

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council and the Planning Commission met on Monday, July 19th, 2010 at 6:00 p.m., at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

City Council: Larry L. McDonald
Michelle Kent
James W. Phillips – absent
Nicole Mireles
Norma M. Garcia

Staff: Jeff Pynes, City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Bob Welch, Finance Director
Tyrone Morrow, Chief of Police
Gary Pohl, Marshal
Kola Olayiwola, Building Inspector

Planning Commission: Edward T. Garcia
Reuben Cuellar
Diane Williams
Tobey Davenport
Mike Jones

Visitors:	Eric Hayes	Lila Diehl
	Ron Moore	Yolanda Moore
	Jim Pirrung	Dorothy Pirrung
	Glenda Fansher	Jason Tracy
	Tom Masters	Robert Pruitt
	Sandra Shaw	Wayne Shaw
	Edith Fisher	Joyce Adkins
	Manning Rollerson	Rosa McDonald
	Blanca Bustos	Manuel Bustos
	Sandra Leavey	Jerry Meeks
	Sam Reyna	Lila Lloyd
	Mark Cameron	Sandra Barbree
	Sandra Barnett	Tom Pearl
	Pixie Floyd	Dili Patel

Call to Order.

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

Invocation.

Wallace Shaw, City Attorney offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of approving the July 7th, 2010 Council Minutes.

On a motion by Councilwoman Garcia, seconded by Councilwoman Mireles, with all present voting “aye”, Council unanimously approved July 7th, 2010 Council Minutes.

Attending citizens and their business.

Robert Pruett, born and raised in Brazoria County, a retired Police Chief from Galena Park introduced himself to Mayor and Council as a candidate for District 14 U.S. Congress. He asked Council to remember him in the November elections.

Missionaries Ron and Yolanda Moore of 1617 E. Hwy. 332, complained about the loud noise coming from Pier 30 Bait & Tackle Ice House.

Presentation of the annual financial audit for fiscal year 2008-2009 by Tom Masters of Kennemer-Master, LLC.

Tom Masters Accounts Administrator with Kennemer, Masters & Lunsford, LLC presented summary and recommendations and answered Council's questions of the City's Annual Financial Report for the year ending September 30, 2009.

Consideration of adopting a new Water Conservation Plan for the City of Freeport.

Jerry Meeks of Veolia Water recommends adopting a new Water Conservation Plan for the City of Freeport. The Water Conservation Plan follows Texas Commission on Environmental Quality (TCEQ) guidelines and requirements, a requirement of the state.

Consideration of approving Ordinance No. 2010- 2252 adopting a Water Conservation Plan for the City of Freeport to promote responsible use of water, and to provide for penalties and/or the disconnection of water service for noncompliance with the provisions of the Water Conservation Plan and amending section 52.03 of the Code of Ordinances of the City to so provide.

On a motion by Councilwoman Garcia, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved Ordinance No. 2010-2252, adopting a Water Conservation Plan for the City of Freeport to promote responsible use of water, and to provide for penalties and/or the disconnection of water service for noncompliance with the provisions of the Water Conservation Plan and amending section 52.03 of the Code of Ordinances of the City to so provide.

Consideration of approving Ordinance No. 2010-2253 pertaining to illegal water connections and/or the Theft of water related to the water supply for the City of Freeport, providing penalties thereof and amending section 52.04 of the Code of Ordinances of the City of Freeport of the City to so provide.

On a motion by Councilwoman Garcia, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved Ordinance No. 2010-2253, pertaining to illegal water connections and/or the Theft of water related to the water supply for the City of Freeport, providing penalties thereof and amending section 52.04 of the Code of Ordinances of the City of Freeport of the City to so provide.

Consideration of approving the advertising and setting a bid date for mowing services for the City of Freeport.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved August 16th, 2010, as a bid date for mowing services for the City of Freeport.

Consideration of approving and authorizing the Freeport Main Street to use Hotel/Motel funds to advertise and hire bands for the Summertime Blues Festival.

On a motion by Councilwoman Garcia, seconded by Councilwoman Mireles, with all present voting 3 to 1, Council approved to table this item for further study. Councilwoman Kent opposed.

Joint Public Hearing:

The City Council and the Planning Commission of said City will conduct a Joint Public hearing to consider a proposed amendment to the Comprehensive Zoning Ordinance and Map of said city, codified as Chapter 155 of the Code of Ordinances of said City, changing the zoning classification of the following described property from its present classification of R-3 Multi –Family Residential to a new classification of C-2 General Commercial:

Lots 65, 65A, 65A1, 65A1A 65B, 65C & 518B, Brazos Coast Investment Company Subdivision, Division 14, F. J. Fields Survey, Abstract 62 and A. Calvit League, Abstract 49, Brazoria County, Texas known locally as 1935, 1949. & 2003 Victoria Street.

Their being a quorum with the Planning Commission and City Council, Mayor McDonald opened the Joint Public Hearing at 6:51 p.m.

Diane Williams, Chairperson of the Planning Commission spoke in behalf of the Commission. The present classification of the described property is R-3. All the businesses in the described property are non conforming. The Commission recommends changing the zoning classification from R-3 to C-2, thus bringing all businesses to compliance. There are no homes or apartments on the described property. Certified registered mail was mailed. The City did not receive any opposition to the change. She also requested not to charge the person requesting the rezoning. Rezoning the property to C-2 is for the betterment of the City. Council was in agreement with the new proposal classification of C-2 General Commercial.

There being no further comments or questions, Mayor McDonald closed the Joint Public Hearing at 7:02 p.m.

Consideration of approving Resolution No. 2010-2238 repealing Resolution No. 2010-2237 and nominating, constituting and appointing another qualified person to the Beautification, Parks and Recreation Committee of the City; providing for the duties of office; and providing for the taking of the Oath of Office required by law.

On a motion by Councilwoman Garcia, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved Resolution No. 2010-2238 nominating Michelle Backman to the Beautification, Parks and Recreation Committee of the City of Freeport, providing for the duties of office; and providing for the taking of the Oath of Office required by law.

Consideration of selling the City’s interest on Block 52, Lot 10 thru 12, Velasco Townsite, known as 420 S. Ave. G., Tx. Id. 8110-0509-000.

This item was reagendaed.

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

On a motion by Councilwoman Garcia, seconded by Councilwoman Mireles, with all present voting 2 to 2, Council’s motion failed to sell the City’s interest on Block 25, Lot 9, Freeport Townsite, known as 230 E. 8th, Tx. Id 4200-0322-000. Mayor McDonald and Councilwoman Kent opposed.

Consideration of selling the City’s interest on Block 7, Lot 15, Freeport Townsite, known as 514 E. 8th Street, Tx. Id 4200-0129-000.

On a motion by Councilwoman Garcia, to sell the City’s interest on Block 7, Lot 15, Freeport Townsite, known as 514 E. 8th Street, Tx. Id. 4200-0129-000. Motion died due to lack of second.

On a motion by Councilwoman Kent, seconded by Mayor McDonald, with all present voting “aye”, Council unanimously declined selling the City’s interest on Block 7, Lot 15, Freeport Townsite, known as 514 E. 8th Street, Tx. Id 4200-0129-000.

Consideration of selling the City's interest on Block 1, Lot 28, Section 2, Bridge Harbor Subdivision, Tx Id 2190-0164-000.

On a motion by Councilwoman Mireles, seconded by Councilwoman Garcia, with all present voting 3 to 1, Council approved selling the City's interest on Block 1, Lot 28, Section 2, Bridge Harbor Subdivision, Tx. Id. 2190-0164-000. Mayor McDonald opposed.

On a motion by Councilwoman Garcia, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously rescinded the motion to sell the City's interest on Block 1, Lot 28, Section 2, Bridge Harbor Subdivision, Tx. Id 2190-0164-000.

Consideration of selling the City's interest on Block 2, Lot 15, Section 2, Bridge Harbor Subdivision, Tx Id 2190-0181-000.

On a motion by Councilwoman Garcia, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously declined selling the City's interest on Block 2, Lot 15, Section 2, Bridge Harbor Subdivision, Tx. Id 2190-0181-000.

Planning Commission adjourned at 7:15 p.m.

Mayor McDonald opened the work session at 7:15 p.m.

Work Session:

Discussion concerning budget workshop dates for fiscal year 2010-2011.

Mr. Pynes City Manager suggested setting July 28th and August 4th, 2010, 6:00 p.m. at the Freeport Municipal Council Chambers for budget workshop dates.

Presentation by Edith Fisher, Director of Tourism of the Brazosport Convention & Visitors Council promoting and request for continued funding.

Edith Fisher, Director of Tourism of the Brazosport Convention & Visitors Council presented Council with a powerpoint presentation on the immediate past and proposed promotional activities of the Brazosport Convention & Visitors Council, asked for continued funding for marketing efforts.

Mayor McDonald closed the formal session and opened the Executive Session at 7:33 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:

- Industrial Districts Contracts
- Liability issues pertaining to the use of tasers.

No action taken

Adjourn

On a motion by Councilwoman Kent, seconded by Councilwoman Garcia, with all present voting "aye", Council adjourned at 8:08 p.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor

