

**CITY OF FREEPORT
PLANNING COMMISSION
Tuesday, April 28, 2009, 6:00 p.m.
Freeport Police Department, Municipal Court Room
430 North Brazosport Boulevard
Freeport, Texas**

AGENDA

Diane Williams, Chairperson
Alonzo Martinez
Joyce Adkins

Eric Hayes
Roberto Caceres
Rueben Cuellar

NOTICE is hereby given that the Planning Commission of the City of Freeport, Texas will meet in a regularly scheduled meeting on **Tuesday, April 28, 2009 at 6:00 P.M.** at the Freeport Police Department Municipal Courtroom, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

1. Open Meeting.
2. Invocation.
3. Approval of minutes for April 7, 2009.
4. Discuss/review the scope of the Planning Commission duties and procedures.
5. Discuss/consider request by Ms. Dolores Olivarez to have speed bumps placed on North Avenue O, due to vehicles speeding.
6. Discuss/consider request by Ms. Alyssa Rivera to have speed bumps placed on North Avenue M, due to vehicles speeding.
7. Further discussion/consideration on the need to place stop signs at Yellowstone and Avenue O.
8. Report by Mr. Gilbert Arispe:
 - a. Progress on vessel removal.
 - b. Landscape Irrigation Program Ordinance
9. Adjourn.

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

I, Melissa Farmer, Building/Permit Department Secretary, City of Freeport, Texas, hereby 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-hour access at 200 West 2nd Street, Freeport, Texas on or before Friday, April 24, 2009 at 5:00 P.M.



Melissa Farmer
Building/Permit Department
City of Freeport

STATE OF TEXAS)(

COUNTY OF BRAZORIA)(

CITY OF FREEPORT)(

BE IT REMEMBERED that the Planning and Traffic Commission of the City of Freeport, Texas met in a called special meeting on **Tuesday, April 7, 2009 at 6:00 P.M.** at the Police Department Conference Room, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

Planning Commission:

*Diane Williams, Chairperson
Eric Hayes
Roberto Caceres
Reuben Cuellar
Alonzo Martinez - Absent
Joyce Adkins*

Visitors:

*Gilbert Arispe
Melissa Farmer
Nat Hickey
Wallace Shaw
Mayor Larry McDonald
Councilman - Ron Wise
Mary Stotler*

Visitors:

Rosa McDonald
Pixie Floyd
Edward Archer
Dan Tarver

Open Meeting.

Ms. Diane Williams called meeting to order at 6:00 P.M.

Invocation.

Mr. Wallace Shaw opened the meeting with prayer.

Approval of Minutes.

Mr. Eric Hayes moved to accept the minutes for March 24, 2009, seconded by Ms. Roberto Caceres, unanimous vote for approval.

**Discuss/consider re-zoning Tract 4, 0.66 acres, S. F. Austin Abstract 33,
Tax ID 0033-0001-000, from R-2, Single-Family Residential to W-2,
Waterfront-Light.**

The Planning Commission discussed re-zoning Tract 4, 0.66 acres, S. F. Austin Abstract 33 from an R-2, Residential Zone to a W-2, Waterfront-Light Zone.

Mr. Edward Archer came to the Planning Commission meeting and spoke to the members about wanting to put a watercraft business on that property.

Mr. Eric Hayes made a motion to call a Joint Public Hearing with the City Council to grant approval for re-zoning Tract 4, S. F. Austin Abstract 33 from R-2 to W-2, Waterfront-Light, seconded by Mr. Rueben Cuellar. By a vote of 3 to 2, with Ms. Joyce Adkins and Mr. Roberto Caceres voting against, the motion passed.

Adjourn.

Mr. Eric Hayes made a motion to adjourn, seconded by Ms. Joyce Adkins, unanimous vote for approval. Meeting was adjourned at 6:24 P.M.

These minutes read and approved this _____ day of _____, 2009.

Diane Williams, Chairperson

CITY OF FREEPORT, TEXAS
REQUEST TO BE PLACED ON A
PLANNING COMMISSION AGENDA

The Planning Commission meets on the fourth Monday of each month at 6:00 p.m., in the Police Department Municipal Courtroom, 430 N. Brazosport Blvd. In order for the Commission to act upon any item, the item must first be placed on an open meeting agenda, which must be posted continuously for at least 72 hours before the meeting commences. The current administrative policy is to have agenda items in hand by at least seven (7) business days preceding the scheduled meeting; this is to ensure that the staff has sufficient time to research material relating to the items. In many instances, the request(s) can be resolved at the staff level without the need for any Planning Commission action. All requests will first be directed to the Building Department for review. You may be requested to meet with the Building Official in an effort to satisfy your request. Each speaker will be given a chance to present his or her subject matter to the Planning Commission. *(All plats must be filed with the City Property Manager at least 14 days prior to the matter at which formal application for the plat approval is made to the Planning Commission.)*

Please print the following information:

Name of presenter/speaker: Dolores Olivarez

Organization (if any): _____

Street/mailling address: 1310 Ave O

City, State, ZIP Code: Freeport, Tx

Phone number where you can be reached during regular business hours: 233-0165 / 482-1782

Subject matter of presentation (including a description of Commission action to be taken, if any):

416 O
Speed Limits - due to High speed

vehicles - children play on the park

and might get run over by crossing street

Dolores Olivarez

4-6-09

Signature

Date

"All requests must be approved by the Building Official before being placed on a meeting agenda."

**CITY OF FREEPORT, TEXAS
REQUEST TO BE PLACED ON A
PLANNING COMMISSION AGENDA**

THE PLANNING COMMISSION MEETS ON THE FOURTH TUESDAY OF EACH MONTH AT 6:00 P.M. IN THE POLICE DEPARTMENT MUNICIPAL COURTROOM, 430 NORTH BRAZOSPORT BLVD. IN ORDER FOR THE COMMISSION TO ACT UPON ANY ITEM, THE ITEM MUST FIRST BE PLACED ON AN OPEN MEETING AGENDA, WHICH MUST BE POSTED CONTINUOUSLY FOR 72-HOURS BEFORE THE MEETING COMMENCES. THE CURRENT ADMINISTRATIVE POLICY IS TO HAVE AGENDA ITEMS IN HAND BY A LEAST SEVEN (7) BUSINESS DAYS PRECEDING THE SCHEDULED MEETING; THIS IS TO ENSURE THAT THE STAFF HAS SUFFICIENT TIME TO RESEARCH MATERIAL RELATING TO THE ITEMS. IN MANY INSTANCES, THE REQUEST(S) CAN BE RESOLVED AT THE STAFF LEVEL WITHOUT THE NEED FOR ANY PLANNING COMMISSION ACTION. ALL REQUESTS WILL FIRST BE DIRECTED TO THE BUILDING DEPARTMENT FOR REVIEW. YOU MAY BE REQUESTED TO MEET WITH THE BUILDING OFFICIAL IN AN EFFORT TO SATISFY YOUR REQUEST. EACH SPEAKER WILL BE GIVEN A CHANCE TO PRESENT HIS OR HER SUBJECT MATTER TO THE PLANNING COMMISSION. **(ALL PLATS MUST BE FILED WITH THE CITY PROPERTY MANAGER AT LEAST 14 DAYS PRIOR TO THE MATTER AT WHICH FORMAL APPLICATION FOR THE PLAT APPROVAL IS MADE TO THE PLANNING COMMISSION.)**

PLEASE PRINT THE FOLLOWING INFORMATION:

NAME OF PRESENTER/SPEAKER: Alyssa Rivera

ORGANIZATION (IF ANY): _____

STREET/MAILING ADDRESS: 1523 N Ave. M

CITY, STATE, ZIP CODE: Freeport, TX 77541

PHONE NUMBER WHERE YOU CAN BE REACHED DURING REGULAR BUSINESS HOURS:
(979) 230-6524

SUBJECT MATTER OF PRESENTATION (INCLUDING A DESCRIPTION OF COMMISSION ACTION TO BE TAKEN, IF ANY):

Request to put speed bumps down Avenue M, a residential neighborhood. This street has 48 occupied homes, and a city softball park. Due to a recent bike incident it is my concern that the recklessness of drivers puts children in danger.

Alyssa Rivera
SIGNATURE

4-13-09
DATE

“ALL REQUESTS MUST BE APPROVED BY THE BUILDING OFFICIAL BEFORE BEING PLACED ON A MEETING AGENDA.”

From: Mark Havens
Date: 04/16/09 07:46:29
To: ccalvillo@freeport.tx.us; drutherford@freeport.tx.us
Cc: Greg Pollock; William Grimes
Subject: Freeport Vessel Removal Questions

I can understand your confusion regarding the removal process, there are a lot of things going on at once. We are currently drafting an Interlocal Agreement between the City of Freeport and the GLO that will set forth all the terms of the removal process. However, I can address a few of your concerns in the interim.

Who is funding the project? - The GLO will reimburse the City for the cost of the removal.

Who is overseeing the project? - The City will oversee the project to ensure the contractor is in place and properly removing the vessels.

Who will be there when vessels are being removed? - Subject to availability, the GLO will have personnel from its regional oil spill office to monitor the process.

Who will actually remove vessels, does city decide this or GLO? - The city is required to go through its normal bidding process to select the contractor to do the removal work. The GLO will reserve the right to review the bidding process. This will be spelled out in greater detail in the Interlocal Agreement.

What specifically is the City responsible for doing? - Again, this will be spelled out in greater detail in the Interlocal Agreement between the GLO and the City of Freeport. Essentially, the City is required to bid out the contract for removal, and ensure the removal process is carried out.

Please feel free to contact me with any additional questions you may have. I'll be glad to help in any way I can. As I said earlier, there's a lot going on and we want to make sure that everything is in place.

Thanks,

Mark A. Havens
Staff Attorney, Coastal & Public Lands
512-936-4441

This electronic communication (including any attached document) may contain privileged and/or confidential information.



March 30, 2009

To Whom It May Concern:

On January 1, 2009, House Bill 1656, titled "**Landscape Irrigation Program**," went into effect. This bill mandates municipalities with populations greater than 20,000 to adopt a landscape irrigation ordinance and establish a compliance program. Municipalities with a population less than 20,000 have the option of adopting and establishing a landscape ordinance and compliance program. The rule further allows the municipality or water district to include permit fees to recover the cost of implementing an irrigation compliance program.

Said ordinance requirements shall be at least as stringent as the Texas Commission on Environmental Quality (TCEQ) rules, which can be found on the Texas Administrative Code (TAC) website under TAC Title 30, chapter 244, or on the TCEQ website under TCEQ Rules, Chapter 344. Following are links to these websites:

Texas Administrative Code:

<http://www.sos.state.tx.us/tac/>

Texas Commission on Environmental Quality:

<http://www.tceq.state.tx.us/>

Let Bureau Veritas assist your municipality or water district in complying with this new ordinance. Our professional staff of 32 state licensed plumbing inspectors meets the requirements to conduct the required plan review and inspections.

Please visit our website at www.us.bureauveritas.com for additional information, and feel free to check back periodically as we continue to expand our services.

Do not hesitate to contact me for more information.

Best regards,

Ronald Rimmer
Public Works Manager
Cell: 214.869.3778
Toll-Free: 800.906.7199
ronald.rimmer@us.bureauveritas.com

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[<<Prev Rule](#)

Texas Administrative Code

[Next Rule>>](#)[TITLE 30](#)

ENVIRONMENTAL QUALITY

[PART 1](#)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

[CHAPTER 344](#)

LANDSCAPE IRRIGATION

[SUBCHAPTER B](#)STANDARDS OF CONDUCT FOR IRRIGATORS,
INSTALLERS, IRRIGATION TECHNICIANS, AND
IRRIGATION INSPECTORS, AND LOCAL REQUIREMENTS**RULE §344.24****Local Regulation and Inspection**

(a) Where any city, town, county, special purpose district, other political subdivision of the state, or public water supplier requires licensed irrigators, installers, irrigation technicians, or irrigation inspectors to comply with reasonable inspection requirements, ordinances, or regulations designed to protect the public water supply, any of which relates to work performed or to be performed within such political subdivision's territory the licensed irrigator, installer, irrigation technician, or irrigation inspector must comply with such requirements, ordinances, and regulations.

(b) Any city, town, county, other political subdivision of the state, or public water supplier that is not required to adopt rules or ordinances regulating landscape irrigation may adopt a landscape irrigation program by ordinance or rule and may be responsible for inspection of connections to its public water supply system up to and including the backflow prevention device.

(c) Municipalities with a population of 20,000 or more and a water district that chooses to implement a landscape irrigation program must verify that the irrigator that designs and installs an irrigation system holds a valid irrigator's license and has obtained a permit before installing a system within its territorial limits or if a municipality, its extraterritorial jurisdiction. Inspectors must verify that the design and installation meet the requirements of this chapter and local ordinances or rules that do not conflict with this chapter, or that are more stringent than this chapter.

(d) Each inspector shall maintain a log of all irrigation systems inspected that includes, but is not limited to, the system location, property owner, irrigator responsible for installation, permit status, problems noted during the inspection, and date of the inspection. The log must be kept for three years. The log shall be available for review within two business days of the request by authorized representatives of the commission or any regulatory authority with jurisdiction over landscape irrigation issues in the area the inspector is employed to inspect.

(e) An inspector may not inspect a landscape irrigation system that is an on-site sewage disposal system, as defined by Texas Health and Safety Code, §366.002.

(f) An inspector may not inspect an irrigation system that is used on or by an agricultural operation as defined by Texas Agricultural Code, §251.002; or is connected to a groundwater well that is used by the property owner for domestic use.

Source Note: The provisions of this §344.24 adopted to be effective January 1, 2009, 33 TexReg 5713