

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council met on Monday, March 16, 2015 at 6:00 p.m., at the Freeport Police Department Building, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Norma Moreno Garcia – Absent
Councilman Larry L. McDonald -Absent
Councilman Fred Bolton
Councilwoman Sandra Loeza
Councilwoman Sandra Barbee

Staff: Jeff Pynes, City Manager
Gilbert Arispe, Assistant City Manager
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Brian Davis, Fire Chief
Dan Pennington, Police Chief

Visitors: Annette Sanford Jerry Meeks
Ronnie Woodruff Buster Brown
Nicole Mireles Sam Reyna
Rich Marquar Melanie Oldham
Moby Burr ridge Evelyn Burr ridge

Call to order.

Mayor Pro Tem Fred Bolton called the meeting to order at 6:00 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Pro Tem Fred Bolton led the Pledge of Allegiance.

Consideration of approving the February 17, 2015 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting 2 to 1, the February 17, 2015 Council Minutes were approved. Mayor Pro Tem Fred Bolton opposed.

Attending citizens and their business.

There were none.

Proclamation: Proclaiming April 2015 as “Fair Housing Month”.

Mayor Pro Tem Fred Bolton read and proclaimed April 2015 as Fair Housing Month.

Consideration of approving Ordinance No. 2015-2086 amending Ordinance No. 2015-2082 as amended by Ordinance No. 2015-2085 which called the annual General Election for the City of Freeport for the Second Saturday in May 2015, being May 9, 2015; amending the provisions of said ordinance designating polling places for the day of said election and amending the provisions of said ordinances designating polling places for early voting.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved Ordinance No. 2015-2086 amending Ordinance No. 2015-2082 as amended by Ordinance No. 2015-2085 which called the annual General Election for the City of Freeport for the Second Saturday in May 2015, being May 9, 2015; amending the provisions of said ordinance designating polling places for the day of said election and amending the provisions of said ordinances designating polling places for early voting.

Consideration of approving Resolution No. 2015-2463 approving issuance up to a maximum amount of \$59,000,000 Brazosport Water Authority Water Supply System Revenue Bonds; and containing other provisions relating to the subject.

General Manager Ronnie Woodruff and BWA attorneys were present.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved Resolution No. 2015-2463 approving issuance up to a maximum amount of \$59,000,000 Brazosport Water Authority Water Supply System Revenue Bonds; and containing other provisions relating to the subject.

Consideration of approving Resolution No. 2015-2464 opposing Senate Bill 343 and any legislation that would be contrary to the spirit of local self-government and that would erode the authority of a Home Rule Municipality.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting “Aye”, Council unanimously approved Resolution No. 2015-2464 opposing Senate Bill 343 and any legislation that would be contrary to the spirit of local self-government and that would erode the authority of a Home Rule Municipality.

Consideration of scheduling a Joint Public Hearing with the Planning Commission to consider granting a Specific Use Permit to Kimley-Horn and Associates for Verizon Wireless to erect a new 151’ High, Monopole, Telecommunication Tower on portion of the property legally described as: A0049 A CALVIT BC C DIVISION 14, 101B.526.527B, 7.2 ACRES, locally known as 2121 Zapata Road.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved April 20, 2015 for a Joint Public Hearing with the Planning Commission to consider granting a Specific Use Permit to Kimley-Horn and Associates for Verizon Wireless to erect a new 151' High, Monopole, Telecommunication Tower on portion of the property legally described as: A0049 A CALVIT BC C DIVISION 14, 101B.526.527B, 7.2 ACRES, locally known as 2121 Zapata Road.

Consideration of approving and signing a replat for Robert and Linda Fox, on Lots 4 & 5, Block 102, Freeport Townsite, Recorded in Volume 2, Page 95 of the Brazoria County Plat Records in the S.F. Austin Survey Abstract 32, City of Freeport, Brazoria County, dated January 2015, locally known as 819 W. 5th Street.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved to sign a replat for Robert and Linda Fox, on Lots 4 & 5, Block 102, Freeport Townsite, Recorded in Volume 2, Page 95 of the Brazoria County Plat Records in the S.F. Austin Survey Abstract 32, City of Freeport, Brazoria County, dated January 2015, locally known as 819 W. 5th Street.

Consideration of approving and authorizing the City Manager to expend funds for a new server to support the Police Department body cameras.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved and authorized the City Manager to expend funds for a new server to support the Police Department body cameras.

Consideration of approving and authorizing the City Manager to expend funds for the Police Department body cameras.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved and authorized the City Manager to expend funds for the Police Department body cameras.

Discuss and consider authorizing the Mayor of Freeport to sign, with the Mayors of Oyster Creek, Lake Jackson and Richwood, a joint certification of the unemployment numbers for the contiguous census tracts that are within their respective jurisdictions.

Buster Brown represents Live in America and Lexington Realty Trust and is requesting the Mayor of the City of Freeport to join with three other local cities in designating the area as a Targeted Employment Area (TEA) designation and to certify census tract #6643 as to its unemployment status according to the 2013 census figures. Lexington Realty Trust is building and financing the construction of the Dow Chemical complex in Lake Jackson, Texas. Live in America Financial Services is leading the EB-5 financing efforts for Lexington Realty Trust.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved to table this item until all councilmembers are present.

Consideration approving and setting a bid date for April 9, 2015 for furnishing all labor, material, and equipment and performing all work required for the construction of “Emergency Power and Monitoring Systems”.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved setting a bid date for April 9, 2015 for furnishing all labor, material, and equipment and performing all work required for the construction of “Emergency Power and Monitoring Systems”.

Consideration of approving and awarding the bids for street striping at a per lineal foot price.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved and awarding the bid to Interstate Barricades, 18219 CR 127, Pearland, Texas in the amount of \$70,302.00 for street striping.

Consideration of approving and awarding the bids for street replacement of asphalt streets, including catch basins, for portions of Seventh street and Ash Street.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved and awarding the bid to A-I Construction Services, 6108 Brittmoore Rd., Houston Texas for street replacement of asphalt streets, including catch basins, for portions of Seventh street and Ash Street in the amount of \$189,430.00.

Consideration of approving and awarding the bids for street replacement of concrete streets, including curbs, gutters catch basins and sidewalks for portions of Cedar Street ad North Ave. J.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting “Aye”, Council unanimously approved and awarding the bid to A-I Construction Services, 6108 Brittmoore Rd., Houston Texas for street replacement of concrete streets, including curbs, gutters catch basins and sidewalks for portions of Cedar Street ad North Ave. J. in the amount of \$1,016, 217.00

Consideration of approving and releasing the City interest in trust property ; Block 4, Lot 4, Velasco Townsite , known as 8 South Ave. C, Tax Id 8110-0040-000.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved to release the City’s interest in trust property; Block 4, Lot 4, Velasco Townsite, known as 8 South Ave. C, Tax Id 8110-0040-000.

Consideration of approving and releasing the City interest in trust property; Block 27, Lot 8, Velasco Townsite, known as 516 South Ave. C, Tax Id 8110-0327-000.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved to release the City’s interest in trust property; Block 27, Lot 8, Velasco Townsite, known as 516 South Ave. C, Tax Id 8110-0327-000.

Consideration of approving and releasing the City interest in trust property; Block 36, Lot 7, Velasco Townsite, known as 614 South Ave. F, Tax Id. 8110-0393-000.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved to release the City's interest in trust property; Block 36, Lot 7, Velasco Townsite, known as 614 South Ave. F, Tax Id. 8110-0393-000.

Consideration of approving and releasing the City interest in trust property ; Block 749, Lot 15, Velasco Townsite, known as 1405 North Ave. T, Tax Id. 8110-3492-000.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved to release the City's interest in trust property; Block 749, Lot 15, Velasco Townsite, known as 1405 North Ave. T, Tax Id. 8110-3492-000.

Consideration of approving and releasing the City interest in trust property; Block 749, Lot 22, Velasco Townsite, known as 1419 North Ave. T, Tax Id. 8110-3496-000.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved to release the City's interest in trust property; Block 749, Lot 22, Velasco Townsite, known as 1419 North Ave. T, Tax Id. 8110-3496-000.

Consideration of approving and authorizing the Mayor to sign the pre-storm disaster and/or Storm Recovery Debris Management contract for two additional years.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved and authorized the Mayor to sign the pre-storm disaster and/or Storm Recovery Debris Management contract for two additional years.

Consideration of advertising and setting a bid date for May 20, 2015 to request for proposals on Disaster and/or Storm Recovery Monitoring.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved to advertise and set a bid date for May 20, 2015 to request for proposals on Disaster and/or Storm Recovery Monitoring.

Consideration of authorizing the City Manager to expend funds for the improvement of city wide playgrounds; installing kiddie cushion.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved and authorized the City Manager to expend funds for the improvement of city wide playgrounds; installing kiddie cushion.

Consideration of taking action on any item discussed in Executive Session.

No action taken.

Mayor Pro Tem Fred Bolton closed the formal session at 6:43 and opened the Executive Session.

Executive Session:

Section 551.071, Government Code

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

- Pending Contractual Negotiations – Dow Chemical
- Pending Contractual Negotiations –Waste Management

Section 551.074, Government Code

Deliberations concerning the duties of a public officer or employee: City Manager

- Employee Compensation

Mayor Pro Tem Fred Bolton closed the Executive Session at 7:26 p.m. and reconvened the Formal Session to adjourn.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Mayor Pro Tem Fred Bolton adjourned the meeting at 7:27 p.m.

Mayor Pro Tem Fred Bolton
City of Freeport, Texas

City Secretary, Delia Munoz
City of Freeport, Texas