

City of Freeport

NOTICE OF PUBLIC MEETING
THE FREEPORT CITY COUNCIL
MONDAY, JUNE 5, 2006, 6:00 P.M.
MUNICIPAL COURT ROOM
FREEPORT POLICE DEPARTMENT, 430 N. BRAZOSPORT BLVD.

AGENDA FORMAL SESSION

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Approval of the May 22, 2006 City Council Minutes.
5. Attending Citizens and Their Business.
6. Consideration of the approval of calling a Joint Public Hearing with the Planning Commission to consider:
 - (1) a proposed amendment to Section 155.60 (E) of the Comprehensive Zoning Ordinance to authorize issuance of a specific use permit for land located in a W-3, Waterfront- Heavy zoning district permitting any use permitted only in a M-2 zoning district.
 - (2) 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, changing from its present classification of R-1 to a new classification of W-3 the zoning classification of the land annexed to said City by Ordinance No. 2005-2103, read, passed and adopted on October 3, 2005 being approximately 246 acres of land out of Parcels 27, 34 and 35, Brazos River Harbor Navigation District located in the J.G. McNeel Survey, Abstract 335 and the Stephen F. Austin 1/3 League, Abstract 28, Brazoria County, Texas, lying gulfward of the South Protection Levee, East of FM 1495 and North of the Louisiana-Texas Gulf Intracoastal Waterway.
7. Consideration of the approval of Ordinance No. 2006-2122 closing and abandoning a portion of the West Brazos Blvd Right- of-Way from 2nd Street to a point approximately 260 feet East of Cherry Street and authorizing the conveyance of such portion to Freeport Waterfront LLP for \$6,000.

8. Consideration of the approval of Ordinance No. 2006-2123 abandoning and authorizing the conveyance of a portion of the East Brazos Blvd Right-of-Way to Freeport Waterfront LLP for \$3,000.
9. Consideration of the approval of amending, and authorizing the Mayor to sign an extension on, the Marina Development Agreement.
10. Consideration of the approval of Resolution No. 2006-2106 approving a loan agreement between the City of Freeport Economic Development Corporation (the "EDC") and Freeport Marina, L.P. ("Borrower") providing for a loan from the EDC to the Borrower in the amount of \$6,000,000 ("Development Loan") for the development and construction of a marina with the City of Freeport, Texas ("Project") secured by the revenues to be generated from and a line on the Project, bearing interest at a rate of 4.84% and a final maturity date of not more than 25 years, authorizing the Mayor to execute all documents in connection therewith on behalf of the City and authorizing and approving other matters incident and related thereto, all as authorized by the authority granted pursuant to Article 5190.6a VERNONS TX.CIV.ST., as amended.
11. Consideration and the approval of Resolution No. 2006-2107 approving a loan agreement between the City of Freeport, Texas ("City") and the City of Freeport Economic Development Corporation (the "EDC") providing for a loan from the City to the EDC in the amount of \$6,000,000 to provide funds for the EDC to make a loan to Freeport Marina, L.P for the development of a marina, secured by and payable from the 1/2 cent economic development sales tax levied by the City for the benefit of the EDC and an assignment of the EDC's rights to receive loan payments under the Development Loan, bearing interest at the rate of 4.84% and a final maturity of not more than 25 years, authorizing the Mayor to execute all documents in connection therewith on behalf of the City and authoring and approving other matters incident and related thereto, all as authorized by the authority granted pursuant to Ch. 380, Local Government Code, as amended.
12. Consideration of the approval of rescheduling the city council meeting from July 3, 2006 to July 6, 2006.
13. Consideration of the approval of Ordinance No. 2006-2124 prohibiting the operation of an electronic sound generating device from a vehicle in a manner so that the sound generated by such device causes vibrations to be felt or seen by a person outside the vehicle.

Elected Official Report

Work Session

Administration Report

A. Discussion concerning appointing qualified person(s) on the following boards and commissions.

- Planning Commission
- Library Board
- Freeport Historical Commission
- Board of Adjustment
- Urban Renewal Board
- Beautification/Parks & Recreation Committee
- Economic Development Corp.
- Main Street Advisory Board
- Senior Citizens Commission

C. Discussion concerning the approval of appointing liaison(s) to boards/commission.

Executive Session

A. 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:

(1) Marina

Adjourn

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

This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code)

In compliance with the American with Disabilities Act, the City of Freeport will provide for reasonable accommodations for persons attending City Council Meetings. Request should be received 48 hours prior to the meetings. Please contact the City Secretary office at 979.233.3526.

I, Delia Munoz, City 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 a day public access, 200 W. 2nd Street, Freeport, Texas on, June 1, 2006 at or before 5:00 p.m.

Delia Muñoz, City Secretary
City of Freeport, Texas

