

NOTICE OF JOINT PUBLIC MEETING
THE FREEPORT CITY COUNCIL
THE PLANNING COMMISSION
TUESDAY, SEPTEMBER 4TH, 2012, 6:00 P.M.
FREEPORT MUNICIPAL COURT ROOM
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.
FREEPORT, TEXAS

AGENDA
FORMAL SESSION

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of approving the August 20th, 21st, 22nd 2012 Council Minutes.
Pg. 514-522

Executive Session:

Section 551.074, Government Code

Deliberations concerning the duties of a public officer or employee, to wit:

- City Manager

Reconvene in Open Session

5. Attending citizens and their business.
6. City Manager's presentation of proposed budget for fiscal 2012-2013.
7. **Public Hearing** – Proposed budget for fiscal year 2012-2013. Pg. 523
8. Consideration of approving Ordinance No. 2012-2318 adopting a budget for the Fiscal Year 2012-2013 for the City of Freeport. Pg. 524-528
9. **Joint Public Hearing** with the Planning Commission to consider and recommend a proposed amendment to the Comprehensive Zoning Ordinances and Map of said City, codified as Chapter 155 of the Code of Ordinances of said City, changing the zoning classification of the following described land from its present classification of R-2 and R-3 to a new classification of C-1:

Block 661, Block 676, Block 700, Velasco Townsite of the City of Freeport, Texas according to the map or plat recorded in Volume 32, Page 14 of the Deed of Records of said County. Pg. 529-531

10. Consideration of approving Ordinance No. 2012-2319 changing the zoning classification of Blocks 661, 676 and 700, Velasco Townsite from their present zoning classification of R-2 and R-3 to a new zoning classification of C-1. Pg. 532-535
11. Consideration of approving Ordinance No. 2012-2320 closing and abandoning the public alley in Block 661 of the Velasco Townsite within the corporate limits of said city. Pg. 536-537
12. Consideration of authorizing the Mayor to sign a Road & Bridge Interlocal Agreement for Fiscal Year 2013 with Brazoria County and the City of Freeport for rehabilitations of streets. Pg. 538-544b
13. Consideration of voting for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election for Places 11-14. Pg. 545-551
14. Consideration of authorizing the Chief of Police to sign an Interlocal Cooperation Agreement with the Brazosport Independent School District to provide campus security. Pg. 552-567
15. Consideration of setting October 1st, 2012 for a Joint Public Hearing with the Planning Commission to consider granting Port Freeport a Specific Use Permit to erect a 150 foot communication tower to be located adjacent to the Emergency Operations Center Building, located at 801 Navigation Boulevard, Block 24, Lots 1-8 Freeport , Texas. Pg. 568-569
16. Consideration of setting October 1st, 2012 for a Joint Public Hearing with the Planning Commission to consider granting Mr. Jim Dibble and Skyway Towers a Specific Use Permit to erect a communication tower at 1213 North Ave. J. Freeport, Texas, Block 712, Lots 18 thru 20, Velasco Townsite. Pg. 570-572
17. Consideration of setting October 1st, 2012 for a Joint Public Hearing with the Planning Commission to consider granting Ravin Patel a Specific Use Permit to construct a RV Park on Tract 6, Bridge Harbor Subdivision, Freeport Texas. Pg. 573-578
18. Consideration of setting October 1st, 2012 for a Joint Public Hearing with the Planning Commission to consider rezoning Block 525, Lots 1 thru 12 and Block 538, Lots 1 thru 12, from its present classification of R-2 District to a new classification of C-2 District. Pg. 579-583

Work Session:

- A. Discussion regarding waste collection services and heavy trash.

Adjourn

Items not necessary discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

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

I, Delia Munoz City Secretary for the City of Freeport, Texas certify that this agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, August 31st, 2012 at or before 5:00 p.m.

Delia Munoz - City Secretary
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport, Texas

BE IT REMEMBERED, that the City Council of the City of Freeport met on Monday, August 20th, 2012 at 6:06 p.m., at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

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

Staff: Jeff Pynes, City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Ty Morrow, Police Chief
Brian Davis, Fire Chief
Larry Fansher, Park Director
Stephen Epperley, Asst. Chief

Visitors:	Manning Rollerson	Avery Kent
	Dorothy Pirrung	Jim Pirrung
	Troy Brimage	Sabrina Brimage
	Jerry Meeks	Marisol Gamboa

Call to order.

Mayor Norma Garcia called the meeting to order at 6:06 p.m.

Invocation.

Mr. Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma Garcia led the Pledge of Allegiance.

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

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

Attending citizens and their business.

Manning Rollerson of Casa Quintana Apartments complained of potholes on North Ave. J, grass and weeds need cutting, and a bed bug issue. The complex has senior citizens and that mold still exists in the apartments.

Consideration of the approval of Ordinance No. 2012- 2316 amending Section 71-52 of the Code of Ordinances of said City to delete Varner Street and Avenue G as a Yield intersection and amending Section 71.50 of said Code of Ordinances to add Varner Street and Avenue G as a Four Way Stop intersection; providing for the replacement of the existing signs giving notice thereof by or at the direction of the City Manager of said City.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Ordinance No. 2012-2316 amending Section 71-52 of the Code of Ordinances of said City to delete Varner Street and Avenue G as a Yield intersection and amending Section 71.50 of said Code of Ordinances to add Varner Street and Avenue G as a Four Way Stop intersection; providing for the replacement of the existing signs giving notice thereof by or at the direction of the City Manager of said City.

Consideration of the approval of Ordinance No. 2012-2317 amending the Comprehensive Zoning Ordinance of said City to permit the Specific Use of 4.06 acres of land, more or less, out of Tract No. 519, Brazos Coast Investment Company Subdivision, Division 14, in the J. F. Fields Labor No. 6, Abstract 62, Brazoria County, Texas, within the corporate limits of said City, as a RV park to be operated by Troy Brimage, the owner thereof.

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved the revised Ordinance No. 2012-2317 amending the Comprehensive Zoning Ordinance of said City to permit the Specific Use of 4.06 acres of land, more or less, out of Tract No. 519, Brazos Coast Investment Company Subdivision, Division 14, in the J. F. Fields Labor No. 6, Abstract 62, Brazoria County, Texas, within the corporate limits of said City, as a RV park to be operated by Troy Brimage, the owner thereof.

Consideration of approving Resolution No. 2012-2398 reappointing Stoney Burke to fill the expired term as a representative of the Brazosport Water Authority for the term 2012-2014.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Resolution No. 2012-2398 reappointing Stoney Burke to fill the expired term as a representative of the Brazosport Water Authority for the term 2012-2014.

Consideration of selling the City's interest on Block 35, Lots 7 & 8, Velasco Townsite, known as 616 South Gulf Boulevard, Tax Id. 8110-0382-000.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved selling the City's interest on Block 35, Lots 7 & 8, Velasco Townsite, known as 616 South Gulf Boulevard, Tx. Id 8110-0382-000.

Consideration of approving and signing a replat of Division 8, Lot 80, 81, and 82, Bridge Harbor Subdivision, known as 82 Dolphin Lane .

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved signing a replat of Division 8, Lot 80, 81, and 82, Bridge Harbor Subdivision, known as 82 Dolphin Lane.

Consideration of the approval of a request by Main Street Historical Advisory Commission for street closures to hold Summertime Blues Festival on August 31st thru September 2nd, 2012 and Summertime Blues Triathlon to take place on Sunday, September 2nd, 2012 .

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved a request by Main Street Historical Advisory Commission for street closures to hold Summertime Blues Festival on August 31st thru September 2nd, 2012 and Summertime Blues Triathlon to take place on Sunday, September 2nd, 2012 .

Consideration of setting September 4th, 2012 for a Public Hearing on the proposed budget for fiscal year 2012-2013.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved September 4th, 2012 for a Public Hearing on the proposed budget for fiscal year 2012-2013.

Consideration of setting September 17th, 2012 as the date to adopt a tax rate for fiscal year 2012-2013.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved September 17th, 2012 as the date to adopt a tax rate for fiscal year 2012-2013.

Consideration of setting September 17th, 2012 for a Joint Public Hearing with the Planning Commission to rezone Block 662, Velasco Townsite, Freeport Texas from R-2, -R-3 to a C- 1 District.

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting “aye”, Council unanimously approved setting September 17th, 2012 for a Joint Public Hearing with the Planning Commission to rezone Block 662, Velasco Townsite, Freeport Texas from R-2- R-3 to a C-1 District.

Work Session:

Scheduling Tuesday August 21 & Wednesday August 22, 2012 for a budget work shop.

Mayor Norma Garcia announced the department’s dates for the budget work shop as August 21st & August 22nd 2012 in the Council Room at 6:00 p.m. for fiscal year 2012-2013.

Discussion regarding five priorities/goals for the community.

Mayor Garcia read out the Economic Development Corporation goals for the community:

- Wetlands project
- Lincoln Park
- New Recreation and Sports facility.
- Executive Director
- New Street – North Ave. J.
- Urban Renewal project

Councilman Bolton read out his priorities for the community:

- The completion of the marina’s dry stacks and law suits.
- Setting a time line for the Urban Renewal project.
- Develop a recreational sport center
- Completing the Sewer Lift Station.
- Remodel the Freeport Community House on 2nd. Street.
- Club House for the Municipal Golf Course and remodeling the pavilion.

City Manager Jeff Pynes read out his priorities for the community.

- Promoting the Urban Renewal project
- Creating/developing a professional Master Plan
- Attracting businesses and working with the EDC, applying for Grants.
- Infrastructure
- Resolving the Marina issues, so that it can began to be profitable.

Mayor Garcia reported that Port Freeport was interested in the City’s Master Plan.

Discussion regarding waste collection services and heavy trash pickup.

City Manager Jeff Pynes is exploring other waste collection services. This item will be on the next subsequent meeting.

Mayor Garcia closed the formal session and opened the Executive Session at 6:33 p.m.

Executive Session:

Section 551.071, Government Code

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

- Proposed Annexations for 2012-2013.
(no action taken)

Mayor Garcia closed the Executive Session and reconvened the formal session to adjourn at 6:49 p.m.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council adjourned at 6:49 p.m.

Mayor Norma M. Garcia
City of Freeport, Texas

City Secretary- Delia Munoz
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport, Texas

BE IT REMEMBERED, that the City Council of the City of Freeport met for a budget workshop on Tuesday, August 21st, 2012 at 6:03 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the 2012-2013 budget proposals:

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

Staff: Jeff Pynes, City Manager
 Gilbert Arispe, Asst. City Manager
 Delia Munoz, City Secretary
 Bob Welch, Finance Director
 Brian Davis, Fire Chief
 Ty Morrow, Police Chief
 Angie Degetaire, Marina Director
 Brian Dybala, Freeport Director
 Kola Olayiwola, Building Dept.

Visitors: Annette Sanford Melanie Oldham
 Kola Olayiwola Brian Wolf

Call to order.

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

Work Session:

Department Directors Presentation for fiscal year 2012-2013.

City Manager Jeff Pynes and Department Directors presented budget proposals for fiscal year 2012-2013. Council reviewed and discussed the proposed budget for the following departments; Fire/Ems, Police Department, Library, Senior Citizens, Municipal Court, Main Street, Marina and the Municipal Golf Course.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting "aye", Council adjourned the workshop at 8:45 p.m.

Delia Munoz - City Secretary
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport, Texas

BE IT REMEMBERED, that the City Council of the City of Freeport met for a budget workshop on Wednesday, August 22nd, 2012 at 6:06 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the 2012-2013 budget proposals:

City Council: Norma M. Garcia
 Michelle Kent
 Fred Bolton
 Sandra Loeza – walked in 7:15 p.m.
 Sandra Barbree

Staff: Jeff Pynes, City Manager
 Gilbert Arispe, Asst. City Manager
 Delia Munoz, City Secretary
 Bob Welch, Finance Director
 Brian Davis, Fire Chief
 David Hoelewyn, Street Supervisor
 Kola Olayiwola, Building Dept.
 Larry Fansher, Parks Director

Visitors. Annette Sanford Melanie Oldham
 Shannon Daughtry

Call to order.

Mayor Norma Garcia called the budget workshop to order at 6:06 p.m.

Work Session:

Department Directors Presentation for fiscal year 2012-2013.

City Manager Jeff Pynes and Department Directors presented budget proposals for fiscal year 2012-2013. Council reviewed and discussed the proposed budget for the following departments; Mayor & Council, Administration, Service Center/Streets, Code Enforcement & Building, Museum, Parks & Recreation Dept.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting "aye", Council adjourned the workshop at 8:46 p.m.

Delia Munoz - City Secretary
City of Freeport, Texas

NOTICE OF PUBLIC BUDGET HEARING

BE IT KNOWN that on Monday, September 4, 2012, beginning at 6:00 o'clock, p.m., the City Council of the City of Freeport, Texas, will conduct a **PUBLIC HEARING** at the Police Department Municipal Courtroom of the City of Freeport, Texas, located therein at 430 North Brazosport Boulevard, on the **PROPOSED BUDGET** of the City for the **FISCAL YEAR 2012-2013**, which may be **EXAMINED** on request at the Office of the City Manager, 200 West Second Street, Freeport, Texas 77541, during normal business hours. **WRITTEN COMMENTS** concerning the budget must be mailed to arrive at or be delivered in person to the office of the City Manager at such office prior to 5:00 p.m. on the day of such hearing. **VERBAL COMMENTS** will be accepted at the time of the hearing.

Delia Muñoz, City Secretary
City of Freeport, Texas

ORDINANCE NO. 2012-2318

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDINGS OF FACT; ADOPTING A BUDGET FOR THE FISCAL YEAR 2012-2013 FOR THE CITY; PROVIDING FOR THE FILING THEREOF; PROVIDING A SEVERANCE CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Article 9 of the Home Rule Charter of the City requires the adoption of an annual budget; and,

WHEREAS, under Section 102.001(b) of the Local Government Code, because the City has a city manager form of government, the city manager is the budget officer of the City municipality and under Section 102.002 of said Code and Chapter 9 of said Charter, the city manager is required to prepare a proposed annual budget for the municipality and, under Section 102.03(a) of said Code and Chapter 9 of said Charter, is required to file the same with the city secretary before the 30th day before the date the governing body of the municipality makes its tax levy for the fiscal year; and,

WHEREAS, under Chapter 9 of said Charter, the governing body of the municipality is required to adopt a budget not later than fifteen (15) days prior to the beginning of the fiscal year; and,

WHEREAS, under Section 102.006(a) and (b) of the Local Government Code and Chapter 9 of said Charter, the governing body of the municipality is required to conduct a public hearing on such proposed annual budget; and

WHEREAS, under Section 102.006(c) of the Local Government Code and Chapter 9 of said Charter, public notice of the date, time and location of such hearing must be given, under Section 102.0065(c) Section 102.011 of said Code the provisions of said Charter control as to the method of giving such notice and under Chapter 9 of said Charter said notice must be published at least 15 days before the date of such hearing in the official newspaper of the City; and,

WHEREAS, under Section 102.006(b) of the Local Government Code, the public hearing on the proposed annual budget must be held before the date the governing body makes its tax levy for the fiscal year covered by such budget, under Section 102.007. of said Code and Chapter 9 of said Charter, at the conclusion of such hearing, the governing body must take action on such proposed annual budget and under Section 102.009(a) of said Code and Chapter 9 of said Charter, the governing body of the City may levy taxes only in accordance with such budget.

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

SECTION ONE (1) - Findings of Fact

In connection with the adoption of the 2012-2013 ANNUAL BUDGET, the City Council hereby makes the following findings:

(1) The proposed budget for the City's Fiscal Year 2012-2013, a copy of which is attached hereto as Exhibit "A", is the result of several workshop meetings, each of which were conducted in accordance with and notice of each of which was given in the manner required by the Texas Open Meetings Act, now codified as Chapter 551 of the Government Code.

(2) On the 17th day of August, 2012, the City Manager filed with the City Secretary the original of such proposed annual budget.

(3) A public hearing on such proposed budget was held on the 4th day of September, 2012, beginning at 6:00 p.m., in the Municipal Courtroom of the Police and Courts Building of the City of Freeport, Texas, located therein at 430 Brazosport Boulevard.

(4) Notice of such hearing was published in the Brazosport Facts, the official newspaper of the City, on the 17th day of August, 2012.

(5) This ordinance is being adopted at the conclusion of such hearing and on the same date as the date on which such hearing was held.

(6) The contingent appropriations in such budget do not exceed three percent (3%) of the total budget appropriations.

(7) The estimated expenditures of the General Fund and Debt Service Fund in such budget do not exceed total estimated resources of each fund.

SECTION TWO (2) - Proposed Annual Budget Adopted; Appropriations

The PROPOSED ANNUAL BUDGET for the City's FISCAL YEAR 2012-2013, in its complete form, as heretofore filed with the City Secretary, and with any changes thereto made following such workshop meetings and the public hearing mentioned above, attached hereto and made a part hereof as Exhibit **■A**., is hereby ADOPTED; and the several amounts set forth therein as proposed expenditures are hereby APPROPRIATED to and for the objects and purposes therein specified.

SECTION THREE (3) - Filing of Copies

A copy of this ordinance and of the attached complete copy of such budget, attached hereto as Exhibit **■A**., shall be filed with the City Secretary of the City of Freeport, Texas and shall be maintained with the official records of the City. Certified copies thereof shall be filed by the City Secretary with the County Clerk of Brazoria County, Texas and the office of the State Comptroller of Public Accounts for the State of Texas.

SECTION FOUR (4) - Severance Clause

Any section or provision of this ordinance found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

SECTION FIVE (5) - Effective Dates

This ordinance shall be effective from and after its passage and the annual

budget adopted hereby shall be in effect for the Fiscal Year of the City beginning October 1, 2012, and ending September 30, 2013.

PASSED AND ADOPTED this ____ day of _____, 2012.

**Norma Moreno Garcia, Mayor
City of Freeport, Texas**

ATTEST:

**Delia Muñoz, City Secretary,
City of Freeport, Texas**

APPROVED AS TO FORM ONLY:

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

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TO ALL PERSONS IN INTEREST, CITIZENS, CORPORATIONS, AND FIRMS, THEIR AGENTS AND ATTORNEYS, AND TO ALL PERSONS, FIRMS, AND CORPORATIONS OWNING ANY INTEREST IN THE BELOW DESCRIBED LAND OR ANY LAND LOCATED WITHIN TWO HUNDRED (200') FEET THEREOF AND TO ALL INHABITANTS AND LAND OWNERS OF AND IN THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS.

NOTICE

A joint public hearing will be held on September 4, 2012, at 6:00 o'clock p.m., central daylight savings time, at the Police Department Municipal Courtroom of the City of Freeport, Texas, located at 430 North Brazosport Boulevard, within the corporate limits of said city, in Brazoria County, Texas, at which time and place the City Council and the Planning Commission of said city will conduct a joint public hearing to consider a proposed amendment to the Comprehensive Zoning Ordinance and Map of said city, codified as Chapter 155 of the Code of Ordinances of said City, changing the zoning classification of the following described land from its present classification of R-2 and R-3 to a new classification of C-1:

Block 700, Block 676 and Block 661, Velasco Townsite of the City of Freeport, Texas, according to the map or plat recorded in Volume 32, page 14 of the Deed Records of said county.

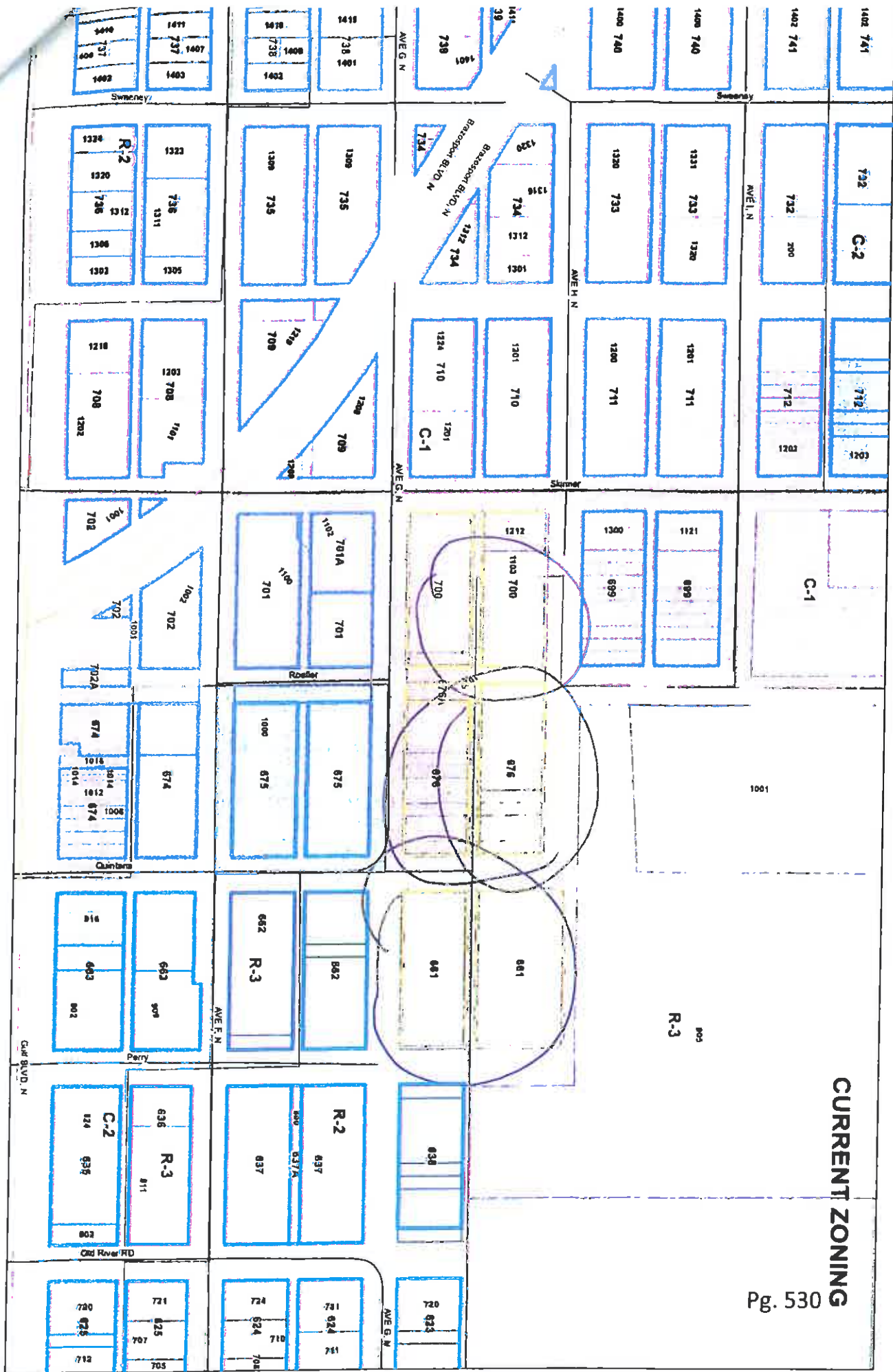
BY ORDER OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS,

made on the 6th day of August, 2012.

**Delia Munoz, City Secretary,
City of Freeport, Texas**

NOTE: This notice should be published in the Brazosport Facts ONE (1) time only at least fifteen (15) full days prior to the date of the public hearing. Also, a copy of this notice must be mailed at least ten (10) full days prior to the date of the public hearing to the owner(s) of the land for which a change in zoning classification is being sought and to the owners of all land within 200 feet thereof.

CURRENT ZONING



PROPOSED ZONING



ORDINANCE NO. 2012-2319

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT AND CONCLUSIONS OF LAW; AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF SAID CITY TO CHANGE THE ZONING CLASSIFICATION OF BLOCKS 661, 676 AND 700, VELASCO TOWNSITE FROM THEIR PRESENT ZONING CLASSIFICATION OF R-2 AND R-3 TO A NEW ZONING CLASSIFICATION OF C-1; RATIFYING AND CONFIRMING ALL ACTIONS PREVIOUSLY TAKEN BY THE PLANNING COMMISSION OF SAID CITY OR THE CITY COUNCIL, OR BOTH; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

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

WHEREAS, Subchapter A of Chapter 211 of the Local Government Code of Texas and Item (g) of Section 3.07 of the Home Rule Charter of the City authorizes the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and is necessary to conform the comprehensive zoning plan of the City to the current zoning conditions which exist therein.

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

SECTION ONE--Findings of Fact and Conclusions of Law.

The City Council of the City makes the following findings of fact and conclusions of law, viz:

First, that the public hearings required by the Zoning Enabling Act of the State of Texas, codified as Chapter 211 of the Texas Local Government Code, and the present Comprehensive Zoning Ordinance of the City, codified as Chapter 155 of the Code of Ordinances of the City, have been conducted in the manner and at the time required.

Second, that not less than fifteen (15) days prior to the date of such hearings, public notice thereof was published once in the Brazosport Facts, a newspaper of general circulation in and the official newspaper of the City, stating the date, time and place of such hearings.

Third, that not less than ten (10) days before the date of such hearings, written notice of the proposed change in classification was proposed and to all owners of property located within two hundred (200') feet of such property.

Fourth, that after considering evidence submitted at such hearings, the City Council of the City is of the opinion and finds that the conditions which warranted the classification of the hereinafter described property as R-2 and R-3 at the time of the adoption of such classification for such property have substantially changed; that conditions now exist which indicate that the classification of such property as R-2 and R-3 is no longer appropriate and, considering the community as a whole and the present Comprehensive Zoning Plan of the City, such property should be reclassified for purposes of zoning and the zoning of such property changed from R-2 and R-3 to C-1.

Fifth, that the health, safety, morals and general welfare of the inhabitants of the City will best be served by the adoption of this ordinance and the change in zoning classification hereinafter mentioned. Sixth, that this Ordinance in its final form has been reviewed by the Planning Commission of the City as required by Section 32.00.4 of the Code of Ordinances of the City.

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**SECTION TWO--Comprehensive Zoning Ordinance Amended
and Zoning Changed.**

Ordinance No. 1100, read, passed and adopted on the 3rd day of April, 1964, and now codified as Chapter 155 of the Code of Ordinances of the, is hereby amended and supplemented to provide that the following described parcel of land within the corporate limits of the City, to-wit:

**Blocks 661, 676 and 700, Velasco Townsite of
the City of Freeport, Brazoria County, Texas,
according to the map or plat recorded in Volume 32,
page 14 of the Deed Records of said county.**

be and the same is hereby reclassified for purposes of zoning as
Retail Business District, as defined in Section 155.037 of the Code of Ordinances and that the
zoning of said land should be and the same is hereby changed from R2 and R-3 to C-1.

SECTION THREE--Ratification and Confirmation.

The City Council of the City hereby ratifies and confirms any and all action taken by the Planning Commission of the City or the City Council of the City, or both, in connection with the change in zoning classification evidenced by this ordinance, including but not limited to the calling of a public hearing required by said Zoning Enabling Act and said Chapter 155, the giving of public notice of such hearings, the giving of written notice to the owners of property which is the subject of such and to the adjoining property owners, the making of preliminary and final reports with respect to such change and the conducting of the public hearings required by said Act and said Chapter 155.

SECTION FOUR--Severance Clause.

In the event any section or provision of this ordinance is found to be unconstitutional,

void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

SECTION FIVE--Effective Date.

This ordinance shall take effect and be in force from and after its passage and approval.

READ, PASSED AND ADOPTED this ____ day of _____, 2012.

Norma Moreno Garcia, Mayor,
City of Freeport, Texas

ATTEST:

Delia Munoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney
City of Freeport, Texas

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ORDINANCE NO. 2012-2320

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CLOSING AND ABANDONING THE PUBLIC ALLEY IN BLOCK 661 OF THE VELASCO TOWNSITE WITHIN THE CORPORATE LIMITS OF SAID CITY; FINDING THAT SUCH CLOSING AND ABANDONMENT IS IN THE PUBLIC INTEREST AND THAT IT WILL BENEFIT THE PUBLIC; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, there is located within the City of Freeport, Texas, hereinafter "the City", an alley in Block 661 of the Velasco Townsite shown on the plat of said Townsite recorded in Volume 32, page 14 of the Deed Records of Brazoria County, Texas, hereinafter "the alley"; and,

WHEREAS, the City is the sole owner of all of the lots contained said Block 661 which may be accessed by means of the alley as well as the owner of the underlying fee simple title to the land included in the alley; and,

WHEREAS, the closing and abandoning of the alley will be of benefit to the City because it will facilitate the development of said Block 661 for commercial purposes; and,

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

WHEREAS, Item (p) of Article 3.07 of the Home Rule Charter of the City of Freeport authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the closing and abandoning of such alley would be in the public interest for the reasons aforesaid and is, for such reasons, in the best interest of the inhabitants of the City.

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

First, the City Council of the City of Freeport, Texas, finds and declares that the findings of fact and conclusions of law set forth in the preamble to this ordinance are true and correct.

Second, the alley is hereby closed and abandoned, except the City hereby retains and reserves all necessary easements for utility lines, cables, poles and mains presently in use or that may be required in the future.

Third, in the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Fourth, this ordinance shall take effect and be in force from and after its passage and adoption.

READ, PASSED AND ADOPTED this _____ day of _____, 2012.

Norma Moreno Garcia, Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney
City of Freeport, Texas

GERALD L. ROBERTS, P.E.
COUNTY ENGINEER

MICHAEL C. SHANNON, P.E.
ASSISTANT COUNTY ENGINEER



(979) 864-1265 ANGLETON
(979) 388-1265 CLUTE
(281) 756-1265 HOUSTON
(979) 864-1270 FAX

BRAZORIA COUNTY
451 N VELASCO, SUITE 230
ANGLETON, TEXAS 77515

August 15, 2012

Re: Road & Bridge Interlocal Agreement Fiscal Year 2013

Dear Mayor:

Enclosed, please find two "original" Interlocal Agreements approved by Commissioners' Court and signed by Brazoria County Judge Joe King, covering construction, improvement, maintenance, or repair activities on streets or alleys within your municipality during Brazoria County's Fiscal Year (FY) 2013, which begins October 1, 2012. Upon approval of the Interlocal Agreement by action of your City Council, **please have your Mayor sign and return one fully executed original to the attention of Sherri Stanford, prior to October 1, 2012.**

In addition, please complete and return the enclosed Project Request, listing all "major" projects for which you are requesting labor and equipment from Brazoria County Road and Bridge during FY-13.

Each request submitted requires the approval of your Mayor. It is very important for our Superintendent to be involved in the negotiation and planning process with your Administration as to some level of work the County can accomplish for you. **Please return your completed Project Request to the attention of Sherri Stanford before December 15, 2012.**

We are encouraging you to consider that the County would prefer to do overlays only for "road construction". Doing sub-base, base, and stabilization of road materials is quite time consuming and ties up many of our resources that we need to be using on other county jobs.

The County Road and Bridge Act authorizes a Commissioners' Court to expend county funds and utilize county equipment to do road and street work within incorporated cities and towns, provided the governing body of the city or town consents, and it does not interfere with county road and bridge projects. Therefore, work under this interlocal agreement must be initiated by submitting a written request signed by your Mayor to the Engineer's Office. If such work is determined to be a benefit to the County by Commissioners' Court, work will be

performed as quickly as our Road Superintendent is able to schedule in coordination with other projects and commitments.

If unexpected projects come up during the year, please follow the same process of involving our appropriate Service Center Road Superintendent prior to submitting a written request to Brazoria County Engineering.

It is not necessary to involve the Superintendent in the planning process for driveways to be set, or pothole patching. However, in order to better serve your needs please list location, name, and contact number of the person requesting the work. Culverts should be on site with area staked out. The County will assist in spreading material providing the material is on site prior to our arrival to perform the work.

Cities are responsible for all material (road material, patching material, signs, culverts, etc.) and may purchase through the County's suppliers providing they have a "separate" interlocal agreement with the Brazoria County Purchasing Department. Cities will be invoiced for material depleted from Road and Bridge Department inventory.

If you have any questions, please contact Sherri Stanford at (979)864-1865.

Sincerely,



Gerald L. Roberts, P.E.
County Engineer

GR/ss
Encl.

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

INTERLOCAL AGREEMENT

This agreement is made at Angleton, Brazoria County, Texas between BRAZORIA COUNTY, TEXAS acting through its Commissioners' Court (hereinafter "County"), and the CITY OF FREEPORT, acting through its Mayor (hereinafter "City").

NOW THEREFORE, THE COUNTY AND THE CITY agrees as follows:

1.0 The terms of this agreement shall be from October 1, 2012, to September 30, 2013. The AGREEMENT may be renewed annually by the written approval of County and City.

1.1 Pursuant to the Interlocal Cooperation Act, Texas Government Code, Chapter 791 and the Texas Transportation Code, Section 251.012, the County agrees to provide personnel and equipment at its own expense to assist in the construction, improvement, maintenance and/or repair of a street or alley located within the corporate limits of the City of Freeport, subject to the approval of the County Engineer as set forth in Section 1.3, including sub grade preparation, base preparation, asphalt paving, culverts and ditch work, herbicide spraying, painting and striping roads, installation of permanent traffic signs, and other routine road maintenance operations. Any work performed on the City's streets and alleys which are not an integral part of, or a connecting link to, other

roads and highways is allowed if such work is determined to be a benefit to the County by Commissioners' Court. The City will provide materials, including fuel used by the equipment for these projects. All such materials shall be paid for by the City, and may be purchased through the County's suppliers. The City shall reimburse the cost of any work performed or obtained by the County, which is determined to be beyond the scope of this agreement, to the County.

1.2 The county work authorized by this AGREEMENT may be done:

- (1) By the County through use of county equipment;
- (2) By an independent contractor with whom the County has contracted for the provision of certain services and materials, conditioned on the City providing a purchase order to such independent contractor for the full amount of such services or materials.

1.3 During the term of this AGREEMENT when County work is requested, the Mayor of the City shall submit a request in writing to the County Engineer. The County Engineer and the Mayor of the City shall agree in writing as to the location and type of assistance to be provided pursuant to this AGREEMENT. It is expressly understood between the parties that the County shall have no authority or obligation to provide any service or work on any city street or alley not so agreed to in writing. The County Engineer is authorized to sign an acceptance statement for

each project at the appropriate time and authorize the work subject to be completed as the Road and Bridge Department schedules permit.

1.4 The parties intend that the County in performing such services shall act as an independent contractor and shall have control of the work and the manner in which it is performed. The County shall not be considered an agent, employee, or borrowed servant of the City.

1.5 For and in consideration of the above agreement by the County, the City agrees to provide all warning and safety signs and other safety protections as required when such work is being performed by the County.

1.6 The parties further agree that such work and materials are provided by the County without warranty of any kind to the City or any third party, and that the County has no obligation to provide any supplemental warranty work after a project's completion. The City agrees to provide any engineering or design work required for work done pursuant to this agreement.

II.

2.0 To the extent authorized by law, the City hereby agrees to hold harmless the County, its officers, agents and employees from any and all loss, damage, cost demands or causes of action of any nature or kind for loss or damage to property, or for injury or death to persons, arising in any manner from the performance of the above-referenced work.

2.1 Payment for services or materials under this agreement shall be payable from current revenues available to the paying party.

III.

3.0 Either party may terminate this agreement upon thirty- (30) day's written notice to the other party.

3.1 Nothing herein shall be construed to make either party a purchaser or consumer of goods or services from the other.

3.2 Nothing herein shall be construed to create any rights in third parties.

SIGNED AND ENTERED this the 17 day of August, 2012.

BRAZORIA COUNTY, TEXAS


By: Joe King
Brazoria County Judge

By: Mayor

ATTEST:

CITY SECRETARY

City of Freeport
 Interlocal Agreement Project Request Summary FY-13

STREET/LOCATION	LIMITS (TO - FROM)	LENGTH (FT)	WIDTH (FT)	WORK DESCRIPTION (Major Street Projects ONLY)	FOR OFFICE USE ONLY
					5 Pg

*Note: Each page submitted must be approved
 by Mayor Return to County Engineer.*

Approved By: Mayor _____

**City of Freeport
 Interlocal Agreement Project Request Summary FY-13**

STREET/LOCATION	LIMITS (TO - FROM)	LENGTH (FT)	WIDTH (FT)	WORK DESCRIPTION	FOR OFFICE USE ONLY

*Note: Each page submitted must be approved
 by Mayor. Return to County Engineer.*

9 44 5 b 29

Approved By: Mayor



PLAINVIEW, TX

city of plainview

August 22, 2012

Re: TML-Intergovernmental Risk Pool Board Election – Place 11 – Greg Ingham

Dear Jeff Pynes,

You have recently received your Official Ballot to vote for four members of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. I am running for re-election for Place 11 and I would appreciate your vote and support.

The mission of the TML Intergovernmental Risk Pool is to provide Texas cities and other units of local government with a stable source of risk financing and loss prevention services at the lowest cost consistent with sound business practices. By pursuing these goals together we have built one of the largest local government risk pools in the country. Over the years we have expanded our coverage lines to include not only cities, but also local governmental entities such as appraisal districts, councils of governments, housing authorities, water districts, and others to broaden our base.

Last year our Pool's Loss Prevention Staff presented on-site training to nearly 9,000 local government employees and officials; and on-line training to another 6,800 participants to help provide a safer work environment and to control losses. These efforts, when combined with the Board's efforts to build a strong financial base have enabled your Pool to assume additional risk to control operating costs; at the same time **return equity to our members sixteen times since 1993 totaling over \$130,000,000**; and reduce rates for certain coverages in ten of the years during that time frame.

The Plainview City Council and the TML-IRP Board have nominated me for your consideration for Place 11 on the Texas Municipal League Intergovernmental Risk Pool Board of Trustees. I look forward to the opportunity to continue serving you – the cities and other local governments of Texas in this office.

I would appreciate your vote and continuing support.

Thank you,

Greg Ingham, City Manager

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OFFICIAL BALLOT

Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

This is the official ballot for the election of Places 11 – 14 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an "X" in the square beside the candidate's name. You can only vote for one candidate for each place.

The officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees.

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2012. Ballots received after September 30, 2012, cannot be counted. **The ballot must be properly signed and all pages of the ballot must be mailed to: Trustee Election, David Reagan, Secretary of the Board, P. O. Box 149194, Austin, Texas 78714-9194. If the ballot is not signed, it will not be counted.**

PLACE 11

- Bill Agan.** Mayor of Richland Hills (Region 8). Mr. Agan was elected Mayor in May, 2012, for a term of two years. He has served as a city councilmember from 1986 to 1987. He has served on the City's Planning and Zoning Commission, and has served on the City's Charter Review Commission in 1986 and from 2011 to the present. Mr. Agan has owned an auto repair business for 40 years, and has been involved in an insurance business for two years and a real estate business for six years.
- Greg Ingham (Incumbent).** City Manager, City of Plainview (Region 3) since 2004. He has previously served as City Manager in Levelland and Littlefield, Texas. Mr. Ingham has served in local government since 1975 and is active in numerous statewide and regional organizations. He has an MPA and is a Certified Public Manager. Mr. Ingham has been a board member of the TML Intergovernmental Risk Pool since 1989. He has served as Chair and Vice-Chair of the Board, and has served as Chair of the Board's Finance Committee.
- Kavon Novak.** Alderman, City of Caldwell (Region 10) since 2011. He is a 1991 graduate of Texas A&M University with a Bachelor's Degree in Marketing. He has been a business owner for 14 years in the financial industry and is currently an Investment Consultant with LPL Commerce since 2009. Mr. Novak has been a member of the Caldwell Men's Lions Club for 9 years and is currently the Treasurer. He and his wife of 16 years, Lori, have 4 children. They are members of First Baptist Church in Caldwell and are active in 4-H Shooting Sports and Soccer.
- Troy Stegemoeller.** Mayor Pro Tem, City of Idalou (Region 3). Mr. Stegemoeller has served on the City Council since 2008. He has a B.S. in Agriculture Economics from Texas Tech University and is a graduate of Louisiana State University Graduate Banking School. He has been in banking for 32 years, and currently serves as the President of Vista Bank in Idalou. He has served on an advisory committee to Congressman Randy Neugebauer, and has served as finance chair of the Idalou Methodist Church and Treasurer of the local Salvation Army.

WRITE IN CANDIDATE:

PLACE 12

- Larry Gilley** (Incumbent). City Manager, City of Abilene (Region 6) since June of 2002. He previously served as City Manager for San Marcos (1988 – 2002), Assistant City Manager for San Marcos (1987 – 1988), City Manager for Panhandle (1977 – 1987), and City Manager for Bovina (1976 – 1977). Mr. Gilley has been a Board member of the TML Intergovernmental Risk Pool since 2007, and currently serves as Chair of the Board’s Underwriting and Claims Committee. He has an MPA from Southwest Texas University, and a BA from Texas Tech University.

- Pete Gonzalez**. Deputy City Manager and Chief Financial Officer of the City of Brownsville (Region 12) since June of 2008. He previously served as Director of Finance for Brownsville from 1978 to 2008. He serves as a Board member and Finance Officer for the United Brownsville Corporation. He has a BBA degree in Accounting from Texas A&I University in Kingsville and is a certified government financial manager. Under his leadership, the City of Brownsville has been awarded the Certificate of Achievement for Excellence in Financial Reporting for the past 34 consecutive years.

WRITE IN CANDIDATE:

PLACE 13

- Byron Black** (Incumbent). Board Chair, Central Appraisal District of Johnson County (Region 8) and member of the Area Metro Ambulance Authority Board. He served as Mayor of Burleson from 1998-2004, previously serving as mayor pro tem and as a Councilmember. He was a member of the Burleson Independent School District Board for 12 years, 9 as President, and served as president of TASB. Mr. Black has served as a Board member of the TML Intergovernmental Risk Pool since 2000, and presently serves as Vice-Chair.

- Gary L. Kent**. Councilmember for the City of Copperas Cove (Region 9). Mr. Kent has been a resident of Copperas Cove for over fourteen years. He and his wife have three children and two grandchildren. He served 24 years with the U.S. Army, including three combat tours, and retired as a 1st sergeant. He currently serves as police chief for the City of Nolanville and has more than 17 years of law enforcement experience. He is an active member of many community groups, including VFW Post #8577.

- Keith Olson**. Councilmember, City of Huntsville (Region 14) since 2010, and serves as Chair of the City's Finance Committee. Mr. Olson was born in Houston in 1973, and grew up in Huffman, Texas. He graduated from the University of Houston's Police Academy in 1994. Councilmember Olson sits on various local and regional boards pertaining to private finance. He is currently the owner and operator of Olson's Fine Jewelry, with interests in diamonds and specialty watches.

WRITE IN CANDIDATE:

PLACE 14

- Cynthia Kirk.** Risk Manager for the City of Bryan (Region 10) since 1984. Ms. Kirk directs the City's workers' compensation, property and casualty coverage, claims administration, and safety/loss control functions. She is past president and currently serves on the Board of Directors of the Texas Chapter of the Public Risk Management Association and of the State and Local Government Benefits Association. She has served on the Board of Directors for the Surplus Lines Stamping Office of Texas and on various committees for the National Public Risk Management Association.

- Pat Norriss** (Incumbent). Nortex Regional Planning Commission (Region 5). Ms. Norriss served on the Burkburnett City Council for 22 years, including 16 years as mayor. She serves as a board member of the National Association of Regional Councils and has served as president of the Texas Association of Regional Councils of Government. She is also a Board member of Wichita Wilbarger 911 District and Nortex 911 Communication District. Ms. Norriss has served as a Board member of the TML Intergovernmental Risk Pool since 1995, and served as chair of the Board from 2004 - 2006.

- Michael S. Nyren.** Risk Manager for Capital Metropolitan Transportation Authority in Austin (Region 10) for 17 years. He has earned the designation of Associate in Risk Management and Associate in Risk Management for Public Entities and he serves on the Board of the Risk and Insurance Management Society, Central Texas Chapter. Mr. Nyren has a degree in Government and recently completed the Certified Public Manager Program at Texas State. He also has 30 years of experience in insurance, wellness, safety, security, and risk management.

WRITE IN CANDIDATE:

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness by hand, this _____ day of _____, 2012.

Signature of Authorized Official

Title

Printed Name of Authorized Official

Printed name of Political Entity

INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement ("Agreement"), by and between the BRAZOSPORT INDEPENDENT SCHOOL DISTRICT, a political subdivision lying in Brazoria County, Texas, organized under the Constitution and Laws of the State of Texas and hereinafter the DISTRICT, acting by its undersigned officers hereunto duly authorized by appropriate resolution of its Board of Trustees; being the governing board thereof, and the CITY OF FREEPORT, TEXAS, a home rule municipality lying and situated in Brazoria County, Texas, wholly within the boundaries of the District, duly organized under the Constitution and Laws of the State of Texas and its Home Rule Charter, hereinafter the CITY, acting by and through its undersigned officers, hereunto duly authorized by appropriate resolution of its City Council, being the governing body thereof. Joined herein by its Chief of Police with regard to those matters which, under the Home Rule Charter or ordinances of the City, come within his exclusive jurisdiction;

WITNESSETH:

WHEREAS, the CITY has a police department providing police protection and detention services to some of the territory included within the boundaries of the DISTRICT; and,

WHEREAS, Section 37.081 of the Education Code provides that the governing board of any school district may employ security personnel for use in any school within its district when the board in its discretion determined that such personnel are necessary and that all costs incurred by a school district in employing security personnel shall be borne by the school district; and,

WHEREAS. Section 37.081 of the Education Code provides that the Board of Trustees of any school district may employ security personnel and commissioned peace officers to carry out the provisions of Subchapter C of said Code. Codified as Section 37.081. et seq., of said Code; and,

WHEREAS, the Board of Trustees of the DISTRICT has determined and declared that having full time security personnel who are commissioned peace officers available to the various schools operated by the District is in the best interest of its students and patrons and that the most cost efficient and prudent method to carry out this policy is to enter into an Agreement with the CITY to have police officers of the CITY specially assigned by the Chief of Police to provide police protection for the DISTRICT on a fulltime basis as hereinafter provided; and,

WHEREAS, the City Council of the CITY had determined and declared that providing full-time police protection to the DISTRICT in the manner set forth below is necessary to the health, safety, morals and general welfare of its inhabitants and its Chief of Police has and by signing below does agree to abide by the terms of this Agreement which are applicable to him; and,

WHEREAS, the DISTRICT and the CITY are both "local governments" and police protection is a "governmental function and service," as those terms are defined in Interlocal Cooperation Act, codified as Chapter 791 of the Government Code of Texas, hereinafter the ACT; and,

WHEREAS, the ACT authorizes any local government to contract or agree with another local government in accordance with the ACT to perform governmental functions and services that each party to the contract is authorized to perform individually.

NOW, THEREFORE, pursuant to the ACT, it is mutually agreed by and between the DISTRICT and the CITY as follows:

1. GENERAL PROVISIONS

Section 1.1 - The term of this Agreement shall be for the period of (1) one year, beginning September 1, 2012 and ending August 31, 2013. However, this Agreement shall be automatically renewed for an additional term of one (1) year on each anniversary of its beginning date unless more than ninety (90) days prior to the expiration of the initial term hereof or any renewal term to which this Agreement has been so extended, either the DISTRICT or the CITY notifies the other in writing of the notifying party's desire that this Agreement be terminated. In addition, this Agreement may be terminated with or without cause by either party upon ninety (90) days prior notice when it appears such termination is in the terminating party's best interest.

Sect.on 1.2 - As used in this Agreement, the following words and phrases have the following meanings:

"City" and "the City" mean the CITY OF FREEPORT, located in Brazoria County, Texas.

"Claim" means any cause of action, including but not being limited to, one for personal injury or property damage, which is made by any person (including but not being limited to any party to this Agreement or the officers or employees of any party hereto) which arises out of the performance of this Agreement by any party hereto or the officers or employees of any party hereto, and includes demands for money damages, attorney's fees, costs of court, expenses of litigation and other relief which any person is permitted to seek in the federal district court of the United States or the courts of the State of Texas.

"Day" means the period of time between 12:01 AM of one calendar day and 11:59 PM of the same calendar day.

"District" and "the District" mean the Brazosport Independent School District located in Brazoria County, Texas.

"Full-time" refers to 187 days as reflected in the District instructional calendar.

"Force majeure" means Acts of Nature, strikes, industrial disturbances, acts of public enemy, orders from state or federal government, insurrection, epidemics, lightning, fires, hurricanes, storms, floods, droughts, earthquake, explosion, breakage or accidents to vehicles or other necessary equipment and the inability of either the City or the District, or their respective officers or employees, to perform as provided in this Agreement on account of any other cause or causes not reasonably within the control of the party claiming such inability.

"Police services" mean the enforcement of all criminal laws of the State, the applicable ordinances of the City and any rules and regulations adopted by the District pursuant to the provisions of Section 37.081 Subchapter C. of the Education Code as well as providing advice and instruction to the students, staff and employees of the District concerning the same.

"Special Duty Officer" means any police officer of the City selected under the provisions of section 2.1 of this Agreement to provide police services for the District.

Section 1.3 – If, by reason of force majeure, the City or the District, or their respective officers or employees, shall be rendered partly or wholly unable to carry out its obligations under this Agreement, other than making payment as required under the terms of this Agreement, if the party unable to perform or its officer or employee, as the case may be, shall give written notice of such force majeure within a reasonable time after the occurrence of such event or cause, the obligation of the party giving such notice or its officer or employee shall be suspended during the continuance of the inability claimed. Provided, however, the party unable to carry out its obligations under this Agreement, or its officer or employee, as the case may be, shall make prompt efforts to overcome, repair, or remedy the inability to comply with this Agreement. Provided further, upon ten (10) days' notice, the District may cease making payments pursuant to this Agreement and terminate this Agreement if the City is unable to provide a Special Duty Officer for the District by reason of force majeure for a period often (10) days.

Section 1.4 - No additions, deletions, changes or variations to this Agreement or any terms of this Agreement shall be effective unless such additions, deletions, changes or variations are in written form and formally agreed to and attested to by the appropriate officials of the City and District.

Section 1.5 - In the event any section or provision of this Agreement is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this Agreement and such remaining sections and provisions shall remain in full force and effect. Provided, however, effect shall be given to the intent manifest by the portion held invalid or inoperative.

Section 1.6 - IT IS EXPRESSLY AGREED AND UNDERSTOOD that this Agreement contains all Agreements, representations, covenants and warranties, expressed or implied, relative to the City and its Chief of Police providing police services for the District and the payment for such services by the District, and no prior Agreement, if any, shall be binding upon the parties hereto unless contained herein.

Section 1.7 - The District shall make payment to the City from current revenues available to the District.

Section 1.8 - As used herein, the singular number includes the plural and the plural number the singular; and the use of one gender includes the other genders.

II. OBLIGATIONS OF THE CITY

Section 2.1 - The City and its Chief of Police agree that two (2) shall be selected by the Chief of Police from the police officers of the City for special assignment to provide campus security for the schools of the District. In making the decision regarding hiring, discharging, evaluation and disciplining, the Chief of Police shall consider information and recommendations from the District. The Special Duty Officer shall, at the time of his appointment, meet all minimum standards for peace officers established and be certified to perform the duties of a peace officer within the State of Texas by the Commission on Law Enforcement Officer Standards and Education and must maintain such certification for the duration of his special assignment hereunder. The Special Duty Officer shall, from time to time, undergo such additional training as may be requested by the Assistant Superintendent of Administrative Services or his designee.

Section 2.2 - The Special Duty Officer shall remain under the direct supervision of the City's Chief of Police and, in acting as a Special Duty Officer shall be governed by such special provisions as may be added from time to time by the City's Chief of Police to the Police Department Policy Manual. The Special Duty Officer shall be subject to all other personnel policies and practices of the City and the Freeport Police Department. In addition, the City will use the City's training and personnel record-keeping resources to maintain all necessary personnel records (vacation, in-service training, etc.) for the Special Duty Officer.

Section 2.3 - Each Special Duty Officer shall remain an employee of the City and carried on the City's payroll and provided all the other benefits of employment to which such Special Duty Officer would otherwise be entitled by virtue of his employment by the City. The salary to be paid to the Special Duty Officer, not to exceed \$90,000 total, shall be fixed by the City in the same manner as the salary of any other police officer is fixed. The sick leave, annual leave accrual rates and usage to be paid to the Special Duty officer shall be fixed by the City in the same manner as any other police officer is fixed. Under no circumstances shall Special Duty Officer ever be considered to be an employee of the District and the District shall not be liable to any Special Duty Officer for any salary or other benefits of employment. During the term of this Agreement, the City shall present to the District's Director of Business Services a bi-weekly invoice reflecting all payroll expenses (including overtime, sick and/or annual leave if any) of Special Duty Officer who actually provided police services for the District pursuant to this Agreement during the preceding two (2) weeks. If a Special Duty Officer is off during this two week cycle due to sick and/or annual leave usage, The School District will be billed for fees associated with assigning a non-Special Duty Patrol Officer, to fill this vacancy.

Section 2.4 - The Chief of Police agrees to furnish a Special Duty Officer with the exclusive assignment of providing police services on behalf of the District of not less than eighty (80) hours bi-weekly during the term of this Agreement. Such invoice shall also include the miles actually traveled and the charge therefore calculated as provided below in Section 3.3 of this Agreement if a City police vehicle was used by Special Duty Officer in providing police services of the District during any day included within the period covered by such invoice.

Section 2.5 - The hours and days worked by the Special Duty Officer shall follow the instructional calendar of the District; however, such working hours and days shall be flexible and may be changed to meet the need of the District or the Freeport Police Department at the discretion of the Chief of Police and the District Superintendent or designee. The District acknowledges and agrees that the Special Duty Officer may take time off in accordance with the City's personnel policies with the approval of the Chief of Police or designee. The District Superintendent or designee shall be notified of the days and hours the Special Duty Officer intends to take off. In the event of a Special Duty Officer's absence due to illness, injury or other anticipated cause, the District Superintendent or designee shall be notified as soon as practical.

Section 2.6 - To the extent permitted by law, the City agrees to provide the District access to the records, reports, or other written statements or written communications of the Special Duty Officer that concern the Special Duty Officer's activities on behalf of the District.

Section 2.7 - The City agrees to make the Special Duty Officer available to testify at any disciplinary hearing, lawsuit, or other District-related proceeding when such testimony is District related. If the activity is School District related the district could be billed for any overtime according to city policies.

III. OBLIGATIONS OF THE DISTRICT

Section 3.1 - The District agrees to reimburse the City for all payroll expenses (including overtime, if any) of Special Duty Officer who actually provided police services for the District

pursuant to this Agreement and for any mileage due the City, in connection with the provisions of Section 3.3 of this Agreement within five (5) business days after receiving an invoice issued by the City therefore.

Section 3.2 - The District also agrees to pay for all special training received by any Special Duty Officer at the request of the District, either by reimbursing the City or by paying for the costs thereof directly to the entity which provides such training. At no cost to the school district, all assigned Officers shall fully review the Brazosport ISD Student Code of Conduct, and all Brazosport ISD Board policies (legal and local) related to bullying, and sexual harassment.

Section 3.3 - The District agrees to provide necessary fuel costs related to transportation of the Special Duty Officer for District purposes under this Agreement by reimbursing the City at the rate of fifty-five (\$0.55) cents per mile for the use of a police vehicle owned by the City.

Section 3.4 - The District agrees that the Principal of the campus at which police services are provided shall obtain the written consent of the City's Chief of Police or designee before requesting that any Special Duty Officer provide police services for the District outside of the corporate limits of the City.

Section 3.5 - The District agrees to make the Principal or Assistant Principal of each campus on which police services are provided by the City and the other employees of the District assigned to such campus available, upon the request of the Special Duty Officer, for the taking of witness statements and the giving of testimony regarding any activity occurring on

such campus which is proscribed by the law of the State of Texas or the ordinances of the City. Provided, the taking of such statements and the giving of such testimony shall be done in a manner which the Assistant Superintendent of Administrative Services or his designee may determine to be least intrusive upon the performance of such Principal, Assistant Principal and employees of the duties assigned to them by the District.

Section 3.6 - School officials shall allow the Special Duty Officer to inspect and copy any public records maintained by the District including student directory information such as yearbooks unless a parent or a student over 18 years of age has previously requested confidentiality. However, law enforcement officials may not inspect and/or copy confidential student education records except in emergency situations and in compliance with all legal requirements. If confidential student education records are needed, but no emergency situation exists, the information may be released only in compliance with the Family Education Rights and Privacy Act (FERPA) and/or applicable law upon the issuance of a search warrant or subpoena to produce the records.

IV. OBLIGATIONS OF THE SPECIAL DUTY OFFICER

Section 4.1 - The obligations and duties of the Special Duty Officer shall include:

a) Conducting investigations of all narcotic/alcohol violations occurring on District property or at District sponsored or school related activities on or off District property;

b) patrolling the periphery of District campuses (up to and including 300 feet beyond the real property boundary lines) for the purpose of controlling narcotic/alcohol sale and use and other crimes prohibited by Texas Education Code § 37.006(a) and § 37.007;

c) attending District sponsored or school related activities during school hours;

d) Working with faculty/administration/student body/parents to help develop the necessary knowledge and skill required to detect the presence and dangers of narcotics/alcohol,

e) Acting as educational resources for the criminal justice system and its operation in society;

f) Establishing good rapport with students to establish a role model for good community/criminal justice system relationships;

g) Providing security on the campuses for prevention of theft, trespassing, and intrusion;

h) Reporting open and unlawfully entered buildings to the prescribed personnel;

i) Acting as liaison with public safety authorities on matters affecting school security;

j) Consulting with District Administration on methods of increasing security in and around the premises of each school;

k) Complying with the District's policies and procedures;

l) Upholding the laws of the State of Texas;

m) Preserving the peace within the Officer's jurisdiction by all lawful means;

and

n) Performing such other law enforcement duties as may be agreed upon by the Chief of Police and the District.

For purposes of this Agreement "school related activities" are defined as activities that are in any way sponsored or officially sanctioned by the District.

V. JURISDICTION AND AUTHORITY OF POLICE OFFICER

Section 5.1 – The special duty Officer's jurisdiction and authority of campus security personnel commissioned by the board of trustees of a school district pursuant to Section 37.081 of the Texas Education Code. The Special Duty Officer shall act on behalf of the District only pursuant to the jurisdiction and authority granted in that statute.

VI. INDEMNITY AND INSURANCE

Section 6.1 – The City shall ensure that all activities of the Special Duty Officer under the terms of this agreement are covered under its general liability policy.

VII. ARBITRATION

Section 7.1 – All disputes, claims and questions regarding the rights and obligations of the City and the District under the terms of the Agreement are subject to arbitration. In case of

dispute, either party may make a demand for arbitration by filing such demand in writing with the other party within thirty (30) days of the disputed occurrence.

Section 7.2 – If the City Council of the City and the Board of Trustees of the District agree in writing on the selection, there shall be one arbitrator. If an agreement to use one arbitrator is not reached within ten (10) days after demand for arbitration, there shall be three arbitrators, one named in writing by the City and a second designated in writing by the District within thirty (30) days after demand for arbitration; and a third arbitrator shall be chosen by the two arbitrators already appointed, who shall notify the City and the District in writing of the identity of such third arbitrator. If there is one arbitrator such arbitrator's decision shall be binding; if there are three arbitrators, the decision of any two of them shall be binding. Unless mutually agreed by the City Council of the City and the Board of Trustees of the District, no one shall act as an arbitrator who is a resident of the District or an employee of the City or the District within the third degree by blood or marriage, and no one shall act as an arbitrator who is an independent contractor or an employee of an independent contractor who regularly does business with either the City or the District, or both.

Section 7.3 – Should either party refuse or neglect to designate an arbitrator or to furnish the arbitrator(s) with any necessary papers or information, the arbitrator(s) may proceed exparte. The decision of the arbitrator(s) shall be binding on all parties without right of further appeal.

Section 7.4 – the arbitrators are authorized to award to the party whose contention is upheld such relief as such party is entitled to under the terms of this Agreement, including but

not limited to such sums of money as the arbitrators may find such party to be due hereunder. In addition, the arbitrators shall be authorized to award to the successful party its' reasonable attorney's fees and costs of litigation, including arbitrator compensation, if they find the unsuccessful party initiated the arbitration without reasonable cause.

Section 7.5 – Except as provided above in Section 1.3 hereof, police services required to be furnished to the District by the City and its' Chief of Police and the reimbursements required to be made therefore by the District to the City under this Agreement shall not be interrupted or delayed during any arbitration proceeding, unless the Agreement has ended pursuant to a notice of the nonrenewal of this Agreement as provided in Section 1.1 hereof.

Section 7.6 – the arbitrators shall fix their own compensation, subject to the written approval of the District and City. Each party shall bear the costs of the arbitrator's compensation equally.

EXECUTED by the BRAZOSPORT INDEPENDENT SCHOOL DISTRICT Date: _____ 2012.

BRAZOSPORT INDEPENDENT SCHOOL DISTRICT

By _____

Dr. Karin Holacka, Superintendent

EXECUTED by the CITY OF FREEPORT: Date: _____, 2012.

CITY OF FREEPORT, TEXAS

By _____

Tyrone "Ty" Morrow, Chief of Police

AGREED AND APPROVED: Date: _____ 2012.



City of Freeport
Building Department
Phone: 979-233-3526

For Office Use Only

Case Number: _____
Date Filed: 8-2-12
P & Z Date: 8-28-12
Council Date: 9-4-12 Agenda #15
10-1-12 JPH

Application for
Specific Use Permit

1. Address or general location of site: 801 NAVIGATION BLVD
2. Subdivision Block Lots Acres
_____ 24 1-8 2.439
3. Current Zoning Classification: C2-R3
4. Proposed use of the site (please be specific): 5,455 SF BUILDING FOR PORT FREEPORT EMERGENCY OPERATIONS CENTER AND DEVELOPMENT OF THE 2.439 ACRE SITE FOR PARKING.
5. Reason for requesting a specific use permit: TO INSTALL A 150-FOOT COMMUNICATIONS TOWER TO BE LOCATED ADJACENT TO THE EMERGENCY OPERATIONS CENTER BUILDING.

I hereby certify that I am the owner or duly authorized agent of the owner, for the purposes of this application. The application fee of \$150.00 to cover the cost of this specific use permit application has been paid to the City of Freeport on Aug. 2nd, 2012. I also certify that I have been informed and understand the regulations regarding specific use permits as specified in the Zoning Ordinance of the City of Freeport. I understand it is necessary for me or my authorized agent to be present at both the Planning and Zoning Commission and the City Council public hearings.

Owner's Signature: [Signature]

Owner's Name: PORT FREEPORT

Address: 200 W. 2ND STREET

City, State, Zip: FREEPORT, TX 77541 Phone: 979-233-2667

PAID
AUG 07 2012
BY: 150.00
Pg. 568

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

Signature of Owner

Name Printed or Typed

Signature of Agent

Name Printed or Typed

Address of Agent: _____ E 200, BOSTON X 77042

Agent's Phone Number: 713 968-9334

City of Freeport
Building Department
Phone: 979-233-3526

For Office Use Only

Case Number: _____
Date Filed: August 10, 2012
P & Z Date: August 28, 2012
Council Date: 9-4-12 Agenda # 16
10-1-12 JPH

**Application for
Specific Use Permit**

1. Address or general location of site: 1213 North Ave J Freeport TX. 77541
2. Subdivision Block Lots Acres
Velasco Townsite 712 18-20 _____
3. Current Zoning Classification: Commercial C-2
4. Proposed use of the site (please be specific):
Telecommunications Tower Site for Collocation
5. Reason for requesting a specific use permit:
AT&T Request Skyway Towers to build Tower to accommodate New 4G LTE Technology

I hereby certify that I am the owner or duly authorized agent of the owner, for the purposes of this application. The application fee of \$150.00 to cover the cost of this specific use permit application has been paid to the City of Freeport on August 10, 2012. I also certify that I have been informed and understand the regulations regarding specific use permits as specified in the Zoning Ordinance of the City of Freeport. I understand it is necessary for me or my authorized agent to be present at both the Planning and Zoning Commission and the City Council public hearings.

Owner's Signature: [Signature]

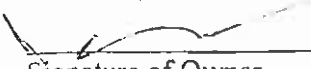
Owner's Name: JIM DIBBLE

Address: 100 Lakewood

City, State, Zip: CLUTE TX 77531 Phone: 979-201-3987

150.00
Pg. 570

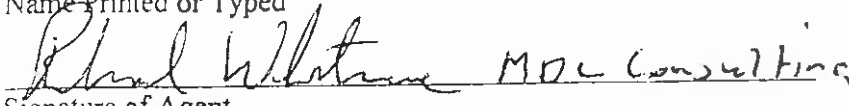
In lieu of representing this request myself as owner of the subject property, I hereby authorize the person designated below to act in the capacity as my agent for the application, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person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



Signature of Owner

Jim Dible

Name Printed or Typed



Signature of Agent

Richard Whitmore

Name Printed or Typed

Address of Agent: 5555 Morningside⁵ Dr Houston TX 77005

Agent's Phone Number: 512-750-9953

C. ADDITIONAL NOTES:

Note 1: Application Withdrawal – Any request for withdrawal of an application must be submitted in writing to the Building Secretary. Once a request for a conditional use permit has been advertised and notification of the public hearing mailed, such request must be placed on a public hearing agenda whereby the appropriate body will consider and act on the request for withdrawal of the application at that time. The Planning and Zoning Commission is under no obligation to grant a request for withdrawal of the application, and may still act on the request as originally submitted. It should be understood that there will be no refunds.

Note 2: Application Presentation – At the applicable Planning and Zoning Commission public hearing, an applicant shall have Fifteen (15) minutes to make a formal presentation of the project proposal. Due to the size and arrangement of the City Council Chambers, tripod-mounted opaque renderings generally prove to be an effective means of presentation. the use of slides is another means of visual aid for project presentations. the applicant shall assume full responsibility for providing a properly prepared and compatible slide carousel to staff prior to the public hearing. The use of transparencies on an overhead projector is another effective means of material presentation. If additional equipment is needed, it shall be the applicant's responsibility to provide or make the necessary arrangements.

Note 3: Additional Information Submitted – Only the information which has been presented by the applicant at the Planning and Zoning Commission public hearing will be presented to the City Council at an appeal. Any additional information presented to the City Council which has not been previously submitted to and reviewed by the Planning and Zoning Commission will be referred by the City Council back to the Planning and Zoning Commission which may cause delays in action by the City Council.

Note 4: Scheduling – The zoning application, required fees, and drawings are required to be presented to the Zoning Administrator as specified in the schedule of meetings.

I acknowledge that I have read and understand the conditional use permit procedures and requirements as presented in this packet and by staff at the pre-application conference.



Signature of Applicant or Agent

8-10-12

Date

City of Freeport
Building Department
Phone: 979-233-3526

For Office Use Only

Case Number: _____
Date Filed: _____
P & Z Date: _____
Council Date: 9-7-12 Agenda #17
10-1-12 JPH

Application for
Specific Use Permit

1. Address or general location of site: 411 Sailfish Ave Freeport, TX 7754
2. Subdivision # 8 Block _____ Lots 6 Acres 2.2
3. Current Zoning Classification: P.U.D.
4. Proposed use of the site (please be specific): R. V. Park
5. Reason for requesting a specific use permit: To build a R.V. Park

I hereby certify that I am the owner or duly authorized agent of the owner, for the purposes of this application. The application fee of \$150.00 to cover the cost of this specific use permit application has been paid to the City of Freeport on May 30, 2012. I also certify that I have been informed and understand the regulations regarding specific use permits as specified in the Zoning Ordinance of the City of Freeport. I understand it is necessary for me or my authorized agent to be present at both the Planning and Zoning Commission and the City Council public hearings.

Owner's Signature: Ravindra P. Patel

Owner's Name: Ravindra P. Patel

Address: 3211 Oak Cliff Ln.

City, State, Zip: Missouri City, TX Phone: (713) 677-3480
77459 713 677-8340

application, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person with the City (and vice versa) in processing and responding to requirements, information or issues relative to this request

Ravindra P. Patel

Signature of Owner

Ravindra P. Patel

Name Printed or Typed

Ravindra P. Patel

Signature of Agent

Ravindra P. Patel

Name Printed or Typed

Address of Agent: 3211 Oak Cliff Ln. Missouri City, TX

Agent's Phone Number: (713) 677-3480

FIELD NOTES OF A 2.02 ACRE TRACT OUT OF LOT 6, OF THE BRAZOS COAST INVESTMENT COMPANY SUBDIVISION #9, F.J. CALVIT LEAGUE, ABSTRACT 51, AS RECORDED IN VOLUME 2, PAGE 144, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, SAID LOT 6 ALSO BEING A PART OF RESERVE "A" OF THE REPLAT OF TRACTS A, B, C AND D IN BRIDGE HARBOR SUBDIVISION ACCORDING TO THE PLAT RECORDED IN VOLUME 17, PAGES 229-230, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, SAID 2.02 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING at a 1" iron pipe found in the Southeast right-of-way line of Sailfish Avenue, said pipe marking the West corner of Reserve "A" of the Replat of part of Bridge Harbor Subdivision as recorded in Volume 17, Pages 229-230, Brazoria County Plat Records;

THENCE; North 44°00' East 275.00 feet, along the Southeast line of a closed portion of Sailfish Avenue (Volume [94]47/148, Official Records) to a 5/8" iron rod found for corner;

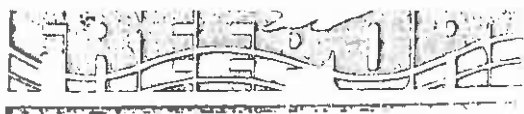
THENCE; South 44°00' East, along the Northeast line of Lot 6, at 316 feet pass a 5/8" iron rod found and continue to a total distance of 250.00 feet to the bank of the Intracoastal Waterway for corner;

THENCE; South 28°07'01" West 118.71 feet, along the bank of the Intracoastal Waterway to an angle point;

THENCE; South 22°38'08" West 107.55 feet, along the bank of the Intracoastal Waterway to a point for corner;

THENCE; North 40°00' West at 27.00 feet pass a 5/8" iron rod found and continue to a total distance of 436.90 feet to the place of Beginning;

Said tract thereby containing 2.02 Acres of Land.



INTEROFFICE MEMORANDUM

TO: Planning and Zoning Commissioners

FROM: Kola Olayiwola (Building and Codes Official) *K. Olayiwola* 4125112

CC: City Administration

DATE: April 25th, 2012

SUBJECT: Staff Recommendation on Proposed RV Park @ Bridge Harbor

As requested by the City Manager, I have performed Code Analysis on the proposed RV Park on Tract #6, at Bridge Harbor Subdivision. My finding is that, the target area (Tract #6) was rezoned 1-21-2008 as W-2 (Waterfront, Light Retail, Wholesale, etc.). This zoning category would permit RV Park when issued a Specific Use Permit (SUP).

Therefore, it is my recommendation to proceed and consider granting a Specific Use Permit- for the proposed RV Park.

Thank you.

Norma Moreno Garcia
Mayor

Jeff P
Chief Executive Of
City Man

Michelle Kent
Councilmember
Ward A

April 23, 2012

Fred Bolton
Councilmember
Ward B

Chairperson E. Garcia
Planning Commission Members

Nicole Mireles
Councilmember
Mayor Pro Tem
Ward C

Greetings,

Sandra Barbree
Councilmember
Ward D

The owners of the Bridge Harbor yacht Club approached the City with an interest to build a RV/Motor Coach Recreation site on their property, adjacent to the marina. Since the proposed project is within my electorate district, I reviewed the plans with the City Manager and the building official and I concur with their findings that this project would be beneficial for our community and specifically the yacht club business model.

As we all know, RV and Motor Coach parks are not specifically authorized in any zone; however are permissible with a specific use permit. I ask you to review the proposed development and make a recommendation to authorize a specific use permit to facilitate the development for the May 7, 2012 regularly scheduled City Council meeting, where I will support the development project.

Thank you for your consideration of this project and your service to our community. Working together we can ensure we not only support the quality development of our community, but also diversifying our amenities and revenue structures



Sandra K. Barbree
Freeport City Council
Electorate District D



7881

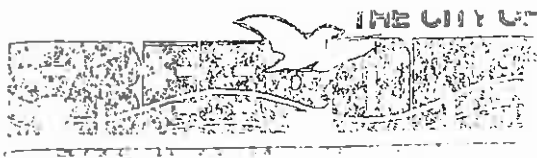
979-233-3526

RECH: 00590865 5/30/2012 4:30 PM
OPER: 004 TERM: 002
REFN: 1696

TRAN: 106.0000 PERMITS
411 SAILFISH SPECIFIC USE
PERMIT
PERMIT - MISCELLANE 150.0000

TENDERED: 150.00 CHECK
APPLIED: 150.00

CHANGE: ----- 0.00



**CITY OF FREEPORT
 BUILDING DIVISION
 PHONE 979-233-3526**

For Office Use Only

Case Number:
 Date Filed: 8-10-12
 P & Z Date: 8-28-12
 Council Date: 9-4-12 Agenda #18
 Request for: 10-1-12 JPH
 Map Change
 Text Change

**Application for
 Rezoning**

1. Address or general location of site: LOTS 1-12 OF BLOCK 538 & LOTS 1-12 OF BLOCK 525
2. Subdivision

Block	Lots	Acres
<u>525/538</u>	<u>1-12 OF EACH BLOCK</u>	<u>0.872A EACH</u>
3. Current Zoning Classification: RESIDENTIAL
4. Proposed Zoning Classification: COMMERCIAL (C-2)
5. Reason for Requesting a Rezoning (attach additional sheet if necessary):

(SEE ATTACHED APPENDIX)

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purposes of this application. The application fee of \$150.00 to cover the cost of this re-zoning application has been paid to the City of Freeport on AUGUST 10, 2012. I also certify that I have been informed and understand the regulations regarding re-zoning as specified in the Zoning Ordinance of the City of Freeport. I understand it is necessary for me or my authorized agent to be present at both the Planning and Zoning Commission and the City Council public hearings.

Owner's signature: J. B. Heath
 Owner's name (printed): JAMES B. HEATH for TIC Energy & Chemical, Inc.
 Address: 306 NORTH GULF BLVD.
 City, State, Zip: FREEPORT, TX 77541 Phone: 979-236-4607

Addendum to Zoning Application

August 22, 2012

Applicant's Name: TIC Energy & Chemical, Inc.

Owner's Name: GSI Acquisition, Inc.

Owner's Address: 304 North Gulf Blvd., Freeport, Texas 77541

Re-Zoning Property Location:

- Parcel A: South Half of City Block 538 (Lots 1 thru 12) &
- Parcel B: South Half of City Block 525 (Lots 1 thru 12)

Current Zoning Classification: Residential

Proposed Zoning Classification: Commercial (sheet metal shop, cabinet & woodworking shop, storage for local industrial projects, employee parking)

Vehicle Access Via: Jackson Street and Groce Street, both off North Gulf Blvd.

Discussion: Parcel A listed above is currently fenced as part of the overall TIC offices and fabrication facilities covering Block 559 (north and South portions) as well as the South half of Block 558. Parcel A has served for about 32 years as a storage area for the work done at this overall facility and has two each 20' x 40' (nominal) Quonset hut type buildings located there on concrete slabs. The company has treated this $\frac{1}{2}$ city block all these years as being zoned commercial to match the main portion of the overall TIC facilities. We now understand it was never re-zoned commercial, and thus it is presented herewith for consideration.

Parcel B has never been used by TIC or its previous owners as it is separated by a drainage ditch (Velasco Drainage District?) from the rest of the owned property. TIC is closing its operations at 6711 East Highway 332 in Freeport and consolidating all our commercial activities, using 304 North Gulf Blvd. as our center of activity. All possible jobs have been retained within Freeport, TX. Thus, the need for Parcel B to be zoned Commercial, so as to allow several business activities within TIC to have a local location from which to operate and to be in close proximity to the remainder of the TIC operations.

Drawing Attached: Doyle & Wachtstetter, Inc. "Survey Plat of 4.362 Acres" covering the above listed property for T.I.C. Holdings, Inc., surveyed 1-22-12.

200 WEST SECOND STREET / FREEMONT TEXAS 77541 / PHONE (979) 233-3526 /
FAX (979) 233-2172

ZONING APPLICATION

Applicant's Name: TIC CORPORATION

Owners Name: GSI ACQUISITION INC

Owners Address: So. City Block 538 & So. City Block 525

JOB INFORMATION

Contractor's Name: N/A

Work Location: 304 N GULF BLVD/ADJACENT LOTS TO BE
REZONED

Description of Job: Request for property rezoning from Residential to
Commercial District.

Valuation of Job: N/A Permit Fee: \$150.00 (Application Only)

Type of permits needed: Zone Change

Phone numbers: 979-239-7605 (JAMES HEATH)

Owner of Property: GSI

Contractor: N/A

Plans turned in with application: No

Type:

Date of Application: 8/10/2012

Applicants Signature: J. Heath

P A I D
AUG 10 2012
Pg. 581
BY: \$150.00

Brazoria CAD

Property Search Results > 260316 GSI ACQUISITION INC for Year 2012

Property

Account			
Property ID	260316	Legal Description	VELASCO (FREEPORT) BLOCK 525, LOT 1T012
Geographic ID	8110-1206-000	Agent Code	
Type	Real		
Property Use Code			
Property Use Description			
Location			
Address		Mapsc0	
Neighborhood	VELASCO	Map ID	
Neighborhood CD	S8110		
Owner			
Name	GSI ACQUISITION INC	Owner ID	322219
Mailing Address	2211 ELK RIVER RD STEAMBOAT SPR, CO 80487-5076	% Ownership	100 0000000000%
		Exemptions	

Values

(+) Improvement Homesite Value	+	\$0	
(+) Improvement Non-Homesite Value	+	\$0	
(+) Land Homesite Value	+	\$0	
(+) Land Non-Homesite Value	+	\$28,500	Ag / Timber Use Value
(+) Agricultural Market Valuation	+	\$0	\$0
(+) Timber Market Valuation	+	\$0	\$0

(=) Market Value	=	\$28,500	
(-) Ag or Timber Use Value Reduction	-	\$0	

(=) Appraised Value	=	\$28,500	
(-) HS Cap	-	\$0	

(=) Assessed Value	=	\$28,500	

Taxing Jurisdiction

Owner GSI ACQUISITION INC
 % Ownership 100 0000000000%
 Total Value \$28,500

Entity Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD BRAZORIA COUNTY APPRAISAL DISTRICT	0 000000	\$28,500	\$28,500	\$0 00
CFP CITY OF FREEPORT	0 680000	\$28,500	\$28,500	\$193 80
DR2 VELASCO DRAINAGE DISTRICT	0 094214	\$28,500	\$28,500	\$26 85
GBC BRAZORIA COUNTY	0 413101	\$28,500	\$28,500	\$117 73
JBR BRAZOSPORT COLLEGE	0 239198	\$28,500	\$28,500	\$68 17
NAV PORT FREEPORT	0 053500	\$28,500	\$28,500	\$15 25
RDB ROAD & BRIDGE FUND	0 060000	\$28,500	\$28,500	\$17 10
SBR BRAZOSPORT INDEPENDENT SCHOOL DISTRICT	1 241500	\$28,500	\$28,500	\$353 83
Total Tax Rate	2 781513			

Taxes w/Current Exemptions \$792 73

Brazoria CAD

Property Search Results > 260426 GSI ACQUISITION INC for Year 2012

Property

Account			
Property ID	260426	Legal Description	VELASCO (FREEPORT), BLOCK 538, LOT 1TO12
Geographic ID	8110-1343-000	Agent Code	
Type	Real		
Property Use Code			
Property Use Description			
Location			
Address		Mapsc0	
Neighborhood	VELASCO	Map ID	
Neighborhood CD	S8110		
Owner			
Name	GSI ACQUISITION INC	Owner ID	322219
Mailing Address	2211 ELK RIVER RD STEAMBOAT SPR. CO 80487-5076	% Ownership	100 0000000000%
Exemptions			

Values

(+) Improvement Homesite Value	+	\$0	
(+) Improvement Non-Homesite Value	+	\$0	
(+) Land Homesite Value	+	\$0	
(+) Land Non-Homesite Value	+	\$30,400	Ag / Timber Use Value
(+) Agricultural Market Valuation	+	\$0	\$0
(+) Timber Market Valuation	+	\$0	\$0

(=) Market Value	=	\$30,400	
(-) Ag or Timber Use Value Reduction	-	\$0	

(=) Appraised Value	=	\$30,400	
(-) HS Cap	-	\$0	

(=) Assessed Value	=	\$30,400	

Taxing Jurisdiction

Owner GSI ACQUISITION INC
 % Ownership 100 0000000000%
 Total Value \$30,400

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0 000000	\$30,400	\$30,400	\$0 00
CFP	CITY OF FREEPORT	0 680000	\$30,400	\$30,400	\$206 72
DR2	VELASCO DRAINAGE DISTRICT	0 094214	\$30,400	\$30,400	\$28 64
GBC	BRAZORIA COUNTY	0 413101	\$30,400	\$30,400	\$125 59
JBR	BRAZOSPORT COLLEGE	0 239198	\$30,400	\$30,400	\$72 71
NAV	PORT FREEPORT	0 053500	\$30,400	\$30,400	\$16 26
RDB	ROAD & BRIDGE FUND	0 060000	\$30,400	\$30,400	\$18 24
SBR	BRAZOSPORT INDEPENDENT SCHOOL DISTRICT	1 241500	\$30,400	\$30,400	\$377 42
Total Tax Rate		2 781513			

Taxes w/Current Exemptions \$845 58