

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council met on Monday, June 1, 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
- Councilman Larry L. McDonald
- Councilman Fred Bolton
- Councilwoman Sandra Loeza
- Councilwoman Sandra Barbree

Staff:

- Jeff Pynes, City Manager
- Gilbert Arispe, Assistant City Manager
- Wallace Shaw, City Attorney
- Delia Munoz, City Secretary
- Larry Fansher, Public Works Director
- Nat Hickey, Property Manager
- Dan Pennington, Police Chief
- Brian Davis, Fire Chief
- Loni Kershaw, Human Resources

Visitors:

Blanca Bustos	Mike Darlow
Lila Lloyd	Eric Hayes
Sandra Barnett	Jerry Meeks
Sandra Shaw	Edith Fisher
Robert Worley	Greg Flaniken
Annette Sanford	Dean O. Merrigan
Wallace E. Trochesset	Mark Havran
Bob Young	

Call to order.

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

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma M. Garcia led the Pledge of Allegiance.

Consideration of approving the May 19, 2015 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved the May 19, 2015 Council Minutes.

Attending citizens and their business.

There were none.

Consideration of approving or not approving to sell 4.1 feet of the Perry St. Right of Way adjacent to Lot 2 of the replat of Lots 7 through 12 and the east 2 feet of Block 663 of the Velasco Townsite according to the replat recorded in the Official Records of Brazoria County, Texas, as Document #2015000652.

On a motion by Councilwoman Barbree, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved to sell 4.1 feet of the Perry St. Right of Way adjacent to Lot 2 of the replat of Lots 7 through 12 and the east 2 feet of Block 663 of the Velasco Townsite according to the replat recorded in the Official Records of Brazoria County, Texas, as Document #2015000652.

Consideration of approving and authorizing the City Manager to expend funds for Investment Grade Audit agreement with Schneider Electric.

On a motion by Councilwoman Loeza, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved authorizing the City Manager to expend funds for Investment Grade Audit agreement with Schneider Electric.

Consideration of approving and authorizing the City Manager to expend funds to improve approximately 14,100 feet of sewer piping for Lift Station # 9 with Veolia Water.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved authorizing the City Manager to expend funds to improve approximately 14,100 feet of sewer piping for Lift Station # 9 with Veolia Water.

Consideration of advertising and setting a bid date for an exchange of lots in the Velasco Townsite area:

Block 35, Lots 9 through 12; Block 71, Lot 2; Block 507, Lot 6; Block 661, Lots 1 through 24; Block 676, Lots 14 and 15; Block 720, Lots 5, 11; Block 752, Lots, 12, 13, 16, 19, 22, 24; Block 755, Lot 11; Block 764, Lots 18, 19; Block 789, Lot 3; Block 790, Lots 14, 15, 19 and 21; Block 809, Lots 13 and 24; Block 810, Lots 2, 3, 4, 5, 7, 9 through 12 of the Velasco Townsite of said City, according to the map or plat recorded in volume 32 page 14 of the Deed Records of Brazoria County, Texas for an equal number of lots located within Block 729, 730, 731, 742, 743, 744, 759, 760, 761, 773 and 774 of said Townsite not presently owned by the City.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved setting July 6, 2015 for a bid date for an exchange of lots in the Velasco Townsite area.

Consideration of approving and resetting a bid date for the construction of "Emergency Power and Monitoring Systems", furnishing all labor, material, and equipment and Performing all work required for the construction project.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved to reset a bid date to July 6, 2015 for the construction of "Emergency Power and Monitoring Systems", furnishing all labor, material, and equipment and Performing all work required for the construction project.

Consideration of approving Resolution No. 2015-2468 accepting the bid and authorizing the Mayor and the City Secretary to execute and attest , respectively and the Mayor to acknowledge and deliver to Great American Title Company of Lake Jackson, Texas an earnest money contract and a Special Warranty Deed conveying to Charles Rogers, D/B/A Coastal Commercial Property, as assignee of Gardner L. Campbell, Jr., the successful bidder therefor, the surface and surface only of Lots 13 through 21, Block 6, Velasco Townsite, City of Freeport Brazoria County Texas.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting 4 to 1 Council rejected Resolution No. 2015-2468 accepting the bid and authorizing the Mayor and the City Secretary to execute and attest , respectively and the Mayor to acknowledge and deliver to Great American Title Company of Lake Jackson, Texas an earnest money contract and a Special Warranty Deed conveying to Charles Rogers, D/B/A Coastal Commercial Property, as assignee of Gardner L. Campbell, Jr., the successful bidder therefor, the surface and surface only of Lots 13 through 21, Block 6, Velasco Townsite, City of Freeport Brazoria County Texas. Councilman McDonald opposed.

Consideration of approving Resolution No. 2015-2469 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.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2469 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.

Consideration of approving and renewing the contracts for the collection of delinquent taxes and for the collection, mowing, demolition and paving liens and/or assessments with Perdue, Brandon, Fielder, Collins & Mott, LLP.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved renewing the contracts for the collection of delinquent taxes and for the collection, mowing, demolition and paving liens and/or assessments with Perdue, Brandon, Fielder, Collins & Mott, LLP

Consideration of approving a request from Habitat for Humanity of Southern Brazoria County to waive all tap fees, permit fee and liens on Block 183, Lot 7, Tax Id. 4201-1859-000 for construction House No. 97, known as 1723-1725 W. 8th Street.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved a request from Habitat for Humanity of Southern Brazoria County to waive all tap fees, permit fee and liens on Block 183, Lot 7, Tax Id. 4201-1859-000 for construction House No. 97, known as 1723-1725 W. 8th Street.

Consideration of selling the City's interest in Block 5, Lot 7, Freeport Townsite, known as 527 East 5th Street, Tax Id. # 4200-0082-000.

On a motion by Councilman McDonald to sale the City's interest in Block 5, Lot 7, Freeport Townsite, known as 527 East 5th Street, Tax Id. # 4200-0082-000, and motion died for lack of second.

Consideration of selling the City's interest in Block 5, Lot 9, Freeport Townsite, known as 537 East 5th Street, Tax Id. # 4200-0084-000.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting 4 to 1, Council rejected selling the City's interest in Block 5, Lot 9, Freeport Townsite, known as 537 East 5th Street, Tax Id. # 4200-0084-000. Councilman McDonald opposed.

Consideration of selling the City interest in Block 5, Lot 10, Freeport Townsite, known as 567 East 6th Street, Tax Id. # 4200-0085-000.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting 4 to 1, Council rejected selling the City interest in Block 5, Lot 10, Freeport Townsite, known as 567 East 6th Street, Tax Id. # 4200-0085-000. Councilman McDonald opposed.

Consideration of approving and upgrading Phase 1 Memorial Park lighting plan.

On a motion by Councilwoman Loeza, seconded by Councilman McDonald, with all present voting "Aye", Council rejected upgrading Phase I Memorial Park Lighting Plan.

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

Mayor Norma Garcia reconvened the meeting at 7:27 p.m. to take action on an Executive Session item:

- Regarding TCEQ – Fuel Tank removal from old Service Center.
On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting 4 to 1, Council approved removing the fuel tanks from east end Old Service Center. Councilman McDonald opposed.

Work Session:

- A. Presentation by Edith Fischer, Director of Tourism of the Brazosport Convention & Visitors Council promoting and request for continued funding.

Edith Fischer of the Brazosport Convention & Visitors Council presented a PowerPoint presentation on the past year's activities and request continued funding .

- B. Report on the collections of delinquent taxes by Mike Darlow of Perdue, Brandon, Fielder, Collins & Mott, L.L. P.

Mark Darlow gave an activity report on fines & fees collection as of May 21, 2015.

- C. Update on authorized new road improvements.

Mr. Pynes updated Council on the completion of road work by the County and by A-1 Construction.

- D. Discussion regarding rental/lease single and multifamily pre-inspection ordinance.

It is Council consensus that Mr. Pynes draft a document that would allow the City to perform safety inspection on properties to ensure it meets code standards before the renter moves in.

Blanca Bustos stated that Code Enforcement Ordinances are not being enforced, creating another ordinance would be a mistake. She asked Council to reconsider. She has reported high grass across the Post Office and a trailer, next door to her house in the back yard.

- E. Update on demolition properties.

Gilbert Arispe reported that presently one dilapidated house had been demolished by owner, three houses are in trust to the City, getting asbestos reports, 2 belong to Port Freeport.

- F. Discussion regarding the CDBG sewer infrastructure project.

Mr. Pynes updated Council on upgrading the Riverside Lift Station, located behind Western Auto on Skinner Street. A cost estimate of \$387,560.00 includes the construction, basic engineering and inspection.

- G. Update information on Phase 2 & 3 of the City lighting plan.

Phase 2 and 3 will be, erected decorative street lighting from the railroad trestle on 2nd Street, and going to Hwy. 288, making a loop and starting on Broad Street to Cherry. Mr. Pynes will be bringing this item back for consideration.

Mayor Norma Garcia closed the formal session at 7:12 p.m.

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 Legal Negotiations: East end road infrastructure.
- Regarding TCEQ - Fuel tank removal from old Service Center.
- Gulf Chemical

Mayor Norma Garcia reconvened the formal meeting at 7:27 p.m.

Adjourn

On a motion by Councilman McDonald, seconded by Councilman Barbree, with all present voting "Aye", Mayor Norma Garcia adjourned the meeting at 7:28 p.m.

Mayor Norma Moreno Garcia
City of Freeport, Texas

Delia Munoz, City Secretary
City of Freeport, Texas