

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Monday, September 25, 2006, at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

City Council: James W. Phillips
Clan A. Cameron
Jim Saccomanno
John Smith, III
Norma M. Garcia

Staff: Ron Bottoms, City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Gary Beverly, Finance Director
Larry Fansher, Public Works Director
Doug Caffey, Building Inspector
Nat Hickey, Property Manager
Pinkey Hartline, Golf Course Director
Jeff Pynes, Chief of Police

Visitors: Diane Williams Bob Leffingwell
Bob Leffingwell Gary Bullard
Cyril Wilcox Jody Jones
Dorothy West James Allan
Larry McDonald Rosa McDonald
Joaquin Damian Eric Hayes
Jim Pirrung Dorothy Pirrung
Sandra Barnett Jerry Meeks
Don Richards Waynard Hyde
William DeMain Faia DeMain
Edna Allan Roddy Mohler
Barbara Mohler Lila Lloyd
Sandra Leavey Cathy Williams
Joyce Adkins Colleen McCowen
Linda Allen Angel Kant
Louie Jones Michelle Kent
Lila Diehl Larry Shaefer
Judy Shaefer

Call to Order

Mayor Phillips called the meeting to order at 6:02 p.m.

Invocation by Jody Jones, Pastor from the West End Baptist Church.

Pastor Jody Jones offered the invocation.

Pledge of Allegiance.

Mayor Phillips led the Pledge of Allegiance.

Approval of the September 18, City Council Minutes.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved the minutes of September 18, 2006.

Attending Citizens and Their Business.

Angel Kent of 115 W. Broad Street, questioned the Open Meeting Act. She presented a list of questions to Mayor Phillips and other members of the Council.

Joaquin Damian of 915 West 7th Street blamed Mr. Bottoms for the City’s problems, concerning the loss of weapons from the Freeport Police Department. He stated that during the Summertime Blues Festival, a table was set up collecting signatures for a petition, and thought this was wrong and shameful.

Wright Gore, III of 301 W. Brazos and 4000 Essex Lane, Houston, Texas, questioned the Mayor about Mr. Walker Royall being in Freeport. Mayor Phillips said he did not know if he was in town or not. He directed the same question to Councilman Smith, he responded with a “yes”. Mr. Gore asked if Mr. Royall would be attending a meeting on October 5, 2006, concerning a lawsuit. Mr. Gore continued to ask questions of taking property and the eminent domain lawsuit. Mayor Phillips advised him to sit down, he then instructed Chief Pynes to remove Mr. Gore from the Council Meeting.

Joyce Adkins of 102 N. Ave. C., said after this incident, that this Council had become legendary. She reminded Council that each of them represents a section of town, and 90% of the money was being spent on the marina project. The City was in dire need of walkways and covered ditches.

Sandra Leavey of 311 W. Broad, wanted Council to continue with the Marina project. The Building Block program was available for anybody wanting to improve their home.

Consideration of the approval of Ordinance No. 2006- 2138 adopting a tax rate for fiscal year 2006-2007.

On a motion by Councilman Smith: “I move that property taxes be increased by the adoption of an ordinance levying ad valorem taxes for the City for the 2006 tax year at a tax rate of \$0.71”, after receiving a second by Councilman Saccomanno by a record vote, such motion duly adopted, the record vote being 4 to 1. Councilman Cameron opposed.

Councilman Smith: aye
Councilwoman Garcia: aye
Mayor Phillips: aye
Councilman Saccomanno: aye
Councilman Cameron: nay

Consideration of the approval Ordinance No.2006-2139 repealing Ordinance No. 2006-2132 which prohibits the use or authorization of loans involving public funds to a private business.

On a motion by Councilman Saccomanno, seconded by Councilman Smith, with all present voting 4 to 1, Council approved Ordinance No. 2006-2139 repealing Ordinance No. 2006-2132 which prohibits the use or authorization of loans involving public funds to a private business. Councilman Cameron opposed.

Consideration of the approval of Resolution No. 2006-2024 supporting the Brazoria County Shoreline Restoration Task Force in their application with the Texas General Land Office for coastal impact assistance program (CIAP) cycle two (2) funds.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved Resolution No. 2006-2024 supporting the Brazoria County Shoreline Restoration Task Force in their application with the Texas General Land Office for coastal impact assistance program (CIAP) cycle two (2) funds.

Consideration of the approval of Resolution No. 2006-2025 reappointing Jimmy Salinas to the Brazosport Water Authority.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved Resolution No. 2006-2025 reappointing Jimmy Salinas to the Brazosport Water Authority. Councilman Cameron opposed.

Consideration of the approval of signing a letter of support for the Village of Surfside Beach “CIAP” Grant Application for an artificial reef.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved signing a letter of support for the Village of Surfside Beach “CIAP Grant Application for an artificial reef.

Consideration of the approval of sale of the City’s interest in trust property at Block 24, Lot 23-24, Velasco Townsite, known as 400 S. Ave. D.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved the sale of the City’s interest in trust property at Block 24, Lot 23-24, Velasco Townsite, known as 400 S. Ave. D.

Consideration of the approval of sale of the City’s interest in trust property at Block 24, Lots 19 thru 22, Velasco Townsite, known a 400 S. Ave. D.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved the sale of the City’s interest in trust property at Block 24, Lots 19 thru 22, Velasco Townsite, known as 400 S. Ave. D.

Consideration of the approval of sale of the City’s interest in trust property at Block 26, Lots 11-12, Velasco Townsite, known as 524 S. Ave. D.

Action taken on September 11, 2006, City Council meeting.

Consideration of the approval of authorizing the Mayor to sign an Interlocal Agreement with the City of Freeport and Brazoria County for street improvements.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved the Mayor to sign an Interlocal Agreement with the City of Freeport and Brazoria County for street improvements.

Elected Official Report

Councilman Smith, reported the Senior Citizens Committee planning a trip to the Woodlands. The Thanksgiving Dinner for the Senior Citizens is scheduled for November 20, 2006.

Councilman Saccomanno stated that the Main Street Board meets on October 3, 2006.

Mayor Phillips reported the Brazosport High School dedication will be October 21, 2006 at 10:00 a.m. The Board of Realtors will meet for a luncheon, on October 6, 2006 at RiverPlace. On October 17, 2006 the Brazosport Rotary Club will meet at RiverPlace.

Work Session

Discussion concerning Residential Solid Waste Services.

Mr. Bottoms reviewed with Council the options on residential solid waste services. He presented cost on a once a week pick up/twice a week pickup. He also asked for terms of one, three and five years as means of controlling costs. He proposes a survey to canvass the City for a service plan preference.

Councilman Cameron said he had not received any complaints from our current Waste Management contractor, which is on a three year contract rate of \$13.32. Councilman Saccomanno agreed.

This item will be placed on the October 2, 2006, City Council agenda.

Mayor Phillips closed the work session and opened the executive session at 7:05 p.m.

Executive Session

A. 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:

- (1) Marina

Mayor Phillips reconvened the open session at 7:24 p.m.

Adjourn

On a motion by Councilman Saccomanno, seconded by Cameron, with all present voting "aye", the meeting was adjourned at 7:24 p.m.

Delia Munoz
City Secretary

James W. Phillips
Mayor