

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport met on Monday, May 7, 2012 at 6:04 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: Norma M. Garcia
Michelle Kent
Fred Bolton
Nicolosa Mireles
Sandra Barbree

Staff: Gilbert Arispe, Asst. City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Larry Fansher, Parks Director
Bob Welch, Finance Director
Brian Dybala, Golf Course Director

Visitors: Dorothy Pirrung James Pirrung
Jerry Meeks Joyce Adkins
Sam Reyna Shanna Doughtry
Gary Woodring

Call to order.

Mayor Norma Garcia called the meeting to order at 6:04 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Garcia led the Pledge of Allegiance.

Consideration on of approving the April 16th, 2012 Council Minutes.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved the April 16th, 2012 Council Minutes.

Attending citizens and their business.

There were none.

Consideration of approving an Ordinance No. 2012-2306 amending the 45 mph speed limit designation and the 55 mph speed limit designation contained in section 71.21 of the Code of Ordinances of said City to provide that the prima facie speed limit for vehicles traveling in either direction on State Highway 332, from the West City limits to the point 845 feet West of Casco/Sailfish Street shall 55 mph and the prima facie speed limit thereon from said point to the East City limits of said City shall be 45 mph providing for the posting of signs.

On a motion by Councilman Bolton, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved Ordinance No. 2012-2306 amending the 45 mph speed limit designation and the 55 mph speed limit designation contained in section 71.21 of the Code of Ordinances of said City to provide that the prima facie speed limit for vehicles traveling in either direction on State Highway 332, from the West City limits to the point 845 feet West of Casco/Sailfish Street shall 55 mph and the prima facie speed limit thereon from said point to the East City limits of said City shall be 45 mph providing for the posting of signs.

Consideration of approving Ordinance No. 2012-2307 amending the budget for the fiscal year 2011-2012.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Ordinance No. 2012-2307 amending the budget for the fiscal year 2011-2012.

Consideration of approving Resolution No. 2012-2386 accepting the alternate bid of and authorizing the Mayor and the City Secretary to execute and attest respectfully, and the Mayor to acknowledge and deliver a special warranty deed conveying the fee title to 0.764 acres of land, more or less, out of the Stephen F. Austin Survey, Abstract 32 and the Stephen F. Austin Survey Abstract 33, both in Brazoria County Texas, and described in exhibit "A" attached hereto, to the Gary J. Woodring, upon condition subsequent, he being the sole bidder thereof.

Mayor Garcia closed the Executive Session and opened the formal agenda to motion on this item.

Councilman Bolton asked Mr. Woodring if he wanted a copy of the deed to review before signing. Mr. Woodring advised Council that he didn't foresee any problems but would like to have an opportunity to read the deed. On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council approved to reagendaed this item.

Consideration of setting a date for a Joint Public Hearing with the Planning Commission to consider adding a proposed W-4 Marina District to the Comprehensive Zoning Ordinance of the City which may include the following real property located therein:

Beginning at the intersection of the north ROW line of West Second Street, at its intersection with the east ROW line of Cherry Street; thence north to the northern ROW line of the Freeport Townsite Levee; thence east to the extension of the eastern property line of Tract 1A, Thomas McKinney Survey, Abstract 87, Brazoria County, Texas; thence north along that extended line to the centerline of the Old Brazos River Channel; thence along the center line of that Channel east to the extension of the western property line of Tract B1A, S.F. Austin Survey, Abstract 28, Brazoria County, Texas; thence south along that extended line to the west ROW line of Spruce Street, and continuing along that line to its intersection with the north ROW line of East Second Street; then west along that line to the place of beginning.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with a present voting "aye", Council unanimously set June 4th, 2012 date for a Joint Public Hearing with the Planning Commission to consider adding a proposed W-4 Marina District to the Comprehensive Zoning Ordinance of the City which may include the following real property located therein:

Beginning at the intersection of the north ROW line of West Second Street, at its intersection with the east ROW line of Cherry Street; thence north to the northern ROW line of the Freeport Townsite Levee; thence east to the extension of the eastern property line of Tract 1A, Thomas McKinney Survey, Abstract 87, Brazoria County, Texas; thence north along that extended line to the centerline of the Old Brazos River Channel; thence along the center line of that Channel east to the extension of the western property line of Tract B1A, S.F. Austin Survey, Abstract 28, Brazoria County, Texas; thence south along that extended line to the west ROW line of Spruce Street, and continuing along that line to its intersection with the north ROW line of East Second Street; then west along that line to the place of beginning.

Consideration of setting a date for a Joint Public Hearing with the Planning Commission to consider granting a Specific Use Permit to Mr. Ravin Patel to construct an RV/Motor Coach Recreation Site on their property, located on Tract Six (6) Bridge Harbor Subdivision.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with a present voting "aye", Council unanimously set June 4th, 2012 date for a Joint Public Hearing with the Planning Commission to consider granting a Specific Use Permit to Mr. Ravin Patel to construct an RV/Motor Coach Recreation Site on their property, located on Tract Six (6) Bridge Harbor Subdivision.

Consideration of advertising and setting a bid date for June 4th, 2012 to purchase a forklift for the Freeport Marina located at 202 East Second Street, Freeport Texas.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with a present voting "aye", Council unanimously approved to advertise and set a bid date for June 4th, 2012 to purchase a forklift for the Freeport Marina located on 202 East Second Street, Freeport, Texas.

Consideration of approving a request from St. Mary Star of the Sea Catholic Church to sell alcohol, have a public dance for St. Mary's Festival held on May 19th, & May 20th at the Freeport Municipal Park.

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with present voting "aye", Council unanimously approved a request from St. Mary's Star of the Sea Catholic Church to sell alcohol, have a public dance for St. Mary Festival held on May 19th & May 20th at the Freeport Municipal Park.

Work Session:

Discuss concerning the City's Centennial Celebration.

Gilbert Arispe Asst. City Manager informed Council that the committee had selected a t-shirt design and a coin design for the City's Centennial Celebration. He asked for recommendations/opinions related to the event. Councilman Bolton requested a proposal on the event.

Discussion regarding revenues and rates of the Freeport Golf Course.

Brian Dybala Golf Director prepared a Golf Course rate comparisons of local courses. He reviewed a breakeven analysis at the current state it would take an increase of about \$7.00 per round of golf to reduce losses and reach a breakeven point. In the past the Golf Course was losing roughly \$300,000 each year, now the amount is down to \$100,000.

Mayor Norma Garcia opened the Executive Session at 6:31 p.m

Executive Session:

Section 551.071, Government Code:

Consultation with City Attorney concerning pending or contemplated litigations, 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:

- Contractual obligations regarding sale and purchase of real estate.
(no action taken)

Mayor Garcia closed the Executive Session and Reconvened the Formal Session to motion on Item # 8.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council adjourned at 7:05 p.m.

Mayor Norma Moreno Garcia
City of Freeport, Texas

City Secretary-Delia Munoz
City of Freeport, Texas