

State of Texas

County of Brazoria

City of Freeport, Texas

BE IT REMEMBERED, that the City Council and the Planning Commission of the City of Freeport, met on Monday, December 6th, 2010 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 item:

City Council: Larry L. McDonald
 Michelle Kent
 Fred Bolton
 Nicole Mireles
 Norma M. Garcia

Planning Commission: Ed Garcia
 Reuben Cuellar
 Diane Williams – Absent
 Tobey Davenport
 Mike Jones

Staff: Jeff Pynes, City Manager
 Gilbert Arispe, Administrative Assist.
 Wallace Shaw, City Attorney
 Delia Munoz, City Munoz
 Yvette Ruiz, Receptionist
 Nat Hickey, Property Manager
 Brian Davis, Fire Chief
 Gary Pohl, Marshal
 Laura Tolar, Special Project Coordinator
 Larry Fansher, Park Director
 B. R. Williams, Street Department

Visitors: Pam Hughes Rosa McDonald
 Eric Hayes Lila Diehl
 Annette Sanford Dan Tarver
 John Stanford Lila Lloyd
 Jim Pirrung Dorothy Pirrung
 Sandra W. Wicke Jerry Meeks
 Jim Barnett Sandra Barnett
 Sam Reyna Pixie Floyd
 Mario Maldonado Lola Maldonado
 Bobby Fuller

Call to order.

Mayor McDonald called the meeting to order at 6:00 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of approving the November 15th, 2010 Council Minutes.

On a motion by Councilwoman Kent, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved the November 15th, 2010 Council Minutes.

Recognition of Freeport Super Feast 2010 volunteers and coordinators.

Mayor McDonald thanked his family members, friends, city employees, citizens, Salvation Army, Buc’ees, Super S Store, and all the volunteers that participated serving on Thanksgiving Day, 2010. Certificates of Appreciation were distributed.

Attending citizens and their business.

There were none.

Joint Public Hearing: Conduct a Joint Public Hearing with the Planning Commission concerning proposed amendments of the Comprehensive Zoning Ordinance of the City, codified as Chapter 155 of the Code of Ordinances of the City, by amending Section 155.064 thereof, relating to amendments to said Zoning Ordinances, to add to Division (A) thereof a new item (4) requiring preliminary review of proposed amendments by the Planning Commission relating, to amend Item (1) of Division (B) thereof regarding the calling of a joint public hearing and Item (3) of Division (B) thereof specifying the action to be taken by the Planning Commission at the conclusion of the joint public hearing and to add to Division (B) a new Item (4) requiring all amendments to be embodied in an ordinance adopted by the City Council.

Mayor McDonald opened the public hearing at 6:10 p.m.

There being a quorum with the Planning Commission, Mayor McDonald opened the public hearing at 6:10 p.m. Ed Garcia stated that Chairperson, Diane Williams was absent and that he would be the acting Chairperson.

There being no comments or questions, Mayor McDonald closed 6:11 p.m.

Discuss and consider whether or not to accept a recommendation from the Planning Commission concerning proposed amendments of the Comprehensive Zoning Ordinance of the City, codified as Chapter 155 of the Code of Ordinance of the City, by amending Section 155.064 thereof, relating to amendments to said Zoning Ordinances, to add to Division (A) thereof a new Item (4) requiring preliminary review of proposed amendments by the Planning Commission relating, to amend Item (1) of Division (B) thereof regarding the calling of a joint public hearing and Item (3) of Division (B) thereof specifying the action to be taken by the Planning Commission at the conclusion of the joint public hearing and to add to Division (B) a new item (4) requiring all amendments to be embodied in an ordinance adopted by the City Council.

Ed Garcia spoke in behalf of the Planning Commission and stated that they unanimously approve the above proposed amendments of the Comprehensive Zoning Ordinance of the City.

On a motion by Councilwoman Mireles, seconded by Councilman Bolton, with all present voting “aye”, Council unanimously approved the Planning Commission’s recommendations concerning the proposed amendments of the Comprehensive Zoning Ordinances of the City, codified as Chapter 155 of the Code of Ordinance of the City, by amending Section 155.064 thereof, relating to amendments to said Zoning Ordinances, to add to Division (A) thereof a new Item (4) requiring preliminary review of proposed amendments by the Planning Commission relating, to amend Item (1) of Division (B) thereof regarding the calling of a joint public hearing and Item (3) of Division (B) thereof specifying the action to be taken by the Planning Commission at the conclusion of the joint public hearing and to add to Division (B) a new item (4) requiring all amendments to be embodied in an ordinance adopted by the City Council.

Consideration of approving January 3rd, 2011, for a public hearing to consider designating the following described real property located with the corporate boundaries of the City as a reinvestment zone for the purpose of entering an agreement with the owner or owners thereof granting a tax abatement: S. F. Sulfur Corporation, 608 East Second Street, site modernization project.

On a motion by Councilwoman Kent, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved January 3rd, 2011 for a public hearing to consider designating the following described real property located with the corporate boundaries of the City as a reinvestment zone for the purpose of entering an agreement with the owner or owners thereof granting a tax abatement: S. F. Sulfur Corporation, 608 East Second Street, site modernization project.

Consideration of approving January 3rd, 2011 for a public hearing to determine whether or not the structure(s) located on hereinafter described real property located within the corporate limits of the City fail to meet the standards set forth in the Standard Code and is/are thereof “unsafe”, Block 6, Lots 15-21, Velasco Townsite, known locally as 119 South Gulf Boulevard.

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting “aye”, Council unanimously approved January 3rd, 2011 for a public hearing to determine whether or not the structure(s) located on hereinafter described real property located within the corporate limits of the City fail to meet the standards set forth in the Standard Code and is/are thereof “unsafe”, Block 6, Lots 15-21, Velasco Townsite, known locally as 119 South Gulf Boulevard.

Consideration of approving Ordinance No. 2010-2268 amending Division (F) of Section 121.27 of the Code of Ordinances of said City to require that a storage yard must be maintained by wrecker companies on the wrecker rotation list within the city or within then (10) miles of the intersection of Velasco Boulevard and Second Street.

On a motion by Councilwoman Garcia, seconded by Councilwoman Mireles, with all present voting “aye”, Council unanimously approved Ordinance No. 2010-2268 amending Division (F) of Section 121.27 of the Code of Ordinances of said City to require that a storage yard must be maintained by wrecker companies on the wrecker rotation list within the city or within then (10) miles of the intersection of Velasco Boulevard and Second Street.

Consideration of authoring the Mayor to sign an Interlocal Agreement for defining 9-1-1 Public Safety Answering Point Boundaries between the City of Freeport, Houston-Galveston Area Council and Brazoria County.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved the Mayor to sign an Interlocal Agreement for defining 9-1-1 Public Safety Answering Point Boundaries between the City of Freeport, Houston-Galveston Area Council and Brazoria County.

Consideration of approving the bids and awarding the landscaping, grounds care and mowing services for portions of the City’s right of way and parks area.

On a motion by Councilwoman Garcia, seconded by Councilman Bolton, with all present voting “aye”, Council unanimously approved Mr. Fansher’s recommendation to approve the bids and award the contract to Southern Oak Services, LLC, P.O. Box 389, Bay City, Texas, for landscaping, grounds care and mowing services for portions of the City’s right of way and parks area.

Consideration of authoring the City Manager to sign a lease-purchase agreement for a street sweeper for the Street Department.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting 3/2, Council approved the City Manger’s recommendation to select option 1 to sign a lease-purchase agreement for a street sweeper. Councilman Bolton, and Councilwoman Garcia opposed.

Consideration of approval Resolution No. 2010-2249 appointing a qualified person to fill an unexpired term of Elliott Cundieff on the Economic Development Corporation of said City.

On a motion by Councilwoman Garcia, seconded by Councilman Bolton, with all present voting “aye”, Council unanimously approved Resolution No. 2010-2249 appointing Brooks Bass to fill an unexpired term of Elliott Cundieff on the Economic Development Corporation of said City.

Discuss and consider Ordinance No. 2010-2269 amending Chapter 110 of the Code of Ordinances of the City to add an exception to beginning of Section 110.01 relating to definitions, amending Item (2) of Division (B) of Section 110.02 specifying the public park or area where City Council approval is not required for the sale or offering for sale of intoxicating beverages, repealing Division (C) of Section 110-02 and Section 110-03 through 110-08 thereof and renumbering Section 110-09 as Section 110-03.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved Ordinance No. 2010-2269 amending Chapter 110 of the Code of Ordinances of the City to add an exception to beginning of Section 110.01 relating to definitions, amending Item (2) of Division (B) of Section 110.02 specifying the public park or area where City Council approval is not required for the sale or offering for sale of intoxicating beverages, repealing Division (C) of Section 110-02 and Section 110-03 through 110-08 thereof and renumbering Section 110-09 as Section 110-03.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting “aye”, the meeting adjourned at 7:14 p.m.

Mayor – Larry L. McDonald

City Secretary – Delia Munoz