

COUNTY OF BRAZORIA )(

CITY OF FREEPORT )(

BE IT REMEMBERED that the Planning and Traffic Commission of the City of Freeport, Texas met in a regular meeting on, **Wednesday, February 23, 2011 at 6:00 P.M.** at the Police Department Conference Room, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

**Planning Commission:**

**Edward Garcia – Acting-Chairperson  
Reuben Cuellar  
Tobey Davenport  
Mike Jones**

**Staff:** Kola Olayiwola  
Melissa Farmer  
Wallace Shaw  
Councilwoman Michelle Kent  
Councilwoman Nicole Mireles  
Lt. Jay Newton

**Guest:** Cliff Vandergriff  
Jeff Crisp

**Open Meeting.**

In the absence of Mr. Edward Garcia, Mr. Tobey Davenport called meeting to order at 6:10 P.M.

**Invocation.**

Mr. Tobey Davenport opened the meeting with a prayer.

**Approval of the Minutes for January 13, 2011.**

Mr. Mike Jones moved to accept the minutes for January 13, 2011, seconded by Mr. Reuben Cuellar, unanimous vote for approval.

**Update on the conditions of Union Pacific's Railroad Crossings in the City Limits of Freeport by the Building Official, Mr. Kola Olayiwola.**

Mr. Kola Olayiwola discussed the present conditions of the railroad tracks with the Board Members. He stated that the City has given them one month to make improvements. Mr. Tobey Davenport asked to please include the railroad crossing on Broad Street.

Item was not voted on.

**Discuss/ consider adopting rules for Meetings and Agendas.**

Mr. Mike Jones made a motion to adopt the City Councils Rules of Procedure, minus the public having to sign up for speaking on issues. There must be (2) Board Members to place items on the Agenda, seconded by Mr. Reuben Cuellar, unanimous vote for approval.

**Discuss/ consider resending drafted truck route to the City Council.**

Mr. Tobey Davenport made a motion to amend the truck route to include Cherry Street, from 4<sup>th</sup> Street to Brazos Boulevard as additions, and that Oak Street be deleted, from 4<sup>th</sup> Street to Brazos Boulevard; and that it be sent back to City Council for their consideration with the amendments, seconded by Mr. Mike Jones, unanimous vote for approval.

**Discuss/consider recommending to the City Council changing the speed limit on Brazosport Boulevard and Gulf Boulevard.**

The Board discussed the speed limits on Brazosport Boulevard and Gulf Boulevard. Mr. Wallace Shaw discussed with the Board Members that a municipality has the same authority to alter by ordinance prima facie speed limits from the results of an engineering and traffic investigation as the Texas Transportation Commission, but that since the City did not have an engineering and traffic investigation department, that the governing body of a municipality may not modify the rule established by Section 545.351 (a).

Item was not voted on.

**Discuss/consider recommending to City Council changes in Automobile Wrecker Ordinance, Section 121, of the Code of Ordinance Book.**

The Board Members discussed the request. Mr. Mike Jones requested that the City adopt an ordinance making it law that when a person is being arrested and the vehicle does not need to be held for evidence, that a family member or friend with a valid Driver's License, and can be there in a certain amount of time, 15 to 20 minutes, or a time determined by the City Council, they can take the vehicle. And, that if they could not get anyone there and it must be towed, they should have the option to choose a towing company at that point.

Mr. Cliff Vandergriff of B & C Towing wanted to know how long the Board wanted a police officer to sit on the side of the road waiting on someone to come pick the vehicle up.

Mr. Mike Jones stated that it should just be done across the board.

Mr. Tobey Davenport stated that 121.05, Section E, addresses this issue and that it's perfectly adequate to handle the situation; and that they were doing it this way already.

Item was not voted on.

**Discuss/consider holding two (2) Planning Commission meetings a month.**

Mr. Tobey Davenport made a motion to keep the schedule as is, seconded by Mr. Reuben Cuellar, with Mr. Tobey Davenport, Mr. Edward Garcia and Mr. Reuben Cuellar voting for, and Mr. Mike Jones voting against, the motion passed.

**Adjourn.**

Mr. Edward Garcia closed the meeting at 7:00 P.M. The meeting was adjourned at 7:00 P.M.

These minutes read and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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Edward Garcia, Acting Chairperson