

**NOTICE OF PUBLIC HEARING
THE FREEPORT CITY COUNCIL
MONDAY, DECEMBER 7, 2015, 6:00 P.M.
FREEPORT MUNICIPAL COURT ROOM
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.
FREEPORT, TEXAS
AGENDA**

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
- 4 Attending citizens and their business.
5. Consideration of approving November 30, 2015 Council Minutes. Pg. 918-921
6. Consideration of approving Ordinance No. 2015-2100 amending Division (B) of Section 97.04 of the Code of Ordinances of said City to add thereto a new item, to be known as item (7) providing that the name of the street shown on the plat of the Freeport Townsite as Cherry Street shall hereafter be known as Martin Luther King Boulevard. Pg. 922-923
7. Consideration of approving Ordinance No. 2015-2101 con-naming Martin Luther King Boulevard/Second Street. Pg. 924-925
8. Consideration of accepting a sealed proposal for solid waste collection services and authorizing the City Manager or his designee to negotiate a contract with the successful proposer.
9. Consideration of approving and authorizing the City Manager to expend funds for repairing City Hall roof. Pg. 926-931

10. 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, December 4, 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 City Council of the City of Freeport met on Monday, November 30th, 2015 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: Mayor Norma Moreno Garcia
Councilman Johnathan Sublet
Councilman Fred Bolton
Councilwoman Sandra Loeza
Councilwoman Sandra Barbree

Staff: Jeff Pynes, City Manager
Gilbert Arispe, Assistant City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager

Visitors: Bobby Fuller
Troy Brimage
Sam Reyna
Lesa Girouard
Keith Stumbaugh
Darlene Weir
Melanie Oldham
Nicole Mireles
Margaret McMahan
Edward T. Garcia
Ruth Renobato

Call to order.

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

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma Moreno Garcia led the Pledge of Allegiance.

Attending citizens and their business.

Edward T. Garcia of 1924 North Ave. G., stated that he has recommendations for the Charter Review Commission and requested to have Section 3.06 and 5.05 on the Charter Review Commission agenda.

Consideration of approving November 16, 2015 Council Minutes.

On a motion by Councilwoman Loeza, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved the November 16, 2015 Council Minutes.

Consideration of approving Ordinance No. 2015- 2100 amending Division (B) of Section 97.04 of the Code of Ordinances of said City to add thereto a new item, to be known as item (7), providing that the name of the street shown on the plat of the Freeport Townsite as Cherry Street shall hereafter be known as Martin Luther King Boulevard.

Bobby Fuller of Texas Port Ministries, 1103 Cherry Street, Freeport requested Council not take any action, but to reconsider co-naming 2nd Street/Martin Luther King Boulevard, a better prominent location.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved to reagenda.

Consideration of accepting a sealed proposal for solid waste collection services and authorizing the City Manager or his designee to negotiate a contract with the successful proposer.

Waste Management \$25.85 – 3 year contract.
Waste Connections \$28.00 - 3 year contract.

On a motion by Councilwoman Barbree, seconded by Councilman Sublet, with all present voting "Aye", Council approved to reagenda for further study.

Consideration of setting a public hearing date to consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners thereof granting a tax abatement:

Lot 18, Block 1, Riverside Terrace, a subdivision in the City of Freeport, Brazoria County, Texas according to the map or plat of said subdivision on file in the on file in the plat records of said county, known locally as 1935 N. Ave. G., Freeport, Texas.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved setting January 4, 2016 for a public hearing date to consider designating the following described real property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners thereof granting a tax abatement: Lot 18, Block 1, Riverside Terrace, a subdivision in the City of Freeport, Brazoria County, Texas according to the map or plat of said subdivision on file in the on file in the plat records of said county, known locally as 1935 N. Ave. G., Freeport, Texas.

Consideration of approving and authorizing the City Manager to expend funds for designing and engineering for a new Recreation/Sports complex.

City Manager requested roughly \$40,000.00 for designing and engineering for a new Recreation Sports complex.

Melanie Oldham requested a public meeting be held to discuss in more detail the new Recreation/Sports Complex.

Edward T. Garcia asked if Riverside Park had been sold and stated that it would be more productive to use funds for sewer and street infrastructure.

Nicolas Mireles asked if the location was behind the Salvation Army.

Troy Brimage commented that the City has street infrastructure issues but that both projects can be done.

Councilman Sublet stated that details can be worked out. He spent time with the children from Velasco Elementary and O.A Fleming and are asking "when" the new complex will start. He commented that 70% are school age children, and it is a good investment for our children.

Keith Stumbaugh stated that it is not a bad idea, but there is street flooding, sewer backup and feels that infrastructure should be first and then the Recreational/Sport Complex.

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved and authorized the City Manager to expend funds for designing and engineering for a new Recreation/Sports complex.

Consideration of approving and authorizing the City Manager to expend funds for a city drainage study with LJA Engineering Inc.

On a motion by Councilwoman Loeza, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved to reagenda.

Consideration of the approval of any action to be taken as a result of closed Executive Session.

No action taken

Work Session:

Regarding City of Freeport new Recreation Center/Sports complex.

Discussion held on item 9.

Mayor Norma Garcia closed the formal session and opened the Executive Session at 6:46 p.m.

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:

- Port East End Commercial Truck Traffic

Mayor Norma Garcia closed the Executive Session and reconvened the Formal Session at 6:52 to adjourn.

Adjourn

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "Aye", Mayor Norma M. Garcia adjourned the meeting at 6:52 p.m.

Mayor, Norma Moreno Garcia
City of Freeport, Texas

City Secretary, Delia Munoz
City of Freeport, Texas

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING DIVISION (B) OF SECTION 97.04 OF THE CODE OF ORDINANCES OF SAID CITY TO ADD THERETO A NEW ITEM, TO BE KNOWN AS ITEM (7), PROVIDING THAT THE NAME OF THE STREET SHOWN ON THE PLAT OF THE FREEPORT TOWNSITE AS CHERRY STREET SHALL HEREAFTER BE KNOWN AS MARTIN LUTHER KING BOULEVARD; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City of Freeport, Texas, ("the City") 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, Sections 51.072, 54.004 of the Local Government Code, Section 311.001, Subsection (a) of the Transportation Code and Sections 2.01, 2.02 and Items (p) and (u) of Section 3.07 of the Home Rule Charter of the City authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City finds and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and sojourners in the City using the City's public streets in order to bring to mind Dr. Martin Luther King, Jr., and his importance in and contribution to American history.

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

First, Division (B) of Section 97.04 of the Code of Ordinances of the City is hereby amended to add thereto a new Item (7) which shall read as follows:

"(7) The name of Cherry Street, as shown on the Plat of the Freeport Townsite on file in Volume 2, page 95 of the Plat Records of Brazoria County, Texas, is hereby changed to Martin Luther King Boulevard."

Second, nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

Third, this ordinance is cumulative of and in addition to all other ordinances of the City on the same subject and all such ordinances are hereby expressly saved from repeal. Provided however, where this ordinance and another ordinance conflict or overlap, this ordinance shall prevail.

Fourth, in the event any section or provision of this ordinance 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 to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Fifth, this ordinance shall take effect and be in force from and after its passage and adoption.

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

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AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING DIVISION (B) OF SECTION 97.04 OF THE CODE OF ORDINANCES OF SAID CITY TO ADD THERETO A NEW ITEM, TO BE KNOWN AS ITEM (7), PROVIDING THAT THE NAME OF THE STREET SHOWN ON THE PLAT OF THE FREEPORT TOWNSITE AS SECOND STREET SHALL HEREAFTER BE KNOWN AS MARTIN LUTHER KING BOULEVARD/SECOND STREET; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City of Freeport, Texas, ("the City") 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, Sections 51.072, 54.004 of the Local Government Code, Section 311.001, Subsection (a) of the Transportation Code and Sections 2.01, 2.02 and Items (p) and (u) of Section 3.07 of the Home Rule Charter of the City authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City finds and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and sojourners in the City using the City's public streets co-name a major street with in the city for Dr. Martin Luther King, Jr., in order to bring him and his importance in and contribution to American history to mind.

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

First, Division (B) of Section 97.04 of the Code of Ordinances of the City is hereby amended to add thereto a new Item (7) which shall read as follows:

"(7) The name of Second Street, as shown on the Plat of the Freeport Townsite on file in Volume 2, page 95 of the Plat Records of Brazoria County, Texas, is hereby changed to Martin Luther King Boulevard/Second Street."

Second, nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

Third, this ordinance is cumulative of and in addition to all other ordinances of the City on the same subject and all such ordinances are hereby expressly saved from repeal. Provided however, where this ordinance and another ordinance conflict or overlap, this ordinance shall prevail.

Fourth, in the event any section or provision of this ordinance 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 to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Fifth, this ordinance shall take effect and be in force from and after its passage and adoption.

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

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Ashley Construction

Ashley Construction
17512 Highway 6 Ste# 17
Manvel, TX 77578

Client: Jeff Pynes - City Manager - City of Freeport
Business: 200 West 2nd Street
Freeport, TX 77541

Operator: EXPERTRO

Estimator: Dennis Ashley
Business: P.O.Box 1381
Lake Jackson, TX 77566

Business: (979) 481-1477
E-mail: drashley@ashleysconstruction.com

Type of Estimate: REMODEL
Date Entered: 11/15/2015 Date Assigned:
Date Est. Completed: 11/15/2015 Date Job Completed:

Price List: TXGA8X_OCT15
Labor Efficiency: Restoration/Service/Remodel
Estimate: CITY_OF_FREEPORT



Ashley Construction

Ashley Construction
17512 Highway 6 Ste# 17
Manvel, TX 77578

CITY_OF_FREEPORT

Awning Roof

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
5. Remove Tear off, haul and dispose of gravel ballast only	87.00 SQ	44.19	0.00	0.00	3,844.53
3. Mule-Hide 100% Silicone Roof Coating System	9,400.00 SF	0.00	2.65	728.97	25,638.97
Totals: Awning Roof				728.97	29,483.50
Line Item Totals: CITY_OF_FREEPORT				728.97	29,483.50



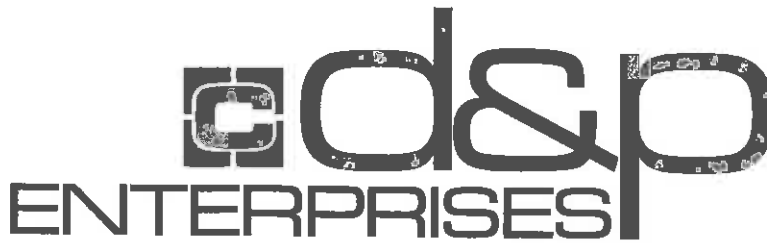
Ashley Construction

Ashley Construction
17512 Highway 6 Ste# 17
Manvel, TX 77578

Summary

Line Item Total	28,754.53
Material Sales Tax	728.97
Replacement Cost Value	\$29,483.50
Net Claim	\$29,483.50

Dennis Ashley



P. O. Box 942 • Rosharon, Texas 77583 • Phone: 281.702.2774
 irobinson@dnpeneterprises.com • Insured & Bonded

Customer's Name: <u>City of Freeport</u>	Date: <u>11-18-15</u>
Address: <u>200 W 2nd Street</u>	Email Address: <u>garissa@freeporttx.us</u>
City: <u>Freeport</u>	State: <u>TX</u> Zip: <u>77541</u>
Phone: <u>979 233 3526</u> Cell:	Work:

PRODUCT BASE PRICE
<input type="checkbox"/> Classic 20 yr
<input type="checkbox"/> Oakridge Pro 30 yr
<input type="checkbox"/> Duration 30 yr
<input type="checkbox"/> Duration Lifetime
" Other "
<input type="checkbox"/> To Install Ridge Vents on all peaks
<input type="checkbox"/> Chimney Re-Flash

- D&P Enterprises agrees to install / Perform the following work:**
1. Number of Layers to be removed 1 2 3
 2. Install #15 #30 Other _____
 3. Replace Drip Edge Yes No Color _____
 4. Install 20" Metal in Valleys
 5. Replace Roof Jacks + Paint to Match
 6. Magnetically Sweep Yard + Remove Debris
 7. Furnish T.D.I. Inspection from "WP-18"

Special Instructions / Additional work to be performed:
Remove Ballast only 875 square ft
Add 100% Silicone Roof Coating System
9400 Sq. Ft

We propose hereby to furnish material and labor - complete in accordance with specifications above for the sum of:
Thirty two thousand eight hundred and ninety dollars (\$ 32,890.00)

LIMITED WARRANTY: D&P Enterprises offers a 1 year coverage on all labor performed against leaks our warranty excludes the following acts of God which shall be covered under home owners insurance (Hurricane, Hail, Lightening)

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do work as specified. Payment will be made as outlined above. Upon signature this becomes a legal and binding contract.

Signature: _____
 Date: _____

Please make checks payable to D&P Enterprises

Thank You for the Opportunity of Serving You!



Proposal - Based on Contract #2092415 with TIPS

November 16, 2015

City of Freeport
200 W. 2nd St.
Freeport, TX 77541

RE: DURO-LAST MECHANICALLY FASTENED ROOF SYSTEM OVER EXISTING ROOF @ CITY HALL 2ND FLOOR PERIMETER ROOF AREA – APPROXIMATELY 7,320 SQ. FT. OF ROOF AND WALL FLASHING

Attn: Kim Townsend

We hereby propose to furnish the necessary labor, material, equipment, insurance and supervision to install a 15-year, no-dollar limit, transferable, Duro-Last warranted roof system on the above referenced project. This includes a \$12,000,000 consequential damages coverage which protects non-residential buildings and their contents if it is damaged because of failure of the Duro-Last roofing system, within the terms of the warranty. The Duro-Last warranty also does not exclude ponding water, as do most other warranted systems. This proposal is based on utilizing the following material and qualifications:

1. Duro-Last nominal 50 mil. white reinforced membrane.
2. Duro-Last 4" fascia bar with PVC snap-on trim.
3. Underlayment: Duro-Guard EPS ½".
4. Duro-Last accessories to make system complete such as but not limited to pre-fabricated curbs, boots, parapets sheets, screws, caulk, plates and etc. per Duro-Last Roofing, Inc. manufacturer's specifications.

Qualifications/Clarifications:

1. Walkpads are included 1 each 30"x60".
2. Proposal based on overlaying of existing roof.
3. Wood blocking is not included.
4. If required, any HVAC, plumbing, electrical, etc. that may need to be moved or disconnected and reconnected (other than normal roofing practice) will need to be done by a subcontractor of Owner's choice at Owner's expense.
5. If any deteriorated or damaged roof system, decking, framing, parapet, fascia, vents, stacks, pipes, conduit, electrical wiring, gutters, drains etc. unforeseen or otherwise are encountered during roofing installation, beyond what is specifically covered by this proposal, Jaco will notify owner/owner's representative of the situation; after approval, repairs can be made by others or on a time and material basis by Jaco.
6. Jaco Roofing and Construction, Inc. is not responsible for existing building conditions such as but not limited to existing leaking roofs, walls, windows, gutters, downspouts, interior drains, pipes, air conditioner equipment, electrical wiring, hidden conduit within or below the existing roofing system, ducts, vents, fans, parapets, mansards, water lines, masonry walls, adjacent roofs, skylights, trims or the existence of water damage to existing building interiors (walls, ceiling, floors and etc.) or the existence of mold.
7. Although Jaco Roofing and Construction, Inc. will take standard caution in loading the roof prior to installation, some leaks may occur due to the existing condition of the roof. Jaco Roofing and Construction, Inc. will not be responsible for leaks or possible interior damage.
8. Jaco Roofing and Construction, Inc. is not responsible for the calibration, recalibration, readjustment and/or testing on any electronic equipment such as but not limited to satellite dish, camera security, communication equipment, GPS devices, or recertification of lightning rods (grounding system).
9. Please be advised that noise created by the installation of roof is normal and is expected during working hours. If this is an issue please advise prior to commencement.

Office Address:
415 S. Hwy 288B
Clute, TX 77531
(979) 265-6101

"Duro-Last Elite Master Contractor"
1-800-265-JACO
www.jacoroofting.com
info@jacoroofting.com

Mailing Address:
P. O. Box 937
Clute, TX 77531
(979) 265-6448 Fax

