

NOTICE OF PUBLIC HEARING
THE FREEPORT CITY COUNCIL
MONDAY, NOVEMBER 21, 2016, 6:00 P.M.
FREEPORT MUNICIPAL COURT ROOM
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.
FREEPORT, TEXAS
AGENDA

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Attending citizens and their business.

Public Appearances:

Members of the public are allowed to address the City Council at this time. Note, specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open Meetings Act unless said notice appears herein. The public is reminded that there is a (4) minute time limit as approved by City Council on June 21, 2010.

5. Consideration of approving November 7, 2016 Council Minutes. Pg. 823-829
6. Consideration of approving Ordinance No. 2016-2122 amending the budget for the Fiscal Year 2015-2016. Pg. 830-835
7. Consideration of approving Ordinance No. 2016-2128 repealing item two of Ordinance No. 2016-2113, which amended Section 71.51 of the Code of Ordinances of said City, to authorize a stop sign on North Ave. D, between Quintana and McNeil Streets, removing such location from Section 71.51 and directing the City Manager of said City to remove any stop sign on Ave. D, between Quintana and McNeil Streets, placed thereon pursuant to said Ordinance No. 2016-2113. Pg. 836-837
8. Consideration of cancelling December 19, 2016 Council Meeting.
9. Consideration of taking action on any item discussed in Executive Session.

Executive Session

Section 551.072, Government Code

Deliberations concerning the purchase, exchange, lease or value of real property when deliberation in an open meeting might have a detrimental effect on the position of the City Council in negotiations with a third person, to wit;

- Regarding contractual negotiations for a new Recycling and Bulky Trash Deployment Center.

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 in the official glass case at the rear door of the City Hall, within 24 hours a day public access, 200 West 2nd Street, Freeport Texas, October 18, 2016 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 City Council of the City of Freeport met on Monday, November 7th, 2016 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 Moreno Garcia
Councilman Larry L. McDonald
Councilman Fred Bolton
Councilwoman Nicole Mireles
Councilwoman Sandra Barbree

Staff:

Jeff Pynes, City Manager
Gilbert Arispe, Assistant City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Dan Pennington, Police Chief
Nat Hickey, Property Manager
Jennifer Hawkins, Economic Development Corp.
Bob Welch, Finance Director
Oscar Arevalo, Building Official
Billy Wayne Shoemaker, Deputy Fire/EMS Chief
Chris Motley, Deputy Fire/EMS Chief
Lonie Kershaw, Human Resources
Steve Upton, Code Enforcement

Visitors:

Eric Hayes	Sam Reyna
Jerry Meeks	Melanie Oldham
Diana Kile	Phyllis Saathoff
Jeff Strader	Abraham Balbas
Troy Brimage	Sabrina Brimage
Manning Rollerson	Douglas Domingues
Moby Burrige	Evelyn Buridge
Harold Doty	Vivian Alford
Keith Morgan	Susan Morgan
Lila Lloyd	Margaret McMahan
Keith Stumbaugh	Mingo Marguez
Larry Fansher	Eric Hayes
Sandra Barnett	James Barnett
Lila Diehl	Ken Green
Roy Yates	Jason Travis

Call to order.

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

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Christopher David Motley led the Pledge of Allegiance.

Attending citizens and their business.

Public Appearances:

Members of the public are allowed to address the City Council at this time. Note, specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open Meetings Act unless said notice appears herein. The public is reminded that there is a four minute time limit as approved by City Council on June 21, 2010.

Keith Stumbaugh of 518 W. 4th Street expressed sadness and ashamed of city government. He stated that on July 11, 2016, the Mayor was given authorization to negotiation a new contract for the City Manager and feels that it is illegal and needs to be voided. The new contract was not put on the agenda for city council for approval. The audio recording after executive session was not recorded and feels the City Secretary is incumbent.

At this time, Mayor Norma advised him that his time had expired. He continued his speech and again reminded that his time had expired. Again he was reminded and he was escorted out the Council Chambers.

Roy Yates spoke on behalf of Harbor Lane and thanked the city for paving the street.

Margaret McMahan of 1330 W. 8th express concern on item 18; Ash Street right of way on West 9th Street, Windsor Terrace Subdivision, between Block 3, Lot 18, (zoned R-2) and Lot 1 Block 4, (zoned R-3). Mr. Eric Hayes adjacent owner was not legally notified that the property was being considered for closing, abandoning and/or sale.

Manning Rollerson of 126 West 6th Street complained that he had not received his open records request.

Abraham Balbas of 326 E. Broad advised Council that Port Freeport offered him money for his property, but feels that it is appraised for more.

Phylliss Saathoff Chief Executive Officer for Port Freeport updated Council on the improvements on Terminal and East 5th Street. The paper work is in place, pipeline being identified, and should be completed by the end of November.

Consideration of approving October 3, 2016 Council Minutes.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved the October 3, 2016 Council Minutes.

Announcement: New Fire Chief Christopher David Motley, Oath of Office ceremony will take place at 7:30 p.m. at the Freeport Fire Department, after city council meeting.

Mayor Norma Moreno Garcia invited the public to the Oath of Office ceremony of Christopher David Motley as new Fire Chief.

Consideration of approving Ordinance No. 2016-2122 amending Section 71.50 of the Code of Ordinances of said City, which designates four-way stop intersections, to add thereto, as an additional four-way stop intersection, at which vehicular traffic on designated streets shall stop in the manner required by the Transportation Code, the intersection of North Ave. D and Old River Street; amending Section 71.51 of the Code of Ordinances to remove such intersection as Two-Way Intersection; providing for the erection, by or at the direction of the City Manager of said city.

No Action Taken.

Consideration of approving Ordinance No. 2016-2124 amending the Code of Ordinances of said City to adopt the 2015 Editions of the International Building Code, International Residential Code, International Mechanical Code, International Existing Building Code, International Property Maintenance Code, International Plumbing Code, International Fuel Gas Code, International Energy Conservation Code, the International Swimming Pool and SPA Code, the 2014 Edition of the International Electric Code, also known as the National Electric Code, the 2015 Edition of the International Fire Code, and the 2015 Edition of the NFPA 101 Life Safety Code, together with the appendices thereto and any amendments to any of such codes; adopting local amendment thereto.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Oscar Arevalo, Building Official recommendation to amend the Code of Ordinances of said City to adopt the 2015 Editions of the International Building Code, International Residential Code, International Mechanical Code, International Existing Building Code, International Property Maintenance Code, International Plumbing Code, International Fuel Gas Code, International Energy Conservation Code, the International Swimming Pool and SPA Code, the 2014 Edition of the International Electric Code, also known as the National Electric Code, the 2015 Edition of the International Fire Code, and the 2015 Edition of the NFPA 101 Life Safety Code, together with the appendices thereto and any amendments to any of such codes; adopting local amendment thereto.

Consideration of approving Ordinance No. 2016-2126 electing for the City to make current service and prior service contributions to the City's account in the benefit accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation.

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved Ordinance No. 2016-2126 electing for the City to make current service and prior service contributions to the City's account in the benefit accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation.

Consideration of approving Ordinance No. 2016-2127 amending portions of sections 94.01, 94.02, 94.03 and 94.06 of the Code of Ordinance of said City to conform the same to the applicable provisions of the junk vehicle law now contained in subchapter E of Chapter 683 of the Texas Transportation Code.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Ordinance No. 2016-2127 amending portions of sections 94.01, 94.02, 94.03 and 94.06 of the Code of Ordinance of said City to conform the same to the applicable provisions of the junk vehicle law now contained in subchapter E of Chapter 683 of the Texas Transportation Code.

Consideration of approving a replat of Anderson Subdivision 6.05 acres - 5 Lots 6.05 Acres out of a 40.3468 acre tract in the William McDermott League, Abstract 341, Brazoria County, Texas, said 40.3468 acres being described in a deed recorded in File 1997-045513 of the official records of Brazoria County, Texas.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved a replat of Anderson Subdivision 6.05 acres - 5 Lots 6.05 Acres out of a 40.3468 acre tract in the William McDermott League, Abstract 341, Brazoria County, Texas, said 40.3468 acres being described in a deed recorded in File 1997-045513 of the official records of Brazoria County, Texas.

Consideration of approving a replat of Willowbreeze Farm a Subdivision out of a 73.33 acre tract being the same tract conveyed to Llama Llama LLC, a Texas Limited Liability Company as recorded in Clerk's File No. 20016-033631 of the official records of Brazoria County, Texas William McDermott Survey Abstract 341, Brazoria County, Texas September 2016.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved a replat of Willowbreeze Farm a Subdivision out of a 73.33 acre tract being the same tract conveyed to Llama Llama LLC, a Texas Limited liability Company as recorded in Clerk's File No. 20016-033631 of the official records of Brazoria

County, Texas William McDermott Survey Abstract 341, Brazoria County, Texas September 2016.

Consideration of approving a replat of a 0.882 Acre Tract comprised of Lots 7 & 8, Block 1 recorded in County Clerk's File No. 16-005521 and Lots 9, 10, 11, 12, Block 1 recorded in County Clerk's File No. 15-002062 all of the Velasco Townsite and a called 0.295 Acre Tract recorded in County Clerk's File No. 16-005521 all of the Brazoria County Official Records and a portion of a closed Road (S. Front St.) all being in the Eli Mitchell Survey Abstract 99 , City of Freeport, Brazoria County, Texas September 16, 2016.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved a replat of a 0.882 Acre Tract comprised of Lots 7 & 8, Block 1 recorded in County Clerk's File No. 16-005521 and Lots 9, 10, 11, 12, Block 1 recorded in County Clerk's File No. 15-002062 all of the Velasco Townsite and a called 0.295 Acre Tract recorded in County Clerk's File No. 16-005521 all of the Brazoria County Official Records and a portion of a closed Road (S. Front St.) all being in the Eli Mitchell Survey Abstract 99 , City of Freeport, Brazoria County, Texas September 16, 2016.

Consideration of approving Resolution No. 2016-2508 accepting a grant from the Houston-Galveston Area Council (HGAC) for the purchase of 13 new in-car video recording cameras and microphone transmitters to be installed in the police department's marked patrol fleet.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Resolution No. 2016-2508 accepting a grant from the Houston- Galveston Area Council (HGAC) for the purchase of 13 new in-car video recording cameras and microphone transmitters to be installed in the police department's marked patrol fleet.

Consideration of approving and releasing the City's interest in trust property on Block 5, Lot 7, Freeport Townsite, known as 527 East 5th Street, Tax Id. No. 4200-0082-000.

On a motion by Councilwoman Mireles, seconded by Councilman McDonald, with all present voting 3 to 2 to release the City's interest in trust property on Block 5, Lot 7, Freeport Townsite, Known as 527 East 5th Street, Tax Id. No. 4200-0082-000. Mayor Norma Garcia and Councilman Bolton opposed the sale.

Phyliss Saathoff asked Council to reject this item.

Consideration of approving and releasing the City's interest in trust property on Block 5, Lot 9, Freeport Townsite, known as 537 East 5th Street, Tax Id. No. 4200-0084-000.

On a motion by Councilwoman Mireles, seconded by Councilman McDonald, with all present voting 4 to 1 to release the City's interest in trust property on Block 5, Lot 9, Freeport Townsite, known as 537 East 5th Street, Tax Id. No. 4200-0084-000. Mayor Norma Garcia opposed the sale.

Consideration of approving and releasing the City's interest in trust property on Block 5, Lot 10, Freeport Townsite, known as 536 East 6th Street, Tax Id. No. 4200-0085-000.

On a motion by Councilwoman Mireles, seconded by Councilman McDonald, with all present voting 2 to 3, Council declined releasing the City's interest in trust property on Block 5, Lot 10, Freeport Townsite, known as 536 East 6th Street, Tax Id. No. 4200-0085-000. Mayor Norma Garcia, Councilman Bolton and Councilwoman Barbree opposed the sale.

Consideration of authorizing the City Attorney to prepare an ordinance for closing, abandoning and/or the sale of Ash Street right of way on West 9th Street, Windsor Terrace Subdivision, between Block 3, Lot 18, (Zoned R-2) and Lot 1, Block 4 (Zoned R-3).

City Council reconvened at 7:23 p.m. and took no action on this item.

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

No action taken

Work Session:

Discussion by the City Manager on the selection process and appointment of the new Fire Chief.

Mr. Pynes discussed the review process of three internal candidates, conducted by a diverse panel of participants and included an oral interview, writing and played the part in difficult situations.

Update on city wide lighting to LED with CenterPoint.

Mr. Pynes updated Council on the City wide lighting. He has an existing and proposed map on 100 LED lighting. Approximately fifty lights installed by February and fifty more afterwards. Also considering more lights on Hwy. 288, welcomes inputs from staff and council.

Closed the Formal Session at 7:03 p.m. 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 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:

- Regarding closing, abandoning and/or the sale of Ash Street Right-of-Way on West 9th Street, Windsor Terrace Subdivision, between Block 3, Lot 18 (Zoned R-2) and Block 4, Lot 1, (Zoned R-3).

No action taken

Section 551.072, Government Code

Deliberations concerning the purchase, exchange, lease or value of real property when deliberation in an open meeting might have a detrimental effect on the position of the City Council in negotiations with a third person, to wit;

- Regarding contractual negotiations for a new Recycling and Bulky Trash Deployment Center.

No action taken

Closed the Executive Session and Reconvened the Formal Session at 7:23 p.m. to motion on item 18.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilman McDonald, with all present voting "Aye", Mayor Norma M. Garcia adjourned the meeting at 7:23 p.m.

Mayor Norma Moreno Garcia
City of Freeport, Texas

Delia Munoz, City Secretary
City of Freeport, Texas

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACTS; AMENDING THE BUDGET FOR THE FISCAL YEAR 2015-2016; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, pursuant to the provisions of Subsection (a) of Section 102.007 of Chapter 102 of the Local Government Code and the provisions of Article 9 of the Home Rule Charter of the City of Freeport (hereinafter sometimes "the City"), the budget for the 2015-2016 fiscal year of the City was finally approved by the City Council, being the governing body thereof, by its Ordinance No. 2015-2093, read, passed and adopted on the 14th day of September, 2015, (hereinafter sometimes "the Budget"); and,

WHEREAS, Subsection (b) of Section 102.009 of the Local Government Code provides that, after final approval of the budget, the governing body of a municipality may spend municipal funds only in strict compliance with the budget, except in an emergency, but Section 102.010 of said Code provides that the provisions of Chapter 102 thereof do not prevent the governing body of such municipality from making changes in the budget for municipal purposes; and

WHEREAS, Subsection (c) of Section 102.009 of said Code provides that the governing body of a municipality may authorize an expenditure as an amendment to the original budget only in the case of grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent thought and attention; and,

WHEREAS, Section 9.16 of the City's Home Rule Charter provides that the budget may be amended and appropriations altered in accordance therewith in cases of public necessity, the actual fact of which shall have been declared by the City Council; and,

WHEREAS, the adoption of this ordinance and the amendment of the Budget is necessary for and in the best interest of the health, safety and general welfare of the inhabitants of the City.

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

SECTION ONE (1): FINDINGS OF FACT

In connection with the amendment and revision of the Budget, the City Council of the City makes the following findings:

(1) The amendments and revisions set forth in the Budget were the result of numerous public workshop meetings called and conducted in the manner required by the Texas Open Meetings Act, codified as Chapter 551, Government Code.

(2) A public hearing was held on the Budget on September 14, 2015, and conducted in the manner required by Section 102.006 of the Local Government Code and the City's Home Rule Charter.

(3) Notice of such public hearing was published in the Brazosport Facts, a newspaper of general circulation in and the official newspaper of the City in the manner and time required by Chapter 102 of said Code and the City's Home Rule Charter.

(4) A grave public necessity exists and to meet an unusual and unforeseen conditions that could not have been included in the original budget through the use of reasonably diligent thought and attention and the Budget must be amended and revised with respect of the new or additional expenditures set forth in Exhibit "A" attached hereto and made a part hereof, such unusual and unforeseen conditions also being set forth in said Exhibit "A".

(5) The proposed changes are set forth in Exhibit "A" attached hereto and made a part hereof.

(6) All of the changes set forth in Exhibit "A" are for municipal purposes.

(7) The several amounts stated in Exhibit "A" as the amended or revised expenditures are hereby appropriated to and for the objects and purposes therein named.

(8) The contingent appropriations, as amended and revised in said Exhibit "A", do not exceed three (3%) percent of the total amended and revised budget appropriations reflected therein.

(9) The amended and revised expenditures of the general fund and the debt service fund contained in the Budget, as amended by said Exhibit "A", do not exceed the resources of each fund, as amended and revised.

SECTION TWO (2):BUDGET AMENDED

The budget of the City of Freeport, Texas, for the fiscal year 2015-2016 is hereby amended and revised as reflected in said Exhibit "A".

SECTION THREE (3):

As required by Subsections (c) and (d) of Section 102.009 of the Local Government Code, upon the passage and adoption of this ordinance, the amended and revised budget adopted hereby shall be filed with the City Secretary of the City to be maintained in the official records of the City, and a certified copy of this ordinance, with Exhibit "A" attached thereto, shall be filed by the City Secretary with the County Clerk of Brazoria County, Texas, and the State Comptroller of Public Accounts for the State of Texas.

SECTION FOUR (4):

Nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

SECTION FIVE (5):

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 SIX (6):

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

READ, PASSED AND ADOPTED this _____ day of _____, 2016.

Norma Moreno Garcia, Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney,
City of Freeport, Texas

C\Freeport.Bud\2015-2016 Bud Amnd#2-Ord

Council

MEMORANDUM

To: Mayor and Council
From: Bob Welch
Re: Request for Amendment of Budgeted Funds # 2
Date: September 30, 2016

We are requesting the following amendments to the 2015-2016 Budget:

BUDGET AMENDMENTS	ACCT#	ACCOUNT DESCRIPTION	BUDGET AMENDMENTS	
			DEBITS	CREDITS
1 INSURANCE RECOVERY	10-399-100	INSURANCE RECOVERY		6,421
POLICE VEHICLE MAINTENANCE	10-525-524	POLICE VEHICLE MAINTENANCE	4,852	
PARKS VEHICLE MAINTENANCE	10-655-524	PARKS VEHICLE MAINTENANCE	1,569	
ADJUST BUDGET FOR INSURANCE RECEIVED				
2 VEOLIA OTHER	56-565-498	VEOLIA OTHER	6,961	
WATER & SEWER MISC. INCOME	56-360-101	WATER & SEWER MISC. INCOME		8,353
RECORD REIMBURSEMENT FROM THE PORT OF FREEPORT - FIRE LINE EXTENSION AND ADMIN. BUILDING SEWER CONNECTION				
3 SALE OF EQUIPMENT	10-361-525	SALE OF EQUIPMENT		10,699
POLICE VEHICLE MAINTENANCE	10-525-524	POLICE VEHICLE MAINTENANCE	5,057	
POLICE OFFICE SUPPLIES	10-625-310	POLICE OFFICE SUPPLIES	5,642	
RECORD SALE OF EQUIPMENT POLICE DEPARTMENT				
4 GRANT REVENUE-FEDERAL NARCOTICS	10-360-400	GRANT REVENUE-FEDERAL NARCOTICS		8,492
GRANT - FIRE DEPT. GENERATORS	10-360-400	GRANT - FIRE DEPT. GENERATORS		69,598
GRANT REVENUE-POLICE LEOS	10-360-400	GRANT REVENUE-POLICE LEOS		2,682
FEMA GRANT-GOLF COURSE	10-360-400	FEMA GRANT-GOLF COURSE		6,413
GRANT REVENUE-POLICE VESTS	10-360-400	GRANT REVENUE-POLICE VESTS		2,590
GRANT- BCOS EQUITY SHARING	10-360-400	GRANT- BCOS EQUITY SHARING		852
POLICE CAPITAL	10-525-899	POLICE CAPITAL	2,590	
GOLF - CAPITAL	15-656-899	GOLF - CAPITAL	6,413	
POLICE-SEMINARS/DUES/TRAVEL	10-525-602	POLICE-SEMINARS/DUES/TRAVEL	2,682	
POLICE - LOCAL NARCOTICS	10-525-620	POLICE - LOCAL NARCOTICS	852	
POLICE - FEDERAL NARCOTICS	10-525-619	POLICE - FEDERAL NARCOTICS	8,492	
ADJUST BUDGET TO RECORD GRANT FUNDS RECEIVED				
5 MISC. INCOME	10-360-101	MISC. INCOME		600
POLICE OFFICE SUPPLIES	10-525-310	POLICE OFFICE SUPPLIES	100	
POLICE VEHICLE MAINTENANCE TO RECORD REIMBURSEMENT FOR LOST EQUIPMENT	10-525-524	POLICE VEHICLE MAINTENANCE	500	
6 SALE OF PROPERTY	10-360-200	SALE OF PROPERTY		13,668
STREET DEPARTMENT-STREET MAINT.	10-575-530	STREET DEPARTMENT-STREET MAINT.	13,668	
RECORD SALE OF EQUIPMENT AT RENE BATES AUCTION				

7	INSURANCE RECOVERY VEOLIA OTHER RECORD REIMBURSEMENT FOR DAMAGE CLAIM	10-399-100 56-565-498	INSURANCE RECOVERY VEOLIA OTHER	25,000	25,000
8	SALE OF PROPERTY INSURANCE RECOVERY FIRE VEHICLE MAINTENANCE FIRE BUILDING MAINTENANCE RECORD SALE OF EQUIPMENT AND INSURANCE REIMBURSEMENT	10-360-200 10-399-100 10-530-524 10-530-545	SALE OF PROPERTY INSURANCE RECOVERY FIRE VEHICLE MAINTENANCE FIRE BUILDING MAINTENANCE	10,095 5,368	8,740 6,723
9	MARINE OPERATIONS REVENUE-LNG POLICE - MARINE OPERATIONS RECORD PAYMENT FROM LNG FOR POLICE BOAT OPERATIONS	10-360-105 10-525-625	MARINE OPERATIONS REVENUE-LNG POLICE - MARINE OPERATIONS	14,840	14,840
10	MISC. INCOME FIRE- VEHICLE MAINTENANCE FIRE - CAPITAL RECORD REIMBURSEMENT FROM FREEPORT LNG FOR TRAINING	10-360-101 10-530-545 10-530-899	MISC. INCOME FIRE- VEHICLE MAINTENANCE FIRE - CAPITAL	1,300 522	1,822
11	MISC. DONATIONS FIRE VEHICLE MAINTENANCE RECORD DONATION FROM FLOUR	10-360-920 10-530-524	MISC. DONATIONS FIRE VEHICLE MAINTENANCE	669	669
12	INSURANCE RECOVERY PARKS BUILDING MAINTENANCE RECORD INSURANCE REIMBURSEMENT FOR DAMAGE CLAIM	10-399-100 10-655-545	INSURANCE RECOVERY PARKS BUILDING MAINTENANCE	9,628	9,628

SUMMARY EFFECT ON GOVERNMENTAL FUNDS:

BUDGET ADJUSTMENTS	ACCT#	CURRENT BUDGET	BUDGET AMEND	AMENDED BUDGET
INSURANCE RECOVERY	10-399-100	0	-47,772	-47,772
POLICE VEHICLE MAINTENANCE	10-525-524	30,415	10,409	40,824
PARKS VEHICLE MAINTENANCE	10-655-524	15,000	1,569	16,569
VEOLIA OTHER	56-565-498	396,941	31,961	428,902
WATER & SEWER MISC. INCOME	56-360-101	-23,000	-8,353	-31,353
SALE OF EQUIPMENT	10-361-525	-12,915	-10,699	-23,614
GRANT REVENUE	10-360-400	-303,637	-90,627	-394,264
POLICE CAPITAL	10-525-899	710,200	2,590	712,790
GOLF - CAPITAL	15-656-899	114,350	6,413	120,763
POLICE-SEMINARS/DUES/TRAVEL	10-525-602	28,179	2,682	30,861
LOCAL NARCOTICS	10-525-620	57,614	852	58,466
MISC. INCOME	10-360-101	-34,891	-2,422	-37,313
POLICE OFFICE SUPPLIES	10-525-310	18,500	5,742	24,242
SALE OF PROPERTY	10-360-200	-5,000	-22,408	-27,408
STREET DEPARTMENT-STREET MAINT.	10-575-630	150,000	13,668	163,668
FIRE VEHICLE MAINTENANCE	10-530-524	22,000	10,764	32,764
FIRE BUILDING MAINTENANCE	10-530-545	9,000	6,668	15,668
MARINE OPERATIONS REVENUE-LNG	10-360-105	0	-14,840	-14,840
POLICE - MARINE OPERATIONS	10-525-625	0	14,840	14,840
FIRE - CAPITAL	10-530-899	39,900	522	40,422
MISC. DONATIONS	10-360-920	-725	-669	-1,394
PARKS BUILDING MAINTENANCE	10-655-545	27,850	9,628	37,478
POLICE FEDERAL NARCOTICS	10-525-619	29,001	8,492	37,493
		1,268,782	-70,990	1,197,792
Net effect on Fund Balance:			DECREASE	-\$70,990

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; REPEALING ITEM TWO OF ORDINANCE NO. 2016-2113, WHICH AMENDED SECTION 71.51 OF THE CODE OF ORDINANCES OF SAID CITY, TO AUTHORIZE A STOP SIGN ON NORTH AVENUE D, BETWEEN QUINTANA AND McNEIL STREETS, REMOVING SUCH LOCATION FROM SECTION 71.51 AND DIRECTING THE CITY MANAGER OF SAID CITY TO REMOVE ANY STOP SIGN ON AVENUE D, BETWEEN QUINTANA AND McNEIL STREETS, PLACED THEREON PURSUANT TO SAID ORDINANCE NO. 2016-2113; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, Item (8) of Subsection (a) of Section 542.202 of the Transportation Code authorizes a municipality, as a local authority, with respect to streets and highways under their jurisdiction, to designate stop intersections; and,

WHEREAS, Subsection (b) of Section 544.003 of said Code authorizes a municipality, as a local authority, to designate a highway or an intersection under its jurisdiction as a through highway or a stop intersection and place a stop sign at specified entrances thereto; and,

WHEREAS, Subsection (b) of Section 542.203 of said Code provides that no ordinance enacted under said Section 542.202 that designates a stop intersection shall be effective until signs giving notice thereof are posted; and,

WHEREAS, Item Second of Ordinance No. 2016-2113, read, passed and adopted on the 2nd day of May, 2016, at the request of the Planning Commission thereof, the City Council of the City of Freeport, Texas, authorized a stop sign to be placed on North Avenue D, within said city, midway between its intersections with Quintana and McNeil Streets, and directed that the City Manager cause stop signs to be erected on North Avenue D, midway between its intersections with Quintana and McNeil Streets; and,

WHEREAS, the City Council of said city has now determined that the health, safety and general welfare of the inhabitants of said City and the members of the general public traveling upon Avenue D, between Quintana and McNeil Streets does not require the erection of a stop sign on Avenue D, between Quintana and McNeil Streets, and that Item Second of said Ordinance No. 2016-2113 should be repealed and any stop signs erected at such location ordered removed.

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

First, Item Second of Ordinance No. 2016-2113, read, passed and adopted on the 2nd day of May, 2016, amending Section 71.51 of the Code of Ordinances of the City of Freeport, Texas, to add thereto as a location for a stop sign for traffic traveling in either direction on North Avenue D, midway between Quintana and McNeil Streets, is hereby repealed, said location is deleted from Section 71.51 of said Code of Ordinances and the City Manager is hereby authorized and directed to remove any stop sign erected on North Avenue D, midway between Quintana and McNeil Streets, pursuant to Ordinance No. 2016-2113.

Second, 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.

Third, this ordinance shall take effect and be in force from and after its passage and adoption.

READ, PASSED AND ADOPTED this ____ day of _____, 2016.

Norma Moreno Garcia, Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney,
City of Freeport, Texas

C:\Freeport.Trf\StopIntr-5-A Ord