

CITY OF FREEPORT

NOTICE OF PUBLIC MEETING
THE FREEPORT CITY COUNCIL
TUESDAY, SEPTEMBER 6TH 2011, 6:00 P.M.
FREEPORT MUNICIPAL COURT ROOM
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.

AGENDA FORMAL SESSION

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance
4. Consideration of approving the August 15th, & August 30th, 2011 Council Minutes. Pg. 539-547
5. Attending citizens and their business.
6. Joint Public Hearing: The City Council and the Planning Commission of said City will consider whether or not the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinances of said City, should be amended to add a new zoning district, to be called W-4 Marina District, and whether or not the zoning classification of all of the land located North of Second Street, East of Cherry Street, West of Terminal Street and South of the centerline of the Old Brazos River should be changed to W-4 Marina District. Pg. 548-558b
7. Consideration of approving Resolution No. 2011-2267 authorizing local funds commitment for disaster recovery non-entitlement grant contract # DRS210246 with the State of Texas General Land Office. Pg. 559
8. Consideration of granting a Sign and Led variance to Little Caesars 1823 N. Brazosport Boulevard, Freeport Texas. Pg. 560-562
9. Consideration of setting September 12th, 2011 as the date for a Public Hearing on the proposed budget for the fiscal year 2011-2012.
10. Consideration of setting September 19th, 2011 as the date to adopt a tax rate of \$0.680000 with an maintenance and operations rate of \$0.520739 and an interest and sinking rate of \$0.159261 for fiscal year 2011-2012.
11. Consideration of designating a representative and an alternate to the Houston-Galveston Area Council 2012 General Assembly. Pg. 563-564

12. Consideration of authorizing the City Manager to sign an Amendment Number Two further extending the Industrial District Agreements with Dow & BASF.
Pg. 565-567

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, September 2nd, 2011 at or before 5:00 p.m.

Delia Munoz
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE REMEMBERED, that the City Council of the City of Freeport met on Monday, August 15th, 2011 at 6:00 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 Moreno Garcia
Michelle Kent
Fred Bolton
Nicolosa Mireles
Sandra Barbree

Staff: Jeff Pynes, City Manager
Gilbert Arispe, Administrative Asst.
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Larry Fansher, Parks Director
Brain Davis, Fire Chief
Ty Morrow, Police Chief
Bob Welch, Finance Director

Visitors:	Jim Pirrung	Dorothy Pirrung
	Joyce Adkins	Annette Sanford
	Louie Jones	Glen Jones
	Brenda Laird	Jerry Meeks
	Dan Tarver	Roberto Cacaes
	Amanda Foytek	Carolyn Tarver
	Pamela Dancy	Chaney Moore
	Lila Lloyd	Melanie Oldham
	Jared Eversole	

Call to Order.

Mayor Norma Garcia called the meeting to order at 6:00 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma Garcia led the Pledge of Allegiance.

Consideration of approving the August 1st, 2011 Council Minutes.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved the August 1st, 2011 Council Minutes.

Attending citizens and their business.

Joyce Adkins reported that a coolant unit was donated to the animal control vehicle to keep the dogs cool during transportation.

Casares noticed the rehabilitation of streets in the city. It is his opinion that lowering the elevation of streets is not a good idea. Not everybody can evacuate during heavy rains when streets are flooded. A workable plan needs to be implemented. He reported the concrete on 4th Street in front of the Freeport Junior High School, off Highway 288 is deteriorating.

Brenda Laird thanked Chief Morrow for making our schools safe.

Consideration of authorizing the City Manager to implement a Drought Response Stage 2.

Jeff Pynes announced stage 2 of its drought contingency and water conservation plan. A 20% reduction in daily water allocation has been requested from the Brazosport Water Authority. Mr. Pynes read out water use restrictions to all residents and businesses. Notices of the restrictions will be enclosed with water bills to all residents of the City.

Mayor Norma Garcia asked how many water leaks were reported. Jerry Meeks of Veolia Water said 160 repairs as of this date, approximately 20-25 repairs of water leaks are pending.

Councilwoman Mireles noticed orange cones throughout the city and asked what they signified. Mr. Meeks stated that it was noted for repairs.

Annette Sanford commended Veolia Water for repairing the water leaks in the City.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved the City Manager to implement a Drought Response Stage 2.

Public Hearing to consider the adoption of an ordinance nominating both The Dow Chemical Plant A Project and The Dow Chemical Oyster Creek Project, both of which are located within the extraterritorial jurisdiction of the city, for triple enterprise project status under the provisions of the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (the Act”).

Mayor Norma Garcia opened the Public Hearing at 6:15 p.m.

Chaney Moore from The Dow Chemical Plant informed Council that the program allows for a refund of State sales tax if the Dow Chemical Company meets certain capital spending and job retention criteria. The program requires that a project be nominated by a local city or county. Dow is applying for project status in both its Oyster Creek Division and Plant A. The program requires that a certain percentage of new employees be residents of a state enterprise zone or economically disadvantaged. If Dow does not meet this requirement, Dow will not receive refunds for those jobs.

Glen Jones asked why an ordinance was needed. Mr. Moore responded that it had to be a nomination from a local entity.

There being no more comments or questions from staff or audience, Mayor Norma Garcia closed the Public Hearing at 6:20 p.m.

Consideration of the approving of Ordinance No. 2011-2284 ordaining the City’s participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (ACT), providing tax incentives, designating a liaison for communication with interested parties, and nominating Dow Chemical Plant A Project and the Dow Chemical Oyster Creek Project to the office of the Governor Economic Development & Tourism (EDT) through the Economic Development Bank (bank) as an Enterprise Project (Project).

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved Ordinance No. 2011-2284 ordaining the City’s participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (ACT), providing tax incentives, designating a liaison for communication with interested parties, and nominating Dow Chemical Plant A Project and the Dow Chemical Oyster Creek Project to the office of the Governor Economic Development & Tourism (EDT) through the Economic Development Bank (bank) as an Enterprise Project (Project).

Public Hearing on the need to adopt an ordinance regulating the restraining of dogs.

Mayor Norma Garcia opened the Public Hearing at 6:22 p.m.

Chief Morrow stated that it was in the best interest of the City to adopt an anti-tethering ordinance. Their Animal Control Officers are seeing a lot of dogs chained in the city. A practice that leads to animal cruelty. Starting with an education period to pet owners then strict enforcement.

The City Secretary submitted 12 names to Council in support of the anti-tethering ordinance.

Pamela Dancy is an animal lover and favors the anti-tethering ordinances. There are dog owners that do not have their dogs updated on their vaccinations. Pet owners that do not walk their dogs; dogs that do not have food or water while they are chained. It is her opinion that if you can't afford a fence, you shouldn't own a pet.

Annette Sanford favors the anti-tethering ordinance.

Louie Jones favors the anti-tethering ordinance. He asked Council to revisit the front yard fencing ordinances. He stated that some dogs are chained because owners can not build a front yard fence.

Councilwoman Kent stated that she was a member of the Planning Commission some years ago and remembers the committee having lots of conversation and debates on the fencing ordinance.

Jim Pirrung stated that there is a way to chain an animal without getting tangled; a large screw into the ground with a rope or chain, given enough length to have excess to water and food.

Dan Tarver favors the anti-tethering ordinance. He asked Council to be the first city in Brazoria County to adopt an anti-tethering ordinance. He also asked Council to revisit the front yard fencing.

Barbara Crook lives on 9th Street, favors the anti-tethering ordinance. She has fed and watered other people's dogs.

Councilman Bolton wants to be certain that the proposed ordinance not have conflicts with the state requirements.

Joyce Adkins stated that she had no copy of the proposed ordinance.

There being no more comments from staff or audience, Mayor Norma Garcia closed the public hearing at 6:45 p.m.

Consideration of approving Ordinance No. 2011-2285 amending Chapter 90 of the Code of Ordinances of said City to add thereto a new section, to be known as 90.49, containing definitions, prohibiting the restraining of dogs by tethering; containing exceptions; specifying requirements for enclosures used for the keeping of dogs outdoors on any premises in the City.

On a motion by Councilwoman Barbered, seconded by Councilwoman Bolton, with all present voting “aye”, Council unanimously approved Ordinance No. 2011-2285 amending Chapter 90 of the Code of Ordinances of said City to add thereto a new section, to be known as 90.49, containing definitions, prohibiting the restraining of dogs by tethering; containing exceptions; specifying requirements for enclosures used for the keeping of dogs outdoors on any premises in the City.

Consideration of readvertising and setting a bid date for September 14th, 2011 to request for proposals to purchase 3,423 tons of stabilized concrete and a quantity of crushed granite sufficiently to construct a nature or hiking trail 6 ft. in width and 6, 671 ft. in length.

On a motion by Councilwoman Barbered, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved September 14th, 2011 to request for proposals to purchase 3,423 tons of stabilized concrete and a quantity of crushed granite sufficiently to construct a nature or hiking trail 6 ft. in width and 6, 671 ft. in length.

Consideration of approving Resolution No. 2011-2266 readopting a tax abatement and reinvestment zone policy and adopting guidelines and criteria .

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting “aye”, Council unanimously approved Resolution No. 2011-2266 readopting a tax abatement and reinvestment zone policy and adopting guidelines and criteria.

Consideration of awarding the Request for Proposals for Disaster and/or Storm Recovery Services to Ashbritt Environmental as primary and Crowder Gulf as alternate.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting “aye”, Council unanimously approved Fire Chief, Brian Davis recommendation to award the Request for Proposals for Disaster and/or Storm Recovery Services to Ashbritt Environmental as primary and Crowder Gulf as alternate.

Consideration of setting a date for a budget work shop 2011-2012.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved setting August 29th, 2011 for a budget work shop 2011-2012.

Consideration of authorizing the Mayor to sign a Public Safety Answering Point (PSAP) Responding Boundary Interlocal Agreement with the City of Freeport and the City of Lake Jackson.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved authorizing the Mayor to sign a Public Safety Answering Point (PSAP) Responding Boundary Interlocal Agreement with the City of Freeport and the City of Lake Jackson.

Work Session:

Update on the city's capital improvement projects; city road plan.

Mr. Pynes named Mulberry Street, West 5th Street, Locust, Beech, Walnut, and Maple Street for rehabilitation.

Mayor Norma Garcia opened the Executive Session at 7:10 p.m.

Executive Session:

Section 551.074, Government Code

Deliberations concerning the duties of a public officer or employee.

- Councilman Bolton
- City Attorney

Mayor Norma Garcia reconvened the meeting to adjourn.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with all present voting "aye", the meeting adjourned at 7:30 p.m.

Mayor Norma Moreno Garcia

City Secretary – Delia Munoz

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport met for a 3rd budget workshop on Tuesday, August 30th, 2011 at 6:00 p.m., at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, to discuss 2011-2012 buget proposals.

City Council: Norma Moreno Garcia
 Michelle Kent
 Fred Bolton
 Nicolosa Garcia
 Sandra Barbered

Staff: Jeff Pynes, City Attorney
 Gilbert Arispe, Administrative Asst.
 Delia Munoz, City Secretary
 Larry Fansher, Parks Director
 Bob Welch, Finance Director
 Chief Ty Morrow

Visitors: Annette Sanford
 Jerry Meeks
 Joyce Adkins

Call to Order.

Mayor Norma Garcia called the budget workshop to order at 6:10 p.m.

Invocation.

Chief of Police Ty Morrow offered the invocation.

Pledge of Allegiance.

Mayor Norma Garcia led the Pledge of Allegiance.

Work Session:

- Budget Workshop for fiscal year 2011-2012.

Mr. Pynes reviewed the amendments and recommendations requested by council for fiscal year 2011-2012 budget. He presented a PowerPoint presentation for each department, points of the budget including the deductions and additions requested. The proposed budget is 1% less than last year. Mr. Pynes proposes lowering the tax rate from 0.708266 to 0.688053. Total budget expenditures of \$16,222,306 for fiscal year 2011-2012. Proposes a rental and rate increase on the city's four facilities, raising the recreational membership fee and charging a \$10.00 beach permit fee.

Mayor Norma Garcia asked for a breakdown of traffic and crime analysis and a list of city employees and salaries. She asked how much was generated from the water bills for ambulance service. Mr. Welch said \$80,000.

Joyce Adkins asked if a properly equipped vehicle was being considered for the animal control officers. Mr. Pynes said the animal control officer had a vehicle already.

Councilman Bolton asked about the warranty on the street sweeper since it was purchased on a lease option. Councilwoman Kent asked if there was a penalty for paying early.

Mayor Norma Garcia asked for the janitorial contract be reviewed and possibly rebid. She asked about the grant to the Central Lift Station. Mr. Pynes said the grant had been awarded and we had an engineer and grant coordinator on this project.

Councilman Bolton asked how our salaries schedule compared to other similar cities. Mr. Pynes stated that we get our salary survey from Texas Municipal League.

Mr. Pynes showed a presentation of a camera-video that goes underground to evaluate the pipe infrastructure, showing pictures of tree limbs, cracks, defects, and branches. The cost of the camera is \$160,000. Mr. Pynes advises that a grant of \$200,000 had just been awarded to the City for pipe infrastructure and felt this type of equipment might fall under this grant.

Councilman Bolton was in favor of the projections. A good sound budget.

Mayor Norma Garcia closed the Budget Workshop Session and opened the Executive Session 7:10 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:

- Pending Industrial Districts Agreements

Adjourn

Mayor Norma Garcia reconvened the regular meeting at 7:30 p.m. On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting "aye", Council adjourned the budget workshop at 7:30 p.m.

Delia Munoz
City of Freeport, Texas

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 IN THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS.

NOTICE

A joint public hearing will be held on Tuesday, September 6, 2011, at 6:00 o'clock p.m., central standard daylight 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, by the City Council and the Planning Commission of said city, to consider whether or not the Comprehensive Zoning Ordinance and Map of said city, codified as Chapter 155 of the Code of Ordinances of said City, should be amended to add a new zoning district, to be called W-4 Marina District, and whether or not the zoning classification of all of the land located North of Second Street, East of Cherry Street, West of Terminal Street and South of the centerline of the Old Brazos River should be changed to W-4 Marina District.

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

made on the 1st day of August, 2011.

Delia Muñoz, City Secretary,
City of Freeport, Texas

**CITY OF FREEPORT
PLANNING COMMISSION AND CITY COUNCIL
JOINT PUBLIC HEARING
Monday, September 6, 2011, 6:00 p.m.
Freeport Police Department, Municipal Courtroom
430 North Brazosport Boulevard
Freeport, Texas**

AGENDA

Edward Garcia
Tobey Davenport
Eddie Virgil

Rueben Cuellar
Jesse Aguilar

NOTICE is hereby given that the Planning Commission of The City of Freeport, Texas will meet in a Joint Public Hearing with the Freeport City Council on Monday, **September 6, 2011 at 6:00 P.M.** at the Police Department Municipal Courtroom, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

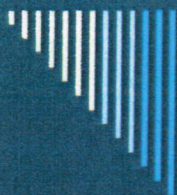
1. Call to order.
2. Conduct a Joint Public Hearing to consider whether or not the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinances Of said City, should be amended to add a new zoning district, to be called W-4 Marina District, and whether or not the zoning classification of all the land Located North of Second Street, East of Cherry, West of Terminal Street and South Of the centerline of the Old Brazos River should be changed to W-4 Marina District.
3. Make a recommendation to the City Council concerning whether or not the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinances Of said City, should be amended to add a new zoning district, to be called W-4 Marina District, and whether or not the zoning classification of all the land Located North of Second Street, East of Cherry, West of Terminal Street and South Of the centerline of the Old Brazos River should be changed to W-4 Marina District.
4. Adjourn.

NOTE: ITEMS NOT NECESSARILY DISCUSSED IN THE OREDER THEY APPEAR ON THE AGENDA. THE PLANNING COMMISSION, AT ITS DISCRETION, MAY TAKE ACTION ON ANY OR ALL OF THE ITEMS LISTED.

JOIN US AS WE
KEEP FREEPORT
BEAUTIFUL
BECAUSE IT'S OUR TOWN.

**THE PROPOSED
MARINA ZONING DISTRICT (W-4)**

PRESENTED BY:
Kola (Olay.) Olayiwola
Building Codes Official
Master City Planner (MCP)



INTRODUCTION

- ❑ Definition/Vision for the Marina Zoning District
- ❑ The Geographic Boundary of the Marina Area
- ❑ Existing Zoning Categories in the Marina Area
- ❑ Establishing the “THEME” for the Marina Area
- ❑ Comparative Analysis of the best fit Zoning Categories for the Marina Area (W-1R vs. W-4)




VISION FOR THE MARINA DISTRICT

Vision for the Marina District

- ❖ *The Marina District : The Downtown, Marina and Waterfront properties ; represent the nucleus growth center for Freeport, as a place for people to live, shop, work and play . A managed growth in the Marina District with a small-town charm will reflect the City's rich history and invites new businesses, development, shoppers and residents. Mixed services in the District will encourage residents to shop locally and serve as a destination for visitors. Design guidelines and Land Use regulations shall be critical for this region to preserve and celebrate the City's unique location and maritime heritage.*





Existing Zoning Categories in the Marina Area

West Quadrant/C-2 (Cherry to Navigation)

- ✓ **C-2 District, General Commercial**

Suitable for retail and wholesale activities- particularly, commercial uses that are not appropriate for Retail Business District. This District will permit almost any type of land use.

Central Quadrant/W-2 (Navigation to Poplar)

- ✓ **W-2 District, Waterfront- Light**

Supports wide range of retail and wholesale activities relating to port, harbor or marine activities including manufacture, storage, transport and handling of goods as well as commercial.

East Quadrant/M-1 (Poplar to Terminal)

- ✓ **M-1 District, Light Manufacturing**

Fitted for commercial and industrial activities subject to limitations to protect nearby residential districts from nuisance.



“THEME” for the Marina Area

The Marina District is currently governed by three (3) zoning categories, i.e., C-2, W-2 and M-1.

The “Theme” is to have one (1) zoning category for the entire region, which will preserve the City Maritime Heritage and support growth. None of the above serves as the best fit for this criteria.

Then, consider W-1R that is in place at Bridge Harbor and a new zoning category (W-4) as proposed by the City Attorney



**COMPARATIVE ANALYSIS
Waterfront District (W-1R) vs. Marina Zone (W-4)**

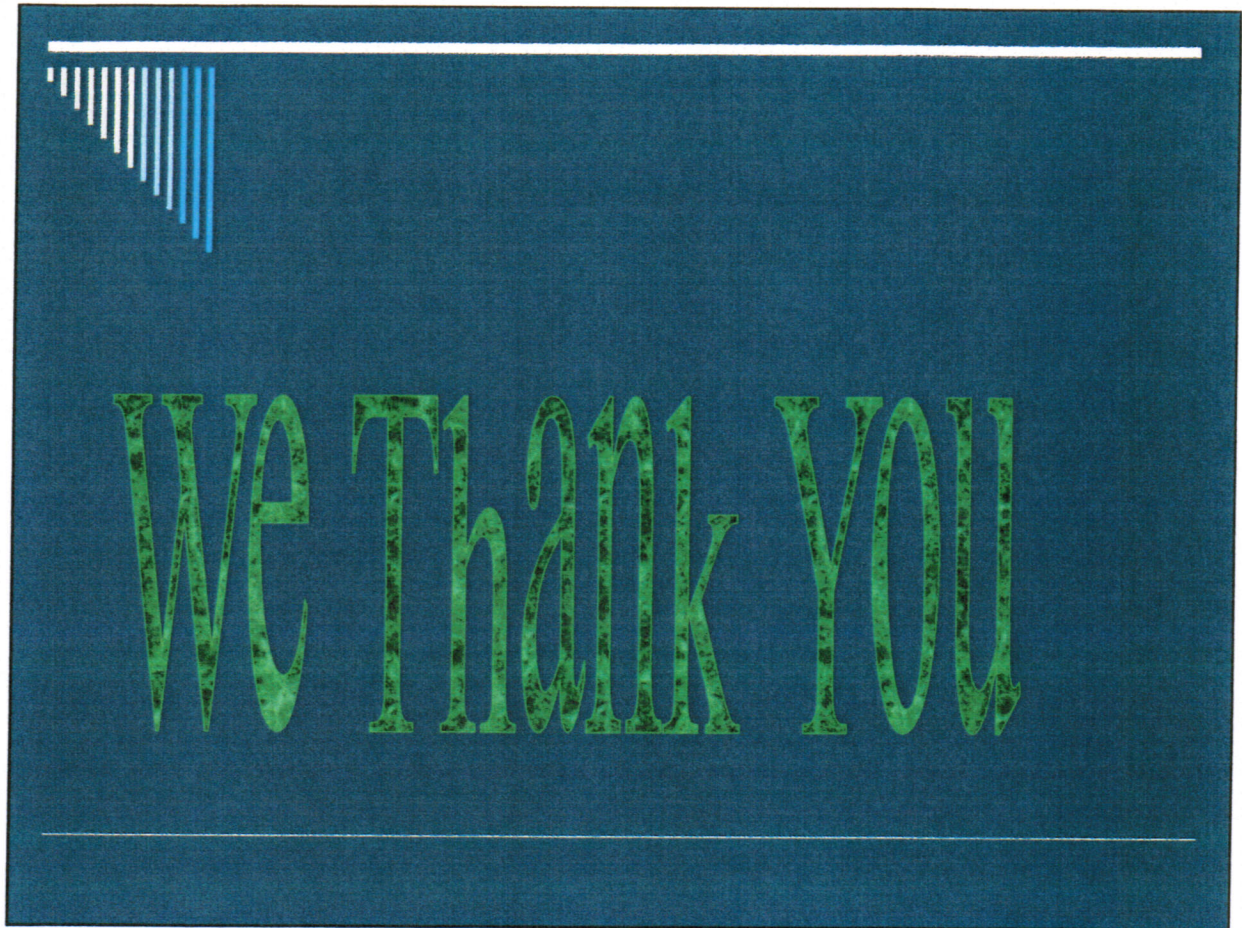
Land Use Attributes	Existing Water Front Zone (W-1R)	Proposed Marina Zone (W-4)	Comment
DEFINITION	<p align="center">Residential Oriented</p> <p>Waterfront Single Family Residential- consists of waterfront areas occupied by/or suitable for single family dwellings and open space. District will also support pleasure boats and recreational boats, including fishing charter for six or less by SUP. This Zoning District (W-1R) currently exists in the Bridge Harbor waterfront community.</p>	<p align="center">Residential/Commercial</p> <p>Marina zone- will entail the designated land area on the map, traversing: North of 2nd St, East of Cherry St., extending North to the centerline of Brazos River and north extension to Terminal St. This District will support any business/structure which primarily provides goods and services to any marina located in the Marina Zone.</p>	<p>Note that W-4 is geared towards supporting Commercial and Residential activities, while W-1R is restrictive and prefers Residential as the primary use.</p>
PERMITTED USES/PARKING	<p>Any use permitted in R-1 & R-2 (1/1000-sq.ft. Parking); Docking for pleasure & recreation boats (1/200 sq.ft... Parking); Fishing charter up to 6 by SUP. (Parking as see fit by P&Z).</p>	<p>Will support a Marina and, any marina related business by Specific Use Permit (SUP) only. Parking Ratio to be 1-space per 100-sq.ft.</p>	<p>The applicability of the SUP tool gives the City (P&Z) more authorized liberty in regulating what type of activities may occur in the Marina (W-4) Zone.</p>
LOT AREA REQUIREMENTS	<p>Area = 4200-sqf, Width = 30', Setbacks are; 25' Front, 10' Rear and 5' Side.</p>	<p>Area = 10,000-sqf. Width = 100ft, Setbacks are; 15' Front, 25' Rear and 10' Side</p>	<p>Setbacks will be keyed to property line- regardless of lots being platted or not.</p>
SITE PLAN APPLICABILITY	<p>Master Planned Community with platted lots- new Site Plans are not required.</p>	<p>Currently in this district, only Blocks 1 & 16 are platted, as such site plans will be required for vacant lots.</p>	<p>For lots that are not currently platted in W-4 Zone, site plan shall be submitted to and approved by the Building Official prior to issuance of a Certificate of Occupancy.</p>
BUILDING FLOOR AREA	<p>Shall not exceed the area that fits within the required setbacks. Granting of Variance is not popular in this District.</p>	<p>Shall not exceed the number of square feet in the lot. Seems friendly to Variance.</p>	<p>Granting of Variance to encroach into required setbacks seems more plausible in W-4 Zone.</p>
HEIGHT REGULATION	<p>No building or boat/ship (covered) shall exceed 35' or 2-1/2 stories in height.</p>	<p>No structure shall exceed 100 feet in height. But will allow additional height of 1-ft for every 4-ft setback from yard line.</p>	<p>Building height regulation is more flexible in the proposed W-4 Marina zone.</p>
Pg.	55	7	



CONCLUSION

- By the virtue of elimination process, C-2, W-2 and M-1 zoning categories that presently exist at the Marina District are not the best characterization for the Marina area.
- Comparative Analysis of the W-1R vs. W-4, purport that, the proposed W-4 zoning category would create the best type managed growth for the Marina District.





RESOLUTION 2011-2267

A RESOLUTION OF THE CITY OF FREEPORT AUTHORIZING LOCAL FUNDS COMMITMENT FOR DISASTER RECOVERY NON-ENTITLEMENT GRANT CONTRACT # DRS210246 WITH THE STATE OF TEXAS GENERAL LAND OFFICE.

WHEREAS, the City provides utility services to the residents of the City;

WHEREAS, it is in the best interests of the City to provide these services to the residents to promote the general health and welfare within the City;

NOW, THEREFORE, BE IT RESOLVED:

- Section 1. That the City supports the need for local funds to the Disaster Recovery Non-Entitlement Grant Contract # DRS210246 with the State Of Texas General Land Office; and,
- Section 2. That the City commits \$157,829.00 in cash local funds from the Utility Fund towards this project; and,
- Section 3. That the City commits \$189,101.00 in cash local funds from the Brazoria County Urban Entitlement Community Development Program Utility Fund towards this project; and,
- Section 4. That these funds shall be used for sewer construction and engineering services.

PASSED AND APPROVED ON THE _____ DAY OF _____, 2011.

ATTEST:

Mayor

City Secretary

Melissa Farmer

From: Kola Olayiwola <kolayiwola@freeport.tx.us>
Sent: Monday, August 29, 2011 11:53 AM
To: Melissa Farmer; dnasigns@yahoo.com
Cc: Gilbert Arispe; Chief Jeff Pynes; Delia Munoz
Subject: Proposed Signs for Little Caesars @ 1823 N. Brazosport Blvd. (Freeport)

Based on the limited details provided on the sign drawings, I can only conclude that, the "Sign Concept" looks OK. However, to gain full approval, the following issues have to be addressed:

- 1) The Total Sign Area = 140-sq.ft, in the denominations of 10'x10' and 4'x10' standing on a 30-ft high pole above grade.
 - a. Maximum allowable sign area = 66-sq.ft.
 - b. Maximum allowable sign height = 35ft; Proposed is 30-ft (OK)

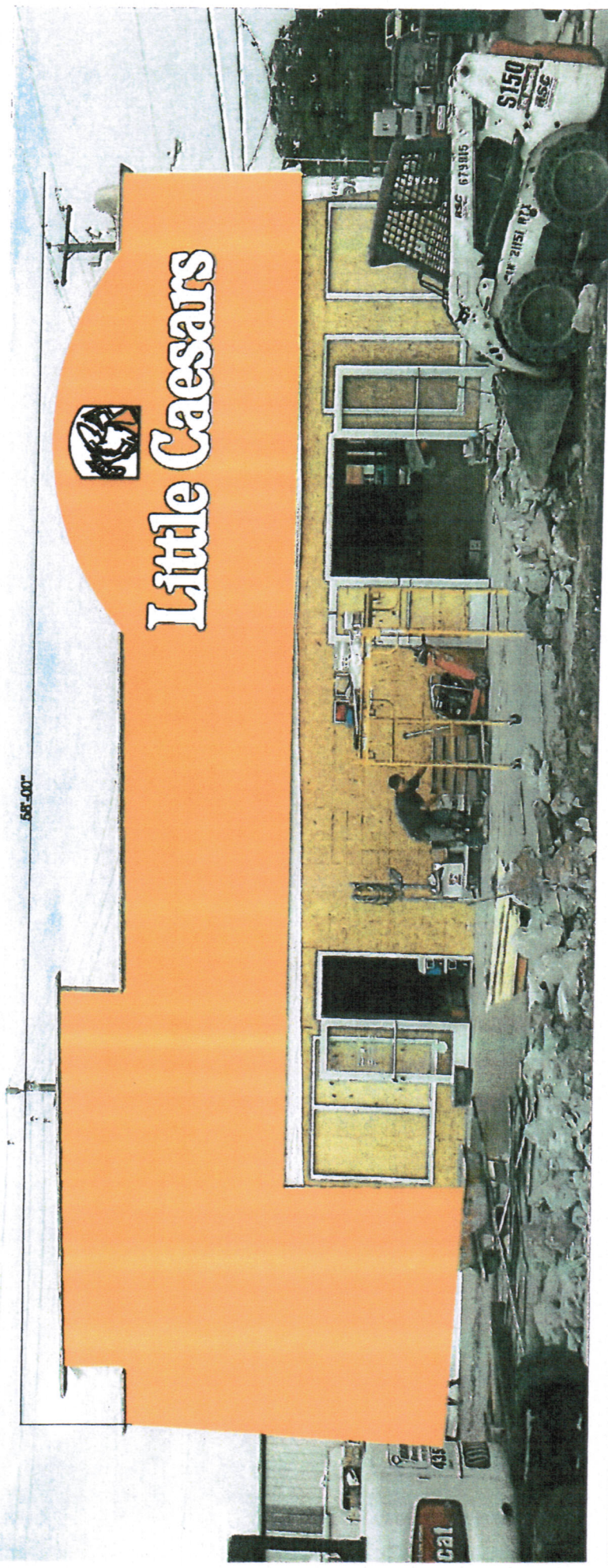
Since the proposed sign area (140-sq.ft) is greater than allowable area (66-sq.ft), then, **Variance via City Council will be required.**

- 2) The City of Freeport is in a windstorm zone of 120-mph, at 3s gus. Wind load; Therefore, proof of compliance will be required.
 - a. Engineered drawings with P.E. seal affixed will be considered as complying.
 - b. Wind load calculations for sizing the support pole (reactions) for the signs are also required on the drawings.
- 3) **The use of Light Emitting Diodes (LED) and Neon Lighting on the Pole or Fascia Signs will also require City Council approval.**

I have copied D & A Signs (dnasigns@yahoo.com) on the above summary review. The representative that I spoke to promised to furnish the required engineered drawings. I have also copied the Building Codes/City Secretary to put the above Variance request on the next City Council Agenda.

Thank you.

Kola Olay, MCP, CFM
Building Codes Official
Master City Planner



11430 BISSONNET B-2
 HOUSTON TX 77089
 OFFICE: 281-384-0194
 FAX: 281-530-6775
 Dnassigns@yahoo.com

SIGN LOCATION

PROJECT NAME _____
 ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 PHONE NUMBER _____

CLIENT APPROVAL/ LAND LORD

ENGINEER _____
 DATE _____
 LAND LORD APPROVAL _____
 DATE _____

120 VOLTS ELECTRICAL SERVICE
 CLIENT TO PROVIDE ALL PRIMARY
 ELECTRICAL SERVICES TO THE SIGN
 UNLESS OTHERWISE SPECIFIED



nasigns@yahoo.com

11430 BISSONNET B-2
HOUSTON, TX. 77069
TEL 713-384-0194 FAX 281-530-6775

PROJECT: _____
LOCATION: _____
TV/STATE: _____
CLIENT REF: _____
DATE: _____
DRAWN BY: _____

CLIENT APPROVAL
20 VOLTS ELECTRICAL SERVICE
CLIENT TO PROVIDE ALL PRIMARY
ELECTRICAL SERVICES TO THE SIGN
UNLESS OTHERWISE SPECIFIED

SALES REP APPROVAL

LANDLORD APPROVAL



August 23, 2011

The Honorable Norma Moreno Garcia
Mayor, City of Freeport
200 West 2nd Street
Freeport, TX 77541

Dear Mayor Garcia:

I am writing regarding the appointment of your city's representative to H-GAC's 2012 General Assembly.

H-GAC's Bylaws provide that each member home rule city under 25,000 population as of the last (2010) Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet in early 2012.

I am enclosing the appropriate form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body.

A dinner meeting of home rule city representatives will be scheduled for November. At that meeting, your 2011 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and look ahead to issues and progress in 2012.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form no later than October 1. If you have any questions or problems in this designation process, please call Mary Spain, 713-993-4598.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jack Steele', written in a cursive style.

Jack Steele

JS/kay

Enclosure

cc: City Secretary

**DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL
2012 GENERAL ASSEMBLY**

BE IT RESOLVED, by the Mayor and City Council of _____, Texas,
that _____ be, and is hereby designated as its Representative
to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2012.

FURTHER, that the Official Alternate authorized to serve as the voting representative should
the hereinabove named representative become ineligible, or should he/she resign, is
_____.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the
designation of the hereinabove named representative and alternate.

PASSED AND ADOPTED, this _____ day of _____, 2011.

APPROVED:

Mayor

ATTEST:

By: _____

AMENDMENT TWO TO THE
Industrial District Agreement

by and among

BASF CORPORATION

and

THE DOW CHEMICAL COMPANY

and

THE BROCK INTERESTS

consisting of

JAMES E. B. BERRY, JR.

THOMAS STRATTON BERRY

ALICE BERRY HILL

CARRIE CAMILLE BROCK

FREDERICK BASCOM BROCK

CAMILLE BROCK BERRY TRUST - Lavinia B. Bircher as Trustee

and

THE CITY OF LAKE JACKSON, TEXAS

and

THE CITY OF FREEPORT, TEXAS

and

THE CITY OF CLUTE, TEXAS

(Collectively referred to as the "Parties")

WHEREAS, the Parties entered into an Industrial District Agreement dated April 1, 2001 (the Agreement) to guarantee the continuation of the extraterritorial status of certain lands indentified in Exhibits A, B, and C of the Agreement; and

WHEREAS, the Agreement has an expiration date of March 31, 2011; and

WHEREAS, the parties Agreed to extend the Agreement's expiration date to September 30, 2011; and

WHEREAS, the Parties are engaged in the negotiation of a new industrial district agreement that will supersede the Agreement; and

WHEREAS, the Parties desire to extend the expiration date of the Agreement by two more months in order to complete the negotiation and execution of the new industrial district agreement.

NOW THEREFORE, for and in consideration of the mutual promises, covenants, and obligations set forth below, the Parties, each and separately by this instrument, contract and agree as follows:

AGREEMENT

1.

Revision of Term

Section VII of the Agreement is hereby amended to revise the term of the Agreement to November 30, 2011. All other terms of the Agreement shall remain the same and in effect.

2.

Effective Date

The effective date of this Amendment is September 30, 2011.

3.

Miscellaneous

This Amendment embodies the entire agreement of the Parties relating to the subject matter hereof. If there is any conflict between this Amendment and the Agreement, this Amendment shall control. This instrument may be executed in multiple copies, each of which fully executed shall be deemed to be an original.

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the date set forth above.

THE DOW CHEMICAL COMPANY

BASF CORPORATION

By _____

By _____

Title _____

Title _____

JAMES E.B. BERRY, JR.

THOMAS STRATTON BERRY

ALICE BERRY HILL

CARRIE CAMILLE BROCK

FREDERICK BASCOM BROCK

Camille Brock Berry Trust
Lavinia B. BIRCHER as Trustee

CITY OF LAKE JACKSON

ATTESTED AND COUNTERSIGNED

By _____

City Secretary

Title _____

CITY OF FREEPORT

ATTESTED AND COUNTERSIGNED

By _____

City Secretary

Title _____

CITY OF CLUTE

ATTESTED AND COUNTERSIGNED

By _____

City Secretary

Title _____