

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport, met on Monday, July 6th, 2009 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas, for the purpose of considering the following agenda:

City Council: Larry L. McDonald
 Clan A. Cameron
 James W. Phillips
 Ron Wise
 Norma M. Garcia – absent

Staff: Jeff Pynes, City Manager
 Wallace Shaw, City Attorney
 Delia Munoz, City Secretary
 Nat Hickey, Property Manager
 Bob Welch, Financial Director
 Mary Stotler, Main Street Director
 Larry Fansher, Parks Director

Visitors:	Thomas Hilton	Joyce Adkins
	Susie Wise	Rosa McDonald
	Dan Tarver	Kenny Kouches
	Dorothy Pirrung	Jim Pirrung
	Edna Allan	Jerry Meeks
	Gus Flores	Sandra W. Wicke
	Pixie Floyd	Annette Sanford
	Edith Fisher	Sandra Shaw
	Wayne Shaw	Tobey Davenport
	Mingo Marquez	Bobby Fuller
	Patrick Gore	K. Koude

Call to Order.

Mayor McDonald called the meeting to order at 6:01 p.m.

Invocation.

City Attorney Wallace Shaw delivered the invocation.

Pledge of Allegiance.

Councilman Clan Cameron led the Pledge of Allegiance.

Consideration of the approval of the June 15th, 2009 Council Minutes.

On a motion by Councilman Phillips, seconded by Councilman Wise, with all present voting “aye”, Council unanimously approved the June 15th, 2009 Council Minutes.

Attending Citizens and Their Business.

There were none.

Presentation by Thomas J. Hilton, President of Reef-Man, LLC the first company in the State of Texas formed for the purpose of manufacturing and deploying artificial reefs in Texas inshore and offshore waters.

Thomas J. Hilton, President of Reef-Man, LLC asked for support and funding. He explained the locations of the 3 initial reefing areas where they plan to place over 1,500 reefs in the next 2-3 years. The upper Texas coast is where the majority of Texas anglers fish and where the placement of habitat is most needed.

Consideration of the approval of Resolution No. 2009-2193 in support of the Reef-Man, LLC Artificial Reef Program.

On a motion by Councilman Cameron, seconded by Councilman Phillips, with all present voting "aye", Council unanimously approved Resolution No. 2009-2193 supporting the Reef-Man, LLC Artificial Reef Program.

Presentation of the annual financial audit for fiscal year 2007-2008 by Tom Masters of Kennemer-Masters, LLC.

Jason Crews with Kennemer, Masters & Lunsford, LLC, certified public accountants presented summary and recommendations and answered Council's questions of the City's Annual Financial Report for the year ending September 30, 2008.

Consideration of the approval of appointing qualified person(s) to the Charter Review Board.

On a motion by Councilman Phillips, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved to reappoint a term to the Charter Review Board to Tobey Davenport, Dorothy Pirrung and Willam (Bill) Rains.

Consideration of the approval of setting a date for a public hearing on the designation of the Super S Foods location as a reinvestment zone and the approval of a tax abatement agreement with Mass Marketing, Inc. d/b/a Super S Foods.

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

Consideration of the approval of selling the City's interest on Block 7, Lot 8, Southview Gardens Subdivision, Freeport Townsite, known as 727 W. 11th, Tax Id. # 4201-0151-000.

On a motion by Councilman Phillips, seconded by Councilman Cameron, with all present voting "aye", Council approved selling the City's interest on Block 7, Lot 8, Southview Gardens Subdivision, Freeport Townsite, known as 727 W. 11th, Tax Id # 4201-0151-000.

Consideration of the approval of selling the City's interest on Block 4, Lot 13, Section 2, Marlin Lane, Bridge Harbor Subdivision, Tax Id # 2190-0239-000.

On a motion by Councilman Wise, seconded by Mayor McDonald, with all present voting 3 to 1, Council declined selling the City's interest on Block 4, Lot 13, Section 2, Marlin Lane, Bridge Harbor Subdivision, Tax Id. # 2190-0239-000. Councilman Cameron opposed.

Consideration of the approval of selling the City's interest on Block 4, Lot 14, Section 2, Marlin Lane, Bridge Harbor Subdivision, Tax Id # 2190-0240-000.

On a motion by Councilman Wise, seconded by Mayor McDonald, with all present voting 3 to 1, Council declined selling the City's interest on Block 4, Lot 14, Section 2, Marlin Lane, Bridge Harbor Subdivision, Tax Id # 2190-0240-000. Councilman Cameron opposed.

Consideration of the approval of leasing Antonelli's Root Beer stand to Ms. Debra Molina.

On a motion by Councilman Cameron, seconded by Councilman Phillips, with all present voting "aye", Council unanimously approved Mingo Marquez's request of the Beautification Park & Recreation Committee, to lease Antonelli's Root Beer stand to Ms. Debra Molina.

Consideration of the approval to authorize the City Manager to enter into a contract with a Buy Board service to construct an interactive water park in a designated area of the Main Street District.

Reconvene from Executive Session (B) at 7:49 p.m.

On a motion by Councilman Phillips, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved and authorized the City Manager to enter into a contract with a Buy Board Service to construct an interactive water park in a designated area of the Main Street District, cost not to exceed \$85,000.

Consideration of the approval of any action to be taken as a result of closed executive session.

Reconvene from Executive Session (A) at 7:50 p.m.

A. Section 551.071, Government Code

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

Richard Miller, Etal vs City of Freeport – United States District Court

On a motion by Councilman Phillips, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved to employ Olson & Olson firm to represent the City.

Elected Officials Report

Councilman Phillips wanted all to know that he has blood clots and has problems walking, other wise is in good health. He welcomes telephone calls.

Work Session

Presentation by Edith Fischer, director of tourism of the Brazosport Convention & Visitors Council promoting and request for continued funding.

Edith Fisher Director of Tourism, of the Brazosport Convention & Visitors Council presented a power point annual presentation of the immediate past and proposed promotional activities of the Brazosport Convention & Visitors Council. She introduced members of the Brazosport Chamber of Commerce.

Report from Jerry Meeks of Veolia Water on the 2008 Annual Drinking Water Quality Report.

Jerry Meeks reported and answered Council's questions on the 2008 Annual Drinking Water Quality Report.

Mayor McDonald closed the formal agenda and opened the Executive Session at 7:22 p.m.

Executive Session

A. Section 551.071, Government Code

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

- Richard Miller, Etal vs City of Freeport – United States District Court

B. Section 551.074, Government Code

Deliberations concerning the duties and responsibilities, to wit:

- City Manager

Adjourn

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting “aye”, the meeting was adjourned at 7:50 p.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor