

State of Texas

Brazoria County

City of Freeport

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Monday, February 4th, 2008 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: Larry L. McDonald
Clan A. Cameron – absent
Jim Saccomanno
John Smith, III
Norma M. Garcia

Staff: Gary Beverly, City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Jeff Pynes, Police Chief
Doug Caffey, Building Inspector
Larry Ellis, Asst. Building Inspector
Larry Fansher, Public Works Director
Mary Stotler, Main Street Director

Visitors:	Diane Williams	Abel Garcia
	Roddy Mohler	Barbara Mohler
	Jim Pirrung	Dorothy Pirrung
	Lila Lloyd	Elliot Cundieff
	Michelle Kent	Pixie Floyd
	Jerry Meeks	Mark Wessels
	Kimmie Wessels	Larry Schaefer
	Rosa McDonald	Eric Hayes
	Lila Diehl	Edna Allan
	Sandra Barnett	

Call to Order.

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

Invocation.

Abel Garcia, Pastor from the First Baptist Church offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of the approval of the January 22nd, 2008 Council Minutes.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved the January 22nd, 2008 Council minutes.

Attending Citizens and Their Business.

Jason Montier of 1507 W. 4th Street asked Council to remember that they are public figures in the community and to refrain from swearing and cussing in public.

Kimmie Wessles of 95 Dolphin Lane, asked Council to streamline the water deposit process.

Mark Wessels of 95 Dolphin Lane complained that a tie in was done at 93 Dolphin and expects the contractor to finish the project by putting everything back.

Abel Garcia, 1751 W. 9th Street, asked Council to recognized and invite Coach Waddy and the volunteers of the Brazosport High School Basketball Team to the council meetings. He applauded them for an outstanding job in the community.

Diane William, Chairman of the Planning Commission advised Council that they had a quorum in the council room. She asked Mr. Shaw if they needed to excuse a member of the committee, because it constituted a quorum and an agenda has not been posted. Mr. Shaw agreed to have a member voluntarily dismiss himself. Abel Garcia volunteered to leave the council chambers.

Consideration of the approval of Resolution No. 2008-2163 expressing the support of the City Council of said City for the proposed Voting Center Pilot Program.

Joyce Hudman, County Clerk of Brazoria County discussed the requirements that are needed for Brazoria County to participate in the pilot program for the November 4th, 2008 General Election.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved Resolution No. 2008-2163 expressing the support of the City Council of said City for the proposed Voting Center Pilot Program.

Consideration of the approval of Ordinance No. 2008-2189, amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Brazos Coast Investment Company Subdivision, Division 8, Lots 3, 4, 5A, 19, 20 & 31, Bridge Harbor Subdivision, Lots 1-17, C-C1-C3, Bldg. A, Units 101-103, Bldg. B, Units

104, 106-110, Replat Bldg.D, Unit 111, Bldg. D, Unit 112-116, Reserve A1-B Condo, Bldg TR E-F, Reserve PT A-Boat Basin, and E-Boat Basin-ADJ Condo-Boat Docks, and and land annexed by Ordinances 2007-2152 and 2007-2164.

Diane William, spoke in behalf of the Planning Commission to rezone Bridge Harbor as stated in the propose ordinance.

On a motion by Councilwoman Garcia, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved Ordinance No. 2008-2189 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Brazos Coast Investment Company Subdivision, Division 8, Lots 3, 4, 5A, 19, 20 & 31, Bridge Harbor Subdivision, Lots 1-17, C-C1-C3, Bldg. A, Units 101-103, Bldg. B, Units 104, 106-110, Replat Bldg.D, Unit 111, Bldg. D, Unit 112-116, Reserve A1-B Condo, Bldg TR E-F, Reserve PT A-Boat Basin, and E-Boat Basin-ADJ Condo-Boat Docks, and and land annexed by Ordinances 2007-2152 and 2007-2164.

Consideration of the approval of conveying a portion of Brazos Boulevard Right-of-Way contiguous to Block 144, East ½ of Lot 4 and all of Lot 5, Freeport Townsite, Brazoria County, Texas to the Cundieff’s Family Partnership.

On a motion by Councilman Saccomanno, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved for Mr. Shaw to draft the necessary paper work, conveying a portion of Brazos Boulevard Right-of-Way contiguous to Block 144, East ½ of Lot 4 and all of Lot 5, Freeport Townsite, Brazoria County, Texas to the Cundieff’s Family Partnership.

Consideration of the approval of setting a bid date for the sale of City owned property:

- Block 716, Lot 16, 18, 20, Velasco Townsite.
- Block 717, Lot 2, 4, Velasco Townsite.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting “aye”, Council approved Nat Hickey’s recommendation to set a bid date for March 3, 2008, 2:00 p.m. for the sale of City owned property.

Consideration of the approval of signing and replating Block 795, Lots 13 thru 21, Velasco Townsite, known as 1701-1717 North Ave. K.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting “aye”, Council approved Nat Hickey’s recommendation to sign and replat Block 795, Lots 13 thru 21, Velasco Townsite, known as 1701-1717 North Ave. K.

Consideration of the approval of signing and replating Block 65, Lot 9 thru 16, Freeport Townsite, known as 402 West Broad, as requested by Habitat for Humanity.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting “aye”, Council approved Nat Hickey’s recommendation to sign and replat Block 65, Lot 9 thru 16, Freeport Townsite, known as 402 West Broad, as requested by Habitat for Humanity.

Consideration of the approval of authorizing the Mayor to sign a 2007-2008 Fiscal Year Interlocal Agreement between Brazoria County and the City of Freeport for street work.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting “aye”, Council approved Larry Fansher’s recommendation to authorize the Mayor to sign a 2007-2008 Fiscal Year Interlocal Agreement between Brazoria County and the City of Freeport for street work.

Consideration of the approval of rescheduling February 18th, 2008, Council Meeting to February 19th, 2008 due to President’s Day.

On a motion by Councilwoman Garcia, seconded by Councilman Smith, with all present voting “aye”, Council approved rescheduling the February 18th, 2008, Council Meeting to February 19th, 2008 due to President’s Day.

Elected Official Report

Councilman Smith and Councilwoman Garcia attended the Mardi Gras Ball at RiverPlace, a Main Street event. A very nice event and well attended.

Work Session

Administration Report

Gary Beverly also attended the Mardi Gras Festival, on February 1, 2008. A well attend event by Main Street. He thanked the volunteers for their participation. The Freeport Fire Department added three (3) full time employees. Chief Stanford will introduce them to Council at a later date. Mr. Beverly emphases that Ave H. is their top priority. They will be laying oil and have identified soft spots, before laying asphalt. Contractors working on driveways and curbs on 9th street. A ground breaking ceremony is scheduled for Wednesday, February 6th, 2008 at 3:00 p.m. for the marina. The Brazoria Counties Cities Association meeting will be hosted by the Town of Holiday Lakes on February 20th, 2008.

Financial Review by Gary Beverly for Fiscal Year 2007-2008 through 12/31/07.

Gary Beverly discussed financials for the quarter ending 12/31/07. Revenues as a percent of the budget are slightly ahead of last year at this time. Expenses are below figures from last year. We have slowed spending on capital until the 2nd quarter of the year. The City

currently has \$4,727,000 in cash, of which \$4,463,000 is unreserved. The current debt balance is \$5,589,000.

Mayor McDonald closed the work session and opened the Executive Session at 7:00 p.m.

Executive Session:

A. Section 551.071, Government Code
Consultation with the 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 of Texas clearly conflicts with Chapter 551, Government Code, to wit:

(l) Port Freeport – prior annexations

Adjourn

On a motion by Councilwoman Garcia, seconded by Councilman Saccomanno, with all present voting “aye”, the meet was adjourned at 7:50 p.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor