

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, October 1st, 2012 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:	Norma M. Garcia	Planning Commission:	Edward T. Garcia Absent
	Michelle Kent		Reuben Cuellar-Absent
	Fred Bolton		Jesse Aguilar
	Sandra Loeza		Tobey Davenport
	Sandra Barbree		Eddie Virgil

Staff: Jeff Pynes, City Manager  
Gilbert Arispe, Asst. City Manager  
Wallace Shaw, City Attorney  
Delia Munoz, City Secretary  
Nat Hickey, Property Manager  
Brian Davis, Fire Chief  
Bob Welch, Finance Director

Visitors:	Jerry Meeks	Shannon Daughtry
	Juanita Cardozo	Richard Whitmore
	Doak Leggett	Alex Journey
	Jim Dibble	Phat Nguyen

Call to order.

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

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Garcia led the Pledge of Allegiance.

Consideration of approving the September 17th, 2012 Council Minutes.

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved the September 17th, 2012 Council Minutes.

Attending citizens and their business.

There were none.

Proclamation designating the third week of October as "Freedom from Bullies Week".

Mayor Norma Garcia read and proclaimed the third week of October as "Freedom from Bullies Week".

Joint Public Hearing – The City Council and the Planning Commission of said City will conduct a Joint Public Hearing to consider the following proposed amendments to the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinances of said City:

First, changing the zoning classification of the following described land from its present classification of R-2 to a new classification of C-2:

Lots 1-12, Block 525 and Lots 1-12, Block 538, Velasco Townsite of the City of Freeport, Texas, according to the map or plat recorded in Volume 32, page 14 of the Deed Records of said county.

Second, granting a Specific Use Permit to Port Freeport to erect and operate a 150 foot communication tower adjacent to its Emergency Operations Center Building located on Lots 1-8, Block 24, Freeport Townsite, City of Freeport, Brazoria County, Texas known as 801 Navigation Boulevard, Freeport Texas.

Third, granting a Specific Use Permit to Jim Dibble and Skyward Towers to erect and operate a telecommunication tower on Lots 18-20, Block 712, Velasco Townsite, City of Freeport, Brazoria County, Texas known as 1213 N. Ave. J., Freeport, Texas.

There being a quorum with the Planning Commission, Mayor Norma Garcia opened the Joint Public Hearing at 6:05 p.m. to discuss and review two items for request for Specific Use permits and one for Rezoning.

Tobey Davenport spokesman for the Planning Commission stated that the committee was in favor and recommended to Council that all three requests be approved. Mr. Davenport asked the audience for comments; or if there were any oppositions.

James B. Heath, representing TIC Energy & Chemical Inc., is requesting to change the classification of Lots 1-12 Block 525 and Lots 1-12, Block 538 from R-2 to a new classification of C-2. TIC is closing its operation at 6711 E. Hwy. 332 in Freeport; and consolidating all activities, using 304 North Gulf Boulevard as the main plant. There was no opposition to this request.

Phat Nguyen spokesman for Port Freeport requested to erect 150 foot communication tower to be located adjacent to the Emergency Operations Center Building, inside the Port of Freeport facilities. There was no opposition to this request.

Mr. & Mrs. James Barnett manage a mini storage close by and were concerned the communication tower would fall if winds reached 120 mile per hour winds. Mr. Richard Whitmore with Skyway Towers stated the communication tower was designed to sustain 130 mile per hour wind.

There being no more comments or oppositions from council and the audience, Tobey Davenport, Vice Chairman for the Planning Commission, adjourned the meeting at 6:30 p.m. Mayor Norma Garcia thanked and excused the Planning Commission and adjourned the Joint Public Hearing.

Consideration of approving Ordinance No. 2012-2024 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Block 525, Lots 1-12 and Block 538, Lots 1-12, Velasco Townsite from its present zoning classification of R-2 to a new zoning classification of C-2.

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with all present voting "aye" Council unanimously approved Ordinance No. 2012 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Block 525, Lots 1-12 and Block 538, Lots 1-12, Velasco Townsite, from its present zoning classification of R-2 to a new zoning classification of C-2.

Consideration of approving Ordinance No. 2012-2025 amending the Comprehensive Zoning Ordinance of said City to permit the specific use of Block 24, Lots 1-8, Freeport Townsite, within the corporate limits of said City, known locally as 801 Navigation Boulevard, Freeport, Texas as site for a communication tower to be operated by Port Freeport.

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting "aye", Council unanimously approved Ordinance No. 2012-2025 amending the Comprehensive Zoning Ordinance of said City to permit the specific use of Block 24, Lots 1-8, Freeport Townsite, within the corporate limits of said City, known locally as 801 Navigation Boulevard, Freeport, Texas as site for a communication tower to be operated by Port Freeport.

Consideration of approving Ordinance No. 2012-2026 amending the Comprehensive Zoning Ordinance of said City to permit the specific use of Block 712, Lots 18, 19, and 20, Velasco Townsite, within the corporate limits of said City, known locally as 1213 N. Ave. J. as site for a communication tower to be operated by Jim Dibble and Skyway Towers.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved Ordinance No. 2012-2026 amending the Comprehensive Zoning Ordinance of said City to permit the specific use of Block 712, Lots 18, 19, and 20, Velasco Townsite, within the corporate limits of said City, known locally as 1213 N. Ave. J. as site for a communication tower to be operated by Jim Dibble and Skyway Towers.

Consideration of approving and signing a replat for Block 182, Lots 13 & 14, Freeport Townsite, for James and Gail Bailey, known as 1702-1704 West 8th Street.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved signing a replat for Block 182, Lots 13 & 14, Freeport Townsite, for James and Gail Bailey, known as 1702-1704 West 8th Street.

Consideration of approving Resolution No. 2012-2399 setting public hearings on proposed annexations, providing for the publication and giving notice hereof, and directing the preparation of service plans therefor; Nalco, Gulf Chemical Company.; and SI Group Schenectady).

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved Resolution No. 2012-2399 setting public hearings on proposed annexations, providing for the publication and giving notice hereof, and directing the preparation of service plans therefor; Nalco, Gulf Chemical Company; and SI Group Schenectady. Councilwoman Kent was absent.

Consideration of temporary closing portions of Quintana Street, Ave. B., Ave. C., Brazosport Boulevard and streets intersecting with Second Street, East and West Park to 4th Street for staging (old Baywoods Store) the Veterans Day Parade on November 11, 2012 from 1:00 p.m. to 3:00 p.m.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved closing portions of Quintana Street, Avenue B., Avenue C., Brazosport Boulevard; and streets intersecting with Second Street, East and West Park, to 4th Street for, staging (old Baywoods Store) the Veterans Day Parade on November 11, 2012 from 1:00 p.m. to 3:00 p.m.

Consideration on any item discussed in Executive Session.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved a 3% raise to City Manager Mr. Pynes.

Mayor Garcia closed the Formal Agenda and opened the Executive Session at 6:35 p.m.

Executive Session:

Section 551.074, Government Code

Deliberations concerning evaluation, duties and compensation of a public officer or employee to wit;

- City Manager

Mayor Garcia closed the Executive Session at 7: 35 p.m. and reconvened the Formal Session to motion on No. 14 of the agenda.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting “aye” Council adjourned at 7:35 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