

State of Texas

County of Brazoria

City of Freeport, Texas

BE IT REMEMBERED, that the City Council of the City of Freeport met on Monday, August 16th, 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
Fred Bolton
Nicole Mireles
Norma M. Garcia

Staff: Jeff Pynes, City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Tyrone Morrow, Chief of Police

Visitors: Edna Allan Pixie Floyd
Manuel Bustos Blanca Bustos
James Barnett Sandra Barnett
Jerry Meeks John Stanford
Eric Hayes Lila Diehl
Rosa McDonald Lila Lloyd
Jennifer Bolton David Guzman
Paul Estrada

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 offered the invocation.

Consideration of approving the August 2nd, 4th, 5th, 2010 Council Minutes.

On a motion by Councilwoman Mireles, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved the August 2nd, 4th, 5th, 2010 Council Meeting.

Attending citizens and their business.

Willie Rains of 1202 W. Broad, addressed council and thought Mr. James Phillips deserves a tribute, and that everyone in this town owed a debt of gratitude for his lifetime of service and dedication to this city.

Administer Oath of Office to duly appointed Fred Bolton for Ward B.

Mayor McDonald administered the Oath of Office to Fred Bolton for Ward B. The newly appointed official took his seat.

Public Hearing: City Council of the City will conduct a public hearing to consider whether or not to approve a proposed amendment to the Urban Renewal Plan of the City

which would create a greenbelt out of a portion of the lots included in the urban renewal area separating the remainder of the lots included in the urban renewal area from the property adjoining the lots to be included in the greenbelt.

Mayor McDonald opened the Public Hearing at 6:08 p.m.

James Barnett of 1630 W. 4th Street opposed the amendment to the Urban Renewal Plan. This greenbelt would cut through the Urban Renewal area. The Master Plan was developed about 10 years ago to assist developers who come to town looking for residential development. The plan would have provided about 100 home sites and house approximately 1,500 people. This would enhance school taxes, city taxes, and an opportunity to grow. The Urban Renewal is Freeport's future, if the City doesn't grow, it dies. This amendment to the Urban Renewal creating a greenbelt and separating the lots would essentially kill the potential of the Urban Renewal Plan. It would destroy the ability to develop the Urban Renewal area.

Councilman Bolton asked for the identity of the requester. Mr. Pynes said that Dow Chemical requested a buffer zone of 1,320 feet, (a quarter mile) for their pipeline corridor. Mr. Pynes stated that if the Plan was approved the Urban Renewal would still have 320 acres left in the Urban Renewal tract.

Lila Lloyd of 1620 North Ave. T., opposed the amendment to the Urban Renewal Plan. She said Dow had bought a lot of the homes that were contaminated at the Golf Course. The east end of town had already lost a lot of land to Port Freeport. She said to get smart and not sell to Dow.

Councilman Bolton said that at this time he would vote not to sell, but would like to see progress in the Urban Renewal area. He asked for a time line.

Councilwoman Kent also opposed the amendment to the Urban Renewal Plan. She stated that the City had worked hard for years to acquire these properties.

There being no further comments or questions, Mayor McDonald closed the public hearing at 6:24 p.m.

Consideration of Resolution No. 2010-2243 approving an amendment to the Urban Renewal Plan of said City.

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

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 of owners there of granting a tax abatement: Lot 17, Brazos Landing Court, Section 1, Brazoria County, Texas, and all improvements thereon, known locally as 116 Brazos Landing Court, Freeport, Texas.

Mayor McDonald opened the Public Hearing at 6:26 p.m. He read the above caption and asked for comments or questions. There being none, Mayor closed the public hearing at 6:27 p.m.

Consideration of the Ordinance No. 2010-2255 designating improvements to land located within the incorporated limits of said City as a reinvestment zone to be known as the Agustin and Marisol Serrano reinvestment zone and providing for its initial term and the renewal thereof.

On a motion by Councilwoman Garcia, seconded by Councilwoman Mireles, with all voting "aye", Council unanimously approved Ordinance No. 2010-2255 designating improvements to land located within the incorporated limits of said City as a reinvestment zone to be known as the Agustin and Marisol Serrano reinvestment zone and providing for its initial term and the renewal thereof.

Consideration of Resolution No. 2010-2241 granting a tax abatement to Agustin Serrano and wife, Marisol Serrano, pursuant to the terms and conditions of and authorizing the Mayor and the City Secretary to execute and attest.

On a motion by Councilwoman Mireles, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved Resolution No. 2010-2241 granting a tax abatement to Agustin Serrano and wife, Marisol Serrano, pursuant to the terms and conditions of and authorizing the Mayor and the City Secretary to execute and attest.

Consideration of Resolution No. 2010-2242 authorizing a Temporary Construction Easement in favor of the United States of America; a temporary construction easement and right of way, in, on, over, and across the land described and shown on Exhibits "A" and "B" attached hereto, for a period not to exceed one (1) year, beginning from the effective date of such instrument for use as a work area.

This item was reagendaed for further study due to safety and traffic concerns.

Consider of Ordinance No. 2010-2256 vacating, abandoning and closing a portion of the dedicated but unopened public street within said City known as Stratton Street, lying between Blocks 708 and 736 of the Velasco Townsite, in Brazoria County, Texas and between North Gulf Boulevard and North Avenue F.

On a motion by Councilwoman Garcia, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved Ordinance No. 2010-2256 vacating, abandoning and closing a portion of the dedicated but unopened public street within said City known as Stratton Street, lying between Blocks 708 and 736 of the Velasco Townsite, in Brazoria County, Texas and between North Gulf Boulevard and North Avenue F.

Consideration of approving the bids and awarding the mowing service contract for the City of Freeport.

On a motion by Councilwoman Kent, seconded by Mayor McDonald with all present voting "aye", Council unanimously approved to table this item due to an error in the posting for the bid requirements.

Consideration of a request from Main Street to hold the Summertime Blues Festival in downtown Freeport on September 3rd and 4th, 2010, and close downtown streets from Friday, September 3rd until Sunday, September 5th, including Broad Street between Oak and FM 1495, 2nd Street between Cherry Street and 1495, along East and West Park.

On a motion by Councilwoman Garcia, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved a request from Main Street to hold the Summertime Blues Festival in downtown Freeport on September 3rd and 4th, 2010, and close downtown streets from Friday, September 3rd until Sunday, September 5th, including Broad Street between Oak and FM 1495, 2nd Street between Cherry Street and 1495, along East and West Park.

Consideration of a request from Main Street to hold a parade on September 3rd, 2010, and closing 2nd Street from Brazosport Boulevard to Cherry Street from 5:00 p.m. to 7:00 p.m.

On a motion by Councilwoman Kent, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved a request from Main Street to hold a parade on September 3rd, 2010, and closing 2nd Street from Brazosport Boulevard to Cherry Street from 5:00 p.m. to 7:00 p.m.

Consideration of a request from Main Street to hold a triathlon on September 5th, 2010 and closing 2nd Street, Cherry Street, 8th Street, FM 1495, Ave. A., and the Velasco Bridge from 6:00 a.m. to 9:30 a.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:

- Pending Litigation, Civil Action No. 3:00-cv-00098
Richard Steven Miller, Vincent Garcia, John R. Newton, Abby Webster and Kristy Lynn Mercado.

Adjourn

Mayor McDonald closed the Executive Session and reconvened the formal session to adjourn at 7:02 p.m.

On a motion by Councilwoman Garcia, seconded by Councilwoman Mireles, with all present voting “aye”, the meeting adjourned at 7:02 p.m.

Larry L. McDonald
Mayor

Delia Munoz
City Secretary