

City of Freeport

NOTICE OF PUBLIC MEETING
THE FREEPORT CITY COUNCIL
MONDAY, JUNE 16TH, 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 June 2nd, 2008 Council Minutes.
Pg. 769-773
5. Attending Citizens and Their Business.
6. Consideration of the approval of authorizing Chief Pynes to implement a
Civilian Police Commissioner Program. Pg. 774-788
7. Consideration of the approval of signing a Memorandum of Understanding
between the Freeport Chief of Police and Youth & Family Counseling Services.
Pg. 789-791
8. Consideration of the approval of a request to sell Block 716, Lot 17, Velasco
Townsite, known as 1209 North Ave. N. Pg. 792-794
9. Consideration of the approval of a request to sell West one half of Wharton
Street Rights-of Way between North Ave. Q and North Ave. R. adjacent to Block
811, Lot 13, Velasco Townsite. Pg. 795-797
10. Consideration of the approval of a request to sell Block 661, Lots 1 thur 12,
Velasco Townsite, known as North Ave. G. Pg. 798-800
11. Consideration of the approval of a request to sell Block 661, Lots 13 thur 24,
Velasco Townsite, known as North Ave. G. Pg. 801-803
12. Consideration of the approval of advertising the sell of Block 638, Lots 2, 3, 4,
5, 6, 7, 8, W/2 -9, 10, 11, Velasco Townsite, North Ave. G. Pg. 804-806

13. Consideration of the approval of granting a license to William Howard and Kandance Kasserman, to use a portion of the City's Right of Way at 93 Dolphin Lane in Bridge Harbor Subdivision to place a propane tank for residential use. Pg. 807-815
14. Consideration of the approval of setting a bid date for the Velasco Boulevard renovation project. Pg 816-818

Elected Official Report

Work Session

- A. Discussion concerning Chapter 111, Mobile Food Vendors and Chapter 116, Food Peddling. Pg. 819-830
- B. Discussion concerning appointing qualified person(s) on the following Boards and Commissions. Pg. 831-866
 - Planning Commission
 - Library Board
 - Historical Commission and Main Street Advisory Board
 - Board of Adjustments
 - Urban Renewal Board
 - Beautification/Parks & Recreation Committee
 - Economic Development Corporation
 - Charter Review
 - Senior Citizens Commission
- C. Presentation by Edith Fisher, Director of Tourism of the Brazosport Convention & Visitors Council promoting and request for continued funding. Pg. 867

Executive Session

- A. Section 551.071, Government Code
Consultation with City Attorney concerning pending or contemplated litigation Settlement offers or other matters in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with Chapter 551, Government Code, to wit:
 - (1) Marina
- B. Section 551.074, Government Code
Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee, to wit:
 - (1) City Manager

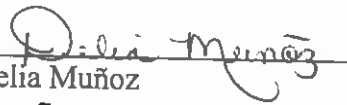
Adjourn

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 June 11th, 2008 at or before 9:00 a.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, June 2nd, 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
 Ron Wise
 Norma M. Garcia

Staff: Gary Beverly, City Manager
 Wallace Shaw, City Attorney
 Delia Munoz, City Secretary
 Nat Hickey, Property Manager
 Larry Fansher, Public Works Director
 Jeff Pynes, Chief of Police
 John Stanford, Fire Chief
 Pinkey Hartline, Golf Course
 Mary Stotler, Main Street Director

Visitors: Pixie Floyd Roy Yates
 Edna Allan Eileen Koenig
 Roddy Mohler Wright Gore, III
 Richard Turner Dan Tarver
 Sandra W. Wicke Judy Schaefer
 Larry Schaefer Brenda Laird
 Bobby J. Casale Angel Kant
 Jim Pirrung Dorothy Pirrung
 Jerry Meeks Eric Hayes
 Fred Bolton Danny Yates

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 May 19th, 2008 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved the May 19th, 2008 Council Meeting.

Attending Citizens and Their Business.

Jim Pirrung discussed an article on the Facts newspaper on sailboats verses powerboats. He asked that Council put this report on the work session on the next subsequent meeting.

Bobby J. Casale attended the County Commissioners Court workshop. He said if the County would have spent at least a million each year, the grounds would have been in better shape. He asked Council not to indebt the tax payers and not endorse the proposed program for the Brazoria County Fairgrounds facility.

Pixie Floyd thanked Council for their new speakers.

Wright Gore, III thanked City Manager and City Secretary for the complete council packet on the City's on the website.

Angela Kant requested to see marina plans. She felt that there wasn't enough policing in her ward. She observed a vendor selling alcohol and food at Bryan Beach.

Public Hearing: To consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners thereof granting tax abatement:

26:22 acres out of a 500 acre tract recorded in Volume 506, page 396 of the Deed Records of Brazoria County, Texas, out of the Maurice Henry 1/4 League, Abstract 74, said 26.22 acres being known locally as 200 North Navigation Boulevard, (Freeport Welding), Freeport, Texas.

Mayor McDonald opened the public hearing at 6:10 p.m. Mayor McDonald read out the described real property located within the corporate boundaries of the City.

Mayor McDonald asked for comments from the attendance and staff. There being no questions or comments, Mayor McDonald closed the public hearing at 6:11 p.m.

Consideration of the approval of Ordinance No. 2008-2202 designating additional improvements to land located within the incorporated limits of said City as a reinvestment zone to be known as Freeport Welding & Fabricating, Inc., # 2 reinvestment zone and providing for its initial term and the renewal thereof.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved Ordinance No. 2008-2202 designating additional improvements to land located within the incorporated limits of said City as a reinvestment zone to be known as Freeport Welding & Fabricating, Inc. # 2 reinvestment zone and providing for its initial term and the renewal thereof.

Consideration of the approval of Resolution No. 2008-2170 setting the rate to be charged by taxicabs operating within the City.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting 'aye", Council unanimously approved Resolution No. 2008-2170 setting the rate of an additional 0.25 to the mile to be charged by taxicabs operating within the City.

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 Saccomanno, with all present voting "aye", Council unanimously approved setting July 7th, 2008 for a public hearing to consider designation of the reinvestment zone and entering a tax abatement agreement for Concepts West Logistic Center, 102 W. 8th Street, Freeport, Texas.

Consideration of the approval of allowing the Freeport's Host Lion Club to construct and pay for the Freeport Municipal Park kitchen.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved the Freeport's Host Lion Club request to construct a ticket booth as an extension to the Freeport Municipal Park kitchen.

Consideration of the approval of signing an Interlocal Agreement with Brazosport Independent School District to utilize their buses for local trips.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", Council approved Mr. Fansher's recommendation to sign an Interlocal Agreement with Brazosport Independent School District to utilize their buses for local trips.

Consideration of the approval of signing a replat on Block 807, Lots 11, 12, and 12A, Velasco Townsite, known as 1802 North Ave. B., Freeport, Texas.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved signing a replat on Block 807, Lots 11, 12, and 12A, Velasco Townsite, with the correction of 1802 North Ave. M., Freeport, Texas.

Consideration of the approval of signing a replat on Block 502, Lots 15 & 16, Velasco Townsite, known as 9 North Ave. B., Freeport, Texas for Habitat for Humanity.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved signing a replat on Block 502, Lots, 15 & 16, Velasco Townsite, known as 9 North Ave. B., Freeport, Texas for Habitat for Humanity.

Elected Official Report

Councilman Saccomanno attended a Main Street meeting on May 20th, 2008. The committee is working on the Summer Time Blues festival for August. Union Pacific is looking at removing the railroad bridge. The Coast Guard, Historical Commission, and Texas Historical Commission met to discuss the historical significant of the bridge.

Mayor McDonald attended a Planning Commission and Port Freeport meeting. He thanked the staff for wishing him a Happy Birthday on May 28th, 2008.

Mayor McDonald opened the work session at 6:28 p.m.

Work Session

Discussion concerning a Police Commissioner Program by Chief Pynes.

Chief Pynes introduce the Police Commissioner Program. Each ward would have a representative for the purpose of preventing crime.

Discussion concerning budget workshop dates for Fiscal Year 2008-2009.

Mr. Beverly advised Council's workshop be held on July 23rd & July 24th, 2008.

Mayor McDonald closed the work session and opened the Executive Session at 6:45 p.m.

Executive Session

A. Section 551.071, Government Code

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

(1) Marina

B. Section 551.074, Government Code

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

(1) City Manager

Adjourn

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", the meeting was adjourned at 10:28 p.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor



Civilian Police Commissioner Program

Purpose

The Freeport Police Department understands the importance of working cooperatively within the community to create an impact on crime and victimization. To fulfill this mission we are creating a civilian Police Commissioner program to represent the four council wards/districts of the City of Freeport.

These Commissioners will act as liaisons in their respective council districts with the police department. They will provide leadership and coordination to their residential community in established programs. With clear guidance and coordination through these Commissioners we together can have an impact on crime and victimization in our community.

Police Commissioner Candidate Requirements

Each council district will be represented by a resident of that district as their Police Commissioner. A candidate for Police Commissioner must meet the below standards/requirements:

1. Must be at least twenty five [25] years of age
2. Be a full-time resident of the district in which they want to represent
3. May not be a relative of a full-time City employee
4. May not have any felony convictions of the law
5. May not have any misdemeanor convictions (excluding class C traffic violations) of the law within the last five years
6. May not have been arrested for any violation within the last five years
7. No charges for a criminal violations against a child
8. No charges for a sex related crime
9. No criminal charges for a crime against a law enforcement officer
10. Pass a law enforcement background investigation

Police Commissioner Positions and the Selection Process

Each council ward / district will be represented by one [1] civilian Police Commissioner. Annually, in January, the department will announce, by mail and the local news paper, we are accepting applications for the years Commissioner positions. Interested citizens desiring to represent their ward / district must complete a Commissioner application (applications will be available at the police department) for consideration. Interested candidates may also submit letters of support from citizens within their ward / district for consideration during the selection process.

Upon receiving the Commissioner applications, the Chief of Police will empanel a selection committee consisting of the Freeport Chief of Police, Freeport Community Service Officer, a non-police department member of the City, and a person from outside the department. The panel will review the candidates applications, any submitted letters of recommendation and interview the candidate. At the conclusion of the panel candidate review a decision will be made. The decision of the review panel is final.

Commissioner Oath of Office

The newly appointed Police Commissioner will take his or her Oath of Office for the one year term. Upon affirming the oath to the position in which he/she is elected and signing the applicable documentation, the Commissioner will assume his/her duties within each represented ward/district. Commissioner positions are not term restricted.

Orientation Program

Within thirty [30] days of assuming their appointment, each Police Commissioner will be required to attend a training session at the police department regarding the rules and regulations of the Commissioner program. This training will be scheduled at a time that best meets the needs of each Commissioner and the police department.

Duties

Each civilian Commissioner will be responsible for reporting and coordinating resolutions to issues within his or her ward with the police department. It would be hard to compile a definitive list of duties and responsibilities; however, the below list details some of the functions of a Commissioner.

1. Community liaison with Freeport Police Department
2. Coordinate community affairs within district/ward
3. Initiate, manage and coordinate Citizens on Patrol Program
4. Attend quarterly crime analysis meetings
5. Assist Chief of Police in evaluating the effectiveness of our efforts to reduce crime and victimization
6. Other functions as agreed upon to facilitate cooperation, crime reduction and community pride
7. Create and manage a network of communication within their area of our community

Appearance and Grooming

Each Commissioner, when actively engaged in the duties established for his or her position, will wear the department issued clothing. Commissioners will be responsible for cleaning their provided clothing and maintaining a professional appearance during the performance of their duties. Commissioners will notify and request replacement clothing as the need arises.

Policies and Procedures

Title: Organization 01: Mission and Values

I. Purpose:

The department seeks to develop a set of beliefs that serve as guidelines to the individual member as he or she carries out their respective duties. This statement of mission and values defines those beliefs that we, the members of the Freeport Police Department, hold as the standards by which we will gauge our conduct and behavior.

II. Mission:

Definition. The department's mission statement articulates the reason for our existence as an organization. It serves as a continual reminder of the goals we strive to achieve and of the basic framework in which we operate to achieve those goals.

Mission Statement. It is the mission of the Freeport Police Department to provide a quality environment for our residents, business people and guests by preventing crime, maintaining the social order and reducing the fear of personal victimization. This mission is realized as we impartially, yet aggressively, uphold federal, state and local laws, conscientiously deliver professional police service and respect the individual rights of those we encounter.

III. Values:

Definition. The values of the Freeport Police Department provide substance to those attitudes and beliefs that we adhere to as fundamental to policing. They are as follows:

To Protect. We believe we have an obligation to the citizens and business people living and working within the City of Freeport to protect life and property whenever and wherever either is threatened.

To Serve. We will strive to improve the quality of community life through the provision of superior and equitable services. We recognize that quality service goes beyond law enforcement and involves those legitimate service activities deemed important by the community. We understand that a reputation for quality service is built one police community interaction at a time and we will endeavor to ensure each interaction adds to our reputation as a service organization.

To Model Integrity. We recognize that authority has been entrusted to us for the common good and believe that police officers must be people of integrity if we are to responsibly handle that authority. We define integrity as that quality which requires us to carefully evaluate each situation, make a valid legal, moral and ethical decision based upon the circumstances of a situation, and carry out the required action even when it is not convenient or popular to do so. We believe that people of integrity act in the described manner even when failure to do so would go unnoticed. We believe that police officers with integrity adhere to this philosophy in their private lives as well.

To Demonstrate Professionalism. We realize the general public has certain expectations regarding the manner in which police officers conduct themselves. Our demeanor when handling various situations, an attitude of impartiality, and the level of responsibility we exhibit when exercising authority are illustrations of the areas in which the public holds expectations. In the aggregate, the expectations the public has of us and our ability to meet those expectations, defines our level of professionalism. We believe that we have a responsibility to act professionally in all of our encounters with the public and with each other as well. We hold that professionalism extends beyond our regular tour of duty and is, in reality, a way of life.

IV. Freeport Police Department Code of Ethics

All department employees are responsible for professionally and ethically performing their duties. Below is the department's Code of Ethics (2.02) that every employee is responsible for compliance.

As a law enforcement employee, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and

the peaceful against violence or disorder; and to respect the Constitutional rights of all people to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the responsibility of my office as a symbol of public faith, and I accept it as a public trust to be held as long as I am true to the ethics of the law enforcement profession. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession ... law enforcement."

Title: Personnel Management 01: Professional Demeanor

I. Purpose:

This police department's statement of mission and values sets forth those principals by which we have agreed to measure our conduct and behavior. Maintaining the standard that we have set for ourselves is realized when we as a department, and as individual members, follow the tenets of professional demeanor (2.12.1) as outlined in this policy manual.

II. Obedience to Laws, Rules and Orders:

Abide by Laws and Policies. Members of this department shall abide by the laws of the United States, the State of Texas, ordinances enacted by the City of Freeport and all administrative polices promulgated by the Freeport Police Department.

Obey Lawful Orders. Members of this department shall obey all lawful orders (1.08.1) and instructions given them by any superior officer. Members shall obey instructions given by the police dispatcher as it pertains to responding to calls for service in his or her official capacity regardless of the rank of the member receiving the instruction. Such obedience shall be prompt and willing.

Insubordination. The deliberate failure or refusal of any member to obey any lawful order given by a superior officer or supervisor shall be deemed insubordination. Flaunting the authority of any superior officer or supervisor by obvious disrespect or by disputing his or her orders shall likewise be deemed insubordination.

Conflicting, Unjust or Unlawful Orders. An employee who receives an order they believe to be unjust, contrary to departmental policy or in conflict with a previous order will notify the issuing supervisor of their concern. If the issuing supervisor does not rescind or change the order, the employee will carry out the order to the best of his or her ability. The employee may then appeal the

supervisor's decision to the chief of police. Such appeal must be in writing. No employee will obey an order contrary to law. Employees receiving such orders will advise the issuing supervisor that the order is unlawful. The receiving employee will immediately contact the chief of police.

III. Attention to Duty:

Responsibility to Serve. When dealing with the public, members shall be courteous and respectful to the extent they are able to do so and still perform their duties as prescribed by law and departmental policy. They shall recognize the rights of others and perform their duties with honesty, zeal, courage and fidelity. Members shall respond to all requests for service or information in an impartial (2.17.1) manner and shall consider it their duty to render assistance or provide information.

Support and Cooperation. Members of this department will cooperate, support and assist one another in all legitimate endeavors. They will act together and protect each other in hazardous or potentially hazardous situations. Members will cooperate with outside agencies when such cooperation furthers the business of the police department, the city or the law enforcement community.

Reporting for Duty. Members of this department shall report for duty, training or as otherwise directed by a supervisor at the proper time and place and be uniformed and equipped to carry out the designated assignment (2.16.1). They shall not report for duty either mentally or physically unfit to carry out an assignment due to the use of any chemical substance, which includes illegal and prescribed drugs or any usage of a drug that will affect the judgment or physical condition while performing their duties (2.20.1). Members shall remain at their posts or duty assignments until properly relieved by another member, dismissed by a supervisor, or until the designated assignment has been completed.

Duty to Report. Members shall report all hazards, accidents, injuries, emergencies or other significant incidents that come to their attention to the police dispatcher. The police dispatcher shall ensure the proper authority is notified of the situation. A police supervisor shall notify a member of the command staff on incidents that require significant even notifications.

IV. Conduct and Behavior:

Judgement and Discretion. No member shall commit any act, on duty or off duty, in an official or private capacity, which tends to bring reproach, discredit or embarrassment to the police department or the City of Freeport. Members will exercise discretion consistent with the principles set forth in the policies, procedures, and mission and value statements of this department. Members are expected to act prudently and to exercise sound judgement at all times.

Abuse of Office. Members of this department shall not use their official position to solicit any type of special privilege for any person. Special privileges include the acceptance of gifts from any person or entity when such acceptance would reasonably lead to a perception of favoritism toward the person or entity. Members shall not use their official position to influence, intimidate and/or solicit any person or business for the personal gain, benefit or acceptance of gratuities of themselves or any other person (2.21.1). Members shall not unnecessarily interfere in the lawful private business of any person or entity, nor commit any act of oppression, injustice, or willful wrong against any person or entity. Employees are prohibited from inappropriate relationships with a known victim, witness, suspect, or defendant during an active investigation or while being prosecuted at the result of an investigation (2.18.1).

Truthfulness. (2.14.1) Members shall not make false, untrue or misleading verbal or written statements. Any statement or omission of pertinent information which intentionally, knowingly, or recklessly misrepresents facts or misleads others will be considered a false statement. This section does not apply to statements made for the purpose of furthering a legitimate police investigation.

Political Activity. Members of this agency are prohibited from personal involvement in political events and/or campaigns while on duty, in uniform or while wearing department related insignia (2.15.1).

Respect for Others. Members shall treat other members of the department with respect. They shall not direct threatening or insulting language toward one another. They shall not spread scandalous stories about one another. Members shall be courteous and respectful to superiors, subordinates, co-workers, city hall personnel, and other citizens with whom they interact.

Disruptive Activities. Members shall not perform any actions which tend to disrupt the performance of official duties by other members of the police department, or which tend to interfere with or subvert the reasonable supervision or proper discipline of any member of the police department or of the police department as a whole. Members shall not make disparaging remarks regarding departmental or city policies or issues while on duty, in uniform or while acting in their official capacity. Members shall not interfere with any lawful investigation, arrest or prosecution initiated by other members of this police department or any other law enforcement agency.

Use of Alcohol. Members shall not consume, be under the influence of, or purchase any alcoholic beverages while on duty or in uniform (2.19.1).

Use of Tobacco. Members shall not smoke on duty while engaged in direct contact with or service to the public. Members shall not smoke in any city building or city vehicle. Members may smoke in or behind the sally port area. They shall not, however, congregate in the designated smoking areas.

Use of Police Information. Police information will be used for legitimate law enforcement purposes only. The operations and proceedings of this department are to be considered confidential and are not subject to public disclosure. No member shall divulge any police information nor make information contained in police records available to any person or agency except as provided by law, departmental policy, or by competent authority. Members shall not remove any file from the police station without prior approval from the chief of police.

Classification: Personnel Management 03: Discriminatory Behavior

I. Purpose:

The department must ensure that its members respect the rights of individuals (2.17.1) while treating all persons fairly and equitably. Fair and equitable treatment must begin within the department among its members and extend to those members of society with whom the department interacts. This policy establishes procedures for identifying and addressing discriminatory behavior(s).

II. Policy:

It is the policy of this department that members refrain from any type of discriminatory behavior (2.01.1) while on duty or while representing the department or the city. Members of this department are expressly prohibited from engaging in discriminatory behavior, favoritism, or oppression (2.17.1)

directed toward the community or other employees. For the purpose of this policy, other employees include all full time or part time employees or volunteers of either the department or the city.

III. Discrimination, Oppression and Harassment (2.17.1):

Definitions. Discrimination is the failure to treat all persons equally where no reasonable distinction can be found between those favored and those not favored. Harassment is any form of conduct that is objectively unreasonable or offensive and that could result in a hostile or intimidating work environment (2.11). Examples of inappropriate behavior include but are not limited to the following.

- a. Verbal conduct such as slurs, negative stereotyping, derogatory comments. Inappropriate non-verbal conduct may include offensive or insulting gestures.
- b. Inappropriate conduct or comments consistently targeting a persons race, religion, gender or national origin. Disparate treatment based upon a person's race, religion, gender or national origin.
- c. Displaying written or graphic materials that demonstrate hostility or aversion or otherwise defames an individual or group.
- d. Racial profiling as defined in Section IV. of this policy.
- e. Sexual harassment as defined in Section V. of this policy.

Statutory Prohibitions. Discrimination and / or harassment of an employee in respect to his or her compensation, terms, conditions or privileges of employment because of the employee's race, color, religion, sex or national origin is a violation of Title VII of the

Civil Rights Act of 1964. Discrimination by an employee acting under the color of law toward any person based upon that person's race, color, religion, sex or national origin is prohibited by Chapter 42, Section 183, the United States Code and / or the Texas Code of Criminal Procedure and the Penal Code. Allegations of discrimination and / or harassment will be investigated consistent with the guidelines established in the Freeport Police Department Policy on Internal Investigations. Sustained allegations of discrimination and /or harassment will result in corrective or disciplinary action up to and including termination.

IV. Racial Profiling:

Definition. A form of discrimination defined by the Texas Code of Criminal Procedure as "law enforcement initiated action based on an individual's race, ethnicity or national origin rather than on the individuals behavior or on information identifying the individual as having engaged in criminal activity." The following are implicit in the definition.

- a. Racial profiling only becomes an issue as it pertains to contacts with citizens who are viewed as suspects or as potential suspects. It is not relevant as it pertains to witnesses, complainants or other citizen contacts.
- b. Racial profiling does not preclude race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision

when used as part of an actual description of a specific suspect for whom an officer is searching. They may not, however, be the only factors in determining whom to detain.

- c. Detaining an individual and conducting an inquiry into that person's activities because that person is of a specific race, ethnicity or national origin is racial profiling.

Examples of racial profiling include but are not limited to the following.

- a. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the driver's race, ethnicity or national origin.
- b. Detaining the driver of a vehicle based upon the supposition that a person of that race, ethnicity or national origin is unlikely to own or possess that specific make or model of vehicle.
- c. Detaining an individual based upon the supposition that a person of that race, ethnicity or national origin does not belong in a specific part of town or in a specific place.

V. Sexual Harassment:

Definition. Sexual harassment is a form of discrimination defined as unwelcome sexual advances, requests for sexual favors, quid pro quo sexual arrangements or other verbal or physical conduct of a sexual nature. Examples of inappropriate behavior include but are not limited to the following.

- a. Unwelcome flirtations, advances, leering, whistling or propositions. Unwelcome physical contact to include touching and / or blocking or impeding movement.
- b. Obscene or sexually insulting comments, sexual invitations or jokes, comments about a person's body or sexual abilities. Sexual gestures may also constitute inappropriate behavior.
- c. Displaying photographs, cartoons, literature, etc. of a sexual nature or that demeans a particular gender.

For conduct to be "harassing," at least one of the following statements must apply.

- a. Submission to such conduct is either an explicit or implicit condition of employment or is used as the basis for an employment decision that affects the harassed employee.
- b. The conduct reasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive working environment.

Areas of Responsibility. In general, conduct of a sexual nature must be unwelcome before it is classified as harassment. Any employee who feels that he or she is a victim of sexual harassment, therefore, is encouraged to advise the harasser that the behavior is unwelcome. Victims of sexual harassment are obligated to inform a supervisor of the allegation(s). The victim's chain of command may be violated if the alleged harasser is in the same chain of command. Nothing in this section prevents an employee from seeking relief from an outside agency (2.11.1).

Supervisors will monitor the work environment and immediately report observances of sexual harassment and / or information received regarding sexual harassment to the chief of police. They will intervene to the extent necessary to stop any incident of sexual harassment they may observe.

The chief of police will ensure any allegation of sexual harassment brought to his or her attention is thoroughly investigated and the appropriate action is taken. Any employee who alleges sexual harassment will be shielded by the chief of police pending an investigative disposition. Such shielding may involve the temporary transfer of any person who is a party to the allegation.

All parties to an allegation of sexual harassment will maintain confidentiality with due diligence.

Title: Personnel Management 02: Internal Investigations (2.04)

I. Purpose:

A police department must establish a trusting relationship with the community it serves. A reputation for integrity is absolutely necessary for that relationship to flourish. Integrity is established, in part, through aggressive investigation of internal and external complaints. The department also recognizes a desire to provide administrative due process to those members who become the subject of an internal investigation. This directive, therefore, establishes procedures for conducting internal investigations, employee responsibilities as they pertain to internal investigations and the mechanisms for making disposition recommendations and disciplinary decisions.

II. Definition of Formal Complaint:

The term "formal complaint" refers to an investigation that violates policy or law and meets both of the following criteria. These types of allegations must be documented and investigated (2.06.1).

- a. The investigation would result in disciplinary action as defined in Section VII, if the allegation(s) were proven to be true.
- b. The investigation is based upon one of the following conditions.
 1. A person who is the victim of the alleged misconduct has submitted a sworn statement.
 2. A written statement from a person who is a witness to the alleged misconduct.
 3. A written statement from an employee who is the victim of the alleged misconduct.
 4. A written statement from an employee who has reason to believe an administrative violation has occurred in which there is no person who is directly the victim of the alleged misconduct.
 5. An anonymous complaint if the person receiving the complaint submits an affidavit stating that the person making the complaint is truly anonymous.

An employee will not be required to respond in writing or be disciplined under this directive unless one or more of the conditions listed in Section II; Paragraph "b" are met. (2.06) Nothing in this section prohibits a supervisor from conducting a preliminary investigation to determine whether the basis for a formal investigation exists. Any statement made by an employee during such inquiry will be used should a formal investigation result from the inquiry.

III. Investigating Formal Complaints:

Initiation of Complaints. The chief of police will be notified (2.07) and evaluate allegations of employee misconduct brought to his attention and assign them for investigation consistent with the tenets of this directive. Nothing in this directive limits the authority of the chief of police to suspend the investigative process at his or her sole discretion.

Administrative Investigations: All administrative formal investigations into allegations of employee misconduct will follow reasonable rules of due process as established by the department to include the following.

- a. A written notification (2.07) of the allegation(s), including the name of the person(s) making the complaint (if applicable), will be provided to the employee before the employee is required to respond in writing.
- b. The involved employee will be presented with the evidence gathered in the case prior to being required to respond in writing.
- c. Employees will be given forty-eight hours to respond in writing after reviewing the evidence.
- d. Written notification of the outcome of the investigation and any impending disciplinary action(s) (if applicable) will be provided to an employee who is the subject of a formal investigation. The employee will have two full business days from the receipt of the aforementioned documentation to submit a voluntary written response regarding the outcome of the investigation or the impending disciplinary actions to be taken (2.08).
- e. An employee or citizen who files a formal complaint as the victim of the alleged misconduct will be notified in writing (2.10) of the outcome of the investigation. Employees or citizens involved as witnesses will not receive written notification of the outcome of the investigation.
- f. An employee facing termination will be given the opportunity to plead his or her case before the chief of police prior to the termination date. Based on the interview, the chief of police may rescind the termination decision.
- g. The city's grievance procedure serves as the department's appeals process.

Violation of due process protocols may result in disciplinary action against the investigator conducting the investigation. A due process violation does not, however, mitigate or overturn the findings of an investigation.

Criminal Investigations. If the allegations made against a member of the department are criminal in nature, the criminal investigation will be conducted and presented to the district attorney's office. All rights guaranteed a citizen who is the subject of a criminal investigation will be afforded an employee who is the subject of a criminal investigation. The chief of police may request an outside agency to conduct a criminal investigation into allegations made against an employee.

A criminal investigation may be conducted simultaneously with the corresponding administrative investigation. An employee's administrative statement will not be used as evidence in a criminal investigation except as provided by law.

Change of Duty Status. The chief of police reserves the right to relieve of duty, reassign or place on administrative leave any employee in conjunction with an internal investigation or combination of investigations as outlined in this directive.

IV. Definition and Investigation of Informal Complaints. (2.06.1)

For the purposes of this directive, an informal complaint is defined as an inquiry into an allegation that if sustained, would best be addressed through training or supervisory counseling. Training and counseling are not considered to be disciplinary dispositions by the department.

Informal complaints will be investigated by a police supervisor. Employee and witness responses may be verbal and administrative due process protocols do not apply. The police supervisor will reduce his or her findings to memorandum form and submit the completed investigation to the chief of police. The investigation will include at least one of the following recommendations.

- a. Training.
- b. Counseling.
- c. No action required.

Informal investigations will not become part of an employee's permanent personnel file. They will be retained at the departmental level and may become the basis for performance evaluation decisions or be used as factors in determining discipline in conjunction with a formalized internal investigation. Informal investigations will not be considered in other personnel related issues after one year from the date of disposition.

The chief of police may, at his or her sole discretion, reduce a formalized complaint to informal complaint status based on the length of time between the date of incident and the date of reporting. The chief of police may upgrade an informal investigation to formal complaint status consistent with the tenets of formalization listed in Section II. Any statement made by an employee during the investigation of an informal complaint will be used as evidence if the investigation is upgraded by the chief of police.

V. Complaint Disposition:

A complaint may consist of more than one allegation. Each allegation will receive one of the following dispositions.

- a. *Unfounded.* The allegation is proven to be false or not factual.
- b. *Exonerated.* The incident occurred but was lawful and within departmental policy.
- c. *Not Sustained.* The investigation revealed insufficient evidence to either prove or disprove the allegation.
- d. *Sustained.* The investigation revealed sufficient evidence to prove the allegation. An allegation will be sustained if proven based on a finding of fact (2.04.1) during the course of the investigation.

A formal investigation may be initiated based on information obtained from any source. If, however, none of the conditions outlined in Section II Paragraph "b" are met, the allegation will be classified as *Never Formalized*.

VI. Employee Responsibilities:

Reporting Complaints. All employees are obligated to report complaints brought to their attention to a supervisor. Supervisors are obligated to ensure that all allegations of employee misconduct are brought before the chief of police.

Any employee who observes an incident of physical or verbal abuse of any citizen by another employee or the violation of a criminal statute by another employee will immediately take appropriate steps to protect the citizen and / or stop the criminal conduct consistent with protection of the employee's own safety. The chief of police will be notified immediately of the incident and the witnessing employee will immediately reduce their statement to writing.

Nothing in this section prohibits an employee from reporting misconduct directly to the chief of police if the subject of the report is an employee in the reporting employee's chain of command.

Supervisory Responsibilities. The chief of police may designate an employee's first line supervisor to conduct an inquiry into an allegation to determine whether it warrants an investigation consistent with Section III or IV of this directive. The supervisor's findings will be reduced to writing and forwarded to the chief of police. The findings will include a recommendation for disposing of the complaint. This section does not apply to complaints generated by supervisory personnel consistent with the tenets of this directive.

Administrative Orders. Employees are required to obey all lawful administrative orders given them during the course of an internal investigation. Failure to obey a lawful administrative order in conjunction with an internal investigation will be deemed insubordination and may result in termination or other disciplinary action. Lawful administrative orders include, but are not limited to, the following.

- a. Employees will respond to questions regarding the matter under investigation. All responses will be complete and truthful. The responses will be verbal or written according to the guidelines established by this directive.
- b. Employees may be required to be photographed to aid in conducting an internal investigation when the identity of the employee is in question.
- c. Employees may be required to submit to medical or laboratory examination, at the department's expense, when necessary as part of an internal administrative investigation.
- d. A police officer may be required to submit to a polygraph examination, at the department's expense, in certain circumstances. Prior to an officer being ordered to submit to a polygraph, the complainant in the investigation may be required to submit to and pass the examination. If a complainant is not capable of taking a polygraph or there is no person who is the victim of the alleged misconduct, the chief of police may determine that the integrity of the officer and the department warrants the polygraph and order the test. The chief of police will provide written notification to the affected employee, which details the reason for the test prior to the test being administered.

None of the evidence obtained through compliance with the administrative orders listed in this section, or any other administrative order, may be used against an employee during a criminal trial, except as provided by law.

Investigator's Responsibilities. The investigator assigned to conduct a formal investigation will have thirty days (2.05) from assignment to complete and submit the investigation. Should the need arise to extend an investigation completion period the assigned investigator must submit a written request to the Chief of Police for approval. The investigator will collect all pertinent evidence, reduce his or her findings to writing and make a disposition recommendation for each allegation addressed in the report.

The investigator will make every effort to accommodate the parties involved in a particular investigation. Officers will not be interrogated at their homes unless the involved officer agrees to the interrogation. Off duty interrogations will only be conducted when necessary to expedite the investigation and overtime will be granted to the off duty employee. The investigator will be sensitive to the working conditions and personal schedules of persons outside the organization who are witnesses and complainants in internal investigations.

VII. Discipline:

The following are recognized by the department as forms of discipline.

- a. Written Reprimand
- b. Forfeiture of Accrued Vacation
- c. Suspension Without Pay
- d. Demotion for Cause
- e. Termination

The primary factor in determining discipline will be the egregiousness of the misconduct in which the employee has engaged. An employee who engages in repeated instances of minor misconduct will be dealt with consistent with the principles of progressive discipline.

Nothing in this directive alters an employee's at will employment status as defined by City policy.

VIII. Security of Complaints and Internal Investigations:

Completed internal investigations will be kept in a secure filing system in the office of the Chief of Police and held consistent to the current Public Information Act requirements. Only the Chief of Police can authorize any person to view completed sustained investigation files (2.09). Only sustained investigation violations are allowed to be viewed, unless written authorization by all employees is received.

Prohibitions

Police Commissioners are strictly prohibited from the following during the performance of their duties or while representing the police department:

1. Representing oneself as a police officer or law enforcement
2. Carrying a weapon
3. Taking enforcement action to any degree on a criminal violation
4. Conducting follow-up investigations on crimes
5. Directing or supervising Freeport P.D. employees other than reporting and/or providing information for a law enforcement response
6. Driving a Freeport P.D. law enforcement vehicle

Removal from Office

The Chief of Police has the authority to remove a Commissioner from their elected position based on misconduct or a violation of the rules.

Vacancy of Position

Should a sustained vacancy occur for any reason during a Commissioner's term the Chief of Police will appoint a temporary Commissioner or appoint a qualified person to fill the vacant Commissioner position, based on the vacancy situation.

Appeals Process

Any Commissioner may appeal a decision made in accordance with these policies and procedures for the Freeport Police civilian Police Commissioner program. Appeals must be submitted in writing within then [10] days of the decision in writing to the Chief of Police. Upon receipt of the appeal the Chief of Police will coordinate a meeting with the appealing Commissioner, a command level officer in the police department and a non law enforcement city staff director within fifteen [15] days of the receipt of the appeal. The board will hear the appeal from the Commissioner and make a final decision. The decision of the empanelled appellate board will be final.

Freeport Police Department
DEPARTMENTAL CORRESPONDENCE


To: Delia Munoz, City Secretary

From: J.S. Pynes
Date: May 21, 2008
Subj: Youth and Family Services
Memorandum of
Understanding

Attached is a letter I received from the Youth and Family Counseling Services of Brazoria County. This company has been offering free youth and family counseling to our community for families who are having problems with; child abuse, neglect, delinquency, truancy, runaway behavior, and family conflict. We find their service to be a benefit for us as we deal with the aforementioned issues and the families that receive the free counseling.

I received the attached information asking me to sign a Memorandum of Understanding with their agency to continue this community assistance program. Additionally, it is my understanding that our participation in their service and signing of the MOU will be one of many used in a grant application to secure continued funding from the Department of Family Protective Services.

After a review of the written documentation I am seeking permission to sign the MOU. It has no financial obligations to the City and will only benefit those families who may need some counseling assistance in our community.


Jeff Pynes
Chief of Police

Attachments: One page Youth and Family Counseling Services cover letter
Two page MOU from Youth and Family Counseling Services

Memorandum of Understanding
Between
Youth & Family Counseling Services
And
Freeport Chief of Police

This Memorandum of Understanding (MOU) establishes a type of partnership between Youth & Family Counseling Services hereafter referred to as (YFCS) and Freeport Chief of Police hereafter referred to as (Partner Agency)

I. MISSION

The mission of Youth & Family Counseling Services is: "To Strengthen and support Brazoria County families in order to prevent child abuse, neglect and delinquency through counseling, case management and educational services." The grant programs and services are offered free of charge to all eligible participants.

Partner Agency's goals are in alignment with the mission of Youth & Family Counseling Services and together, the Parties enter into this Memorandum of Understanding to mutually promote these prevention efforts to the population they serve. Accordingly, YFCS and Partner Agency operating under this MOU agree as follows:

II. PURPOSE AND SCOPE

YFCS and Partner Agency have formed this partnership to decrease the frequency of the following activities in youth living in and around Brazoria County.

- Child Abuse and Neglect
- Delinquency
- Truancy
- Runaway behavior
- Family Conflict

There will not be an exchange of funds between the parties for tasks associated with this MOU.

III. RESPONSIBILITIES

YFCS will:

- Provide counseling, case management, educational services, and training free of charge to all eligible participants.
- Provide counseling, case management, and training on a sliding fee scale for all participants who are ineligible for services through the grant programs.
- Work with the partner agency to provide updates on the disposition of the participants that have been referred for service as allowed by laws.



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

PROPERTY MANAGEMENT MEMO

May 28, 2008

Gary Beverly
City Manager

re: Lot 17, Block 716, Velasco Townsite
1209 North Avenue N
Tax ID 8110-3090-000

Please place the following item on the June 16, 2008, City Council agenda:

Discuss / consider the sale of lot 17, block 716, Velasco Townsite
known as 1209 North Avenue N. Tax ID 8110-3090-000.

Mr. George A Matamoros has requested the purchase of the subject property.

The property was gift deeded to the City of Freeport on the 14th of April 2006. Mr. Matamoros owns lots 16 and 18 in block 716, and desires to purchase lot 17 in order to develop the property. He purchased lots 16 and 18 from the City on 4-7-08 for \$350 per lot and has offered to pay the same for lot 17.

Aerial photo and plat attached.

N C Hickey
Property Manager

attach

/s







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PROPERTY MANAGEMENT MEMO

May 28, 2008

Gary Beverly
City Manager

re: Wharton Street Rights-of-Way

Please place the following item on the June 16, 2008, City Council agenda:

Discuss / consider the sale of the west one half of Wharton Street rights-of-way between North Avenue Q and North Avenue R, adjacent to lot 13, block 811, Velasco Townsite.

Mr Rosendo García III has requested the purchase of this property for the construction of a homesite. Copy of request attached.

This portion of Wharton Street rights-of-way was closed by special election on October 17, 1964, Ordinance 1109 called the election and Resolution 657 certified the results - For: 79, Against 34.

Copy of aerial photograph showing location attached.

N C Hickey
Property

xc Rosendo Garcia III
1702 Skinner Street #1103
Freeport 77541

/s

To the attention of Nat Hickey:

This letter is into regards of a piece of property I would like to purchase. I Rosendo Garcia III, would like to purchase the lot 13A on block 811, located on Avenue R. My grandfather George Damian has ownership of the lots 13 and 14 on block 811. He has given me the wonderful opportunity to give me the lot and make a home for me and my family. Therefore I want to purchase the lot right next to the one he is giving to me, in able to provide plenty of room to build a home. Thank you for taking the time to read this letter and please take the above said into consideration.

Sincerely,

Rosendo Garcia III

Rosendo Garcia III

I can be reached at 979-482-4124

My home address is 1702 Skinner St. #1103 Freeport, TX

Ross

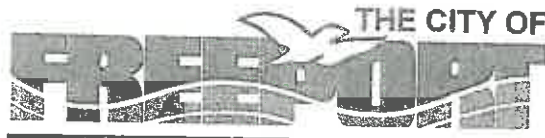
Block 811 Lot 13A - Garcia

Block 788 Lot 24A - H. M. Messinger

RECEIVED
MAY 28 2008

Block 811, Lot 13A - N Ave R & Wharton





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PROPERTY MANAGEMENT MEMO

May 29, 2008

Gary Beverly
City Manager

re: Sale of City Owned Properties

Please place the following item on the June 16, 2008, Council agenda:

Discuss / consider the sale of lots 1 thru 12, Block 661
North Avenue G, Velasco Townsite. ID 8110-2608-000

A request has been received to purchase these city owned properties for residential development. They were acquired by the City on deed 2005012679, February 7, 2005.

It is recommended these properties be advertised for bid with a minimum bid of \$24,000 acceptable.

Find attached plat and aerial photograph.

N C Hickey
Property

Block 661 & Block 662, N Ave G



Block 661 & Block 662, N. Ave G





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

PROPERTY MANAGEMENT
MEMO

May 29, 2008

Gary Beverly
City Manager

re: Sale of City Owned Properties

Please place the following item on the June 16, 2008, Council agenda:

Discuss / consider the sale of lots 13 thru 24, Block 661
North Avenue G, Velasco Townsite. ID 8110-2608-004

A request has been received to purchase these city owned properties for residential development. They were acquired by the City on deed 2005012679, February 7, 2005.

It is recommended these properties be advertised for bid with a minimum bid of \$24,000 acceptable.

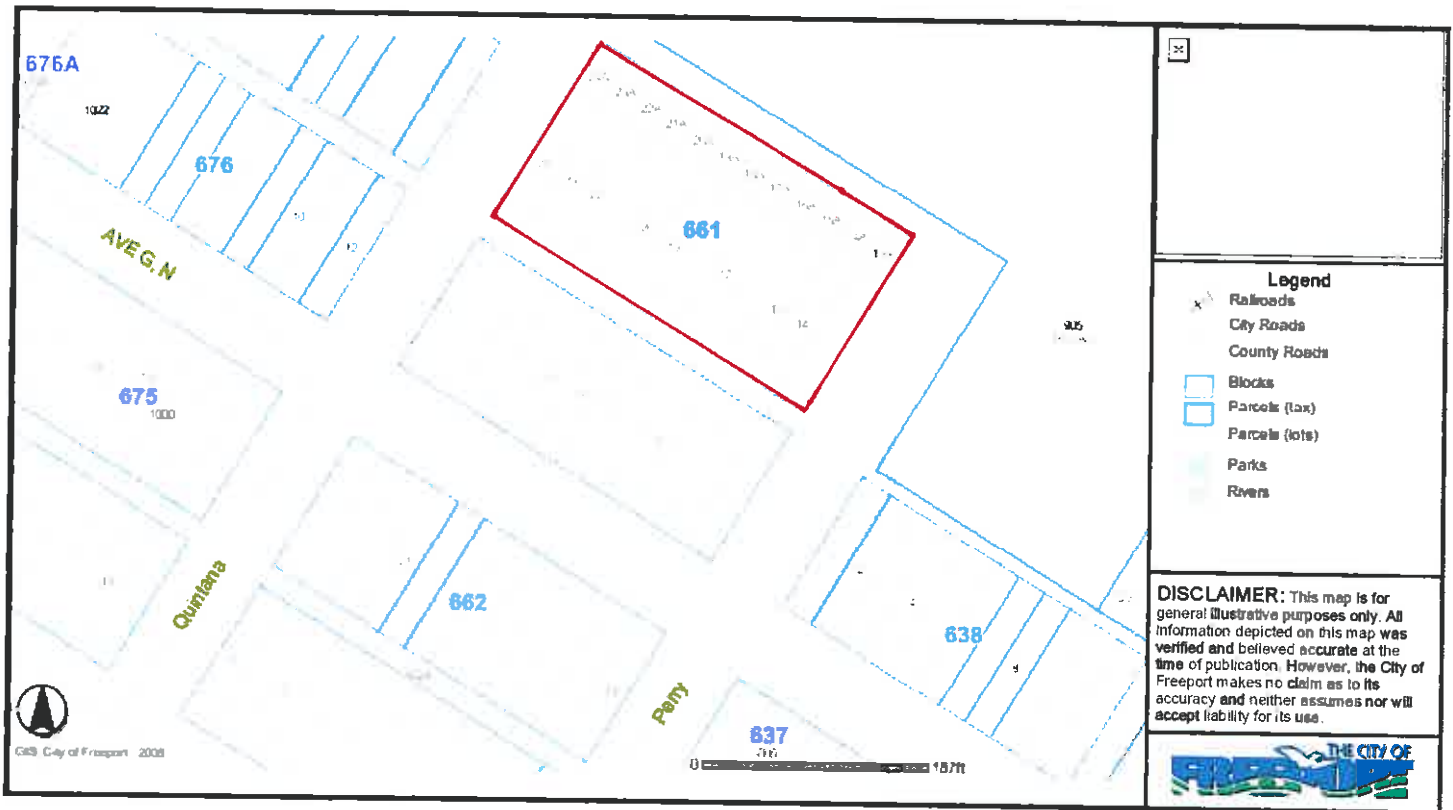
Find attached plat and aerial photograph.

N C Hickey
Property

Block 661 & Block 662, N Ave G



Block 661 & Block 662, N. Ave G





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

PROPERTY MANAGEMENT MEMO

June 2, 2008

Gary Beverly
City Manager

re: Sale of City Properties

Please place the following item on the June 16, 2008, City Council agenda:

Discuss / consider advertising the sale of lots 2, 3, 4, 5, 6, 7, 8,
W/2-9, 10, 11, Block 638, Velasco Townsite, North Avenue G

Title to all the properties in the City of Freeport.

Recommend minimum acceptable bid of \$5000 for entire tract or \$750 per individual lot(s),
except \$375 for W/2-lot 9.

Attached is plat and aerial photograph of properties.

N C Hickey
Property

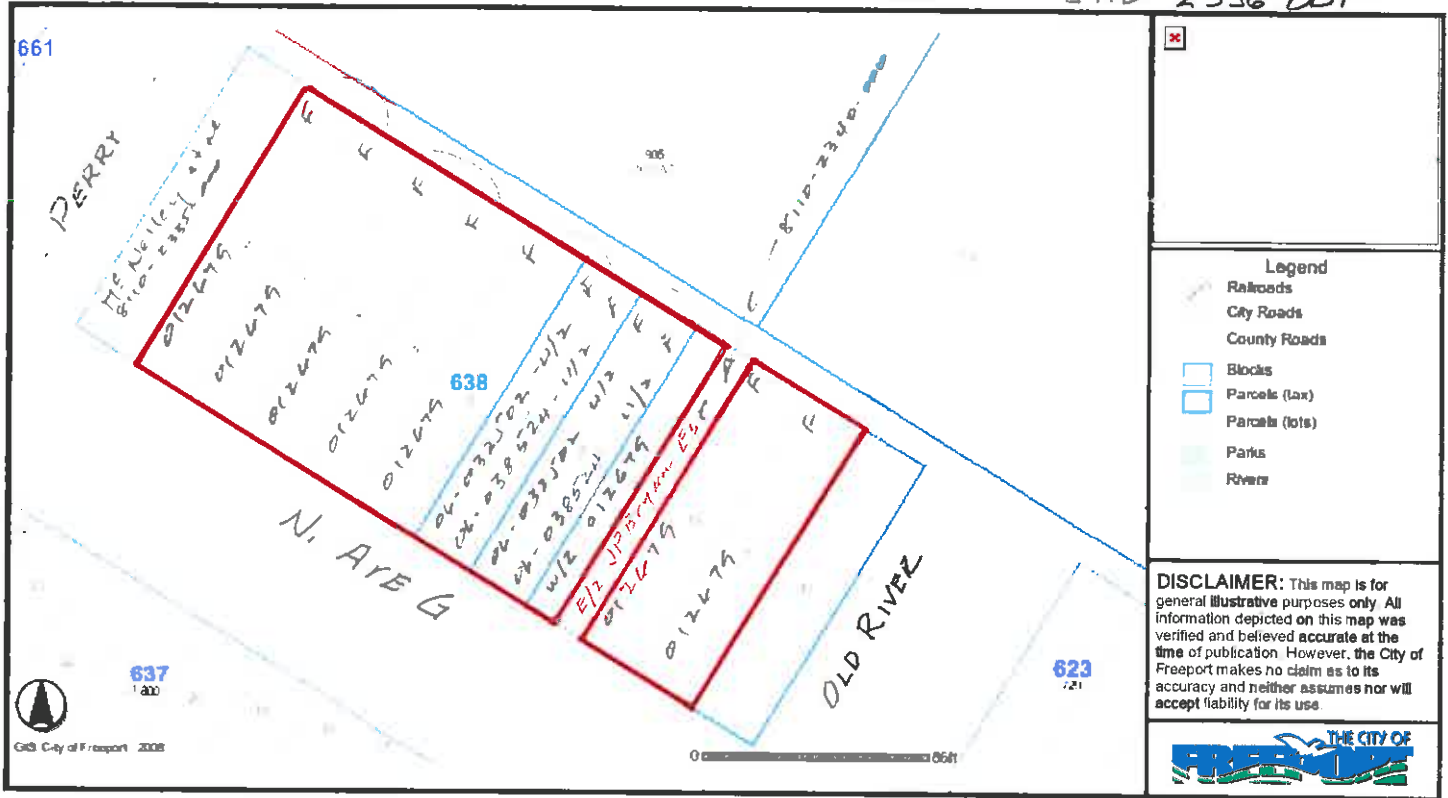
attach.

/.s

Block 638



Lien extinguished by Sheriff Sale.

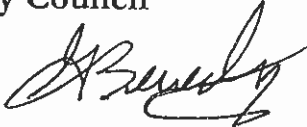




Council

MEMORANDUM

To: Mayor and City Council

From: Gary Beverly 

Re: Propane Tank – 93 Dolphin Lane Bridge Harbor

Date: May 19, 2008

The following agenda item determines whether you want to issue a license for a propane tank, which is already constructed, (see pictures) placed on the City's utility easement.

I had the fire marshal do a review of the location (Attached is his findings). Also attached is an email from a concerned citizen and the sight plan.

If you have any questions, let me know!



FREEPORT FIRE & EMS

P.O. BOX 1063

FREEPORT, TEXAS 77542

Ph: (979) 233-2111 • Fax: (979) 233-4103

JOHN A. STANFORD, JR.
FIRE/EMS CHIEF

CHRISTOPHER D. MOTLEY
DEPUTY FIRE/EMS CHIEF

BILLYWAYNE SHOEMAKER
EMS COORDINATOR

TO: Gary Beverly
City Manager

FROM: Christopher D. Motley
Deputy Fire & EMS Chief / Fire Marshal

DATE: April 30, 2008

RE: 93 Dolphin, Freeport, Texas 77541

Background: On April 23, 2008, Fire & EMS Chief John A. Stanford, Jr. informed me that a review of the above address was request by Mr. Gary Beverly, City Manager. A complaint was received from the neighbor about an emergency generator and propane tank located in the front of the house that was not properly installed. I was informed the complaint was referred to the Doug Caffey, Building Official. Doug Caffey referred this complaint to the Fire Marshal because it was stated this complaint was about flammable gas storage (propane storage). Fire Chief John Stanford, Jr. was informed by me that this issue should have been answered by the Building Official. The International Building Code and the International Fire Code have the same fire protection chapters. Also the Texas Railroad Commission provides the regulations for this type of product and storage standards.

I performed a site inspection of the above property at 1300 Hrs. The property is identified as a single family residential structure. This property is new construction and is currently under construction. This residential structure is a site built home on stilts located in the Bridge Harbor subdivision. The site was photographed for documentation. Measurements of the propane were taken during the site inspection. The measurement from the residential structure to the propane tank is ten feet. The distance from the propane tank to the end of the concrete driveway was fifteen feet. I inspected the entire subdivision to determine if natural gas utilities are provided. It was determined that natural gas services are not provided to the Bridge Harbor subdivision.

I requested submitted document from the Building Official's Office to determine what plan reviews were performed.

On April 24, 2008, the requested documents were received from the Building Official's Office to perform a plan review.

On April 28, 2008, a plan review was performed on the submitted drawings and permits on file in the Building Official's Office. Prior to this plan review, a plan review by the Fire Marshal was not performed. I do not recall this particular new construction project, unless Mr. Caffey can reference a particular conversation about this property. The Fire Marshal's plan review developed the following requirements or questions:

- Building numbers are required and must be visible from the roadway.
- Vehicle protection shall be provided for the propane tank storage. Location of storage tank needs to be ten feet from the house and the property line.
- A fire extinguisher is required in the kitchen.
- Can a propane tank be located in the City of Freeport easement?

The following permits were issued by the Building Official's Office:

- 4/11/07 Building – Replace bulkhead
- 9/25/07 Building – New construction
- 9/25/07 Doug Caffey approved the drawings.
- 10/2/07 Electrical
- 1/7/08 Plumbing – Luycx Plumbing
- 3/19/08 Building Permit – renewal of the new construction permit

In reviewing the submitted drawings and permits filed in the Building Official's office, this issue of propane storage on the property should have been addressed prior to 1/7/08. Submitted drawings need to have a set of site plans. Site plans provides a birds eye view of the overall project. Typical commercial structures submit this type of drawing. It appears that residential drawings need the same rules applied to provide a through review of the property. It appears a site plan was provided but I am unable to determine the author and date of the submitted drawings.

On April 29, 2008, I met with Dwight Allen, Freeport Streets Department, to determine the City of Freeport easement for the roadway. It was confirmed by Nat Hickey the easement is sixty feet. In the site inspection, the propane storage tank is located at least five feet into the easement. I contacted Nat Hickey for his interpretation of the location of the propane tank with relation to the City of Freeport easement. Mr. Hickey referred me to Mr. Wallace Shaw for a legal interpretation. Also, I spoke to Doug Caffey, Building Official, with no opinion provided because it was not defined in the zoning ordinance.

I contact William Howard, the property owner, to request a copy of the site survey performed on the lot.

Research into the International Building Code referenced the International Mechanical Code and the International Fire Code. Additional research was conducted on the internet on the Texas Railroad Commission website. The LP gas industrial was referenced to NFPA 58. NFPA 58 was reviewed and the propane tank storage was located in the proper location. The propane tank installation is in compliance under current standards, except vehicle impact protection.

On April 30, 2008, I contact Mr. Wallace Shaw, City Attorney, about the propane tank being located in the City of Freeport easement. Mr. Shaw stated that Mr. Hickey needs to prepare a request for a license to place the propane tank in the City of Freeport easement.

Conclusion:

The following items need to be addressed to meet minimum fire protection requirements, building code standards and zoning requirements.

- Building numbers are required and must be visible from the roadway.
- Vehicle protection shall be provided for the propane tank storage. Location of storage tank needs to be ten feet from the house and the property line.
- A fire extinguisher is required in the kitchen.
- Apply for a license from the City of Freeport to place the propane storage tank in the City of Freeport easement. The license must be approved prior to using propane utility services. This license should have been approved prior to issuing a building permit.
- Site plans need to provide by a license engineer with the original drawings. The site plans will display the property lines, easements, and utilities on the property and the relationship of the building and building services.







Pg. 812



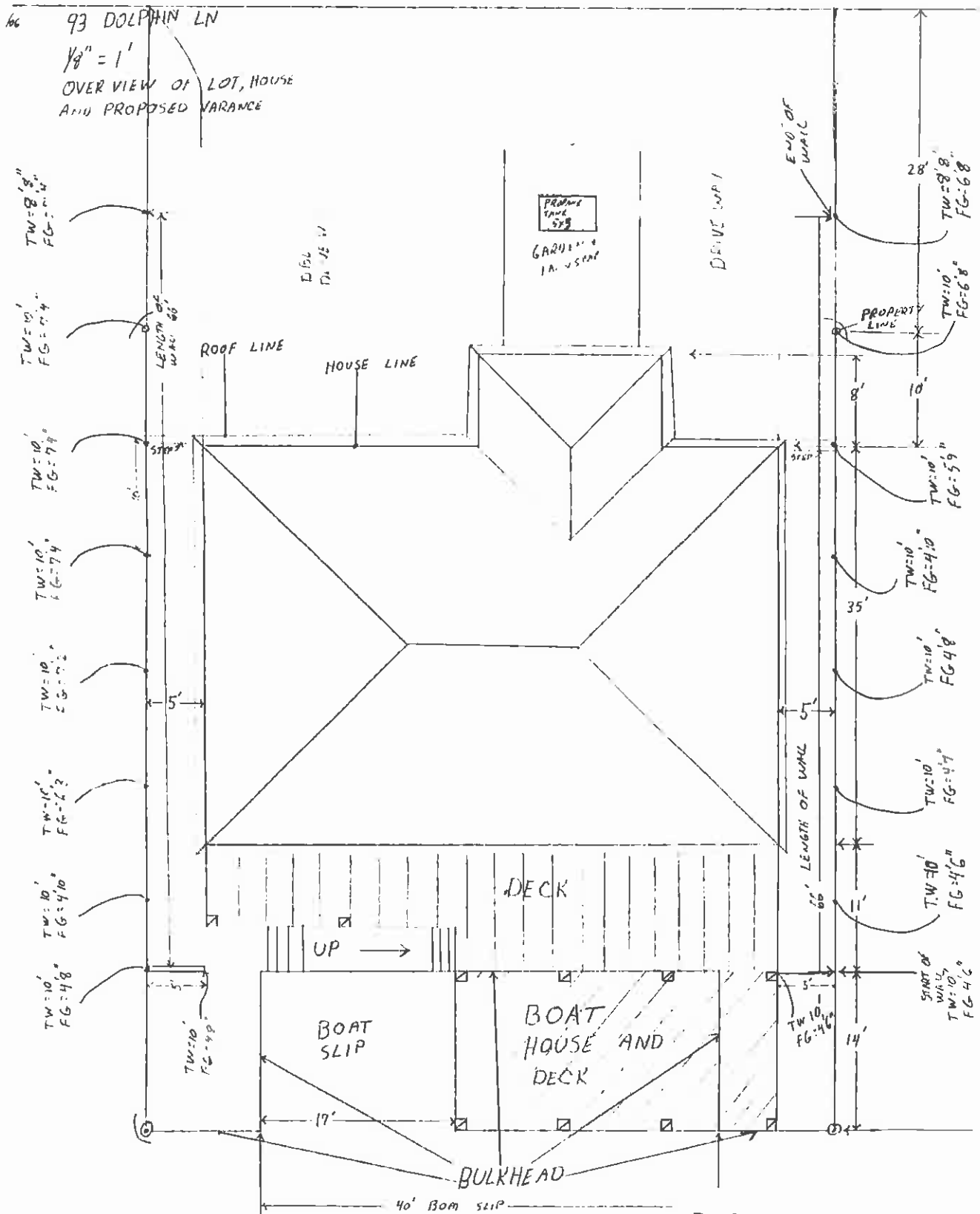


281- 774- 7161
281- 794- 2885

ANCHOR

PAVE 370' x 25'

STREET
60' RIGHT OF WAY



Pg. 814

Gary Beverly

From: Wessels, Mark (MK) [MKWessels@dow.com]
Sent: Wednesday, April 23, 2008 12:43 PM
To: Gary Beverly; norwoo_17@hotmail.com; josmi510@aol.com
Subject: RE: 93 Dolphin

Gary,

The issue is that the propane tank is in the city easement. For the Howard's to build out onto the easement beyond the street side setback limits with their staircase, a variance was required. For them to put additional construction into this area is not right. Permit or not the tank is illegal. No variance was granted for this. The tank is 15 feet from the roadway and in the city right of way!

Think about it from our perspective. I get a variance for a staircase for safety reasons. Does this mean I have the legal right to put anything else I want into the easement. The answer is clearly NO! The neighborhood does not want this and want it's immediate removal.

The entire problem is that they bought too small of a lot and are pushing the limits of the law and the City of Freeport is simply turning and looking the other way. While we as the immediate neighbors are left with no say in the matter.

Why we are frustrated:

1. Construction should have never been allowed on the set backs to the property lines.
2. A 4 foot wall was what the Howard's told the city they were going to build. Now its 6.5 feet tall. Where was Doug to make them accountable????!!
3. Tons of dirt washed into the canal during this construction. The neighbors will be left to foot the expense to dredge it out.
4. Now an illegal propane tank sets in the easement with no variance.
5. When original variance request sent only a few immediate neighbors ever got it. We would have tried to stop this then.

This is simply why I ran for city council last year. The city is turning a blind eye on the law abiding, tax paying residents of Bridge Harbor and allowing these type of things to go on.

Thanks for looking into this.

Please be aware that I am so frustrated with the Howard's and their construction issues and that this e-mail is simply part of this frustration.

Your Friend.
Mark

From: Gary Beverly [mailto:gbeverly@freeport.tx.us]
Sent: Wednesday, April 23, 2008 11:21 AM
To: Wessels, Mark (MK)
Subject: FW: 93 Dolphin

Mark:

I questioned Doug Caffey related to your concerns in this matter. He told me that a permit was issued for the house which would normally cover the propane tank.

I've also got Chris Motley our Fire Marshall planning to come out this afternoon to review what's going on and what (if anything) might be done.

Gary Beverly
City Manager

Delia Munoz

From: Rene Damian [rdamian@damianassociates.net]
Sent: Thursday, June 12, 2008 8:44 AM
To: Terlesa Conyers (E-mail)
Cc: Delia Munoz (E-mail); Rene Damian
Subject: Velasco Blvd. Invitation to Bid

Terlesa

Can you send this to The Facts to advertise on June 20th and June 27th with the Bid Open Date of July 24, 2008.

<<invitation to bid 06112008.doc>>

Rene Damian P.E., R.P.L.S.
Damian & Associates
1512 North Avenue J
Freeport, Texas 77541
(979) 233-7177 Office
(979) 233-3877 Facsimile

No virus found in this outgoing message.
Checked by AVG.
Version: 7.5.524 / Virus Database: 270.3.0/1499 - Release Date: 6/12/2008 7:13 AM

No virus found in this incoming message.://www.avg-antivirus.net/
Checked by AVG.
Version: 7.5.523 / Virus Database: 270.3.0/1499 - Release Date: 6/12/2008 7:13 AM

INVITATION TO BIDDERS

The City of Freeport, Brazoria County, Texas is requesting Proposals from qualified contractors for furnishing all necessary materials, machinery, tools, equipment, labor, and supervision for the "Proposed Paving, Drainage, and Utility Improvements on Velasco Blvd. between South Front Street to Gulf Blvd. and between Seventh St. to Second St.", Freeport, Texas 77541.

Sealed proposals, in duplicate, addressed to:

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

will be received until 2:00 p.m. C.S.T., Thursday, July 24, 2008 at Freeport City Hall , to the City Secretary's desk, 200 West Second Street – Second Floor, Brazoria County, Texas at which time the Project Total of all proposals will be publicly opened, read aloud, and tabulated.

No bid may be withdrawn or terminated for a period of thirty (30) days subsequent to the bid opening date.

The general scope of the project includes removing and replacing approximately 1,720 feet of concrete paving and water line, the sanitary sewer street crossings, and the associated storm sewer piping and inlets from South Front Street to Gulf Blvd. AND 1,800 feet of concrete paving and water line, the sanitary sewer street crossings, and the associated storm sewer piping and inlets from Seventh St. to Second St. The project will be constructed in two phases.

A pre-bid meeting will be held at 2:00 P.M. C.S.T. on Tuesday, July 8, 2008, at the Freeport City Hall Second Floor Conference Room, 200 West Second Street, Freeport, Texas.

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

The successful bidder must furnish Performance and Payment Bonds on the forms provided within the proposal in the amount of one-hundred percent (100 %) of the total contract price, from a surety company duly authorized in the State of Texas, according to the latest list of companies holding certificates of authority from the State Board of Insurance to act as surety.

Copies of Contract Documents, Technical Specifications, and Plans are on file at the office of Damian/Gallion & Associates, Engineering, Surveying, and Mapping, 1512 North Avenue J, Freeport, Texas 77541. All documents may be examined without charge at the above-mentioned engineer's office or a CD may be obtained upon a non-refundable check in the amount of Twenty-Five Dollars (\$25.00) per CD.

The City of Freeport reserves the right to reject any and all bids, to waive any and all informalities in bidding, and in the case of ambiguity in the stating of bid prices, the City of Freeport reserves the right to accept any bid considered advantageous to the construction of the project.

Attention is called to the fact that not less than the federally determined prevailing (Davis-Bacon and Related Acts) wage rate, as issued by the Department of Housing and Urban Development and contained in the bid and contract documents, must be paid on this project. In addition, the successful bidder must ensure that employees and applicants for employment are not discriminated against because of race, color, religion, sex, age, or national origin.

Attention is called to General Contract Condition provisions relating to "Restrictions on Public Buildings and Public Works Projects". Also, the Bidder certifies by the submission of its bid that it:

1. is not a Contractor of a foreign country included on the U. S. Trade Representative (USTR) list.
2. has not and will not enter into any subcontract with a subcontract of a foreign country included on the USTR list.
3. will not provide any product of a foreign country included on the USTR list.

This is a "Public Works" project and provisions of the "Prevailing Wage Law on Public Works in Texas" do apply. Prevailing Wages for Brazoria County, Texas are a part of this contract.

City of Freeport

Mr. Gary Beverly
City Manager

CHAPTER 111: FOOD ESTABLISHMENTS

Section

General Provisions

- 111.01 Definitions
- 111.02 Food service sanitation; adoption of state Health Department Regulations
- 111.03 Permits, licenses and/or certificates
- 111.04 Permit, license, or certificate fees
- 111.05 Inspections
- 111.06 Examination and condemnation of food
- 111.07 Review of plans
- 111.08 Procedure when infection is suspected
- 111.09 Application to itinerant restaurants and mobile food vendors, additional rules
- 111.10 Unloading shrimp from commercial fishing vessels

- 111.99 Penalty

GENERAL PROVISIONS

§ 111.01 DEFINITIONS.

The definitions of the words and phrases used in this chapter shall be the definitions contained in the Texas Department of Health Rules on Food Service Sanitation and Rules on Retail Food Store Sanitation. The definition of any word or phrase not defined therein shall have the meaning given to it in this section, or, if there is none, then such meaning shall be determined by the Health Officer of the city unless a different authority therefor is specified elsewhere in this article.

(Ord. passed 8- -96; Am. Ord. 1803, passed 8-5-96)

BUSINESS. Includes any business, occupation, industry, and all operations incident thereto of the several kinds herein mentioned or referred to.

EMPLOYEE. The owner, manager, or any individual who handles food during preparation or serving who comes in contact with any eating or cooking utensils, or who is employed at any time with or without remuneration, in a room in which food is prepared or served.

FOOD or FOODSTUFF. Any substance or thing, whether liquid or solid, whether organic or inorganic, and whether of animal or vegetable origin intended to be used or used as food or drink or flavoring or confectionery or condiment, for human beings. This chapter shall not apply to prepackaged food or drink sold in vending machines in locations whose principal business is not the preparation or selling of food.

FOOD ESTABLISHMENT. Every business known as and described as a slaughterhouse, meat market, butcher shop, restaurant, food factory, fish market, bakery, confectionery, ice cream factory, grocery store, cannery, fruit market, vegetable market, and food peddlers by wagon or otherwise, soda fountain, bottling works, saloon, bar room, brewery and all similar, and any business manufacturing, preparing, dealing with, handling, selling foodstuffs at, either wholesale or retail, or dispensing the same.

HEALTH OFFICER. The Health Officer of the city, and shall be construed to include any of his assistants, deputies, inspectors, sanitarians, or any other official representative of the members of the health office staff.

ITINERANT RESTAURANT. Any such restaurant as defined in this section, which is operating for a temporary period in connection with a fair, carnival, circus, public exhibition, or other similar gatherings.

MOBILE FOOD VENDOR. Any vehicle used as a food establishment or restaurant, with or without alteration.

PERSON. Person, firm, corporation, or association.

PORTABLE BUILDING. A structure designed to be transported by attaching thereto wheels or skids or by placing such structure on a trailer, and to be used without being placed on a permanent foundation.

RESTAURANT. Includes cafes, coffee shops, cafeteria, short order café, tavern, sandwich shop or stand, lunchroom, luncheonette, boardinghouse, soda fountain, and all other places where food or drink is sold or offered for sale to the public, or served or permitted to be served, as well as kitchens where food or drink is prepared for sale to the public elsewhere. It shall not include a food establishment or restaurant located in a portable building.

ROOM. Includes any room or apartment or place enclosed on one or more sides for the purpose of any such business.

UTENSILS. Dishes, glassware, silverware, kitchenware, cutlery, containers or other articles of any size or shape, constructed of any material whatsoever, used in preparing, holding, storing, transporting, serving or eating food.
(‘68 Code, § 15-1) (Ord. 1329, passed 11-1-76; Am. Ord. 2004-2039, passed 3-1-04)

**§ 111.02 FOOD SERVICE SANITATION;
ADOPTION OF STATE HEALTH
DEPARTMENT REGULATIONS.**

The Texas Department of Health, Bureau of Food and Drug Safety, Retail Foods Division, Rules on Retail Food Store Sanitation contained in Texas Administration Code Sections 229.161 through 229.171 and 229.173 through 229.175, are hereby adopted as the Food Code of the city for regulating the design, construction, management and operation of food establishments, and providing for plans submission and approval and the issuance of permits,

licenses and/or certificates and the collection of fees therefor.

(Ord. passed 8- -96; Am. Ord. 1803, passed 8-5-96; Am. Ord. 1857, passed 5-3-99)

**§ 111.03 PERMITS, LICENSES AND/OR
CERTIFICATES.**

(A) *Required.* No person, company or corporation shall operate a food service establishment who does not have a valid permit, license or certificate issued to such person, company or corporation by the Health Officer. Only a person, company or corporation who complies with the requirements of §§ 111.01 through 111.08 shall be entitled to receive and retain such a permit, license or certificate. Permits, licenses or certificates are not transferable. A valid permit, license or certificate shall be posted in every food service establishment.

(B) *Issuance.*

(1) Any person, company or corporation desiring to operate a food service establishment shall make written application for a permit, license or certificate on forms provided by the Health Officer. Such application shall include the name and address of each applicant, the location and the type of food service establishment, and the signature of each applicant; and have attached:

(a) A current certified criminal history record issued by the Texas Department of Public Safety for each applicant; and no permit, license or certificate shall be issued by the Health Officer to any applicant having a history that includes a final conviction for any felony, unless waived by the City Council.

(b) A copy of a current sales tax permit issued to the applicant by the Comptroller of Public Accounts of the State of Texas; and no permit, license or certificate shall be issued by the Health Officer to any applicant who does not have a current sales tax permit.

(2) A photocopy of the food manager's certificate of completion of a Food Service Sanitation Course must be submitted with the permit application or renewal. Manager certification must be verified through department records.

(3) Two or more establishments. If a person, company or corporation owns or operates two or more establishments, each establishment shall be permitted separately by listing the name and address of each establishment on separate application forms.

(4) Prior to the approval of an application for a permit, license or certificate, the Health Officer shall inspect the proposed food service establishment to determine compliance with the applicable requirements of §§ 111.01 through 111.08.

(5) A permit, license, or certificate shall be issued to the applicant by the Health Officer if such inspection reveals that the proposed food service establishment complies with the applicable requirements of §§ 111.01 through 111.08.

(6) Each food service establishment issued a permit, license or certificate shall renew such permit, license, or certificate annually, no later than March 31 of the calendar year next following the year of its issuance. A renewal will be issued by the Health Officer provided the food service establishment has satisfied all renewal fees and has maintained compliance with the applicable provisions of §§ 111.01 through 111.08. A 10% late fee will be assessed between a grace period of 1 to 30 days of the renewal date. In case of failure to renew a permit, license or certificate within the grace period or 30 days following the renewal date, the holder will be subject to all the requirements of obtaining a new permit, license or certificate.

(7) The permit shall be posted conspicuously in the establishment for which it was issued.

(8) Change of location. A permit is not transferrable upon change of location with the exception of a permit issued to an operator of a mobile food vendor.

(9) No permit, license or certificate shall be issued for the operation of a food establishment or restaurant in a portable building.

(C) *Suspension.*

(1) The Health Officer may, without warning, notice or hearing, suspend any permit, license or certificate to operate a food service establishment if the holder of the permit, license or certificate does not comply with the applicable requirements of §§ 111.01 through 111.08, or if the operation of the establishment does not comply with the applicable requirements of §§ 111.01 through 111.08, or if the operation of the food service establishment otherwise constitutes a substantial hazard to public health. Suspension is effective upon service of the notice required by division (E) of this section. When a permit, license or certificate is suspended, food service operations shall immediately cease. Whenever a permit, license or certificate is suspended, the holder of the permit, license or certificate shall be afforded an opportunity for a hearing by the Health Officer within 20 days of receipt of a request for a hearing.

(2) Whenever a permit, license or certificate is suspended, the holder of the permit, license or certificate, or the person in charge, shall be notified in writing that the permit, license or certificate is, upon service of the notice, immediately suspended and that an opportunity for a hearing will be provided if a written request for a hearing is filled with the Health Officer by the holder of the permit, license or certificate within ten days. If no written request for a hearing is filed within ten days, the suspension is automatically sustained. A suspension shall end when in the opinion of the Health Officer the reason for suspension no longer exists.

(D) *Revocation.* The Health Officer may, after providing opportunity for a hearing, revoke a permit, license or certificate for serious or repeated violations of any of the applicable requirements of §§ 111.01 through 111.08 or for interference with the Health Officer in the performance of the duties of such office. Prior to revocation, the Health Officer shall notify the

holder of the permit, license or certificate, or the person in charge, in writing, of the proposed revocation, the reasons therefor and that the permit, license or certificate shall be revoked at the end of the ten days following service of such notice unless a written request for a hearing is filed with the Health Officer by the holder of the permit, license or certificate within such ten day period. If no request for a hearing is filed within the ten day period, the revocation of the permit, license or certificate automatically becomes final.

(E) *Service of notice.* A notice provided for in Sections 15-3 through 15-9 of this Chapter is properly served when it is delivered to the holder of the permit, license or certificate, or the person in charge of the establishment, or when it is sent by registered or certified mail, return receipt requested, directed to the last known address of the holder of the permit, license or certificate, or to the person in charge at the address of the establishment. A copy of the notice shall be retained by the Health Officer.

(F) *Hearings.* The hearings provided for in §§ 111.01 through 111.08 shall be conducted by the Health Officer at a time and place designated by the Health Officer in the written notice delivered or mailed to the holder of the permit, license or certificate, or the person in charge of the establishment. Based upon the recorded evidence introduced at such hearing, the Health Officer shall make a final finding and order. In the case of an appeal of a suspension by the Health Officer, such order may sustain, modify or rescind such suspension. In the case of a proposed revocation, such order shall grant or refuse to grant such revocation. A written report of the hearing decision shall be furnished to the holder of the permit, license or certificate by the Health Officer.

(G) *Application after revocation.* Whenever a revocation of a permit, license or certificate has become final, the holder of the revoked permit, license or certificate may make written application for a new permit, license or certificate.

(H) *Refusal of issuance.* If the application for a permit, license or certificate and the accompanying contract documents describing the work or operation do not conform to the applicable requirements of §§ 111.01 through 111.08 or other pertinent laws or ordinances, the Health Officer shall not issue a permit, license or certificate, but shall return the application and documents to the applicant with a notation thereon of such refusal to issue the permit, license or certificate. Such refusal shall, when requested, be in a separate writing which shall contain the reason for such refusal.

(Ord. passed 8- -96; Am. Ord. 1803, passed 8-5-96; Am. Ord. 2004-2039, passed 3-1-04) Penalty, see § 111.99

§ 111.04 PERMIT, LICENSE, OR CERTIFICATE FEES.

The City Council shall from time to time by resolution set the fees required by this chapter for the issuance by the Health Officer of permits, license or certificate and for making the inspections and reinspections, which shall be paid to the Director of Finance.

(Ord. passed 8- -96; Am. Ord. 1803, passed 8-5-96; Am. Ord. 2004-2039, passed 3-1-04)

§ 111.05 INSPECTIONS.

(A) *Frequency.* An inspection of a food service establishment shall be performed by the Health Officer at least once every six months. Additional inspections of the food service establishment shall be performed as often as deemed necessary by the Health Officer for the enforcement of §§ 111.01 through 111.08.

(B) *Access.* The Health Officer, after proper identification, shall be permitted to enter any food service establishment at any reasonable time, for the purpose of making inspections to determine compliance with §§ 111.01 through 111.08; and shall be permitted to examine the records of the establishments to obtain information pertaining to food and supplies purchased, received or used, or to persons employed.

(C) *Report of inspection.* The findings of each inspection shall be recorded on a report form which shall summarize the applicable requirements of §§ 111.01 through 111.08 and shall set forth a weighted point value for each requirement. Inspectional remarks shall be written to reference, by section number, the section violated and shall state the correction to be made. The rating score of the establishment shall be the total of the weighted point values for all violations, subtracted from 100. A copy of the inspection report form shall be furnished to the person in charge of the establishment at the conclusion of the inspection. The completed inspection report form is a public document maintained by the Health Officer that shall be made available for public disclosure to any person who requests it according to law.

(D) *Correction of violations.*

(1) The inspection report form shall specify a reasonable period of time for the correction of the violations found, and correction of the violations shall be accomplished within the period specified, in accordance with the following provisions:

(a) If an imminent health hazard exists, such as complete lack of refrigeration or sewage backup into the establishment, the establishment shall immediately cease food service operations. Operations shall not be resumed until authorized by the Health Officer.

(b) All violations of four or five point weighted items shall be corrected as soon as possible, but in any event, within ten days following the inspection. Within 15 days after the inspection, the holder of the permit, license or certificate shall submit a written report to the Health Officer stating that the four or five point violations have been corrected. A follow-up inspection shall be conducted to confirm correction.

(c) All one or two point weighted items shall be corrected as soon as possible, but in any event, by the time of the next routine inspection.

(d) When the rating score of the establishment is less than 60, the establishment shall initiate corrective action on all identified violations within 48 hours or as determined by the Health Officer. One or more inspections will be conducted at reasonable time intervals to assure correction.

(e) In the case of temporary food service establishments, all violations shall be corrected within 24 hours, the establishment shall immediately cease food service operations until authorized to resume by the Health Officer.

(2) The inspection report shall state that failure to comply with any time limits for corrections may result in cessation of food service operations. An opportunity for appeal from the inspection findings and time limitations will be provided if a written request for a hearing is filed with the Health Officer within ten days following cessation of operation. If a request for a hearing is received, a hearing shall be held by the Health Officer within 20 days of receipt of the written request.

(3) Whenever a food service establishment is required under the applicable provisions of §§ 111.01 through 111.08 to cease operations, it shall not resume operations until such time as a reinspection determines that condition responsible for the requirement to cease operation no longer exists. Opportunity for inspection shall be offered within a reasonable time.

(E) *Inspection report form.* An inspection report form based on the requirements of § 111.05 (C) shall be on file with the Health Officer and available for public inspection and copying.
(Ord. passed 8- -96; Am. Ord. 1803, passed 8-5-96)
Penalty, see § 111.99

§ 111.06 EXAMINATION AND CONDEMNATION OF FOOD.

Food may be examined or sampled by the Health Officer as often as necessary for the enforcement of the applicable provisions of §§ 111.01 through 111.08. The Health Officer may, upon written notice to the owner or person in charge of any food service establishment specifying with particularity the reasons therefore, place a hold order on any food located at such establishment which the Health Officer believes is in violation of any provision of §§ 111.01 through 111.08. The Health Officer shall tag, label or otherwise identify any food subject to a hold order. No food subject to a hold order shall be used, served, or moved from the establishment. The Health Officer shall permit storage of such food under conditions specified in the hold order, unless storage is not possible without risk to the public health, in which case immediate destruction shall be ordered and accomplished. The hold order shall state that a request for hearing before the Health Officer may be filed with the Health Officer within ten days and that if no hearing is requested the food shall be destroyed. A hearing shall be held by the Health Officer if so requested, and on the basis of evidence produced at the hearing, the hold order may be vacated, or the owner or person in charge of the food may be directed by written order of the Health Officer to denature or destroy such food or to bring it into compliance with the provisions of the applicable provisions of §§ 111.01 through 111.08.

(Ord. passed 8- -96; Am. Ord. 1803, passed 8-5-96) Penalty, see § 111.99

§ 111.07 REVIEW OF PLANS.

(A) *Submission of plans.* Whenever a food service establishment is constructed or extensively remodeled and whenever an existing structure is converted to use as a food service establishment, properly prepared plans and specifications therefor shall be submitted to the Health Officer for review and approval before construction, remodeling or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans and construction materials of work

areas, and the type and model of proposed fixed equipment and facilities. The Health Officer shall approve the plans and specifications if they meet the applicable requirements of §§ 111.01 through 111.08. No food service establishment shall be constructed, extensively remodeled or converted except in accordance with approved plans and specifications as approved by the Health Officer.

(B) *Pre-operational inspection.* Whenever plans and specifications are required by division (A) of this section to be submitted to the Health Officer, such officer shall inspect the food service establishment prior to its beginning operation to determine compliance with the approved plans and specifications and with the applicable requirements of §§ 111.01 through 111.08 and other pertinent laws and ordinances.

(Ord. passed 8- -96; Am. Ord. 1803, passed 8-5-96) Penalty, see § 111.99

§ 111.08 PROCEDURE WHEN INFECTION IS SUSPECTED.

When the Health Officer has reasonable cause to suspect the possibility of disease transmission from any food service establishment employee, such officer may secure morbidity history of the suspected employee or make any other investigation as may be indicated and shall take appropriate action. The Health Officer may require any or all of the following measures:

(A) The immediate exclusion of the employee from all food service establishments.

(B) The immediate closing of the food service establishment concerned until, in the opinion of the Health Officer, no further danger of disease outbreak exists.

(C) Restriction of the employee's services to some area of the establishment where there would be no danger of transmitting disease.

(D) Adequate medical and laboratory examination of the employee, of other employees and of the bodily discharges of such employees.

(Ord. passed 8- -96; Am. Ord. 1803, passed 8-5-96)

§ 111.09 APPLICATION TO ITINERANT RESTAURANTS AND MOBILE FOOD VENDORS, ADDITIONAL RULES.

(A) All of the provisions of §§ 111.01 - 111.08 shall apply to an itinerant restaurant except § 111.03(A) (6); and the license issued for an itinerant restaurant shall only be valid for a period not to exceed two weeks.

(B) All of the provisions of §§ 111.01 - 111.08 shall apply to a mobile food vendor but a mobile food vendor may only be operated in the public streets and on the public beaches of the city and not in or on public alleys, sidewalks, parking lots, grounds or buildings without a specific permit therefor. Provided, however, any mobile food vendor may only stop, stand or park on a public beach adjacent to the Gulf of Mexico in the daytime and then only at a location that is landward from the waters of the Gulf of Mexico a sufficient distance to allow two passenger cars or light trucks traveling in opposite directions on such beach to safely pass each other between such location and the waters of the Gulf of Mexico; and must be removed from such beach before nighttime. Provided further, any mobile food vendor operating on a public street not a part of such a beach may not park on such street and may stop or stand on such street during the daytime for 15 minutes at the same location or within 100 feet of such location.

(C) Itinerant restaurants and mobile food vendors must have permission from the owner of any private property in the city in order to operate as a food establishment or restaurant on such property. (Ord. 2004-2039, passed 3-1-04; Am. Ord. 2007-2167, passed 6-18-07)

§ 111.10 UNLOADING SHRIMP FROM COMMERCIAL FISHING VESSELS.

(A) *Restricted.* It shall be, and it is hereby declared to be, unlawful for any person, firm or corporation, their agents, servants, or employees, to remove or unload shrimp from any commercial fishing vessel within the incorporated city limits, or offer the same for sale, unless such shrimp are removed or unloaded, or offered for sale, at a regularly established commercial shrimp business located within the city which is duly licensed under the laws of the state. Provided, however, shrimp which have been frozen on a commercial fishing vessel after being caught may be removed or unloaded into a refrigerated truck available at any dock within the city for transportation to a regularly established commercial shrimp business which is duly licensed under the laws of the state located within or without the city.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMMERCIAL FISHING VESSEL. Any boat or vessel which is required to be numbered or registered, or enrolled by and under the laws of the United States of America or the state, and which vessel or boat is used for the purpose of taking or catching, or assisting in the taking or catching, of shrimp and other edible aquatic life from the outside waters of the state for pay, or for the purpose of sale, barter, or exchange. Such term shall also include any bay shrimp boat and bait shrimp boat as those terms are commonly understood.

COMMERCIAL SHRIMP BUSINESS. Any person, firm, or corporation who or which operates a shrimp house, plant, or other establishment for compensation or profit for the purpose of unloading and handling from fishing vessels or bay shrimp boats, fresh shrimp, and other edible aquatic life caught or taken from the coastal waters of the

state, or from salt waters outside this state. Such term shall further include bait shrimp dealers as that term is commonly understood.

('68 Code, § 15-46) (Ord. 1329, passed 11-1-76; Am. Ord. 2004-2039, passed 3-1-04; Am. Ord. 2005-2096, passed 9-6-05) Penalty, see § 10.99

§ 111.99 PENALTIES FOR NONCOMPLIANCE.

All persons, companies, corporations or other entities that are not in compliance with the applicable provisions of §§ 111.01 through 111.08 shall be subject to the penalties provided in § 10.99 in addition to any state or federal penalties that are applicable.

(Ord. 1803, passed 8-5-96)

[Next page number is 21]

CHAPTER 116: PEDDLERS

Section

General Provisions

- 116.01 Definitions
- 116.02 Entry on private residential property
- 116.03 Hours of operation
- 116.04 Sale of goods on streets; permits to be issued; exception
- 116.05 Application to interstate transactions
- 116.06 Food peddling

Licenses

- 116.20 Peddler's license required; fee
- 116.21 Solicitor's license required; fee
- 116.22 Duration
- 116.23 Display
- 116.24 Revocation
- 116.25 Waiver of license fees
- 116.26 Additional requirements

GENERAL PROVISIONS

§ 116.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PEDDLER. An itinerant trader or peddler who offers to do or does business within the city and who carries his merchandise or commodities with him from house to house or along the streets, offering his goods or wares for sale, and delivering the same to the purchasers, including, though not by way of limitation, linoleum, rugs, fancy work, cosmetics, or other merchandise, fruits, vegetables, bread, fresh meats, or other foodstuffs and wearing apparel of all kinds.

SOLICITOR. Any person who comes within the city, and solicits orders from house to house for automobiles, books, refrigerators, electric refrigerators, cosmetics, drugs, wearing apparel, magazines, magazine subscriptions, food, medicine, and merchandise of any kind, whether herein specifically enumerated or not, where such orders are to be filled at a later date either by direct delivery or to be shipped by mail, railroad, truck, or other means of similar transaction, or any kind of commodity, goods, or articles of personal property which may be the subject of purchase or sale.

('68 Code, § 26-1) (Ord. 228, passed 10-30-46)

§ 116.02 ENTRY ON PRIVATE RESIDENTIAL PROPERTY.

It shall be unlawful for any peddler or solicitor to go into or upon any private residential premises located in the city without first having secured, respectively, a peddlers or solicitors license as required by § 116.20 or, if applicable, a permit to engage in the solicitation or taking of orders or the making of sales of goods to be delivered in interstate commerce required by § 116.05, or a food peddling permit required by § 116.06.

('68 Code, § 26-2) (Ord. 228-A, passed 1-9-61; Am. Ord. 2004-2037, passed 3-1-04) Penalty, see § 10.99

§ 116.03 HOURS OF OPERATION.

It shall be unlawful for any peddler or solicitor to solicit business at any private residential premises before the hour of 8:00 a.m. and after 6:00 p.m. in any day in the city unless such person shall first have the consent of the occupant or owner of the premises to come into or upon such private premises. The time indicated above shall be considered the lawful time zone recognized in the city. This provision shall not apply to newspaper carriers, to junior achievement

students, or bona fide solicitors of bona fide charities. ('68 Code, § 26-3) (Ord. 228-A, passed 1-9-61) Penalty, see § 10.99

§ 116.04 SALE OF GOODS ON STREETS; PERMITS TO BE ISSUED; EXCEPTION.

(A) Except as otherwise provided herein, it shall be unlawful for any person to sell or offer for sale or peddle goods, wares, or merchandise in or upon the public streets, alleys, sidewalks, or parking lots, or in or upon the public parks or other public ways, grounds, or buildings in the city owned or leased by the city, without a specific permit therefor.

(B) The permit required by division (A) shall expire at the end of 14 days and shall be issued by the City Secretary upon the payment to the Finance Director of a permit fee of \$15.

(C) No permit shall be issued under the provisions of this section except to a person to sell or offer for sale or peddle goods, wares, or merchandise in connection with a particular organized special event, including, but not limited to, fairs, bazaars, combined sidewalk sales, fiestas, dances, commercial or industrial shows, conventions, or exhibits, and charitable or civic fund raising events held with the consent of the City Council in or upon such public streets, alleys, sidewalks, parking lots, parks, or other public ways, grounds, or buildings.

(D) This section shall not apply to regularly licensed concessionaires of the city or franchised by the city or authorized by the city under recreational cosponsorship agreements. ('68 Code, § 26-4(a)-(d)) (Ord. 1496, passed 6-22-81; Am. Ord. 2004-2037, passed 3-1-04) Penalty, see § 10.99

§ 116.05 APPLICATION TO INTERSTATE TRANSACTIONS.

The provisions of this chapter shall not apply to or affect interstate transactions or cases in which the article sold or offered for sale is at the time located in

another state, provided, however, that any solicitor or peddler, engaging in a trade, occupation, or calling failing within this exception shall be required to obtain a permit from the City Secretary authorizing him to engage in such trade, occupation, or calling in the city. The application for such permit shall be accompanied by evidence satisfactory to the City Secretary showing the name of the article to be sold, the location of such article or articles at the time of sale, the name and address of the manufacturer or the person for whom the applicant is acting, and the appointment of such applicant to act for the person if the City Secretary is satisfied that the applicant is the duly appointed representative and that the solicitation or sale of the articles in question are not detrimental to the health, morals, or public welfare of the city and the citizens thereof, he shall issue a permit to the applicant for any period of time not exceeding six months. The City Secretary shall issue the permit upon payment of a permit fee of \$25 to the Finance Director. No peddler or solicitor shall engage in the solicitation or taking of orders or the making of sales of goods to be delivered in interstate commerce without first having obtained a permit as herein required.

('68 Code, § 26-5) (Ord. 228, passed 10-30-46; Am. Ord. 228-B, passed 2-2-76; Am. Ord. 2004-2037, passed 3-1-04) Penalty, see § 10.99

§ 116.06 FOOD PEDDLING.

(A) *Authority to peddle.* All persons offering for sale, fruits, vegetables, confections, or any other food product peddling from door to door or from any conveyance must secure a peddler's permit and must comply with all sanitary ordinances of this city, and at all times keep such products from flies, dust contamination, and careless handling.

(B) *Homegrown products.* If such person offers for sale only such foods, fruits, or vegetables as have been grown by him, the permit herein provided for shall be furnished free of charge.

(C) The fee for a food peddling permit shall be \$100 and it shall be valid for one calendar year. ('68 Code, § 26-6) (Ord. 1063, passed 2-12-61; Am. Ord. 2004-2037, passed 3-1-04) Penalty, see § 10.99

LICENSES**§ 116.20 PEDDLER'S LICENSE REQUIRED;
FEE.**

(A) It shall be unlawful for any person to engage in business as a peddler within the city without having first obtained a license so to do for each individual engaging in such business. ('68 Code, § 26-17)

(B) The license required by division (A) shall be issued by the City Secretary upon the payment by the applicant of a permit fee of \$100 to the Finance Director.
('68 Code, § 26-18) (Ord. 228, passed 10-30-46; Am. Ord. 228B, passed 2-2-76; Am. Ord. 1543, passed 1-17-83; Am. Ord. 1567, passed 9-12-83; Am. Ord. 2004-2037, passed 3-1-034) Penalty, see § 10.99

**§ 116.21 SOLICITOR'S LICENSE REQUIRED;
FEE.**

(A) It shall be unlawful for any person to engage in business as a solicitor within the city without having first obtained a license so to do for each individual engaging in such business. ('68 Code, § 26-19)

(B) The license required by division (A) shall only be issued by the City Secretary upon the payment by the applicant of a permit fee of \$100 to the Finance Director.
('68 Code, § 26-20) (Ord. 228, passed 10-30-46; Am. Ord. 228B, passed 2-2-76; Am. Ord. 1543, passed 1-17-83; Am. Ord. 1567, passed 9-12-83; Am. Ord. 2004-2037, passed 3-1-034) Penalty, see § 10.99

§ 116.22 DURATION.

Except as otherwise provided in this subchapter, any permit issued under the provision of this subchapter shall be valid for a period of 14 days.
('68 Code, § 26-21) (Ord. 228, passed 10-30-46; Am. Ord. 1543, passed 1-17-83; Am. Ord. 2004-2037, passed 3-1-04)

§ 116.23 DISPLAY.

Every peddler licensed under the provisions of this subchapter and doing business within the city shall display his license upon the request of any person, and failure so to display such license shall be deemed a misdemeanor.
('68 Code, § 26-22) (Ord. 1543, passed 1-17-83) Penalty, see § 10.99

§ 116.24 REVOCATION.

Any license issued under the provisions of this subchapter may be revoked for the violation of the licensee of any applicable provisions of this code, state law, or city ordinance, rule, or regulation.
('68 Code, § 26-23) (Ord. 1543, passed 1-17-83)

§ 116.25 WAIVER OF LICENSE FEES.

The City Manager may waive the license fees prescribed in §§ 116.20 and 116.21 of this chapter for the members of any non-profit organization that has been granted a tax exempt status by the Internal Revenue Service of the U.S. Government if such organization has a local chapter or unit operating within the corporate limits of the city.
(Ord. 1856, passed 4-19-99)

§ 116.26 ADDITIONAL REQUIREMENTS.

(A) Each applicant for any permit issued under this chapter shall be required to provide the City Secretary with the applicant's current certified criminal history record issued by the Texas Department of Public Safety and no permit shall be issued by the City Secretary to any applicant having a history that includes a final conviction for any felony unless waived by the City Council.

(B) Each applicant for any permit issued under this chapter shall be required to provide the City Secretary proof that a current sales tax permit has been issued to the applicant by the Comptroller of Public Accounts of the State of Texas and no permit shall be issued to any applicant who does not have a current sale tax permit.

(Ord. 2004-2037, passed 3-1-04)

2008- Expired Boards and Commissions

Planning Commission: Mayor/Liaison

2009- Linda Allen
2009 -Abel Garcia
2009- Michelle Kent
2009- Diane Williams
2008- Roddy Mohler
2008- Robert Leffingwell

2 Members Expiring: New Applications: Roddy Mohler
Raul Ramirez – 2nd Choice
Kimmy Wessels
Loren Eric Hayes-2nd Choice
Dan Tarver- 2nd Choice

LIBRARY BOARD : Councilman Cameron/Liaison

2008- Rita Angel-Cundieff
2008- Laverne Siemers
2009- Joyce Girouard
2007 – Raquel Webb – no longer
2009- June Strambler
2009- Nancy Hughes
2009- Margie Edwards

3 Members Expiring: New Applicatin: Rita Angel-Cundieff
Laverne Siemers

Historical Commission & Main Street Advisory Board: Liaisons

Councilman Garcia Councilman Saccomanno

2009 – Sandra Barbree –renew application
2009- Dr. Janice Goines
2009 - Sandra Leavey – renew application
2008 - Sandra Shaw
2008 - Sandra W. Wicke
2008 - Margie Clark
2008 - Pixie Floyd

4 Members Expiring: New Applications: Sandra Shaw
Margie Clark,
Sandra W. Wicke
John F. Schults, Jr-2nd Choice
Pixie Floyd
Lance Olshovsky

Brazosport Water Authority

9/08 Jimmy Salinas

Board of Adjustment: Councilman Cameron/Liason

2008 Open
2008 Hallard Fields
2008 Raul Ramirez
2009 Terry Starnes
2009 Jim Pirrung
2009 James F. Lindsey
2009 Tim Closs

3 Members Expiring: New Applications: Hallard Fields
Jim Pirrung
Raul Ramirez-3rd Choice
Loren Eric Hayes-3rd Choice

Urban Renewal Board: Councilman Saccomanno/Liason

Nat Hickey – Director
2008- Fred Bolton
2008- John F. Shults, Jr.
2009 Jason Montier len Heath
2009 Ken Tyner
2009 Coy Barnett

2 Members Expiring: New Applications: Raul Ramirez
John F. Schults, Jr.

Beautification/Parks/Rec Committee: Councilman Smith/Liason

2008- Pauline Burton
2008- JoAnn Fields
2008- Mingo Marquez, Jr.
2009- Dan Tarver
2009- Margaret L. McMahan-
2009- Eddie Virgil
2009-Janice Hawley

3 Members Expiring: Applications: JoAnn Fields
Lance Olshovsky-2nd Choice

Economic Development Corporation: Gary Beverly/Liaison

Lee Cameron, Director
2009- John Smith, III
2009- Mark Wessels
2009- Carlos Martinez
2009 Louie Jones
2008 Jacque Cundieff
2008- Norma Garcia
2008- Ronald Theriot

3 Members Expiring: New Applications: Ronald Theriot
Norma Garcia
Jacque Cundieff
Sandra W. Wicke-2nd Choice
Bobby Joe Casale
John F. Schults, Jr.-3rd Choice
Loren Eric Hayes
Dan Tarver
Nicolas Aluizo, Jr.

Charter Review: 2007

Freddie Brenk
Dorothy Pirrung
Tobey Davenport -VC
Joyce Adkins
Bill Rains-Chairman

Senior Citizens Commission:

2009 -Mary Darnell
2009 -Beverly Garrison
2009 -Martha Westbrook
2009- Joan Stovall
2008 -Carol Rangel
2008- Jim Pirrung
2008- Dorothy Pirrung
2008- Mary K. Talbert

4 Members Expiring: New Applications: Carol Rangel
Dorothy Pirrung
Jim Pirrung-2nd Choice
Mary Talbert

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 6/2/08

E-MAIL N/A

NAME Nicolas Aluizo Ju

HOME PHONE 979-480-0806

ADDRESS 319 Rabbit Trail
Lake Jackson, TX

WORK PHONE 979-238-3252

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

Planning Commission _____

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

I would like to be on Economic Development
Board for a simple reason, I own
property here in Freeport and am very
concerned about it future of this town

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

Delia Munoz

From: Law Office of Wallace Shaw PC [shawpc@sbcglobal.net]
Sent: Friday, June 06, 2008 2:29 PM
To: Delia Munoz
Subject: Residence of Members of Boards and Commissions

Delia,

Attached is my opinion regarding the residence of the members of Boards and Commissions.

With regard to your specific inquiry regarding the application of Nicolus Aluizo, Jr., for a place on the Economic Development Board, he lives ten miles away from Freeport but in the same county. Thus, he could be appointed if the City Council were so inclined. Therefore, you should submit his application along with the others. However, please include a copy of the attached opinion with your list of vacancies and call me if you have questions.

Wallace Shaw

No virus found in this incoming message.://www.avg-antivirus.net/
Checked by AVG.
Version: 7.5.523 / Virus Database: 270.0.0/1488 - Release Date: 6/6/2008 5:48 PM

Page 1 of 1

Delia Munoz

From: Law Office of Wallace Shaw PC [shawpc@sbcglobal.net]
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No virus found in this incoming message.://www.avg-antivirus.net/
Checked by AVG.
Version: 7.5.523 / Virus Database: 270.0.0/1488 - Release Date: 6/6/2008 5:48 PM

THE LAW OFFICE OF
WALLACE SHAW, P. C.
Freeport, Texas 77542-1273

(979) 233-2411
Fax No. 233-4895

Mailing Address:
P.O. Box 3073

June 6, 2008

Ms. Delia Munoz
City Secretary
200 W. Second St.
Freeport, Texas 77541

Re: Residence requirements for boards and commissions

Dear Ms. Munoz:

All of the members of the boards and commission must be residents of the City except:

Historical Commission and Main Street Advisory Board

At least four (4) must be residents of the City. Section 32.20(B), City Code

Library Board

All must be residents of the City except two (2), one of whom must be a nonresident of the City but a resident of the Velasco Elementary attendance zone and one (1) of whom must be a nonresident of the City but a resident of the O.A. Fleming Elementary attendance zone. Section 32.37, City Code.

Economic Development Board

In any city with a population of less than 20,000, a members of the Economic Development Board must be either a resident of the City, a resident of the county in which the major portion of the City is located or reside at a place within ten miles of the City's boundaries and in a county that borders the county in which the major part of the City is located. Section 4B(3)(c), Development Corporation Act. of 1979.

Please call me if you have any questions.

Sincerely Yours,

By /s/ Wallace Shaw
Wallace Shaw, For the Firm

WNS:xv

1100 Brazosport Blvd., Suite 10
shawpc@sbcglobal.net

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 6/3/08

E-MAIL _____

NAME JOANN Fields

HOME PHONE 979-233-6058

ADDRESS 23 North Ave F

WORK PHONE _____

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

Planning Commission _____

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation /

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development _____

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 6/3/08 E-MAIL _____
 NAME HALLARD Fields HOME PHONE 979-233-6050
 ADDRESS 23 North Ave 7. WORK PHONE _____

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

Planning Commission 2 Library Board _____
 Main Street Board _____ Beautification /Parks & Recreation _____
 Board of Adjustment 1 Historical Commission _____
 Urban Renewal Board _____ Economic Development _____
 Senior Citizens Committee _____ Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

Please return

City of Freeport
 Attn: City Secretary
 200 W. 2nd Street
 Freeport, Texas 77541

Phone: 979-233-3526
 Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 06/12/08

E-MAIL sandra.shaw@abcglobal.net

NAME Sandra Shaw

HOME PHONE 979-798-1112

ADDRESS 1514 Hwy. 332 W

WORK PHONE 979-285-2501

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

Planning Commission _____

Library Board _____

Main Street Board x

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development _____

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

~~The Brazosport Area Chamber of Commerce certainly wants to be involved and help with the growth and progress for the city of Freeport~~

~~The Chamber brought the city the Mainstreet program many years ago and we remain committed to this project.~~

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

Freeport Police Department
DEPARTMENTAL CORRESPONDENCE

To: Delia Munoz, City Secretary

From: J.S. Pynes


Date: May 21, 2008

Subj: Youth and Family Services
Memorandum of
Understanding

Attached is a letter I received from the Youth and Family Counseling Services of Brazoria County. This company has been offering free youth and family counseling to our community for families who are having problems with; child abuse, neglect, delinquency, truancy, runaway behavior, and family conflict. We find their service to be a benefit for us as we deal with the aforementioned issues and the families that receive the free counseling.

I received the attached information asking me to sign a Memorandum of Understanding with their agency to continue this community assistance program. Additionally, it is my understanding that our participation in their service and signing of the MOU will be one of many used in a grant application to secure continued funding from the Department of Family Protective Services.

After a review of the written documentation I am seeking permission to sign the MOU. It has no financial obligations to the City and will only benefit those families who may need some counseling assistance in our community.


Jeff Pynes
Chief of Police

Attachments: One page Youth and Family Counseling Services cover letter
Two page MOU from Youth and Family Counseling Services

**Memorandum of Understanding
Between
Youth & Family Counseling Services
And
Freeport Chief of Police**

This Memorandum of Understanding (MOU) establishes a type of partnership between **Youth & Family Counseling Services** hereafter referred to as (YFCS) and **Freeport Chief of Police** hereafter referred to as (Partner Agency)

I. MISSION

The mission of Youth & Family Counseling Services is: "To Strengthen and support Brazoria County families in order to prevent child abuse, neglect and delinquency through counseling, case management and educational services." The grant programs and services are offered free of charge to all eligible participants.

Partner Agency's goals are in alignment with the mission of Youth & Family Counseling Services and together, the Parties enter into this Memorandum of Understanding to mutually promote these prevention efforts to the population they serve. Accordingly, YFCS and Partner Agency operating under this MOU agree as follows:

II. PURPOSE AND SCOPE

YFCS and Partner Agency have formed this partnership to decrease the frequency of the following activities in youth living in and around Brazoria County.

- Child Abuse and Neglect
- Delinquency
- Truancy
- Runaway behavior
- Family Conflict

There will not be an exchange of funds between the parties for tasks associated with this MOU.

III. RESPONSIBILITIES

YFCS will:

- Provide counseling, case management, educational services, and training free of charge to all eligible participants.
- Provide counseling, case management, and training on a sliding fee scale for all participants who are ineligible for services through the grant programs.
- Work with the partner agency to provide updates on the disposition of the participants that have been referred for service as allowed by laws.

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 5-08-08

E-MAIL mclark@texasgulfbank.com
(cell)

NAME MARJORIE CLARK

HOME PHONE 979-292-9243

ADDRESS 200 W. 2ND ST.
FREEPORT, TX 77541

WORK PHONE 979-233-4401

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

Planning Commission _____

Library Board _____

Main Street Board 1st

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development _____

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

WOULD LIKE TO CONTINUE WORKING IN THE COMMUNITY
TOWARDS ^{FURTHERING} THE CONTINUED GROWTH WITHIN THE MAIN STREET
PROGRAM.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 5-15-08

E-MAIL _____

NAME Raul G. Ramirez

HOME PHONE 233-4862

ADDRESS 616 W. AVE. B

WORK PHONE _____

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

Planning Commission 2

Library Board _____

Pg. 846

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment 3

Historical Commission _____

Urban Renewal Board 1

Economic Development _____

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

I have served on the Board of Adjustment for several years and would like to gain more experience by being on a different board.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 05/09/08

E-MAIL SDWOOD-WLICKER@DOKI.COM

NAME SANDRA WOOD-WLICKER

HOME PHONE 979-239-8867

ADDRESS 1515 W BROAD

WORK PHONE 979-238-3802

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

Planning Commission _____

Library Board _____

Main Street Board 1

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board 3

Economic Development 2

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

As a life long resident of the city, and nearing retirement age, I would like to become more involved and learn all I can so that I can be a positive force to help this city move forward and exceed the glory that was once a part of this town.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 6/10/08

E-MAIL _____

NAME John F Shults Jr

HOME PHONE 979 415-0563

ADDRESS 1822 West 11th

WORK PHONE 979 230 2616

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

Planning Commission _____

Library Board _____

Main Street Board 2

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board 1

Economic Development 3

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

1) Would like to help Freeport move forward.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

From:

05/14/2008 16:54

#009 P.001/001

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 5/15/08 E-MAIL M CASALE @SBC Global
 NAME Bobby Jo Casale HOME PHONE 233-5346
 ADDRESS 136 Snapper Ln WORK PHONE 285-0293
Freeport

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

- | | |
|---------------------------------|--|
| Planning Commission _____ | Library Board _____ |
| Main Street Board _____ | Beautification /Parks & Recreation _____ |
| Board of Adjustment _____ | Historical Commission _____ |
| Urban Renewal Board _____ | Economic Development <u>X</u> |
| Senior Citizens Committee _____ | Charter Review _____ |

The City Council will make appointments to the Board and Commissions. This application will be given to them for review Please explain why you wish to serve.

Please return

City of Freeport
 Attn: City Secretary
 200 W. 2nd Street
 Freeport, Texas 77541

Phone: 979-233-3526
 Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 5-12-08

E-MAIL coolc1@sbcglobal.net

NAME Rita Cundieff

HOME PHONE 373-0504

ADDRESS 113 Brazos Landing
ct.

WORK PHONE 730-7240

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

Planning Commission _____

Library Board ✓

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development _____

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867



Please return to the City Secretary:

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

Boards and Commissions Application

Name: Kimmy Wessels

Address: 95 Dolphin

Home Phone: (979) 233-7670 Alternate Phone (979) 417-6955

Email (optional): kimmywessels@snrglobal.net

Do you live inside the City Limits? Yes No If yes, for how long? 4 yrs

Do you live in the Extra Territorial Jurisdiction? Yes No

Are you registered to vote in Brazoria County? Yes No

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

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

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

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

I have a strong desire to help the City of Freeport move into a positive direction of growth & development. I Am A licensed real Estate Agent and my knowledge in this field would be useful. My husband Mark and I are both dedicated to living in the City of Freeport and Bringing representation from the Bridge Harbor Area into the City's scope of planning & Development.

Signature: Kimmy Wessels Date: 5/9/08

- Step 1: Fill Out this Application.
- Step 2: Attach a cover letter or resume if you would like.
- Step 3: Mail the application and any other related information to the City Secretary, or fax: (979) 233-8867.

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

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE May 8, 2008

E-MAIL lobo richard@yahoo.com

NAME CAROL RANGEL

HOME PHONE 233 5033

ADDRESS 1122 W. Broad

WORK PHONE 709-2750

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

Planning Commission _____

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development _____

Senior Citizens Committee

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

Would like to continue & have really
enjoyed working with all these people.
Am hoping to find more people to join &
get a bigger crowd.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

roddy.mohler@eramet-gulf.com

DATE 8 May 08

E-MAIL roddy.mohler@eramet-gulf.com

NAME Roddy Mohler

HOME PHONE 979-233-1439 *cell*

ADDRESS 201 North Ave B

WORK PHONE 979-415-1545

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

Planning Commission renew

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development _____

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE May 8, 2008

E-MAIL _____

NAME Dorothy M. Pirrung

HOME PHONE (979) 233-7267

ADDRESS 101 Dolphin Lane

WORK PHONE _____

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

Planning Commission _____

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development _____

Senior Citizens Committee 1

Charter Review 2

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

I have served on #1 for 6 years and know what they need from me.

I served on The Charter Review Board 2007 and feel there is need to keep watch on Commissions

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE MAY 8, 2008

E-MAIL _____

NAME JAME J. PIARRUNG

HOME PHONE 233-7267

ADDRESS 101 DELPHIN LN

WORK PHONE _____

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

Planning Commission _____

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation _____

1 Board of Adjustment

Historical Commission _____

Urban Renewal Board _____

Economic Development _____

2 Senior Citizens Committee

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

I WOULD LIKE TO CONTINUE ON THE BOARD OF ADJUSTMENT - I BELIEVE IN BUILDING & ZONING CODES & ORDINANCES

I WOULD LIKE TO CONTINUE ON THE SENIOR CITIZENS COM WITH DOROTHY - THE GALS NEED A GUY AROUND TO DO THE HEAVY LIFTING & REACH THE TOP SHELVES

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867



CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 5/12/08

E-MAIL _____

NAME NORMA GARCIA

HOME PHONE 233-0889

ADDRESS 1204 N. Ave. 0.

WORK PHONE 233-4700

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

Planning Commission _____

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development XX

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

I request that I remain with the EDC board.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 5/9/05

E-MAIL talbert_m@skcglobal.net

NAME MARY K. TALBERT

HOME PHONE 233-6541

ADDRESS 1502 West 11th St.

^{Cell} WORK PHONE 665-6541

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

Planning Commission _____

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development _____

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

I have enjoyed working with the senior citizens of Freeport. Helping to make their lives more enjoyable.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 5-9-08

E-MAIL JKMc1@sbcglobal.net

NAME Jacqueline Cundieff

HOME PHONE 233-0426

ADDRESS 1415 W. 2nd St

WORK PHONE 233-0426

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

Planning Commission _____

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

I have been on this board since its inception and know a lot about the issues involved. As many of our projects are coming to fruition, I would like to see them to completion.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

Jacqueline Cundieff

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 5-

E-MAIL none

NAME LIAVERNE SIEMERS

HOME PHONE 979-233-2487

ADDRESS 711 N. Ave G.
Freeport, Tx. 77541

WORK PHONE none

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

Planning Commission _____

Library Board ✓ 1

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development _____

Senior Citizens Committee 2

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 6 May 08

E-MAIL _____

NAME Picie Lloyd

HOME PHONE 979 2652378

ADDRESS 832 Leader St
Clute TX 77541

WORK PHONE 979 4155404

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

Planning Commission _____

Library Board _____

Main Street Board ✓

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development _____

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

It has been my pleasure to be a board member on
Main Street and I would appreciate the
another term to continue promoting the
downtown area in particular + the City in
general. Thank you for your consideration.

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 5/14/2008

E-MAIL RONALD@theriotinc.com

NAME RONALD THERIOT

HOME PHONE 979-233-4852

ADDRESS 630 W. 8 TH

WORK PHONE 979-233-6991

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

Planning Commission _____

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development X

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

SEE ATTACHER

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867



315 East Park Avenue Freeport, Texas 77541
Telephone 979-233-6391, Fax 979-233-7041

May 14, 2008

City Of Freeport

Attn: City Council

Re: City Of Freeport
Board and Commission Application

Gentlemen:

I hereby request your consideration to allow me to continue serving on the City of Freeport Economic Development Corporation Board. I have served on the EDC Board since its inception December 1999. I am a 57 year resident of the City of Freeport and reside in Ward A. I believe that my extensive background in construction is and would continue to be an asset to the citizens of Freeport. Please consider my request to continue my service to the City of Freeport.

Sincerely, *Ronald Theriot*

Ronald Theriot
Vice-President
ronald@theriotinc.com

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 7-6-07

E-MAIL hayesle@hotmail.com

NAME Loren Eric Hayes

HOME PHONE 979-²³⁹⁻~~824~~-3825

ADDRESS 1507 West Broad St.

WORK PHONE 979-824-1910

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

Planning Commission 2

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment 3

Historical Commission _____

Urban Renewal Board _____

Economic Development 1

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

Been Trying for years - Time to give me a chance
would be great asset for any Board

Thanks ERIC

Please return by ~~May 30, 2006~~ May 30, 2007 : City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867



Please return to the
City Secretary:

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

Boards and Commissions Application

Name: LANCE Y. OLSTONSKY

Address: 1411 West 6th Street ; Freeport, TX 77541

Home Phone: (979) 292.5152 Alternate Phone () _____

Email (optional): LANCE001@hotmail.com

Do you live inside the City Limits? Yes No If yes, for how long? 299-6426

Do you live in the Extra Territorial Jurisdiction? Yes No

Are you registered to vote in Brazoria County? Yes No

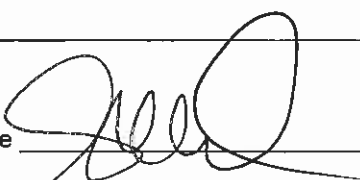
Please indicate by rank which Board or Commission you wish to serve on by placing your 1st through 3rd choice in the appropriate box.

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

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

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

SEE ATTACHED

Signature  Date: 1/16/08

Step 1: Fill Out this Application.

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

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

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

April 16, 2008

Members of City Council:

I wish to serve on the Main Street/Historical Board of the City of Freeport in an effort to help preserve what is truly an invaluable treasure to the citizens of the City of Freeport, the State of Texas and The United States. Indirectly, I would try and use my position on the Board to help educate the citizens, and others, of the significance of the City.

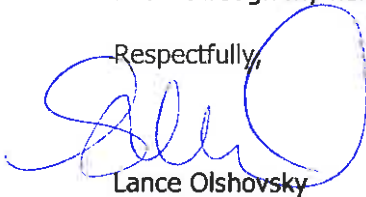
Freeport's history is rich, but often forgotten by multitudes of the population who prefer to travel elsewhere in order to gain insight to the area's heritage. Why travel to Galveston, New Orleans, Houston or elsewhere to experience one-of-a-kind architecture among its buildings, homes and businesses when we have incredible architecture right here? What's more is the beautiful view of the Old Brazos River sitting quietly and adjacent to downtown Freeport. One goal of mine would be to promote these invaluable commodities.

My love for the area extends far beyond the architecture, beautiful rivers and bayous, and beaches. I am a third generation citizen of the area and my family history permeates the Freeport, Clute & Lake Jackson areas. With my efforts in helping preserve the history of the City, I am also helping to preserve the history and memories made by my family in this great town.

Because of my enthusiasm for the Freeport area, I recently purchased a 1943 bungalow on West 6th Street. I am ready to invest even more to the City.

I offer boundless enthusiasm, a willingness to help and get things done, and a spirit of volunteerism. I know through my help and dedication, I can help to make a difference.

Respectfully,

A handwritten signature in blue ink, appearing to read "Lance Olshovsky", is written over the word "Respectfully,". The signature is stylized and cursive.

Lance Olshovsky

LANCE OLSHOVSKY

P.O. Box 3215
Lake Jackson, TX 77566
lance001@hotmail.com

PROFESSIONAL PROFILE

Cellular: 979.292.5152

SUMMARY

Nine years in Marketing Management, Public Relations, Event Coordination, and Customer Relations including publishing and advertising within the Professional Services, Journalism and Retail Industries

EDUCATION & TRAINING

LIBERTY UNIVERSITY, Lynchburg, VA **Bachelor of Science Degree -Communication Studies**
. Intensity: Journalism and Public Relations 1998

HOUSTON BAPTIST UNIVERSITY
. Major: Mass Media/Speech Communications 3/96 -5/97

. Courses in Professional Communications, Public Speaking, News Writing for Mass Media, Media Law, Graphic Design and Broadcast Production

LANGUAGE: Conversational Spanish

SOFTWARE: Windows XP, MS Word, Excel - Internet proficient

Specialized publishing program: Quark X-Press

ON-THE-JOB: Regularly attend marketing conferences and seminars

CHARACTER TRAITS

- . Excellent presentation, public relations and communications skills at all levels
- . Very comfortable in prestigious environments
- . Self-motivated, goal-oriented, dedicated team leader and player

WORK HISTORY:

MARKETING & PUBLIC RELATIONS

STEWART TITLE, Lake Jackson, TX

7/05 - Present

Business Development Manager – Responsibilities and action include a combination of cold calls, appointment calls, and direct mail. Efforts produce prospect conversion by maintaining consistent contact with realtors and decision makers, buying influences and other key players via appointments, mail, telephone, or email communications.

- . Responsible for overall image of Stewart Title's Lake Jackson branch
- . Serve as liaison between clients and branch manager/escrow officers
- . Conduct classes to inform realtors on newest technology designed for more efficient real estate transactions
- . Maintain web-based tracking system of clients and real estate transactions
- . Coordinate special events and attend business functions (Chamber of Commerce, Rotary, Board of Realtors, etc.)
- . Assist in logistics planning and set-up of trade shows

TEXAS DOW EMPLOYEES CREDIT UNION, Lake Jackson, TX

6/03 - 7/05

Marketing Coordinator - responsible for the support of marketing plans and timely execution for the largest locally owned financial institution along the Texas Gulf Coast with nine branches

- . Maintained schedules for all marketing projects including newsletters, Internet communications, direct mail campaigns, newspaper advertising, tradeshow, annual meetings, seminars, digital communication
- . Ensured distribution of up-to-date and adequate stock of literature to all branches
- . Generated story ideas and articles for monthly and quarterly newsletters mailed to more than 95,000 members
- . Wrote press releases highlighting credit union events, personnel and other business news
- . Assisted in logistics planning and set-up of trade shows and annual meetings
- . Worked with marketing agencies to develop print materials

PARTNERS, INK, Lake Jackson, TX

Project Manager - responsible for the company's public relations and four publications with 60,000+ readership: COMMUNITY NEWS (monthly), THE GUIDE, IMAGE MAGAZINE (quarterly), FUN ILLUSTRATED (annually)

- . Gathered news, generated ideas and wrote articles for each publication, meeting deadlines
- . Developed marketing campaign strategies
- . Interfaced with clients and supporting media
- . Coordinated and co-hosted a very successfully event with the Lake Jackson Historical Museum and Haak Winery to promote IMAGE MAGAZINE

Executive Assistant

Responsible for event coordination for high-end retail, fashion, Internet and non-profit agencies

- . Wrote press releases and material
 - . Served as liaison between broadcast and print media for important events
 - . Assisted in coordinating Secretary of State Madeleine Albright's visit to Houston
 - . Coordinated social events with local celebrities, and visits from media and television personalities from London
- Key Clients: CARTIER, LOUIS VUITTON, VERSACE, HOUSTON POLO CLUB, ROCHE BOBOIS, ESSENTIAL SETTINGS, M. PENNER, HUNAN, DR. FRANKLIN ROSE, BB1 Classic and UNICEF*

Special Accomplishment

- . *Successfully managed the office during Mr. Watson's visit at London's ASCOT/CARTIER Polo Tournament*

RETAIL INDUSTRY

POLO / RALPH LAUREN, Houston, TX

1998 - 2000

Footwear Manager (4/99 – 6/00)

- . Managed the operation of the department including liaison with home office and buyers
- . Co-managed Dallas' footwear department location and assisted with year-end inventory as needed
- . Maintained inventory control and assisted with annual computation
- . Worked with West Coast Regional Manager to develop strategies for the Houston store
- . Managed sales staff
- . Reconciled daily sales reports and prepared monthly statistics
- . Coordinated 1999 Spring Fashion Show with Houston's Junior Service League and Polo /Ralph Lauren

Special Accomplishment

Exceeded sales goals

Sales Associate (10/98 – 4/99)

- . Learned Polo / Ralph Lauren's philosophy and trends in fashion
- . Assisted customers and pointed out features and benefits of the brand and label's integrity
- . Worked with high-profile consumers in the Houston, Dallas, Chicago and international markets
- . Developed and maintained a client base from repeat business

ADDITIONAL BACKGROUND

DEE ALLEN for JUDGE COUNTY COURT AT LAW # 2, Brazoria County, TX

10/01- 3/02

Campaign Coordinator

- . Developed ad campaign strategies and scheduled candidate appearances
- . Coordinated volunteer efforts, fund-raising receptions and phone bank solicitation

X-CAVATE RESEARCH, Houston, TX

6/00 -7/01

Sourcing Associate for ASSAYE INTERNATIONAL DIVISION (1/01 – 7/01)

- . Processed market intelligence and research to gain an understanding of the client company
- . Developed and maintained rapport with candidates at executive levels after rigorous screening
- . Visited clients and attended conferences supporting outside sales
- . Used a Fortune 100 computer system supplier to develop a global professional services practice

Special Accomplishments:

- . *Provided clients with 75 qualified candidates resulting in 33 international hires in EMEA, ADP & Latin America*
- . *Obtained contract for entire EMEA Project as well as Latin America*

Research Analyst (6/00 – 1/01)

- . Generated competitive market intelligence for contracted corporations
- . Developed talent acquisition strategy and provided targeted research resulting in placements
- . Completed organizational breakdowns in areas of recruitment using strategic activity and business logic skills

REFERENCES - Available upon request

Memberships and Affiliations:

- Saint Timothy's Episcopal Church
- Brazoria County Board of Realtors
- Brazosport Chamber of Commerce
- Board of Trustees, A Designer's Foundation (Houston & Dallas)
- Brazoria County Day Decoration Committee Chairman
- Public Relations Committee, Jeans & Jewels Fundraiser
- Brazosport Center for the Arts & Sciences
- Galveston Historical Society
- Dallas Museum of Art
- Sigma Phi Epsilon Fraternity

CITY OF FREEPORT

BOARD AND COMMISSION APPLICATION

DATE 15 May 2008

E-MAIL dantarver@sbcglobal.net

NAME Dan Tarver

HOME PHONE 281 772 3018

ADDRESS 919 N. Ave A

WORK PHONE 979 233 2203

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

Planning Commission 2

Library Board _____

Main Street Board _____

Beautification /Parks & Recreation _____

Board of Adjustment _____

Historical Commission _____

Urban Renewal Board _____

Economic Development 1

Senior Citizens Committee _____

Charter Review _____

The City Council will make appointments to the Board and Commissions. This application will be given to them for review. Please explain why you wish to serve.

See attachment

Please return

City of Freeport
Attn: City Secretary
200 W. 2nd Street
Freeport, Texas 77541

Phone: 979-233-3526
Fax: 979-233-8867

15 May 2008

City of Freeport Board and Commission Application

I would like to serve on the Economic Development Commission to provide an input to our city's direction from someone who has hands on experience in sales and marketing. I believe that having a member of the Economic Development Commission with a successful background in sales and marketing would greatly benefit our economic development efforts because I understand how to present and deliver the features and benefits of the city of Freeport to companies and businesses we want to attract to our town.

Also, while I am in favor of a Freeport Marina, I also believe that it is not a cure-all solution for the decline in business and real estate values we have seen in Freeport in past years and I believe we need some focus on other business areas and a batch of fresh new ideas to help move us forward.

I am the current Chairman of the Beautification/Parks & Recreation Commission and have been instrumental in the plan to build a Veterans Memorial Park in Freeport. Since the park was established, it has become a center point of attention in Freeport that attracts many visitors on a daily basis. This is reflective of some of the positive things we need in Freeport to attract good people and successful businesses to our town.

I think someone who is unbiased and exempt from the conflicts of the past in Freeport that have showered us all with unwanted negative publicity would go a long ways toward presenting a positive image of Freeport and the good people who live and work here.

I do not have any political ambitions or any personal conflicts to resolve by serving on the Economic Development Commission. My interest in economic development is to see the city where I was born and grew up in regain its lost economic luster and vitality and by doing so I hope to improve on mine and many other people's property values and in the long run, make Freeport a better friendlier place to live and work.

Dan Tarver
919 N. Avenue A
Freeport, Texas 77541
281-772-3018

BRAZOSPORT
CONVENTION & VISITORS COUNCIL
A Division of The Brazosport Area Chamber of Commerce

February 12, 2008

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

Dear Mr. Beverly:

The Brazosport Area Chamber of Commerce would like to request to be on the city council agenda for July 7, 2008. At that time an update will be given on the Brazosport Convention & Visitors Council's tourism promotion. We will also ask for continued funding for our marketing efforts.

Feel free to contact Sandra Shaw or myself if you have any questions.

Sincerely,

Edith Fischer
Director of Tourism

CC: Delia Munoz, City Secretary

Change to June 16, 2007 per Edith Fischer