

NOTICE OF A JOINT PUBLIC HEARING
THE FREEPORT CITY COUNCIL
MONDAY, APRIL 20, 2015, 6:00 P.M.
FREEPORT MUNICIPAL COURT ROOM
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.
FREEPORT, TEXAS
AGENDA
FORMAL SESSION

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of approving the April 6, 2015 Council Minutes. Pg. 275-278
5. Attending citizens and their business.
6. **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 granting to Kimley-Horn for Verizon Wireless a Specific Use Permit for the erection and operation of a new 151 foot high monopole telecommunication tower on portion of the property described a Tracts 101B, 526 & 527B of the Brazos Coast Investment Company Subdivision, Division 14, A. Calvit Survey, Abstract 49, Brazoria County, Texas containing 7.2 acres of land and locally known as 2121 Zapata Street, within the corporate limits of said City. Pg. 279-282
7. Consideration of approving Ordinance No. 2015-2087 amending the Comprehensive Zoning Ordinance of said City to permit the specific use of Tracts 101B, 526 and 527B, Brazos Coast Investment Company Subdivision, Division 14, Abstract 49 A Calvit Survey, Brazoria County Texas containing 7.2 acres acres of land located within the corporated limits of said City and known locally as 2121 Zapata as a site for communication tower to be operated by Kimley Horn and associates for Verizon Wireless. Pg. 283-287
8. Consideration of approving Resolution No. 2015-2465 consenting to the temporary closing of the South Levee Road. Pg. 288-291
9. Consideration of taking action on any item discussed in Executive Session.

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, 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:

- Emergency Power and Monitoring Systems bids.

Adjourn

Items not necessary discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

In compliance with the Americans with Disabilities Act, the City of Freeport will provide for reasonable accommodations for persons attending City Council Meetings. Request should be received 48 hours prior to the meeting. Please contact the City Secretary office at 979-233-3526.

I, Delia Munoz City Secretary for the City of Freeport, Texas certify that this agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, April 17, 2015 at or before 5:00 p.m.

Delia Munoz - City Secretary
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council met on Monday, April 6, 2015 at 6:05 p.m., at the Freeport Police Department Building, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council:

Mayor Norma Moreno Garcia
Councilman Larry L. McDonald
Councilman Fred Bolton - Absent
Councilman Sandra Loeza
Councilman Sandra Barbree

Staff:

Jeff Pynes, City Manager
Gilbert Arispe , Assistant City Manager
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Dan Pennington, Police Chief

Visitors:

Melanie Oldham	Troy Brimage
Bill Morris	Sam Reyna
Annette Sanford	Nicole Mireles
Landis Adams	Gina A. Adams
Tina Rogers	Jerry Meeks

Call to order.

Mayor Norma M. Garcia called the meeting to order at 6:05 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma M. Garcia led the Pledge of Allegiance.

Consideration of approving the March 16, 2015 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved the March 16, 2015 Council Minutes.

Attending citizens and their business.

There were none.

Consideration of approving and signing a replat for Victor and Evette Juarez, being a replat of 0.293 acres, Lots 1 thru 4, Block 777, of Velasco Townsite, according to the Map or Plat thereof recorded in Volume 32, Page 14 of the Deed Records of Brazoria County, Texas, being the same lots conveyed to Victor and Evette G. Juarez, recorded in County Clerk's File No. 2009-005278 and 2014-045755 of the Official Records of Brazoria County, Texas.

On a motion by Councilwoman Barbree, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved signing a replat for Victor and Evette Juarez, being a replat of 0.293 acres, Lots 1 thru 4, Block 777, of Velasco Townsite, according to the Map or Plat thereof recorded in Volume 32, Page 14 of the Deed Records of Brazoria County, Texas, being the same lots conveyed to Victor and Evette G. Juarez, recorded in County Clerk's File No. 2009-005278 and 2014-045755 of the Official Records of Brazoria County, Texas.

Consideration of approving a request by the Riverfest Committee to sell beer, hold a dance, close or use lanes on streets within the City and have fireworks display for the Freeport Riverfest on April 24th – April 25th , 2015 at the Freeport Municipal Park.

On a motion by Councilman McDonald, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved a request by the Riverfest Committee to sell beer, hold a dance, close or use lanes on streets within the City and have fireworks display for the Freeport Riverfest on April 24th – April 25th , 2015 at the Freeport Municipal Park.

Consideration of approving a request by City of Freeport and BASF to close the followings streets; North ends of West Park and East Park, 2nd Street from Velasco Boulevard to Memorial Park, North bound lane of Velasco Boulevard from 2nd Street to Ave. B., for the Flapjack Run on Saturday, April 25, 2015 from 7:00 a.m. to 10:00 a.m.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved a request by City of Freeport and BASF to close the followings streets; North ends of West Park and East Park, 2nd Street from Velasco Boulevard to Memorial Park, North bound lane of Velasco Boulevard from 2nd Street to Ave. B., for the Flapjack Run on Saturday, April 25, 2015 from 7:00 a.m. to 10:00 a.m.

Consideration of approving a request from the Freeport League waiving all permits for Riverfest on April 24th – April 25th, 2015 at the Freeport Municipal Park.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved a request from the Freeport League waiving all permits for Riverfest on April 24th – April 25th, 2015 at the Freeport Municipal Park.

Consideration of approving and authorizing the Mayor and the City Secretary to execute and attest respectively a contract with Interstate Barricades for street striping.

On a motion by Councilman McDonald, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved and authorized the Mayor and the City Secretary to executive and attest respectively a contact with Interstate Barricades for street striping.

Consideration of approving and authorizing the Mayor and the City Secretary to execute and attest respectively a contract with A-1 Construction for street replacement of asphalt streets, including catch basins, for portions of Seventh Street and Ash Street.

On a motion by Councilman McDonald, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved and authorized the Mayor and the City Secretary to executive and attest respectively a contact with A-1 Construction for street replacement of asphalt streets, including catch basins, for portions of Seventh Street and Ash Street.

Consideration of approving and authorizing the Mayor and the City Secretary to execute and attest respectively a contract with A-1 Construction Services for street replacement of concrete streets, including curbs, gutters catch basins and sidewalks for portions of Cedar Street and North Ave. J.

On a motion by Councilman McDonald, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved and authorized the Mayor and the City Secretary to executive and attest respectively a contact with A-1 Construction for street replacement of concrete streets, including curbs, gutters catch basins and sidewalks for portions of Cedar Street and North Ave. J.

Consideration of approving a request from the Hispanic Chamber of Commerce to have a Cinco De Mayo Parade on Saturday, May 2, 2015 at 11:00 a.m., from the Museum to Baywood's parking lot. This will require closing East Park, from its intersection with 4th Street, to it intersection with 2nd Street, and closing of Second Street, from its intersection with East Park past its intersection with Brazosport Boulevard, to its end at the diversion channel of the Brazos River adjacent to Baywood's parking lot.

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved a request from the Hispanic Chamber of Commerce to have a Cinco De Mayo Parade on Saturday, May 2, 2015 at 11:00 a.m., from the Museum to Baywood's parking lot. This will require closing East Park, from its intersection with 4th Street, to it intersection with 2nd Street, and closing of Second Street, from its intersection with East Park past its intersection with Brazosport Boulevard, to its end at the diversion channel of the Brazos River adjacent to Baywood's parking lot.

Mayor Norma M. Garcia opened the Work Session at 6:13 p.m.

Work Session:

Discussion on a Housing Development Plan.

Mr. Pynes proposed a program to invigorate new Freeport housing developments on non -water front or related properties by providing rebates, assistance in acquiring land for residential or commercial developers.

The proposed program will have a Housing Development Plan Administrators, and the group shall consist of one representative of City Council, Planning Commission, Freeport Economic Development and City Manager.

Mr. Pynes spoke on the development prerequisite program requirements. A 1500 minimum square feet of residential living space, concrete driveway, garage, approved landscaping design, front facing must be improved stone, brick, and/or other suitable beautiful application.

Upon the final inspection completion and the issuance of the Certificate of Occupancy, the Finance Director will rebate the negotiated rebate agreement to the builder within 30 days.

Melanie Oldham was in favor of the proposed plan for affordable housing. She suggested Kola Olayiwola, Building Inspector be a member of the House Development Plan Administrators.

Adjourn

On a motion by Councilman McDonald, seconded by Councilwoman Barbree, with all present voting "Aye", Mayor Norma Garcia adjourned the meeting at 6:25 p.m.

Mayor Norma Moreno Garcia
City of Freeport, Texas


Delia Munoz - City Secretary
City of Freeport, Texas

TO ALL PERSONS IN INTEREST, CITIZENS, CORPORATIONS, AND FIRMS, THEIR AGENTS AND ATTORNEYS, AND TO ALL PERSONS, FIRMS, AND CORPORATIONS OWNING ANY INTEREST IN THE BELOW DESCRIBED LAND OR ANY LAND LOCATED WITHIN TWO HUNDRED (200') FEET THEREOF AND TO ALL INHABITANTS AND LAND OWNERS OF AND IN THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS.

NOTICE

A joint public hearing will be held on Monday, April 20, 2015, at 6:00 o'clock p.m., central daylight savings time, at the Police Department Municipal Courtroom of the City of Freeport, Texas, located at 430 North Brazosport Boulevard, within the corporate limits of said city, in Brazoria County, Texas, at which time and place 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 Ordinances of said City, granting to KIMLEY-HORN for VERIZON WIRELESS a specific use permit for the erection and operation of a new 151 foot high monopole telecommunication tower on portion of the property described as Tracts 101B, 526 & 527B of the Brazos Coast Investment Company Subdivision, Division 14, A. Calvit Survey, Abstract 49, Brazoria County, Texas, containing 7.2 acres of land and locally known as 2121 Zapata Road, within the corporate limits of said city.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS,
made on the 16th day of March, 2015.



Delia Munoz, City Secretary,
City of Freeport, Texas

City of Freeport
Building Department
Phone: 979-233-3526

For Office Use Only

Case Number: _____
Date Filed: 1-13-2015
P & Z Date: 2-21-2015
Council Date: _____

**Application for
Specific Use Permit**

FEE = \$150

1. Address or general location of site: 2121 Zapata St., Freeport TX

Subdivision	Block	Lots	Acres
<u>ADDY A CALVIT BC</u>	<u>C DIV 14</u>	<u>101B-526-527B</u>	<u>7.2</u>

3. Current Zoning Classification: M-1

4. Proposed use of the site (please be specific): Installation of a new 151' monopole.

5. Reason for requesting a specific use permit: Seeking approval for a communication tower.

I hereby certify that I am the owner or duly authorized agent of the owner, for the purposes of this application. The application fee of \$150.00 to cover the cost of this specific use permit application has been paid to the City of Freeport on _____, 20____. I also certify that I have been informed and understand the regulations regarding specific use permits as specified in the Zoning Ordinance of the City of Freeport. I understand it is necessary for me or my authorized agent to be present at both the Planning and Zoning Commission and the City Council public hearings.

Owner's Signature: _____

Owner's Name: _____

Address: _____

City, State, Zip: _____ Phone: _____

PAID
FEB 23 2015
BY: _____

In lieu of representing this request myself as owner of the subject property, I hereby authorize the person designated below to act in the capacity as my agent for the application, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person with the City (and vice versa) in processing and responding to requirements, information or issues relative to this request.

Andrew Ballard

Signature of Owner

Andrew Ballard

Name Printed or Typed

Chick O'Leary

Signature of Agent

Christine D. Lewis

Name Printed or Typed

Address of Agent: 3511 Pinemont Tr., Al6, Houston, TX 77018

Agent's Phone Number: 713-254-6979

200 WEST SECOND STREET / FREEPORT, TEXAS 77541 / PHONE (979) 233-4526 / FAX (979) 233-2172

PERMIT APPLICATION

Applicant's Name: Melissa Mergesey (Agent) - Kinley-Horn and Associates

Owners Name: Pinpoint LLC (contact: Andrew Ballard)

Owners Address: 2121 Espada Street Freeport, TX 77541

JOB INFORMATION

Contractor's Name: TBD

Work Location: 2121 Espada Street Freeport, TX 77541

Description of Job: Installation of a new 151' monopole tower (designed by others), fiber band and manufacturer of equipment cabinet skid w/generators, new antennas and hybrid cables, and all associated work.

Valuation of Job: \$ 150,000.00 Permit Fee: \$ 915.00

Type of permits needed: Building Electrical Mechanical Plumbing
 Demolition House moving Safety

Phone numbers: Owner of Property (o) 979-432-1974, (o) 979-230-9003
andrew.ballard@ppi-america.com

Contractor: TBD

Plans turned in with application: Yes No
Type: Drawings Prints

Date of Application: 01 / 19 / 15

Applicants Signature: Melissa Mergesey / Agent
melissa.mergesey@kinleyhorn.com

PAID
FEB 23 2015
BY: _____

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT AND CONCLUSIONS OF LAW; AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF SAID CITY TO PERMIT THE SPECIFIC USE OF TRACTS 101B, 526 AND 527B, BRAZOS COAST INVESTMENT COMPANY SUBDIVISION, DIVISION 14, ABSTRACT 49 A CALVIT SURVEY, BRAZORIA COUNTY, TEXAS, CONTAINING 7.2 ACRES OF LAND LOCATED WITHIN THE CORPORATE LIMITS OF SAID CITY AND KNOWN LOCALLY AS 2121 ZAPATA ROAD, AS A SITE FOR A COMMUNICATIONS TOWER TO BE OPERATED BY KIMLEY HORN AND ASSOCIATES FOR VERIZON WIRELESS, UNDER CERTAIN CONDITIONS THEREIN SPECIFIED; CONTAINING A SEVERANCE CLAUSE; PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND APPROVAL.

WHEREAS, the City of Freeport, Texas, is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Subchapter A of Chapter 211 of the Local Government Code of Texas and Item (g) of Section 3.07 of the Home Rule Charter of the City of Freeport authorizes the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City of Freeport has determined to here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of said City and conforms to the comprehensive zoning plan of said City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

SECTION ONE--Findings of Fact and Conclusions of Law.

The City Council of the City of Freeport, Texas, makes the following findings of fact and conclusions of law, viz:

First, that all public hearings required by the Zoning Enabling Act of the State of Texas, now codified as Chapter 211 of the Local Government Code, and the present Comprehensive Zoning Ordinance of the City of Freeport, Texas, read, passed and approved as Ordinance No. 1100 on the 3rd day of April, 1964, and hereinafter called "the Zoning Ordinance", were conducted in the manner and at the time required by said Act and the Zoning Ordinance.

Second, that not less than fifteen (15) days prior to the date of such hearings, a public notice thereof was published once in the Brazosport Facts, a newspaper of general circulation in and the official newspaper of the City of Freeport, stating the time and place of such hearings.

Third, that not less than ten (10) days before the date of such public hearings, written notice of the application for the Specific Use Permit hereinafter mentioned was sent to all owners of real property located within two hundred (200') feet of the hereinafter described real property for which such permit is sought.

Fourth, that after giving due regard to the nature and condition of all adjacent uses and structures, the City Council of the City of Freeport, Texas, is of the opinion of that such proposed use conforms to the requirements and intent of the Zoning Ordinance and the Comprehensive Plan of the City; that conditions hereinbelow attached to the granting of such permit as hereby amended, are necessary to the public interest; and that such use under such conditions will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the public welfare of the community.

Fifth, that the health, safety, morals and general welfare of the City of Freeport, Texas, will best be served by the adoption of this ordinance and the granting of the Specific Use Permit hereinafter mentioned.

SECTION TWO--Comprehensive Zoning Ordinance Amended and
Specific Use Permit Granted.

The Zoning Ordinance is hereby amended and a Specific Use Permit is hereby granted with respect to Lots 18, 19 and 20, Block 712, Velasco Townsite, according to the map or plat of said subdivision on file in the Office of the County Clerk of Brazoria County, Texas, known locally as 1213 N. Ave. J, , Freeport, Texas, hereinafter called "the premises", to authorize the use of the premises as a site for a communications tower to be operated by Kimley Horn and Associates for Verizon Wireless (the Permittees), under the following terms and conditions, viz:

First, the following regulations shall apply:

(1) The tower shall be constructed so that, in the event it falls, such tower will fall within a distance of 150 feet from the center of the tower.

(2) The tower shall not exceed one hundred fifty-one (151) feet in height.

(3) The tower and any other improvements on the premises shall be constructed and maintained in a good and workmanlike manner and shall have an approved FAA light on top.

(4) All parking must be off street and within designated parking areas.

(5) Together with any other improvements constructed on the premises, the tower shall be completely surrounded by an eight foot (8') board on board type fence with an eight foot (8') foot board on board double gate containing two six (6') foot wide panels and with the boards positioned so as to screen the cabinet and other improvements thereon from being viewed from outside the premises at ground level.

(6) No hazardous materials may be stored on the premises;

(7) Any supplies, equipment or products kept on the premises must be stored within the fenced compound.

(8) The premises shall be kept safe, clean and free of debris and available for inspection by the Building Official at all times.

(9) The Permittees shall maintain in force and effect a general liability insurance policy insuring Permittees against liability for personal injury, death or damage to any person or property, real or personal, arising out of Permittees' use of the premises, with combined single limits of One Million and no/100 (\$1,000,000.00) Dollars, naming the City as additional insured.

Second, the Permit herein granted shall automatically terminate if the Permittees cease to use the premises for the permitted purpose for ninety (90) consecutive days, attempts to assign this permit, or sells his or its interest to any third person, firm or corporation without such third person, firm or corporation agreeing in writing to be bound by the terms hereof, or if the Permittees' interest in the premises ends or is terminated for any reason.

Third, this permit may also be terminated by the City Council if the Permittee fails or ceases to meet the requirements set forth in Item First of this Section of this ordinance. A termination by the City Council under this Item of this Section of this ordinance shall be upon the affirmative vote of a majority of the members of the City Council present and voting at any regular or special meeting thereof held after at least ten (10) days prior written notice has been sent by certified mail, return receipt requested and addressed to the Permittees at the premises, specifying the particular violation or violations. Any decision of the City Council thereon shall be entered upon the minutes of such meeting and shall be final.

SECTION THREE--Automatic Repealer Clause.

All of the section or provision of this ordinance were adopted and are intended by the City Council of the City to be an integrated whole. Therefore, if any section or provision is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared not to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions and this ordinance shall thereupon automatically cease to be of any further force and effect.

SECTION FOUR--Effective Date.

This ordinance shall take effect and be in force from and after the tenth (10th) day following its passage and adoption indicated below if, within such ten (10) day period, it is agreed to and accepted by the Permittee in the manner provided below; otherwise, this ordinance shall not take effect and shall be of no force or effect.

SECTION FIVE--Repeal of Ordinance No. 2012-2026.

Ordinance No. 2012-2026 read, passed and adopted on the 1st day of October, 2012, is hereby repealed.

READ, PASSED AND ADOPTED this ____ day of _____, 2015.

Norma Moreno Garcia, Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney,
City of Freeport, Texas

AGREED TO AND ACCEPTED by the Permittee this _____ day of _____, 2015.

"Permittees.

KIMLEY HORN AND ASSOCIATES

By _____
Name Printed: _____
Title: _____

VERIZON WIRELESS

By _____
Name Printed: _____
Title: _____

THE STATE OF TEXAS X

COUNTY OF BRAZORIA X

This instrument was acknowledged before me on the _____ day of _____,
2015, by _____ on behalf of KIMLEY HORN AND ASSOCIATES.

Notary Public, State of Texas

THE STATE OF TEXAS X

COUNTY OF BRAZORIA X

This instrument was acknowledged before me on the _____ day of _____,
2015, by _____ on behalf VERIZON WIRELESS.

Notary Public, State of Texas

C:\Freeport.SUP\SUP Kimley Horn & Associates for Verizon Wireless

G. L. KIDWELL
Chairman
Area 1
Lake Jackson, Texas

L. H. JONES
Vice Chairman
Area 3
Freeport, Texas

F. R. Hamlet
Secretary
Area 2
Clute, Texas

Velasco Drainage District

Phone (979) 265-4251 Fax (979) 265-7602
E-mail: vdd@velascodrainagedistrict.com

Dear Mr. Arispe,

April 13, 2015

Per our phone conversation today, the District is requesting to gate off the South Levee Road at the existing fence just southwest of FM1495. The District would then like to lock the gate so that we can secure this South Levee Gravity Structure Area that is approximately 0.7 of a mile southwest of the fence.

The reason for this request is twofold. One is for security purposes, since this drainage structure will be dewatered creating a deep hole that someone could fall into and or could drive off into. The second reason is to protect our equipment from vandalism and thievery. The District had a \$600 hog trap that was anchored with "T" post driven four feet into the ground and chained off with a heavy chain that was welded to the posts and then locked, stolen from this area just last month so we know that this type of problem exists in the area.

I am presently contacting the Port, DOE, and Houston Pipeline to get their permission also. The project is estimated to take approximately two months barring acts of God.

The Velasco Drainage District would like to begin on Monday, April 27, and end on or before Saturday, June 27. The District will provide the City of Freeport the opportunity to put a lock in the chain so that they can have access whenever they need it.

Attached is an aerial photo showing the location of the proposed gate and the location of the South Levee Gravity Structure.

Thank you for your consideration in this matter.

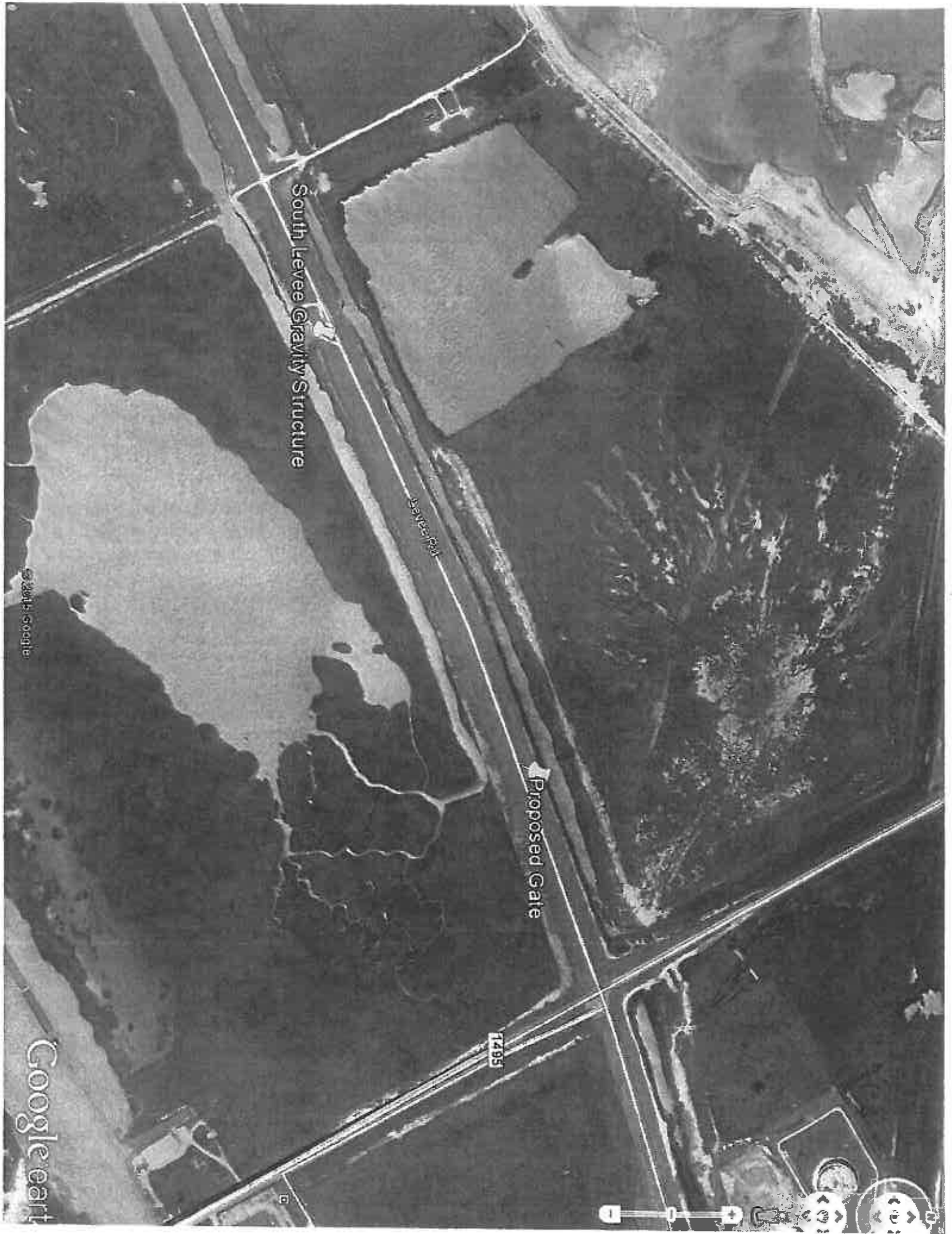
Sincerely,



Chris Gallion
Superintendent
Velasco Drainage District

Mail Address
Post Office Box 7
Clute, Texas 77531

Freight and Express
Drainage District Warehouse
915 Stratton Ridge Road
Clute, Texas 77531



South Levee Gravity Structure

1495 Rd

Proposed Gate

1495

Google earth

RESOLUTION NO. 2015-2465

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CONSENTING TO THE VELASCO DRAINAGE DISTRICT GATING OFF THE SOUTH LEVEE ROAD FOR THE PERIOD OF TIME HEREIN SPECIFIED; AND PROVIDING THAT THIS RESOLUTION BE RETAINED BY THE CITY SECRETARY IN THE OFFICIAL RECORDS OF THE CITY AN A CERTIFIED COPY HEREOF BE FURNISHED TO THE VELASCO DRAINAGE DISTRICT.

WHEREAS, the VELASCO DRAINAGE DISTRICT of BRAZORIA County, Texas, (the District) has made a request that the City of Freeport, Texas (the City) consent to gate off the South Levee Road at the existing fence just southwest of FM 1495 in order that the District can secure this South Levee Gravity Structure Area that is approximately 0.7 of a mile southwest of the that fence for the period beginning Monday, April 27, 2015, and ending Saturday June 27, 2015, and has consented to the City putting a lock in the chain in order to provide access to City personnel; and,

WHEREAS, the City Council had determined that such request is reasonable and should be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS.

First, that the City consents to the District gating off the South Levee Road at the existing fence just southwest of FM 1495 in order that the District can secure the South Levee Gravity Structure Area that is approximately 0.7 of a mile southwest of the that fence for the period beginning Monday, April 27, 2015, and ending Saturday June 27, 2015, and continuing thereafter for so long as may be reasonably necessary secure this South Levee Gravity Structure Area that is approximately 0.7 of a mile southwest of the that fence.

READ, PASSED and ADOPTED this ____ day of April, 2015.

Norma Moreno Garcia, Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney,
City of Freeport, Texas

C:\Freeport.Rsl\Gating South Levee Rd-RSL