

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Monday, May 22, 2006, at 6:00 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: Jim Phillips
 Larry McDonald
 Jim Saccomanno
 John Smith, III
 Norma M. Garcia

Staff: Ron Bottoms, City Manager
 Delia Munoz, City Secretary
 Wallace Shaw, City Attorney
 Larry Fansher, Public Works Director
 Doug Caffey, Building Official
 Mary Stotler, Main Street Director
 John Stanford, Fire Chief
 Jeff Pynes, Chief of Police
 Richard Miller, Police Captain

Visitors: Abel Garcia Vincent L. Scott
 Ann Rector Damon Rector
 Clan Cameron Lila Lloyd
 Angel Kant Joyce Adkins
 Sandra Barnett Jim Barnett
 Wright Gore, III Eric Hayes
 Jerry Meeks Sandra Barbree
 Joe Barbree Pixie Floyd
 Rosa McDonald Jim Pirrung
 Dorothy Pirrung Lee Cameron
 Judy Shaffer Larry Shaffer
 Edna Allan Cathy Williams
 Diane Williams Debbie McQuaig
 Helen McQuaig John McQuaig
 Nat Hickey Ken Tyner
 Beverly Nixon Louie Jones
 Michele Kent

Call to Order

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

Invocation by Pastor Abel Garcia, with the First Baptist Church.

Pastor Abel Garcia from the First Baptist Church offered the invocation.

Pledge of Allegiance.

Mayor Philips led the Pledge of Allegiance.

Approval of the May 1, 2006 City Council Minutes.

On a motion by Councilman McDonald, seconded by Councilman Saccomanno, with all present voting “aye” Council unanimously approved the minutes of May 1, 2006.

Attending Citizens and Their Business.

Damon Rector of 1727 W. 9th drives an 18 wheeler. He observed three kids run across the street, from the school and he didn’t see any crossing guards. Mayor Phillips said the Planners Commission is reviewing this very item, plus other critical issues. .

Skip Pratt of 1027 W. 8th Street asked if the City had considered constructing a walkover pass at this area. Mayor Phillips said this request has been requested several times, and the State has denied it every time. He asked if the City had blue prints available on the Marina project. Mayor Phillips answered “no” not at this time, plans could be available in six weeks or six month.

Joyce Adkins of 102 N. Ave. C. re-irated the crossing complaints.

Mr. Wright Gore 4000 Essex Lane, Houston, Texas asked if he would have an opportunity to talk about item 18 & 19 on the agenda. Mr. Gore asked if these items could wait until Mr. Cameron could be brought up to speed. Mr. Cameron did not get a packet early enough to make decisions.

Proclamation: The month of May 2006 as “Child Abuse Prevention Month”.

Mayor Phillips proclaimed May 2006 as “Child Abuse Prevention Month” as a request from Brazoria County Child Protective Services.

Consideration of the approval of Ordinance No. 2006-2120 canvassing the returns and declaring the results of the Annual Election.

Mayor Phillips read the returns and declared the results of the annual election.

Name:	Position	Total Votes
Denise M. Leitch	Council Position - Ward A	48
Clan Allen Cameron	Council Position - Ward A	74
John Smith, III	Council Position - Ward C	41
Phyllis Travis Branch	Council Position - Ward C	5

On a motion by Councilman McDonald, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved Ordinance No. 2006-2120 canvassing the returns and declaring the results of the Annual Election.

Consideration of the approval of Ordinance No. 2006-2121 canvassing the returns and declaring the results of the Charter Review Election.

Mayor Phillips read the returns and declared the results of the Charter Review Election.

Amendment No.	For	Against
Amendment No. One	81	19
Amendment No. Two	88	12

On a motion by Councilman McDonald, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved Ordinance No. 2006-2121 canvassing the returns and declaring the results of the Charter Review Election.

Administer Oath of Office to duly Elected Councilman for Ward A and Ward C.

Mayor Phillips administered the Oath of Office to duly elected Clan A. Cameron for Ward A and John Smith, II for Ward C. The newly elected official took their seats.

Election of Mayor Pro Tem.

On a motion by Councilman Saccomanno, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved John Smith, III as Mayor Pro Tem.

Recognition of Larry McDonald for service as councilman to the City of Freeport.

Mayor Phillips presented a plaque to Larry McDonald for his dedicated service to the City of Freeport as city councilman to the City of Freeport.

Consideration of the approval of a tax abatement application for Tomas and Janie Gallardo, 1631 West 4th, Freeport Townsite.

On a motion by Councilwoman Garcia, seconded by Councilman Smith, with all present voting "aye", Council unanimously approved a tax abatement application for Tomas and Janie Gallardo, 1631 W. 4th Street.

Consideration of the approval of Resolution No. 2006-2104 setting the rate to be charged by taxicabs operating within the City.

On a motion by Councilwoman Garcia, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved Resolution No. 2006-2104 setting the rate to be charged for taxicabs operating within the City.

Consideration of the approval of Resolution No. 2006-2105 authorizing the City of Freeport to participate in the coalition of cities to intervene in the rate case of CenterPoint Energy.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting "aye", Council approved Mr. Bottoms' recommendation to approve Resolution No. 2006-2105 authorizing the City of Freeport to participate in the coalition of cities to intervene in the rate case of CenterPoint Energy at no cost to the cities.

Consideration of a request from the Freeport Host Lions Club, to sell alcohol, have a public dance, erect temporary fencing, and have a fireworks display in conjunction with the 59th Annual Fishing Fiesta – June 27 – July 2, 2006 at the Freeport Municipal Park

On a motion by Councilman McDonald, seconded by Councilman Smith, with all present voting "aye", Council unanimously approved a request from the Freeport Host Lions Club, to sell alcohol, have a public dance, erect temporary fencing, and have a fireworks display in conjunction with the 59th Annual Fishing Fiesta from June 27 – July 2, 2006 at the Freeport Municipal Park.

Consideration of the approval of purchasing .92 acres from the Texas General Land Office located at the Gulf Intracoastal Waterway and FM 1495.

On a motion by Councilman Saccomanno, seconded by Councilman Smith, with all present voting 4 to 1, Council approved Mr. Bottoms' recommendation to purchase 0.92 acres from the Texas General land Office for \$60,000.00 located at the Gulf Intracoastal Waterway and FM 1495. Councilman Cameron opposed, stating the City did not need this expense.

Consideration of the approval of authorizing the City Manger to send a license termination letter regarding the land located at Cherry and West Brazos Blvd.

No action taken on this item.

Consideration of the approval of Ordinance No. 2006-2122 closing and abandoning West Brazos Blvd Right- of-Way from 2nd to Cherry Street and authorizing the conveyance of that portion within approximately 260 feet East of Cherry street to the Freeport Economic Development Corporation for \$ 67,000 and the remainder to Freeport Waterfront LLP for \$90,000.

This item was reagendaed to the next subsequent meeting.

Consideration of the approval of amending, and authorizing the Mayor to sign an extension on, the Marina Development Agreement.

This item was reagenda to the next subsequent meeting.

Consideration of the approval of authorizing the Economic Development Corporation to execute the Marina loan document.

This item was reagendaed to the next subsequent meeting.

Elected Official Report

Councilman Saccomanno attended St. Mary Festival on May 20 – 21, 2006 at RiverPlace at the Freeport Municipal Park.

Mayor Phillips will attend a CDBG meeting on May 23, 2006 , will prioritize the cities requested funds. The SPCA at their request, approved a pay increase of 2.5% for the director.

Work Session

Administration Report

Chief Pynes introduced four new employees with the Freeport Police Department:

- Heriberto Abrego
- Janet Rathkamp
- Kristi Mercado
- Jackie Bachus

Officer Troi Johnson injured in a car wreck during a pursuit, is expected to return to work soon. The Freeport Police Department is revamping policies and procedures, and is holding budget workshops. He attended a Dare Program graduation.

Larry Fansher continues to receive compliments for the Municipal Park and RiverPlace facility. County will assist in road work in June.

Jerry Meeks moving from Yellowstone to Old River between Ave. G & F. on sewer work. Installed a new tank for odor control at Jane Long Elementary School.

John Stanford preparing for Hurricane season. The 211 program is being introduced. He explained the 211 program is aimed at helping residents with special transportation needs, may register for a ride in advance.

Doug Caffey reported lots of HVAC permits. Freeport Oaks Apartments is up and running. Three structures were demolished.

Mary Stotler working on Summer Times Blues Festival. Lots of emails and bands interested, vendors are being contacted. The sound system for Memorial Park is moving forward.

Discussion concerning abandoning and selling East Brazos Right-of Way.

Mr. Bottoms discussed abandoning and selling East Brazos Street Right- of-Way. The appraisal and legal description were not available. This item was reagendaed.

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

A list of present members and their expiration term were reviewed.

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

This item will be reagendaed.

Mayor Phillips closed the work session and opened the executive session at 7:15 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) Marina

Adjourn

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, the meeting was adjourned at 7:30 p.m.

Attest:

Delia Munoz
City Secretary

James W. Phillips
Mayor