

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport, met on Monday, June 15th, 2009 at 6:00 p.m., at the Freeport Police Department, Municipal Court Room, 430 North Brazosport, Freeport Texas, for the purpose of considering the following agenda:

City Council: Larry L. McDonald
 Clan A. Cameron
 James W. Phillips – Absent
 Ron Wise
 Norma M. Garcia

Staff: Jeff Pynes-City Manager
 Wallace Shaw, City Attorney
 Delia Munoz, City Secretary
 Nat Hickey, Property Manager
 John Stanford, Fire Chief
 Gus Flores, Interim Chief of Police
 Allan Lawson, Police Lieutenant
 Brian Dybala, Golf Course Director

Visitors: Larry Schaefer Judy Schaefer
 Jim Pirrung Dorothy Pirrung
 Rosa McDonald Susie Wise
 Joyce Adkins Brenda Laird
 Edna Allan William Morris
 Alan Rodenstein Pixie Floyd
 Manning Rollerson Melanie Oldham
 Ron Martin Dan Tarver
 Brian Begle

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 June 2nd, 2009 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting “aye”, Council unanimously approved the June 2nd, 2009 Council Minutes as amended.

Attending Citizens and Their Business.

Manning Rollerson does not feel safe in the City because Capt. Gus Flores was appointed Interim Chief of Police. Other than this, City is doing a good job.

Recognition of Brazosport High School student, Maria Arreola for participating in the Junior Olympics Boxing Championship in Denver, Colorado.

Mayor McDonald recognized Maria Arreola, a 15 year old Brazosport High School student. She participated in the Junior Olympics and brought back a gold medal in Denver, Colorado. City Council congratulated and applauded her.

Consideration of the approval of Ordinance No. 2009-2221 amending section 71.50 of the Code of Ordinance to erect a 3-way stop sign at the intersection of Yellowstone and Ave. O. and a 4-way stop sign at Skinner and Ave O.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting 3 to 1, Council approved Ordinance No. 2009-2221 amending section 71.50 of the Code of Ordinance to erect a 3-way stop sign at the intersection of Yellowstone and Ave. O. and a 4-way stop sign at Skinner and Ave O. Councilwoman Garcia opposed.

Consideration of the approval of Resolution No. 2009-2192 authorizing the Mayor to enter into negotiations for an Interlocal Agreement with the Gulf Coast Center/Connect Transit to operate local bus service in the City of Freeport and authorizing City funding for the twelve months of operations not to exceed \$20,000.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved Resolution No. 2009-2192 authorizes the Mayor to enter into negotiations for an Interlocal Agreement with the Gulf Coast Center/Connect Transit to operate local bus service in the City of Freeport and authorizing City funding for twelve months of operations not to exceed \$20,000.

Consideration of the approval of a request from the Freeport Host Lions Club to waive the vendor permit fees, sell alcohol, have a public dance, erect temporary fencing, have fireworks display in conjunction with 62nd, Annual Fishing Fiesta on July 1st thru July 5th, 2009 at the Freeport Municipal Park.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved a request from the Freeport Host Lions Club to waive the vendor permit fees, sell alcohol, have a public dance, erect temporary fencing, have fireworks display in conjunction with 62nd, Annual Fishing Fiesta on July 1st thru July 5th, 2009 at the Freeport Municipal Park.

Consideration of the approval of accepting the bids and awarding the "Water Craft Lease Bid" on Tract 4, 066 acres, S.F. Austin Survey, Abstract 33, Tax ID 0033-0001-000, fronting on the right descending bank of the Old Brazos River near but upstream from the Velasco Boulevard Bridge in the City of Freeport, in Brazoria County, Texas.

On a motion by Councilman Wise, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved to table this item.

Consideration of the approval of a request from Brazoria County Community Development Department to waive all permitting fees for residential reconstruction for Mary Deas who reside at 3230 Hwy. 36.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved a request from the Brazoria County Community Development Department to waive all permitting fees for residential reconstruction for Mary Deas who resides at 3230 Hwy. 36

Consideration of the approval of advertising and setting a bid date for the sale for the following described land: A portion of Gulf Boulevard Right-of-Way being 50 feet by 202.73 feet adjoining Block 708, Velasco Townsite, according to the map or plat recorded in Volume 32, page 14, of the Deed Records of Brazoria County, Texas, and lying between Skinner Street and Stratton Street.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved to advertise and set a bid date for July 20th, 2009 at 2:00 p.m., for the sale of the following described land: A portion of Gulf Boulevard Right-of-Way being 50 feet by 202.73 feet adjoining Block 708, Velasco Townsite, according to the map or plat recorded in Volume 32, page 14, of the Deed Records of Brazoria County, Texas, and lying between Skinner Street and Stratton Street.

Consideration of the approval of authorizing the Mayor to sign an Interlocal Agreement with the City of Freeport and Brazoria County Health Department to allow them to provide immunization or treatment to the First Responders within the City and identified adjacent areas prior to the general public.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved Chief John Stanford's recommendation to authorize the Mayor to sign an Interlocal Agreement with the City of Freeport and Brazoria County Health Department to allow them to provide immunization

or treatment to the First Responders within the City and identified adjacent areas prior to the general public.

Consideration of the approval of selling the City's interest on Block 797 (Undivided interest ½), Lots 3-4, Velasco Townsite , known as 1718-1720 North Ave. R., Tax Id. # 8110-4043-000.

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved to sell the City's interest on Block 797 (Undivided interest ½), Lots 3-4, Velasco Townsite , known as 1718-1720 North Ave. R. Tax Id. # 8110-4043-000.

Consideration of the approval of selling the City's interest on Block 779, Lot 18, Velasco Townsite, known as 1611 North Ave. R., Tax. Id. 8110-3887-000.

On a motion by Councilman Wise, seconded by Mayor McDonald, with all present voting "aye", Council unanimously approved to sell the City's interest on Block 779, Lot 18, Velasco Townsite, known as 1611 North Ave. R., Tax. Id. 8110-3887-000.

Consideration of the approval of selling the City's interest on Block 758, Lot 20 (Undivided ½), Velasco Townsite, known as 1515 North Ave. N., Tax. Id 8110-3887-000.

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved to sell the City's interest on Block 758, Lot 20 (Undivided ½), Velasco Townsite, known as 1515 North Ave. N., Tax. Id 8110-3887-000.

Consideration of the approval of selling the City's interest on Block 25, Lot 9, Freeport Townsite, known as 230 E. 8th Street, Tax. Id. 4200-0322-000.

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting 3 to 1, Council declined to sell the City's interest on Block 25, Lot 9, Freeport Townsite, known as 230 E. 8th Street, Tax. Id. 4200-0322-000. Councilwoman Garcia opposed.

Consideration of the approval of authorizing the City Manager to spend funds from the Hotel Occupancy Tax fund to update the City's website.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved authorizing the City Manager to spend \$6,125 from the Hotel Occupancy Tax fund to update the City's website.

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

Mayor McDonald opened the open session at 7:48 p.m. to take action on:

B. Section 551.074, Government Code

Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee, to wit:

City Manager - Contract & Duties

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting, Council unanimously authorized Mayor McDonald to execute and sign an employment agreement/contract with City Manager-Jeff Pynes.

Elected Officials Report

No reports

Mayor McDonald opened the work session at 6:31 p.m.

Work Session

Discussion concerning budget workshops dates for Fiscal Year 2009-2010.

City Manager, Jeff Pynes, suggested to Council to schedule July 7th & July 21st, 2009, at 6:00 p.m., for Budget Workshops dates at the Freeport Municipal Court Room.

Recognition of the Freeport Golf Course winning the “Brazos Cup” tournament.

Brian Dybala, Freeport Municipal Golf Course Director proudly displayed to Council the “Brazos Cup”. Brazosport Golf Association has held on to the cup for three years in a row after beating the “Wilderness” in Lake Jackson. City Manager and Council commended Brian Dybala for an outstanding job with the Freeport Golf Course.

Mayor McDonald closed the Work Session and opened the Executive Session at 6:38 p.m.

Executive Session

A. 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 of Texas clearly conflicts with Chapter 551, Government Code, to wit;

Richard Miller, Etal vs City of Freeport – United States District Court

(No action)

B. Section 551.074, Government Code

Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee, to wit:

City Manager - Contract & Duties

Action taken during open session on agenda item # 19.

Adjourn

On a motion by Councilman Cameron, seconded by Councilman Wise, the meeting was adjourned at 7:49 p.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor