

State of Texas

County of Brazoria

City of Freeport, Texas

BE IT REMEMBERED, that the City Council and the Planning Commission met for a Joint Public Meeting on Monday, June 4th, 2012 at 6:02 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  
Sandra Loeza  
Sandra Barbree

Planning Commission:

Edward Garcia  
Reuben Cuellar – absent  
Jesse Aguilar  
Tobey Davenport  
Eddie Virgil

Staff:

Jeff Pynes, City Manager  
Gilbert Arispe-Asst. City Manager  
Wallace Shaw, City Attorney  
Delia Munoz, City Secretary  
Nat Hickey, Property Manager  
Larry Fansher, Parks Director  
Angela Degetaire, Marina Director  
Ty Morrow, Police Chief  
Steve Epperley, Asst. Police Chief  
Brian Davis, Fire Chief

Visitors:

Dorothy Pirrung	James Pirrung
John Mercer	Nicolosa Mireles
Lila Lloyd	Jerry Meeks
Ravindra Patel	Mingo Marquez
Sandra Barnett	James Barnett
Juanita Cordozo	Scott Rodgers
Shanna Doughtry	Wright Gore, Jr.
Tom Sharon	Tim Feldman
John Cone	Brian Wolf

Call to Order

Mayor Norma Garcia called the meeting to order at 6:02 p.m.

Invocation

Pastor Tom Sharon offered the invocation.

Pledge of Allegiance.

Mayor Norma M. Garcia led the Pledge of Allegiance. Members of Boy Scouts Troop 345 performed an open flag ceremony during City Council.

Consideration on of approving the May 21st, 2012 Council Minutes.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved the May 21st, 2012 Council Minutes.

Attending citizens and their business.

Mayor Norma Garcia introduced Mario Muraira, he will intern this summer for City of Freeport.

Appreciation Plaque to Chaplain Tom Sharon for his dedicated service to the City of Freeport 2010-2012.

On behalf of the Freeport Police Department Chief Morrow thanked Chaplain Tom Sharon for his services and presented a plaque.

Appreciation Plaque to the City of Freeport from the Spring Fling Festival -2012.

Norm Odam from the Texas Mariners Cruising Association presented City Council an appreciation plaque for the second Spring Fling Festival-2012.

Consideration of advertising and setting a bid date for June 28th, 2012 for the Central Lift Station Rehabilitation.

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting "aye", Council approved Mr. Gilbert Arispe's recommendation to reschedule the bid date from June 28th to July 12th, 2012, to allow more time to evaluate the bids.

Joint Public Hearing with the Planning Commission to consider a proposed amendment and to make a recommendation to the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinances of said City, amending said ordinance to create a new zoning district, to be known as W-4 Marina District and changing the zoning classification of all property within the hereinafter described area from its present classification to the new classification of W-4 Marina District, to-wit:

Beginning at the intersection of the north ROW line of West Second Street, at its intersection with the east ROW line of Cherry Street; thence north to the northern ROW line of the Freeport Townsite Levee; thence east to the extension of the eastern property line of Tract 1A, Thomas McKinney Survey, Abstract 87, Brazoria County, Texas; thence north along that extended line to the centerline of the Old Brazos River Channel; thence along the center line of that Channel east to the extension of the western property line of Tract B1A, S. F. Austin Survey, Abstract 28, Brazoria County, Texas; thence south along that extended line to the west ROW line of Spruce Street, and continuing along that line to its intersection with the north ROW line of East Second Street; then west along that line to the place of the beginning.

There being a quorum with the Planning Commission, Mayor Norma Garcia opened the Joint Public Hearing at 6:20 p.m.

Edward Garcia Chairperson for the Planning Commission stated that the Planning Commission had discussed the new classification of W-4 Marina district. They had not received any negative comments. The Planning Commission recommended a new classification of W-4 Marina District to wit:

Beginning at the intersection of the north ROW line of West Second Street, at its intersection with the east ROW line of Cherry Street; thence north to the northern ROW line of the Freeport Townsite Levee; thence east to the extension of the eastern property line of Tract 1A, Thomas McKinney Survey, Abstract 87, Brazoria County, Texas; thence north along that extended line to the centerline of the Old Brazos River Channel; thence along the center line of that Channel east to the extension of the western property line of Tract B1A, S. F. Austin Survey, Abstract 28, Brazoria County, Texas; thence south along that extended line to the west ROW line of Spruce Street, and continuing along that line to its intersection with the north ROW line of East Second Street; then west along that line to the place of the beginning.

Councilman Bolton asked for the advantages. Mr. Garcia stated that it would put them in a better position to promote the Freeport Marina. Businesses that are active, would be grandfathered.

There being no more comments from audience or council, Mayor Garcia closed the Joint Public hearing at 6:25 p.m.

Joint Public Hearing with the Planning Commission to consider a proposed amendment and to make a recommendation to the City Council concerning whether or not the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinance of said City, should be amended to grant Ravin Patel a Specific Use Permit to operate a R/V Motor Recreation Site on Tract 6, Bridge Harbor Subdivision, within the corporate limits of said City.

Mayor Garcia opened the Joint Public Hearing at 6:25 p.m. to consider granting a Specific Use Permit to operate a R/V Motor Recreation Site on Tract 6, Bridge Harbor Subdivision, within the corporate limits of said City.

Edward Garcia stated to council that at this time, they could not make a recommendation because Mr. Patel had not complied with the Specific Use requirements.

Mr. Patel stated that he has lived in the area for 30 years and lives in Lake Jackson. He stated that he runs a good business and own condominiums at Bridge Harbor. He wants to invest in the city and operate a R/V Motor Recreation site if permitted. Hurricane Ike had done extensive damage to Bridge Harbor and they were still disputing damages with the insurance. He has spent \$37,000 on bathrooms.

Councilman Bolton stated that he had seen existing damage to Bridge Harbor. The docks had collapsed and needed attention. He wanted this done correctly and requested drawings and additional information.

Mayor Garcia had driven to Bridge Harbor and did concur with Councilman Bolton that Bridge Harbor was in dire need of attention.

Councilwoman Barbree said that Bridge Harbor was in her ward and would like him to get a permit for the R/V and get back to having a business.

Councilwoman Kent asked for the time frame in building the R/V. Mr. Patel answered 5 months.

John Cone an expert on real estate stated that it would devalue the property. It was not suitable for this location.

Tim Feldman owner of a condo unit # 115 feels the condos are not being operated correctly. He strongly opposes the R/V and feels it would be an eyesore. He mentioned that the Patel's owe \$15,000 to the Bridge Harbor Condo Association.

Debbie Collins leased from Mr. Patel but moved because of poor maintenance, swimming pool that was not in compliance. Her condo flooded, had plumbing problems, destroyed her furniture and they were suing her for moving out.

Sandra Krebs stated that she lives in unit 101 and maintenance is poor, unkempt grounds, swimming pool is not safe, no guards available, not a gated facility, tennis courts are deteriorating.

Judy Starnes in unit 103 stated that she had appeared before Council in 2003 and they had reassured her that it would not be zoned for a R/V nor a Specific User be granted.

Mingo Marquez stated that the Patel's had bought Bridge Harbor in 1992 and had been hit by several hurricanes. Their intention is to go after the tourists, attract people to this area, by building a resort type of business. Fuel prices are up and they were trying to survive.

Tobey Davenport agreed with Mr. Garcia that he is not for or against it, but more detail information is required before making a recommendation.

There being no more comments from audience or council, Mayor Norma Garcia closed the Joint Public Hearing at 7:00 p.m.

Consideration of approving Ordinance No. 2012-2310 amending the Comprehensive Zoning Ordinance of said City to permit the Specific Use of Tract 6, of the Bridge Harbor Subdivision in the City of Freeport, Brazoria County, Texas within the corporate limits of said City, as a RV/Motor Coach Recreation Site to be operated by Ravin Patel under certain conditions therein specified.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting 3 to 2, Council approved to reagenda this item. It was suggested that the Planning Commission review the proposal again. Councilwoman Barbree and Councilwoman Kent opposed

Consideration of approving the bids and awarding the contract to purchase a forklift for the Freeport Marina located at 202 East Second Street.

Two bids were submitted to purchase a forklift for the Freeport Marina located at 202 E. Second Street:

Wiggins Marina Bull	\$356,208.00
Toyota Lift of Houston	\$405,153.00

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved to reagenda this item for more study.

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

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved to reagenda this item.

Consideration of selling the City's interest in Block 7, Lot 15, Freeport Townsite, known as 514 East 8th Street, Tx. Id No. 4200-0129-000.

On a motion by Councilman Bolton, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved selling the City's interest in Block 7, Lot 15, Freeport Townsite, known as 514 East 8<sup>th</sup> Street, Tx. Id. No. 4200-0129-000.

Consideration of approving and signing a replat for Garfield and Shoup, Block 80, Lot 8 thru 9, Freeport Townsite, known as 502 West First Street.

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved signing a replat for Garfield and Shoup, Block 80, Lot 8 thru 9, Freeport Townsite, known as 502 West First Street.

Consideration of authorizing the City Manager to advertise for developers proposals for the Urban Renewal Tract(s) for commercial, residential and/or mixed uses.

Lila Lloyd would like to see affordable homes, better home for residences.

Councilman Bolton said that advertising for development needs to be done if we are to attract developers. He will try every effort to get home builders.

Jim Barnett suggested having a Joint Meeting with the Urban Renewal Board. The Urban Renewal board had adopted a plan for residential use.

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting "aye", Council unanimously approved the City Manager to advertise for developer's proposals for the Urban Renewal tract(s) for commercial, residential and/or mixed uses.

Work Session:

Mayor Garcia opened the Work Session at 7:30 p.m.

Discussion regarding amending the alcohol permitting ordinance to require to all issued city permits to be promptly displayed at the permitted establishment.

Mr. Pynes discussed the city permits to be promptly displayed at the permitted establishments. City officials and Police Department could view the required permits of the establishment. He asked Mr. Shaw to amend the ordinance.

Discussion the City's Centennial Celebration.

Mr. Pynes asked Council for direction on the event. The City's Centennial Celebration is scheduled for November 11, 2012 and asked if they wanted a three day event. He asked

for a budget plan and if he should plan a dance, fireworks, music, and food. A suggestion of \$25,000, thru \$50,000 was mentioned for expenditures.

Mayor Garcia closed the Work Session and Opened the Executive Session at 7:40 p.m.

Executive Session:

Section 551.074, Government Code:

Deliberations concerning the duties of a public officer or employee, to wit:

- City Manager

*(no action)*

Mayor Norma Garcia closed the Executive Session and reconvened the Open Session at 8:10 p.m. to adjourn.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting "aye", Council adjourned at 8:10 p.m.

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Mayor Norma Moreno Garcia  
City of Freeport, Texas

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City Secretary Delia Munoz  
City of Freeport, Texas