

State of Texas

Brazoria County

City of Freeport

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Monday, January 5, 2009 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:

City Council: Larry L. McDonald
 Clan Cameron
 Jim Saccomanno
 Ron Wise
 Norma M. Garcia

Staff: Acting City Manager, Jeff Pynes
 City Attorney, Wallace Shaw
 Delia Munoz, City Secretary
 Nat Hickey, Property Manager
 Larry Fansher, Parks Director
 Brian Dybala, Golf Course Director

Visitors: Brenda Laird Lila Diehl
 Eric Hayes Loren Hayes
 Dorothy Pirrung Jim Pirrung
 Jerry Meeks Rosa McDonald
 Joyce Adkins Annette Sanford
 Larry Shaefer Judy Shaefer
 Roy Yates Patrick Gore
 Yvette Ruiz Alonzo Martinez
 John Hightower Lila Lloyd
 Dan Tarver Eddie Leach
 Manuel Bustos

Call to Order.

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

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of the approval of the December 15, 2008 Council Minutes.

On a motion by Councilman Cameron, seconded Councilman Saccomanno, with all present voting "aye", Council unanimously approved December 15, 2008 Council Minutes.

Attending Citizens and Their Business.

There were no citizens comments.

Consideration of the approval of accepting the bids and awarding the contract for golf carts for the Freeport Municipal Golf Course.

On a motion by Councilman Saccomanno, seconded by Councilman Cameron, with all present voting "aye", Council tabled this item for executive session.

Reconvened: On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved accepting the bids and awarding the contract to Yamaha Golf Car. Co. for golf carts for the Freeport Municipal Golf Course.

Consideration of the approval of accepting the bids and awarding the contract for mowing services for the City of Freeport.

On a motion by Councilman Wise, seconded by Councilman Saccomanno, with all present voting "aye", Council tabled this item for verification of the contract for mowing services for the City of Freeport.

Consideration of the approval of appointing a qualified person to the Freeport Historical Board & Main Street Advisory Board of said City.

On a motion by Councilwoman Garcia, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved Lila Lloyd to the Freeport Historical Board & Main Street Advisory board of said City. Councilman Cameron opposed.

Consideration of the approval of closing and abandoning a portion of Gulf Boulevard right-of-way adjacent to and parallel to Block 708, Lots 5 through 12, Velasco Townsite.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved closing and abandoning a portion of Gulf Boulevard right-of-way adjacent to and parallel to Block 708, Lots 5 through 12, Velasco Townsite.

Consideration of the approval of selling 1/2 of Sweeny Street Right-of-Way, Block 748, adjacent to Lot 13, between Ave. "S" and the dedicated alley, to be known as Lot 13A, Velasco Townsite.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved selling 1/2 of Sweeny Street Right-of-Way, Block 748 adjacent to Lot 13, between Ave. "S" and the dedicated alley to be known as Lot 132A, Velasco Townsite.

Consideration of the approval of selling Block 6, Lot 24, Southview Gardens Subdivision, known as 810 W. 11th Street.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved selling Block 6, Lot 24, Southview Gardens Subdivision, known as 810 W. 11th Street .

Consideration of the approval of conveying to the City of Freeport the 13.00 acres of land out of the Old Freeport Golf Course tract conveyed to the Cradle of Texas Conservancy by Ralph David, et al., by deed dated December 19, 1991, Vol. 982, page 843, Official Records of Brazoria County.

On a motion by Councilman Saccomanno, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved conveying to the City of Freeport the 13.00 acres of land out of the Old Freeport Golf Course tract conveyed to the Cradle of Texas Conservancy by Ralph David, et al., by deed dated December 19, 1991, Vol. 982, page 843, Official Records of Brazoria County.

Consideration of the approval of selling the City's interest on Block 720, Lot 4, Velasco Townsite, known as 1218 North Ave. Q., Acct. # 8110-3125-000.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved selling the City's interest on Block 720, Lot 4, Velasco Townsite, known as 1218 North Ave. Q., Acct. # 8110-3125-000.

Consideration of the approval of selling the City's interest on Block 2, Lot 14, BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor S/D, Acct. No. 2190-0180-000.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved selling the City's interest on Block 2, Lot 14, BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor S/D, Acct. No. 2190-0180-000. Councilman Wise opposed.

Consideration of the approval of selling the City's interest on Block 2, Lot 26, Section 2, BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor Subdivision.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved selling the City's interest on Block 2, Lot 26, Section 2, BCIC 8, F. J. Calvit Abstract 51, Bridge Harbor Subdivision. Councilman Wise opposed.

Consideration of the approval of selling the City's interest on Block 3, Lot 3, Section 2, BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor Subdivision.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved selling the City's interest on Block 3, Lot 3, Section 2, BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor Subdivision. Councilman Wise opposed.

Consideration of the approval of selling the City's interest on Block 3, Lot 4, Section 2 BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor Subdivision.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved selling the City's interest on Block 3, Lot 4, Section 2 BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor Subdivision. Councilman Wise opposed.

Consideration of the approval of selling the City's interest on Block 3, Lot 7, Section 2 BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor Subdivision.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved selling the City's interest on Block 3, Lot 7, Section 2 BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor Subdivision. Councilman Wise opposed.

Consideration of the approval of selling the City's interest on Block 3, Lot 9, Section 2 BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor Subdivision.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved selling the City's interest on Block 3, Lot 9, Section 2 BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor Subdivision. Councilman Wise opposed.

Consideration of the approval of selling the City's interest on Block 3, Lot 10, Section 2, BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor Subdivision.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved selling the City's interest on Block 3, Lot 10, Section 2, BCIC 8, F.J. Calvit Abstract 51, Bridge Harbor Subdivision. Councilman Wise opposed.

Consideration of the approval any action to be taken as result of closed executive session.

Reconvened after Executive Session:

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting, Council unanimously approve the proposed settlement of claims asserted by Gary Beverly with City to pay Gary Beverly \$80,000 of which \$16,545 is to be treated as payment for his services, as an employee and the remainder as payment to settle his contract and other claims; and with Gary Beverly to execute a release of claims, in a form approved by the City Attorney.

Elected Official Report

Councilman Cameron reported that the EDC is very close on getting an agreement with the Gore's to resolving two Eminent Domain issues on the marina.

Mayor McDonald attended the City's Christmas Party at River Place. He commended Larry Fansher and his crew for the Christmas Party decorations at River Place. He also attended the Blue Santa Program at the Freeport Police Department. A great event sponsored by the Freeport Police Department, police officers handed out gifts to the children and posed with Santa for a picture.

Administration Report

Parks Supervisor Larry Fansher reports on the Freeport Youth Basketball program.

Mr. Fansher talked about the 6 week program, in the third year existence, under the direction of the Parks & Recreation Department. This Saturday January 10th 2009, approximately 200 children will apply for the program, targeting youth's ages from 5 to 12 years of age. The Velasco Elementary, Brazosport High School and Freeport Recreation Center will be practice locations. The Awards Banquet will be February 22, 2009 at River Place.

Golf Course Director Brian Dybala reports on the Freeport Golf Course.

Mr. Dybala gladly reported a 25% increase in memberships. The Golf Course has added new tee signs and benches, started renovations to the pro shop at no cost to the City. His plan is to focus on reaching the kids of the community, by having more junior clinics events at the local schools and more junior clinics at the golf course. With kids (12) and under to play free when playing with a parent or adult.

Mayor McDonald closed the formal session and opened the Executive Session at 7:05 p.m.

Executive Session

Section 551.071, Government Code:

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matter 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:

- A. Gary Beverly
- B. Pinkey Hartline
- C. Minette Ashley

Mayor McDonald closed the Executive Session at 7:53 p.m. and reconvened the formal session to take action on # 6 and # 21.

Adjourn

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting “aye”, the meeting was adjourned at 8:01 p.m.

Delia Munoz
City Secretary

Larry McDonald
Mayor