

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 **Tuesday, October 26, 2010 at 6:00 P.M.** at the Police Department Conference Room, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

Planning Commission:

**Diane Williams, Chairperson
Rueben Cuellar - Absent
Edward Garcia
Mike Jones - Absent
Tobey Davenport**

Staff: Kola Olayiwola
Melissa Farmer
Wallace Shaw
Councilwoman Michelle Kent
Councilwoman Nicole Mireles

Guest: Mr. & Mrs. Jim Pirrung
Pixie Floyd
Jeremiah Galicia

Open Meeting.

Ms. Diane Williams called meeting to order at 6:01 P.M.

Invocation.

Mr. Tobey Davenport opened the meeting with a prayer.

Approval of Minutes.

Mr. Tobey Davenport moved to accept the minutes for September 28, 2010, seconded by Mr. Edward Garcia, unanimous vote for approval. Mr. Edward Garcia moved to accept the minutes for the Joint Public Hearing on October 18, 2010, seconded by Mr. Tobey Davenport, unanimous vote for approval.

Discuss/consider notifying City Council that Mike Jones has been absent from three (3) consecutive regular meetings of the Commission.

Mr. Tobey Davenport made a motion to send notification to City Council that Mike Jones has been absent from three (3) consecutive regular meetings of the Planning Commission, seconded by Mr. Edward Garcia, with Mr. Tobey Davenport, Mr. Edward Garcia and Ms. Diane Williams voting "aye," the motion passed.

Discuss/consider amendment to Section 155.064 of the Code of Ordinance book, Zoning Ordinance Amendments.

Mr. Wallace Shaw discussed the amendments to Section 155.064 with the Planning Commission.

He suggested that Division (A) should be amended to add a new Item (4) to read as follows:

“(4) Preliminary review by the Planning Commission. An application filed by one or more land owners and accompanying data shall be submitted to the Planning Commission for review. If a majority of the Planning Commission is of the opinion that such application merits a public hearing, on motion duly made and seconded, determine whether a request shall be made to the City Council to call a joint public hearing.”

Amend Division (B), Item (1) to read as follows:

“(1) At the request of the Planning Commission, the City Council may call a joint public hearing of the City Council and the Planning Commission to consider an amendment initiated by the Planning Commission or by an application of one or more land owners of property affected by the amendment. The City Council shall call a joint public hearing of the City Council and the Planning Commission to consider any amendment initiated by the City Council.”

Amend Division (B), Item (3) to read as follows:

“Action of the Planning Commission at conclusion of hearing. At the conclusion of the joint public hearing, the Planning Commission shall deliberate and then, upon motion and second, determine by majority vote whether to recommend or not recommend to the City Council the adoption of an amendment which was the subject of such hearing. This recommendation shall be entered upon the minutes of the Planning Commission and communicated to the City Council by the filing of a copy of such minutes with the City Secretary. Provided, however, if the City Council is still in session, such recommendation may be communicated to the City Council by the Chair of the Planning Commission and acted upon by the City Council as provided in Division (C) of this section at that time.”

The City Attorney also suggested that a new Item (4) be added to Division (C) to read as follows:

“(4) No amendment adopted by the City Council shall be effective unless and until an ordinance embodying such amendment has been adopted by the City Council. Provided, however, the voting requirements specified in Item (2) of this Division shall apply to the adoption of such ordinance.”

Mr. Tobey Davenport made a motion to send the amendments to Section 155.064, of the Code of Ordinance book, Zoning Ordinance Amendments to City Council, seconded by Mr. Edward Garcia, unanimous vote for approval.

Adjourn.

Mr. Tobey Davenport made a motion to adjourn, seconded by Mr. Edward Garcia, unanimous vote for approval. Meeting was adjourned at 6:35 P.M.

These minutes read and approved this _____ day of _____, 2010.

Diane Williams, Chairperson