

NOTICE OF PUBLIC HEARING
THE FREEPORT CITY COUNCIL
MONDAY, SEPTEMBER 28, 2015, 6:00 A.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. Attending citizens and their business.
5. Consideration of approving September 21, 2015 Council Minutes. Pg. 723-727
6. Consideration of approving Ordinance No. 2015- 2096 accepting the certified appraisal roll from the Brazoria County Appraisal District for the 2015 Tax Year; establishing a tax rate for each \$100.00 valuation of taxable property within said City for such tax year; levying all taxes for said City for such tax year; allocating such taxes for certain municipal purposes therein enumerated; ordering that such taxes be assessed and collected; containing a severance clause; and providing an effective date for this ordinance. Pg. 728-736
7. Consideration of approving Resolution No. 2015-2480 of the City of Freeport, Texas, containing a preamble; making findings of fact; accepting the offer of the Jordan Family Trust and authorizing the Mayor and City Secretary to execute and attest, respectively, and the Mayor to acknowledge and deliver a deed exchange with the Jordan Family Trust Whereby Block 35, Lots 9, 10, 11, 12 and 15, Block 71, Lot 2, Block 507, Lot 6, Block 661, Lots 1-24, Block 676, Lots 14 and 15, Block 720, Lot 5, 11 and 12, Block 752 Lots 13, 16, 19, 22, 24 and 24A, Block 755 Lot 11, Block 764, Lots 18 and 19, Block 789 Lot 3, Block 790, Lots 14, 15, 19, 21, Block 809 Lots 13 and 24, Block 810 Lots 2-5, 7, 9, 10, 11 and 12 of the Velasco Townsite of said City, now owned by said Trust, are exchanged for Block 729, Lots 11,15-17 and 19, Block 730, Lot 9, Block 731, Lots 1,2,7 18, 21, 23 and 24, Block 742 Lots 17 and 19 Block 743, Lots 7 and 14 Block 760, Lots 4-6, 8-15, 17, 19 and 23, Block 773, Lot 3, 9, 12, 12a and 16, Block 716, Lot 24 of the Velasco Townsite of said City now owned by said City; containing a severance clause; providing that this Resolution shall take effect and be in force from and after its passage and adoption; and providing that the original of this Resolution shall be maintained by the City Secretary in the permanent records of said and a certified copy hereof recorded with said deeds of exchange in the official records of Brazoria County, Texas. Pg. 737-742
8. Consideration of approving Resolution No. 2015-2481 appointing Roddy Mohler to the Board of Adjustment of said City. Pg. 743-744

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

10. Adjourn

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:

- Praxair
- Planning Commission
- Charter Review

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, September 25, 2015 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 Monday, September 21, 2015 at 9:06 a.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 – Absent
Councilman Fred Bolton
Councilwoman Sandra Loeza
Councilwoman Sandra Barbree

Staff: Jeff Pynes, City Manager
Gilbert Arispe, Assistant City Attorney
Delia Munoz, City Secretary
Wallace Shaw, City Attorney
Nat Hickey, Property Manager
Bob Welch, Finance Director
Brian Davis, Fire Chief
Dan Pennington, Police Chief

Visitors: Sam Reyna

Call to order.

Mayor Norma M. Garcia called the meeting to order at 9:06 a.m. for the Second Tax Rate Public Hearing.

Second Tax Rate Public Hearing on adoption of proposed tax rate and consider motion that the property tax rate be increased by the adoption of a tax rate of 0.671524, which is effectively a 4.01 percent increase in the tax rate.

There being no more comments from staff or audience, Mayor Norma Moreno Garcia closed the Public Hearing at 9:07 a.m.

Announcement: The adoption of the tax rate for fiscal year 2015-2016 will be conducted on September 28, 2015, at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas.

Mayor Norma M. Garcia made the announcement.

Adjourn

On a motion by Councilwoman Loeza, seconded by Councilman Bolton, with all present voting "Aye", Mayor Norma M. Garcia adjourned the meeting at 9:08 a.m.

Mayor Norma M. Garcia
City of Freeport, Texas

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 Monday, September 21, 2015 at 9:15 a.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 – Absent
Councilman Fred Bolton
Councilwoman Sandra Loeza
Councilwoman Sandra Barbree

Staff: Jeff Pynes, City Manager
Gilbert Arispe, Assistant City Attorney
Delia Munoz, City Secretary
Wallace Shaw, City Attorney
Nat Hickey, Property Manager
Bob Welch, Finance Director
Brian Davis, Fire Chief
Dan Pennington, Police Chief

Visitors: Sam Reyna Cindy Cain

Call to order.

Mayor Norma Moreno Garcia called the meeting to order at 9:15 a.m.

Invocation.

Mr. Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma M. Garcia led the Pledge of Allegiance.

Attending citizens and their business.

There were none.

Consideration of approving September 14, 2015 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the September 14, 2015 Council Minutes.

Consideration approving Resolution No. 2015-2472 reappointing Tobey Davenport and Eddie Virgil to the Planning Commission of said City.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved to reagenda Resolution No. 2015-2472 reappointing Tobey Davenport and Eddie Virgil to the Planning Commission of said City.

Consideration of approving Resolution No. 2015-2473 reappointing James Walker, June Strambler, Nancy Hughes, Margie Edwards and Lila Lloyd to the Library Board of said City.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2473 reappointing James Walker, June Strambler, Nancy Hughes, Margie Edwards and Lila Lloyd to the Library Board of said City.

Consideration of approving Resolution No. 2015-2474 appointing Raul Ramirez, Jim Pirrung, Sammy Moore and Tim Closs to the Board of Adjustment of said City.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2474 appointing Raul Ramirez, Jim Pirrung, Sammy Moore and Tim Closs to the Board of Adjustment of said City.

Consideration of approving Resolution No. 2015-2475 appointing Annette Sanford, Ken Tyner and Raul Ramirez to the Urban Renewal Board of said City.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2475 appointing Annette Sanford, Ken Tyner and Raul Ramirez to the Urban Renewal Board of said City.

Consideration of approving Resolution No. 2015-2476 reappointing Guadalupe Gonzalez, Margaret L. McMahan, Michael Dohle and Michelle Backman to the Beautification, Parks and Recreation Committee of said City.

On a motion by Councilwoman Loeza, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2476 reappointing Guadalupe Gonzalez, Margaret L. McMahan, Michael Dohle and Michelle Backman to the Beautification, Parks and Recreation Committee of said City.

Consideration of approving Resolution No. 2015-2477 reappointing Trent D. Allen, Mark Friundenberg, Jason Travis and Roy Yates to the Economic Development Corporation of said City.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2477 reappointing Trent D. Allen, Mark Friundenberg, Jason Travis and Roy Yates to the Economic Development Corporation of said City.

Consideration of approving Resolution No. 2015-2478 appointing Nino Herrera, Daniela Ramirez, Ruben Cuellar, Beatrice Gonzalez, and Eric Hayes to the Charter Review Board of said City.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved to reagenda Resolution No. 2015-2478 appointing Nino Herrera, Daniela Ramirez, Ruben Cuellar, Beatrice Gonzalez, and Eric Hayes to the Charter Review Board of said City.

Consideration of approving Resolution No. 2015-2479 reappointing Ona Johnson, Sammy Moore, Martha Westbrook and Shirley Theriot to the Senior Citizens Commission of said City.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2479 reappointing Ona Johnson, Sammy Moore, Martha Westbrook and Shirley Theriot to the Senior Citizens Commission of said City.

Consideration of approving and awarding the Grounds Care, Flowerbeds Maintenance agreement and authorizing the City Manager or his designee to negotiate a contract with the successful bidder and authorizing the Mayor and City Secretary respectively to execute and attest such contract.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved and awarded the Grounds Care, Flowerbeds Maintenance agreement to Bio Landscaping, 10892 Shadow Wood, Houston, Texas.

Adjourn

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Mayor Norma M. Garcia adjourned the meeting at 9:25 a.m.

Mayor Norma Moreno Garcia
City of Freeport, Texas

Delia Munoz, City Secretary
City of Freeport, Texas

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT; ACCEPTING THE CERTIFIED APPRAISAL ROLL FROM THE BRAZORIA COUNTY APPRAISAL DISTRICT FOR THE 2015 TAX YEAR; ESTABLISHING A TAX RATE FOR EACH \$100.00 VALUATION OF TAXABLE PROPERTY WITHIN SAID CITY FOR SUCH TAX YEAR; LEVYING ALL TAXES FOR SAID CITY FOR SUCH TAX YEAR; ALLOCATING SUCH TAXES FOR CERTAIN MUNICIPAL PURPOSES THEREIN ENUMERATED; ORDERING THAT SUCH TAXES BE ASSESSED AND COLLECTED; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

WHEREAS, the City of Freeport, Texas, (hereinafter sometimes "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, Article 9 of the Home Rule Charter of the City authorizes the City to levy, assess and collect an annual tax upon real and personal property within the City to the maximum provided by the Constitution and general laws of the State of Texas; and

WHEREAS, Section 26.01, Texas Tax Code, provides that, by July 25th of each tax year, the Chief Appraiser of the Appraisal District in which an entity authorized to levy ad valorem taxes is located shall prepare and certify to the Assessor-Collector of such entity an appraisal roll for that tax year that lists the property taxable by such unit; and,

WHEREAS, Section 6.22(c) Texas Tax Code, authorizes the governing body of a taxing unit to require the county in which said unit is located to assess and collect the taxes such unit imposes in the manner in which the county assesses and collects its taxes; and,

WHEREAS, county taxes in Brazoria County, Texas, are assessed and collected by the Brazoria County Tax Assessor-Collector; and,

WHEREAS, Section 6.23(a)(3), Texas Tax Code, provides that the county assessor and collector of taxes shall, if so required by a taxing unit, assess and collect the taxes of said unit; and,

WHEREAS, heretofore the City Council, being the governing body thereof, adopted a resolution requesting and requiring the Assessor and Collector of Taxes for Brazoria County, Texas, to assess and collect the ad valorem taxes levied by the City; and,

WHEREAS, Section 26.04, Texas Tax Code, requires that by August 7th or as soon thereafter as practicable, the Tax Assessor-Collector shall submit to the City Council and publish notice of, among other things, the effective tax rate and the roll back tax rate for the then current tax year; and,

WHEREAS, Article 9 of the Home Rule Charter of the City requires the adoption of an annual budget not less than fifteen (15) days prior to the beginning of each fiscal year;

WHEREAS, the City has a city manager form of government and under Section 102.001(b), Local Government Code and Chapter 9 of said Charter, the city manager is the budget officer of the municipality;

WHEREAS, under Section 102.002 of said Code and Chapter 9 of said Charter, the City Manager is required to prepare a proposed annual budget for the municipality and, under Section 102.03(a) of said Code and Chapter 9 of said Charter, is required to file the same with the City Secretary before the 30th day before the date the governing body of the municipality makes its tax levy for the fiscal year; and,

WHEREAS, under Section 102.006(a) and (b), Local Government Code and Chapter 9 of said Charter, the governing body of the municipality is required to conduct a public hearing on such proposed annual budget; and

WHEREAS, under Section 102.006(c), Local Government Code and Chapter 9 of said Charter, public notice of the date, time and location of such hearing must be given, under Section 102.0065(c) and Section 102.011 of said Code the provisions of said Charter control as to the method of giving such notice and under Chapter 9 of said Charter said notice must be published at least 15 days before the date of such hearing in the official newspaper of the City; and,

WHEREAS, under Section 102.006(b), Local Government Code, a public hearing on the proposed annual budget must be held before the date the governing body makes its tax levy for the fiscal year covered by such budget; and,

WHEREAS, under Section 102.007(c) of said Code and Chapter 9 of said Charter, at the conclusion of such hearing, the governing body must take action on such proposed annual budget and under Section 102.009 (a) of said Code and Chapter 9 of said Charter, the governing body of the City may levy taxes only in accordance with such budget; and,

WHEREAS, Section 11.01 of the Home Rule Charter of the City provides for a fiscal or budget year that begins on the 1st day of October of each calendar year and ends on the last day of September of the next succeeding calendar year; and,

WHEREAS, Article 9 of the Home Rule Charter of the City requires the adoption of an annual budget not less than fifteen (15) days prior to the beginning of each fiscal year; and,

WHEREAS, under Section 102.001(b), Local Government Code, because the City has a city manager form of government, the city manager is the budget officer of the municipality and, under Section 102.002 of said Code and Section 11.02 of the Home Rule Charter of the City, the City Manager is required to prepare a proposed annual budget for the municipality and, under Section 102.03(a) of said Code and Section 11.02 of said Charter, is required to submit the same to the City Council at least sixty (60) days before the beginning of each budget year; and,

WHEREAS, under Section 102.006(a) and (b), Local Government Code and Section 11.05 of the Home Rule Charter of the City, the governing body of the municipality is required to conduct a public hearing on such proposed annual budget; and

WHEREAS, under Section 102.006(c) Local Government Code and Section 11.04 of the Home Rule Charter, public notice of the date, time and location of such hearing must be given, under Section 102.0065(c) and Section 102.011 of said Code the provisions of said Charter control as to the method of giving such notice and under Section 11.04 of said Charter said notice must be published not less than ten (10) days nor more than thirty (30) days before the date of such public hearing; and,

WHEREAS, under Section 102.006(b), Local Government Code, the public hearing on the proposed annual budget must be held before the date the governing body makes its tax levy for the fiscal year covered by such budget and, under Section 102.009 (a) of said Code and Section 11.09 of said Charter, the governing body of the City may levy taxes only in accordance with such budget; and,

WHEREAS, under the provisions of Section 26.05(b) of the Tax Code, the governing body of the City is required to conduct two public hearings and satisfy the notice and voting requirements of Section 26.06, Tax Code, where the proposed tax rate will exceed the lower of the rollback tax rate or the effective tax rate calculated as provided in said code.

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

SECTION ONE (1) - Findings of Fact

The City Council hereby makes the following findings:

(1) The Chief Appraiser of the Brazoria County Appraisal District furnished to the Assessor and Collector of Taxes for Brazoria County, Texas, a certified appraisal roll of the City for the 2015 tax year on the 17th day of July, 2015.

(2) The original of the proposed budget for the City's Fiscal Year 2014-2015 was filed by the City Manager of the City with the City Secretary on the 20th day of July, 2015.

(3) On the 27th day of August, 2015, the Assessor and Collector of Taxes calculated and on the 27th day of August, 2015, caused to be published in the Brazosport Facts a notice of the effective and roll back tax rates for such tax year, being \$0.645642 and \$0.671524, respectively, per \$100.00 valuation.

(4) That at a meeting of the City Council held on the 17th day of August, 2015, the following motion was made and seconded:

"I propose adopting a tax rate of \$0.671524 per \$100.00 valuation for the 2015 tax year, which is effectively a 4.01 percent increase in the tax rate.

After being seconded, a record vote on such motion was taken as follows:

Councilwoman Sandra Loeza	<u>Aye</u>
Councilwoman Sandra Kay Barbree	<u>Aye</u>
Councilman Fred Bolton	<u>Aye</u>
Councilman Larry McDonald	<u>Absent</u>
Mayor Norma Moreno Garcia	<u>Aye</u>

(5) On the 24th day of August, 2015, there was published in the Brazosport Facts a notice that a public hearing would be held on the proposed budget for the 2015-2016 fiscal year in the Municipal Courtroom of the Police and Courts Building of the City of Freeport, Texas, located therein at 430 Brazosport Boulevard. Such notice included the following:

THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$309,735 OR 13.52%, AND OF THAT AMOUNT, \$231,207 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

(6) A public hearing on such proposed budget was held at a meeting of the City Council held on the 14th day of September, 2015, beginning at 6:00 p.m., at such courtroom.

(7) At such a meeting of the City Council, but after such hearing, an ordinance adopting such budget was read, being Ordinance No. 2015-2071. A motion to adopt such ordinance was made and seconded and record vote was taken as follows:

Councilwoman Sandra Loeza	<u>Aye</u>
Councilwoman Sandra Kay Barbree	<u>Aye</u>
Councilman Fred Bolton	<u>Aye</u>
Councilman Larry McDonald	<u>Absent</u>
Mayor Norma Moreno Garcia	<u>Aye</u>

Such ordinance includes the following statement:

THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$309,735 OR 13.52%, AND OF THAT AMOUNT, \$231,207 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

(8) There is outstanding indebtedness for which an interest and sinking fund must be provided from ad valorem taxes and taxes must be levied as provided below to provide a general fund for current expenses and the general improvement of the City and its property, and to meet the revenue requirements of the budget for the City's 2015-2016 fiscal year.

(9) Inasmuch as the ad valorem tax for the 2015 tax year, which was so proposed, will exceed the lower of the rollback tax rate or the effective tax rate, at such meeting two public hearings to consider such proposed tax rate were set, one for the 3rd day of September, 2015, at 6:00 o'clock, p.m. and one for the 21st day of September, 2015, at 9:00 o'clock, a.m.

(10) That on the 27th day of August, 2015, notice was published in the Brazosport Facts, a newspaper of general circulation in the City and its official newspaper, advising the public that on the 3rd day September, 2015, and again on the 9th day of September, 2015, each beginning at 6:00 p.m., the City Council would conduct public hearings to discuss such proposed tax rate.

(11) That the public hearing to discuss such proposed tax rate on the 3rd day of September, 2015, was held but the public hearing to discuss such proposed tax rate scheduled for the 9th day of September, 2015, could not be held for lack of a quorum.

(12) That on the 11th day of September, 2015, notice was published in the Brazosport Facts, a newspaper of general circulation in the City and its official newspaper, advising the public that on the 21st day September, 2015, beginning at 9:00 a.m., the City Council would conduct a second public hearing to discuss such proposed tax rate.

(13) That on the 21st day of September, 2015, the City Council conducted the second of such public hearings. It began on such date at 9:00 a.m. and was conducted in the Municipal Courtroom of the Police and Courts Building of the City of Freeport, Texas, located therein at 430 Brazosport Boulevard. The only item on the agenda was a discussion of the proposal to adopt, for the 2015 tax year, an ad valorem tax rate that will exceed the lower of the rollback rate or the effective tax rate.

(14) At the end of each public hearing, the Mayor announced that on the 28th day of September, 2015, beginning at 6:00 o'clock, p.m., in the Municipal Courtroom of the Police and Courts Building of the City of Freeport, Texas, located therein at 430 Brazosport Boulevard the meeting of the City Council to vote on such tax rate would be held on the 28th day of September, 2015, beginning at 6:00 o'clock, p.m., in the Municipal Courtroom of the Police and Courts Building of the City of Freeport, Texas, located therein at 430 Brazosport Boulevard.

(15) That the meeting at which this ordinance is being adopted is the meeting announced at the end of each of the public hearings mentioned above, it began at 6:00 p.m. and it is being held on the 28th day of September, 2015, in the Municipal Courtroom of the Police and Courts Building of the City of Freeport, Texas, located therein at 430 Brazosport Boulevard. Prior to the adoption of such ordinance the following motion was made:

"I move that the property taxes rate be increased by the adoption of a tax rate of 0.675586, which is effectively a 4.01 percent increase in the tax rate.";

that this ordinance setting such rate was then presented and, after receiving a second, by a record vote such motion and this ordinance were duly adopted, the record vote being:

Councilwoman Sandra Loeza _____

Councilwoman Sandra Kay Barbree _____

Councilman Fred Bolton _____

Councilman Larry McDonald _____

Mayor Norma Moreno Garcia _____

(16) That all of the notices mentioned above were given in the manner and form and at the time required by the Tax Code.

(17) That the tax rate which, if applied to the total taxable value, will impose the total amount published under Section 26.04(e)(3)(c) of the Tax Code, there being no additional sales and use tax revenue that will be used to pay debt service, is \$0.675586 per \$100.00 valuation.

SECTION TWO (2) - Appraisal Roll Accepted and Adopted

The City Council of the City hereby accepts and adopts the Certified Appraisal Roll for the City furnished to the Assessor and Collector of the City by the Brazoria County Appraisal District and which is incorporated herein by reference.

SECTION THREE (3) - Tax Rate for Interest and Sinking Fund

The City Council of the City hereby orders, determines and establishes that the tax rate for each \$100.00 valuation of taxable property within the City for the interest and sinking fund shall be is \$0.148064 for the tax year 2015

SECTION FOUR (4) - Tax Rate for General Fund

The City Council of the City hereby orders, determines and establishes that the tax rate for each \$100.00 valuation of taxable property within the City to provide a general fund for maintenance and operation expenses of the City shall be \$0.523460 for the tax year 2015.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL BE EFFECTIVELY RAISED 4.01 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000.00 HOME BY APPROXIMATELY \$0. 523460 PER \$100.00 VALUATION.

SECTION FIVE (5) - INTERNET WEBSITE

The City Secretary shall cause the following to be included on the homepage of the City s website:

THE CITY OF FREEPORT HAS ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL BE EFFECTIVELY RAISED 4.01 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$0.523460 PER \$100.00 VALUATION.

SECTION SIX (6) - Tax Levy; Assessment and Collection

Ad valorem taxes for the tax year 2015 are hereby levied and shall be assessed and collected as herein above set forth, to-wit: a total tax of \$0.671524 on each \$100.00 valuation of taxable property situated in the City as the ad valorem tax for said year.

SECTION SEVEN (7) - Severance Clause

Any section or provision of this ordinance found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction is hereby declared to be severable from the remainder of this ordinance which shall remain in full force and effect.

SECTION EIGHT (8) - Effective Date

This ordinance shall be effective from and after its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2015.

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.Tax\2015 Tax Levy-Ord

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDINGS OF FACT; ACCEPTING THE OFFER OF THE JORDAN FAMILY TRUST AND AUTHORIZING THE MAYOR AND CITY SECRETARY TO EXECUTE AND ATTEST, RESPECTIVELY, AND THE MAYOR TO ACKNOWLEDGE AND DELIVER A DEED EXCHANGE WITH THE JORDAN FAMILY TRUST WHEREBY Block 35, Lots 9, 10, 11, 12 and 15, Block 71, Lot 2, Block 507, Lot 6, Block 661, Lots 1-24, Block 676, Lots 14 and 15, Block 720, Lots 5, 11 and 12, Block 752 Lots 13, 16, 19, 22, 24 and 24A, Block 755 Lot 11, Block 764, Lots 18 and 19, Block 789 Lot 3, Block 790, Lots 14, 15, 19, 21, Block 809 Lots 13 and 24, Block 810 lots 2-5, 7, 9, 10, 11 and 12 OF THE VELASCO TOWNSITE OF SAID CITY, NOW OWNED BY SAID TRUST, ARE EXCHANGED FOR Block 729, Lots 11, 15-17 and 19, Block 730, Lot 9, Block 731, Lots 1, 2, 7, 18, 21, 23 and 24 Block 742, Lots 17 and 19, Block 743, Lots 7 and 14, Block 760, Lots 4-6, 8-15, 17, 19 and 23, Block 773, Lots 3, 9, 12, 12a and 16, Block 716, Lot 24 OF THE VELASCO TOWNSITE OF SAID CITY NOW OWNED BY SAID CITY; CONTAINING A SEVERANCE CLAUSE; PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY AND A CERTIFIED COPY HEREOF RECORDED WITH SAID DEEDS OF EXCHANGE IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS.

WHEREAS, the City of Freeport, Texas, ("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, Section 272.001(a) of the Local Government Code provides that, before land owned by the City may be sold or exchanged for other land, notice must be published in a newspaper of general circulation in the county in which the land is located; and

WHEREAS, Section 272.001(a) of the Local Government Code requires that such notice be published on two separate dates and provides that the sale or exchange may not be made until after the 14th day after the date of the second publication; and,

WHEREAS, on the 24th day of June, 2015, and the 31st day of June, 2015, an invitation for an exchange of the hereinafter described land owned by the City and located outside the Urban Renewal Project for other land not owned by the City and the Agency and located within the Urban Renewal Project was published in the Brazosport Facts, a newspaper of general circulation in Brazoria County, Texas, the county where such land is located; and,

WHEREAS, at its meeting held on the 14th day of September, 2015, the City Council received the bid of the Jordan Family Trust to exchange the hereinafter described land owned by it for the hereinafter described land owned by the City, such bid being the only bid therefor; and,

WHEREAS, at such meeting, the City Council determined that the value of the lots owned by the City and the value of the lots being offered in exchange by the said Jordan Family Trust are equivalent and, therefore, such exchange is a fair exchange and will benefit the City and accepted such bid.

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

First, the City Council of the City of Freeport, Texas, finds that the facts recited in the preamble hereof are true.

Second, having accepted the bid of the said Jordan Family Trust offering lots located within the City for other lots owned by the City, the City Council hereby authorizes the Mayor and City Secretary thereof to execute and attest, respectively, and the Mayor to acknowledge a deed of exchange whereby Block 35, Lots 9, 10, 11, 12 and 15, Block 71, Lot 2, Block 507, Lot 6, Block 661, Lots 1-24, Block 676, Lots 14 and 15, Block 720, Lots 5, 11 and 12, Block 752 Lots 13, 16, 19, 22, 24 and 24A, Block 755 Lot 11, Block 764, Lots 18 and 19, Block 789, Lot 3, Block 790, Lots 14, 15, 19, 21, Block 809, Lots 13 and 24, Block 810, Lots 2-5, 7, 9, 10, 11 and 12, now owned by the City, are exchanged for Block 729, Lots 11, 15-17 and 19, Block 730, Lot 9, Block 731, Lots 1, 2, 7, 18, 21, 23 and 24, Block 742, Lots 17 and 19, Block 743, Lots 7 and 14 Block 760, Lots 4-6, 8-15, 17, 19 and 23, Block 773, Lots 3, 9, 12, 12a and 16, Block 716, Lot 24 of the Velasco Townsite, now owned by the said Jordan Family Trust.

Third, in the event any section or provision of this resolution 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.

Fourth, this resolution shall take effect and be in force from and after its passage and adoption.

Fifth, the original of this resolution, after execution and attestation, shall be maintained by the City Secretary in the permanent records of the City and a certified copy hereof recorded with said Deeds of Exchange in the Official Records of Brazoria County, Texas.

READ, PASSED AND ADOPTED this _____ day of _____, 2015.

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.Buy\JORDAN-EXCHANGE DEED-RSL#2

DEED OF EXCHANGE

This Indenture between the CITY OF FREEPORT, TEXAS, a municipal corporation located in Brazoria County, Texas, organized and existing under the Constitution and Laws of the State of Texas and its Home Rule Charter as a Home Rule City and a Home Rule Municipality, hereinafter "the City", hereinafter being collectively called "First Party", and the JORDAN FAMILY TRUST, a private trust with offices in Brazoria County, Texas, hereafter called "Second Party";

W I T N E S S E T H:

First Party has granted, and by these presents, does grant, convey and assign unto Second Party the following described real property lying and situated in Brazoria County, Texas, to-wit:

Block 35, Lots 9-12 and 15 , Block 71, Lot 2, Block 507, Lot 6, Block 661, Lots 1-24, Block 676, Lots 14 and 15, Block 720, Lots 5, 11 and 12, Block 752, Lots 13, 16, 19, 22, 24 and 24A, Block 755, Lot 11, Block 764, Lots 18 and 19, Block 789, Lot 3, Block 790, Lots 14, 15, 19 and 21, Block 809, Lots 13 and 24, Block 810, Lots 2-5, 7 and 9-12 of the VELASCO TOWNSITE in the City of Freeport, in Brazoria County, Texas, according to the map or plat of said townsite recorded in Volume 32, page 14 of the Plat Records of said county.

TO HAVE AND TO HOLD unto Second Party and the successors and assigns of Second Party, forever, in exchange for the conveyance to First Party of the real property described below, and First Party does hereby bind First Party and the successors and assigns of First Party to Warrant and Forever Defend, all land singular, the said premises unto Second Party and the successors and assigns of Second Party, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through and under First Party but not otherwise.

Second Party has granted, conveyed and assigned and by these presents, does grant, convey and assign unto First Party the following described real property lying and situated in Brazoria County, Texas, to-wit:

Block 729, Lots 11, 15, 16, 17 and 19, Block 730, Lot 9, Block 739, Lots 1, 2, 7, 18, 21, 23 and 24, Block 742, Lots 17 and 19. Block 743, Lots 7 and 14, Block 760, Lots 4-6, 8-10, 12-15, 17, 19 and 23, Block 773, Lots 3, 9, 12, 12a and 16 Block 716, Lot 24 of the Velasco Townsite in the City of Freeport, Brazoria County, Texas, according to the map or plat of said townsite recorded in Volume 32, page 14 of the Plat Records of said county.

TO HAVE AND TO HOLD unto First Parties and the successors and assigns of First Parties, forever, in exchange for the conveyance to Second Party of the real property first described above, and Second Party does hereby bind Second Party and the successors and assigns of Second Party to Warrant and Forever Defend, all and singular, the said premises unto First Parties and the successors and assigns of First Parties, against every person whosoever lawfully claiming or to claim the same or any part thereof, by, through and under Second Party but not otherwise.

This exchange is made and accepted by the parties subject to any and all valid and subsisting easements, rights-of-way, conditions, exceptions, reservations, restrictions, covenants and other encumbrances properly of record affecting the title to the above described property; all visible and apparent easements, including but not being limited to any existing utility lines

Each party acknowledges that heretofore Notice that SEALED BIDS OR PROPOSALS addressed to the City Manager labeled "Real Property Bid" by any person, firm or corporation desiring to trade for the real property first described above would be received at the office of the City Manager located at 200 W. 2nd St., Freeport, Brazoria County, Texas 77541, during normal business hours until 2:00 o'clock, p.m., on the 14th day of September, 2015, on which day, beginning at 2:00 o'clock, p.m., all such bids or proposals will be opened and publicly read aloud was published once per week for two consecutive weeks, in the Brazosport Facts, a newspaper having general circulating within the City and its environs and that the first publication was more than 15 days before the date last mentioned above on which bids were opened and read aloud; and that the bid of the Second Party was the only bid received.

This Deed of Exchange is being executed by the parties hereto on the date of the taking of the acknowledgments of each such party as set forth below but the effective date of this Deed of Exchange for all purposes shall be deemed to be the date of the last acknowledgment to be affixed and it shall be effective as of that date.

"FIRST PARTY"

The City of Freeport, Texas

By _____
Norma Moreno Garcia, Mayor

ATTEST:

City Secretary
City of Freeport, Texas

"SECOND PARTY"

THE JORDAN FAMILY TRUST

By _____
Jesse Lee Jordan, Trustee

COUNTY OF BRAZORIA X

Notary Public, State of Texas

COUNTY OF BRAZORIA X

Notary Public, State of Texas

First Party:

Second Party:

P.O. Box 1650
Lake Jackson, TX 77566

Property Manager
City of Freeport
200 West Second Street
Freeport, TX 77541

3

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING QUALIFIED PERSONS TO BOARD OF ADJUSTMENTS OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the terms of office of a member of the Board of Adjustments of the City of Freeport, Texas ("the City") has expired; and,

WHEREAS, the City Council of the City desires to appoint the below named qualified persons as members of said Boar of Adjustments.

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

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified persons to the Board of Adjustments of the City for a full term and until a successor for such persons shall have been appointed and qualified, to-wit: RODDY MOHLER.

SECTION TWO (2): DUTIES

The above named appointees shall perform all of the duties imposed on members of the Board of Adjustments of the City by law and the ordinances and resolutions of the City.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, each of such appointees shall take the Constitution Oath of Office as required by law.

READ, PASSED AND ADOPTED this ____ day of _____, 2015.

Larry McDonald, Sr., Mayor
City of Freeport, Texas

ATTEST: _____
Delia Munoz, City Secretary
City of Freeport, Texas



Please return to the
City Secretary:

200 West 2nd St
Freeport, TX 77541
Phone: 979.233.3526
Fax: 979.233.8867
dmunoz@freeport.tx.us

Boards and Commissions Application

Name: Roddy Mohler

Address: 201 North Ave. B

Home Phone: (979) 233-1436 Alternate Phone (979) 373-8600

Email (optional): roddy.mohler@yahoo.com

Do you live inside the City Limits? Yes ☒ No ☐ If yes, for how long? _____

Do you live in the Extra Territorial Jurisdiction? Yes ☐ No ☐

Are you registered to vote in Brazoria County? Yes ☐ No ☐

Please indicate by rank which Board or Commission you wish to serve on by placing your 1st through 3rd choice in the appropriate box.

	Planning Commission
	Main Street Board
✓	Board of Adjustments
	Urban Renewal Board
	Senior Citizens Committee

	Library Board
	Beautification/Parks & Recreation
	Historical Commission
	Economic Development
	Charter Review

The City Council will make appointments to the Boards and Commissions. This application will be given to them for review. Please explain why you wish to serve, and what you consider to be your qualifications.

Signature AM Date: 9-24-15

Step 1: Fill Out this Application.

Step 2: Attach a cover letter or resume if you would like.

Step 3: Mail the application and any other related information to the City Secretary, or fax: (979) 233-8867.

If you have any questions about the process or about a particular board or commission, please call Delia Munoz at (979) 233-3526.