

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport, met on Monday, September 14th, 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 items:

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

Staff:                                      Jeff Pynes, City Manager  
  Wallace Shaw, City Attorney  
  Delia Munoz, City Secretary  
  Nat Hickey, Property Manager  
  Larry Fansher, Parks Director  
  B. R. Williams, Street Department  
  John Stanford, Fire Chief  
  Bob Welch, Finance Director

Visitors:                              Larry Shaefer                      Judy Shaefer  
  Susie Wise                              Rosa McDonald  
  Pixie Floyd                              Sandra Leavey  
  Diane Williams                      Tom Pearl  
  Brenda Laird                              Michelle Kent  
  Lila Lloyd                              Bobby Fuller  
  V. L. Scott                              Amanda Harrington  
  Willie Garcia                              Kathy Varnado  
  Edna Allan                              Percy Walker  
  Brenda George                      Joyce Adkins  
  Eric Hayes                              Lila Diehl  
  Jim Allen                              Jerry Meeks

Call to Order.

Mayor McDonald called the meeting to order at 6:01 p.m.

Invocation.

City Attorney Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of the approval of the August 24th, 2009 Council Minutes.

V. L. Scott, 1703 W. 9<sup>th</sup> Street, read controversy on appointments to the Brazosport Water Authority. He is a former member of the board and said that in the beginning BWA had zero money and was helped by Lake Jackson and Freeport. He said it was a good idea that individuals from the BWA not be involved in city government.

**Proclamation: “Family Fun Day in the Park” on September 27, 2009 a Non Denominational event at the Freeport Municipal Park, promoting positive morals within families and businesses in this wonderful community.**

Mayor McDonald read and proclaimed September 27th, 2009 as “Family Fun Day in the Park. Brenda George of New Birth Christian Church spoke on the planned activities.

**Recognizing: Eagle Scout Mason Gray for his achievements and services of Eagle Scout.**

Mayor McDonald recognized Mason Gray for his achievements and services as a Eagle Scout.

**Recognizing: Bobby Ledesma for his golfing accomplishments and for representing his City and Brazosport High School in an exemplary manner.**

Mayor McDonald recognized Bobby Ledesma for his golfing accomplishments and for representing his city and Brazosport High School in an exemplary manner.

Councilman Phillips spoke on Bobby Ledesma’s accomplishments. He won both the District 24-A and the Region 3-4A golf tournament. He advanced to the state tournament for the second year and did a great job representing our High School and Community. Bobby finished as the second medalist behind the 3rd time state champion from Highland Park.

**Consideration of the approval of Ordinance No. 2009-2226 amending section 118.011 of the Code of Ordinances to add a definition of “bus” amending section 118.021 of said code to provide an exemption for buses operated by certain non-profit organizations; adding section 119.00 to chapter 119 of said code to provide a definition of “taxicab”; amending section 119.01 of said code to provide an exemption for taxicabs operated by certain non-profit organizations.**

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved Ordinance No. 2009-2226 amending section 118.011 of the Code of Ordinances to add a definition of “bus” amending section 118.021 of said code to provide an exemption for buses operated by certain non-profit organizations; adding section 119.00 to chapter 119 of said code to provide a definition of “taxicab”; amending section 119.01 of said code to provide an exemption for taxicabs operated by certain non-profit organizations.

**Consideration of the approval of Ordinance No. 2009-2227 adopting a tax rate for fiscal year 2009-2010 for the City of Freeport.**

On a motion by Councilman Phillips, seconded by Councilman Wise, with all present voting “aye”, Council unanimously approved Ordinance No. 2009-2227 adopting a tax rate with an (M & O) rate of 0.546330 and an (I & S) rate of 0.161936 with a total rate of 0.708266 for fiscal year 2009-2010 for the City of Freeport.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved Ordinance No. 2009-2228 amending division (E) of Section 32.20 of the Code of Ordinances providing for the appointment of a Main Street Project Manager and specifying the duties of such position, which shall include acting as the Historic Preservation Officer, under division (B) of said Section 155.046, to remove the requirement that the project manager be a full-time position and to add that, when the office of project manager is vacant, the duties of such office and those of the Historic Preservation Officer shall be performed by another employee to be designated by the City Manager.

Consideration of the approval of Ordinance No. 2009-2229 reviewing the requested rate increase request of Centerpoint Energy Entex (Centerpoint); setting and establishing rates and tariffs; ordering the refund of base rate increases implemented on August 1, 2009; establishing an effective date for this ordinance and the implementation of new rates; providing for fines for non-compliance with this ordinance not to exceed \$500 per violation.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved Ordinance No. 2009-2229 reviewing the requested rate increase request of Centerpoint Energy Entex (Centerpoint); setting and establishing rates and tariffs; ordering the refund of base rate increases implemented on August 1, 2009; establishing an effective date for this ordinance and the implementation of new rates; providing for fines for non-compliance with this ordinance not to exceed \$500 per violation.

Consideration of the approval of Ordinance No. 2009-2230 amending the budget for fiscal year 2008-2009.

This item reagendaed.

Consideration of the approval of Resolution No. 2009-2207 readopting tax abatement and reinvestment zone policy and adopting guidelines and criteria.

On a motion by Councilman Phillips, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved Resolution No. 2009-2207 readopting tax abatement and reinvestment zone policy and adopting guidelines and criteria.

Consideration of the approval of Resolution No. 2009-2209 requesting the Texas Department of Transportation to post signs at the entrance to each school crossing zone on state highways within the City prohibiting drivers from using wireless communication devices while operating a motor vehicle within such zone and authorizing and directing the City Manager to post signs.

Resolution No. 2009-2209 failed due to lack of a motion.

Consideration of the approval of a request from the Freeport Host Lions Club to sell alcohol at the Freeport Municipal Park, on September 26<sup>th</sup>, 2009 for the Brazoria County Peace Officers Association, 1<sup>st</sup> Annual Fish Fry Fund Raiser to support Breast Cancer Awareness Week.

On a motion by Councilman Phillips, seconded by Councilman Cameron with all present voting 4 to 1, Council approved a request from the Freeport Host Lions Club

Consideration of the approval of selling the City's interest on Block 715, Lot 17, Velasco Townsite, Tax Id. # 8110-3072-000, known as 1209 North Ave. M.

On a motion by Councilman Phillips, seconded by Councilman Cameron with all present voting "aye", Council unanimously approved selling the City's interest on Block 715, Lot 17, Velasco Townsite, Tax Id. # 8110-3072-000, known as 1209 North Ave. M.

Consideration of the approval of selling the City's interest on Block 4, Lot 20, Section 2, Bridge Harbor Subdivision, known as 20 Marlin Drive, Tx. Id 2190-0246-000.

On a motion by Councilman Wise, seconded by Councilman Phillips, with all present voting 4 to 1, Council declined selling the City's interest on Block 4, Lot 20, Section 2, Bridge Harbor Subdivision, known as 20 Marlin Drive, Tx. Id 2190- 0246-000. Councilman Cameron opposed.

Consideration of the approval of selling the City's interest on Block 3, Lot 25, Section 2, Bridge Harbor Subdivision, known as Marlin Drive, Tx. Id 2190-0219-000.

On a motion by Councilman Wise, seconded by Councilman Phillips, with all present voting 4 to 1, Council declined selling the City's interest on Block 3, Lot 25, Section 2, Bridge Harbor Subdivision, known as Marlin Drive, Tx. Id 2190- 0219-000. Councilman Cameron opposed.

Consideration of the approval of selling the City's interest on Block 3, Lot 26, Section 2, Bridge Harbor Subdivision, known as Marlin Drive, Tx. Id 2190-0220-000.

On a motion by Councilman Wise, seconded by Councilman Phillips, with all present voting 4 to 1, Council declined selling the City's interest on Block 3, Lot 26, Section 2, Bridge Harbor Subdivision, known as Marlin Drive, Tx. Id 2190- 0220-000. Councilman Cameron opposed.

Consideration of the approval of selling Block 631, Lots 20 & 21, Velasco Townsite, Tx. Id. # 8110-2289-000, known as 817 N. A.

On a motion by Councilman Phillips, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved to advertise for sale, Block 631, Lots 20 & 21, Velasco Townsite, Tx. Id. # 8110-2289-000, known as 817 N. Ave. A.

Consideration of the approval of any action to be taken from the Executive Session.

No action taken.

Mayor McDonald closed the formal session and opened the Executive Session at 6:50 p.m.

#### **Executive Session**

A. Section 551.074, Government Code

Deliberations concerning the duties and responsibilities, to wit:

- City Manager-Jeff Pynes