 OF THE PROPERTY CODE, AGAINST ALL OWNERS AND LIENHOLDERS OF THE FEE SIMPLE TITLE (EXCLUSIVE OF THE TITLE TO THE OIL, GAS AND OTHER MINERALS, IF ANY, IN AND UNDER AND THAT MAY BE PRODUCED THEREFROM, BUT INCLUDING ALL INTEREST IN THE ADJOINING STREETS, EASEMENTS AND RIGHTS-OF-WAY, IF ANY) OF THE FOLLOWING LOTS AND BLOCKS;

BLK	LOT	BLK	LOT	BLK	LOT	BLK	LOT
61	1	581	17	654	2	684	15
517	1	609	8	654	10	684	16
545	3	609	20	655	3		
576	1	617	16	655	17		
576	2	647	11	655	20		

ALL IN THE VELASCO TOWNSITE OF THE CITY OF FREEPORT, TEXAS, AND PROVIDING THAT THIS RESOLUTION, AFTER EXECUTION AND ATTESTATION, SHALL BE MAINTAINED BY THE SECRETARY OF THE URBAN RENEWAL AGENCY IN THE PERMANENT RECORDS THEREOF.

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

WHEREAS, Section 2.03 of the Home Rule Charter of the City of Freeport, Texas, authorizes the City to exercise the powers of eminent domain when necessary or desirable to carry out any of the powers conferred upon the City by such charter or by the Constitution and laws of the State of Texas, and

WHEREAS, item (5) of sub-section (a) of Section 25.001 of the Local Government Code of Texas authorizes the governing body of a municipality, when such body considers it advisable, to exercise the powers of eminent domain to acquire private property for public purposes, and sub-section 251.002 of said Code provides that an exercise of such power is governed by Chapter 231 of the Property Code of Texas, and

WHEREAS, heretofore the City Council of the City of Freeport, Texas, adopted an urban renewal plan and took steps necessary to create the Urban Renewal Law, adopted by Acts 1957, 55th

Legislature, p. 704, ch. 298, ch. 298, and then appearing as Article 12691-3, Revised Civil Statutes; and

WHEREAS, the plan includes as an urban renewal project the acquisition of the fee simple title to, among others, the hereinafter described lots and parcels of land which are open land within the corporate limits of the City of Freeport, Texas, that because of location or situation, it is necessary for sound community growth and that is to be developed by replatting and planning, for predominantly residential use; and

WHEREAS, the Urban Renewal Law is now codified as Chapter 384 of said Code, and Section 374.016(d) thereof authorizes a municipality to acquire by eminent domain an interest in real property, including a fee simple interest, that the municipality considers it necessary for or in connection with a urban renewal project; and

WHEREAS, the Board of Commissioners of the Urban Renewal Agency of the City of Freeport, Texas, has determined and does hereby now declare that the acquisition of the fee simple title to such lots and parcels of land (exclusive of the title to the oil, gas and other minerals, if any, in and under and that may be produced therefrom but including all interest in the adjoining streets, easements and rights-of-way, if any) is necessary for or in connection with the above mentioned renewal project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONES OF THE URBAN RENEWAL AGENCY OF THE CITY OF FREEPORT, TEXAS:

FIRST, the Board of Commissioners of the Renewal Agency of the City of Freeport, Texas, hereby finds and declares that the recitations contained in the preamble of this resolution are true and correct.


SECOND, in order to acquire the fee simple title thereto (exclusive of title to the oil, gas, and other minerals, if any, in and under and that may be produced therefrom, but including all interest in the adjoining streets, easements and rights-of-way, if any) that WALLACE SHAW and JULIAN TAYLOR, III, the City Attorney and Assistant City Attorney, or OLSON & OLSON, a firm of attorneys with offices in Houston, Harris County, Texas, or any of them, be and they are hereby authorized and directed to purchase or failing to purchase, cause to be filed and prosecuted in proceedings of eminent domain under said Chapter 21 of the Property Code against all owners and lienholders of the fee simple title (exclusive of the title to the oil, gas, and other minerals, if any, in and under and that may be produced therefrom but excluding all interest in the adjoining streets, easements and rights of way, if any) of the following described real property lying and situated within the incorporated limits of the City of Freeport, in the County of Brazoria, and the State of Texas, to-wit:

BLK	LOT	BLK	LOT	BLK	LOT	BLK	LOT
61	1	581	17	654	2	684	15
517	1	609	8	654	10	684	16
545	3	609	20	655	3		
576	1	617	16	655	17		
576	2	647	11	655	20		

THIRD, that the City Council of the City of Freeport, Texas, be and it is hereby requested to adopt a resolution authorizing said attorneys, or either of them to purchase, or failing purchase to cause to be filed and prosecuted in proceedings in eminent domain under Chapter 21 of the Property Code against all owners and lienholders of the fee simple title (exclusive of the title to the oil, gas, and other minerals, if any, in and under the adjoining street easements and rights-of-way, if any) of the herein described properties.

FOURTH, the original of this resolution, after execution and attestation, shall be retained by the Secretary of the Urban Renewal Agency of the City of Freeport, Texas, in the permanent files thereof.

PASSED AND ADOPTED this 30 day of APRIL, 2008.

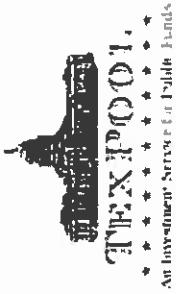


Gillean Heath, Vice-Chairman
N.C. HIGHWAY, DISTRICT

ATTEST:



Secretary



RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES

WHEREAS, the City of Freeport 77150

(Participant Name & Location Number)

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool/ Texpool *Prime*"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool *Prime* and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by all remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool *Prime* account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representatives of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

I. Name Gary Beverly

Title City Manager

Signature 

Phone Number 979-233-3526 x115

ORIGINALS REQUIRED

TEX -- REP

TexPool Participant Services • Lehman Brothers
600 Travis St., Suite 7200 • Houston, TX 77002 • www.texpool.com • 1-866-839-7665

3/04

2. Name Bob Welch Title Finance Director
Signature _____ Phone Number 979-233-3526 x107
3. Name _____ Title _____
Signature _____ Phone Number _____
4. Name _____ Title _____
Signature _____ Phone Number _____

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name Bob Welch
Email bwelch@freeport.tx.us Fax Number 979-373-0113

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

5. Name Larry McDonald Title Mayor

D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the 5th day of May, 2008.

NAME OF PARTICIPANT: City of Freeport

BY:
Signature _____
Larry McDonald
Printed Name _____
Mayor _____
Title _____

ATTEST:
Signature _____
Delia Munoz
Printed Name _____
City Secretary _____
Title _____

This document supersedes all prior Authorized Representative designations.

ORIGINALS REQUIRED

TexPool Participant Services • Lehman Brothers
600 Travis St., Suite 7200 • Houston, TX 77002 • www.texpool.com • 1-866-839-7665

TEX – REP

3/04

Pg. 573

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS; CONTAINING A PREAMBLE; DENYING THE RATE INCREASE PROPOSED BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINTENERGY TEXAS GAS, TEXAS COAST DIVISION ("CENTERPOINT"); AUTHORIZING PARTICIPATION IN A COALITION OF CITIES KNOWN AS TEXAS COAST UTILITIES COALITION ("CUC"); AUTHORIZING THE HIRING OF LAWYERS AND RATE EXPERTS; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS BEING ADOPTED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE

WHEREAS, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy ENTER and CenterPoint Energy Texas Gas, Texas Coast Division ("CenterPoint") filed a Statement of Intent with the City of Freeport, Texas ("City") on or within a few days after March 6, 2008 to increase its division-wide, annual revenue requirement, by approximately \$7.36 million; and

WHEREAS, the City is a regulatory authority under the Gas Utility Regulatory Act ("GERA") and under § 103.001 of GERA has exclusive original jurisdiction over CenterPoint's rates, operations, and services of a gas utility within the municipality; and

WHEREAS, CenterPoint has not filed a general rate case in over thirty years. Over that time period there has not been a thorough review of the reasonableness of the expenditures of the gas utility or the prudence of its capital additions ; and

WHEREAS, CenterPoint is seeking to significantly increase rates for residential customers by substantially raising the customer charge in this proceeding and continuing or expanding a rate mechanism which will cause all rate increases in the future to solely impact the customer charge ; and

WHEREAS, in order to maximize the efficient use of resources and expertise in reviewing, analyzing and investigating CenterPoint's rate request and its changes in tariffs it is prudent to coordinate the City's efforts with a coalition of similarly situated municipalities; and

WHEREAS, a coalition of cities has been formed which is known as the Texas Coast Utilities Coalition ("CUC") in order to work together in helping its members to carry out their fiduciary responsibilities as regulatory authorities.

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

Section 1. That the statements and findings set out in the preamble to this ordinance are hereby in all things approved and adopted.

Section 2. The City hereby denies CenterPoint's request to increase rates and in support thereof finds that:

- a) The Statement of Intent fails to provide sufficient information to justify the requested increase in rates or to justify the changes set forth in the attached tariffs;
- b) The requested increase in rates puts more of the cost for the base rate increase on low-use residential customers who often are in the worst position to absorb such cost increases; and
- c) The request asks that a rate mechanism to be continued or expanded which provides a disincentive to reducing costs and becoming more productive or efficient and does not provide for meaningful review of annual rate requests.

Section 3. The City is authorized to join with other cities in a coalition of cities known as the Texas Coast Utilities Coalition ("CUC") with the understanding that the steering committee of CUC to provide direction and guidance to the lawyers who are representing said cities.

Section 4. The City authorizes the City Manager to act as the City's representative to the TCUC Steerrintg Committee, in consultation with the City Attorney.

Section 5. The City retains its right to withdraw from TCUC at any time without any financial obligation to the remaining coalition members or to the experts or lawyers hired by the coalition.

Section 6. The City employs Herrera & Boyle, PLLC as special counsel to represent the City with regard to the requested increase in rates by CenterPoint before local and state regulatory authorities and any court of law and authorizes special counsel to employ such rate experts as are recommended by the TCUC Steering Committee.

Section 7. The City hereby authorizes that Special Counsel take such actions as are appropriate, whether in court or before any regulatory authority, to prohibit CenterPoint from charging for expenses which are not reasonable and necessary, or capital expenditures which have not been prudently incurred, or rates which are not just and reasonable.

Section 8. The City, in coordination with the Steering Committee, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to CenterPoint for reimbursement.

Section 9. CenterPoint shall reimburse the City, through the designated city representative for the Steering Committee, the City of Baytown, Texas, for the reasonable costs of attorneys and consultants and expenses related thereto, upon the presentation of invoices reviewed by the Steering Committee.

Section 10. The City Secretary shall notify CenterPoint of this resolution by sending a copy of same to Denise Hardcastle, Director of Regulatory Activities, CenterPoint Energy, P.O. Box 2628, Houston, Texas 77252 and TCUC shall be notified by sending a copy of this resolution to Mr. Kelvin Knauf, Assistant City Manager, City of Baytown, Texas by fax to (281) 420-6586.

Section 11. The meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 12. This resolution shall become effective from and after its passage.

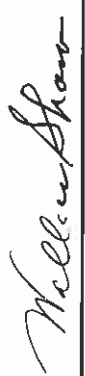
PASSED AND APPROVED this _____ day of _____
2008.

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

ATTEST:

Delia Munoz, City Secretary
City of Freeport, Texas

APPROVED AS TO FORM ONLY:



Wallace Shaw, City Attorney
City of Freeport, Texas

ORDINANCE NO. 2008-2197

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING DIVISION (B) OF SECTION 71.21 OF THE CODE OF ORDINANCES OF SAID CITY, WHICH ESTABLISHES THE PRIMA FACIE SPEED LIMIT FOR SCHOOL CROSSING ZONES OF 20 MILES PER HOUR, TO ADJUST THE TIMES THEREIN SPECIFIED FOR EACH SUCH ZONE TO THE CURRENT NEEDS OF EACH SCHOOL; PROVIDING THAT ANY PERSON VIOLATING SAID CODE OF ORDINANCES, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND UPON CONVICTION ASSESSED A FINE NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS AND THAT EACH DAY AND EACH PART OF EACH DAY ANY VIOLATION THEREOF CONTINUES OR OCCURS SHALL BE A SEPARATE OFFENSE; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

WHEREAS, Items (11) and (12) of Subsection (a) of Section 542.202 of the Transportation Code authorize a municipality, as a local authority, to designate school crossing zones and alter the speed limit on public streets and highways within its jurisdiction as authorized by said Code respectively; and,

WHEREAS, Item (2) of Subsection (b) of Section 542.203 of said Code provides that no ordinance which alters a speed limit shall be effective until signs giving notice thereof are posted on or at the entrance to the affected street or highway as may be most appropriate; and,

WHEREAS, Subsection (b) of Section 544.002 of said Code provides that all traffic-control devices placed by a local authority must conform to the manual and specifications adopted by the Texas Department of Transportation under Section 544.001 of said Code; and,

WHEREAS, the needs of some of the schools for which school crossing zones are established by Section 71.21 of the Code of Ordinances of the City of Freeport, Texas (the "City") have changed and the beginning and ending times for some of such zones should be adjusted to adapt said section to such needs; and,

WHEREAS, the City Council of the City of Freeport, Texas, has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of said City, the motoring public and the students attending the various public school; and,

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

First, Division (B) of Section 71.21 of said Code of Ordinances is hereby amended to read as follows:

"(B) On the following streets or highways, vehicles may not be operated in any direction at a rate of speed exceeding that specified below:

SCHOOL CROSSING ZONE

For the following school crossing zones designated in this chapter, the prima facie speed limit shall be 20 miles per hour during the times designated below:

- (1) Fourth Street, between its intersection with Arbutus and its intersection with Brazosport Boulevard (SH 288), and Dixie Drive, between its intersection with Fourth Street and its intersection with Eighth Street, from 7:15 a.m. to 8:30 a.m. and from 3:15 p.m. to 4:00 p.m.
- (2) Brazosport Boulevard (SH 288), from 1,637 feet south of Fourth Street to the centerline of Second Street, a distance of approximately 0.4633 miles, from 7:15 a.m. to 8:30 a.m. and from 3:15 p.m. to 4:00 p.m.
- (3) Second Street, between its intersection with Yaupon Street and its intersection with Brazosport Boulevard (SH 288), from 7:15 a.m. to 8:30 a.m. and from 3:15 p.m. to 4:00 p.m.
- (4) Brazosport Boulevard (SH 288), from a point 1,637 feet south of Avenue A to the centerline of Second Street, a distance of approximately 0.2367 miles, from 7:15 a.m. to 8:30 a.m. and from 3:15 p.m. to 4:00 p.m.
- (5) Eleventh Street, between its intersection with Pecan Street and its intersection with Velasco Boulevard, from 7:15 a.m. to 8:30 a.m., from 10:45 a.m. to 12:45 p.m. and from 2:15 p.m. to 4:00 p.m.
- (6) Velasco Boulevard, between its intersection with Eleventh Street and its intersection with Twelfth Street, from 7:15 a.m. to 8:30 a.m., 10:45 a.m. and 12:45 p.m. and from 2:15 p.m. to 4:00 p.m.
- (7) Pecan Street, between its intersection with Tenth Street and its intersection with Twelfth Street, from 7:15 a.m. to 8:30 a.m., 10:45 a.m. and 12:45 p.m. and from 2:15 p.m. to 4:00 p.m.

(8) Maple Street, between its intersection with Fourth Street and its intersection with Eighth Street, from 7:15 a.m. to 8:30 a.m., 10:45 a.m. to 12:45 p.m. and from 2:15 p.m. to 4:00 p.m.

(9) Fourth Street, between its intersection with Maple Street and its intersection with Ash Street, from 7:15 a.m. to 8:30 a.m., 10:45 a.m. to 12:45 p.m. and from 2:15 p.m. to 4:00 p.m.

(10) Navigation Boulevard, between its intersection with Seventh Street and its intersection with Fourth Street, from 7:15 a.m. to 8:30 a.m., 10:45 a.m. to 12:45 p.m. and from 2:15 p.m. to 4:00 p.m.

(11) Avenue B, between its intersection with McNeil Street and its intersection with Karankawa Street, between 7:15 a.m. and 8:30 a.m., 10:45 a.m. to 12:45 p.m. and from 2:15 p.m. to 4:00 p.m.

(12) Karankawa Street, between Avenue B and Gulf Boulevard, between 7:15 a.m. and 8:30 a.m., 10:45 a.m. to 12:45 p.m. and from 3:15 p.m. to 4:00 p.m.

(13) McNeil Street, between Avenue B and Gulf Boulevard, between 7:15 a.m. and 8:30 a.m., 10:45 a.m. to 12:45 p.m. and from 3:15 p.m. to 4:00 p.m.

(14) Gulf Boulevard, between Old River Street and Karankawa Street, between 7:15 a.m. and 8:30 a.m., 10:45 a.m. to 12:45 p.m. and from 3:15 p.m. to 4:00 p.m."

Second, the City Manager of the City of Freeport, is hereby authorized and directed to cause appropriate signs conforming to the requirements of said Act giving notice of the foregoing speed limit to be posted at appropriate locations upon these portions of highways to which such limits apply.

Third, any person violating said ordinance as amended by this ordinance shall be guilty of a misdemeanor and upon conviction therefor fined not to exceed Two Hundred (\$200.00) Dollars.

Fourth, every day and each part of any day any such violation continues or occurs shall constitute a separate offense.

Fifth, no offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance shall be affected by the adoption of this ordinance but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to such date shall take place as if this ordinance had not been adopted.

Sixth, 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.

Seventh, 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 _____, 2008

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

ATTEST:

Delia Munoz, City Secretary
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney,
City of Freeport, Texas

C:\Freeport.Ord\School Speed Zone - Ann

ORDINANCE NO. 2008-2198

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDINGS OF FACT; AMENDING DIVISION (A) OF SECTION 113.07 OF THE CODE OF ORDINANCE OF SAID CITY REVISE THE DEFINITIONS OF ON-PREMISES SIGN AND OFF PREMISES SIGN AND TO ADD A DEFINITION OF CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGN (CEVMS); AMENDING DIVISION (B) OF SAID SECTION 113.07 TO ADD AS Item (13) A PROHIBITION AGAINST CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS (CEVMS), WHETHER ON-PREMISES OR OFF-PREMISES; PROVIDING THAT ANY PERSON VIOLATING SAID CODE OF ORDINANCES, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND ASSESSED A FINE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10.99 THEREOF; PROVIDING THAT EACH DAY ANY SUCH VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THE PENAL PROVISIONS OF THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS BUT ALL OTHER PROVISIONS SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS ADOPTION.

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, Sections 51.072, 54.001, 54.004, 216.901 and 217.042 of the Local Government Code, and Section 316.021 of the Transportation Code and Sections 2.01 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 that the definitions of on-premise sign and off-premise sign contained in Division (A) of said Section 113.07 should be amended in order to clarify the application of the provisions of Division (B) of said Section 113.07, as amended by 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 and persons operating vehicles and pedestrians therein.

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

First, the City Council of the City finds that the facts recited in the preamble of this ordinance are true.

Second, the definitions of "on-premise sign" and "off-premise sign" contained in Division (A) of Section 113.07 are hereby amended to read as follows:

"Off-premises sign. A sign that identifies or advertises a business, person, activity, goods, products or services not located, sold or offered for sale on the premises where the sign is installed and maintained, or that directs persons to a location other than the premises where the sign is installed and maintained."

"On-premises sign. Any sign identify or advertising a business person activity, goods, products or services located, sold or offered for sale on the premises where the sign is installed and maintained, or that directs persons to a location on the premises where the sign is installed and maintained."

Third, the following new definition is hereby added to

Division (A) of Section 113.07 of the Code of Ordinances:

"CHANGEABLE electronic variable message sign (CEVMS). Any sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. A CEVMS sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the National Standard."

Fourth, Division (B) of Section 113.07 of the Code of Ordinances of the City is hereby amended to add thereto the following new Item (13) which shall read as follows:

"(13)CHANGEABLE electronic variable message sign (CEVMS), whether on-premises or off-premises."

Fifth, 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 shall constitute a separate offense.

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

Seventh, this ordinance is cumulative of and in addition to all other ordinances of the City on the same subject and, unless otherwise herein, all such ordinances are hereby expressly saved

from repeal. Provided however, where this ordinance and another ordinance conflict or overlap, whichever imposes the more stringent regulations or penalties, as the case may be, shall prevail.

Eighth, no offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance is to be affected by the adoption hereof but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to such date shall take place as if this ordinance had not been adopted.

Ninth, 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.

Tenth, the penal provisions of this ordinance shall take effect and be in force from and after the descriptive caption of this ordinance has been published twice in the Brazosport Facts, the official newspaper of the City, but all other provisions shall take effect and be in force from and after its passage and adoption.


READ, PASSED AND ADOPTED this ____ day of _____, 2008.

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

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:



Wallace Shaw, City Attorney,
City of Freeport, Texas

C:\Freeport.Ord\Sign#4-Ord

Freeport Police Department INTER CITY MEMORANDUM

To: D. Munoz

From: J.S. Pynes
Date: April 29, 2008
Subj: Council Agenda

I have been communicating with Mr. Beverly, Mr. Wallace Shaw and the management officials from Freeport LNG regarding a proposed Memorandum of Agreement. The MOA would facilitate off-duty overtime water and shore patrols during times of increased MARSEC levels. Basically, the agreement states that Freeport LNG will pay the police department \$149,000.00 for signing the MOA, which will be used to purchase a specified marine patrol boat. The boat will be owned by the City and assigned to the police department. The agreement allows for use of the boat as we see fit to fulfill our law enforcement objectives; however, must be available for their overtime patrols during increased MARSEC levels.

The MOA identifies that Freeport LNG will also pay the City to fund the police department for the operation of the patrol boat; to include, insurance, storage, routine maintenance, and the overtime for employees. The agreement also allows the City an avenue to increase reimbursements for other expenditures or increases in the funding described.

This agreement will only be in effect to facilitate and coordinate a law enforcement response in conjunction with an increased MARSEC threat level that will affect our Port Freeport. None of the agreement will utilize on-duty personnel and will solely be an overtime assignment.

Jeff Pynes
Chief of Police

MEMORANDUM OF AGREEMENT

between

THE CITY OF FREEPORT, TEXAS

and

FREEPORT LNG DEVELOPMENT, L.P.

I. BACKGROUND AND PURPOSE

1. This Memorandum of Agreement (“MOA”) is made and entered into as of May 5, 2008 (“**Effective Date**”) between Freeport LNG Development, L.P. (“**FLNG**”), Texas Limited Partnership, and the City of Freeport, Texas (“**City**”), 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.
2. The City’s Police Department (“**FPD**”) is established by Section 4.02 of its Home Rule Charter to preserve order within the City and to secure the residents of the City from violence and the property therein from injury or loss. Such section further provides that the Chief of Police (“**COP**”) shall be the chief administrative officer of the FPD. The COP has been authorized by appropriate resolution of the City Council of the City to execute this agreement on behalf of the City.
3. FLNG intends to construct, own and operate a liquefied natural gas (“**LNG**”) receiving terminal facility (the “**Freeport Facility**”) within Brazoria County, Texas, near the City and on Quintana Island. The Freeport Facility is capable of performing certain LNG terminaling services including: the berthing of LNG vessels; the unloading, receiving and storing of LNG; the regasification of LNG; the storage of natural gas; and the pipeline transportation and delivery of natural gas to customers of the Freeport Facility.
4. FLNG has established a Facility Security Plan (the “**FSP**”) for the Freeport Facility, which has been reviewed and approved by the United States Coast Guard (“**USCG**”), pursuant to which FLNG has established certain security, surveillance and emergency response systems and procedures to maintain the safety and security of the Facility and the areas surrounding the Facility.
5. The City has entered into memoranda of agreement with the USCG (the “**USCG MOA**”), as authorized by the memoranda of agreement between the State of Texas and the USCG and Section 792.002(2) of the Texas Government Code, which provides for coordination and cooperation between FPD and the USCG to foster the safety and security of the ports and waterways surrounding the Freeport Facility which will, in turn, secure the residents of the City from potential violence and the property therein from potential injury or loss.

6. FLNG has requested from the City and the City has agreed to provide to FLNG through the FPD certain security, surveillance, emergency response assistance in support of the FSP as detailed herein.
7. The purposes of this MOA are to:
 - a. Establish guidelines and procedures to ensure effective coordination between FLNG and FPD with respect to the health, safety and incident investigation at the Freeport Facility, including onshore, at the water margin and on inland waterways, during periods established by the USCG as maritime security (“MARSEC”) level 2 or 3, and any other time the USCG Captain of the Port (“COTP”) requests increased patrols at the Freeport Facility, whether by land, by water or both; and
 - b. Set forth the conditions under which FPD will provide emergency response and increased surveillance support at the Freeport Facility based on the suitability of available equipment in the event of incidents or elevated MARSEC levels at the Freeport Facility in order to preserve life and property in a manner that promotes to the fullest extent possible community and officers’ safety.

II. AGREEMENTS

1. FLNG agrees as follows:
 - a. On the Effective Date, FLNG shall pay to the City a lump-sum payment of \$149,000.00 to purchase a marine security vessel (“MSV”) and related equipment.
 - b. On each anniversary date of the Effective Date during the term of this MOA, FLNG shall pay to the City a lump-sum payment equal to the annual maintenance, insurance and storage costs for the MSV, initially not to exceed the sum of \$7,420.00 in the aggregate. The City will submit a written justification of any increases in the annual maintenance, insurance and storage to FLNG thirty (30) days prior to the annual lump-sum payment. FLNG further agrees to reimburse the City for any reasonable and documented additional expenditures actually incurred by the City for non-routine maintenance of the MSV agreed to by FLNG and the COP in writing prior to such expenditures.
 - c. Within thirty (30) days following the City’s invoice, FLNG shall reimburse the City, based upon the agreed hourly rates as set forth in **Exhibit A** attached hereto and made a part hereof, for compensation to the City for any and all FPD personnel working overtime assignments providing security, surveillance, emergency response or other support services pursuant to this MOA multiplied by the hours spent by the individual FPD personnel performing such support services. The City will annually evaluate the overtime rate package and submit in writing any increases to FLNG thirty (30) days prior to any salary rate package increase. This increase and evaluation will be done in conjunction with the MOA anniversary date.
2. Provided that the payments by FLNG described in **Section II.1** above have been timely made, the City agrees as follows:

- a. On the Effective Date, the City shall, at its own cost and expense, purchase a MSV meeting the specifications and having such equipment installed as specified and described on **Exhibit B** hereto.
- b. In the event of any Elevated Security Level during the term of this MOA, the FPD shall respond to such Elevated Security Level, based on the suitability of available equipment, by:
 - i. Deployment of the MSV manned by two (2) qualified FPD officers to an area directed by the USCG or FLNG within sixty (60) minutes following notification of such Elevated Security Level by FLNG's Security Officer or Terminal Manager for the Freeport Facility (each, a "FLNG Representative") who has been previously introduced to and who is recognizable by the COP using some mutually agreeable means of identification;
 - ii. Maintain continual deployment of the MSV so manned throughout the duration of the Elevated Security Level;
 - iii. Maintain twice a day or, pre onshore patrols during periods established by the USCG; and
- c. In connection with any training drills to be conducted at the Freeport Facility, if requested by a FLNG Representative, in a timely manner, FPD shall deploy the MSV manned by two (2) qualified FPD officers to such location as requested by a FLNG Representative and maintain such training drill deployment during the conduct of such.
- d. If requested by a FLNG Representative, FPD shall cooperate with FLNG to make the MSV, manned by two (2) qualified FPD officers, available for non-emergency purposes, including but not limited to marine inspections, FLNG training activities, and for stand-by during operations at the Facility.
- e. Throughout the term of this MOA, the City shall, at its own cost and expense, maintain the following insurance coverages in such minimum limits and under forms of policies as are reasonably satisfactory to FLNG:
 - i. Property Damage and Bodily Injury Liability insurance with a combined single limit for bodily injury and property damage of not less than \$1,000,000 per occurrence and \$1,000,000 general aggregate; and
 - ii. Comprehensive Boat Insurance covering the Marine Security Vessel with a combined single limit not exceeding the replacement cost of the MSV.

All policies shall name FLNG as an additional insured. Upon request of a FLNG Representative, the City shall provide FLNG with a certificate evidencing this coverage and providing not less than thirty (30) days prior written notice of cancellation, termination or material change. The City shall bear the cost of all deductibles.

III. PROCEDURES FOR ELEVATED SECURITY CONDITIONS

1. In the event of either (i) elevation of the MARSEC level by the USCG to level 2 or level 3 or (ii) request by the COTP for increased patrols of the Freeport Facility, whether by land or water, or both, (each, an “**Elevated Security Condition**”), a FLNG Representative will notify FPD of such Elevated Security Condition and FPD will respond to such Elevated Security Condition by providing the following services on or near the Freeport Facility, based on the suitability of the available equipment and the conditions present:
 - a. Deployment of the MSV, staffed by a minimum of two (2) qualified FPD personnel, to monitor and enforce restricted security zones in the waters adjacent to the FLNG Facility in accordance with this MOA and the USCG MOA;
 - b. Following the resolution of any incidence of Elevated Security Condition, FLNG and FPD will exchange permissible non-sensitive information regarding events during such conditions;
 - c. Throughout the term of this MOA, the FPD shall ensure the availability of the MSV to respond to any Elevated Security Level in no less than sixty (60) minutes following notification thereof by the FLNG Representative;
 - d. FLNG will be the custodian of original records related to any Elevated Security Conditions but, upon request of the COP, shall furnish true and correct copies thereof to the FPD.

IV. PROCEDURES FOR PLANNED SECURITY OR TRAINING DRILLS

The following procedures are agreed upon to facilitate coordination for planning and conducting planned security drills by FLNG and FPD:

1. FLNG and FPD will share information regarding potential incidents on or near the Freeport Facility to the extent available.
2. FLNG and FPD will collaborate in the development of a plan for a proposed security drill and any suggested or required changes to a proposed security drill prior to the proposed date of such security drill.
3. FLNG will designate an appropriate person to provide information to local communities and press regarding a proposed security drill and respond to inquiries and/or requests for information regarding such security drill.

VI. NON-FLNG RELATED USE BY FPD OF MSV

During periods when Elevated Security Conditions do not exist or the MSV is not in use for planned security drills or other non-emergency FLNG purposes, FPD shall be entitled to enjoy use of the MSV for any activities required by the FPD; provided, however, notwithstanding such permitted uses, FPD shall ensure that the MSV shall at all times be available to respond to Elevated Security Conditions within the required minimum time set forth in this MOA.

VII. PAYMENTS

All amounts payable by FLNG under this MOA shall be made in immediately available funds to a bank account or accounts designated by and in accordance with instructions of the City's Director of Finance.

VIII. LIABILITY

1. FLNG and the City acknowledge that this MOA is by and between two independent parties and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. Neither FLNG, the City or FPD shall be considered the agent of the other, and this MOA shall not be interpreted or constituted to create an association, joint venture, or partnership between the FLNG, the City or the FPD, or to impose any partnership obligation or liability upon either of them. FLNG and the City shall, to the extent possible under federal and state law, assume financial responsibility for any liabilities arising from the acts or omissions of its own employees acting pursuant to this MOA.
2. Each party shall indemnify the other party and the officers, partners, agents and employees of the other party from all acts of negligence and wrongdoing committed by the officers, partners, agents or employees of the indemnifying party.

IX. TERM

This MOA shall be in effect for ten (10) years from the Effective Date (the "Initial Term"). This MOA may thereafter be extended for successive terms of one (1) year each (each, an "Extension Term" and, together with the Initial Term, the "Term") by written agreement of both FLNG and the City. The FLNG Representative and the COP shall meet and confer at least once per year, or more frequently if either of them deemed additional meetings to be necessary, for the purpose of reviewing this MOA and the meaning of its terms and provisions. If it is determined that modifications are necessary, such modifications shall be made in writing and appropriately executed by the FLNG Representative, if duly authorized by FLNG, and the COP, if duly authorized by City Council of the City.

X. NOTICES

Any notice, request, demand or statement provided for in this MOA shall be made in writing and deemed given when delivered by hand, telecopy, overnight courier or registered or certified U.S. mail, postage prepaid and return receipt requested, and directed to the following addresses:

If to FLNG:	If to the City of Freeport:
Freeport LNG Development, L.P. 333 Clay St., Suite 5050 Houston, Texas 77002 Facsimile: (713) 980-2903 Attn:	Gary Beverly, City Manager 200 W. Second Street Freeport, TX 77541
With a copy to:	Facsimile: (979) 233-8867 Attn: Gary Beverly
Freeport LNG Development, L.P. 333 Clay St., Suite 5050 Houston, Texas 77002	If to the Chief of Police:

Facsimile: (713) 980-2903
Attn:

Facsimile:
Attn:

Either party shall have the right to change its address at any time and/or designate that copies of all such notices be directed to another person at another address, by giving written notice thereof to the other party.

XI. GOVERNING LAW

The substantive laws of the State of Texas, exclusive of any conflicts of laws principles that could require the application of any other law, shall govern this MOA for all purposes, including the resolution of all disputes between the parties.

XII. MISCELLANEOUS

1. This MOA may be amended by written agreement between FLNG and the City. This MOA may be terminated by either FLNG or the City effective as of the end of the Initial Term or any Extension Term upon no less than 180 days' prior written notice of such termination to the other party.
2. If and for so long as any provision of this MOA shall be deemed to be judged invalid for any reason whatsoever, such invalidity shall not affect the validity or operation of any other provision of this MOA except only so far as shall be necessary to give effect to the construction of such invalidity, and any such invalid provision shall be deemed severed from this MOA without affecting the validity of the balance of this MOA.
3. Each party shall be responsible for and bear all of its own costs and expenses incurred in connection with the preparation and negotiation of this MOA.
4. This MOA constitutes the entire agreement between the parties relating to the subject matter hereof and supersedes and replaces any provisions on the same subject contained in any other agreement between the parties, whether written or oral, prior to the date of the original execution hereof.
5. This MOA may be executed in any number of counterparts and each such counterpart shall be deemed an original MOA for all purposes; provided that no party shall be bound to this MOA unless and until both parties have executed a counterpart.

[signature page follows]

IN WITNESS WHEREOF, this MOA has been executed by the duly authorized representatives of FLNG and the City as of the Effective Date.

FREEPORT LNG DEVELOPMENT, L.P. CITY OF FREEPORT

By: Freeport LNG-GP, Inc.,
its General Partner

By: _____ By: _____
Name: _____ Name: _____
Title: _____ Title: _____

EXHIBIT A

HOURLY RATES

<u>Position</u>	<u>Hourly Rate</u>
Overtime hourly rate for the average Freeport Police Officer; including insurance, benefits and an administrative processing value.	Pending calculation by City Manager
Employee hourly rate for the average Police Officer; including insurance, benefits and an administrative processing value. This rate also includes an equipment usage cost for land vehicular patrols.	Pending calculation by City Manager

EXHIBIT B

MARINE SECURITY VESSEL

19' T-top SAFE Boat
Standard Features:
Length: 19' - Inside length: 18' - Transom height/Shaft Length: 25"
Beam: 102 inches - Inside Beam: 71 inches
Person capacity: 11
Max HP: 200
Dry weight: approximately 3,700 lbs. with a single V6 O/B
Draft: approximately 26 inches with average load
Max weight capacity, persons, motor, gear: 3,200 lbs
Collar System
SAFE XDR-1 Extreme Duty Reinforced Collar System. Patented solid polyethylene (closed cell foam) collar encapsulated by a marinated polyurethane membrane with extreme rip-stop reinforcement.
Standard colors include: Red, White, Blue, Grey, Orange, Purple, Black & Green.
Anti-fouling paint on side plates behind collars.
Includes standard identification collar lettering.
Hull & Deck
1/4" - 5086 bottom plate with SAFE Boats exclusive Grid 5 transverse framing.
Doubled keel beaching plate.
Self bailing decks with twin 4-inch deck scuppers.
Non-skid decks with 3M Safety Walk. All non skid edges are sealed with 3M Edge Seal.
Low profile dimmable LED deck/walkway lights.
Stepped transom with performance shoe in bottom plate. Four full length, fully welded performance strakes.
Sacrificial zinc anode.
Performance wings under collars.
Dual aft lockers with fabricated lids. (vented)
Port & starboard aft lockers have independent sub-floors for mounting remote engine items.
Stacked self draining anchor locker with fabricated lid
All lockers vents are designed to reduce water intrusion.
Six (6) 10-inch aluminum cast welded on cleats.
Non-skid on gunwale flanges.
Three piece aft, side and bow rail system wrapped with 3-M grip tape.
All outside lockers have fabricated aluminum access doors.
Fore & aft tow posts with twin SS cross pins.
Heavy duty motor cage/tow line guide.
Tow line spool with mounting bracket.
Fabricated aluminum life ring mount.
Single SS bow eye.
SS bow and transom lifting eyes.
Oversized rig tubes below deck to accommodate electrical and mechanical rigging.
Flared high volume scupper valves keep aft deck dry while backing down.
Personnel recovery side plate and collar cutouts. Facilitates PIW recovery.
Fuel System
Fuel fill pod with SS fill and vent.
60-gallon fuel tank with a formed bottom. (1/4" - 5086) No bottom seams. Longitudinal and transverse baffles.
Fuel tank has full size Doubler plates on tank ends to isolate tank from mounting brackets.
Fuel tank mounting brackets are isolated on rubber mounts from hull structure.
Dual fuel tank pickups.

Racor water separator with see-thru bowl, priming system & self venting drain. (one per motor); SS swaged fittings, WEMA sender removable for tank cleaning, inspection.
Console, T-top and Bolster
Laminated safety glass windshield with blow-out resistant gasket.
40-inch wide console with SS 3/8-inch u-bolts for securing pump can in front of console.
OHIP - overhead fold-down electronics bar.
Red/white dome light on overhead. Moveable day & night drop light mounted inside console. May be plugged into 12-volt accessory receptacle.
Fabricated aluminum T-top with rain capture ring and down spouts to self bailing deck.
Staggered radar pod with flag mast. (set up to fly twin or single flags)
Full height framed in booted safety glass windshield and side windows with side notched grab handles.
H-shaped grab handles on front side of console.
Angled throttle control pod.
Upper 34" x 12" dash face on console (for flush mounting electronics) not used with delta seat layout.
On dash grab handle.
Over head grab rails.
Tail storage/seat bolster (40 inches from deck) with flip up seat and thwart ship grab handle. (console has built in foot rest)
Seat bolster has large aft facing gasketed aluminum doors.
Rigging & Electrical
Accessory 12-volt power receptacles.
Fabricated tie bars to secure all wiring.
Single marine grade Optima blue top battery with switches and battery box. Battery tie-downs fabricated to the deck.
All electrical connections are sealed in marine grade shrink tube.
Recessed toggle style marine grade breaker system, switch covers, back lighting, and custom labels. (Protected by a gasketed hatch.)
Running lights.
Port, starboard, forward and aft flood/deck lights.
Upgraded self-parking intermittent windshield wiper with washer system.
Hydraulic steering. (tilt helm)
Transom rig tubes.
Two (2) fire extinguishers and mounts.
Compass with backlighting.
Miscellaneous
Perform sea trial and document mechanical and performance data. (fuel, labor, oil included)
Options
Bow Cover, 17 through 25', installed.
Glyde Ride shock mitigating seating.
Glyde Ride shock mitigating seating.
Upgrade from standard flip up helm to dual shock mitigating helm seat structure (requires purchase of 2 shock mitigating seats, DEL6 or similar).
Add four (4) roll control dive tank holders.
Single RCL-100D Remote Control Searchlight with control panel mounted at helm.
Flush mounted Whelen 112 Loudhailer system w/ speaker.
17'-32' (BO) Boat Outfit Kit; includes: 30' mooring lines (4), black fenders ANDK0022 w/ 10' x 3/8" whip (4), telescoping boat hook w/ mounts, bucket w/ lanyard, 300' tow line, 10-person first aid kit, Fortress FX11 anchor kit ((2) 3/8" shackles, 3/8" eye-eye swivel, 150' anchor line, 1/4" x 4' PVC coated chain & SS chain deck pipe), 24" life ring buoy with distress marker light, portable bilge pump, spare parts/tool bag including 3/16" T-handle, 5/16" T-handle and offset screwdriver, offshore marine flare signal kit and hand held compressed air horn.
Flip-up seat, stokes litter mount & pump can mount on front side of console.
Trailer, 5000 - 19' Hulls, bunk trailer with drum brakes, bow ladder, v-stop, and LED lighting.
SAFE XDR-2 Collar System Upgrade. Includes XDR-1 system in collar section plus SS D-rings and hand lines.

Motor Options	
Honda Outboards - Two (2) (1-R, 1-R) BF90A6XRTA 4-Stroke EFI motors.	
Honda Twin Engine Rigging. Rigging includes: hydraulic steering, tie bar, SS prop, dual binnacle, steering wheel, safety lanyard, analog gauge package, two additional starting batteries and installation/labor.	
OPEN MARKET ITEMS	
Electronic Options	
Furuno NavNet 3D MFD12 Radar/Chart Plotter w/ 12.1" color LCD display.	
Furuno DRS4D Ultra High Definition (UHD™) digital radar (24" Radome - 4kW - 36 nm range).	
Furuno ARP11/PG500R AutoPlotter for NAVNET w/ Furuno Heading Sensor	
Furuno DFF1 Digital Network Sounder	
Furuno 555-SLD low profile through hull transducer.	
Furuno 000-117-603 6-pin cable (NMEA input/output) need two (2).	
Furuno BBWGPS WAAS/GPS receiver antenna.	
ICOM IC-M504 VHF (includes internal speaker HSN4018B).	
VHF antenna 156HD Morad w/ Stainless steel ratchet style antenna mount 1986068	
Installation of CFE police radio.	
FLIR ThermoVision Navigator w/ maritized pan and tilt enclosure offering 360° of visibility. (includes installation)	
Whelen FT8RRRRP permanent mount Mini Ultra Freedom lightbar w/ two Takedown lights FTTD2.	
Two (2) 900 Series 90BB5FBR Super-LED Lightheads mounted on aft cabin brow 90FLANGB.	
Miscellaneous Options	
Full canvas side curtains encapsulating Ttop.	
Storage locker locking vise action lid locks. (set of six (6) with two (2) keys)	
XTS5000 DIG.MOD II PORTABLE 764-870MHZ	2
CAI OPERATION	2
SMARTZONE OPERATION	2
PROJECT 25 TRUNKING SOFTWARE	2
OVER THE AIR PROGRAMMING	2
RADIO DATA PACKET	2
DIGITAL ID	2
2 YR. EXTENDED WARRANTY	2
SUBMERSIBLE OPTION	2
YELLOW HOUSING	2
FM CERTIFICATION	2
VEHICULAR CHARGER	2
NOISE CANCELLING SPEAKER MIC	2
XTL5000 DIG.MOBILE RADIO 764-870MHZ	1
CAI OPERATION	1
SMARTZONE OPERATION	1
P-25 TRUNKING SOFTWARE	1
MOTORCYCLE 05 CONTROL HEAD	1
MOTORCYCLE CONTROL HEAD SOFTWARE	1
05 CONTROL HEAD SOFTWARE	1
REMOTE MOUNT	1
STANDARD MOTORCYCLE PALM MIC	1
BLK WEATHERPROOF MOTORCYCLE HOUSING	1
DIGITAL ID	1
OVER THE AIR PROGRAMMING	1
RADIO DATA PACKET	1



Freeport Welding & Fabricating, Inc.

200 North Navigation Blvd. • P.O. Box 843, Freeport, TX 77542 • (979) 233-0121 Freeport • (281) 393-1411 Houston
(800) 560-0121 WATS • (979) 233-0349 Fax • freeweld.com (Website)

April 25, 2008

Mr. Gary Beverly
City Manager
City of Freeport
200 West Second Street
Freeport, Texas 77541

Dear Mr. Beverly:

Please find attached 5 copies of an application for tax abatement on an expansion to our existing facility in Freeport, Texas.

Due to a large amount of work that we currently have booked, we find it necessary to add more shop space. We have two options at this time, one being to lease some shop space in the Houston area and fabricate some of the larger vessels there, or add on to our existing shop and do it all down here. Either way, we will need to come to a decision rather quickly.

All things considered, it would be better if we could add on to our existing facility, if we can get it done fast enough. Economic considerations will also weigh heavily in our decision, so if local taxing entities see fit to grant tax abatement on this project, as they did on our original facility, and again on our 2005 expansion, it would make a great deal of difference.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Roy E. Yates".

Roy E. Yates
President
Freeport Welding

When nothing but top quality, performance & know-how, will do

**BRAZORIA COUNTY APPRAISAL DISTRICT
CERTIFICATION OF APPRAISED VALUE OF PROPERTIES
AS OF JANUARY 1, 2007**

TO: CITY OF FREEPORT

FROM: BRAZORIA COUNTY APPRAISAL DISTRICT

DATE: April 23, 2008

The Brazoria County Appraisal District hereby certifies that the following appraised values as of January 1, 2007, for property of **Freeport Welding & Fab. Inc.** described in Exhibit "A" attached hereto are listed in the records of the Brazoria County Appraisal District and indicated by the following account numbers:

PERSONAL PROPERTY ACCOUNT(S) APPRAISED VALUE(S)

8900-1985-000 \$1,169,520

LAND ACCOUNT(S)


0074-0002-117 – 26.22 Acres \$340,860

IMPROVEMENT ACCOUNT(S)

ABAT-FREE-001 \$2,310,000
ABAT-FREE-002 \$2,595,800

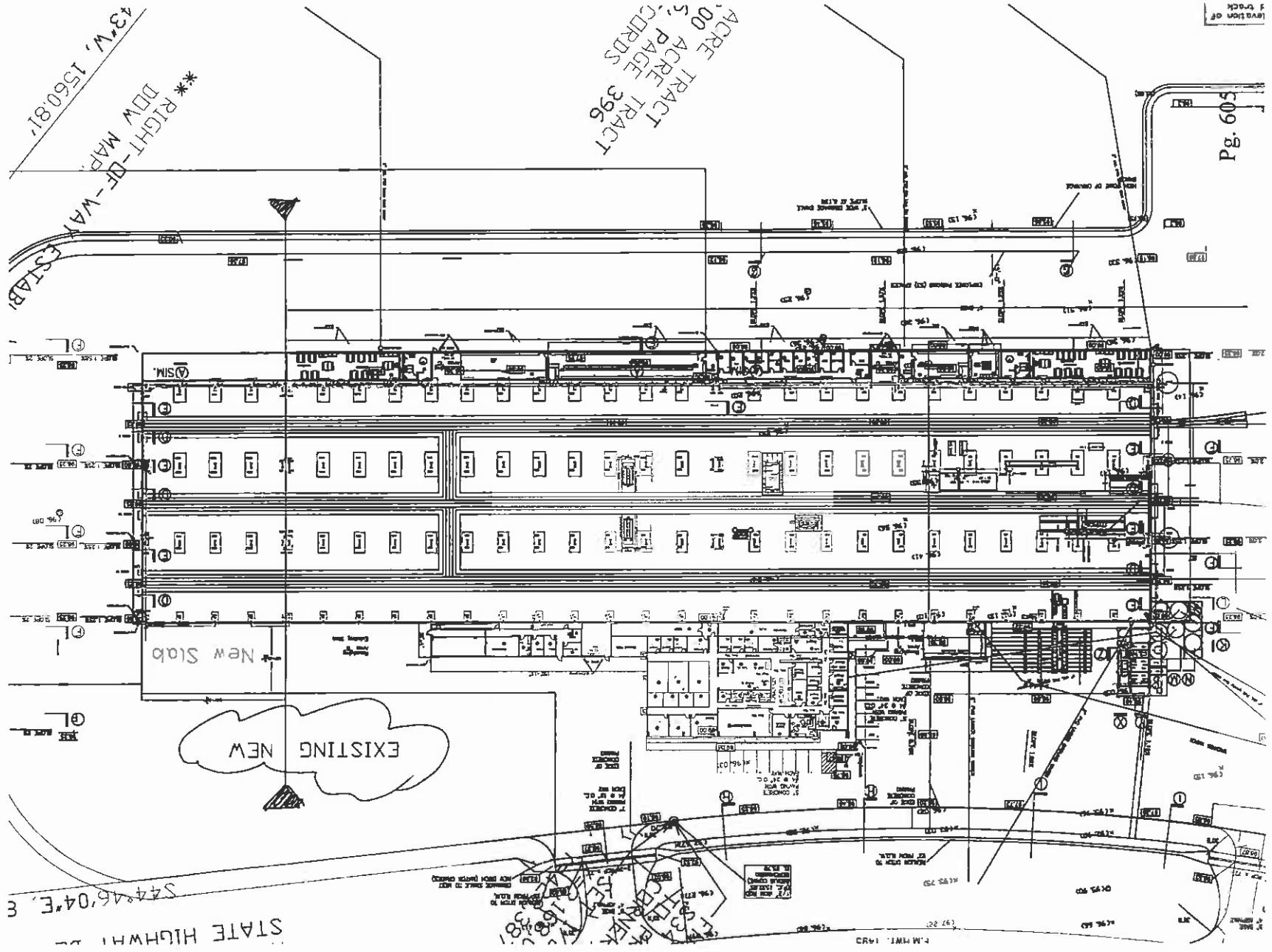
Certified on April 23, 2008.

BRAZORIA COUNTY APPRAISAL DISTRICT


Cheryl Evans, Chief Appraiser

ACRE TRACT
5.00 ACRE TRACT
PAGE
396

** RIGHT-OF-WAY ESTABLISHED
DOW MAP
43°W, 1560.81'



STATE HIGHWAY
S44°46'04"E, 8

1.96 ETT
 1.97 22'
 4.96 50'
 4.95 90'
 4.95 250'
 1.97 22'
 1.96 50'
 1.96 100'
 1.96 150'
 1.96 200'
 1.96 250'
 1.96 300'
 1.96 350'
 1.96 400'
 1.96 450'
 1.96 500'
 1.96 550'
 1.96 600'
 1.96 650'
 1.96 700'
 1.96 750'
 1.96 800'
 1.96 850'
 1.96 900'
 1.96 950'
 1.96 1000'
 1.96 1050'
 1.96 1100'
 1.96 1150'
 1.96 1200'
 1.96 1250'
 1.96 1300'
 1.96 1350'
 1.96 1400'
 1.96 1450'
 1.96 1500'
 1.96 1550'
 1.96 1600'
 1.96 1650'
 1.96 1700'
 1.96 1750'
 1.96 1800'
 1.96 1850'
 1.96 1900'
 1.96 1950'
 1.96 2000'

Freeport Welding & Fabricating, Inc. 2008 Expansion Plan

1. In 2000/2001 Freeport Welding moved from a 30,000 square-foot shop on 2 acres adjacent to Port Freeport that we had occupied for over 30 years, into a new 50,000 square-foot fabrication facility on 26 acres some 3 miles from our former location. We received full tax abatement on the project from the City, County, Drainage District, Port, and College at that time.
2. In 2005/2006 we expanded this same shop by 100%, and the offices by approximately 50%, at a cost of approximately \$2.5 million. We again received full tax abatement from all local taxing entities.
3. Because of an increasing demand for fabricated pressure-containing products, we now find it necessary to expand this shop again by 16,000 square feet, or approximately 16%. We estimate the cost of this expansion to be approximately \$1.2 million (see attached site plan). An additional \$.5 million in new equipment will also be purchased.
4. Prior to our 2005/2006 expansion we had 90 employees, and, in our abatement application at that time, we committed to an increase of 10 employees, or a total of 100. Our business has increased to the point that we currently have 125 total employees. Of these, 78 are shop floor production workers, which, as it turns out, is too many for the existing amount of shop floor space that we have. We have in effect, already created 25 jobs over our 2005/2006 commitment. Consequently, we anticipate that this expansion will retain 25 of these jobs and allow us to maintain our current level of employees.
5. The majority of work that we do is shipped outside Brazoria County, out-of state, and some out-of -country. 2007 sales were \$32 million, with shipments going to Egypt, Mexico, Moses Lake, Washington, Whiting, Indiana, Garyville, Louisiana, El Paso, Texas, and the Houston, Texas area (see attached Major Projects Listing for 2007).
6. We are also an important resource for plants in and around Brazoria County, furnishing routine and emergency shop services that help keep these plants up and running.
7. Our payroll in 2004 was \$3,865,000, and in 2007 was \$6,702,273.
8. In 2004 we purchased \$7,198,233 in materials, contract labor, and supplies, of which \$1,859,666.64 was purchased locally. In 2007 we purchased \$17,244,110 in materials, contract labor, and supplies, of which \$4,152,044 was purchased locally (see attached listing). The bulk of our material purchases are for steel plate, which is produced and sold out of this area.
9. Our first abatement has run out, and our taxes have increased substantially since the original construction (see attached Appraisal and Tax History). We appreciate the help of all the taxing entities of Brazoria County, and feel that the tax abatement structure, at least in our case, has resulted in a win-win situation.
10. Freeport Welding and the General Contractor on this expansion project will use local sub-contractors where possible.
11. Freeport Welding supports and contributes to local charities and schools, including the United Way, Red Cross, Boys and Girls Club, Habitat, and local and area children's athletics.

Roy E. Yates
President
Freeport Welding and Fabricating, Inc.

C	Rev. 1	Last Review Date: 06/16/2003	Next Review Date: 06/16/2004	Signed/Approved by: Management Team	Expansion Plan
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Freeport Welding & Fabricating Inc.

Brazoria County Vendors - 2007

#	Vend #.	Vendor Name	Def. Acc.	Zip	Remit Zip	Annual Total
1	2058	A-1-FLOORING			77541	\$980.98
2	1707	AAA PACKAGING & SUPPLIES LTD		77566	77092	\$4,250.14
3	1620	ACE TRANSPORTATION, INC.		77566	7059-	\$4,009.00
4	1994	AFFAIRS TO REMEMBER			77566	\$2,603.00
5	1357	AMISTCO		77511	75267	\$5,829.52
6	849	ANCHDR.SAFE & LOCK'CO.		77566	77566	\$632.70
7	2030	ANDREW MICHAEL			77541	\$4,876.25
8	1469	ANGEL LANDSCAPE & MAINT.	0858		77430	\$4,800.00
9	1313	AREA INDUSTRIAL RENTAL		77542	77542	\$7,368.73
10	1001	ART'S SIGNS		77531	77531	\$1,667.05
11	344	ASSOCIATED BUILDERS & CONTRACTORS		77542	77542	\$2,525.00
12	1179	AUTO REPAIR UNLIMITED		77422	77422	\$350.68
13	1583	B & B SEAFOOD			77541	\$343.97
14	25	BAYWOOD FOODS		77542	77542	\$7,396.20
15	1949	BCOS			77541	\$20,381.46
16	1824	BENNETT MOTOR EXPRESS	0535	77566	30253	\$26,475.00
17	231	BOBBY FORD, INC.		77531	77531	\$2,075.14
18	1228	BOYS & GIRLS CLUB OF BRAZORIA COUNT		77541	77541	\$640.00
19	796	BRAND INDUSTRIAL SOLUTIONS L.L.C.	0402	77531	60693	\$169,573.62
20	1385	BRAZORIA AUTO PARTS		77422	77422	\$8.06
21	1348	BRAZORIA AUTO SALVAGE & USED CARS			77422	\$75.00
22	1852	BRAZORIA COUNTY AUDITOR			77515	\$2,000.00
23	1107	BRAZORIA COUNTY HISTORICAL MUSEUM		77515	77515	\$100.00
24	29	BRAZOS FASTENERS		77531	77531	\$116,577.97
25	2032	BRAZOS HISTORICAL SOCIETY			77541	\$1,000.00
26	42	BRAZOSPORT CHAMBER OF COMMERCE		77531	77531	\$370.00
27	1050	BRAZOSPORT ENVIRONMENTAL &		77531	77531	\$4,272.65
28	296	BRAZOSPORT FACTS		77531	77531	\$1,901.00
29	1971	BRAZOSPORT LIONS CLUB			77566	\$150.00
30	2045	BRAZOSPORT MEDICAL CENTER			77542	\$1,000.00
31	1276	BRAZOSPORT MEMORIAL HOSPITAL	790		77566	\$2,793.40
32	31	BRAZOSPORT TIRE COMPANY		77531	77531	\$7,445.19
33	476	BRIAN'S BAR-B-Q		77531	77531	\$1,212.40
34	1379	BRIGGS EQUIPMENT		77541	75284	\$25,185.00
35	852	CALVINS MARINE INC.		77531	77531	\$1,545.74
36	1820	CHAMBLEE'S MOWING SERVICE			77566	\$1,058.15
37	1099	CHAMPION DELIVERY		77531	77541	\$23,259.92
38	1937	CHAMPION TRUCK PARTS			77541	\$1,317.82
39	167	CITY OF FREEPORT		77542	77542	\$1,994.20
40	1798	COASTAL CONSERVATION ASSOCIATION			77541	\$300.00
41	1504	CONTRACTOR'S SAFETY COUNCIL		77541	77542	\$125.00
42	2019	COX FURNITURE			77515	\$534.76
43	902	CPI SALES, INC.		77588	77588	\$22,707.83

Freeport Welding & Fabricating Inc.

Brazoria County Vendors - 2007

#	Vend.#	Vendor Name	Def. Acc.	Zip	Remit Zip	Annual Total
44	1088	CREATIONS BY GRACE, INC.		77531	77531	\$1,756.92
45	618	CULLIGAN WATER SYSTEMS		77531	77531	\$1,378.30
46	810	DANNY YATES		77542	77542	\$150.51
47	1934	DAVENPORT TRANSPORT & RIGGING LLC	0402	77511	77534	\$3,350.00
48	74	DETAIL PRODUCTS, INC.		77040	77431	\$4,501.53
49	67	DOMINOS PIZZA		77542	77845	\$442.13
50	1787	DOMLE & WACHTSLETTER, INC.	0402	77531	77531	\$757.75
51	524	DRAGON FIRE SYSTEMS		77542	77542	\$510.25
52	1	EMMERT INTERNATIONAL		77534	97015	\$26,639.61
53	71	EVCO INDUSTRIAL & AUTOMOTIVE, INC.	0568	77542	77542	\$61,493.59
54	125	FATTIGS OFFICE UNIVERSE	0856	77531	77566	\$11,551.38
55	77	FIRST STATE BANK		77531	77531	\$191,329.06
56	1725	FRANK J. GRADY, M.D., ASSOC.			77566	\$310.00
57	1598	FREEPORT FIRE & EMS			77542	\$200.00
62	339	FRESCO INCORPORATED		77542	77541	\$6,127.69
63	834	GEORGE DUGAN		77542	77542	\$5,680.21
64	740	GILBERT & GILBERT		77516	77516	\$5,245.39
65	88	GIROUARDS		77542	77542	\$7,917.47
66	1198	GREAT WESTERN SUPPLY COMPANY		77531	77531	\$5,075.60
67	1137	GREG ROWLAND		77531	77531	\$2,340.31
68	1396	GREYHOUND COMBUSTION & CONTROLS	0573	77033	77581	\$1,108.50
69	497	GULF AMERICAN LEASING		77542	77542	\$564,471.00
70	1879	GULF COAST EMERGENCY RESCUE SQUAD			77531	\$50.00
71	2042	GULF COAST ENGRAVING			77566	\$635.00
72	91	GULF COAST PAPER		77531	77531	\$22,688.62
73	94	GULF COAST S & S, INC.		77542	77542	\$1,843.05
74	377	GULFTEX VENDING & COFFEE SERVICE		77531	77531	\$2,930.78
75	1653	HABITAT FOR HUMANITY OF			77566	\$250.00
76	1427	HADLEY WRIGHT			77566	\$3,949.34
77	944	HAGEMEYER		77541	60693	\$3,631.85
78	2070	HAMMONS AND SONS JEWELERS, INC.	0817		77566	\$81.19
79	2073	HOME DELIVERED MEALS			77566	\$500.00
80	184	HYDRO CUT		77516	77516	\$8,832.00
81	531	INDUSTRIAL HOIST SERVICES		77422	75320	\$2,925.00
82	1996	INDUSTRIAL MATT CO.			77531	\$2,320.88
83	450	INDUSTRIAL SPECIALISTS		77531	77210	\$193,530.00
84	1809	INSTRUMENTATION, INC.	0402		77531	\$14,308.00
85	1670	J M TEST SYSTEMS, INC.		77531	77531	\$1,179.30
86	1241	JAMES D. FUCHS, MD/PA		77566	77566	\$244.00
87	1472	JAMES W. BRADFORD, JR.	0406	77516	77516	\$5,540.00
88	1105	JOHN FOAD		77541	77541	\$438.85
89	514	JUNIOR ACHIEVEMENT		77566	77515	\$250.00
90	1298	LAKE HARDWARE			77531	\$103.54

Freeport Welding & Fabricating Inc.

Brazoria County Vendors - 2007

#	Vend #	Vendor Name	Def. Acc.	Zip	Remit.Zip	Annual Total
91	127	LEO MARTIN CHEVROLET		77542	77566	\$2,475.49
92	1922	LJGSA			77566	\$50.00
93	285	M & G TRAILER RANCH, INC.		77531	77531	\$107.05
94	40	MAGNOLIA STORAGE		77542	77541	\$800.00
95	202	MARINE & INDUSTRIAL SPEC., INC.		77542	77542	\$19,361.53
96	1428	MARY YATES			77566	\$9,838.80
97	228	MATHESON TRI-GAS, INC.		77541	75284	\$670,265.23
98	366	MCGILL MAINTENANCE, INC.		77542	77542	\$3,458.87
99	1656	MEJIA INDUSTRIAL SUPPLY CO.	0403		77542	\$44,621.91
100	1177	MIKE SORRELL TRUCKING, INC.	0406	77541	77542	\$955.00
101	148	MIKE'S MACHINE WORKS, INC.		77542	77542	\$101,704.77
102	672	MIKEN SPECIALTIES, LTD.		77542	77531	\$1,591.01
103	1112	MOBIL MECHANIC, INC.		77516	77516	\$1,065.05
104	1722	MOORE SUPPLY CO.		77531	75397	\$149.12
105	155	MOTION INDUSTRIES, INC.		77541	75284	\$6,037.03
106	1615	MUELLER MFG., INC.	0402	77531	77531	\$5,771.00
107	61	NAPA AUTO PARTS		77542	75284	\$9,212.92
108	1314	NES RENTALS		77531	75284	\$3,510.90
109	1601	O'REILLY AUTO PART		77541	64180	\$81.04
110	822	OIL PATCH BRAZOS VALLEY		77515	75320	\$39,589.10
111	1963	OUR LADY QUEEN OF PEACE			77531	\$300.00
113	1209	POSTMASTER	0830	77541		\$148.00
114	1003	PROTHERM SERVICES GROUP, L.L.C.		77541	77210	\$564,852.96
115	1727	RAGLAND CHRYSLER			77515	\$2,353.48
116	333	RICHWOOD SELF STORAGE		77531	77531	\$1,254.60
117	1398	ROVIN GARRETT, RTA			77515	\$135,577.22
119	194	ROYALTY WELDING SUPPLY, INC.		77542	77542	\$414,356.38
120	1901	RPM SERVICES, INC.			77583	\$304.24
121	178	RSC EQUIPMENT RENTAL		77541	75284	\$6,532.03
122	402	SABLATURA'S OFFICE SUPPLY		77531	77531	\$148.49
123	371	SG&P INCORPORATED		77541	77542	\$25.00
124	812	SONIC		77531	77531	\$1,457.73
125	1255	SOUTHWEST REFRACTORY OF TEXAS	0402	77511	77512	\$189,856.69
126	1304	SOUTHWEST SIDS RESEARCH INSTITUTE			77566	\$500.00
127	211	SPECIALTIES COMPANY		77542	77542	\$4,873.42
128	781	SUPERIOR FAB & MAINTENANCE, INC.	0402	77542	77542	\$50,619.62
129	1792	T.C. INSPECTION INC.	0402	77541	94572	\$100,146.60
130	914	T.S.O.		77566	77566	\$3,717.00
131	150	TEXAS GULF REFRIGERATION, INC.		77531	77531	\$5,291.00
132	1689	TEXAS TOOL REPAIR			77422	\$51,167.58
133	39	THE SPACE PLACE		77515	77515	\$2,799.00
134	2018	THE WINDMILL WATER STORE			77531	\$1,190.76
135	221	THERIOT, INC.	0403	77542	77541	\$1,352.71

Freeport Welding & Fabricating Inc. Brazoria County Vendors - 2007

#	Vend#	Vendor Name	Def. Acc.	Zip	Remit:Zip	Annual Total
136	1986	TOTAL SAFETY		77531	75397	\$791.08
137	1256	TUBE-TECH BENDING		77051	77588	\$4,005.00
138	1881	WALMART			77566	\$6,500.00
139	989	WAVE LTD		77531	77531	\$810.00
140	246	WILLIAMS MOTOR/PARTS		77542	77542	\$2,095.96
141	249	WOVEN METAL PRODUCTS, INC.		77511	77512	\$26,001.00
All Brazoria County Vendor Total						\$4,152,044.50

Freeport Welding & Fabricating, Inc.
Major Projects: 2007

Total sales for 2007: \$32,046,877.49

Job #	Customer	Description	Amount	Contact	Telephone
110432	Sartomer Co.	Fab AL6XN C2 Storage Tank, TK-2812	\$380,320.00	Don Emigh	281-452-8974
110686	Koch-Glitsch/Chevron Chemical	Fab Lined CS Acid Wash Drum Coalescer, D-8723	\$802,690.00	C. Frame	316-828-5116
110753	Shintech Louisiana	Fab Scaffold Boards & Couplings	\$111,054.00	Rick Vallot	979-233-7861
110899	Fluor/REC Silicone	Fab Inc 825 Settler, Tag 20-D-13001	\$1,841,805.00	Greg Wiltsey	281-263-3789
110958	Equistar Chemical	Fab Jacketed SS Reactor, R-232	\$110,560.00	Theresa Driver	979-244-7160
110971	Petresco International, Inc.	Fab 4 CS Desalters, D-102A/B, D-103A/B	\$4,400,080.00	Jonathan Boul	713-369-6609
111040	Bechtel/Motiva	Fab 3 CS 1st Claus Converters	\$1,449,119.00	Ashish Gupta	713-235-2563
111041	Bechtel/Motiva	Fab 3 CS 2nd Claus Converters	\$1,449,119.00	Ashish Gupta	713-235-2563
111042	Bechtel/Motiva	Fab 3 CS Scot Reactors	\$1,272,538.00	Jack Tanner	713-235-5689
110122	Petresco/Marathon	Fab 2 Desalters	\$2,542,750.00	Melanie Yackel	713-369-6687
111102	Fluor/Marathon	Fab HIC CS Quench Tower, 234-1101	\$436,330.00	Richard Garza	281-263-3195
111103	Fluor/Marathon	Fab HIC CS Tail Gas Absorber, 234-1102	\$273,500.00	Richard Garza	281-263-3195
111104	Fluor/Marathon	Fab HIC CS Amine Regenerator, 247-1102	\$1,065,310.00	Richard Garza	281-263-3195
111281	Western Refining	Fab HIC CS Stripper, F-8905	\$649,370.00	Kevin Goode	915-775-3239
111283	Western Refining	Fab HIC CS Stabilizer, F-8910	\$757,155.00	Kevin Goode	915-775-3239
111344	Western Refining	Fab CS Flare KO Drum, F-8917	\$203,900.00	Kevin Goode	915-775-3239
111422	Formosa Plastics Corporation	Revise (2) Baffle Pipe Assemblies	\$94,400.00	Michael Brown	361-987-7743
111446	Fluor/REC Silicone	Fab CS Metal Chloride Dryer Tran Drum, 20-D-17003	\$158,995.00	Dena Burnam	281-263-8575
111447	Fluor/REC Silicone	Fab 3 CS Metal Chloride Dryer Surge Drums	\$489,465.00	Dena Burnam	281-263-8575
111448	Fluor/REC Silicone	Fab 3 CS Metal Chloride Dryer Receivers	\$323,250.00	Dena Burnam	281-263-8575
111502	Shell Oil Company	Fab Regenerator Trickle Valves V-603 & V-1461	\$248,800.00	Quita Freeman	713-246-6160
111514	Formosa Plastics Corporation	Fabricate 4 Baffle Pipes	\$115,726.00	Angela Vancel	225-356-8642
C	Rev. 0	Last Review: 03/04/2008	Next Review: N/A	Signed/Approved by: Sales Team	10010132

Job #	Customer	Description	Amount	Contact	Telephone
111523	BP Productis North America, Inc.	Fab CS Drum, 302F	\$621,555.00	Patty Reyes	409-945-1990
111524	Jacobs/ExxonMobil Chemical Co.	Fab 825 Clad CS Product Stripper, T-901 (Baytown)	\$1,451,090.00	Sandra Nafegar	832-351-6546
111527	Jacobs/ExxonMobil Chemical Co.	Fab 825 Clad CS Product Stripper, T-901 (Baton Rouge)	\$1,829,130.00	Sandra Nafegar	832-351-6546
111612	Zachry Construction	Fab 11 SS Hoppers	\$68,225.00	Bob Lampton	979-373-5450
111661	Jacobs/ExxonMobil Chemical Co.	FAB DUPLEX MEA REGENERATOR, T-951	\$1,397,735.00	Sandra Nafegar	832-351-6546
111662	Jacobs/ExxonMobil Chemical Co.	Fab Duplex Regenerator Reflux Drum, D-952	\$250,660.00	Sandra Nafegar	832-351-6546
111685	Conoco Phillips	Fab Clad CS 95-211 Bottom Replacement	\$693,820.00	Chelette Payne	979-491-2886
111705	Conoco Phillips	Fab Clad CS 95-211 Bottom Replacement	\$194,290.00	Chelette Payne	979-491-2886

Major Projects Booked for 2007: \$25,682,741.00

C	Rev.	Last Review:	Next Review:	Signed/Approved by:	10010132
	0	03/04/2008	N/A	Sales Team	



P.O. BOX 615 • FREEPORT, TX 77542-0615
(979) 233-2667 • 1 (800) DOCKSID(E) • FAX: (979) 233-5625

April 25, 2008

Mayor Larry McDonald
City of Freeport
200 W. 2nd Street
Freeport, TX 77541

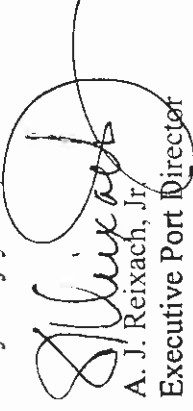
RE: Interlocal Cooperation Contract

Dear Mayor McDonald:

Please find enclosed for signature three (3) copies of the *Interlocal Cooperation Contract* between Port Freeport and The City of Freeport, Texas. This contract was approved by our Commission at the April 24, 2008 meeting. Please sign and return two (2) copies to the Port at your earliest convenience. The third copy is for your records.

Thank you for your assistance with this matter.

Very truly yours,


A. J. Reixach, Jr.
Executive Port Director

/mab
Enclosures

PORT COMMISSION

**RESOLUTION APPROVING
INTERLOCAL COOPERATION CONTRACT BETWEEN
PORT FREEPORT and THE CITY OF FREEPORT, TEXAS**

At a regular meeting of the Port Commissioners of Port Freeport (the "Port") held at the office of the Port at 200 West Second Street, Third Floor, Freeport, Texas, on the 24th day of April, 2008, among other business, on motion duly made and seconded, the following resolution was passed and adopted:

FINDINGS

1. Due and proper notice of the date, time, place and purpose of this meeting has been duly given and conducted in accordance with the Texas Open Meetings Act.
2. The Port has requested The City of Freeport, Texas ("Freeport") allow it to place necessary electronic communication equipment atop the Water Tower owned by Freeport in order to restore its wireless connection from the transmitter in Oyster Creek to its Command Center.
3. The Port finds and determines it is in the best interest for the Port to enter into the *Interlocal Cooperation Contract* between the Port and Freeport presented to this meeting and that the Chairman and Secretary of the Port Commission should be authorized to execute and attest respectively said *Interlocal Cooperation Contract*.

NOW, THEREFORE, BE IT RESOLVED that the Chairman and Secretary of the Port Commission are hereby authorized to execute and attest respectively said *Interlocal Cooperation Contract*, substantially in the form presented before this meeting with such non-material changes approved by such officers, their execution thereof to constitute conclusive evidence of such approval.

**INTERLOCAL COOPERATION CONTRACT BETWEEN
PORT FREEPORT
AND
THE CITY OF FREEPORT, TEXAS**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF BRAZORIA §

This Interlocal Cooperation Contract (“Agreement”), dated as of _____, 2008, is entered into by and between PORT FREEPORT (the “Port”), a political subdivision of the State of Texas, located within Brazoria County, Texas, acting herein by and through the Chairman of the Port Commission and pursuant to appropriate resolution adopted by said Commission, and the CITY OF FREEPORT, TEXAS (“Freeport”), a municipal corporation located within Brazoria County, Texas, acting herein by and through its Mayor and pursuant to appropriate ordinance adopted by its City Council.

Recitals:

- A. Freeport is the owner of the “Water Tower” located at the intersection of FM 1495 and Highway 36.
- B. Due to construction of new facilities by Freeport, the Port has lost its wireless connection from the transmitter in Oyster Creek to its Command Center.
- C. The Port has requested Freeport allow it to place necessary electronic communication equipment atop the Water Tower.
- D. Freeport agreed to the Port’s request.

NOW THEREFORE, for and in consideration as set forth above and the mutual covenants and obligations set forth below, the Port and Freeport contract and agree as follows:

I.
GENERAL STATEMENTS

Port Freeport will be allowed to install all electronic communication equipment reasonably necessary to maintain line of sight transmission with the tower in Oyster Creek and other towers on the top of the Water Tower.

II.
MAINTENANCE AND LOSS

The Port will be responsible for all maintenance of and any loss or damage of said electronic equipment. The Port shall be responsible to pay any loss and/or damage to the Water Tower caused by the Port's negligence in the installation and/or maintenance of said communication facilities. Neither party shall have any liability to the other for ancillary or incidental damages.

III.
TERM

This Agreement shall be effective as of the Effective Date and shall terminate on the earlier of thirty (30) years or the destruction of the Water Tower.

IV.
MISCELLANEOUS

The captions or titles of the articles of this instrument are inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way serve to modify or restrict any of the terms or provisions hereof and shall never be considered or given any effect in ascertaining intent, if any question of intent shall arise.

The parties hereto agree that this instrument shall not be construed in favor or against either party on the basis that the party did or did not author this instrument.

To the greatest extent possible, this instrument shall be construed in harmony with State and Federal statutory and constitutional provisions and all acts done pursuant to this instrument shall be performed in such manner as to conform thereto whether expressly provided or not.

The terms of this instrument shall be binding upon and inure to the benefit of the Port, its affiliates and its successors and assigns, and to the benefit of Freeport or any municipal corporation(s) or political subdivision(s) succeeding to the property and principal rights, powers and obligations of Freeport.

This instrument shall be executed in multiple copies, each of which when fully executed shall be deemed to be an original.

PORT FREEPORT

ATTEST:



Ravi K. Singhania, Secretary
Port Commission

By:



James F. Brown, Jr., Chairman
Port Commission

CITY OF FREEPORT, TEXAS

ATTEST:

By: _____, Mayor

_____, City Secretary

PORT FREEPORT/CITY OF FREEPORT - GENERAL
INTERLOCAL COOPERATION CONTRACT PORT FREEPORT 08 04 21 ID



**PROPERTY MANAGEMENT
MEMO**

March 13, 2008

Gary Beverly
City Manager

re: Lot 5, Block 100, Freeport Townsite
815 West Broad Street
Acct 4200-0992-000

Please place the following item on the April 7, 2008, Council agenda:

Discuss / consider the sale of city interest in lot 5, Block 100 Freeport Townsite known as 815 West Broad Street, Freeport Townsite.

An offer has been received by the Brazoria County Resale Committee, from Manuel Salas, in the amount of \$2950, for this property.

Period taxes delinquent: 1987-2006	
Taxes extinguished by Sheriff sale	\$4462.41
Liens due City	\$3598.96*
Adjudged value of property	\$3050.00
Offer by Salas	\$2950.00
Less court costs	3450.96
Less post judgment costs	91.19
Amount to distribute	(-\$592.15)
Amount of distribution due Freeport	\$(-162.69)

Recommendation: Offer be denied.

*The City would be receiving 5.44% of the adjudged value of the property with the other taxing entities receiving the remaining 94.56% of the value.

Liens due City are post judgment liens, including penalty & interest, calculated through April 30, 2007

N C Hickey
Property Manager Pg. 619

Lot 5, Block 100 - 4200-0992-000



Liens

BID ANALYSIS

Cause Number: 41662 Account Number: 4200-0992-000
 Offer Amount: \$2,950.00 Value \$: \$2,940.00
 Person Offering: Manuel R. Salas Adjudged Value\$: \$2,940.00

Judgement Information

Taxing Entity	Tax Years	Amount Due
BC	1987-2006	\$736.41
Brazosport ISD	1987-2006	\$2,670.47
BRHND	1987-2006	\$139.85
Brazosport College	1987-2006	\$165.57
Velasco Drainage	1987-2006	\$141.07
City of Freeport	1987-2006	\$1,459.71

Total \$5,313.08

Costs

Court Costs	\$613.00	Sheriff Fees	
Publication Fees	\$145.20	Research Fees	\$175.00
Ad Litem		Recording fee's	\$24.00
		Liens	2499.78

Total \$3,450.96

Post Judgement Information

Taxing Entity	Tax Year's	
BC	2007	\$13.69
Brazosport ISD	2007	\$41.79
BRHND	2007	\$2.07
Brazosport College	2007	\$4.46
Velasco Drainage	2007	\$3.02
City of Freeport	2007	\$26.16

Post Judgment Total \$91.19

Proposed Distribution

Offer Amount \$2,950.00
 Costs + P & J \$3,542.15

Net to Distribute \$ -\$592.15

BC	13.86%	-\$82.07
Brazosport ISD	50.26%	-297.63
BRHND	2.63%	-15.59
Brazosport College	3.12%	-18.45
Velasco Drainage	2.66%	-15.72
City of Freeport	27.47%	-162.69
	0.00%	0.00

RECEIVED

MAR 12 2008

3/5/2008



200 West 2nd Street • Freeport, TX 77541-5773
 (979) 233-3526 • Fax: (979) 233-8867 • www.freeport.tx.us

**PROPERTY MANAGEMENT
MEMO**

March 13, 2008

Gary Beverly
City Manager

re: S/2 lot 18, Block 6, Freeport Townsite
502 East 7th Street
Acct 4200-0102-000

Please place the following item on the April 7, 2008, Council agenda:

Discuss / consider the sale of city interest in south one-half of lot 18, block 6, Freeport Townsite, known as 502 East 7th Street, Freeport.

An offer has been received by the Brazoria County Resale Committee from Lewis Hawthorne, in the amount of \$500, for this property.

Period taxes delinquent: 1975-2001	
Taxes extinguished by Sheriff sale	\$2781.63
Adjudged value of property	\$ 700.00
Offer by Hawthorn	\$ 500.00
Less court costs	217.89
Less post judgment costs	28.81
Amount to distribute	246.70
Amount of distribution due Freeport	\$ 80.80

Recommendation: Offer be denied.

N C Hickey
Property Manager

attach

/s

S/2 lot 18, Block 6 - 4200-0102-000



10 - Lien

BID ANALYSIS

4200-0102-000
 Account Number: [REDACTED] 700
 Value \$: [REDACTED] 700
 Adjudged Value\$: [REDACTED] 700

Cause Number: [REDACTED]
 Offer Amount: [REDACTED] 50
 Person Offering: [REDACTED]

Lewis Newkome

Judgement Information

Taxing Entity	Tax Years	Amount Due
BC	1976-2000	\$374.73
BCED	1975-2000	\$118.74
Brazosport ISD	1975-2000	\$1,082.73
BRHND	1976-2000	\$105.68
Brazosport College	1975-2000	\$65.82
Velasco Drainage	1975-2000	\$146.48 #2
Road Dist 34	1975-2000	\$0.00
City of Freeport	1975-2000	\$887.35
Total		\$2,781.53

Costs

Court Costs	\$0.00	Sheriff Fees	
Publication Fees		Research Fees	
Ad Litem		Recording fees	
Liens			
Total		\$217.89	

Post Judgement Information

Total \$217.89

Taxing Entity

Taxing Entity	Tax Year's	Offer Amount	Costs + P & J	Net to Distribute \$
BC	2001	\$4.08		34.12
BCED	2001	\$0.00		10.81
Brazosport ISD	2001	\$14.48		98.60
BRHND	2001	\$0.75		9.62
Brazosport College	2001	\$0.87		6.00
Velasco Drainage	2001	\$0.72		13.34
Road Dist 34	2001	\$0.00		-
City of Freeport	2001	\$7.91		80.80
Post Judgement Total		\$28.81		
Offer Amount		\$500.00		
Costs + P & J		\$246.70		
Net to Distribute \$		\$253.30		

Proposed Distribution

BC	13.47%	\$	34.12
BCED	4.27%	\$	10.81
Brazosport ISD	38.82%	\$	98.60
BRHND	3.80%	\$	9.62
Brazosport College	2.37%	\$	6.00
Velasco Drainage	5.27%	\$	13.34
Road Dist 34	0.00%	\$	-
City of Freeport	31.90%	\$	80.80

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 MAR 12 2008



200 West 2nd Street • Freeport, TX 77541-5773
 (979) 233-3526 • Fax: (979) 233-8867 • www.freeport.tx.us

**PROPERTY MANAGEMENT
MEMO**

March 13, 2008

Gary Beverly
City Manager

re: Lot 1-2, Block 779, Velasco Townsite
 1622-1624 North Avenue Q
 Acct 8110-3871-000

Please place the following item on the April 7, 2008, Council agenda:

Discuss / consider the sale of city interest in lot 1-2, Block 779 Velasco Townsite, known as 1622-1624 North Avenue Q, Velasco Townsite, Freeport.

An offer has been received by the Brazoria County Resale Committee from Pascual Robles, in the amount of \$2500, for this property.

Period taxes delinquent: 1997-2002	\$3298.53
Taxes extinguished by Sheriff sale	\$ 0
Liens extinguished by Sheriff sale	\$ 0
Adjudged value of property	\$2930.00
Offer by Robles	\$2500.00
Less court costs	809.00
Less post judgment costs	133.45
Amount to distribute	1557.55
Amount of distribution due Freeport	\$485.13*

Recommendation: Offer be considered.

*The City would be receiving 16% of the adjudged value of the property with the other taxing entities receiving the remaining 84% of the value.

N C Hickey
Property Manager

Lot 1-2, Block 779 - 8110-3871-000



C. [unclear]

BID ANALYSIS

Cause Number: 95-5083 **Account Number:** 8110-3871-000

Offer Amount: \$2,500.00 **Value \$:** \$4,230.00

Person Offering: PASCUAL ROBLES **Adjusted Value\$:** \$2,980.00

Judgement Information

Taxing Entity	Tax Years	Amount Due
BC	1979-2002	\$382.56
BCED	1979-2002	\$175.69
Brazosport ISD	1979-2002	\$1,414.65
BRHND	1979-2002	\$91.61
Brazosport College	1979-2002	\$88.06
Velasco Drainage	1979-2002	\$118.56 #2
City of Freeport	1979-2002	\$1,027.40

Costs **Total** \$3,298.53

Court Costs	\$496.00	Sheriff Fees	
Publication Fees	\$150.00	Research Fees	\$150.00
Ad Litem		Recording fee's	\$13.00
		Liens	0

Total \$809.00

Post Judgement Information

Taxing Entity	Tax Year's	Amount
BC	2003	\$19.38
BCED	2003	\$0.00
Brazosport ISD	2003	\$68.02
BRHND	2003	\$3.23
Brazosport College	2003	\$4.84
Velasco Drainage	2003	\$3.42
City of Freeport	2003	\$34.56

Post Judgment Total \$133.45

Proposed Distribution

Offer Amount **Costs + P & J**
 \$2,500.00 \$942.45

Net to Distribute \$ \$1,557.55

BC	11.60%	\$180.64
BCED	5.33%	82.96
Brazosport ISD	42.89%	667.99
BRHND	2.78%	43.26
Brazosport College	2.67%	41.58
Velasco Drainage	3.59%	55.98
City of Freeport	31.15%	485.13

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**PROPERTY MANAGEMENT
MEMO**

March 13, 2008

Gary Beverly
City Manager

re: Lot 13-14, A-49, BCIC Dov 14, Velasco Annex
 1717-1721 Yellowstone
 Acct 8115-0009-000

Please place the following item on the April 7, 2008, Council agenda:

Discuss / consider the sale of city interest in lot 13-14, A-49
 BCIC 14, Velasco Townsite known as 1717 -1721 Yellowstone,
 Velasco Heights Annex, Freeport.

An offer has been received by the Brazoria County Resale Committee from Richard Dav-
 enport, in the amount of \$6000, for this property.

Period taxes delinquent: 1985-1999
 Taxes extinguished by Sheriff sale \$9045.19

Liens extinguished by Sheriff sale \$3635.00

Adjudged value of property \$9210.00
 Offer by Davenport \$6000.00
 Less court costs 411.50
 Less post judgment costs 2242.24
 Amount to distribute 3346.26

Amount of distribution due Freeport \$1018.56*

Recommendation: Offer be considered.

*The City would be receiving 11% of the adjudged value of the property with the
 other taxing entities receiving the remaining 89% of the value.

N C Hickey
Property Manager

Lot 13-14, Velasco Hgts Annex - 8115-0009-000



BID ANALYSIS

11267
 Cause Number: [Redacted] Account Number: 8115-0009-001
 Offer Amount: 6000 Value \$: 9210
 Person Offering: Richard Dawsonford Adjudged Value\$: 9210

Judgement Information

4/7

Taxing Entity	Tax Years	Amount Due
BC	1985-1999	\$1,175.70
BCED	1985-1999	\$552.23
Brazosport ISD	1985-1999	\$3,602.74
BRHND	1985-1999	\$311.50
Brazosport College	1985-1999	\$226.08
Velasco Drainage	1985-1999	\$423.69 #2
Road Dist 34	1985-1999	\$0.00
City of Freeport	1985-1999	\$2,753.25

Total \$9,045.19

Costs

Court Costs	\$188.00	Sheriff Fees	
Publication Fees		Research Fees	
Ad Litem		Recording fees	\$226.50
Liens	0		

Total \$411.50

Post Judgement Information

Taxing Entity	Tax Year's	Post Judgment Total
BC	2000-2004	\$323.94
BCED	2000-2004	\$0.00
Brazosport ISD	2000-2004	\$1,126.58
BRHND	2000-2004	\$58.59
Brazosport College	2000-2004	\$71.47
Velasco Drainage	2000-2004	\$58.51
Road Dist 34	2000-2004	\$0.00
City of Freeport	2000-2004	\$607.15

Post Judgment Total \$2,242.24

Proposed Distribution

Offer Amount \$6,000.00 Costs + P & J \$2,853.74
 Net to Distribute \$3,346.26

Taxing Entity	Percentage	Amount
BC	13.00%	\$434.85
BCED	6.11%	204.30
Brazosport ISD	39.83%	1,332.83
BRHND	3.44%	115.24
Brazosport College	2.50%	83.64
Velasco Drainage	4.68%	156.74
Road Dist 34	0.00%	0.00
City of Freeport	30.44%	1,018.56

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PROPERTY MANAGEMENT MEMO

March 13, 2008

Gary Beverly
City Manager

re: Lot 8, Block 7, Southview Garden S/D
727 West 11th Street, Freeport Townsite
Acct 7750-0151-000

Please place the following item on the April 7, 2008, Council agenda:

Discuss / consider the sale of city interest in lot 8, Block 7
Freeport Townsite known as 727 West 11th Street, Freeport
Townsite.

An offer has been received by the Brazoria County Resale Committee, from Thien Nguyen, in the amount of \$1500, for this property.

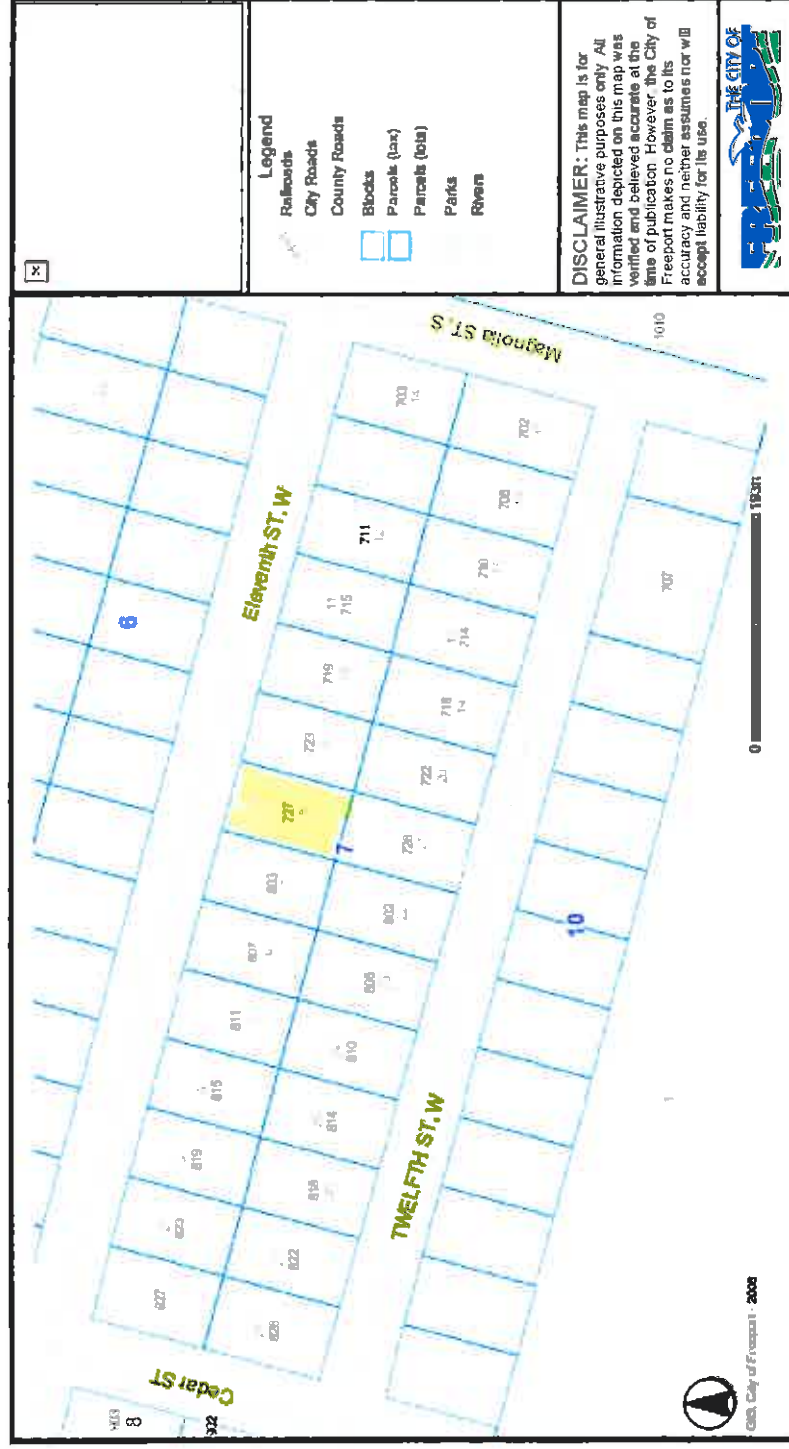
Period taxes delinquent: 1985-1999	\$4061.94
Taxes extinguished by Sheriff sale	\$3311.32
Liens extinguished by Sheriff sale	\$3050.00
Adjudged value of property	\$1500.00
Offer by Nguyen	712.20
Less court costs	190.13
Less post judgment costs	597.67
Amount to distribute	
Amount of distribution due Freeport	\$ 179.49*

Recommendation: Offer be denied.

*The City would be receiving 5.9% of the adjudged value of the property with the other taxing entities receiving the remaining 94.1% of the value.

N C Hickey
Property Manager

Lot 8, Block 7, Southview Garden - 7750-0151-000



Address 351152

BID ANALYSIS

Cause Number:

39373

Account Number: 7750-0151-000

Offer Amount:

\$1,500.00

Value \$: \$3,050.00

Person Offering:

Thien Nguyen

Adjudged Value\$: \$3,050.00

Judgement Information

Taxing Entity	Tax Years	Amount Due
BC	1987-2005	\$605.12
Brazosport ISD	1987-2005	\$1,875.42
BRHND	1987-2005	\$116.89
Brazosport College	1987-2005	\$133.26
Velasco Drainage	1987-2005	\$111.36
City of Freeport	1987-2005	\$1,219.89

Total \$4,061.94

Costs

Court Costs	\$362.00	Sheriff Fees	
Publication Fees	\$151.20	Research Fees	\$175.00
Ad Litem		Recording fees	\$24.00
		Liens	0

Total \$712.20

Post Judgement Information

Taxing Entity

Tax Year's

BC	2006-2007	\$26.91
Brazosport ISD	2006-2007	\$94.03
BRHND	2006-2007	\$4.15
Brazosport College	2006-2007	\$8.67
Velasco Drainage	2006-2007	\$5.84
City of Freeport	2006-2007	\$50.53

Post Judgment Total \$190.13

Proposed Distribution

Offer Amount \$1,500.00

Costs + P & J \$902.33

Net to Distribute \$

\$597.67

BC	14.90%	\$89.04
Brazosport ISD	46.17%	275.95
BRHND	2.88%	17.20
Brazosport College	3.28%	19.61
Velasco Drainage	2.74%	16.39
City of Freeport	30.03%	179.49
	0.00%	0.00

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**PROPERTY MANAGEMENT
MEMO**

March 13, 2008

Gary Beverly
City Manager

re: Lot 11, Block 7, Southview Garden S/D
 715 West 11th Street, Freeport Townsite
 Acct 7750-0154-000

Please place the following item on the April 7, 2008, Council agenda:

Discuss / consider the sale of cit interest in lot 11, Block 7
 Freeport Townsite known as 715 West 11th Street, Freeport
 Townsite.

An offer has been received by the Brazoria County Resale Committee, from Thien Nguyen,
 in the amount of \$1500, for this property.

Period taxes delinquent: 1987-2000
 Taxes extinguished by Sheriff sale \$4462.41

Liens extinguished by Sheriff Sale \$ 240.00

Adjudged value of property \$3050.00
 Offer by Nguyen \$1500.00
 Less court costs 515.61
 Less post judgment costs 380.17
 Amount to distribute 604.22

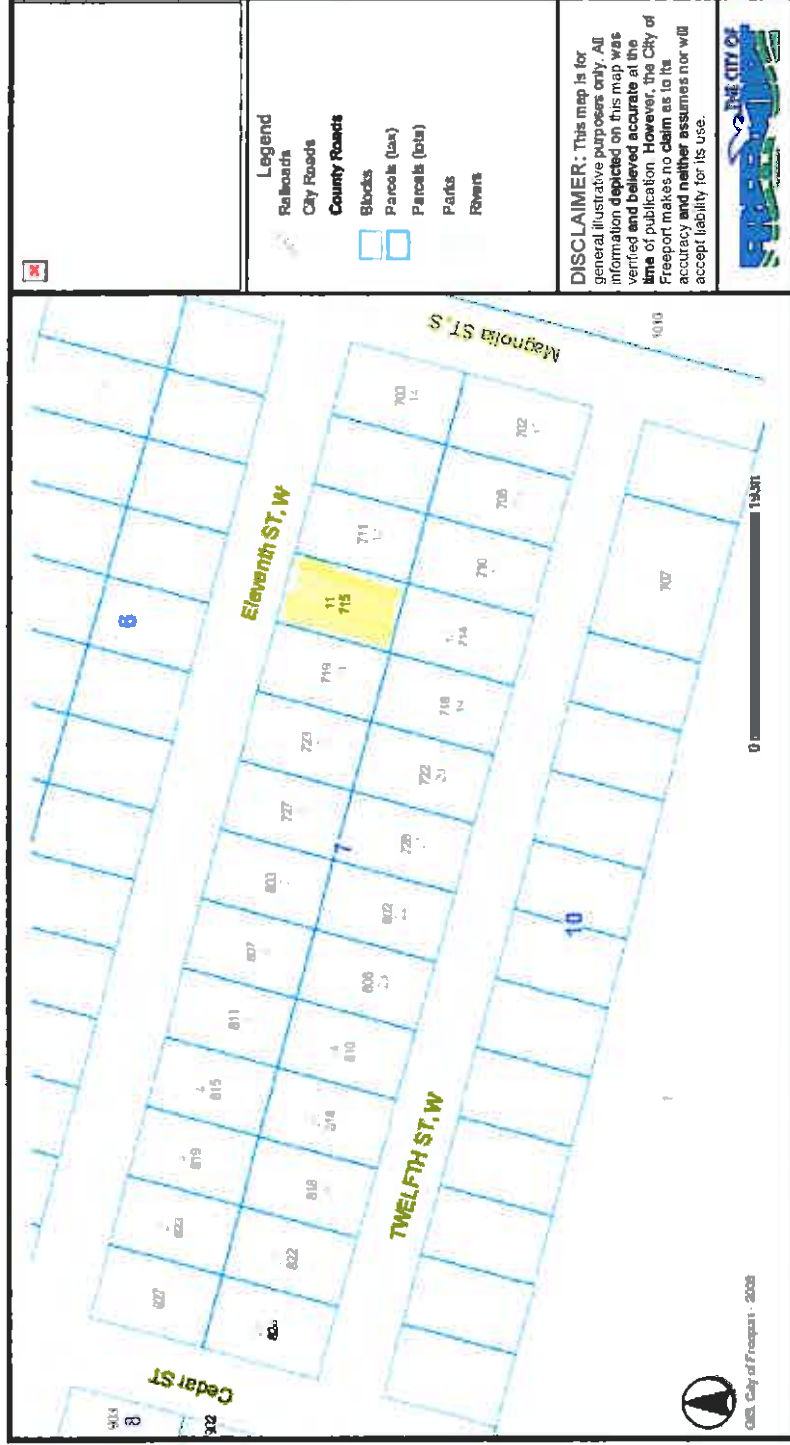
Amount of distribution due Freeport \$ 171.40*

Recommendation: Offer be denied.

*The City would be receiving 5.44% of the adjudged value of the property with the
 other taxing entities receiving the remaining 94.56% of the value.

N C Hickey
Property Manager

Lot 11, Block 7, Southview Garden - 7750-0154-000



BID ANALYSIS

Cause Number: 16066T01 **Account Number:** 7750-0154-000
Offer Amount: \$1,500.00 **Value \$:** \$3,050.00
Person Offering: Thien Nguyen **Adjudged Value\$:** \$3,050.00

Judgement Information

Taxing Entity	Tax Years	Amount Due
BC	1987-2000	\$571.08
BCED	1987-2000	\$2,181.85
BRHND	1987-2000	\$137.46
Brazosport College	1987-2000	\$119.89
Velasco Drainage	1987-2000	\$186.29
City of Freeport	1987-2000	\$1,265.84

Total **\$4,462.41**

Costs

Court Costs	\$304.00	Sheriff Fees	
Publication Fees		Research Fees	\$211.61
Ad Litem		Recording fee's	
		Liens	0

Total **\$515.61**

Post Judgement Information

Taxing Entity

Taxing Entity	Tax Year's	Amount
BC	2001-2003	\$54.64
BCED	2001-2003	\$190.22
BRHND	2001-2003	\$9.58
Brazosport College	2001-2003	\$11.49
Velasco Drainage	2001-2003	\$9.55
City of Freeport	2001-2003	\$104.69

Post Judgment Total **\$380.17**

Proposed Distribution


Offer Amount **\$1,500.00** **Costs + P & J** **\$895.78**
Net to Distribute \$ **\$604.22**

BC	12.80%	\$77.33
BCED	48.89%	295.43
BRHND	3.08%	18.61
Brazosport College	2.69%	16.23
Velasco Drainage	4.17%	25.22
City of Freeport	28.37%	171.40
	0.00%	0.00



Council

MEMORANDUM

To: Mayor and City Council
From: Gary Beverly 
Re: Financials through 03/31/08
Date: May 5, 2008

Attached you will find the financial review for Fiscal Year 2007-2008 through 03/31/08.

I have attached:

- Statements of Operations
- Significant Revenues Breakdown
- Statement by Fund
- Available Cash / Flow
- Capital Purchases List
- Debt Service Schedule.

If you have any questions, let me know!



STATEMENT OF OPERATIONS
MONTH ENDING: 03/31/2008

BASELINE
58.3%

CONSOLIDATED FUNDS	YEAR-TO-DATE ACTUAL				BUDGET 2007-2008			%BUDGET	
	2006-2007	2007-2008	CHG	%	CURRENT	ORIGINAL	2006-2007		
REVENUES:									
Taxes	4,546,637	4,808,125	261,488	5.8%	8,000,329	60.1%	8,000,329	60.1%	60.0%
Permits & Fees	64,599	36,284	(28,315)	-43.8%	107,340	33.8%	107,340	33.8%	45.9%
Garbage Revenue	323,749	374,720	50,971	15.7%	726,000	51.6%	726,000	51.6%	47.1%
Revenue Producing	46,534	50,925	4,391	9.4%	99,659	51.1%	99,659	51.1%	47.6%
Fines & Fees	273,793	238,756	(35,037)	-12.8%	506,479	47.1%	506,479	47.1%	65.0%
Miscellaneous	538,448	307,561	(230,887)	-42.9%	470,600	65.4%	470,600	65.4%	41.5%
Golf Course	158,748	137,990	(20,758)	-13.1%	358,251	38.5%	358,251	38.5%	41.5%
Ambulance	247,899	304,639	56,740	22.9%	455,750	66.8%	455,750	66.8%	52.9%
Water & Sewer	1,752,529	1,724,742	(27,787)	-1.6%	3,678,425	46.9%	3,678,425	46.9%	44.6%
Misc Fund Revenue	96,106	53,986	(42,120)	-43.8%	120,245	44.9%	120,245	44.9%	81.1%
NET REVENUES:	8,049,042	8,037,728	(11,314)	-0.1%	14,523,078	55.3%	14,523,078	55.3%	53.2%
Bond Proceeds	0	3,350,000	3,350,000	0.0%	3,000,000	111.7%	3,000,000	111.7%	0.0%
TOTAL REVENUES:	8,049,042	11,387,728	3,338,686	41.5%	17,523,078	65.0%	17,523,078	65.0%	53.2%
EXPENDITURES:									
Salaries / Labor	1,669,667	1,965,261	295,594	17.7%	4,470,154	44.0%	4,470,154	44.0%	39.8%
Benefits	596,768	628,105	31,337	5.3%	1,503,756	41.8%	1,503,756	41.8%	43.3%
Supplies	239,570	250,189	10,619	4.4%	598,548	41.8%	598,548	41.8%	42.2%
Services	2,411,382	2,424,570	13,188	0.5%	5,176,502	46.8%	5,176,502	46.8%	47.6%
Maintenance	181,525	151,663	(29,862)	-16.5%	494,568	30.7%	494,568	30.7%	34.5%
Sundry	433,813	218,869	(214,944)	-49.5%	348,235	62.9%	348,235	62.9%	146.9%
Bonds/Leases/Depr	262,764	334,602	71,838	27.3%	830,014	40.3%	830,014	40.3%	49.0%
Capital Outlay	1,505,770	678,747	(827,023)	-54.9%	4,546,992	14.9%	4,522,889	15.0%	55.5%
TOTAL EXPENSES:	7,301,259	6,652,006	(649,253)	-8.9%	17,968,769	37.0%	17,944,466	37.1%	47.8%
NET OPERATING	747,783	4,735,722	3,987,939	533.3%	(445,691)	xxx	(421,388)	xxx	xxx
TOTAL TRANSFERS:	881,007	-	(881,007)	-100.0%	421,388	0.0%	421,388	0.0%	0.0%
NET	1,628,790	4,735,722	3,106,932	190.8%	(24,303)	xxx	-	xxx	xxx



STATEMENT OF OPERATIONS
MONTH ENDING: 03/31/2008

BASELINE
58.3%

CONSOLIDATED FUNDS	YEAR-TO-DATE ACTUAL				BUDGET 2006-2007				%BUDGET	BUDGET
	2006-2007	2007-2008	CHG	%	CURRENT	ORIGINAL	2006-2007	2006-2007		

SIGNIFICANT REVENUES BREAKDOWN:										
Property Taxes	1,604,900	1,797,762	192,862	12.0%	2,333,654	77.0%	2,333,654	77.0%	72.6%	2,211,202
Sales Taxes (General Fund)	501,177	517,503	16,326	3.3%	1,151,865	44.9%	1,151,865	44.9%	47.7%	1,050,000
Franchise Taxes	361,794	323,441	(38,353)	-10.6%	619,500	52.2%	619,500	52.2%	55.1%	656,500
Industrial District	1,837,125	1,943,571	106,446	5.8%	3,887,310	50.0%	3,887,310	50.0%	50.2%	3,658,970
Municipal Court	261,228	228,469	(32,759)	-12.5%	504,904	45.2%	504,904	45.2%	62.2%	419,900
Water	892,817	904,292	11,475	1.3%	1,950,000	46.4%	1,950,000	46.4%	44.6%	2,000,000
Sewer	769,064	723,766	(45,298)	-5.9%	1,250,000	57. %	1,250,000	57.9%	54.9%	1,400,000
Bond Proceeds	0	3,350,000	3,350,000	0.0%	3,000,000	111.7%	3,000,000	111.7%	0.0%	0
	6,228,105	9,788,804	3,560,699	57.2%	14,697,233	66.6%	14,697,233	66.6%	54.6%	11,396,572
% of Total Revenue	77.4%	86.0%			83.9%		83.9%			75.3%



STATEMENT OF OPERATIONS BY FUND

FOR THE MONTH ENDING: 03/31/2008

Table with columns: YEAR-TO-DATE ACTUAL (2006-2007, 2007-2008, CHG), %, CURRENT, ORIGINAL, % BUDGET (2006-2007). Rows include: CONSOLIDATIONS, GOVERNMENTAL FUNDS (TOTAL CONSOLIDATION, GOVERNMENTAL FUNDS, ENTERPRISE FUNDS), GENERAL FUND #10, GOVERNMENTAL, COO 2000, COO 2003, COLE COURSE #10, WATER & SEWER #30.



STATEMENT OF OPERATIONS BY FUND

FOR THE MONTH ENDING: 03/31/2008

	YEAR-TO-DATE ACTUAL			%	BUDGET 2007-2009			ORIGINAL	% BUDGET 2006-2007
	2006-2007	2007-2008	CHG		CURRENT	BUDGET 2007-2009	ORIGINAL		
ECONOMIC DEVELOPMENT #30									
REVENUES	270,045	282,902	-7,143	-2.6%	1,530,574	1,530,574	1,530,574	17.2%	17.0%
EXPENSES	347,488	202,312	-145,188	-41.8%	803,691	803,691	803,691	25.2%	22.6%
NET: OPERATING	-77,443	60,590	138,043	-178.2%	726,883	726,883	726,883	8.3%	-157.6%
INTERFUND TRANSFERS	127,829	183,088	36,460	27.8%	828,702	828,702	828,702	28.0%	35.6%
NET	-208,082	-102,484	102,807	-80.0%	100,181	100,181	100,181	-102.3%	68.9%
DEBT SERVICE #34									
REVENUES	1,443	188	-1,248	-86.3%	1,850	1,850	1,850	10.7%	378.6%
EXPENSES	160,814	183,088	2,270	1.4%	208,614	208,614	208,614	79.3%	78.0%
NET: OPERATING	-159,371	-182,897	-3,516	2.2%	-206,764	-206,764	-206,764	79.5%	77.4%
INTERFUND TRANSFERS	-205,804	-183,088	42,816	-20.6%	-208,314	-208,314	-208,314	78.4%	100.0%
BOND PROCEEDS	0	0	0	0.0%	0	0	0	0.0%	0.0%
NET	-46,833	-183	-46,338	-89.6%	-1,860	-1,860	-1,860	12.6%	58186.0%
MARINA CONSTRUCTION #38									
REVENUES	0	53,435	53,435	0.0%	10,000	10,000	10,000	534.4%	0.0%
EXPENSES	0	2,480,388	2,480,388	0.0%	5,618,331	5,618,331	5,618,331	44.1%	0.0%
NET: OPERATING	0	-2,426,953	-2,426,953	0.0%	-5,608,331	-5,608,331	-5,608,331	43.3%	0.0%
INTERFUND TRANSFERS	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%
NET	0	-2,426,953	-2,426,953	0.0%	-5,608,331	-5,608,331	-5,608,331	43.3%	0.0%
TOTAL									
REVENUES	271,489	316,539	45,047	18.9%	1,542,424	1,542,424	1,542,424	20.6%	17.1%
EXPENSES	608,312	2,845,782	2,337,448	459.8%	8,627,828	8,627,828	8,627,828	42.9%	8.6%
NET: OPERATING	-336,824	-2,529,243	-2,252,403	88.0%	-7,085,404	-7,085,404	-7,085,404	48.7%	3.6%
INTERFUND TRANSFERS	-78,278	0	78,278	-100.0%	421,388	421,388	421,388	0.0%	1.3%
BOND PROCEEDS	-189,848	-2,528,228	-3,370,878	1488.2%	-8,508,890	-8,508,890	-8,508,890	48.9%	81.8%



CASH BALANCES / FLOW

AS OF: 3/31/08

GOVERNMENTAL & ENTERPRISE FUNDS		Texpool	Texas Gulf	Petty Cash	3/31/08 TOTAL	Reserved	Unresrv	3/31/08 TOTAL	02/28/08	09/30/07
10	General Fund	1,902,117	1,381,407	2,197	3,285,721	110,536	3,175,186	3,285,721	3,406,021	752,760
14	Street & Drainage Fund	1,775,540	482,513	0	2,258,053	0	2,258,053	2,258,053	2,279,838	3,803,630
15	Golf Course	0	-48,981	0	-48,981	0	-48,981	-48,981	-28,493	-978
18	Hotel/Motel Tax Fund	0	49,612	0	49,612	49,612	0	49,612	49,543	50,677
20	Ambulance Fund	0	67,891	0	67,891	0	67,891	67,891	81,443	96,854
56	Water & Sewer Fund	0	154,750	180	154,930	16,544	138,385	154,930	205,196	-40,257
62	Capital Construction Fund	0	0	0	0	0	0	0	-24,600	0
63	COO 2008, Construction	3,274,415	-24,600		3,249,815	3,249,815	0	3,249,815	0	0
64	Capital Debt Service Fund	0	14,812	0	14,812	14,812	0	14,812	14,785	14,557
65	COO 2008, Debt Svc		5,000		5,000	5,000	0	5,000	0	0
87	Payroll Clearing Fund	0	19,149	0	19,149	0	19,149	19,149	19,117	19,283
TOTAL GOVERNMENTAL CASH		6,952,072	2,101,554	2,377	9,056,003	3,446,319	5,609,684	9,056,003	6,002,851	4,696,527

Change Cash	3,053,151	4,359,476
+ Change Net Income	2,806,952	4,735,722
- Change Non-Cash Assets	-27,667	-437,215
+ Change Liabilities	218,532	-813,461
Cash Flow:	3,053,151	4,359,476



CASH BALANCES / FLOW

3/31/08


ECONOMIC DEVELOPMNT FUNDS		Texpool	Texas Gulf	Petty Cash	3/31/08 TOTAL	Reserved	Unresrv	3/31/08 TOTAL	02/28/08	09/30/07
30	Economic Development	128,470	34,971	0	163,441	0	163,441	163,441	171,183	392,134
34	EDC Debt Service	0	11,563	0	11,563	11,563	0	11,563	11,542	11,366
38	Marina Construction	3,893,137	-1,181,378	0	2,711,759	2,711,759	0	2,711,759	2,768,786	5,298,593
TOTAL EDC CASH		4,021,607	-1,134,844	0	2,886,763	2,723,322	163,441	2,886,763	2,951,511	5,702,093

Change Cash	-64,748	-2,815,329
+ Change Net Income	-64,748	-2,529,226
- Change Non-Cash Assets	0	-29,736
+ Change Liabilities	0	-315,839
Cash Flow:	-64,748	-2,815,329



**BUDGET 2007 - 2008
CAPITAL BUDGET ITEMS**

DEPT./DESCRIPTION	ITEM/PROJECT	BUDGETED\$	ACTUALS
10-400 Mayor & Council	New Audio/Sound System - Council Chambers	\$5,500	
10-405 Main Street	Upgrades for 311 E. Park Ave.	10,000	
10-410 General Administration	Invision - Report Writer / Project Acct Software	12,148	
10-410 General Administration	Mail / Web Server Hardware + Installation	7,600	
10-410 General Administration	New Telephone System for City Hall	16,000	17,395
10-410 General Administration	Land Purchases	25,000	12,351
10-410 General Administration	Community Notification System	10,000	0
10-420 Service Center	1/2 roof for city barn plus heavy equip bay roof	30,000	
10-420 Service Center	Car wash for underneath vehicles	10,000	
10-430 Municipal Court	Remodel Municipal Court / 1st Floor for Security	25,000	
10-430 Municipal Court	Digital Copier for 1st Floor - City Hall	14,500	
10-430 Municipal Court	Electronic Handheld Ticket Writers	20,000	
10-525 Police	Internal Telephone system	18,300	18,300
10-525 Police	Graffiti Cam	5,016	
10-525 Police	Thermal Imaging Camera	10,013	
10-525 Police	Digital Patrol Video Server	8,500	3,849
10-525 Police	Patrol Electronics Package (MDT, Video, Radar)	30,910	26,714
10-525 Police	IT Crime Mapping Module	7,521	
10-525 Police	Crime Scene Unit	8,250	
10-525 Police	800mhz Handheld Radios (10)	31,215	0
10-525 Police	Modular Furniture: Sergeants/records clerk office	15,840	15,900
10-530 Fire	Building extension and shelter	10,800	
10-575 Streets	Water Pressure Jet Trailer	38,000	
10-575 Streets	1-ton Dump bed truck	25,000	
10-575 Streets	Mini excavator	25,000	
10-575 Streets	Maintainer - current eqt. Outdated	140,000	
10-555 Parks	Ford F-150 Half ton pick up trucks (4 Used vehicles)	40,000	
10-555 Parks	Ford F-150 Half ton Truck New	20,000	
10-555 Parks	Heavy Duty Tilt Trailer	7,000	
10-555 Parks	Veteran's Memorial (additional)	5,000	35,556
10-555 Parks	Riverplace Deck		33,841
14-575 Streets & Drainage	County Interlocal Agreement Roads	294,593	0
14-575 Streets & Drainage	City In-House Roads	284,840	259,259
14-575 Streets & Drainage	Turnkey Contract Work (COO)	3,000,000	
14-575 Streets & Drainage	CDBG: 8th & 10th Street		139,300
15-555 Golf Course	Greens Mower	25,956	5,995
15-555 Golf Course	Gators	14,980	
15-555 Golf Course	BTE Toro 72" Cut Rotary Mower	9,959	9,959
15-555 Golf Course	Seven Gang Reel Mower 6700-D	47,737	
20-535 Ambulance / EMS	Toughbook computers for EMS / Fire field data and billing	16,900	
56-555 Water & Sewer	City Wide Water Meter Replacement	40,000	
56-555 Water & Sewer	Sewer Line Replacement - Veolia Water	70,000	52,550
56-555 Water & Sewer	Lift Station Pump Replacement	48,000	
56-555 Water & Sewer	Lift Station Wetwell Repairs	60,000	
56-555 Water & Sewer	Valaeso Blvd.		24,600
83-410 COO 2008-CONSTR			
TOTAL CAPITAL:		\$4,522,689	\$678,747

DESCRIPTION	ISSUE	ORIGINAL	BALANCE	RATE	PAYOFF
COO, REFUNDING BONDS, SERIES 2003 Economic Development Corporation Phase I Entryway 	10/24/03	\$2,185,000	\$1,863,000	4.84%	10/24/18
PAYMENTS:					
		DUE	AMOUNT		
		04/24/08	42,198	Interest Only.	
		10/24/08	166,229	Principal & Interest.	
W&S, REVENUE REFUNDING BONDS, SERIES 2004 Sewer Plant, refunding Series 1995	08/20/04	\$1,943,000	\$1,623,000	4.85%	10/01/14
PAYMENTS:					
		DUE	AMOUNT		
		04/01/08	35,138	Interest Only.	
		10/01/08	212,138	Principal & Interest.	
COO, SERIES 2003 Capital Construction/Equipment Purchases	10/24/03	\$3,000,000	\$2,557,000	4.84%	10/24/18
PAYMENTS:					
		DUE	AMOUNT		
		04/24/08	57,916	Interest Only.	
		10/24/08	227,959	Principal & Interest.	
COO, SERIES 2008 Street Replacement; Velasco Blvd	03/03/08	\$3,350,000	\$3,350,000	3.79%	04/01/23
		DUE	AMOUNT		
		10/01/08	63,483	Interest Only.	

Next payment due.

BALANCE DUE: \$9,393,000



200 West 2nd Street • Freeport, TX 77541-5773
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**PROPERTY MANAGEMENT
MEMO**

April 24, 2008

Gary Beverly
City Manager

re: Caldwell & Gross ROW

Please place the following item on the May 5, 2008, Council agenda:

Discuss / consider the closure, abandonment and sale of Caldwell Street rights-of-way from Front Street to the townsite levee and the closure, abandonment and sale of Groce Street rights-of-way from Mystery Harbor Lane to the townsite levee, all within the City of Velasco.

Several individuals have inquired this property, and have two requests to purchase for the construction of homesites.

A plat and aerial photo of each location attached.

N C Hickey
Property Manager

attach

/s

Caldwell St ROW



Front & Caldwell - Velasco



- Legend**
- Railroads
 - City Roads
 - County Roads
 - Blocks
 - Parcels (tax)
 - Parks
 - Rivers

DISCLAIMER: This map is for general illustrative purposes only. All information depicted on this map was verified and believed accurate at the time of publication. However, the City of Freeport makes no claim as to its accuracy and neither assumes nor will accept liability for its use.



Groce ROW from Mystery Harbor Ln



- Legend
- Railroads
 - City Roads
 - County Roads
 - Blocks
 - Parcels (tax)
 - Parcels (lots)
 - Parks
 - Rivers

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Groce to levee from Mystery Harbor Ln

