

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council and the Planning & Traffic Commission met on Monday, April 20, 2015 at 6:05 p.m., at the Freeport Police Department Building, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council:

Mayor Norma Moreno Garcia  
Councilman Larry L. McDonald  
Councilman Fred Bolton  
Councilman Sandra Loeza  
Councilman Sandra Barbree

Planning Commission:

Edward T. Garcia – Chairman  
Tobey Davenport  
Royce McCoy  
Lesa Girouard  
Eddie Virgil – Absent

Staff:

Kola Olayiwola, Building Official  
Nat Hickey, Property Manager  
Delia Munoz, City Secretary  
Gilbert Arispe, Assistant City Manager  
Wallace Shaw, City Attorney  
Brian Davis, Fire Chief  
Dan Pennington, Police Chief  
Larry Fansher, Parks Director

Visitors:

Tina Rogers	Jim Pirrung
Jerry Meeks	Troy Brimage
Darlene Wier	Manning Rollerson
Nicole Mireles	Sam Reyna
Melanie Oldham	Sherril Mercer
Chad Elliston	Eric Hayes
Jennifer Hawkins	Martin Velez
Denny Corder	

Call to order.

Mayor Norma M. Garcia called the meeting to order at 6:05 p.m.

Invocation.

Wallace Shaw offered the Invocation.

Pledge of Allegiance.

Mayor Norma M. Garcia led the Pledge of Allegiance.

Consideration of approving the April 6, 2015 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the April 6, 2015 Council Minutes.

Attending citizens and their business.

Manning Rollerson complemented the street striping in the City. He was disappointed that the street striping ended under the Pine Street Bridge toward East 2<sup>nd</sup> Street.

**Joint Public Hearing:** 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 Ordinance of said City granting to Kimley-Horn for Verizon Wireless a Specific Use Permit for the erection and operation of a new 151 foot high monopole telecommunication tower on portion of the property described a Tracts 101B, 526 & 527B of the Brazos Coast Investment Company Subdivision, Division 14, A. Calvit Survey, Abstract 49, Brazoria County, Texas containing 7.2 acres of land and locally known as 2121 Zapata Street, within the corporate limits of said City.

Mayor Norma Garcia opened the Joint Public Hearing at 6:08 p.m. to consider a proposed amendment to the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinance of said City granting to Kimley-Horn for Verizon Wireless a Specific Use Permit for the erection and operation of a new 151 foot high monopole telecommunication tower on portion of the property described a Tracts 101B, 526 & 527B of the Brazos Coast Investment Company Subdivision, Division 14, A. Calvit Survey, Abstract 49, Brazoria County, Texas containing 7.2 acres of land and locally known as 2121 Zapata Street, within the corporate limits of said City.

Mayor Norma Garcia asked the audience and staff if they had any comments on the proposed telecommunication tower. Mr. Ed Garcia stated that they had paid their application fee and had met all the requirements. Mr. Royce McCoy stated that he had visited the proposed location on 2121 Zapata and had no opposition to the request. Councilwoman Sandra Loeza had one complaint in her ward opposing the monopole telecommunication tower.

There being no more comments, Mayor Norma Garcia closed the Joint Public Hearing at 6:15 p.m.

Consideration of approving Ordinance No. 2015-2087 amending the Comprehensive Zoning Ordinance of said City to permit the specific use of Tracts 101B, 526 and 527B, Brazos Coast Investment Company Subdivision, Division 14, Abstract 49 A Calvit Survey, Brazoria County Texas containing 7.2 acres acres of land located within the corporate limits of said City and known locally as 2121 Zapata as a site for communication tower to be operated by Kimley Horn and associates for Verizon Wireless.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Ordinance No. 2015-2087 amending the Comprehensive Zoning Ordinance of said City to permit the specific use of Tracts 101B, 526 and 527B, Brazos Coast Investment Company Subdivision, Division 14, Abstract 49 A Calvit Survey, Brazoria County Texas containing 7.2 acres acres of land located within the corporate limits of said City and known locally as 2121 Zapata as a site for communication tower to be operated by Kimley Horn and associates for Verizon Wireless.

Consideration of approving Resolution No. 2015-2465 consenting to the temporary closing of the South Levee Road.

On a motion by Councilman McDonald, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2465 consenting to the temporary closing of the South Levee Road in order that the Velasco Drainage District can secure the South Levee Structure area.

Consideration of taking action on any item discussed in Executive Session.

Reconvened at 6:30 p.m., to discuss the Emergency Power and Monitoring Systems bid.

Sherril Mercer of Mercer Constructions and Chad Elliston with Total Energy had questions on the specifications.

Gilbert Arispe's, recommendation is to rebid the project.

Councilman Bolton asked why alternate bids had not been submitted and requested Jerry Meeks be more involved with the project.

On a motion by Councilman Bolton to rebid the Emergency Power and Monitoring System, Motion died for lack of second.

On a motion by Councilwoman Barbree, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved to reject the bid and rebid with alternate specifications.

Mayor Norma M. Garcia closed the Formal Session and opened the Executive Session at 6:17 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:

- Emergency Power and Monitoring Systems bids.

*No action taken*

Mayor Norma M. Garcia closed the Executive Session at 6:30 p.m. and Reconvened the Formal Session.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Mayor Norma M. Garcia adjourned the meeting at 7:03 p.m.

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Mayor Norma M. Garcia  
City of Freeport, Texas

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City Secretary Delia Munoz  
City of Freeport, Texas