

NOTICE OF PUBLIC HEARING
THE FREEPORT CITY COUNCIL
MONDAY, NOVEMBER 30, 2015, 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.
5. Consideration of approving November 16, 2015 Council Minutes. Pg. 912-914
6. Consideration of approving Ordinance No. 2015- 2100 amending Division (B) of Section 97.04 of the Code of Ordinances of said City to add thereto a new item, to be known as item (7), providing that the name of the street shown on the plat of the Freeport Townsite as Cherry Street shall hereafter be known as Martin Luther King Boulevard. Pg. 915-16
7. Consideration of accepting a sealed proposal for solid waste collection services and authorizing the City Manager or his designee to negotiate a contract with the successful proposer.
8. Consideration of setting a public hearing date to consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners thereof granting a tax abatement: Pg. 917

Lot 18, Block 1, Riverside Terrace, a subdivision in the City of Freeport, Brazoria County, Texas according to the map or plat of said subdivision on file in the on file in the plat records of said county, known locally as 1935 N. Ave. G., Freeport, Texas.
9. Consideration of approving and authorizing the City Manager to expend funds for designing and engineering for a new Recreation/Sports complex.
10. Consideration of approving and authorizing the City Manager to expend funds for a city drainage study with LJA Engineering Inc.
11. Consideration of the approval of any action to be taken as a result of closed Executive Session.

Work Session:

- A. Regarding City of Freeport new Recreation Center/Sports complex.

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:

- Port East End Commercial Truck Traffic

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, November 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 City Council of the City of Freeport met on Monday, November 16, 2015 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 Johnathan Sublet
Councilman Fred Bolton
Councilwoman Sandra Loeza
Councilwoman Sandra Barbree

Staff:

Gilbert Arispe, Assistant City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Dan Pennington, Police Chief
Brian Davis, Fire Chief

Visitors:

Jerry Meeks	Kenny Kouches
Raul Ramirez	Annette Sanford
Russell Kujawa	Autumn Robles
Analissa Gay	Sadie Smith
Merry Wallace	Edmeryl Williams
Sally Deckard	Brandon McMillan
Jacob Edmundson	Moises Garcia
Nathan Olachia	Diane Nunez
Melanie Oldham	Manning Rollerson
Sharon Barnes	

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.

Mayor Norma Moreno led the Pledge of Allegiance.

Attending citizens and their business.

There were none.

Consideration of approving November 2nd, 12th, 2015 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the November 2nd and 12th Council Minutes.

Consideration of approving Resolution No. 2015- 2486, nominating, constituting and ppointing a qualified person to the vacant Ward A position on the City Council of the city.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2486 nominating, constituting Johnathan Sublet a qualified person to the vacant Ward A position on the City Council of the city.

Administer Oath of Office to Johnathan Sublet to fill the vacant position on unexpired term of Ward A.

Mayor Norma Moreno Garcia administered the Oath of Office to Johnathan Sublet to fill the vacant position on unexpired term of Ward A.

Consideration of approving a 380 agreement for Victor Juarez, 263 Cr. 840 Angleton, Texas, for housing development on 1620 North Avenue O, Freeport, Texas.

On a motion by Councilwoman Loeza, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved a 380 agreement for Victor Juarez, 263 Cr. 840 Angleton, Texas, for housing development on 1620 North Avenue O, Freeport, Texas.

Consideration of approving Ordinance No. 2015-2099 enacting and adopting a Supplement S-19 to the Code of Ordinances of the City of Freeport.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Ordinance No. 2015-2099 enacting and adopting a Supplement S-19 to the Code of Ordinances of the City of Freeport.

Consideration of approving Resolution No. 2015-2487 granting a corrected tax abatement to Jasen and Julia Gast and authorizing the Mayor and City Secretary to execute and attest a Corrected Tax Abatement agreement.

On a motion by Councilwoman Loeza, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2487 granting a corrected tax abatement to Jasen and Julia Gast and authorizing the Mayor and City Secretary to excute and attest a Corrected Tax Abatement agreement.

Work Session:

Forum on agricultural issues by Russell Kujawa Brazosport High School teacher.

Mr. Kujawa and FFA students presented an agricultural issue forum, their team researched “Is the food on our table safe to eat”. They are at the area competition and will hopefully advance to State competition.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Mayor Norma M. Garcia adjourned the meeting at 6:16 p.m.

Mayor Norma M. Garcia
City of Freeport, Texas

City Secretary, Delia Munoz
City of Freeport, Texas

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING DIVISION (B) OF SECTION 97.04 OF THE CODE OF ORDINANCES OF SAID CITY TO ADD THERETO A NEW ITEM, TO BE KNOWN AS ITEM (7), PROVIDING THAT THE NAME OF THE STREET SHOWN ON THE PLAT OF THE FREEPORT TOWNSITE AS CHERRY STREET SHALL HEREAFTER BE KNOWN AS MARTIN LUTHER KING BOULEVARD; 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, 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, Sections 51.072, 54.004 of the Local Government Code, Section 311.001, Subsection (a) of the Transportation Code and Sections 2.01, 2.02 and Items (p) and (u) of Section 3.07 of the Home Rule Charter of the City authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City has determined to here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and inhabitants of and sojourners in the City using the City's Bryan Beach.

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

First, Division (B) of Section 97.04 of the Code of Ordinances of the City is hereby amended to add thereto a new Item (7) which shall read as follows:

"(7) The name of Cherry Street, as shown on the Plat of the Freeport Townsite on file in Volume 2, page 95 of the Plat Records of Brazoria County, Texas, is hereby changed to Martin Luther King Boulevard."

Second, 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.

Third, this ordinance is cumulative of and in addition to all other ordinances of the City on the same subject and all such ordinances are hereby expressly saved from repeal. Provided however, where this ordinance and another ordinance conflict or overlap, this ordinance shall prevail.

Fourth, 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.

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

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

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NOTICE OF PUBLIC HEARING

The City Council of the City of Freeport, Texas, will hold a public hearing on Monday, the ____ day of _____, 2015, beginning at 6:00, p.m., in the Police Department Municipal Courtroom located therein at 430 North Brazosport Boulevard, Freeport, Brazoria County, Texas, to consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners thereof granting a tax abatement:

Lot 18, Block 1, RIVERSIDE TERRACE, a subdivision in the City of Freeport, Brazoria County, Texas, according to the map or plat of said subdivision on file in the on file in the Plat Records of said county, known locally as 1935 N. Ave. G, Freeport, TX 77541.

At the same hearing, the City Council will consider whether or not to enter into an agreement granting a tax abatement to the owner or owners of the above described property.

All interested persons will be given an opportunity to speak and present evidence for or against such designation and for and against such abatement.

By order of the City Council this ____ day of _____, 2015.

Delia Munoz, City Secretary
City of Freeport, Texas

NOTE: This notice should be published in the Brazosport Facts ONE (1) time only at least seven (7) full days prior to the date of the public hearing. A copy of this notice, together with a copy of the proposed tax abatement agreement, should also be sent to the presiding officer of all other taxing units having jurisdiction over the above described property at least seven (7) full days prior to the date of the public hearing.