

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport met on Monday, April 2nd, 2012 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 M. Garcia
Michelle Kent
Fred Bolton - absent
Nicolosa Mireles
Sandra Barbree

Staff: Jeff Pynes, City Manager
Gilbert Arispe, Asst. City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Ty Morrow, Police Chief

Visitors: Jim Pirrung Dorothy Pirrung
Sam Reyna Manuel Bustos
Blanca Bustos Lila Lloyd
Diana Davis Lizet Soria
Sandra Barnett

Call to Order

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

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma Moreno Garcia led the Pledge of Allegiance.

Consideration of approving the March 19th, 2012 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved the March 19th, 2012 Council Minutes.

Attending citizens and their business.

There were none.

Recognition: Lizet Soria of Brazosport High School; Won 1st Place in Corpus Christi, Texas in Power Lifting.

Mayor Garcia and Council recognized Lizet Soria with an Exceptional Achievement medal for 1st place powerlifting in Corpus Christi, Texas.

Consideration of approving Ordinance No. 2012-2302 amending Ordinance No. 2012-2299 of said city, which called the Annual Election of officers, confirming the early voting locations adopted by the office of the county clerk of Brazoria County, Texas.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Ordinance No. 2012-2302 amending Ordinance No. 2012-2299 of said city, which called the Annual Election of officers, confirming the early voting locations adopted by the office of the county clerk of Brazoria County, Texas.

Consideration of approving Ordinance No. 2012-2303 amending Ordinance No. 2021-2300 of said city, which called a Charter Amendment Election, confirming the early voting locations adopted by the office of the County Clerk of Brazoria County, Texas.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Ordinance No. 2012-2203 amending Ordinance No. 2021-2300 of said city, which called a Charter Amendment Election, confirming the early voting locations adopted by the office of the County Clerk of Brazoria County, Texas.

Consideration of approving Resolution No. 2012-2282 deliver to Mike Sorrell Trucking and Materials, Inc., a deed for lost deed conveying Tract 133 and 134 BCIC Division 9, Abstract 51, Brazoria County, Texas to the said corporation it being the successful bidder thereof.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved Resolution No. 2012-2282 deliver to Mike Sorrell Trucking and Materials, Inc., a lost deed conveying Tract 133 and 134 BCIC Division 9, Abstract 51, Brazoria County, Texas to the said corporation it being the successful bidder thereof.

Consideration of approving a request from the Freeport League to waive the carnival and vendor permit fees for Riverfest on April 27th thru 28th, 2012 held at the Freeport Municipal Park.

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved a request from the Freeport League to waive the carnival and vendor permit fees for Riverfest on April 27th thru 28th, 2012 held at the Freeport Municipal Park.

Consideration of approving a request from the Riverfest Committee to sell alcohol, have a public dance, fireworks for Riverfest on April 27th & 28th, 2012 held at the Freeport Municipal Park.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved a request from the Riverfest Committee to sell alcohol, have a public dance, fireworks for Riverfest on April 27th & 28th, 2012 held at the Freeport Municipal Park.

Consideration of authorizing and ratifying the Port Freeport lease agreement with the City of Freeport.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved authorizing and ratifying the Port Freeport lease agreement with the City of Freeport.

Consideration of approving the bids and awarding the mowing services contract.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved awarding the mowing services contract to Bustos Lawn Service, P.O. Box 2316, Freeport, Texas.

Consideration of ratifying Resolution No. 2012-2280 approving submission of the grant application for the Radio Console Upgrade and Interoperability Improvements to the Office of the Governor, Criminal Justice Division.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved Chief Morrow's recommendation to approve Resolution No. 2012-2280 approving submission of the grant application for the Radio Console Upgrade and Interoperability Improvements to the Office of the Governor, Criminal Justice Division.

Consideration of selling that portion of Caldwell Street right-of-way between Blocks 63 and 70 and South Ave H and I, abutting Lot 24, Block 63, Velasco Townsite.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved selling that portion of Caldwell Street right- of -way between Blocks 63 and 70 and South Ave H and I, abutting Lot 24, Block 63, Velasco Townsite.

Consideration of selling that portion of Caldwell Street right-of-way between Blocks 63 and 70 and South Ave H and I, abutting Lot 1, Block 63, Velasco Townsite.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved selling that portion of Caldwell Street right- of -way between Blocks 63 and 70 and South Ave H and I, abutting Lot 1, Block 63, Velasco Townsite.

Consideration of selling the City’s interest on Block 663, Lots 13 thru 18, Velasco Townsite, known as 901-911 North Ave. F, Id No. 8110-2618-000.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting 3 to 1, Council declined selling the City’s interest on Block 663, Lots 13- thru 18, Velasco Townsite, known as 901-911 North Ave. F., Id No. 8110-2618-000. Councilwoman Mireles opposed.

Consideration of selling the City’s interest in Bridge Harbor (F.J. Calvit Division 8 (BCIC), Block 3, Lot 25, No. 2 Marlin Drive, Tax Id. 2190-0219-000

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with all present voting 3 to 1, Council declined selling the City’s interest in Bridge Harbor (F.J. Calvit Division 8 (BCIC), Block 3, Lot 25, No. 2 Marlin Drive, Tax Id. 2190-0219-000. Councilwoman Mireles opposed.

Consideration of selling the City’s interest in Block 25, Lot 9, Freeport Townsite, known as 230 E. 8th Street, Tx Id. 4200-0322-000.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting “aye”, Council unanimously approved selling City’s interest in Block 25, Lot 9, Freeport Townsite, known as 230 E. 8th Street, Tx Id. 4200-0322-000.

Consideration of authorizing the City Manager to sign a lease agreement for a new law firm.

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved authorizing the City Manager to sign a lease agreement with Forrest, Kolodny and O’Neil LLP law firm.

Consideration of authorizing the City Manager to purchase a Tahoe-SUV for the Police Department.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting 3 to 1, Council approved the City Manager to purchase a Tahoe-SUV for the Police Department. Councilwoman Barbree abstained from voting due to a family member employed with the Freeport Police Department.

Consideration of the approval of any action to be taken as a result of a closed Executive Session.

Mayor Garcia opened the Formal Session at 6:56 p.m.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Resolution No. 2012-2281 setting public hearings on proposed annexations of several parcels of land located north of State Highway 332 and West of FM Highway 1495; providing for the publication and giving notice thereof, and directing the preparation of a Service Plan thereof.

Work Session:

Update by Fire Chief Brian Davis on Emergency Management Debris and Monitoring contract.

Fire Chief Brian Davis updated Council on the Emergency Management Debris and Monitoring contracts. Chief Davis informed Council that the primary and alternate contractors have signed the contracts and is prepared for storm season.

Update by Mike Darlow of Perdue Brandon Fielder Collins & Mott L.L.P concerning the collection report.

Mike Darlow of Perdue Brandon Fielder, Collins & Mott, and L.L.P reviewed the Delinquent Tax Collection Report. Mayor Garcia questioned the procedure for mailing delinquent letters.

Discussion concerning drainage issues on Victoria Street.

City Manager Jeff Pynes noted that water is standing on Victoria Street closed to the Jack in the Box and Memorial Day Care. The Velasco Drainage District did a \comprehensive analysis and will be helping to divert the water to their pumps.

Discussion initiatives on the Velasco Drainage District and North & South Levee System West of the Tidal Flood Gate.

City Manager Jeff Pynes has been working with the Velasco Drainage District on a deed, reverting back to the City of Freeport, everything West of the Tidal Flood Gate on the South and North side of the river, in honor of the levy system.

The benefits are that we can control the development. He assures they are no plans in reducing the levy at all.

Mayor Garcia closed the Formal Session at 6:40 p.m. and opened the Executive Session.

Executive Session:

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 Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Consultation concerning proposed annexations.

Mayor Garcia closed the Executive Session and opened the Formal Session at 6:56 p.m. to motion in open session agenda item # 22.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting “aye”, Council adjourned at 6:57 p.m.

Mayor Norma Moreno Garcia
City of Freeport

City Secretary – Delia Munoz
City of Freeport