

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport met on Monday, April 3, 2017 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
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Bob Welch, Finance Director
Oscar Arevalo, Building Department
Chris Motely, Fire Chief
Jennifer Hawkins, Economic Development Corp.

Visitors:

Manning Rollerson	Lamar Jordan
Juanita Hudgins	Johnny Kouches
Maria Kouches	Bobby Casale
Margaret Dixon	Bill Morris
Annette Sanford	Sam Reyna
Roy Yates	Melanie Oldham
Douglas Domingues	Keith Stumbaugh
Margaret McMahan	Troy Brimage
Keith Morgan	Jerry Meeks
Jim Barnett	Sandra Barnett
Bass Brooks	Ty Morrow
Larry Fansher	Eric Hayes
Ruth Renobato	

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.

Attending citizens and their business.

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.

Bobby Casale of Bridge Harbor addressed Council about the telephones not being answered at City Hall and phone messages are not being returned.

Margaret McMahan of 1331 W. 8th Street spoke on behalf of the Concerned Citizens of Freeport. She quoted the City's Charter and had concerns of the City Managers contract not being approved by council.

Manning Rollerson asked the city to turn in paper work that the Attorney General had approved for release. He asked for an investigation on Capt. Raymond Garivey, feels that he tampered with his statement.

Consideration of approving March 6, 2017 Council Minutes.

On a motion by Councilman McDonald, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved the March 6, 2017 Council Minutes.

Proclamation designating the Month of April as Fair Housing Month.

Mayor Norma M. Garcia read out the proclamation designating the month of April as Fair Housing Month.

Public Hearing 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:

Lots 1, 2, 3, and 4, Block 164, Dow First Addition to the City of Freeport, Brazoria County, Texas according to the map or plat on file in the Plat Records of said county, known locally as the 1600 Block of West Second Street, Freeport Texas.

Mayor Norma M. Garcia opened the Public Hearing at 6:15 p.m. 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 on Lots 1, 2, 3, and 4, Block 164, Dow First Addition to the City of Freeport, Brazoria County, Texas according to the map or plat on file in the Plat Records of said county, known locally as the 1600 Block of West Second Street, Freeport Texas.

There being no comments from staff or audience, Mayor Norma M. Garcia closed the Public Hearing meeting at 6:15 p.m.

Consideration of approving Ordinance No. 2017-2130 designating the improvements to land located within the incorporated limits of said City as a reinvestment zone to be known as the Wesley R. Hudgins Estate reinvestment zone and providing for its initial term and the renewal thereof.

On a motion by Councilman Bolton, seconded by Councilman McDonald, with all present voting “Aye,” Council unanimously approved Ordinance No. 2017-2130 designating the improvements to land located within the incorporated limits of said City as a reinvestment zone to be known as the Wesley R. Hudgins Estate reinvestment zone and providing for its initial term and the renewal thereof.

Consideration of approving Resolution No. 2017-2513 granting a tax abatement to Wesley R. Hudgins Estate pursuant to the terms and conditions of and authorizing the Mayor and City Secretary to execute and attest respectively a tax abatement agreement with the said Wesley R. Hudgins Estate.

On a motion by Councilman McDonald, seconded by Councilman Bolton, with all present voting “Aye,” Council unanimously approved Resolution No. 2017-2513 granting a tax abatement to Wesley R. Hudgins Estate pursuant to the terms and conditions of and authorizing the Mayor and City Secretary to execute and attest respectively a tax abatement agreement with the said Wesley R. Hudgins Estate.

Consideration of approving Resolution No. 2017-2514 denying the application to increase rates filed by Centerpoint Energy Resources Corp., D/B/A Centerpoint Energy Entex and Centerpoint Energy Texas Gas on or about November 16, 2016.

On a motion by Councilman McDonald, seconded by Councilwomen Barbree, with all present voting “Aye,” Council unanimously approved Resolution No. 2017-2514 denying the application to increase rates filed by Centerpoint Energy Resources Corp., D/B/A Centerpoint Energy Entex and Centerpoint Energy Texas Gas on or about November 16, 2016.

Discuss and review setting a bid date for the removal from the City’s parking lot located East of East Park Avenue, between the 100 Block of East Second Street and the 100 Block of East Broad Street, an area of approximately 16,000 to 17,000 square feet, all existing concrete, grade to drain, add eight (8’) of stabilized base and stripping grass from the remainder of the parking lot, an area of approximately 45,000 square feet, stabilize existing base to a depth of eight inches and grading to drain, installation of at least two inches of TX-DOT type D hot mix asphalt, and striping parking areas with marking paint as per City specifications, all according to the below mentioned plans and specifications.

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting 3 to 2, Council approved setting a bid date for May 8, 2017 for the for the removal from the City's parking lot located East of East Park Avenue, between the 100 Block of East Second Street and the 100 Block of East Broad Street, an area of approximately 16,000 to 17,000 square feet, all existing concrete, grade to drain, add eight (8'') of stabilized base and stripping grass from the remainder of the parking lot, an area of approximately 45, 000 square feet, stabilize existing base to a depth of eight inches and grading to drain, installation of at least two inches of TX-DOT type D hot mix asphalt, and striping parking areas with marking paint as per City specifications, all according to the below mentioned plans and specifications. Councilman McDonald and Councilwoman Mireles opposed.

Discuss and review rejecting previous bids and re-setting a bid date for stabilization on Second Street, beginning at the apron on Brazosport Boulevard (SH 288) to the East side of Brazos Boulevard, right-of-way under the Navigation Boulevard (FM 1495) bridge, an area of approximately 450,000 to 500, 000 square feet, using SA-44/LS-44 ecological stabilizer, with all joints in underlying concrete pavement to be stabilized with Geo-grid underlayment to bridge movement between the concrete, slabs and flexible road stabilizer, and also including installation of 450,000 square feet of TX-DOT type D, hot mix asphalt, all according to the below mentioned plans and specifications.

On a motion by Councilwoman Barbree, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved to reject previous bids and reset the bid date to May 8, 2017 for stabilization on Second Street, beginning at the apron on Brazosport Boulevard (SH 288) to the East side of Brazos Boulevard, right-of-way under the Navigation Boulevard (FM 1495) bridge, an area of approximately 450,000 to 500, 000 square feet, using SA-44/LS-44 ecological stabilizer, with all joints in underlying concrete pavement to be stabilized with Geo-grid underlayment to bridge movement between the concrete, slabs and flexible road stabilizer, and also including installation of 450,000 square feet of TX-DOT type D, hot mix asphalt, all according to the below mentioned plans and specifications.

Discuss and review setting a bid date for the stabilization of the existing base, in the damaged areas, to depth of six (6'') inches and installation of no less than two (2'') inches of hot-mix asphalt Type D, in the roadway on Freeport South Levy from FM 1495 to the back entrance to Bryan Mound Strategic Oil Reserve, an area of approximately 35,000 to 40,000 square feet, according to the below mentioned plans and specifications.

On a motion by Councilwoman Barbree, motion died due to lack of a second.

Discuss and review setting a bid date to rebid a Request for Proposal (RFP) for Disaster and/or Storm Recovery Services.

On a motion by Councilman Bolton, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved setting a bid date for May 22, 2017 to rebid a Request for Proposal (RFP) for Disaster and/or Storm Recovery Services.

Discuss and review setting a bid date to rebid a Request for Proposal (RFP) for Monitoring Debris Contract.

On a motion by Councilman Bolton, seconded by Councilman McDonald, with all present voting “Aye”, Council unanimously approved setting a bid date for May 22, 2017 to rebid a Request for Proposal (RFP) for Monitoring Debris Contract.

Consideration of approving and authorizing the Mayor to sign and the City Secretary to attest renewing contracts with Mike Darlow of Perdu Brandon Fielder Collins & Mott LLP for collections of delinquent taxes and mowing, demolition and paving liens.

On a motion by Councilwoman Mireles, seconded by Councilman McDonald, with all present voting “Aye”, Council unanimously approved and authorized the Mayor to sign and the City Secretary to attest renewing contracts with Mike Darlow of Perdu Brandon Fielder Collins & Mott LLP for collections of delinquent taxes and mowing, demolition and paving liens.

Consideration of releasing the sale of the City’s interest on Block 37, Lot 24, Velasco Townsite, known as 601 South Ave. H, Tax Id No. 8110-0418-000.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting “Nay”, Council unanimously rejected the sale of the City’s interest on Block 37, Lot 24, Velasco Townsite, known as 601 South Ave. H, Tax Id No. 8110-0418-000.

Consideration of releasing the sale of the City’s interest on Block 809, Lot 15, 18-19, Velasco Townsite, known as 1805 and 1811-1813 North Ave. P, Tax Id. 8110-4177-000.

Johnny and Maria Kouches ask for an opportunity to bid on this property.

Lamar Jordan stated that his parents had already acquired some lots on this block and is bidding on these lots for development.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting “Nay”, Council unanimously rejected the sale of the City’s interest on Block 809, Lot 15, 18-19, Velasco Townsite, known as 1805 and 1811-1813 North Ave. P., Tax Id. 8110-4177-000.

Consider and review Wharton Street closure, between North Ave. R. & S, between Blocks 787 and 812, adjacent to Lot 13 known as 1801 N. S.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting “Nay”, Council unanimously rejected the Wharton Street closure , between North Ave. R. & S, between Block 787 and 812, adjacent to Lot 13 known as 1801 N. S. Mayor Norma M. Garcia abstained from voting.

Consideration of approving Ordinance No. 2017-2131 amending Ordinance No. 2017-2129 of said City, which called the Annual General Election for the City of Freeport for the Second Saturday in May 2017 being May 6, 2017, at which the voters of said City residing in Wards B

and D shall be permitted to vote for or against the candidates for positions B and D on the City Council of the City of Freeport and at which the voters of said City shall elect at large a Mayor for said City to change voting places for both early voting and voting on the day of the election.

On a motion by Councilwoman Barbree, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved Ordinance No. 2017-2131 amending Ordinance No. 2017-2129 of said City, which called the Annual General Election for the City of Freeport for the Second Saturday in May 2017 being May 6, 2017, at which the voters of said City residing in Wards B and D shall be permitted to vote for or against the candidates for positions B and D on the City Council of the City of Freeport and at which the voters of said City shall elect at large a Mayor for said City to change voting places for both early voting and voting on the day of the election with the correction of amending the caption to the First Saturday in May.

Consideration of approving Ordinance No. 2017-2132 amending the definition of Recreational Vehicle contained in Section 120.01 of the Code of Ordinance of said City to remove the provision requiring a special permit from the Texas Department of Highways and Public Transportation and to add thereto a provision that any recreational vehicle more than ten (10) years old which is used or operated within the City be inspected by the Building Official and certified to be safe for human occupation.

On a motion by Councilwoman Mireles to reject, seconded by Councilman McDonald, with all present voting 2 to 3 motion failed to reject Ordinance No. 2017-2132 amending the definition of Recreational Vehicle contained in Section 120.01 of the Code of Ordinance of said City to remove the provision requiring a special permit from the Texas Department of Highways and Public Transportation and to add thereto a provision that any recreational vehicle more than ten (10) years old which is used or operated within the City be inspected by the Building Official and certified to be safe for human occupation. Mayor Norma Garcia, Councilman Bolton and Councilwoman Barbree opposed.

Consideration of approving Ordinance No. 2017-2133 vacating, abandoning and closing a portion of West Brazos Boulevard, therein described, a dedicated street in the Freeport Townsite, within said City, in Brazoria County Texas; authorizing, at the expense of the applicant therein named, the relocating to a location to be designated by the City Manager of said City, all existing above ground utility lines, cables and poles, together with all necessary easements for maintaining and utilizing such relocated existing utility lines, cables and poles; reserving all existing below ground utility mains, together with all necessary easements for constructing, maintaining and utilizing such existing below ground utility mains, within such portion of said street thereby vacated, abandoned and closed which are presently in use or that may be required in the future in the sole discretion of the City Manager; authorizing the Mayor to execute any and all documents which may be necessary to accomplish the relocations and reservations included in such ordinance; finding that the vacating, abandoning and closing of such portions of such public street, with the above mentioned reservations, is in the public interest and that it will benefit the public.

On a motion by Councilman McDonald, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved Ordinance No. 2017-2133 vacating, abandoning and closing a portion of West Brazos Boulevard, therein described, a dedicated street in the Freeport Townsite, within said City, in Brazoria County Texas; authorizing, at the expense of the applicant therein named, the relocating to a location to be designated by the City Manager of said City, all existing above ground utility lines, cables and poles, together with all necessary easements for maintaining and utilizing such relocated existing utility lines, cables and poles; reserving all existing below ground utility mains, together with all necessary easements for constructing, maintaining and utilizing such existing below ground utility mains, within such portion of said street thereby vacated, abandoned and closed which are presently in use or that may be required in the future in the sole discretion of the City Manager; authorizing the Mayor to execute any and all documents which may be necessary to accomplish the relocations and reservations included in such ordinance; finding that the vacating, abandoning and closing of such portions of such public street, with the above mentioned reservations, is in the public interest and that it will benefit the public.

Consideration of approving a replat of Jay Haynie Subdivision a 5.983 Acre Tract, known as Lot 2 Recorded in County Clerk's File No. 16-040363 and a 0.998 Acre Tract known as Lot 1 the residual of a called 7.00 Acre Tract Recorded in County Clerk's File No. 16-006568 both of the Brazoria County Official Records in the W. & T. Alley Survey Abstract 2, City of Freeport (ETJ) Brazoria County, Texas March 2017.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved a replat of Jay Haynie Subdivision a 5.983 Acre Tract, known as Lot 2 Recorded in County Clerk's File No. 16-040363 and a 0.998 Acre Tract known as Lot 1 the residual of a called 7.00 Acre Tract Recorded in County Clerk's File No. 16-006568 both of the Brazoria County Official Records in the W. & T. Alley Survey Abstract 2, City of Freeport (ETJ) Brazoria County, Texas March 2017.

Consideration of approving a replat of Willowbreeze Farm, a Subdivision of 22.943 Acres out of a 73.33 Acre Tract being the same tract conveyed to Llama Llama, LLC, a Texas Limited Liability Company as Recorded in Clerks' File No. 20016-033631 of the official Records of Brazoria County, Texas William McDermott Survey Abstract 341 Brazoria County, Texas February 2017.

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved a Willowbreeze Farm, a Subdivision of 22.943 Acres out of a 73.33 Acre Tract being the same tract conveyed to Llama Llama, LLC, a Texas Limited Liability Company as Recorded in Clerks' File No. 20016-033631 of the official Records of Brazoria County, Texas William McDermott Survey Abstract 341 Brazoria County, Texas February 2017.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilman McDonald, with all present voting "Aye", Mayor Norma M. Garcia adjourned the meeting at 6:52 p.m.

Mayor Norma Moreno Garcia
City of Freeport, Texas

Delia Munoz, City Secretary
City of Freeport, Texas