

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, May 13, 2019 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 Troy Brimage
- Councilman Brooks Bass
- Councilman Ken Green
- Councilwoman Sandra Loeza
- Councilman Roy E. Yates

Staff:

- Tim Kelty, City Manager
- Laura Tolar, Asst. City Secretary/Special Projects Coordinator
- Wallace Shaw, City Attorney
- Nat Hickey, Property Manager
- Chris Motley, Fire Chief
- Brian Dybala, Golf Course Director
- David Hoelewyn, Street Department Director
- Ray Garivey, Police Chief
- Stephanie Russell, Finance Director
- Kim Townsend, Parks & Recreation Director
- Billy Shoemaker, Building Department Director
- Jerry Meeks, Veolia
- Pascual Robles, Freeport Parks Department

Visitors:

Kenny Hayes	Gloria Robles
Tommy Pearson	Sabrina Brimage
Desiree Pearson	John Mercer
Jennifer Hawkins	Mario Muraira
Sandra Shaw	Edith Fischer
Eric Hayes	Edmeryl Williams
Angie Williams	Lila Diehl

Call to order.

Mayor Troy Brimage called the meeting to order at 6:00 p.m.

Citizen's Comments

Eric Hayes stated that the alley on Broad Street has a lot of loose rock and needs to be addressed

Mayor Troy Brimage stated that the paving of the alley had been paid for by the citizens of that area.

PRESENTATIONS/ANNOUNCEMENTS: Announcements by Mayor, City Council and/or Staff

Proclamation of the Council of the City of Freeport, Texas proclaiming International Museum Day.

Mayor Brimage read the proclamation proclaiming May 18, 2019 as International Museum Day.

Employee of the Month.

Pascual Robles was awarded Employee of the Month

Presentation by the Brazosport Area Chamber of Commerce regarding tourism promotion

Edith Fisher from the Brazosport Area Chamber of Commerce presented a PowerPoint illustrating the efforts of the Chamber regarding promotion of the area.

CONSENT AGENDA

Consideration and possible action on the approval of City Council meeting minutes from April 15, 2019.

Consideration of approving Resolution No. 2019-2577 adopting a policy permitting the consideration of applications for primary depository bank services received from financial institutions that are not doing business within the municipal boundaries of the City.

On a motion by Councilman Bass, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the consent agenda.

REGULAR SESSION

Consideration of approving Ordinance No. 2019-2571 canvassing the returns and declaring the results of the May 4, 2019 election, signing the required affidavit and administering the Oaths of Office by the successful candidates.

On a motion by Councilwoman Loeza, seconded by Councilman Green, with all present voting "Aye", Council unanimously approved Ordinance No. 2019-2571 canvassing the returns and declaring the results of the May 4, 2019 election, signing the required affidavit and administering the Oaths of Office by the successful candidates.

Consideration of selecting a Mayor Pro-Tem

On a motion by Councilwoman Loeza, seconded by Councilman Yates, with all present voting "Aye", Council unanimously approved selecting Councilman Brooks Bass as Mayor Pro-Tem.

Consideration of approving Ordinance No. 2019-2572 updating Chapter 111: Food Establishments

Billy Shoemaker stated that laws have changed and the City is required to make our ordinance compliant. Currently mobile food trucks are not allowed but this ordinance will allow food trucks compliant in certain areas.

Mayor Brimage stated that food trucks give residents options on food and they have to be to code.

Council discussed with the Finance Director Stephanie Russell ways to ensure sales tax are being paid.

Councilman Brooks Bass questioned whether food trucks must have hot water. Billy Shoemaker stated that they must have hot water and three department sinks.

Mayor Brimage addressed concerns regarding mobile food trucks near residential zones. He suggested that a 200' buffer from residential areas.

On a motion by Councilman Bass, seconded by Councilman Green, with all present voting "Aye", Council unanimously approved Ordinance No. 2019-2572 updating Chapter 111: Food Establishments including a 200' buffer around residential zones.

Consideration of approving Resolution No. 2019-2578 approving rental fees for city venues to include RiverPlace, Velasco House and the Dow Heritage House

City Manager Tim Kelty stated that rates at these facilities were being raised \$100 for RiverPlace and the Dow Heritage House. A discount of \$100 will be deducted for Freeport residents with proof of residency. The rate increased for Velasco House \$50 and \$50 will be deducted for Freeport residents with proof of residency. Also, a discount for non-profits, Brazosport Independent School District and employees will be offered. Parks & Recreation Director Kim Townsend stated that weekends at these facilities are booked one year out.

On a motion by Councilwoman Loeza, seconded by Councilman Green, with all present voting "Aye", Council unanimously approved Resolution No. 2019-2578 approving rental fees for city venues to include RiverPlace, Velasco House and the Dow Heritage House.

Request for Qualifications for Engineering services for CDBG – Disaster Recovery to be awarded to John D. Mercer & Associates

Fire Chief Chris Motley stated that as part of Hurricane Harvey the state has about \$193,000 in funding they are looking to disperse for qualified projects. For the city to qualify to receive any funding, we had to seek sealed bids and have an engineer in place for disaster recovery projects.

City Manager Tim Kelty stated that these grants funds do not require any city match.

On a motion by Councilman Green, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved awarding John D. Mercer & Associates as the engineer for CDBG Disaster Recovery projects.

Discuss and consider approval and adoption of the Citizens Participation Plan as set forth by the Texas General Land Office (GLO) for the Community Development Block Grant Recovery (CDBG-DR) Program

Mr. Kelty stated that approval of this policy is required for the CDBG Disaster Recovery grants.

Fire Chief Chris Motley stated that the policy is regarding how we handle comments from the public.

On a motion by Councilwoman Loeza, seconded by Councilman Yates, with all present voting "Aye", Council unanimously approved adopting Citizens Participation Plan as set forth by the Texas General Land Office (GLO) for the Community Development Block Grant Recovery (CDBG-DR) Program.

Discuss and consider adoption and enforcement of the Excessive Force policy in accordance with 24 CFR 91.325(b)(6): Non-Violent Civil Rights Demonstration

Fire Chief Chris Motley stated that the policy designates best practices required by the grant.

On a motion by Councilwoman Loeza, seconded by Councilman Yates, with all present voting “Aye”, Council unanimously approved adopting and enforcement of the Excessive Force policy in accordance with 24 CFR 91.325(b)(6): Non-Violent Civil Rights Demonstration.

Consideration of approving Resolution No. 2019-2579 designating the City Manager as the authorized official for grants from the Office of the Governor and approving the submission of the grant application for mobile video recorder equipment and software upgrade

Police Chief Ray Garivey stated that to be eligible for grant funding approving this resolution is a required formality. He added that it looks good for the City receiving the funds.

On a motion by Councilwoman Loeza, seconded by Councilman Green, with all present voting “Aye”, Council unanimously approved Resolution No. 2019-2579 designating the City Manager as the authorized official for grants from the Office of the Governor and approving the submission of the grant application for mobile video recorder equipment and software upgrade.

Consideration and Possible Action Regarding Authorizing the Finance Director to execute a Master Intergovernmental Cooperative Purchasing Agreement with OMNIA Partners, Public Sector and its affiliates and subsidiaries

Finance Director Stephanie Russell stated that the approval of this adds another cooperative purchasing institution for purchases over \$50,000. This helps the City remain compliant.

On a motion by Councilwoman Loeza, seconded by Councilman Yates, with all present voting “Aye”, Council unanimously approved authorizing the Finance Director to execute a Master Intergovernmental Cooperative Purchasing Agreement with OMNIA Partners, Public Sector and its affiliates and subsidiaries.

Consideration and Possible Action Regarding Authorizing staff to prepare an ordinance for water and sewer rate increases and to secure a proposal for a Utility Rate Study

Stephanie Russell stated to Council that operations and maintenance cost have increased about \$135,000 annually in addition to other contractual payments, leaving no money for critical infrastructure repairs. Ms. Russell proposed to raise rates 10% until a rate study can be completed. The last time rates were increase was in 2014. This increase will get us closer to level with increased expenditures until a rate study can be complete.

On a motion by Councilwoman Loeza, seconded by Councilman Green, with all present voting “Aye”, Council unanimously approved authorizing staff to prepare an ordinance for water and sewer rate increases and to secure a proposal for a Utility Rate Study..

WORK SESSION:

Councilman Ken Green stated that birding had started and the wetlands needs to be promoted.

Councilman Brooks Bass thanked everyone for the opportunity to serve Ward B.

Councilwoman Sandra Loeza stated that the water tower looked great.

Councilman Yates had nothing to report.

City Manager Tim Kelty stated that the EDC had hired Courtland Holman. He added that the City is working with Mr. Wong on a 380 Agreement. Bryan Mound has requested to purchase our clean waster water. Surfside is interested in purchasing water from the City. Texas Parks & Wildlife wants to take back Bryan Beach Park and could take legal action to get it back. Interviews will be held with four engineering firms on May 24, 2019.

Update on reports / concerns from Department heads

Golf Course Director Brian Dybala said that the river was in control and the pumps were working to keep the water off the course. He added that they had their second highest month with a revenues over \$83,000.

Finance Director Stephanie Russell stated that sales tax were up 34%.

Building Department Director Billy Shoemaker said that FEMA had been meeting with the City regarding flood policies and auditing building permits.

Fire Chief Chris Motley stated that the city is hurricane ready and that he will be attending a hurricane conference at the end of May.

Adjourn

On a motion by Councilman Yates, seconded by Councilwoman Loeza, with all present voting "Aye", Mayor Brimage adjourned the meeting at 7:39 PM.

Mayor, Troy Brimage
City of Freeport, Texas

Assistant City Secretary, Laura Tolar
City of Freeport, Texas