

NOTICE OF PUBLIC HEARING
THE FREEPORT CITY COUNCIL
&
PLANNING COMMISSION
MONDAY, JUNE 16TH, 2014, 6:00 P.M.
FREEPORT MUNICIPAL COURT ROOM
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.
FREEPORT, TEXAS
AGENDA
FORMAL SESSION

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of approving the June 2, 2014 Council Minutes.
5. Attending citizens and their business.
6. **Joint Public Hearing:** The City Council and the Planning Commission of said City will conduct a Joint Public Hearing to consider granting to Freeport Christian Center a specific use permit to construct and operate a church on Lots 2-8, Velasco Heights Annex, fronting on Zapata Street within the corporate limits of said City.
7. Consideration of approving Ordinance No. 2014-2068 granting to Freeport Christian Center a specific use permit to construct and operate a church on Lots 2-8, Velasco Heights Annex, fronting on Zapata Street within the corporate limits of said City.
8. Consideration of setting July 21st, 2014 for a Joint Public Hearing with the Planning Commission to consider granting an Amendment to Exhibit "A" (layout plan) of the Specific Use Permit granted to Mr. Eric Hayes to construct an RV park on Brazosport Boulevard, BCIC Division 14, Lots 92 & 93, Freeport Texas.
9. Consideration of setting July 21, 2014 for a Joint Public Hearing with the Planning Commission to consider modifying the truck route in the City of Freeport.
10. Consideration of approving Resolution No. 2014-2440 designating the Asst. City Manager Gilbert Arispe to act for and on behalf of the City of Freeport in dealing with the State of Texas General Land Office for the purpose of applying for state assistance to clean and maintain the public beaches.
11. Consideration of approving and awarding the Performance of Depository Services for the City of Freeport beginning June 1, 2004 and ending September 30, 2014, and thereafter until a successor depository is selected and qualified.

12. Consideration of setting July 21, 2014 to conduct a public Hearing pursuant to Sections 26.001, et seq., Texas Parks, & Wildlife Code, to consider whether or not the that portion of the park or recreation area within the corporate limits of said city known as Riverside Park located north of a westerly extension of the street shown on the plat of the Velasco Townsite as Ave. C and all of the park or recreation area within the corporate limits of said city known as Stephen F. Austin Park should be combined and moved to a new location within the corporate limits of the City to be selected and acquired by the City Council for the purpose of developing a modern sports complex at such new location.

Work Session:

- A. Discuss budget priorities and goals for fiscal year 2014-2015.
- B. Investment Grade Audit Presentation (IGA) by Schneider Electric.

Adjourn

Items not necessary discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

In compliance with the Americans with Disabilities Act, the City of Freeport will provide for reasonable accommodations for persons attending City Council Meetings. Request should be received 48 hours prior to the meeting. Please contact the City Secretary office at 979-233-3526.

I, Delia Munoz City Secretary for the City of Freeport, Texas certify that this agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, June 13, 2014 at or before 5:00 p.m.

Delia Munoz City Secretary
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council met on June 2, 2014 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas, for the purpose of considering the following agenda items:

City Council:

Mayor Norma M. Garcia
Councilman Larry L. McDonald
Councilman Fred Bolton
Councilwoman Sandra Loeza
Councilwoman Sandra Barbree

Staff:

Jeff Pynes, City Manager
Gilbert Arispe, Assistant City Manager
Delia Munoz, City Secretary
Pat Taylor, Asst. City Attorney
Nat Hickey, Property Manager
Brian Davis, Fire Chief
Dan Pennington, Chief of Police

Visitors:

Rosa McDonald	Jerry Meeks
Bill Morris	Raymond Garivey
James Hollis	Manning Rollerson
Annette Sanford	Darlene Weir
Lila Lloyd	Jennifer Hawkins
Glenda Fansher	Eric Hayes
Lila Diehl	

Call to order.

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

Invocation.

Pat Taylor offered the invocation.

Pledge of Allegiance.

Manning Rollerson led the Pledge of Allegiance.

Consideration of approving the May 28, 2014 Council Minutes.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimous approved the May 28 Council Minutes.

Attending citizens and their business.

Manning Rollerson stated that a Brazosport Independent School District teacher had slapped his child, wanted to know what the City stood on this occurrence.

Consideration of authorizing the City Secretary to correct the minutes of the May 5th, 2014 Council meeting to reflect that the City Manager was authorized to sign a lease purchase with Government Capital Corporation instead of Tyler Technologies to purchase two kiosks for the City of Freeport.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council approved authorizing the City Secretary to correct the minutes of the May 5, 2014 Council meeting to reflect that the City Manager was authorized to sign a lease purchase with Government Capital Corporation instead of Tyler Technologies to purchase two kiosks for the City of Freeport

Consideration of approving a request from the Freeport Host Lions Club to sell alcohol, have public dance, erect a temporary fence and have a firework display at the Freeport Municipal Park/Fishing Fiesta Festival on July 2-6 2014.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council approved a request from the Freeport Host Lions Club to sell alcohol, have public dance, erect a temporary fence and have a firework display at the Freeport Municipal Park/Fishing Fiesta Festival on July 2-6 2014.

Consideration of approving Skymark Development Company, Inc. – 380 agreement on the Urban Renewal Tract of 327 acres.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Skymark Development Company, Inc. – 380 agreement on the Urban Renewal Tract of 343.254 acres.

Work Session:

Presentation by James Hollis Transportation Director, regarding the Gulf Coast Center/Connect Transit Services.

Mr. Hollis reviewed the additional services provided by Connect Transit. Connect Transits provides; Demand Response destination include, but are not limited to medical facilities on Galveston Island as well as the Veteran's Hospital in Harris Co. Persons may use Connect Transit services for all of their local transportation needs. Connect Transit will begin providing ADA Para transit Service on February 10, 2014. The service is for passengers who are unable to navigate or to access the fixed route bus system due to disability. For more information on

the services, download our rider's guide by selecting the link:
http://www.gulfcoastcenter.org/connect_transporation.aspx or call 1-800-2320 or 409-945-0825.

Councilman McDonald commented that he has family members that use Connect Transit and appreciates their service. Mr. Pynes included that the City has never received any negative remarks from Connect Transit or their drivers.

Mayor Garcia opened the Executive Session at 6:17 p.m.

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matters 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:

- Skymark Development Company, Inc.- 380 Agreement on the Urban Renewal tract of 327 Acres.

Motion made in formal session – agenda no. 8

- Pending Contractual Lease Negotiation - Texas Gulf Bank

No motion

Mayor Norma Garcia reconvenes the Formal Session at 6:46 p.m.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilman McDonald, with all present voting "Aye", Mayor Norma Garcia adjourned the meeting at 6:49 p.m.

Mayor Norma M. Garcia
City of Freeport, Texas

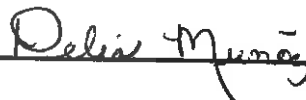
City Secretary – Delia Munoz
City of Freeport, Texas

TO ALL PERSONS IN INTEREST, CITIZENS, CORPORATIONS, AND FIRMS, THEIR AGENTS AND ATTORNEYS, AND TO ALL PERSONS, FIRMS, AND CORPORATIONS OWNING ANY INTEREST IN THE BELOW DESCRIBED LAND OR ANY LAND LOCATED WITHIN TWO HUNDRED (200') FEET THEREOF AND TO ALL INHABITANTS AND LAND OWNERS OF AND IN THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS.

N O T I C E

A joint public hearing will be held on Tuesday, the 16th day of June, 2014, at 6:00 o'clock p.m., central daylight savings time, at the Police Department Municipal Courtroom of the City of Freeport, Texas, located at 430 North Brazosport Boulevard, within the corporate limits of said city, in Brazoria County, Texas, at which time and place the City Council and the Planning Commission of said city will conduct a joint public hearing to consider granting to Freeport Christian Center a specific use permit to operate a church on Lots 2 through 8, Velasco Heights Annex, fronting on Zapata Street, within the corporate limits of said city.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS,
made on the 19th day of May, 2014.



Delia Munoz, City Secretary,
City of Freeport, Texas

SPECIFIC-USE PERMIT SUBMISSION REQUIREMENTS

A. SUBMISSION REQUIREMENTS:

A submission of a specific-use permit to the Building Department shall consist of:

- Application packet including an application form and a signed copy of the submission requirements.
- A \$150 application fee.
- Required drawing(s) (see drawing requirements).

B. APPROVAL PROCESS:

- Submit a reproducible drawing(s) with an application to the Building Department, Freeport City Hall (200 West 2nd Street). Submitting the drawing(s) for review before the application deadline is encouraged in order to allow staff adequate time to review the submittal.
- Interdepartmental staff review (Site Review Committee) is conducted.
- Staff comments are returned to the owner or owner's representative.
- The corrected reproducible(s) is submitted to the Zoning Administrator and the case placed on the Planning and Zoning Commission's agenda for the appropriate meeting.
- Written notice of the public hearing before the Planning and Zoning Commission for the Specific-Use permit will be sent to owners of real property lying within Two Hundred feet (200') of the property upon which the Specific-Use permit is requested, as measured from the subject property inclusive of streets and rights-of-way. This notice will be given not less than Ten (10) days before the public hearing to such property owners as the ownership appears on the last approved City tax roll.
- A public hearing will be held by the Planning and Zoning Commission

(NOTE: THE PROCEDURE CONTINUES ONLY IF AN APPEAL IS REQUESTED.)

- An applicant may appeal the decision of the Planning and Zoning Commission to the City Council by filing an appeal in writing to the Building Department within Fifteen (15) days after the public hearing by the Planning and Zoning Commission.
- A public hearing is scheduled before the City Council. The Council may uphold, modify, or reject the decision of the Planning and Zoning Commission.

C. ADDITIONAL NOTES:


Note 1: Application Withdrawal – Any request for withdrawal of an application must be submitted in writing to the Building Secretary. Once a request for a conditional use permit has been advertised and notification of the public hearing mailed, such request must be placed on a public hearing agenda whereby the appropriate body will consider and act on the request for withdrawal of the application at that time. The Planning and Zoning Commission is under no obligation to grant a request for withdrawal of the application, and may still act on the request as originally submitted. It should be understood that there will be no refunds.

Note 2: Application Presentation – At the applicable Planning and Zoning Commission public hearing, an applicant shall have Fifteen (15) minutes to make a formal presentation of the project proposal. Due to the size and arrangement of the City Council Chambers, tripod-mounted opaque renderings generally prove to be an effective means of presentation. the use of slides is another means of visual aid for project presentations. the applicant shall assume full responsibility for providing a properly prepared and compatible slide carousel to staff prior to the public hearing. The use of transparencies on an overhead projector is another effective means of material presentation. If additional equipment is needed, it shall be the applicant's responsibility to provide or make the necessary arrangements.

Note 3: Additional Information Submitted – Only the information which has been presented by the applicant at the Planning and Zoning Commission public hearing will be presented to the City Council at an appeal. Any additional information presented to the City Council which has not been previously submitted to and reviewed by the Planning and Zoning Commission will be referred by the City Council back to the Planning and Zoning Commission which may cause delays in action by the City Council.

Note 4: Scheduling – The zoning application, required fees, and drawings are required to be presented to the Zoning Administrator as specified in the schedule of meetings.

I acknowledge that I have read and understand the conditional use permit procedures and requirements as presented in this packet and by staff at the pre-application conference.



Signature of Applicant or Agent

2-16-14

Date

CITY OF FREEPORT

FORM AND CONTENTS OF SPECIFIC-USE PERMIT SITE PLANS

Site development plan drawing(s) submitted for processing must show the following (if it applies to the site) and must be scaled, clear and complete to obtain site plan approval.

- The site development plan shall be drawn on dimensionally stable reproducible sheets and shall be appropriately drafted at an engineering scale of 1" = 50' or larger.
- Property lines, right-of-way, and easements within a minimum of Fifty feet (50') of adjoining parcels, platted or un-platted land use. Platted and un-platted parcels shall be identified with the legal description and the developer's name.
- Boundaries of the property with dimensions, with all building setback lines.
- Existing and proposed streets, lots, reservations, easements and areas dedicated to public use.
- Location of existing and proposed buildings, number of stories, gross square footage of building; solid lines indicating slab location and dashed lines indicating line of roof overhangs; A/C unit pads and covered entries; retaining walls, fences, culverts, bridges, roadways, etc; spot elevations of underground facilities. The structures to be removed or abandoned shall be shown with dotted lines.
- Locations of existing and proposed storm drainage structures, sewers, grates, inlets, detention ponds, etc, with pipe sizes, grades, and direction of flow and associated drainage easements, if any.

Limits of existing flood hazard areas within and adjacent to the property, accurately showing the limits of building encroachments and earth fill within this area.

- Location of existing and proposed utilities (water, sewer, cable television, gas, electric, and telephone) with service sizes, tap, and meter locations, service types, grades, and direction of flow indicating also related easements and spot elevations. Scaled cross-section(s) of easements that will accommodate more than one utility shall be shown and described.
- Location of power poles, guy wires and other major electrical equipment.
- Location of existing and proposed fire hydrants, with vehicle "lay-of-hose" distance (dimension distance from fire hydrant to the furthest point of the most distant structure).
- Location of existing and proposed contour lines with spot elevations for proposed to-of-curb and parking lot slabs. The Building Official will determine the extent to which this information will be shown.
- Location and screening or other description to indicate control and handling of solid waste. Indicate dumpster pad when dumpster pad is to be used.
- Location, size and height of any business sign.
- Location and nature of existing and proposed fencing and/or screening, general landscaping and signing.

- The planned use or uses of the site.
- The location and design on any off-street parking areas and handicapped or loading areas showing size and location of spaces, bays, isles, ramps and barriers in compliance with City standards.
- The location and design of all means of vehicular access to and from the site onto public rights-of way, indicating the location and size of all driveways, curb return radii, curb cuts and location and size of sidewalks and ambulatory ramps when and where required.
- Name of development, legal description of property, north arrow, scale, acreage, name and address of record owner, and engineer, architect or land planner.
- Vicinity map. Both vicinity map and site development plan shall be oriented with parallel north arrows. North arrow shall be oriented to the top of the page.
- Additional information or engineering data, in such form and content as necessary to determine that the site development plan meets the standards of the City of Freeport.

City of Freeport
Building Department
Phone: 979-233-3526

For Office Use Only

Case Number: _____
Date Filed: 1-16-14
P & Z Date: _____
Council Date: _____

Application for
Specific Use Permit

1. Address or general location of site: ZAPATA ST.

2. Subdivision Velasco Heights Block D Lots 2-8 Acres 7.08
ANEX.

3. Current Zoning Classification: C-2

4. Proposed use of the site (please be specific): Build New Church
Freeport Christian Center - we have out grown the
existing Building that we are currently in.
(Yellowstone)

5. Reason for requesting a specific use permit: Building Church.

I hereby certify that I am the owner or duly authorized agent of the owner, for the purposes of this application. The application fee of \$150.00 to cover the cost of this specific use permit application has been paid to the City of Freeport on 1-16, 2014. I also certify that I have been informed and understand the regulations regarding specific use permits as specified in the Zoning Ordinance of the City of Freeport. I understand it is necessary for me or my authorized agent to be present at both the Planning and Zoning Commission and the City Council public hearings.

Owner's Signature: Julio Aluiso

Owner's Name: Julio Aluiso

Address: Julio Aluiso

City, State, Zip: Freeport TEXAS 77541 Phone: 979-789-1563

In lieu of representing this request myself as owner of the subject property, I hereby authorize the person designated below to act in the capacity as my agent for the application, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person with the City (and vice versa) in processing and responding to requirements, information or issues relative to this request.

Julio Aviso
Signature of Owner

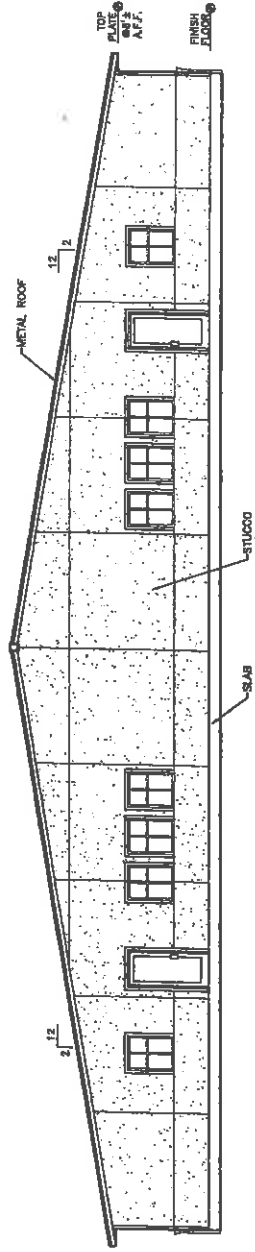
Julio Aviso
Name Printed or Typed

Signature of Agent

Name Printed or Typed

Address of Agent: 1623 N. Ave O, Freeport

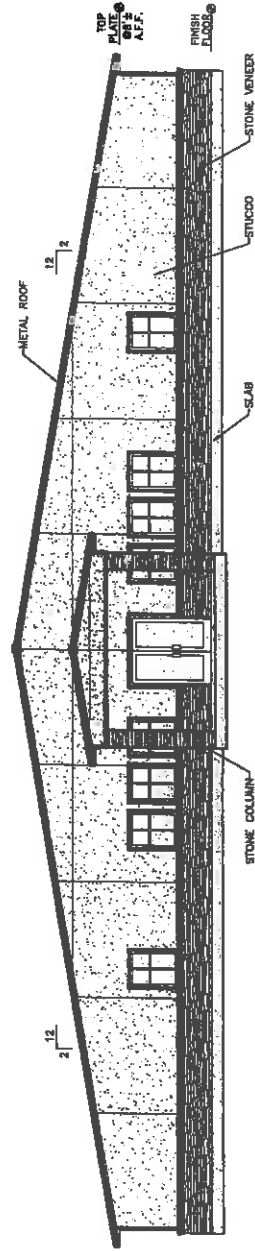
Agent's Phone Number: 979. 709. 1563
979. 900. 9091 - wife EVA



REAR ELEVATION

SCALE: 3/32" = 1'-0"

2



FRONT ELEVATION

SCALE: 3/32" = 1'-0"

1

Absolute Drafting and Design

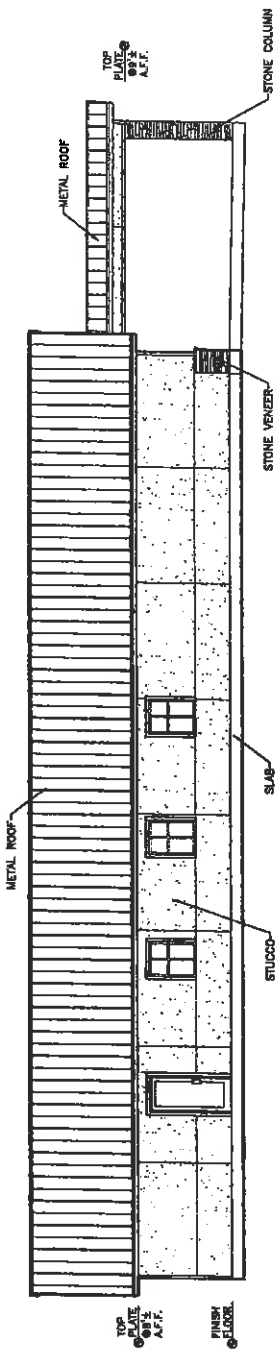
Billy Taylor
979. 709. 8726
btaylor.drafting@gmail.com

REVISIONS

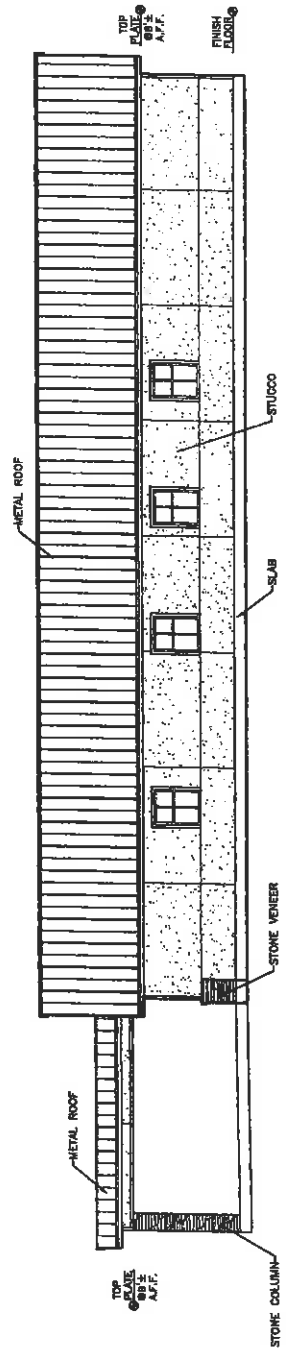
ELEVATIONS

A3.00

SCALE: AS NOTED
DATE: 11.24.13



LEFT ELEVATION SCALE: 3/32" = 1'-0" 2



RIGHT ELEVATION SCALE: 3/32" = 1'-0" 1

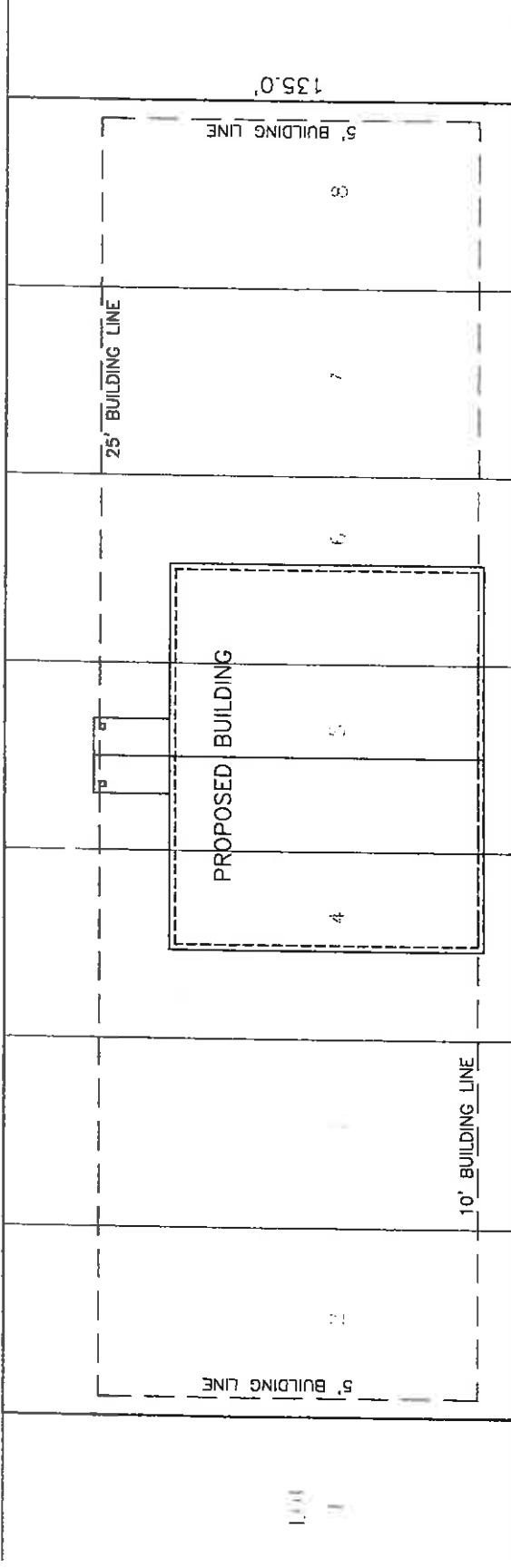
Absolute Drafting and Design
 Billy Taylor
 979.709.8726
 btyaylor.drafting@gmail.com

REVISIONS:

SCALE AS NOTED	ELEVATIONS
DATE: 11.24.18	A4.00

ZAPATA ST. - 60' R.O.W.

350.0'



350.0'

27' ALLEY

SITE PLAN

SCALE: 1" = 30'

1

Absolute Drafting and Design

Billy Taylor
979.709.8725
btaylor.drafting@gmail.com

REVISIONS:

SITE PLAN

A2.00

SCALE: AS NOTED
DATE: 11.24.13

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT AND CONCLUSIONS OF LAW; AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF SAID CITY TO PERMIT THE SPECIFIC USE OF LOTS 2 THROUGH 8, VELASCO HEIGHTS ANNEX, FRONTING ON ZAPATA STREET, WITHIN THE CORPORATE LIMITS OF SAID CITY, AS A CHURCH TO BE OPERATED BY CHRIST COMMUNITY CHURCH OF BRAZOSPORT, INC., UNDER CERTAIN CONDITIONS THEREIN SPECIFIED; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND APPROVAL.

WHEREAS, the City of Freeport, Texas, hereinafter sometimes called "the City", is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Subchapter A of Chapter 211 of the Local Government Code of Texas and Item (g) of Section 3.07 of the Home Rule Charter of the City authorizes the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City has determined and do here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and conforms to the comprehensive zoning plan of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

SECTION ONE--Findings of Fact and Conclusions of Law.

The City Council of the City makes the following findings of fact and conclusions of law, viz:

First, that all public hearings required by the Zoning Enabling Act of the State of Texas, now codified as Chapter 211 of the Local Government Code, and the present Comprehensive Zoning Ordinance of the City, codified as Chapter 155 of the Code of Ordinances of the City and hereinafter called "the Zoning Ordinance", were conducted in the manner and at the time required by said Code and the Zoning Ordinance.

hereinafter called "the Zoning Ordinance", were conducted in the manner and at the time required by said Code and the Zoning Ordinance.

Second, that not less than fifteen (15) days prior to the date of such hearings, a public notice thereof was published once in the Brazosport Facts, a newspaper of general circulation in and the official newspaper of the City, stating the time and place of such hearings.

Third, that not less than ten (10) days before the date of such public hearings, written notice of the application for the below mentioned Specific Use Permit was sent to all owners of real property located within the below described real property for which such permit is sought and within two hundred (200') feet from such property.

Fourth, that after giving due regard to the nature and condition of all adjacent uses and structures, the City Council of the City is of the opinion of that such proposed use conforms to the requirements and intent of the Zoning Ordinance and the Comprehensive Plan of the City; that the conditions herein below attached to the granting of such permit are necessary to the public interest; and that the proposed use under such conditions will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the public welfare of the community.

Fifth, that the health, safety, morals and general welfare of the inhabitants of the City will best be served by the adoption of this ordinance and the granting of the Specific Use Permit hereinafter mentioned.

SECTION TWO--Comprehensive Zoning Ordinance Amended and
Specific Use Permit Granted.

The Zoning Ordinance is hereby amended and a Specific Use Permit is hereby granted with respect to the following described real property in the City of Freeport, Texas, to-wit:

Lots 2 through 8, Velasco Heights Annex, in the City of Freeport, Brazoria County, Texas, according to the map or plat of said annex recorded in the office of the County Clerk of said county,

fronting on Zapata Street, herein "the premises", which is owned by the FREEPORT CHRISTIAN CENTER, hereinafter "the owner", to authorize the use of the premises as a church to be operated by the owner, which is a non-profit corporation organized and existing as such under the laws of the State of Texas, herein "the Permittee", under the following terms and conditions, viz:

First, all parking between 7:00 a.m., and 7:00 p.m., shall be off-street; all storage must be in an on-premises building; the premises must be available for inspection by the City's Building Official at all times; and any activities other than those of a church and those permitted in a C-2 Zoning District by the Zoning Ordinance must be approved by a concurrent vote of a majority of the members of the City Council and the Planning Commission taken at any regular or special meeting thereof at which a quorum of each body is present. The term "activities of a church" means activities which are reasonably related to the use of the premises for church meetings, fellowships, Christian entertainment and religious worship by the members of the Permittee and its invitee.

Second, the Permit herein granted shall automatically terminate if the Permittee (a) ceases to be the owner, or (b) ceases, for thirty (30) consecutive days, to use the premises for the activities of a church as herein defined or any other use hereafter authorized as provided above in Item One.

Third, this permit may also be terminated by the City Council for a violation of any provision of Item First of this Section, or any amendment hereto, or if the Permittee leases or rents, for more than three (3) consecutive days, any portion of the premises to a third party or parties. Termination by the City Council shall be upon the affirmative vote of a majority of the members present and voting at any regular or special meeting thereof held after at least ten (10) days prior written notice sent by certified mail, return receipt requested and addressed to the Permittee at the premises, specifying the particular violation or violations. Any decision of the City Council thereon shall be entered upon the minutes of such meeting and shall be final and non-appealable.

SECTION THREE--Severance Clause.

In the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

SECTION FOUR--Effective Date.

This ordinance shall take effect and be in force from and after its passage and approval.

RESOLUTION 2014-2440

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, DESIGNATING ASSISTANT CITY MANAGER GIBERT ARISPE TO ACT FOR AND ON BEHALF OF THE CITY OF FREEPORT IN DEALING WITH THE TEXAS GENERAL LAND OFFICE FOR THE PURPOSE OF APPLYING FOR STATE ASSISTANCE TO CLEAN AND MAINTAIN THE PUBLIC BEACH.

ON THIS Monday, June 16th, 2014, the City Council of the City of Freeport, Texas, convened in a regular meeting, notice of the convening of which was duly posted in accordance with the Texas Open Meetings Act, when among other business the City adopted the following resolution:

A resolution in connection with application of Bryan Beach for State assistance in cleaning, and maintaining public beach for the period of September 1, 2014 to August 31, 2015.

WHEREAS, the Beach Maintenance Fund Program under the administration of the Texas General Land Office, Austin Texas, requires each city making application for assistance in cleaning and maintaining public beaches to submit supportive documents: and,

WHEREAS, each city shall enter a resolution directing Gilbert Arispe to make application for funds and vesting that official with full authority to act for purpose of the program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS;

That Bryan Beach apply for state assistance in cleaning and maintaining the public beach under Section 61.076, Natural Resources Code; and

That Gilbert Arispe shall be vested with full authority to act for purpose of the program.

That any and all fees collected by reimbursement shall be utilized only and specifically for the program of beach maintenance.

READ, PASSED AND APPROVED this _____ day of _____, 2013.

Mayor Norma M. Garcia
City of Freeport, Texas

Delia Munoz, City Secretary
City of Freeport, Texas



April 17, 2014

Mr. Bob Welch, Finance Director
City of Freeport
200 West Second Street
Freeport, Texas 77541

Dear Mr. Welch:

Attached is our bid to serve as depository for the City of Freeport for the period June 1, 2014–September 30, 2014 and thereafter until a successor depository is selected and qualifies.

Please find enclosed the following documents:

1. A resolution passed by the Board of Directors authorizing the Bank to pledge securities equal to the total amount of the City of Freeport's Funds on deposit as required by law.
 2. A statement of financial condition of Texas Gulf Bank, N.A. that includes the amount of paid up capital stock and permanent surplus.
 3. A sample account analysis format. (Exhibit A)
- A. We agree to pay the 91-day Treasury bill yield rate on all collected funds in demand accounts floating monthly. On Time accounts, we will pay Texas Gulf Bank's Public Fund CD rate effective at the time of purchase for the term specified by the City.
- B. Normal demand deposit account services shall be provided in the name of the City of Freeport and will include the following:
1. Credit all deposits to such accounts and give immediate credit to government checks, ACH transactions, wire transfers and all other checks based on the Bank's availability schedule. All deposits received before the Bank's established deadline will be credited daily.
 2. Payment of properly drawn checks against accounts.
 3. Provide checks, deposit slips, and endorsement stamps printed to the City's specifications at cost.

www.texasgulfbank.com

Freeport
200 W. Second Street
Freeport, Texas 77541
Ph. (979) 233-4401

Clute
1030 Dixie Drive
Clute, Texas 77531
Ph. (979) 297-7211

Angleton
1717 North Velasco
Angleton, Texas 77515
Ph. (979) 849-2372

Lake Jackson
203 This Way
Lake Jackson, Texas 77566
Ph. (979) 299-1308

Brazosport
1400 Brazosport Blvd.
Freeport, Texas 77541
Ph. (979) 233-3536

West Columbia
734 West Brazos
West Columbia, Texas 77486
Ph. (979) 345-1066

Houston
1626 S. Voss Rd.
Houston, Texas 77057
Ph. (713) 595-7400

4. Stop payments will be accepted on verbal instructions from the City Manager or his assignee with follow-up written confirmation within twenty-four (24) hours.

C. Payment for Services: We will bill or accept direct payment for services at the unit prices indicated on the attached worksheet. (See Exhibit A)

Insufficient Charges and Overdraft Float Charges will be assessed on a per account basis regardless of other account balances. (See Exhibit A)

D. Investment Services:

We agree to arrange for the purchase of securities as directed by the City Manager. A safekeeping receipt from the Bank's correspondent bank, presently TIB-The Independent Bankers Bank, will be furnished. We will provide a monthly report showing the market value.

E. Other:

We agree to offer *Texas Gulf Connection*, our internet banking solution and *Q-line* our automated phone system at no charge. Both products will assist the City with a variety of services including account balance information and transaction activity.

Our Remote Deposit Capture product will enable the City to make deposits of checks from City offices with an extended deposit deadline of 5:00. We also now offer Positive Pay, a risk management tool. More information about these products can be found on our website at www.texasgulfbank.com.

For questions or additional information, please contact the undersigned. We appreciate the opportunity to present this proposal and look forward to working with the City of Freeport.

Sincerely yours,



Mary L. Henson
Chief Operations Officer

Enclosures

EXHIBIT A

SERVICE CHARGE ANALYSIS WORKSHEET FOR CITY OF FREEPORT

1. Overdraft Float Charge: Wallstreet Journal Prime Lending Rate

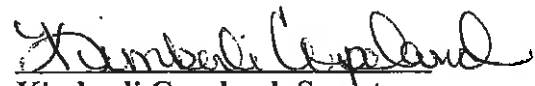
2.	Activity Charges	# Units	Unit Price	Total
a.	Checks Paid	@	.15	0.00
b.	Deposits	@	.20	0.00
c.	Checks Deposited	@	.05	0.00
d.	Maintenance per Account	@	10.00	0.00
e.	Rolled Coin	@	.15	0.00
f.	Strapped Currency	@	.25	0.00
g.	Return Items	@	3.00	0.00
h.	Stop Payments	@	20.00	0.00
i.	Interim Statements	@	5.00	0.00
j.	Wire Transfer-Incoming	@	N/C	0.00
k.	Wire Transfer-Outgoing	@	12.50	0.00
l.	Wire Transfer-Repetitive	@	12.50	0.00
m.	Wire Transfer-Non-repetitive	@	12.50	0.00
n.	Telephone Transfers	@	2.00	0.00
o.	Proof Deposit Correction	@	2.00	0.00
p.	ACH Payroll Processing	@	1.25	0.00
q.	ACH Item Processing	@	.01	0.00
r.	Serial Sort (per account)	@	8.00	0.00
s.	FDIC Assessment	@		N/C
t.	Printed Checks/Deposit Slips @ Cost	@		0.00
u.	Endorsement Stamps @ Cost	@		0.00
v.	Purchase/Sale of Securities	@	25.00	0.00
w.	Third party safekeeping fee @ Cost	@		0.00
x.	Custodial Safekeeping Maintenance @ Cost	@		0.00
y.	Safekeeping Receipt-Book Entry	@	2.00	0.00
z.	Insufficient Fund Item	@	20.00	0.00
aa.	Cashiers Checks	@	3.00	0.00
			Total	0.00



PUBLIC FUNDS DEPOSITORY RESOLUTION

RESOLVED, that the Board of Directors of Texas Gulf Bank, N. A. does hereby authorize James F. Brown, Jr., Mary Henson, Richard W. Jochetz, Bob Ittner, Christian Hahn and Debbie Wintjen, requiring the signatures of any two listed officers, to bid on behalf of Texas Gulf Bank, N. A. to become the depository for funds for any public fund entity located in Brazoria County, Fort Bend County, Galveston County and Harris County. The Board of Directors further authorizes the pledging of acceptable securities during the contract period when such bids are sought by the aforementioned governing bodies during 2014.

This is to certify that on January 15, 2014, the Board of Directors of Texas Gulf Bank, N.A. did adopt the above resolution as active policy. This statement is to certify that this is a true and correct copy of the resolution that was so adopted.


Kimberli Copeland, Secretary
Board of Directors
Texas Gulf Bank, N.A.

Dated this 15th day of January, 2014.

www.texasgulfbank.com

Freeport
200 W. Second Street
Freeport, Texas 77541
Ph. (979) 233-4401

Clute
1030 Dixie Drive
Clute, Texas 77531
Ph. (979) 297-7111

Angleton
1717 North Melasco
Angleton, Texas 77515
Ph. (979) 219-1372

Lake Jackson
203 This Way
Lake Jackson, Texas 77566
Ph. (979) 239-1900

Brazosport
1400 Brazosport Blvd.
Freeport, Texas 77541
Ph. (979) 239-1535

West Columbia
734 West Brazos
West Columbia, Texas 77186
Ph. (979) 315-1065

Houston
1625 S. Voss Rd.
Houston, Texas 77057
Ph. (713) 805-7000

APPLICATION FOR DEPOSITORY SERVICES CONTRACT

1. The undersigned, hereinafter "the Applicant", being a National Bank doing business within the corporate limits of the City of Freeport, Texas (hereinafter "the City"), pursuant to the provisions of Chapter 105 of the Local Government Code (hereinafter "the LGC"), hereby submits its application for the performance of depository services for the City during the period beginning June 1, 2014, and ending September 30, 2014, and thereafter until a successor depository is selected and qualifies.

* *insert "bank", "credit union" or "savings association"*

2. Does the Applicant understand that all contracts for depository services with the City are subject to the provisions (including recent amendment) to Chapter 105 of the LGC? **Yes**

3. Will the Applicant make any service charges for handling the funds of the City? **Yes** If "Yes" what charges will be made?

Please see Exhibit A

4. What interest will the Applicant pay on demand accounts of the City? **Please see bid letter item A**

5. What interest will the Applicant pay to the City on time deposits? **Please see bid letter item A**

6. What checks and other forms will the Applicant agree to furnish to the City without charge? **Please see bid letter item B 3 and information about Texas Gulf Connection and Qline in bid letter under "Other"**

7. What securities will the Applicant furnish in order to comply with the provisions of Chapter 105 of the LGC? **U.S.**

Agencies and Texas Municipals.

8. Will the Applicant furnish the City with a receipt from its correspondent bank evidencing the pledging of securities sufficient to secure the total amount of funds on deposit.
Yes

9. In the event that it becomes necessary, in the judgment of the City, for the City to arrange for "short term" loans (for a period of less than one year) at any time, under what term would the Applicant handle such loans? **The Bank will consider any properly presented loan request and if approved will charge an interest rate of the Prime lending rate as quoted in the Wall Street Journal, adjusted daily. Said interest rate as of today is 3.25%. Any requests presented by the City of Freeport will need to be accompanied by a legal opinion, provided by the City of Freeport, that certifies the interest collected by the lender will be exempt from Federal Income taxes. If no letter is presented or if the interest collected is not exempt from Federal Income taxes, the interest rate quoted above will be adjusted upward to enable the lender to achieve their desired yield on said request.**

10. How would the Applicant handle time deposits that have not reached maturity by the expiration of the contract period? **The City may leave those time deposits with us until first maturity at the rate agreed upon at purchase**

11. The contract for which the Applicant is applying covers the period from June 1, 2014, through September 30, 2014, and thereafter until a successor depository is selected. In the event a different depository is selected to replace the Applicant for a subsequent term, will the Applicant agree to retain all funds of the City under the above terms and conditions until a new depository is selected and qualifies.
Yes

12. Does the Applicant understand that outstanding bond agreements may require that some of the funds of the City be deposited with other depositories? **Yes**

13. Is the Applicant aware that Chapter 105 of the LGC allows the designation of more than one depository within the corporate limits of the City at the same time and that Chapter 2256 of the Government Code allows investment in TEX-POOL? **Yes**

14. Does the Applicant expect to be the depository of all funds of the City other than those covered by outstanding bond agreements and those deposited in TEX-POOL? **Yes** If "Yes" is checked, then what percentage/amount of the funds of the City other than those covered by outstanding bond agreements and those deposited in TEX-POOL would the Applicant expect to be kept on deposit with the Applicant? **100%**

15. Will the Applicant immediately inform the City of deposit errors and give proof of such error with photocopy and adjustment slip on affected accounts? **Yes**

16. Will the Applicant agree that the City Manager or his designee shall have the right at all times to check on the value of your security and the amount thereof? **Yes**

17. Will the Applicant render all statements on a calendar monthly basis broken down by each day, reflecting deposits made for the last day of the month and with all accounts showing checks numerically sequenced at the end of the statement? **Yes**

18. Will the Applicant keep safely all funds of the City deposited with the Applicant and pay the same over as directed by the appropriate officers of the City designated by resolution adopted the City Council from time to time. **Yes**

19. In case of default on the part of the Applicant or in case of any loss sustained by the City, the City may obtain, keep and hold the securities furnished by the Applicant or sell the same at either public or private sale, with or without notice, and apply the proceeds obtained therefrom to cover any default or loss of the City, or the City may hold such securities and use the same for its protection and security. **Yes**

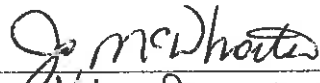
Other terms, comments and qualifications may be set forth on numbered attachments hereto.

Dated this 21st day of April, 2014



(Name of Applicant)

By Mary L. Henson
Its Chief Operations Officer

ATTEST: 
Its: Vice President Operations

RECEIVED this _____ day of _____ 2014, at _____ .m.

Finance Director, City of Freeport, Texas

TO ALL PERSONS, ASSOCIATIONS, FIRMS, AND CORPORATIONS RESIDING OR DOING BUSINESS WITHIN THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS, AND HAVING ANY INTEREST IN THE USE OF THE BELOW DESCRIBED LAND LOCATED THEREIN, OR ANY PORTION OF SUCH LAND, AS A PARK OR RECREATION AREA.

N O T I C E

A public hearing will be held on Monday, the 21st day of July , 2014, at 6:00 o'clock p.m., at the Police Department Municipal Courtroom of the City of Freeport, Texas, located at 430 North Brazosport Boulevard, within the corporate limits of said city, in Brazoria County, Texas, at which time and place the City Council of said city will conduct a public hearing pursuant to Sections 26.001, et seq., Texas Parks & Wildlife Code, to consider whether or not the that portion of the park or recreation area within the corporate limits of said city known as Riverside Park located north of a westerly extension of the street shown on the plat of the Velasco townsite as Avenue C and all of the park or recreation area within the corporate limits of said city known as Stephen F. Austin Park should be combined and moved to a new location within the corporate limits of the City to be selected and acquired by the City Council for the purpose of developing a modern sports complex at such new location.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS,
made on this ____ day of _____, 2014.

Delia Munoz, City Secretary,
City of Freeport, Texas