

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council and the Planning Commission met for a Joint Public Hearing on Monday, September 16th, 2013 at 6:00 p.m., at the Freeport Municipal Court, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Norma M. Garcia
Councilwoman Michelle Kent
Councilman Fred Bolton
Councilwoman Sandra Loeza
Councilwoman Sandra Barbree

Planning Commission: Edward T. Garcia
Jesse Aguilar
Eddie Virgil
Tobey Davenport – Absent
Reuben Cuellar – Absent

Staff: Jeff Pynes, City Manager
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 Davis, Fire Chief

Visitors: Lila Lloyd Jerry Meeks
Manning Rollerson Gary Woodring
Jonathan Clark Raul Ramirez
Troy Brimage Sam Reyna
Nicolosa Mireles Annette Sanford
Maria Aguilar Jesse Flores
Melanie Pratka Branden Boudreaux
Monica Kneis Debbie Gibson
Cruz Olguin Debra Timbeross
Van Tomlinson Dina Gibson Mochie
David Gibson

Call to order.

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

Invocation.

Mr. Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma Garcia led the Pledge of Allegiance.

Consideration of approving the September 9th, 2013 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved the September 9th, 2013 Council Minutes.

Attending citizens and their business.

Manning Rollerson complained that the lights are out and the poles are leaning on North Ave. J. The Azalea Court Apartments on North Ave. J. , are discriminating against African Americans. Ditches are in dire need of mowing.

Consideration of approving Resolution No. 2013-2424 authorizing the Fire Chief to donate surplus fire equipment of said city to the Sargent Volunteer Fire Department, Matagorda County, Texas.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Resolution No. 2013-2424 authorizing the Fire Chief to donate surplus fire equipment of said city to the Sargent Volunteer Fire Department, Matagorda County, Texas.

Consideration of approving Resolution No. 2013-2423 nominating candidate(s) for a position on the Board of Directors of the Brazoria County Appraisal District.

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved Resolution No. 2013-2423 nominating Michael Shane Vandergriff, Raul Ramirez, Jesse Aguilar, Bob Welch and Eddie Virgil for candidate(s) for a position on the Board of Directors of the Brazoria County Appraisal District.

Consideration of approving Ordinance No. 2013-2045 repealing Ordinance No. 2012-2314 closing and abandoning the public roadway known as the South Levee Road from FM 1495 to the Department of Energy Bryan Mound Facility finding that such closing and abandonment was and is not in the public interest and that it did not benefit the public.

On a motion by Councilman Bolton, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved Ordinance No. 2013-2045 repealing Ordinance No. 2012-2314 closing and abandoning the public roadway known as the South Levee Road from FM 1495 to the Department of Energy Bryan Mound Facility finding that such closing and abandonment was and is not in the public interest and that it did not benefit the public.

Consideration of designating a representative and an alternative to the Houston-Galveston Area Council 2014 General Assembly.

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting "aye", Council unanimously approved designating Councilwoman Barbree as a representative and Councilwoman Loeza as an alternative to the Houston-Galveston Area Council 2014 General Assembly.

Consideration of setting September 23, 2013 as the date to adopt a tax rate for fiscal year 2013-2014.

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved setting September 23, 2013 as the date to adopt a tax rate for fiscal year 2013-2014.

Joint Public Hearing: The City Council and the Planning Commission of said City will conduct a Joint Public Hearing to consider a proposed amendment to the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinance of said City, changing the zoning classification of Lots 13-24, Block 600 and Lots 1-12, Block 601, Velasco Townsite, City of Freeport, Brazoria County, Texas, from its present classification of R-2 Single-family Residential District to a new classification of C-2 General Commercial District.

There being a quorum with the Planning Commission, Mayor Garcia opened the Joint Public Hearing at 6:13 p.m. to consider changing the zoning classification of Lots 13-24, Block 600 and Lots 1-12, Block 601, Velasco Townsite, City of Freeport, Brazoria County, Texas, from its present classification of R-2 Single-family Residential District to a new classification of C-2 General Commercial District.

Jesse Flores of 610 North Ave. G, turned in a petition with 18 residential names and signatures of people that oppose the rezoning.

Debbie Gibson, David Gibson and Dina Mochie opposed the rezoning. She stated that Velasco Elementary and Lanier School would have children crossing the propose RV to get to their homes.

Debra Timberess opposed the rezoning.

Monica Kneis of 606 N. Ave. G, opposed the rezoning. She stated that the City is always trying to beautify and rezoning would allow an RV to have infestations', critters and trash. She felt it would be a mole in a beautiful City. She suggested the rezoning take place in another location.

Manning Rollerson stated not to judge people where they live and favors the rezoning change.

Nicolosa Mireles of 2002 North Ave. G, favors the rezoning. She lives next door to a trailer park and stated that an RV benefits all businesses.

Ed Garcia speaker for the Planning Commission took a vote and the Planning Commission voted to deny changing the zoning classification of Lots 13-24, Block 600 and Lots 1-12, Block 601, Velasco Townsite, City of Freeport, Brazoria County, Texas, from its present classification of R-2 Single-family Residential District to a new classification of C-2 General Commercial District. Jesse Aguilar abstained from voting.

There being no comments or question, Mayor Garcia closed the Joint Public Hearing at 6: 41 p.m. Mayor Norma Garcia thanked the Planning commission.

Consideration of approving Ordinance No. 2013-2046 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Lots 13-24, Block 600 and Lots 1-12, Block 601, Velasco Townsite, from the present zoning classification of R-2 Single Family Residential District to a new Zoning Classification of C-2 General Commercial District.

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting 4 to 1, Council rejected the Ordinance No. 2013-2046 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Lots 13-24, Block 600 and Lots 1-12, Block 601, Velasco Townsite, from the present zoning classification of R-2 Single Family Residential District to a new Zoning Classification of C-2 General Commercial District. Councilwoman Kent favored the rezoning.

Consideration of Ordinance No. 2013-2047 closing and vacating streets and alleys and portions of streets and alleys located in the Urban Renewal Tract.

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved Ordinance No. 2013-2047 closing and vacating streets and alleys and portions of streets and alleys located in the Urban Renewal Tract.

Consideration of approving and renewing the City of Freeport Economic Development Corporation Sales Tax Remittance Guaranty and Subordination agreement with the First State Bank of Louise, Texas.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Bob Welch's recommendation to renew the City of Freeport Economic Development Corporation Sales Tax Remittance Guaranty and Subordination agreement with the First State Bank of Louise, Texas.

Consideration of approving the Road & Bridge Interlocal Agreement with the City of Freeport and the Brazoria County for street repairs.

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved the Road & Bridge Interlocal Agreement with the City of Freeport and the Brazoria County for street repairs.

Consideration of approving alternative modifications to a third Correction Special Warranty deed and/or land development with Gary L. Woodring concerning 0.7648 acres out of S. F. Austin Survey, Abstract 32 & 33, Brazoria County, Texas.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting 3 to 2 Council approved the Land Development Agreement and the extension set in the agreement. Mayor Garcia and Councilman Bolton opposed.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council meeting adjourned at 7:10 p.m.

Mayor Norma Garcia
City of Freeport, Texas

City Secretary – Delia Munoz
City of Freeport, Texas