

STATE OF TEXAS  
COUNTY OF BRAZORIA  
CITY OF FREEPORT

BE IT REMEMBERED, that the City of Freeport met in a regular meeting on Monday, August 20, 2007, at 6:00 p.m. at the Freeport Police Department, Municipal Court Chambers, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

City Council:

Larry L. McDonald  
Clan A. Cameron  
Jim Saccomanno  
John Smith, III  
Norma M. Garcia

Staff:

Ron Bottoms, City Manager  
Wallace Shaw, City Attorney  
Delia Munoz, City Secretary  
Gary Beverly, Finance Director  
Larry Fansher, Public Works Director  
Doug Caffey, Building Inspector  
Nat Hickey, Property Manager  
Jeff Pynes, Police Chief  
John Stanford, Fire Chief

Visitors:

|                  |                   |
|------------------|-------------------|
| Judy Shaefer     | Larry Shaefer     |
| Rosa McDonald    | Angela Kant       |
| Richard Rangel   | Bobby J. Casale   |
| Wright Gore, III | Patrick Gore      |
| Dan Tarver       | Lila Lloyd        |
| George Elizondo  | Gail Pate         |
| Cathy Williams   | Eric Hayes        |
| Bill DeMain      | Fai DeMain        |
| Diane Williams   | Sandra Wood-Wicke |
| Sandra Barnett   | Jerry Meeks       |
| Jason Montier    | Lila Diehl        |
| Sally Van Way    | Cyril Wilcox      |
| Geneviene Wilcox | Damon Rector      |
| Ann Rector       | Lucky Gilbert     |
| Edna Allan       | Ernest Rowden     |
| Carmen Bottoms   | Larry Ellis       |

Call to Order.

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

Invocation.

Mr. Shaw offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of the approval of the August 6, 2007 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council approved the minutes of August 6, 2007.

Attending Citizens and Their Business.

Jason Montier, 1507 W. 4<sup>th</sup> Street, Orchestra Director at Brazosport High School, volunteered to help out with the sound system, if requested.

Bobby Casale, asked that the news media personnel sit in the designated table and take good notes. He had asked the City Secretary to get on the July 2, 2007 agenda to talk about budget and tax payers' money. He was invited to the budget workshop on July 23<sup>rd</sup> and 24<sup>th</sup>, 2007. He wants two budgets, one where the taxpayer is not being hammered. He notices that Council constantly votes 3 to 2 and asked if everyone understands the other side.

He suggested that the Marina project be re-studied. He stated he was not against the marina but did not know the impact on the tax payer. He felt that it was not our concern to talk to a developer on transferring water to Quintana.

Wright Gore, III, 301 W. Brazos, provided council with a certified copy of a \$450,000.00 judgment against the Freeport Economic Development Corporation and that the budget did not include provisions to pay this contingent liability. He stated that the budget was a fraud.

Dan Tarver, 919 North Ave. A., discussed the City disconnecting the electrical power to the Mitchell's residence of 803 W. 12<sup>th</sup> Street. He said the Code Enforcement mishandled the whole situation and created bad press. He opposed the search warrant to the Mitchell's residence.

Richard Rangel stated that he was a licensed electrician and he was willing to help the Mitchell's.

Mayor McDonald also offered his services.

Consideration of the approval of a request from the Beautification/Parks renaming Quintana Street to Veterans Memorial Drive.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved a request from the Beautification/Parks renaming Quintana Street to Veterans Memorial Drive. Mr. Shaw was asked to draft an ordinance.

Consideration of the approval of Resolution No. 2007-2152, amending authorized representatives of Texas Local Government Investment Pool.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all voting “aye”, Council approved Mr. Beverly’s recommendation to approve Resolution No. 2007-2152, amending authorized representatives of Texas Local Government Investment Pool, and adding Mayor McDonald to signature list.

Consideration of the approval of Resolution No. 2007-2153 establishing a Tax Abatement and Reinvestment zone Policy and adopting Guidelines and Criteria.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved Resolution No. 2007-2153 readopting a Tax Abatement and Reinvestment zone Policy and adopting Guidelines and Criteria.

Consideration of the approval of Ordinance No. 2007-2169 amending Division (A) of Section 115.026 of the Code of Ordinance to provide that the term “hospital”, as used therein, shall include a public clinic and that the term “public clinic” shall mean a clinic with offices for two or more health care professionals which is funded, in whole or in part by the City, County, State or Federal Government.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved Ordinance No. 2007-2169 amending Division (A) of Section 115.026 of the Code of Ordinance to provide that the term “hospital”, as used therein, shall include a public clinic and that the term “public clinic” shall mean a clinic with offices for two or more health care professionals which is funded, in whole or in part by the City, County, State or Federal Government.

Consideration of the approval of Ordinance No. 2007-2170 amending the budget for the fiscal year 2006-2007.

On a motion by Councilman Saccomanno, seconded by Councilman Smith, with all present voting “aye”, Council approved Mr. Beverly’s recommendation to approve Ordinance No. 2007-2170 amending the budget for the fiscal year 2006-2007.

Consideration of the approval of the proposed tax rate for 2007-2008 and confirmation on two (2) Public Hearing thereon:

- September 4, 2007
- September 10, 2007

The following motion was made by Councilman Smith, “I move that property taxes be increased by the adoption of a tax rate of \$0.71 per \$100.00 valuation and that two public hearings be conducted on this increase, one on September 4, 2007 at 6:00 p.m. and one on September 10, 2007, at 6:00 p.m. and seconded by Councilman Saccomanno.

By a record vote such motion is duly adopted, the record vote being:

Councilman Smith, Councilman Saccomanno, and Councilwoman Garcia voted in favor of such motion. Mayor McDonald and Councilman Cameron voted against such motion.

Mayor McDonald – Nay  
Councilman Cameron – Nay  
Councilman Smith – Aye  
Councilman Saccomanno- Aye  
Councilwoman Garcia – Aye

Consideration of the approval of selling the City’s interest on Block 779, Lot 18, Velasco Townsite, known as 1611 North Ave. R. and authorize the Mayor to sign the resale deed.

On a motion by Councilman Cameron, seconded by Mayor McDonald, with all present voting 3 to 2, Council approved Mr. Hickey recommendation not to sell the City’s interest on Block 779, Lot 18, Velasco Townsite, known as 1611 North Ave. R. and authorize the Mayor to sign the resale deed. Mayor McDonald and Councilman Cameron opposed.

Consideration of the approval of authorizing the Mayor to sign Resolution 2007-2154 selling the City’s interest on Tracts 133 and 134, BCIC-9, Abstract 51 and authorizing the Mayor to sign the resale deed.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved the Mayor to sign Resolution No. 2007-2154 selling the City’s interest on Tracts 133 and 134, BCIC-9, Abstract 51 and authorizing the Mayor to sign the resale deed.

Elected Official Report

Councilman Saccomanno attended a Main Street meeting. He reported a very good meeting, good attendance, lots of energy, planning the Summertime Blues Festival. He attended a neighborhood meeting at Jane Long Elementary, on 9<sup>th</sup> and 10<sup>th</sup> Street maintenance project. Only one citizen attended. The Freeport Police Department did a great job on the “National Night Out” event, was well attended at RiverPlace.

Councilman Smith watching over Ave. H., project, ongoing now for 9 months. The residents are looking forward to have the project complete.

Mayor McDonald stated it is a busy time of the year for him. He did not attend “National Night Out”, apologized for not making any meetings.

Mayor McDonald closed the formal session and opened the work session at 7:26 p.m.

**Work Session**

Administration Reports

Ron Bottoms reported on the Summertime Blues Festival, expecting a large crowd for the event to take place August 31st thru September 2<sup>nd</sup>, 2007. The Rotary Club had their annual shrimp boil on August 18, 2007. He received tons of compliments on the Freeport Municipal Park. The Connect-CTY system is on line, sent out a message to residents in Freeport, 2/3 of the residents received the call, notifying the public of impending danger. Chief Pynes was elected by the Southeast Texas Police Chief’s Association to sit as a board governor. Mr. Bottoms received a letter from the office of Jeri Yenne, District Attorney, praising the Freeport Police Department and Capt. Flores, Sergeant Cordoza and Patrol Sergeant Newton on their explanatory work. The 9<sup>th</sup> & 10<sup>th</sup> Street project has been delayed because of weather, planning on moving dirt this week. The relocating of the levee, on the other side of the Pine Bridge, will be pouring a foundation sometime this week. Once the concrete wall is built, the earthen levee will be removed and replaced so that the integrity of the levee will not be compromised. The Riverplace deck moving along, trying to complete the project by the end of the month.

Discussion concerning modifying the Commercial and Residential Tax Abatement Guidelines and Criteria.

Mr. Bottoms introduced his research on neighboring cities tax abatement policies. The studies of neighbor cities did not have residential tax abatement. The council favors have a residential tax abatement. The council did express changing the commercial tax abate guidelines to:

|  | Total Investment         | Abatement Per Year             |
|--|--------------------------|--------------------------------|
|  | \$50,000 to \$100,000    | 100% 50%                       |
|  | \$100,000 to \$1,000,000 | 100% 75% 50%                   |
|  | over \$1,000,000         | 100% 100% 100% 75% 50% 25% 25% |

Discussion concerning a “No Wake” zone at the end of Old Brazos River.

Mr. Bottoms stated that boats, jet skies are running into the new fountains on the Old River. A tool to protect the new fountains is to approve a “no wake zone”. People fishing on the fishing pier are being splashed. He asked council to consider a “no wake zone” at the end of the River. Mr. Shaw noted that there is a “no wake zone” in place starting from the Old Brazos River from the Missouri Pacific Railroad Bridge easterly, at a rate of five miles per hour.

Discussion concerning council’s policy and procedures for conducting meetings.

Council discussed the policy and procedures for conducting meetings. Councilman Saccomanno thought that some meetings were out of control, needed to be more professional, some speakers were disrespectful, creating an unprofessional meeting. He said that citizens had opportunities to talk on citizens comments. Presently citizens had full public discussion on every item on the agenda. Councilman Saccomanno stated that agenda items should not be public meetings. Mayor McDonald stated that citizens of Freeport had a right to express their opinions on any item on the agenda. Mayor McDonald said he could not support any policy that prohibited citizens to speak on any issue. Councilman Cameron said he was for “open government”.

Larry Shaefer said that the city should look at how other government entities handle their businesses. Some entities are told to register before speaking at a council meeting and a 5 minute time is allowed.

Councilman Smith and Councilwoman Garcia said a policy was in place already and needed to be enforced. They did not have a problem with limiting the amount of time to 5 minutes to speak.

Adjourn

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, the meeting was adjourned at 8:24 p.m.

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Delia Munoz  
City Secretary

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Larry L. McDonald  
Mayor