

State of Texas

County of Brazoria

City of Freeport, Texas

BE IT REMEMBERED, that the City Council of the City of Freeport, met on Tuesday, February 22nd, 2011 at 6:30 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: Larry L. McDonald
 Michelle Kent
 Fred Bolton
 Nicole Mireles
 Norma M. Garcia

Staff: Jeff Pynes, City Manager
 Gilbert Arispe, Administrative Asst.
 Wallace Shaw, City Attorney
 Delia Munoz, City Secretary
 Nat Hickey, Property Manager
 Gary Pohl, Marshal
 Tyrone Morrow, Police Chief
 Brian Davis, Fire Chief
 Bob Welch, Finance Director
 B. R. Williams, Street Supervisor

Visitors; Joaquin Damian Manny Rollerson
 Sue Green Rosa McDonald
 Annette Sanford Alonzo Martinez
 Carol Rangel Sam Reyna
 Jerry Meeks Jerry Meeks
 Jim Pirrung Dorothy Pirrung
 Cliff Vandergriff

Call to Order.

Mayor McDonald called the meeting to order at 6:30 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of approving the February 7th, 2011 Council Minutes.

On a motion by Councilwoman Mireles, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved the February 7th, 2011 Council Minutes.

Attending citizens and their business.

Manning Rollerson of 905 N. Ave. J. Apt. 2102 thanked Council for the lights erected on Skinner Street and Ave J, installed by CenterPoint.

Recognition: Sue Green for volunteering her services to monitor the kids at school crossings.

Mayor McDonald presented a plaque to Sue Green for her services.

Consideration of approving the appointment of Jon Berryhill and Tim Trevino as members of the Freeport Police Reserve Force.

On a motion by Councilwoman Kent, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved Chief Morrow's appointments of Jon Berryhill and Tim Trevino as members of the Freeport Police Reserve Force.

Consideration of approving a commercial tax abatement application and setting March 21st, 2011 for a public hearing to consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner(s) thereof granting a tax abatement and instruction the City Attorney to prepare the necessary documents: Maria's Kitchen, 317 S. Ave. A., Block 20, Lot 16,17,18, Velasco Townsite, Tx. Id No., 8110-0252-000.

On a motion by Councilwoman Garcia, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved a commercial tax abatement application and setting March 21st, 2011 for a public hearing to consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner(s) thereof granting a tax abatement and instruction the City Attorney to prepare the necessary documents: Maria's Kitchen, 317 S. Ave. A., Block 20, Lot 16,17,18, Velasco Townsite, Tx. Id No., 8110-0252-000.

Consideration of a request from the Fraternity of Eagles Aerie # 3111 to conduct their Annual Scholarship Shoot every Sunday from noon to 4:00 p.m. beginning March 6th, 2011 through May 15th, 2011.

On a motion by Councilwoman Garcia, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved the Fraternity of Eagles Aerie # 3111 to conduct their Annual Scholarship Shoot every Sunday from noon to 4:00 p.m. beginning March 6th, 2011 through May 15th, 2011.

Consideration of advertising for bids and setting a bid date for March 21st, 2011 for the demolition of structures located on 119 S. Gulf Boulevard, Block 6, Lot 15-21, Velasco Townsite, which have been determined to be unsafe by the City Council of the City.

No action taken.

Consideration of authorizing the Mayor to sign an interlocal agreement with Brazoria County and the City of Freeport to participate in a regional hazard mitigation plan.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved authorizing the Mayor to sign an interlocal agreement with Brazoria County and the City of Freeport to participate in a regional hazard mitigation plan.

Consideration of approving any action taken as a result of an Executive Session.

At 7:36 p.m. Mayor McDonald reconvened in Open Session to take action on 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.

- a. On a motion by Councilwoman Garcia, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved an air monitoring Site agreement with TCEQ.
- b. On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved extending for six months the Industrial District contract with Dow Chemical Company and BASF Corporation.

Mayor McDonald opened the Work Session at 6:47 p.m.

Work Session:

Discussion regarding the First Choice Power energy contract, expiring July 31st, 2011.

Bob Welch Finance Director discussed the City's energy contract. He presented several options. He suggested that the City lock in with Gexa Energy, a savings of \$813,000 over a three year period.

Mayor McDonald opened the Executive Session at 6:52 p.m.

Executive Session:

A. 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.

Action taken in open session

B. Section 551.073, Government Code:

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

Nicole Mireles

No action taken

Adjourn

On a motion by Councilwoman Kent, seconded by Councilwoman Garcia, with all present voting "aye", the meeting adjourned at 7:42 p.m.

Mayor – Larry L. McDonald

City Secretary – Delia Munoz