

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Tuesday, February 20, 2007, at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

City Council: James W. Phillips  
Clan A. Cameron  
Jim Saccomanno  
John Smith, III  
Norma M. Garcia

Staff: Ron Bottoms, City Manager  
Pat Taylor, Asst. City Attorney  
Delia Muñoz, City Secretary  
Gary Beverly, Finance Director  
Larry Fansher, Public Works Director  
Doug Caffey, Building Inspector  
Nat Hickey, Property Manager  
Mary Stotler, Main Street Director  
John Stanford, Fire Chief  
Pinkey Hartline, Golf Course Director  
Lee Cameron, Economic Development Director

Visitors: Nat Hickey Cheri Bradley  
Dan Tarver Lila Lloyd  
Carolyn Tarver Carmen Bottoms  
Jerry Meeks Carol Rangel  
Richard Rangel Rosa McDonald  
Larry McDonald Eric Hayes  
Larry Schaefer Roddy Mohler  
Barbara Mohler Michael Mauer  
Chris Voltz Jim McEntire  
Pixie Floyd

Call to Order.

Mayor called the meeting to order at 6:01 p.m.

Invocation.

Chris Voltz with the First United Methodist Church, offered the invocation.

Pledge of Allegiance.

Ron Bottoms' led the Pledge of Allegiance.

Approval of the February 5, 2007 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved the minutes of February 5, 2007.

Attending Citizens and Their Business.

Pixie Lloyd thanked John Smith, III, for doing a fine job as Mayor Pro Tem.

Mayor Phillips also agreed and thanked Councilman John Smith, III, for an excellent job.

**Proclamation: Proclaiming "Gil Dickson Day".**

Mayor Phillips read the proclamation to the audience, proclaiming Gil Dickson Day in the City of Freeport. He advised that the City of Lake Jackson and Clute are also declaring February 20, 2007 as "Gil Dickson Day". A celebration in his honor will take place at the Lake Jackson Civic Center.

Consideration of the approval of Resolution No. 2007-2133 opposing HB 1311 & HB 1312 by State Representative Dennis Bonnen.

Mayor Phillips read out the proposed Resolution No. 2007-2133 opposing House Bill 1311 & 1312 by State Representative Dennis Bonnen.

Proposed House Bill 1311- require certain municipalities with a population of less than 50,000 that all annexed navigation district land, to disannex no later than Jan. 1, 2008, unless the navigation district elects that the land not be disannex.

Proposed House Bill 1312- requires such municipalities to receive consent from the navigation district to annex any of its land.

Mr. Bottoms explained that our State Representative Dennis Bonnen has presented two House Bills 1311 & 1312 that would force the City to disannex the City's most recent annexation. These house bills are an attempt to erode our control over Port Freeport.

The City's objective is to protect the residents and the City. What may be good for the Port's district of approximately 80,000 may not be good for the 14,000 that live in the City of Freeport. The two house bills are at the House Land & Resources Management Committee in Austin, where Mr. Pete Reixach, Jr. will address this committee. Mr. Bottoms' was advised not to show up. Mr. Bottoms stated it would be difficult to protect the citizens if you can't control what goes on within the city and what surrounding the city. He felt that it was a Freeport bill that would exclude Houston, Corpus Christi, Victoria.

It includes not only Freeport but Orange, Port Lavaca, Rock Port, Palacios, Port Isabel; cities all along the coast would be affected by these bills. Mr. Bottoms' plan is to contact those cities in hope of getting their support in opposing House Bills 1311 & 1312.

Mr. Bottoms and Mary Stotler attended a Port meeting where Mr. Reixach stated that he versioned 5,000 trucks a day going through the City, creating an environment where you wouldn't want to live.

Councilman Cameron stated that this were anti voters laws that would cut the City into two. He opposed the proposed house bills.

Mayor Phillips attended a meeting with the Port, where he thought a mutual agreement was in place by shaking hands. He considered this a direct slap in the face.

On a motion by Councilman Smith, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved Mr. Bottoms' recommendation to approve Resolution No. 2007-2133 opposing House Bill 1311 & 1312 by State Representative Dennis Bonnen. Mayor Philips directed the City Secretary to send a copy of this resolution to Dennis Bonnen office.

Consideration of the approval of setting a date for a public hearing to determine whether the structure on Block 8, Lot 7 , Southview Gardens, known as 1003 W. 11th Street is unsafe.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting 4 to 1, Council approved March 19, 2007 at 6:00 p.m. for a public hearing to determine whether the structure on Block 8, Lot 7, Southview Gardens, known as 1003 W. 11th Street is unsafe. Councilman Cameron opposed.

Consideration of the approval of approving the bids and awarding the contract for the deck and fountain project at RiverPlace.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved the only bid submitted and awarded the contact for the installation of fountains at RiverPlace to Greenscape Pump Services, Inc. for \$114, 313.00. A new bid date for the deck at RiverPlace will be reagenda.

Consideration of the approval of signing a deed at Block 11, Tract G-H, Abstract 89, Austin Lane, Slaughter Road S/D Property ID 0089-0040-000.

On a motion by Councilwoman Garcia, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved the Mayor to sign a deed at Block 11, Tract G-H, Abstract 89, Austin Lane, Slaughter Road S/D, Property ID 0089-0040-000.

Consideration of the approval of signing a deed at Block 24, Lots 21 through 24, Velasco Townsite, known as 401 through 411 South Ave. D.

On a motion by Councilman Smith, seconded by Councilwoman Garcia with all present voting “aye”, Council unanimously approved the Mayor to sign a deed at Block 24, Lots 21 through 24, Velasco Townsite, known as 401 through 411 South Ave. D.

Consideration of the approval of signing a deed at Block 26, Lot 9, Velasco Townsite, known as 518 S. Ave. D.

On a motion by Councilman Smith, seconded by Councilwoman Garcia with all present voting “aye”, Council unanimously approved the Mayor to sign a deed at Block 26, Lot 9, Velasco Townsite, known as 518 S. Ave. D.

Consideration of the approval of selling City owned property at Block 588, Lot 1, Velasco Townsite, known as 524 North Ave. F.

On a motion by Councilman Smith, seconded by Councilman Cameron, with all present voting “aye”, Council unanimously approved selling City owned property and setting a bid date for April 2, 2007 at 2:00 p.m., at Block 588, Lot 1, Velasco Townsite, known as 524 North Ave. F.

Consideration of the approval of selling city owned property at Block 600 Lot 19, Velasco Townsite, known as 613 North Ave. F.

On a motion by Councilman Smith, seconded by Councilman Cameron, with all present voting “aye”, Council unanimously approved selling City owned property and setting a bid date for April 2, 2007 at 2:00 p.m., at Block 600, Lot 19, Velasco Townsite, known as 613 North Ave. F.

Consideration of the approval of selling city owned property at Block 600, Lot 22, 23, 24, Velasco Townsite, known as 619-623 North Ave. F.

On a motion by Councilman Smith, seconded by Councilman Cameron, with all present voting “aye”, Council unanimously approved selling City owned property and setting a bid date for April 2, 2007 at 2:00 p.m., at Block 600, Lot 22, 23, 24, Velasco Townsite, known as 619-623 North Ave. F.

Consideration of requesting the Economic Development Corporation to re-convey Urban Renewal Tract D2, 4.593 acres, (8107-0006-110) and Tract D3, 9.960 Acres (8107-0006-111) to the City of Freeport.

On a motion by Councilwoman Garcia, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved the Economic Development to re-convey Urban Renewal Tract D2, 4.593 acres (8107-0006-110) and Tract D3, 9.960 Acres (8107-0006-111) to the City of Freeport.

Consideration of the approval of installing signs that promote Motorcycle Awareness and Safety for all vehicles in the City of Freeport.

Larry Fansher, Freeport's Public Works Director stated the cost will be approximately \$900.00 to installed signs in all the entrances of the City. Roddy Mohler said Gulf Chemical will donate \$3,000 to pay for the signs and any remaining funds will go to Main Street projects.

Mayor Phillips and Council thanked Mr. Roddy Mohler for the donation.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved the installation of signs promoting Motorcycle Awareness and Safety for all vehicles in the City of Freeport.

Consideration of the approval of raising funds and selecting a location for the memorial project.

Dan Tarver with the Beautification/Parks board gave a presentation on the proposed location and requested approval to start soliciting funds on the project. He proposed a sidewalk park to be located across from the public library with commemorative brick pavers. They have visited other cities with veteran projects and want one they can all be proud, not just honor fallen heroes; but all branches of the military, and at the same time enhance the Municipal Park.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved \$25,000 of seed funds for the Veteran's Memorial project.

Elected Official Report

Councilman Saccomanno attended a Mardi Gras Ball on February 17, 2007. The RiverPlace was decorated for the occasion and was well attended. He congratulated Mary Stotler for a great job.

Mayor Phillips stated that in spite of his accident, did participate in the parade but do not ride in a float. . He thanked Gary Beverly for the signs on the vehicles for the parade.

**Work Session**

Administration Report

Chief Stanford reported one significant fire in the county, also helping train Oyster Creek Fire Department.

Jerry Meeks reported the grounds still wet and saturated. Pressing out sludge and treating water.

Mary Stotler busy planning Mardi Gras Ball, everyone had a good time. Received lots of help for Mardi Gras. Mr. Bottom donated his time to wash a vehicle as an auction item.

Pinkey Hartline reported the attendance at the golf course is down, but had two or three tournaments scheduled.

Doug Caffey reported the office running normal, more permits and inspections. Coy's Barnett's last day was Friday the 16th, 2007.

Larry Fansher reported that this is the first year to offer a youth basketball program. He showed pictures of the children having a great time playing basketball. They have 125 youths in the program. He encouraged staff and city council to come see them play at Freeport Intermediate and Brazoport High School gym. This Sunday will be the awards banquet at RiverPlace.

Larry Fansher thanked the Fire Department for providing information to the Senior Citizens at their meeting.

#### Report on transportation needs assessment study.

Alan Rodenstein, president of A & R Consultants, talked about the transit needs study in Angleton, Clute, Lake Jackson and Freeport. Public transit services in Brazoria County are provided by Connect Transportation. Connect Transit paid 80% of the study and Freeport, Clute, Lake Jackson, Angleton paid the remaining 20%. The needs assessment identifies that there is a need; 12% of Freeport residents lack a reliable vehicle according to a summary of the study. The cost to Freeport is \$1250.00.

#### Update by Lee Cameron, Director of Economic Development Corporation on the City's Phase II Landscaping.

Lee Cameron, director of the Economic Development Corporation intruded Mike Mauer of M2L Associates. Mr. Mauer updated Council on the status of the City's Phase II, Landscaping project. He stated the Houston TxDot office has been slow; originally a bid date of May 2006 was scheduled then moved to September 2007. The documents are in Austin for review. The construction should start in November and nearly complete in the spring, 2008. He apologized for the slow process.

Mr. Pat Taylor left and Mr. Shaw, City Attorney arrived and remained until the meeting was adjourned.

Mayor Phillips closed the work session and opened the executive session at 7:45 p.m.

## **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) Western Seafood/Western Shellfish
  - (2) Marina
  - (3) Brazos River Harbor Navigation District

Mayor Phillips reconvened the open session at 8:22 p.m.

## **Adjourn**

On a motion by Councilman Saccomanno, seconded by Councilman Cameron, with all present voting “aye”, the meeting was adjourned at 8:22 p.m.

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Delia Munoz  
City Secretary

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James W. Phillips  
Mayor