

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 2, 2016 at 6:00 p.m., at the Freeport Police Department, Municipal Court Room, 430 North Brazos port Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Norma Moreno Garcia  
Councilman Johnathan Sublet  
Councilman Fred Bolton - Absent  
Councilwoman Sandra Loeza  
Councilwoman Sandra Barbree

Staff: Jeff Pynes, City Manager  
Gilbert Arispe, Asst. City Manager  
Delia Munoz, City Secretary  
Wallace Shaw, City Attorney  
Nat Hickey, Property Manager  
Jennifer Hawkins, EDC Director  
Dan Pennington, Police Chief  
Brian Davis, Fire Chief  
Bob Welch, Finance Director

Visitors: Ruth Renobato Reuben Renobato  
Troy Brimage Sabrina Brimage  
Manning Rollerson Jerry Meeks  
Evelyn Burridge Moby Burridge  
Royce McCoy Margaret McMahan  
Edward Garcia Lila Lloyd  
Nicole Mireles Sam Reyna

Call to order.

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

Invocation.

Councilman Sublet led the invocation.

Pledge of Allegiance.

Mayor Norma M. Garcia led the Pledge of Allegiance.

Attending citizens and their business.

Manning Rollerson of 402 E. Broad, asked about a segregation order of the East End dated October 30, 1930 by Mayor Collins. He reviewed documents from Lila Lloyd that the East End is a Negro Reservation. He questioned why the Port Freeport can take property through eminent domain on the East End. The Port has not made it clear what the plans are for the East End residents.

Lila Lloyd of 1620 N. Ave. T, stated that she consider herself a historian and collects clipping of interest from the newspapers. She has served on the Port and City's committees. She objects paying taxes to the City and to the Port and disagrees that industry has pipe lines running through residential properties. She asked that her council pay more attention to the growth of Freeport.

Consideration of approving April 4, 2016 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the April 4, 2016 Council Minutes.

Consideration of approving Resolution No. 2016-2489 which deems it necessary and proper to apply for financial assistance under the Rules and Regulations of Rural Development, an agency of the United States Department of Agriculture.

On a motion by Councilman Sublet, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Resolution No. 2016-2489 which deems it necessary and proper to apply for financial assistance under the Rules and Regulations of Rural Development, an agency of the United States Department of Agriculture.

Consideration of approving Resolution No. 2016-2490 designating Assistant City Manager, Gilbert Arispe to act for and on behalf of the City of Freeport in dealing with the Texas General Land Office for the purpose of applying for State assistance to clean and maintain the public beach.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Resolution No. 2016-2490 designating Assistant City Manager, Gilbert Arispe to act for and on behalf of the City of Freeport in dealing with the Texas General Land Office for the purpose of applying for State assistance to clean and maintain the public beach.

Consideration of approving Ordinance No. 2016-2113 amending section 71.50 of the Code of Ordinances designating a Four-Way Stop Intersection on Eighth Street and Magnolia and adding a Stop Sign on North Ave. D, between Quintana and McNeil Streets.

On a motion by Councilman Sublet, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Ordinance No. 2016-2113 amending section 71.50 of the

Code of Ordinances designating a Four-Way Stop Intersection on Eighth Street and Magnolia and adding a Stop Sign on North Ave. D, between Quintana and McNeil Streets.

**Public Hearing** 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 agreement : Patrick and Mary Bel Garza, 2 South Ave. D, Lots 1, 2, Block 5, Velasco Townsite of the City of Freeport, Brazoria County, Texas according to the map or plat of said subdivision on file in the office of the County Clerk of said county.

Mayor Norma M. Garcia opened the Public Hearing at 6:15 p.m. 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 agreement : Patrick and Mary Bel Garza, 2 South Ave. D, Lots 1, 2, Block 5, Velasco Townsite of the City of Freeport, Brazoria County, Texas according to the map or plat of said subdivision on file in the office of the County Clerk of said county.

There were no comments from audience or staff, Mayor Norma M. Garcia closed the Public Hearing at 6:15 p.m.

**Consideration of approving Ordinance No. 2016-2114 designating improvements to land located within the incorporated limits of said City as a reinvestment zone to be known as # Patrick and Mary Bel Garza, 2 South Ave. D., reinvestment zone and providing for its initial term and the renewal thereof.**

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved Ordinance No. 2016-2114 designating improvements to land located within the incorporated limits of said City as a reinvestment zone to be known as # Patrick and Mary Bel Garza, 2 South Ave. D., reinvestment zone and providing for its initial term and the renewal thereof.

**Consideration of approving Resolution No. 2016- 2491 authorizing and executing a tax abatement agreement for Patrick and Mary Bel Garza, 2 South Ave. D, Freeport Texas, pursuant to the terms and conditions of and authorizing the Mayor and the City Secretary to execute and attest.**

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Resolution No. 2016- 2491 authorizing and executing a tax abatement agreement for Patrick and Mary Bel Garza, 2 South Ave. D, Freeport Texas, pursuant to the terms and conditions of and authorizing the Mayor and the City Secretary to execute and attest.

**Public Hearing** 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 agreement : Nicholas Sanchez, 1932 North Ave. H, Block 5, Lot 16, Riverside Terrace of the City of Freeport,

Brazoria County, Texas according to the map or plat of said subdivision on file in the office of the County Clerk of said county.

Mayor Norma M. Garcia opened the Public Hearing at 6:18 p.m. 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 agreement : Nicholas Sanchez, 1932 North Ave. H, Block 5, Lot 16, Riverside Terrace of the City of Freeport, Brazoria County, Texas according to the map or plat of said subdivision on file in the office of the County Clerk of said county.

There were no comments from audience or staff, Mayor Norma M. Garcia closed the Public Hearing at 6:19 p.m.

Consideration of approving Ordinance No. 2016-2115 designating improvements to land located within the incorporated limits of said City as a reinvestment zone to be known as Nicholas Sanchez, 1932 North Ave. H , reinvestment zone and providing for its initial term and the renewal thereof.

On a motion by Councilwoman Barbree, seconded by Councilman Sublet, with all present voting “Aye”, Council unanimously approved Ordinance No. 2016-2115 designating improvements to land located within the incorporated limits of said City as a reinvestment zone to be known as Nicholas Sanchez, 1932 North Ave. H, reinvestment zone and providing for its initial term and the renewal thereof.

Consideration of approving Resolution No. 2016-2492 granting a tax abatement agreement to Nicholas Sanchez, 1932 North Ave. H, Freeport Texas, pursuant to the terms and conditions of and authorizing the Mayor and the City Secretary to execute and attest.

On a motion by Councilwoman Barbree, seconded by Councilman Sublet, with all present voting “Aye”, Council unanimously approved Resolution No. 2016-2492 granting a tax abatement agreement to Nicholas Sanchez, 1932 North Ave. H, Freeport Texas, pursuant to the terms and conditions of and authorizing the Mayor and the City Secretary to execute and attest.

Consideration of approving Resolution No. 2016-2493 to suspend the effective date proposed by CenterPoint Energy Resources Corp., Texas Coast Division, to increase rates under the gas reliability infrastructure program for 45 days and authorize the City’s continued participation in a coalition of cities known As the “Texas Coast utilities Coalition” (TCUC) of cities.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved Resolution No. 2016-2493 to suspend the effective date proposed by CenterPoint Energy Resources Corp., Texas Coast Division, to increase rates under the gas reliability infrastructure program for 45 days and authorize the City’s continued participation in a coalition of cities known As the “Texas Coast utilities Coalition” (TCUC) of cities.

Consideration of approving Resolution No. 2016-2494 denial of application for approval of a rate increase submitted by CenterPoint Energy Houston Electric and authorization to participate in proceedings at the Public Utility Commission of Texas.

On a motion by Councilwoman Barbree, seconded by Councilman Sublet, with all present voting “Aye”, Council unanimously approved Resolution No. 2016-2494 denial of application for approval of a rate increase submitted by CenterPoint Energy Houston Electric and authorization to participate in proceedings at the Public Utility Commission of Texas.

Consideration of approving and releasing the City’s interest in trust property on Block 5, Lot 7, Freeport Townsite, known as 527 East 5<sup>th</sup> Street, Tax. Id. No. 4200-0082-000.

On a motion by Councilwoman Barbree, seconded by Councilman Sublet, with all present voting “Aye”, Council unanimously approved to reagenda this item.

Consideration of approving and releasing the City’s interest in trust property on Block 5, Lt 9, Freeport Townsite, known as 537 East 5<sup>th</sup> Street, Tax Id. 4200-0084-000.

On a motion by Councilwoman Barbree, seconded by Councilman Sublet, with all present voting “Aye”, Council unanimously approved to reagenda this item.

Consideration of approving and releasing the City’s interest in trust property on Block 5, Lot 10, Freeport Townsite, known as 536 East 6<sup>th</sup> Street, Tax Id 4200-0085-000.

On a motion by Councilwoman Barbree, seconded by Councilman Sublet, with all present voting “Aye”, Council unanimously approved to reagenda this item.

Consideration of approving Resolution No. 2016-2495 authorizing Comcast to bore beneath Sweeney Street for the purpose of placing coax cable connecting its existing service at a location near 1302 N. Brazosport Boulevard with the business located at 1400 N. Brazosport Boulevard under the terms and conditions set forth herein; setting a fee to be paid by Comcast and providing for termination after notice and hearing.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting “Aye”, Council unanimously approved Resolution No. 2016-2495 authorizing Comcast to bore beneath Sweeney Street for the purpose of placing coax cable connecting its existing service at a location near 1302 N. Brazosport Boulevard with the business located at 1400 N. Brazosport Boulevard under the terms and conditions set forth herein; setting a fee to be paid by Comcast and providing for termination after notice and hearing.

Consideration of approving Ordinance No. 2016-2116 closing a portion of the 100 Block of South Front Street, being shown on the plat of the Velasco Townsite as the portion of said street located between a southerly extension of the easterly boundary line of Lot 12, Block 1, of the Velasco Townsite and southerly extension of the westerly boundary line of Lot 7, Block 1, of said Townsite.

On a motion by Councilman Sublet, seconded by Councilwoman Barbree, with all present voting “Aye”, Council unanimously approved Ordinance No. 2016-2116 closing a portion of the 100 Block of South Front Street, being shown on the plat of the Velasco Townsite as the portion of said street located between a southerly extension of the easterly boundary line of Lot 12, Block 1, of the Velasco Townsite and southerly extension of the westerly boundary line of Lot 7, Block 1, of said Townsite.

Consideration of approving Resolution No. 2016-2496 accepting the offer of and authorizing the Mayor and City Secretary to execute and attest, respectively, and the Mayor to acknowledge and deliver to Talbert Troy Brimage a deed without warranty deed conveying 0.741 acres of land out of the Velasco Drainage District Levee Tract in the Eli Mitchell Survey, Abstract 99, Brazoria County, Texas, to the said Talbert Troy Brimage, he being the sole owner of the real property abutting the same.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved Resolution No. 2016-2496 accepting the offer of and authorizing the Mayor and City Secretary to execute and attest, respectively, and the Mayor to acknowledge and deliver to Talbert Troy Brimage a deed without warranty deed conveying 0.741 acres of land out of the Velasco Drainage District Levee Tract in the Eli Mitchell Survey, Abstract 99, Brazoria County, Texas, to the said Talbert Troy Brimage, he being the sole owner of the real property abutting the same.

Consideration of approving a replat of Lots 1 & 2, Block 5, Velasco Townsite, being a replat of 0.1492 acres being Lots 1 and 2, Block 5 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 Patrick L. & Mary Bel Garza recorded in County Clerks file No. 2013-038059 of the official records of Brazoria County, Texas.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved a replat of Lots 1 & 2, Block 5, Velasco Townsite, being a replat of 0.1492 acres being Lots 1 and 2, Block 5 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 Patrick L. & Mary Bel Garza recorded in County Clerks file No. 2013-038059 of the official records of Brazoria County, Texas.

Consideration of approving a survey plat of Sunset Subdivision being a 6.50 Acre Tract, recorded in Volume 1284 Page 135 in the C.G.H.A. & H.O Alsberry League Grant Abstract 4, City of Freeport, Brazoria County, owners David L. & Amanda Hennig.

On a motion by Councilwoman Barbree, seconded by Councilman Sublet, with all present “Aye”, Council unanimously approved a survey plat of Sunset Subdivision being a 6.50 Acre Tract, recorded in Volume 1284 Page 135 in the C.G.H.A. & H.O Alsberry League Grant Abstract 4, City of Freeport, Brazoria County, owners David L. & Amanda Hennig.

Consideration of approving a replat of a 4.884 Acre Tract and Parcels 3 & 4 of the partition of a 7.642 Acre Tract out of a called 8.98 Acre Tract recorded in Clerk's File No. 01-058261 of the Brazoria County Official Records in the C.G.H. & H. Alsberry 1 ½ League Grant Abstract 4 City of Freeport, Brazoria County, Texas, owners Richard E. and Jana C. Gardner, along with T. Hodge Walker and J. Rachel Walker.

On a motion by Councilwoman Barbree, seconded by Councilman Sublet, with all present "Aye", Council unanimously approved a replat of a 4.884 Acre Tract and Parcels 3 & 4 of the partition of a 7.642 Acre Tract out of a called 8.98 Acre Tract recorded in Clerk's File No. 01-058261 of the Brazoria County Official Records in the C.G.H. & H. Alsberry 1 ½ League Grant Abstract 4 City of Freeport, Brazoria County, Texas, owners Richard E. and Jana C. Gardner, along with T. Hodge Walker and J. Rachel Walker.

Consideration of approving a JLR-AD Subdivision plat of a 0.246 Acre Tract of Land out of a 0.253 Acre Tract out of a 1.37 Acre Tract, being a portion of Tract 33 of the A.E. Hunter Subdivision of the Guy M. Bryan Survey, Abstract No. 157, Brazoria County, Texas, described in Clerks File No. 2003 0350898 of the official Records of Brazoria County, Texas in the Extra Territorial Jurisdiction of the City of Freeport, Texas, owners Jay Lynn Richardson.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present "Aye", Council unanimously approved a JLR-AD Subdivision plat of a 0.246 Acre Tract of Land out of a 0.253 Acre Tract out of a 1.37 Acre Tract, being a portion of Tract 33 of the A.E. Hunter Subdivision of the Guy M. Bryan Survey, Abstract No. 157, Brazoria County, Texas, described in Clerks File No. 2003 0350898 of the official Records of Brazoria County, Texas in the Extra Territorial Jurisdiction of the City of Freeport, Texas, owners Jay Lynn Richardson.

Consideration of advertising and setting a bid date for May 30, 2016 for mowing services for the City of Freeport.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council approved setting a bid date for May 30, 2013 for mowing services for the City of Freeport.

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

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved setting a Public Hearing date for May 23, 2016 to notify all responsible parties for the Showboat Theater Building/Dollar General Store.

Mayor Norma Moreno Closed the Formal session and opened the Executive Session at 6:30 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:

- Showboat Theater Building/Dollar General Store  
217 & 213 West 2<sup>nd</sup> Street

Mayor Norma M. Garcia closed the Executive Session at 7:15 p.m. and reconvened the Formal Session to motion on No. 28.

Adjourn

On a motion by Councilman Sublet, seconded by Councilwoman Barbree, with all present voting "Aye", Mayor Norma M. Garcia adjourned the meeting at 7:16 p.m.

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Mayor Norma Moreno Garcia  
City of Freeport, Texas

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City Secretary Delia Munoz  
City of Freeport, Texas