

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport met on Monday, July 18th, 2011 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: Norma Moreno Garcia
Michelle Kent
Fred Bolton
Nicolosa Mireles
Sandra Barbree

Staff: Jeff Pynes, City Manager
Gilbert Arispe, Administrative Asst.
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Larry Fansher, Parks Director
Ty Morrow, Chief of Police
Brian Davis, Fire Chief

Visitors: Dorothy Pirrung Jim Pirrung
Sandra W. Wicke Jerry Meeks
Brenda Laird Annette Sanford
Eric Hayes Lila Diehl
Melanie Oldham Gus Flores
Debra Timbeross Manning Rollerson
Landis Adams

Call to Order.

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

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance

Mayor Norma Garcia led the Pledge of Allegiance.

Consideration of approving the July 5th, 2011 Council Minutes.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting “aye”, Council unanimously approved the July 5th, 2011 Council Minutes.

Read the Rules & Procedures of City Council Meetings.

Mr. Pynes announced that the Rules & Procedures of City Council are posted outside the City Council Chambers. He read out the Rules & Procedures of City Council to the attendances.

Attending citizens and their business.

Annette Sanford asked if the Fire Chief and Police Chief would be exempt from the Rules & Procedures since their cell phones are always on during council meetings. Mayor Norma Garcia said yes.

Manning Rollerson complained about the noise ordinance. He stated that during football games he can hear the amplifier all the way to his apartment on North Ave. J. He also stated that he can hear music from the events being held at the Freeport Municipal Park. The residents of the city are getting citations for loud noise and feels the city is not exempt from the noise ordinance.

Consideration of the approving Resolution No. 2011-2256 authorizing Wallace Shaw and Julian W. Taylor, III the City Attorney and Assistant City Attorney of said City, respectively, and either of them, to purchase or, failing purchase, to cause to be filed and prosecuted proceedings in eminent domain under Chapter 21 of the property code against all owners and lienholders of the fee simple title (exclusive of the title to the oil, gas and other minerals, if any, in and under and that may be produced therefrom but including all interest in the adjoining streets, easements and rights of way, if any) of Block 515, Lots 1, 2, 3, 4, 5 & 6, Block 517, Lot 1, Block 549, Lots 2, 3, 5, 6, 7 & 8, Block 576, Lot 1 & 2, Block 617, Lot 16, Block 644, Lot 5, Block 654, Lot 10, Block 685, Lot 22, all in the Velasco Townsite of the City Freeport, in Brazoria County, Texas.

On a motion by Councilman Bolton, seconded by Councilwoman Mireles, with all present voting “aye”, Council unanimously approved Resolution No. 2011-2256 authorizing Wallace Shaw and Julian W. Taylor, III the City Attorney and Assistant City Attorney of said City, respectively, and either of them, to purchase or, failing purchase, to cause to be filed and prosecuted proceedings in eminent domain under Chapter 21 of the property code against all owners and lienholders of the fee simple title (exclusive of the title to the oil, gas and other minerals, if any, in and under and that may be produced therefrom but including all interest in the adjoining streets, easements and rights of way, if any) of Block 515, Lots 1, 2, 3, 4, 5 & 6, Block 517, Lot 1, Block 549, Lots 2, 3, 5, 6, 7 & 8, Block 576, Lot 1 & 2, Block 617, Lot 16, Block 644, Lot 5, Block 654, Lot 10,

Block 685, Lot 22, all in the Velasco Townsite of the City Freeport, in Brazoria County, Texas.

Consideration of approving Resolution No. 2011-2257 nominating, constituting and appointing qualified person(s) for expired terms to the Planning Commission of said city.

On a motion by Councilwoman Mireles, seconded by Councilman Bolton, with all present voting "aye", Council unanimously approved Resolution No. 2011-2257 nominating and appointing Eddie Virgil and Tobey Davenport to the Planning Commission.

Consideration of approving Resolution No. 2011-2258 nominating, constituting and appointing qualified person(s) for expired terms to the Library Board of said city.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Resolution No. 2011-2258 nominating and appointing James Walker, June Strambler, Nancy Hughes, Margie Edwards and Lila Lloyd to the Library Board of said city.

Consideration of approving Resolution No. 2011-2259 nominating, constituting and appointing qualified person(s) for expired terms of the Board of Adjustments of said city.

This item was reagendaed.

Consideration of approving Resolution No. 2011-2260 nominating, constituting and appointing qualified person(s) for expired terms of the Urban Renewal Board of said city.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved Resolution No. 2011-2260 nominating and appointing Annette Sanford , Ken Tyner, and Raul Ramirez to the Urban Renewal Board of said city.

Consideration of approving Resolution No. 2011-2261 nominating, constituting and appointing qualified person(s) for expired terms of the Beautification/Parks & Recreation Committee of said city.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved Resolution No. 2011-2261 nominating and appointing Guadalupe Gonzales, Margaret L. McMahan, Michelle Backman and Cliff Shimek to the Beautification/Parks & Recreation Committee of said city.

Consideration of approving Resolution No. 2011-2262 nominating, constituting and appointing qualified person(s) for expired terms of the Economic Development Corporation of said city.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved Resolution No. 2011-2262 nominating and appointing Lila Diehl, Mingo Marquez, Lon Siddall and Willie Garcia, to the Economic Development Corporation of said city.

Consideration of approving Resolution No. 2011-2263 nominating, constituting and appointing qualified person(s) for expired terms to the Historical Commission and Main Street Advisory Board of said city.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved Resolution No. 2011-2263 nominating and appointing Charles Hawkins, Lalo Garcia, George Elizondo, and Cliff Shimek to the Historical Commission and Main Street Advisory Board of said city.

Consideration of approving Resolution No. 2011-2264 nominating, constituting and appointing qualified person(s) for expired terms to the Charter Review Commission of said city.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Resolution No. 2011-2264 nominating and appointing Sandra W. Wicke, Dorothy Pirrung, Mingo Marquez, Jason Thompson, and Lila Lloyd to the Charter Review Commission of city.

Consideration of approving Resolution No. 2011-2265 nominating, constituting and appointing qualified person(s) for expired terms to the Senior Citizens Commission of said city.

On a motion by Councilwoman Mireles, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved Resolution No. 2011-2265 nominating and appointing Mary Darnell, Beverly Garrison, Martha Westbrook, and Shirley Theriot to the Senior Citizens of said city.

Consideration of setting a public hearing date to implement an anti-tethering ordinance.

On a motion by Councilwoman Kent, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved August 15th, 2011 for a public hearing date to implement anti-tethering ordinance.

Consideration of authorizing the Mayor to sign a lease agreement with Platinum Marketing.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved authorizing the Mayor to sign a lease agreement with Platinum Marketing.

Consideration of the approval of any action items discussed in Executive Session.

No action taken.

Work Session:

Discussion regarding the new Senate Bill 100 requiring adjustments to the Municipal Election Dates.

Mr. Shaw explained the Senate Bill that will require adjustments to the municipal election dates. One option is to change terms of elected officials to 4 years and have an election only every other year. The second option is to stay with the annual elections by running joint with Brazoria County every year in November, definite facing an increase in price over the previous May elections.

Mayor Norma Garcia closed the open session and opened the executive session at 6:40 pm.

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matters 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:

- Freeport Marina
- Urban Renewal Plan 1
- Proposed Annexation

Section 551.074, Government Code

Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee, to wit:

- City Manager

Adjourn

Mayor Norma Garcia reconvened in open session to adjourn. On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", the meeting adjourned at 7:43 p.m.

Mayor Norma Garcia
City of Freeport, Texas

Delia Munoz – City Secretary
City of Freeport, Texas