

**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, FEBRUARY 5, 2013 - 7:00 PM**

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY FEBRUARY 5, 2013 AT 7:00 PM** IN THE SEABROOK CITY HALL COUNCIL CHAMBERS, 1700 FIRST STREET, SEABROOK, TX 77586, **TO DISCUSS, CONSIDER, AND IF APPROPRIATE, TAKE ACTION** WITH RESPECT TO THE ITEMS LISTED BELOW.

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR OTHER ACCOMMODATIONS OR INTERPRETIVE SERVICES, MUST BE MADE, 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (281) 291-5600 OR FAX (281) 291-5710 FOR FURTHER INFORMATION.

PLEDGE OF ALLEGIANCE

1.0 PRESENTATIONS

- 1.1 Presentation of award to Christmas Boat Parade winner. (Royal)
- 1.2 Presentation of an American flag flown in Afghanistan to the Seabrook Police Department. (Dominic Del Rosso of SVFD)

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

At this time we would like to listen to any member of the audience on any subject matter, whether or not that item is on the agenda. All comments are limited to a maximum of four minutes for each speaker. In accordance with the Open Meetings Act, members may not discuss or take action on any item that has not been posted on the agenda. When your name is called, please come to the podium and state your name and address clearly into the microphone before making your comments. Thank you.

- 2.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

3.0 CONSENT AGENDA - Council will discuss, consider and if appropriate, take action on the items listed below.

All consent agenda items are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a council member, city manager, city attorney or city secretary so requests, in which event the item will be removed from the Consent Agenda and considered immediately following the Consent Agenda.

- 3.1 Approve a special events permit and request for temporary signs for the annual Keels & Wheels Concours classic automobile and vintage boat show on May 4 - 5, 2013 at the Lakewood Yacht Club. (Applicant)

 ATTACHMENT 2

- 3.2 Approve a special events permit and a request for temporary signs for the annual Seabrook Lucky Trails Marathon on Saturday, March 16 thru Sunday, March 17, 2013. The marathon will begin each day at Meador Park and continue along the Seabrook trails to Pine Gully Park and back to Meador Park. (Applicant)

 ATTACHMENT 3

- 3.3 Approve minutes of the City Council meeting of January 22, 2013. (Glaser)

 ATTACHMENT 4

- 3.4 Approve reappointments of John Dolan and Sue Langgard as regular members of the Board of Adjustment and Richard Nguyen as an alternate member, all with 2 year terms expiring January 2015. (Council)

 ATTACHMENT 5

- 3.5 Approve reappointment of Mike DeHart, Bo Lewis, Dodie Miller and Michael Potts as members of the Planning & Zoning Commission for 3 year terms expiring January 2016. (Council)

 ATTACHMENT 6

- 3.6 Approve reappointment of David Wilkerson and Gene Scott as members of the Ethics Review Commission for 2 year terms ending October 2014. (Council)

 ATTACHMENT 7

- 3.7 Consider approval of Clearwire (Crown Castle) equipment modifications to the tower facility located at 1700 First Street. Modifications include: 1) replacing existing radio equipment; 2) replacing existing coax lines; and 3) adding a junction box. (Templin)

END OF CONSENT AGENDA

- 4.0 NEW BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.**

 ATTACHMENT 8

- 4.1 Consider first and final reading of Ordinance No. 2013-05, Issuance of General Obligation Refunding Bonds Series 2013. (Royal)

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF SEABROOK, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013; AUTHORIZING A PRICING OFFICER TO APPROVE THE AMOUNT, THE

INTEREST RATES, PRICE, REDEMPTION PROVISIONS AND TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATED THERETO; AND CONTAINING OTHER MATTERS RELATED THERETO.

ATTACHMENT 9

- 4.2 Consider first reading of Ordinance No. 2013-01, "Prohibited Parking." (Landis)

AN ORDINANCE AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, ENTITLED "TRAFFIC AND VEHICLES," ARTICLE III, "STOPPING, STANDING, AND PARKING," DIVISION 1, "GENERALLY," BY ADDING A NEW SECTION 90-70 ENTITLED, "PARKING PROHIBITED; STREETS, ALLEYS AND DRIVEWAYS," PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00), OR THE MAXIMUM AMOUNT PERMITTED BY LAW FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

ATTACHMENT 10

- 4.3 Consider first and final reading of Ordinance No. 2013-03, "Budget Amendment Ordinance for FY 2011/12." (Lab)

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2011 AND ENDING ON SEPTEMBER 30, 2012 FOR THE CITY OF SEABROOK.

ATTACHMENT 11

- 4.4 Consider recommendations of the Ethics Review Commission to amend Section 2-207 of the Code of Ethics as it relates to membership. If recommendations are approved, this item will require an ordinance be submitted to Council. (Ethics Review Commission)

5.0 ROUTINE BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.

ATTACHMENT 12

- 5.1 Consider approval of the Action Items Checklist which is attached and made a part of this agenda. (Council)

ATTACHMENT 13

- 5.2 Establish future meeting dates and agenda items. (Council)

6.0 EXECUTIVE SESSION

The City Council will now hold a closed executive meeting pursuant to the provisions of the open meetings Act, Charter 551, Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in one or more of the following sections: Section 551.071, Consultation with Attorney; Section 551.072, Real Property; Section 551.073, Deliberation Regarding a Prospective Gift; Section 551.074, Personnel Matters; Section 551.076, Security Devices; and Section 551.087, Economic Development.

Section 551.074

6.1 Consider evaluation of the City Secretary. (Council)

Section 551.072

6.2 Conduct a closed meeting, as provided by Section 551.072 Texas Government Code to deliberate the purchase of real property as deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. (Templin)

7.0 OPEN MEETING

Council will reconvene in open session to allow for possible action on any of the agenda items listed above under "Executive Session".

THE CITY COUNCIL RESERVES THE RIGHT TO HEAR ANY OF THE ABOVE DESCRIBED AGENDA ITEMS THAT QUALIFY FOR AN EXECUTIVE SESSION IN AN EXECUTIVE SESSION BY PUBLICLY ANNOUNCING THE APPLICABLE SECTION NUMBER OF THE OPEN MEETINGS ACT, (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE) THAT JUSTIFIES EXECUTIVE SESSION TREATMENT.

CERTIFICATE

I certify that this notice was posted on the bulletin board on or before Friday, February 1, 2013 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Michele L. Glaser, TRMC
City Secretary

**CITY OF SEABROOK
PARADE, CARNIVAL, SHOW, FESTIVAL,
SPECIAL OR COMMUNITY EVENT
APPLICATION**

Date of Application: 1/9/13 Name of Applicant: Keels & Wheels Concours

Full Address of Applicant: PO Box 156 Seabrook, Tx 77586

Day Time Phone: Night time phone ()

e-mail address:

Name of Organization, Firm or Corporation on whose behalf this application is made:
LVC Concours Corp.

Address of Organization (if different from above):

City State Zip Code

Phone Number of Organization (if different from above): ()

Is the organization recognized as a non-profit organization for tax purposes? yes

Requested Date(s) and Times of the Event: MAY 4-5 2013

Location of the Event: LAKEWOOD YACHT CLUB

Give a brief description of the event:

CLASSIC Automobile & Vintage Boat show

Estimated No. of Workers 350 Estimated No. of Attendees 12,000

Will the event be held in a parking area? NO. If so, how many parking spaces will be temporarily lost?

How many parking spaces are you providing for the event? 2000

Will any portion of this event be held on city property? If so, where?
NO

Will alcohol be served? NO If so, you are required to pay an additional deposit if you wish to serve alcohol on city property. You must also contact the Texas Alcoholic Beverage Commission.

Will admission be charged for this event? yes

Do you want to display temporary signs or banners to advertise this event? yes

Number of signs for this event 30 Complete the sign permit application attached to the packet. Please note that signs may only be displayed on private property, with the property owners' permission and with a city permit. Signs are not permitted in any street rights-of-way.

If this event is a parade, please answer the following additional questions.

Proposed Route (Attach Map): _____

Estimated number and kind of animals to be used: _____

Estimated number of parade participants including, animals and riders, bicycle riders, animal-drawn vehicles, floats motor vehicles, motorized displays and marching units or organizations, such as bands, color-guards, and drill teams:

THIS SECTION NEEDS TO BE COMPLETED IN ORDER TO PROCESS YOUR APPLICATION.

This application has been reviewed by the Seabrook Police Chief or designee and the signature below verifies that adequate provisions for security have been made by the applicant.

Bryan Brand
Print name
Police Department Representative

1-24-17
Date Approved

[Signature]
Signature
Police Department Representative

Comments: _____

I have enclosed the following items as part of my application:

1. A completed application form including approval by the Seabrook Police Department.
2. Permit fee in the amount of \$ 50.00. (Non-profit organizations may substitute a letter of request to the City Council requesting a waiver of the permit fee.
3. If event is a parade a deposit fee of _____ is included. Deposits are not waived.
4. A certificate of insurance, naming the City of Seabrook as certificate holder. This insurance provides protection of not less than \$100,000 against liability for damages to property and protection of not less than \$100,000 for protection of injury to the death of one person and of not less than \$300,000 for protection against injury to death of two or

more persons in a single accident or occurrence. (A sample certificate of insurance is enclosed.)

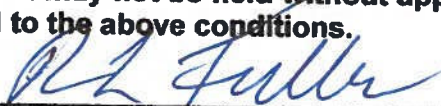
5. For special events, a site plan is attached as required by the Code of the City of Seabrook, Section 4.07. (See attached excerpt.)
6. For parades, a map showing the parade route is attached.

NO APPLICATION WILL BE ACCEPTED UNLESS ALL ITEMS LISTED ABOVE ARE PROVIDED.

As applicant, I certify that all information contained in this application is true and correct to the best of my knowledge. I state that I am fully authorized to act and contract for any persons, organizations, firms or corporations on whose behalf this application is made. As applicant for the above organization, I do contract and agree that they will jointly and severally, indemnify and hold the City of Seabrook harmless against liability for any and all claims for damage to property or injury to or death of persons arising out of or resulting from the issuance of the permit or the conduct of the participants. As applicant, I understand that I may be held liable as principal in place of the organization for the cost of cleaning or repairing city property which may have sustained damage as a result of the special event. I understand that a special events permit may be issued for no more than five consecutive days. If the permit is granted, I, as representative, agree to adhere to all city ordinances regarding the special event.

I understand that if I am applying to use a city park, community house or other city facility to hold this event, additional applications and fees will be required.

I understand that all required applications, accompanying documents and fees must be submitted to the City Secretary's Office at least 30 days prior to the date of the event, and that the event may not be held without approval of the Seabrook City Council. I have read and have agreed to the above conditions.



Signature of Applicant

Robert L. Fuller

Printed Name of Applicant

1/22/13

Date Submitted

FOR OFFICE USE ONLY

Reviewed by City Secretary _____ Date _____

If applicable: Fire Marshal notified _____ Building Official Notified _____ City Mgr _____

This application has been reviewed by the Seabrook City Council on _____
and has been **APPROVED** **DENIED**.

The following conditions are placed upon this event: _____

PMALDENEY

ACORDTM**CERTIFICATE OF LIABILITY INSURANCE**DATE (MM/DD/YYYY)
1/15/13

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER K & K Insurance Group, Inc. P.O. Box 2338 Fort Wayne, In 46801	CONTACT NAME: SMALL COMMERCIAL UNIT	
	PHONE (A/C, No. Ext): 877-783-1161	FAX (A/C, No): 260-459-5870
INSURED LYC CONCOURS CORPORATION D/B/A KEELS & WHEELS CONCOURS D' ELEGANC PO BOX 156 SEABROOK, TX 77586	E-MAIL ADDRESS: SCU@KANDKINSURANCE.COM	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: NATIONWIDE MUTUAL INSURANCE CO	
	INSURER B:	
	INSURER C:	
	INSURER D:	
INSURER E:		
INSURER F:		

COVERAGES**CERTIFICATE NUMBER:**

1675581

REVISION NUMBER:

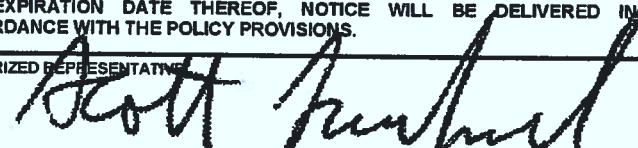
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. NC=NOT COVERED

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☐ Owners & Contractors GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC			FWC0025732800	12:01AM 3/09/13	12:01AM 3/09/14	EACH OCCURRENCE 1000000 DAMAGE TO RENTED PREMISES (Ea occurrence) 300000 MED EXP (Any one person) NONE PERSONAL & ADV INJURY 1000000 GENERAL AGGREGATE 5000000 PRODUCTS-COMP/OP AGG 5000000 Part Lgl Liab NC
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ☒ NON-OWNED AUTOS			FWC0025732800	12:01AM 3/09/13	12:01AM 3/09/14	COMBINED SINGLE LIMIT (Ea Accident) 1000000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION						EACH OCCURRENCE AGGREGATE
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER IS LISTED AS ADDITIONAL INSURED BUT ONLY WITH RESPECTS TO THE LIABILITY ARISING OUT OF THE OPERATIONS OF THE NAMED INSURED
 REPLACES CERTIFICATE 1674283

CERTIFICATE HOLDER**CANCELLATION**

CITY OF SEABROOK SEABROOK, TX	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

Sign Permit CITY OF SEABROOK

Applicant to complete all numbered spaces. Incomplete applications will not be processed.

Site Address			
1	2511 NASA PARKWAY	# 104 77586	713 521 0105
Sign Owner	Mail Address	Zip	Phone
2			
Contractor/ Installer	Mail Address	Zip	Phone
3 Robert Fuller			
Type of Sign			
4 Banner			
Describe purpose of sign (i.e. election, special event, etc.)			
# 5 PARKING DIRECTIONS			
Project Value		Approved by	

Issuance of this permit all allows for on-site inspections during the time of construction until the time of the final inspection.

DESCRIPTION OF SIGN			
Total Height		TYPE OF LIGHTING	
Total square feet of faces of one face:		Internal Diffused	☐
Total square feet of all faces:		Indirect	☐
Minimum clearance beneath sign:		Neon	☐
TYPE OF SIGN (please check all that apply)		Directly Lighted	☐
Freestanding	☒	MATERIALS	
Roof mounted	☐	Foundation:	☐
Building mounted	☐	Sign Board:	☐
Shopping Center ID sign	☐	Support Structure:	☐
Permanent	☐	Face Material	☐
Temporary	☐	* Signs in right-of-ways and easements are prohibited and will be removed at the owner's expense *	
Conventional	☐		
Spectacular	☐		

* Please attach drawings of sign specifications for permanent signs *

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of the laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of this permit does not presume to give authority to violate or cancel the provisions of any state or local law regulating construction or performance of construction.

Signature of contractor or Authorized Agent

Date

Signature of Owner (if owner is builder)

Date

Rev 5/9/2002

* Note: SAME signs of VARYING sizes
18 x 20 to 2' x 3' 4' x 8' BANNERS

CITY OF SEABROOK
COMMUNITY DEVELOPMENT DEPARTMENT
1700 FIRST STREET
SEABROOK, TEXAS 77586
PHONE #: (281) 291-5669 FAX #: (281) 291-5690

PLEASE LIST LOCATIONS OF ALL TEMPORARY SIGNS

1. NASA PARKWAY
2. Hwy 146
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

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Address of Organization (if different from above):

City State Zip Code

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Is the organization recognized as a non-profit organization for tax purposes? yes

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This application has been reviewed by the Seabrook Police Chief or designee and the signature below verifies that adequate provisions for security have been made by the applicant.

Bryan Brand
Print name
Police Department Representative

1-24-17
Date Approved

[Signature]
Signature
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Comments: _____

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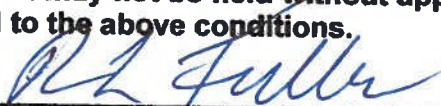
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Signature of Applicant

Robert L. Fuller

Printed Name of Applicant

1/22/13

Date Submitted

FOR OFFICE USE ONLY

Reviewed by City Secretary _____ Date _____

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	PHONE (A/C, No. Ext): 877-783-1161	FAX (A/C, No): 260-459-5870
INSURED LYC CONCOURS CORPORATION D/B/A KEELS & WHEELS CONCOURS D' ELEGANC PO BOX 156 SEABROOK, TX 77586	E-MAIL ADDRESS: SCU@KANDKINSURANCE.COM	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: NATIONWIDE MUTUAL INSURANCE CO	
	INSURER B:	
	INSURER C:	
	INSURER D:	
INSURER E:		
INSURER F:		

COVERAGES**CERTIFICATE NUMBER:**

1675581

REVISION NUMBER:

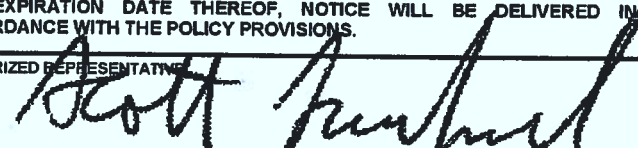
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INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☐ Owners & Contractors GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC			FWC0025732800	12:01AM 3/09/13	12:01AM 3/09/14	EACH OCCURRENCE 1000000 DAMAGE TO RENTED PREMISES (Ea occurrence) 300000 MED EXP (Any one person) NONE PERSONAL & ADV INJURY 1000000 GENERAL AGGREGATE 5000000 PRODUCTS-COMP/OP AGG 5000000 Part Lgl Liab NC
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ☒ NON-OWNED AUTOS			FWC0025732800	12:01AM 3/09/13	12:01AM 3/09/14	COMBINED SINGLE LIMIT (Ea Accident) 1000000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION						EACH OCCURRENCE AGGREGATE
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER IS LISTED AS ADDITIONAL INSURED BUT ONLY WITH RESPECTS TO THE LIABILITY ARISING OUT OF THE OPERATIONS OF THE NAMED INSURED
 REPLACES CERTIFICATE 1674283

CERTIFICATE HOLDER**CANCELLATION**

CITY OF SEABROOK SEABROOK, TX	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

Sign Permit CITY OF SEABROOK

Attachment 2, Item # 3.2
Page 5 of 6

Applicant to complete all numbered spaces. Incomplete applications will not be processed.

Site Address			
1	2511 NASA PARKWAY	# 104 77586	713 521 0105
Sign Owner	Mail Address	Zip	Phone
2			
Contractor/ Installer	Mail Address	Zip	Phone
3	Robert Fuller		
Type of Sign			
4	Banner		
Describe purpose of sign (i.e. election, special event, etc.)			
# 5	PARKING directions		
Project Value		Approved by	

Issuance of this permit all allows for on-site inspections during the time of construction until the time of the final inspection.

DESCRIPTION OF SIGN			
Total Height		TYPE OF LIGHTING	
Total square feet of faces of one face:		Internal Diffused	☐
Total square feet of all faces:		Indirect	☐
Minimum clearance beneath sign:		Neon	☐
TYPE OF SIGN (please check all that apply)		Directly Lighted	☐
Freestanding	☒	MATERIALS	
Roof mounted	☐	Foundation:	☐
Building mounted	☐	Sign Board:	☐
Shopping Center ID sign	☐	Support Structure:	☐
Permanent	☐	Face Material	☐
Temporary	☐	* Signs in right-of-ways and easements are prohibited and will be removed at the owner's expense *	
Conventional	☐		
Spectacular	☐		

* Please attach drawings of sign specifications for permanent signs *

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of the laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of this permit does not presume to give authority to violate or cancel the provisions of any state or local law regulating construction or performance of construction.

Signature of contractor or Authorized Agent

Date

Signature of Owner (if owner is builder)

Date

Rev 5/9/2002

* Note: SAME signs of VARYING sizes
18 x 20 to 2' x 3' 4' x 8' BANNERS

CITY OF SEABROOK
COMMUNITY DEVELOPMENT DEPARTMENT
1700 FIRST STREET
SEABROOK, TEXAS 77586
PHONE #: (281) 291-5669 FAX #: (281) 291-5690

PLEASE LIST LOCATIONS OF ALL TEMPORARY SIGNS

1. NASA PARKWAY
2. Hwy 146
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

Seabrook City Council Regular Meeting
Minutes of January 22, 2013
Page 1

The City Council of the City of Seabrook met in regular session on Tuesday, January 22, 2013 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN R. ROYAL	MAYOR
ROBERT LLORENTE	COUNCIL PLACE NO. 1
MIKE GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	COUNCIL PLACE NO. 3
DON HOLBROOK.	COUNCIL PLACE NO. 4
THOM KOLUPSKI	COUNCIL PLACE NO. 5
LAURA DAVIS	MAYOR PRO TEM & COUNCIL PLACE NO. 6
KELLY TEMPLIN	CITY MANAGER
MEREDITH BRANT	ASSISTANT CITY SECRETARY
STEVEN L. WEATHERED	CITY ATTORNEY

Mayor Royal called the meeting to order at 7:00 p.m. and led the audience in the Pledge of Allegiance and the Texas Pledge.

1.0 PRESENTATIONS

1.1 Seabrook's own Coast Guard Flotilla Appreciation Presentation. (Coast Guard)

Frank Muraglia of the United States Coast Guard Auxiliary made a presentation to the City of Seabrook and the Seabrook Volunteer Fire Department in appreciation of their continued support.

1.2 Present annual report of Bay Area Convention and Visitors Bureau Activities. (Giangrosso)

Pam Summers and Shannon Killian of the Bay Area CVB gave a presentation and recognized Mike Giangrosso as the chairman of CVB. Ms. Summers noted the highlights of the achievements of 2011/12. She stated that all goals had been met and some exceeded. The Pelican Path, the hike and bike trails and the birding trails received the most inquiries.

1.3 Present annual report of EDC activities.

EDC chairman Paul Dunphey gave the annual report for the Economic Development Corporation.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

Tom Michel of Seabrook commended the City for a job well-done and thanked the Council for its support.

Seabrook City Council Regular Meeting
Minutes of January 22, 2013
Page 2

2.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

Upcoming events include Yachty Gras, a King Cake party Saturday at the Art Consortium, the annual spaghetti dinner and the Trash Bash.

City Attorney Steve Weathered stated that Robby Waldron, a former city official had passed away.

2.0 BID AWARDS

3.1 Consider award of Bid No. 2013-03, Hydrant Adapters, to the apparent low bidder, ADH Marketing in the amount of \$66,123.66. This is a budgeted item from the Fire Bond Funds. (Cook/Chairez)

Chief Ray Cook stated that the hydrant adapters had already been approved, but as required, had to go out for bids.

Motion was made by Councilor Davis and seconded by Councilor Kolupski

To approve the award of Bid No. 2013-03 to ADH Marketing in the amount of \$66,123.66.

MOTION CARRIED BY UNANIMOUS CONSENT.

3.0 CONSENT AGENDA

4.1 Approve an excused absence for Councilor Don Holbrook for the January 8, 2013 council meeting. (Glaser)

4.2 Approve the October, November and December, 2012 Public Safety Reports. (Holomon)

4.3 Approve the October 2012 Community Development Report. (Landis)

4.4 Approve the November 2012 Community Development Report. (Landis)

4.5 Approve the December 2012 Community Development Report. (Landis)

4.6 Approve the minutes of the January 8, 2013 regular City Council meeting. (Glaser)

Motion was made by Councilor Holbrook and seconded by Councilor Johnson

To approve the Consent Agenda.

89 MOTION CARRIED BY UNANIMOUS CONSENT.

90
91 **END OF CONSENT AGENDA**

92
93 **4.0 NEW BUSINESS**

94
95 **5.1 Approve proposed Resolution No. 2013-06, "Update in Sanitation Procedures and**
96 **Rates." (Lab)**

97
98 **A RESOLUTION REESTABLISHING SANITATION PROCEDURES AND**
99 **UPDATING RESIDENTIAL CHARGES AND COMMERCIAL CHARGES FOR**
100 **SANITATION SERVICES AND REPEALING RESOLUTION NO. 2011-01.**

101
102 Motion was made by Councilor Davis and seconded by Councilor Johnson

103
104 To approve Resolution No. 2013-06 as written.

105
106 City Manager Kelly Templin stated that this is an adjustment built into the contract; rates did
107 not go up last year.

108
109 Councilor Kolupski stated that for those who have Monday and Thursday collections, there
110 is some disparity of cost as those pick-up days are the most likely to include holidays.

111
112 Councilor Johnson suggested that an inquiry be made to Waste Management as to whether
113 adjustments could be made for those collection days.

114
115 Mr. Templin stated that he will contact Waste Management.

116
117 MOTION CARRIED BY UNANIMOUS CONSENT.

118
119 **5.2 Consider formation of an *ad hoc* committee to deal with the fire department issues and**
120 **appoint council members to the committee. (Davis)**

121
122 Councilor Davis stated that at the joint meeting among the City of Seabrook, the City of El
123 Lago and the Seabrook Volunteer Fire Department, it was determined that an *ad hoc*
124 committee be formed to address the issues of communications, finances and operations. She
125 suggested that three representatives from each entity be appointed. She added that she would
126 like to be involved and suggested that Councilor Gary Johnson be appointed.

127
128 Mayor Royal stated that he would also like to be involved.

Seabrook City Council Regular Meeting
Minutes of January 22, 2013
Page 4

Motion was made by Councilor Holbrook and seconded by Councilor Johnson

To appoint Councilors Davis and Johnson, Mayor Royal and the City Manager or designee to the committee.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.3 Consider approval of annual public safety fund budget. (Davis)

Councilor Davis explained that the Public Safety Fund revenues are funds voluntarily contributed by citizens. She stated that proposed expenditures of the Public Safety Fund include the following:

\$7,500 for light towers
\$15,000 for mule 4x4 support vehicle
\$15,000 for 800 mhz repeaters
\$400 for tarps used by C.E.R.T.
\$540 LED spotlights
\$16,700 for an additional message board
\$26,000 for PD vehicle striping.

If approved, the balance of the fund will be \$940.00.

Motion was made by Councilor Davis and seconded by Councilor Holbrook

To approve the Public Safety Fund budget as submitted.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.4 Consider designation of council representative(s) to the Citizens in Space Exploration Events, which include the February 5-6, 2013 visit to Washington, D.C., the March 18-19, 2013 visit to Austin, Texas and the May 20-23, 2013 visit to Washington, D.C. The 2012/13 budget includes funds for one council representative to attend the May event in Washington, D.C. (Royal)

Motion was made by Councilor Holbrook and seconded by Councilor Davis

To appoint Councilor Kolupski as a representative for the May 20-23 visit to Washington, D.C. and Councilor Llorente as a alternate if Councilor Kolupski is unable to attend.

MOTION CARRIED BY UNANIMOUS CONSENT.

Councilor Kolupski stated that he will be going to Austin on March 18 if anyone would like to join him.

Seabrook City Council Regular Meeting
Minutes of January 22, 2013
Page 5

No one was appointed to represent the city for the February trip.

5.0 ROUTINE BUSINESS

6.1 Consider approval of the Action Items Checklist which is attached and made a part of this agenda. (Council)

Councilor Davis stated that the *ad hoc* committee should be added to the list. No other changes were made.

Motion was made by Councilor Johnson and seconded by Councilor Giangrosso

To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.2 Establish future meeting dates and agenda items. (Council)

Mayor Royal stated that appointing a representative to the Subsidence District and review of the City Secretary will be considered on the next agenda. He added that bond counsel will be present at the next meeting.

Mr. Weathered stated that the questions concerning bonds could be answered in Executive Session.

6.0 EXECUTIVE SESSION

At 8:27 p.m., Mayor Royal announced that the Council would hold a closed executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551, Government Code and Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, Real Property and Section 551.074, Personnel Matters.

Section 551.072

7.1 Conduct a closed meeting, as provided by Section 551.072 Texas Government Code to deliberate the purchase of real property as deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. (Templin)

Section 551.074

7.2 Pursuant to Texas Government Code, 551.074, Personnel Matters, Conduct an Executive Session to deliberate the evaluation and duties of the City Manager. (Royal)

Seabrook City Council Regular Meeting
Minutes of January 22, 2013
Page 6

8.0 OPEN MEETING

Mayor Royal reconvened the open meeting at 9:16 p.m. and stated that Items 7.1 and 7.2 had been discussed and no action had been taken.

Motion was made on Item 7.1 by Councilor Davis and seconded by Councilor Holbrook

To authorize the mayor to sign a letter of intent, which will also serve as a counter offer, for the purchase of property.

MOTION CARRIES BY UNANIMOUS CONSENT.

Upon motion, the meeting was adjourned at 9:17 P.M.

APPROVED THIS 5TH DAY OF FEBRUARY, 2013.

Glenn R. Royal, Mayor

Meredith Brant, TRMC
Assistant City Secretary



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, FEBRUARY 5, 2013

Submitter/Requestor:

Date Submitted: 1/29/2013 9:55:45 AM

Presenter:

Description/Subject:

Members have been contacted and wish to be considered for reappointment.

Purpose/Need: NA

Background/Issue(What prompted this need):

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Fiscal Impact:	Budgeted	Yes	Finance Officer Review:
	Budget Amendment Required	Yes	
	Future/Ongoing Impact	Yes	

Budget Dept/Line Item Number

Funding Comments:

Where on the agenda should this item be placed?

Consent Agenda

Suggested Motion:**Agenda Language:**

Approve reappointments of John Dolan and Sue Langgard as regular members of the Board of Adjustment and Richard Nguyen as an alternate member, all with 2 year terms expiring January 2015. (Council)

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, FEBRUARY 5, 2013

Submitter/Requestor:

Date Submitted: 1/29/2013 10:01:11 AM

Presenter:

Description/Subject:

Members have been contacted and wish to be considered for reappointment.

Purpose/Need: NA

Background/Issue(What prompted this need):

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Fiscal Impact:	Budgeted	Yes	Finance Officer Review:
	Budget Amendment Required	Yes	
	Future/Ongoing Impact	Yes	

Budget Dept/Line Item Number

Funding Comments:

Where on the agenda should this item be placed?

Consent Agenda

Suggested Motion:**Agenda Language:**

Approve reappointment of Mike DeHart, Bo Lewis, Dodie Miller and Michael Potts as members of the Planning & Zoning Commission for 3 year terms expiring January 2016.
(Council)

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, FEBRUARY 5, 2013

Submitter/Requestor: Michele Glaseer

Date Submitted: 1/28/2013 10:23:13 AM

Presenter:

Description/Subject:

Two members of the Ethics Review Commission have terms which expired in October 2012 and wish to be reappointed. They are Gene Scott and David Wilkerson.

Two regular members and an alternate of the Board of Adjustment have terms which expired in January 2013 and wish to be reappointed. They are John Dolan, Sue Langgard and Richard Nguyen (alternate).

Purpose/Need: NA

Background/Issue(What prompted this need):

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Fiscal Impact:	Budgeted	Yes	Finance Officer Review:
	Budget Amendment Required	Yes	
	Future/Ongoing Impact	Yes	
	Budget Dept/Line Item Number		

Funding Comments:

Where on the agenda should this item be placed?

Consent Agenda

Suggested Motion:

Agenda Language:

Approve reappointment of David Wilkerson and Gene Scott as members of the Ethics Review Commission for 2 year terms ending October 2014. (Council)

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)



Crown Castle USA, Inc.
1220 Augusta Dr., Ste 500
Houston, TX 77057

Tel: 713-570-3161
Fax: 724-416-6905
www.crowncastle.com

January 23, 2013

Sent via UPS Tracking # 1ZEW59100198921074 and
Email to: mglaser@seabrooktx.gov

City of Seabrook
Office of the City Secretary
1700 First Street, Second Floor
Seabrook, TX 77586

ATTN: Michele Glaser, City Secretary

RE: TOWER SITE: BU # 815855 / TX Seabrook
LOCATION: 1700 First Street, Seabrook, TX 77586 (Harris County)
MATTER: Consent for Modifications; Clearwire app 172900

Dear Ms. Glaser:

As you are aware, Crown Castle GT Company LLC ("Lessee") is the lessee under the "License for Antenna Space" between City of Seabrook and GTE Mobilnet of South Texas LP dated February 13, 1995 (the "Agreement"). Lessee is the owner and operator of shared wireless communication facilities.

In order to better serve the public, minimize the amount of towers in an area where a Lease is located, and/or improve the financial viability of a site, Lessee plans to modify Clearwire's equipment at the wireless communication facility.

Pursuant to Sections 2 and 5 of the Lease, Lessee is required to obtain your consent to modify the existing equipment. Lessee, therefore, respectfully requests your consent to these modifications.

Please indicate your consent by executing this letter where indicated below and return one original of same to me at the address indicated above. A self-addressed stamped envelope is included for your convenience.

If you have any questions concerning this request, please contact me at (713) 570-3161 or via email at kimberly.hatter@crowncastle.com.

Best Regards,

Kimberly Hatter

Kimberly Hatter, Property Specialist
South Area/Houston District

Agreed and accepted this ____ day of _____, 2013

(Landowner's signature)

Scope of Work - Clearwire app # 172900

TOWER SITE: BU # 815855 / TX Seabrook

LOCATION: 1700 First Street, Seabrook, TX 77586 (Harris County)

Clearwire is proposing the following changes to their existing equipment:

- 1) Replacing existing radio equipment (DAP's) with new equipment (black boxes);
- 2) Replacing existing coax lines with new coax lines; and
- 3) Adding a junction box.

*****There will be no changes to the existing ground space.*****



SPACE RESERVED FOR A & E LOGO

A & E PROJECT #
THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.

SPACE RESERVED FOR PROFESSIONAL SEAL

NO.	DATE	DESCRIPTION	BY
1	06/07/04	UPDATED TO CURRENT CAD STANDARDS	TS
2	22/07/08	APPLICATION ADDED PER WORK ORDER # 221859	MAH
3	17/03/09	APPLICATION ADDED PER WORK ORDER # 225841	MAH
4	14/01/10	APPLICATION ADDED PER WORK ORDER # 313185	MAH
5	22/06/10	AS-BUILT INFORMATION ADDED PER WORK ORDER # 313185	MAH
6	11/08/10	AS-BUILT INFORMATION ADDED PER WORK ORDER # 351830	MAH
7	17/09/11	AS-BUILT INFORMATION ADDED PER WORK ORDER # 411909	MAH
8	11/06/12	AS-BUILT INFORMATION ADDED PER WORK ORDER # 492885	MAH
9	11/12/12	UPDATED PER WORK ORDER # 550435	MAH

DRAWN BY: DJK/CNI
CHECKED BY: AV/SBM
DRAWING DATE: 13/12/01

SITE AUDIT INFORMATION

AUDIT CO: 02WS
AUDIT DATE: 03/08/00

SITE NAME

TX SEABROOK

BUSINESS UNIT NUMBER

815855

SITE ADDRESS

1700 FIRST STREET
SEABROOK, TX 77586
HARRIS CO
USA

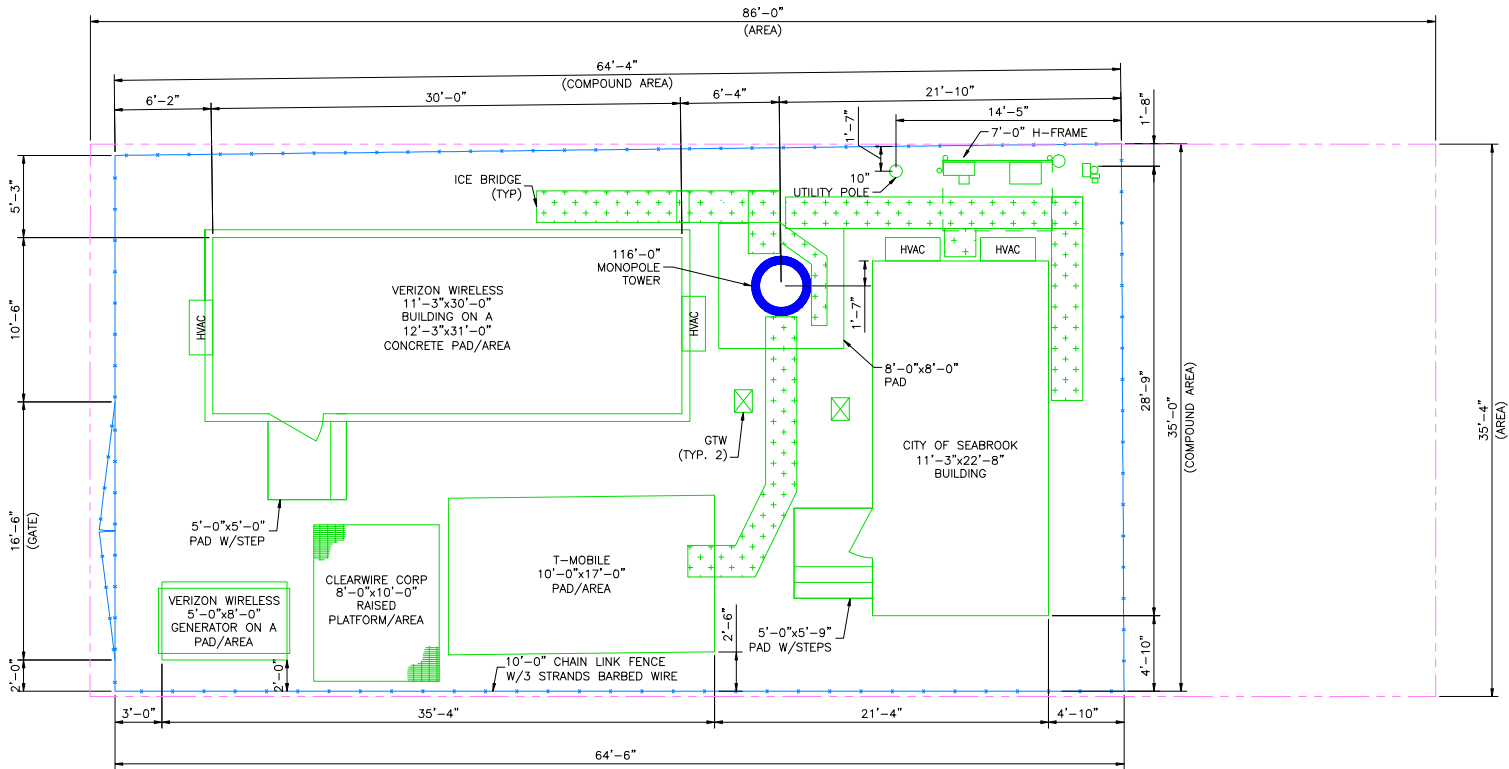
SHEET TITLE

SITE PLAN

SHEET NUMBER

1

A-2



THE (AREA) IS SHOWN FOR ILLUSTRATION PURPOSES ONLY. IT IS "TO SCALE" AND IS ACCURATELY REPRESENTED WITHIN ITS SELF, BUT IS VISUALLY LOCATED IN REFERENCE TO THE EXISTING COMPOUND.

AREA USAGE	
CROWN LEASE AREA	3036 SQ FT
COMPOUND AREA	4461 SQ FT

SITE PLAN

PLOT DATE: 12/21/20 FILE NAME: 815855_SITEPLAN.DWG

ENG-PUN-16664 REV C DATE: 12/05/09

BUSINESS UNIT: 815855

SCALE: 1/8"=1'

1



City of Seabrook, Texas

Schedule of Events Presentation

\$4,390,000* General Obligation Refunding Bonds, Series 2013

February 5, 2013

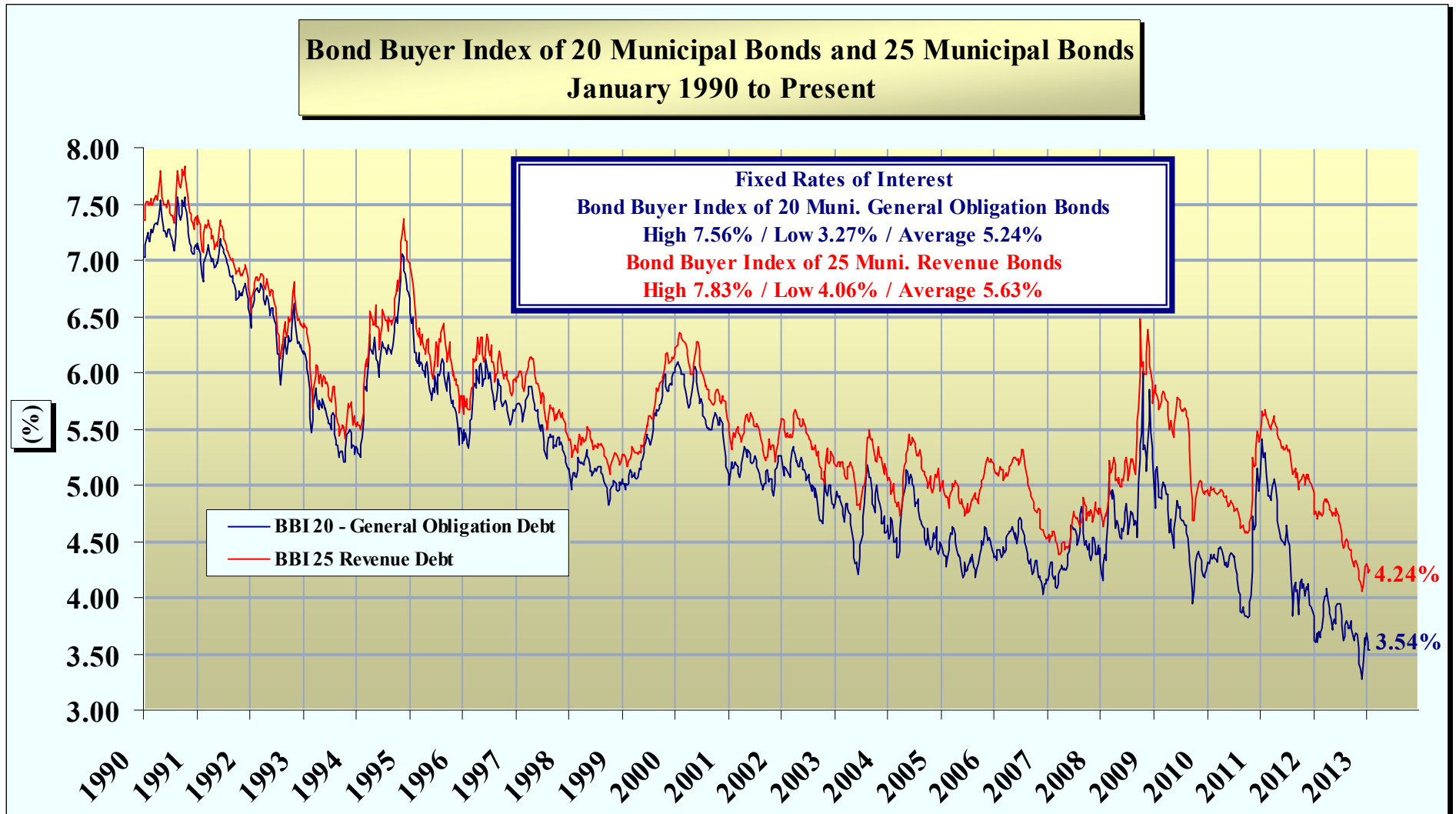


Broker/Dealer Services and Securities offered by BOSC, Inc., an SEC registered investment adviser, a registered broker/dealer, member FINRA/SIPC. SEC registration does not imply a certain level of skill or training. Insurance offered by BOSC Agency, Inc., an affiliated agency. Investments and insurance are not insured by FDIC, are not deposits or other obligations of, and are not guaranteed by, any bank or bank affiliate. Investments are subject to risks, including possible loss of principal amount invested.



City of Seabrook, Texas

Current Market Conditions



The BBI 20 is published every Thursday. The rate consists of general obligation bonds maturing in 20 years with an average rating equivalent to Moody's "Aa2" and S&P's "AA." The BBI 25 is also published every Thursday. The rate consists of revenue bonds maturing in 30 years with an average rating equivalent to Moody's "A1" and S&P's "A+".



City of Seabrook, Texas

Refunding Optimization

					General Obligation Refunding		Waterworks and Sewer System Revenue Refunding	
Series	Maturity Date	Principal Amount	Call Date/Price	Interest Rate	Refunding Yield (a)	Savings (b)	Refunding Yield (a)	Savings (b)
General Obligation and Refunding Bonds, Series 2005	9/1/2017	260,000	9/01/2014 @ 100	3.750%	2.400%	1,522		
	9/1/2018	275,000	9/01/2014 @ 100	3.900%	2.400%	6,411		
	9/1/2019	280,000	9/01/2014 @ 100	4.000%	2.400%	11,429		
	9/1/2020	295,000	9/01/2014 @ 100	4.000%	2.400%	14,070		
	9/1/2021	305,000	9/01/2014 @ 100	4.100%	2.400%	20,994		
	9/1/2022	315,000	9/01/2014 @ 100	4.125%	2.400%	24,100		
	9/1/2023	330,000	9/01/2014 @ 100	4.200%	2.400%	30,844		
	9/1/2024	345,000	9/01/2014 @ 100	4.250%	2.400%	36,721		
	9/1/2025	360,000	9/01/2014 @ 100	4.300%	2.400%	44,293		
		\$2,765,000				\$190,384		
Waterworks and Sewer System Revenue Bonds, Series 2005	8/1/2016	110,000	8/01/2014 @ 100	3.900%	2.400%	800	2.650%	-1,118
	8/1/2017	115,000	8/01/2014 @ 100	3.900%	2.400%	1,295	2.650%	131
	8/1/2018	120,000	8/01/2014 @ 100	3.900%	2.400%	2,957	2.650%	1,456
	8/1/2019	130,000	8/01/2014 @ 100	4.100%	2.400%	6,079	2.650%	4,136
	8/1/2020	130,000	8/01/2014 @ 100	4.100%	2.400%	7,950	2.650%	5,705
	8/1/2021	135,000	8/01/2014 @ 100	4.100%	2.400%	10,159	2.650%	7,515
	8/1/2022	140,000	8/01/2014 @ 100	4.200%	2.400%	13,441	2.650%	10,366
	8/1/2023	150,000	8/01/2014 @ 100	4.200%	2.400%	16,538	2.650%	12,923
	8/1/2024	155,000	8/01/2014 @ 100	4.300%	2.400%	20,567	2.650%	16,462
	8/1/2025	160,000	8/01/2014 @ 100	4.300%	2.400%	23,517	2.650%	18,902
		\$1,345,000				\$103,303		\$76,478
Totals		<u>\$4,110,000</u>				<u>\$293,687</u>		<u>\$76,478</u>

(a) Interest estimated at current market rates.

(b) Includes estimated transaction costs.



City of Seabrook, Texas

Estimated Debt Service Savings

Fiscal Year Ending (9/30)	Current Total Debt Service	Less: Debt Service on the Refunded Bonds *	Plus: The Series 2013 Refunding Bonds		Total Debt Service	Estimated Savings (b)
			Principal *	Interest (a)		
2013	\$1,541,316	\$84,176	\$25,000	\$35,120	\$1,517,260	\$4,056
2014	1,543,811	168,351	35,000	106,010	1,516,470	27,341
2015	1,544,434	168,351	35,000	105,170	1,516,253	28,181
2016	1,544,620	278,351	150,000	104,330	1,520,599	24,021
2017	1,547,554	539,061	415,000	100,730	1,524,222	23,331
2018	1,547,995	544,826	430,000	90,770	1,523,939	24,056
2019	1,545,857	544,421	440,000	80,450	1,521,886	23,971
2020	1,545,597	542,891	450,000	69,890	1,522,596	23,001
2021	1,549,972	540,761	460,000	59,090	1,528,300	21,671
2022	1,551,849	537,721	465,000	48,050	1,527,178	24,671
2023	1,551,552	543,848	485,000	36,890	1,529,595	21,958
2024	1,553,803	543,688	495,000	25,250	1,530,366	23,438
2025	1,553,314	542,360	505,000	13,370	1,529,324	23,990
2026	1,555,227				1,555,227	
2027	1,556,712				1,556,712	
Totals	\$23,233,613	\$5,578,807	\$4,390,000	\$875,120	\$22,919,926	\$293,687

* Preliminary, subject to change. Based on May 2013 Bond Sale.

(a) Interest estimated at current market rates.

(b) Includes estimated transaction costs, accrued interest and any necessary debt service fund transfers.



City of Seabrook, Texas

Tentative Schedule of Events

\$4,390,000*

General Obligation Refunding Bonds, Series 2013

February - 2013						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

March - 2013						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

April - 2013						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May - 2013						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

<u>Date</u>	<u>Action</u>	<u>Role</u>
Tuesday, February 5	Council Meeting to Review Schedule of Events And Adopt Parameter Refunding Order	BOSC, City
Monday, April 1	Prepare Private Placement Bid Form	BOSC, F&J, City
Monday, April 8	Distribute Private Placement Bid Form	BOSC, F&J, City
Week of April 22nd	Private Placement Bids Due (Bond Pricing)	BOSC, F&J, City
Week of May 6th	Bond Closing	BOSC, F&J, City

PARTICIPANTS

City – City of Seabrook, Texas
BOSC - BOSC, Inc.
F&J – Fulbright & Jaworski LLP

* Preliminary, subject to change.

**CITY OF SEABROOK
ORDINANCE NO. 2013-05
ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS
SERIES 2013**

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF SEABROOK, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013; AUTHORIZING A PRICING OFFICER TO APPROVE THE AMOUNT, THE INTEREST RATES, PRICE, REDEMPTION PROVISIONS AND TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATED THERETO; AND CONTAINING OTHER MATTERS RELATED THERETO

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS:

ARTICLE I.

FINDINGS AND DETERMINATIONS

Section 1.1.: Findings and Determinations. The City Council hereby officially finds and determines that:

- (a) The City of Seabrook, Texas (the “City”), acting through its City Council, has heretofore issued, assumed or undertaken and there remain outstanding certain obligations described in Exhibit B attached hereto (hereinafter defined as the “Refundable Obligations”);
- (b) The City is authorized by Chapter 1207, Texas Government Code, as amended (“Chapter 1207”), to issue refunding bonds for the purpose of refunding all or a portion of the Refundable Obligations (hereinafter defined as the “Refunded Obligations”);
- (c) The City desires to refund the Refunded Obligations in advance of their maturities, which will benefit the City by reducing total net present value debt service;
- (d) Chapter 1207 authorizes the City to issue refunding bonds for the purpose of refunding the Refunded Obligations in advance of their maturities, and to accomplish such refunding by depositing directly with a paying agent for the Refunded Obligations (or other qualified escrow agent), the proceeds of such refunding bonds, together with any other lawfully available funds, in an amount sufficient to provide for the payment or redemption of the Refunded Obligations, and provides that such deposit shall constitute the making of firm banking and financial arrangements for the discharge and final payment or redemption of the Refunded Obligations;

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- (e) The City desires, if necessary, to enter into an escrow agreement, as authorized by Chapter 1207, pursuant to which a portion of the proceeds of the refunding bonds herein authorized, and other legally available funds of the City, if any, will be deposited, invested and applied in a manner that will provide for the full and timely payment of all principal of, premium, if any, and interest on the Refunded Obligations;
- (f) The City desires, if necessary, to authorize the purchase of certain eligible investments with a portion of the proceeds of the refunding bonds herein authorized for deposit into the escrow fund established and maintained pursuant to such escrow agreement;
- (g) Upon the issuance of the refunding bonds herein authorized and the deposit referenced above, the Refunded Obligations shall no longer be regarded as being outstanding, and the pledges, liens, trusts and all other covenants, provisions, terms and conditions of the ordinances authorizing the issuance of the Refunded Obligations shall be, with respect to the Refunded Obligations, discharged, terminated and defeased;
- (h) It is hereby found and determined that the refunding must result in a net present value savings of at least 3.00% of the Refunded Obligations, and that such benefit is sufficient consideration and constitutes the public purpose for the issuance of the Bonds (as herein defined) and the refunding of the Refunded Obligations, and such refunding is in the best interests of the City; and
- (i) Pursuant to Section 1207.007, Texas Government Code, as amended, the City wishes to authorize the Pricing Officers herein designated to act on behalf of the City through a date 180 days from the date of this Ordinance, as herein provided; and
- (j) The City Council is of the opinion and hereby affirmatively finds that it is in the best interest of the City to issue the Bonds in the amounts and for the purposes herein stated.

ARTICLE II.

DEFINITIONS AND INTERPRETATIONS

Section 2.1.: Definitions. As used herein, the following terms shall have the meanings specified, unless the context clearly indicates otherwise:

“Act” means Chapter 1207, Texas Government Code, as amended.

“Attorney General” means the Attorney General of the State of Texas.

“Bond” or “Bonds” means any or all of the City of Seabrook, Texas, General Obligation Refunding Bonds, Series 2013, authorized by this Ordinance.

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“Bond Purchase Agreement” means the agreement between the City and the Purchaser providing for the sale of Bonds at such price, with and subject to such terms as determined by a Pricing Officer pursuant to Section 7.1 of this Ordinance.

“Business Day” means any day which is not a Saturday, Sunday, or a day on which the Paying Agent/Registrar is authorized by law or executive order to close.

“Certificate of Financial Advisor” means the certificate of BOSCO, Inc., Financial Advisor to the City, certifying that the amounts in the Escrow Fund will be sufficient to pay, when due, all principal and interest payments on the Refunded Obligations.

“City” means the City of Seabrook, Texas and, where appropriate, its City Council.

“City Council” means the governing body of the City.

“Comptroller” means the Comptroller of Public Accounts of the State of Texas.

“Debt Service Fund” means the General Obligation Refunding Bonds, Series 2013 Debt Service Fund established by the City pursuant to Section 5.2 hereof.

“DTC” means The Depository Trust Company, New York, New York, or any successor securities depository.

“DTC Participant” means brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants.

“Escrow Agent” means The Bank of New York Mellon Trust Company, N.A., and its successors in that capacity.

“Escrow Agreement” means the agreement between the City and the Escrow Agent relating to the escrow of funds and securities to pay the Refunded Obligations.

“Escrow Fund” shall mean the fund created pursuant to the Escrow Agreement to be administered by the Escrow Agent pursuant to the provisions of the Escrow Agreement.

“Fiscal Year” means the City’s then designated fiscal year, which currently is the twelve-month period beginning on the first day of October of a calendar year and ending on the last day of September of the next succeeding calendar year and each such period may be designated with the number of the calendar year in which such period ends.

“Government Securities” shall mean (1) direct non-callable obligations of the United States of America, including obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, (2) non-callable obligations of an agency or instrumentality of the United States, including obligations unconditionally guaranteed or insured by the agency or instrumentality and on the date of their acquisition or purchase by the City are rated as to investment quality by a nationally recognized investment rating firm not less than “AAA” or its equivalent and (3) non-callable obligations of a state or an agency or a county,

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municipality, or other political subdivision of a state that have been refunded and on the date of their acquisition or purchase by the City are rated, as to investment quality, by a nationally recognized investment rating firm not less than “AAA” or its equivalent.

“Initial Bond” means the initial bond authorized by Section 3.5 herein.

“Interest Payment Date,” when used in connection with any Bond, means September 1, 2013, and each March 1 and September 1 thereafter until maturity or earlier redemption of such Bond.

“Investor Letter” means the letter agreement between the District and the Purchaser providing for the sale of Bonds at such price, with and subject to such terms as determined by a Pricing Officer pursuant to Section 7.1 hereof.

“MSRB” means the Municipal Securities Rulemaking Board.

“Ordinance” means this Ordinance and all amendments hereof and supplements hereto.

“Outstanding,” when used with reference to the Bonds, means, as of a particular date, all Bonds theretofore and thereupon delivered pursuant to this Ordinance except: (a) any Bonds canceled by or on behalf of the City at or before such date; (b) any Bonds defeased pursuant to the defeasance provisions of this Ordinance or otherwise defeased as permitted by applicable law; and (c) any Bonds in lieu of or in substitution for which a replacement Bond shall have been delivered pursuant to this Ordinance.

“Owner” shall have the meaning set forth under the definition of “Registered Owner.”

“Paying Agent/Registrar” means The Bank of New York Mellon Trust Company, N.A, Dallas and its successors in that capacity.

“Paying Agent/Registrar Agreement” means the agreement between the City and the Paying Agent/Registrar setting forth the duties and obligations of the Paying Agent/Registrar with respect to the Bonds.

“Pricing Officer” means either the Finance Director of the City or the City Manager of the City.

“Purchaser” means (i) the underwriting syndicate named on the cover page of the Official Statement authorized pursuant to Section 7.1 hereof or (ii) the purchasers of the Bonds pursuant to a private placement as described in Section 7.1 hereof.

“Officer’s Pricing Certificate” means the certificate of the Pricing Officer provided in accordance with Section 7.1 of this Ordinance.

“Record Date” means the close of business on the fifteenth calendar day of the calendar month immediately preceding the applicable Interest Payment Date.

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“Refunded Obligations” means any of those bonds identified in Exhibit B hereto that are outstanding on the date of execution of the Bond Purchase Agreement or an Investor Letter by a Pricing Officer and selected in accordance with Section 7.1 of this Ordinance.

“Register” means the registration books for the Bonds kept by the Paying Agent/Registrar in which are maintained the names and addresses of, and the principal amounts registered to, each Registered Owner of Bonds.

“Registered Owner” or “Owner” means the person or entity in whose name any Bond is registered in the Register.

“Report” means the report provided by Grant Thornton LLP verifying the accuracy of certain mathematical computations regarding the refunding of the Refunded Obligations.

“Rule” means SEC Rule 15c2-12, as amended from time to time.

“SEC” means the United States Securities and Exchange Commission.

Section 2.2.: Interpretations. All terms defined herein and all pronouns used in this Ordinance shall be deemed to apply equally to singular and plural and to all genders. The titles and headings of the articles and sections of this Ordinance have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof. This Ordinance and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein and to sustain the validity of the Bonds and the validity of the levy of ad valorem taxes to pay the principal of and interest on the Bonds.

ARTICLE III.

TERMS OF THE BONDS

Section 3.1.: Amount, Purpose and Authorization. (a) The Bonds shall be issued in fully registered form, without coupons, under and pursuant to the authority of the Act in the total authorized aggregate principal amount not to exceed TEN MILLION DOLLARS (\$10,000,000) for the purpose of refunding the Refunded Obligations and paying the costs of issuing the Bonds. The Bonds are issued pursuant to Chapter 1207, Texas Government Code, as amended, and all other applicable law.

(b) The principal amount of the Bonds shall be established by a Pricing Officer in an amount necessary to provide funds sufficient to refund the Refunded Obligations and pay the costs associated with the issuance of the Bonds; provided, however, that the following conditions shall be met for the issuance of the Bonds: In establishing the aggregate principal amount of the Bonds, the Pricing Officer shall establish the principal amount of the Bonds in an aggregate principal amount not to exceed the amount authorized in subsection (a) of this Section, which amount shall be sufficient to provide for the defeasance of the Refunded Obligations (as determined by the Pricing Officer) and which results in (i) a target net present value savings for the refunding of at least 3.00%; and (ii) the latest maturity date of the Bonds will not exceed the latest maturity date of the Refunded Obligations.

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(c) In exercising the authority granted to the Pricing Officer to sell Bonds for the purpose of refunding the Refunded Obligations, such Pricing Officer, acting severally and individually, may exercise any authority granted under Chapter 1207, Texas Government Code (as in effect on the date the Pricing Officer executes the Bond Purchase Agreement or Investor Letter), including, without limitation, (i) the selection of the particular maturities and principal amounts of the Refundable Obligations to be refunded (including the execution and delivery of any notices of redemption required in connection therewith) and (ii) establishing the terms and details related to the issuance and sale of the Bonds.

Section 3.2.: Designation, Date and Payment Date. The Bonds shall be designated as the “City of Seabrook, Texas General Obligation Refunding Bonds, Series 2013.” Interest on the Bonds shall be payable on each Interest Payment Date until maturity. The Bonds shall be dated and bear interest at the fixed rate or rates of interest per annum (which interest rate shall not exceed the maximum rate permitted by law), calculated on the basis of a 360-day year composed of twelve 30-day months, determined in accordance with the procedures for the sale of the Bonds set forth in Section 7.1 of this Ordinance. The Bonds shall mature and become payable on the dates and in each of the years and amounts (either through serial maturities or mandatory redemptions of term bonds) as determined by a Pricing Officer pursuant to Section 7.1 of this Ordinance; provided that no Bond shall mature more than forty (40) years after the dated date thereof.

Section 3.3.: Number, Denomination, Interest Rate and Maturity. (a) The Bonds shall be initially issued bearing the numbers, in the principal amounts and bearing interest at the rates and maturity dates as set forth in the Officer’s Pricing Certificate, and may be transferred and exchanged as set out in this Ordinance. Bonds delivered in transfer of or in exchange for other Bonds shall be numbered in order of their authentication by the Paying Agent/Registrar, shall be in the denomination of \$5,000 or integral multiples thereof and shall mature on the same date and bear interest at the same rate as the Bond or Bonds in lieu of which they are delivered.

Section 3.4.: Redemption Prior to Maturity; Defeasance. The Bonds are subject to optional and/or mandatory redemption as set forth in the Form of Bonds.

Notice of any redemption identifying the Bonds to be redeemed in whole or in part shall be given by the Registrar at least thirty days prior to the date fixed for redemption by sending written notice by first class mail to the Owner of each Bond to be redeemed in whole or in part at the address shown on the Register. Such notices shall state the redemption date, the redemption price, the place at which Bonds are to be surrendered for payment and, if less than all Bonds of a particular maturity are to be redeemed, the numbers of the Bonds or portions thereof of such maturity to be redeemed. Any notice given as provided in this Section shall be conclusively presumed to have been duly given, whether or not the Owner receives such notice. By the date fixed for redemption, due provision shall be made with the Registrar for payment of the redemption price of the Bonds or portions thereof to be redeemed. When Bonds have been called for redemption in whole or in part and due provision has been made to redeem same as herein provided, the Bonds or portions thereof so redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely from the funds so provided for redemption, and the rights of the Owners to collect interest which would otherwise accrue after

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the redemption date on any Bond or portion thereof called for redemption shall terminate on the date fixed for redemption.

The Bonds may be discharged, defeased, redeemed or refunded in any manner now or hereafter permitted by law.

Section 3.5.: Manner of Payment, Characteristics and Execution. The Paying Agent/Registrar is hereby appointed the paying agent for the Bonds. The Bonds shall be payable, shall have the characteristics and shall be executed, sealed, registered and authenticated, all as provided and in the manner indicated in the FORM OF BOND described in Article IV of and set forth Exhibit A to this Ordinance. If any officer of the City whose manual or facsimile signature shall appear on the Bonds shall cease to be such officer before the authentication of the Bonds or before the delivery of the Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in such office.

CUSIP numbers also may be printed on the Bonds, but errors or omissions in the printing of such numbers shall have no effect on the validity of the Bonds.

The Initial Bond, being a single bond representing the entire principal amount of the Bonds, payable in stated installments to the Purchaser or its designee, executed by the manual or facsimile signature of the Mayor and City Secretary of the City, approved by the Attorney General, and registered and manually signed by the Comptroller, shall be delivered to the Purchaser or its designee. Upon payment for the Initial Bond, the Paying Agent/Registrar shall cancel the Initial Bond and definitive Bonds shall be delivered to DTC.

Section 3.6.: Authentication. Except for the Initial Bond, which need not be authenticated by the Paying Agent/Registrar, only such Bonds as shall bear thereon a certificate of authentication, substantially in the form provided in Exhibit A to this Ordinance, manually executed by an authorized representative of the Paying Agent/Registrar, shall be entitled to the benefits of this Ordinance or shall be valid or obligatory for any purpose. Such duly executed certificate of authentication shall be conclusive evidence that the Bond so authenticated was delivered by the Paying Agent/Registrar hereunder.

Section 3.7.: Ownership. The City, the Paying Agent/Registrar and any other person may treat the person in whose name any Bond is registered as the absolute owner of such Bond for the purpose of making and receiving payment of the principal thereof and interest thereon and for all other purposes, whether or not such Bond is overdue, and neither the City nor the Paying Agent/Registrar shall be bound by any notice or knowledge to the contrary. All payments made to the person deemed to be the Registered Owner of any Bond in accordance with this Section shall be valid and effective and shall discharge the liability of the City and the Paying Agent/Registrar upon such Bond to the extent of the sums paid.

Section 3.8.: Registration, Transfer and Exchange. The Paying Agent/Registrar is hereby appointed the registrar for the Bonds. So long as any Bond remains Outstanding, the Paying Agent/Registrar shall keep the Register at its principal payment office in Dallas, Texas, and subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of the Bonds in accordance with the terms of this

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Ordinance. If the Bonds are issued pursuant to an Investor Letter, any such transfer will be subject to the terms of transfer described in such Investor Letter.

Each Bond shall be transferable only upon the presentation and surrender thereof at the principal payment office of the Paying Agent/Registrar, in Dallas, Texas, accompanied by an assignment duly executed by the Registered Owner or his authorized representative in form satisfactory to the Paying Agent/Registrar. Upon due presentation of any Bond for transfer, the Paying Agent/Registrar shall authenticate and deliver in exchange therefor, within seventy-two (72) hours after such presentation, a new Bond or Bonds, registered in the name of the transferee or transferees, in authorized denominations and of the same maturity and aggregate principal amount and bearing interest at the same rate as the Bond or Bonds so presented and surrendered.

All Bonds shall be exchangeable upon the presentation and surrender thereof at the principal payment office of the Paying Agent/Registrar, in Dallas, Texas, for a Bond or Bonds, in any authorized denomination, in an aggregate principal amount equal to the unpaid principal amount of the Bond or Bonds presented for exchange. The Paying Agent/Registrar shall be and is hereby authorized to authenticate and deliver exchange Bonds in accordance with the provisions of this Section. Each Bond delivered by the Paying Agent/Registrar in accordance with this Section shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such Bond is delivered.

All Bonds issued in transfer or exchange shall be delivered to the Registered Owners thereof at the principal payment office of the Paying Agent/Registrar or sent by United States mail, first class, postage prepaid.

The City or the Paying Agent/Registrar may require the Registered Owner of any Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with the transfer or exchange of such Bond. Any fee or charge of the Paying Agent/Registrar for such transfer or exchange shall be paid by the City.

Section 3.9.: Special Record Date. If interest on any Bond is not paid for any Interest Payment Date and continues unpaid for thirty (30) days thereafter, the Paying Agent/Registrar shall establish a new record date for the payment of such interest, to be known as a Special Record Date. The Paying Agent/Registrar shall establish a Special Record Date when funded to make such interest payment are received from or on behalf of the City. Such Special Record Date shall be fifteen (15) days prior to the date fixed for payment of such past due interest, and notice of the date of payment and the Special Record Date shall be sent by United States mail, first class, postage prepaid, not later than five (5) days prior to the Special Record Date, to each affected Registered Owner of record as of the close of business on the day prior to the mailing of such notice.

Section 3.10.: Book-Entry Only System. (a) The Initial Bond shall be registered in the name of Purchaser. Except as provided in Section 3.11 hereof, all other Bonds shall be registered in the name of Cede & Co, as nominee of DTC.

With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any DTC

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Participant or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (a) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (b) the delivery to any DTC Participant or any other person, other than a Bondholder, as shown on the Register, of any notice with respect to the Bonds, or (c) the payment to any DTC Participant or any other person, other than a Bondholder, as shown in the Register, of any amount with respect to principal of Bonds, premium, if any, or interest on the Bonds.

Except as provided in subsection (c) of this Section, the City and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Register as the absolute owner of such Bond for the purpose of payment of principal of, premium, if any, and interest on Bonds, for the purpose of giving notices of redemption, if any, and other matters with respect to such Bond, for the purpose of registering transfer with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of Bonds only to or upon the order of the respective owners, as shown in the Register as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an owner shall receive a Bond evidencing the obligation of the City to make payments of amounts due pursuant to this Ordinance.

(b) Payments and Notices to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, as long as any Bonds are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on the Bonds, and all notices with respect to such Bonds shall be made and given, respectively, in the manner provided in the representation letter of the City to DTC.

(c) Successor Securities Depository; Transfer Outside Book-Entry Only System. In the event that the City or the Paying Agent/Registrar determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the City to DTC, and that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the City or the Paying Agent/Registrar shall (a) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (b) notify DTC of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Bondholders transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

Section 3.11.: Replacement Bonds. Upon the presentation and surrender to the Paying Agent/Registrar of a damaged or mutilated Bond, the Paying Agent/Registrar shall authenticate and deliver in exchange therefor a replacement Bond, of the same maturity, interest

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rate and principal amount, bearing a number not contemporaneously outstanding. The City or the Paying Agent/Registrar may require the Registered Owner of such Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection therewith and any other expenses connected therewith, including the fees and expenses of the Paying Agent/Registrar and the City.

If any Bond is lost, apparently destroyed or wrongfully taken, the City, pursuant to the applicable laws of the State of Texas and ordinances of the City, and in the absence of notice or knowledge that such Bond has been acquired by a bona fide purchaser, shall execute, and the Paying Agent/Registrar shall authenticate and deliver, a replacement Bond of the same maturity, interest rate and principal amount, bearing a number not contemporaneously outstanding, provided that the Registered Owner thereof shall have:

- (a) furnished to the City and the Paying Agent/Registrar satisfactory evidence of the ownership of and the circumstances of the loss, destruction or theft of such Bond;
- (b) furnished such security or indemnity as may be required by the Paying Agent/Registrar and the City to save and hold them harmless;
- (c) paid all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Paying Agent/Registrar and any tax or other governmental charge that may be imposed; and
- (d) met any other reasonable requirements of the City and the Paying Agent/Registrar.

If, after the delivery of such replacement Bond, a bona fide purchaser of the original Bond in lieu of which such replacement Bond was issued presents for payment such original Bond, the City and the Paying Agent/Registrar shall be entitled to recover such replacement Bond from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost or expense incurred by the City or the Paying Agent/Registrar in connection therewith.

If any such mutilated, lost, apparently destroyed or wrongfully taken Bond has become or is about to become due and payable, the City in its discretion may, instead of issuing a replacement Bond, authorize the Paying Agent/Registrar to pay such Bond.

Each replacement Bond delivered in accordance with this Section shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such replacement Bond is delivered.

Section 3.12.: Cancellation. All Bonds paid in accordance with this Ordinance, and all Bonds in lieu of which exchange Bonds or replacement Bonds are authenticated and delivered in accordance herewith, shall be canceled and destroyed upon the making of proper records regarding such payment. The Paying Agent/Registrar shall periodically furnish the City with certificates of destruction of such Bonds.

ARTICLE IV.

FORM OF BONDS

The Bonds, including the Form of Comptroller's Registration Certificate, Form of Paying Agent/Registrar Authentication Certificate and Form of Assignment, shall be in substantially the form shown in Exhibit A, with such omissions, insertions and variations as may be necessary or desirable and not prohibited by this Ordinance.

ARTICLE V.

SECURITY FOR THE BONDS

Section 5.1.: Pledge and Levy of Taxes. (a) To provide for the payment of principal of and interest on the Bonds, there is hereby levied, for the current year and each succeeding year thereafter, while the Bonds or any part of the principal thereof and the interest thereon remain outstanding and unpaid, an ad valorem tax upon all taxable property within the City, within the limits prescribed by law, sufficient to pay the interest on the Bonds and to create and provide a sinking fund of not less than 2% of the principal amount of the Bonds or not less than the principal payable out of such tax, whichever is greater, with full allowance being made for tax delinquencies and the costs of tax collection, and such taxes, when collected, shall be applied to the payment of principal of and interest on the Bonds by deposit to the Debt Service Fund and to no other purpose.

(b) The City hereby declares its purpose and intent to provide and levy a tax legally sufficient to pay the principal of and interest on the Bonds, it having been determined that the existing and available taxing authority of the City for such purpose is adequate to permit a legally sufficient tax. As long as any Bonds remain outstanding, all moneys on deposit in, or credited to, the Debt Service Fund shall be secured by a pledge of security, as provided by law for cities in the State of Texas.

(c) To pay the interest coming due on the Bonds prior to receipt of the taxes levied to pay such interest, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such interest, and such amount shall be used for no other purpose.

Section 5.2.: Debt Service Fund. The General Obligation Refunding Bonds, Series 2013 Debt Service Fund (the "Debt Service Fund") is hereby created as a special fund solely for the benefit of the Bonds. The City shall establish and maintain such fund at an official City depository and shall keep such fund separate and apart from all other funds and accounts of the City. Any amount on deposit in the Debt Service Fund shall be maintained by the City in trust for the Registered Owners of the Bonds. Such amount, plus any other amounts deposited by the City into such fund and any and all investment earnings on amounts on deposit in such fund, shall be used only to pay the principal of, premium, if any, and interest on the Bonds.

ARTICLE VI.

CONCERNING THE PAYING AGENT/REGISTRAR

Section 6.1.: Acceptance. The Bank of New York Mellon Trust Company, N.A. is hereby appointed as the initial Paying Agent/Registrar for the Bonds pursuant to the terms and provisions of the Paying Agent/Registrar Agreement by and between the City and the Paying Agent/Registrar, which are hereby approved. The Mayor is hereby authorized to execute and deliver such Paying Agent/Registrar Agreement on behalf of the City in multiple counterparts and the Acting City Secretary is hereby authorized to attest thereto and affix the City's seal. Such initial Paying Agent/Registrar and any successor Paying Agent/Registrar, by undertaking the performance of the duties of the Paying Agent/Registrar hereunder, and in consideration of the payment of any fees pursuant to the terms of any contract between the Paying Agent/Registrar and the City and/or the deposits of money pursuant to this Ordinance, shall be deemed to accept and agree to abide by the terms of this Ordinance.

Section 6.2.: Trust Funds. All money transferred to the Paying Agent/Registrar in its capacity as Paying Agent/Registrar for the Bonds under this Ordinance (except any sums representing Paying Agent/Registrar's fees) shall be held in trust for the benefit of the City, shall be the property of the City and shall be disbursed in accordance with this Ordinance.

Section 6.3.: Bonds Presented. Subject to the provisions of Section 6.4, all matured Bonds presented to the Paying Agent/Registrar for payment shall be paid without the necessity of further instructions from the City. Such Bonds shall be canceled as provided herein.

Section 6.4.: Unclaimed Funds Held by the Paying Agent/Registrar. Funds held by the Paying Agent/Registrar that represent principal of and interest on the Bonds remaining unclaimed by the Registered Owner thereof after the expiration of three years from the date such funds have become due and payable (a) shall be reported and disposed of by the Paying Agent/Registrar in accordance with the provisions of Title 6 of the Texas Property Code, as amended, to the extent such provisions are applicable to such funds, or (b) to the extent such provisions do not apply to the funds, such funds shall be paid by the Paying Agent/Registrar to the City upon receipt by the Paying Agent/Registrar of a written request therefor from the City.

The Paying Agent/Registrar shall have no liability to the Registered Owners of the Bonds by virtue of actions taken in compliance with this Section.

Section 6.5.: Paying Agent/Registrar May Own Bonds. The Paying Agent/Registrar in its individual or any other capacity, may become the owner or pledgee of Bonds with the same rights it would have if it were not the Paying Agent/Registrar.

Section 6.6.: Successor Paying Agents/Registrars. The City covenants that at all times while any Bonds are Outstanding it will provide a legally qualified bank, trust company, financial institution or other agency to act as Paying Agent/Registrar for the Bonds. The City reserves the right to change the Paying Agent/Registrar for the Bonds on not less than sixty (60) days' written notice to the Paying Agent/Registrar, as long as any such notice is effective not less than 60 days prior to the payment date for the Bonds. Promptly upon the appointment of any

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successor Paying Agent/Registrar, the previous Paying Agent/Registrar shall deliver the Register or a copy thereof to the new Paying Agent/Registrar, and the new Paying Agent/Registrar shall notify each Registered Owner, by United States mail, first class, postage prepaid, of such change and of the address of the new Paying Agent/Registrar. Each Paying Agent/Registrar hereunder, by acting in that capacity, shall be deemed to have agreed to the provisions of this Ordinance.

ARTICLE VII.

**PROVISIONS CONCERNING SALE AND
DELIVERY OF BONDS;**

Section 7.1.: Sale and Delivery of Bonds; Insurance. The Pricing Officer, acting severally and individually, is hereby authorized to act for and on behalf of the City in connection with the issuance and sale of the Bonds. In that capacity, the Pricing Officer, acting for and on behalf of the City, shall determine (a) the date for issuance and sale of the Bonds and (b) subject to the limitations of Section 3.1, the aggregate principal amount and the principal amortization schedule for the Bonds, the rate or rates of interest to be borne by the Bonds, the price of the Bonds, the dates on which such interest shall be payable, the terms, if any, on which the Bonds shall be subject to optional and mandatory redemption and other terms and conditions relating to the issuance, sale and delivery of the Bonds including the determination to utilize or not utilize municipal bond insurance, all as shall be set forth in the Officer's Pricing Certificate; provided, that at the time of issuance of the Bonds, the Pricing Officer, on behalf of the City, shall deliver a written certificate (i) stating that the parameters set forth in Section 3.1(b) have been satisfied (including a statement as to the present value savings as a percent of the Refunded Obligations and as to the dollar amount of the gross savings), (ii) identifying the Refunded Obligations and setting forth the terms and details for the redemption prior to maturity (if applicable) of the Refunded Obligations and (iii) setting forth the amount of proceeds of the Bonds to be deposited with the paying agent for the Refunded Obligations or with the Escrow Agent, as determined by the Pricing Officer.

The Pricing Officer, acting severally and individually, is authorized to designate the underwriter for the Bonds to assure that the Bonds are sold on the most advantageous terms to the City; and, the Pricing Officer, acting severally and individually, for and on behalf of the City, is authorized to execute and deliver the Bond Purchase Agreement or the Investor Letter providing for the sale of Bonds at such price, with and subject to such terms as determined by the Pricing Officer pursuant to this Section. Such Bond Purchase Agreement or Investor Letter shall be substantially in the form and substance previously approved by the City Council in connection with the authorization of general obligation bonds with such changes as are acceptable to the Pricing Officer. In the event the Bond Purchase Agreement or Investor Letter shall not be executed on or before 5:00 p.m. on the 180th day after the date of the approval of this Ordinance, the delegation to the Pricing Officer pursuant to this Order shall cease to be effective unless the District shall act to extend such delegation

The obligation of the Purchaser to accept delivery of the Bonds shall be subject to the Purchaser being furnished with the final, approving opinion of Fulbright & Jaworski L.L.P.,

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Houston, Texas, Bond Counsel for the City, which opinion shall be dated as of and delivered on the date of delivery of the Bonds to the Purchaser. The engagement of such firm as Bond Counsel for the City in connection with the issuance, sale and delivery of the Bonds is hereby approved, ratified and confirmed.

The City hereby acknowledges that the sale of the Bonds pursuant to the Bond Purchase Agreement or Investor Letter may be contingent upon the issuance of a policy of municipal bond insurance. The Pricing Officer is authorized to apply for and pay any costs associated with one or more municipal bond insurance policies to guarantee the payment of the principal of and interest on the Bonds, which guarantee or insurance shall be specified in the Officer's Pricing Certificate; and, any acts of any Pricing Officer relating to applications for any such insurance are hereby authorized, approved, ratified and confirmed. The Officer's Pricing Certificate may contain provisions related to such bond insurance policies, if any, including payment provisions thereunder, and the rights of the bond insurer(s), and any such provisions shall be read and interpreted as an integral part of this Ordinance. The appropriate officials and representatives of the City are hereby authorized and directed to execute such commitments, agreements (including reimbursement agreements), certificates and other documents and to do any and all things necessary or desirable to obtain any such insurance, and the printing on the Bonds of an appropriate legend or statement regarding such guarantee or insurance, as provided by the a bond insurer for the Bonds, is hereby approved.

Section 7.2.: Approval, Registration and Delivery. The Mayor is hereby authorized to have control and custody of the Bonds and all necessary records and proceedings pertaining thereto pending their delivery, and the Mayor and other officers and employees of the City are hereby authorized and directed to make such certifications and to execute such instruments as may be necessary to accomplish the delivery of the Bonds and to assure the investigation, examination and approval thereof by the Attorney General and the registration of the Initial Bond by the Comptroller. Upon registration of the Bonds, the Comptroller (or the Comptroller's certificates clerk or an assistant certificates clerk lawfully designated in writing to act for the Comptroller) shall manually sign the Comptroller's Registration Certificates prescribed herein to be attached or affixed to the Initial Bond delivered and the seal of the Comptroller shall be impressed or printed or lithographed thereon.

Section 7.3.: Offering Documents; Ratings. If necessary, the Pricing Officer, acting severally and individually, is authorized and directed to provide for and oversee the preparation of a preliminary and final official statement in connection with the issuance of the Bonds, and to approve and deem final such official statement in compliance with the Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") and to provide for and authorize the delivery to the Purchaser of such preliminary and final official statement in compliance with such Rule.

The Pricing Officer, acting severally and individually, is hereby authorized to take such action as they deem necessary or appropriate in seeking ratings on the Bonds from one or more nationally recognized rating agencies, and any such action is hereby ratified and confirmed.

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Section 7.4.: Application of Proceeds of Bonds. Proceeds from the sale of the Bonds shall, promptly upon receipt by the City, be applied as follows:

- (a) An amount equal to the sum of the accrued interest on the Bonds shall be deposited into the Debt Service Fund;
- (b) Proceeds from the sale of the Bonds in an amount determined by the Pricing Officer (together with funds, if any, provided by the City) shall be applied to the to refund the Refunded Obligations, as more fully provided below and in the Pricing Certificate;
- (c) An amount equal to the costs of issuance of the Bonds, as approved by the City, shall be applied to pay such costs as the City may arrange; and
- (d) Any proceeds of the Bonds remaining after making all such deposits and payments shall be deposited into the Debt Service Fund.

Section 7.5.: Tax Exemption.

- (a) *Definitions.* When used in this Section, the following terms have the following meanings:

“Code” means the Internal Revenue Code of 1986, as amended by all legislation, if any, effective on or before the Issuance Date.

“Computation Date” has the meaning set forth in section 1.148-1(b) of the Regulations.

“Gross Proceeds” means any proceeds as defined in section 1.148-1(b) of the Regulations, and any replacement proceeds as defined in section 1.148-1(c) of the Regulations, of the Bonds.

“Investment” has the meaning set forth in section 1.148-1(b) of the Regulations.

“Nonpurpose Investment” means any investment property, as defined in section 148(b) of the Code, in which Gross Proceeds of the Bonds are invested and which is not acquired to carry out the governmental purposes of the Bonds.

“Rebate Amount” has the meaning set forth in section 1.148-1(b) of the Regulations.

“Regulations” means any proposed, temporary, or final Income Tax Regulations issued pursuant to section 103 and 141 through 150 of the Code, and 103 of the Internal Revenue Code of 1954, which are applicable to the Bonds. Any reference to any specific Regulation shall also mean, as appropriate, any proposed, temporary or final Income Tax Regulation designed to supplement, amend, or replace the specific Regulation referenced.

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“Yield” of

any Investment has the meaning set forth in section 1.148-5 of the Regulations; and

the Bonds has the meaning set forth in section 1.148-4 of the Regulations.

- (b) *Not to Cause Interest to Become Taxable.* The Issuer shall not use, permit the use of, or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which if made or omitted, respectively, would cause the interest on any Bond to become includable in the gross income, as defined in section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the Issuer receives a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Bond, the Issuer shall comply with each of the specific covenants in this Section.

- (c) *No Private Use or Private Payments.* Except as permitted by section 141 of the Code and the Regulations and rulings thereunder, the Issuer shall at all times prior to the last Stated Maturity of Bonds:

(1) exclusively own, operate and possess all property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds of the Bonds (including property financed with Gross Proceeds of the Refunded Bonds), and not use or permit the use of such Gross Proceeds (including all contractual arrangements with terms different than those applicable to the general public) or any property acquired, constructed or improved with such Gross Proceeds in any activity carried on by any person or entity (including the United States or any agency, department and instrumentality thereof) other than a state or local government, unless such use is solely as a member of the general public; and

(2) not directly or indirectly impose or accept any charge or other payment by any person or entity who is treated as using Gross Proceeds of the Bonds or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with such Gross Proceeds (including property financed with Gross Proceeds of the Refunded Bonds), other than taxes of general application within the Issuer or interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

- (d) *No Private Loan.* Except to the extent permitted by section 141 of the Code and the Regulations and rulings thereunder, the Issuer shall not use Gross Proceeds of the Bonds to make or finance loans to any person or entity other than a state or

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local government. For purposes of the foregoing covenant, such Gross Proceeds are considered to be “loaned” to a person or entity if: (1) property acquired, constructed or improved with such Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes; (2) capacity in or service from such property is committed to such person or entity under a take or pay, output or similar contract or arrangement; or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or any property acquired, constructed or improved with such Gross Proceeds are otherwise transferred in a transaction which is the economic equivalent of a loan.

- (e) *Not to Invest at Higher Yield.* Except to the extent permitted by section 148 of the Code and the Regulations and rulings thereunder, the Issuer shall not at any time prior to the final Stated Maturity of the Bonds directly or indirectly invest Gross Proceeds in any Investment, if as a result of such investment the Yield of any Investment acquired with Gross Proceeds, whether then held or previously disposed of, exceeds the Yield of the Bonds.
- (f) *Not Federally Guaranteed.* Except to the extent permitted by section 149(b) of the Code and the Regulations and rulings thereunder, the Issuer shall not take or omit to take any action which would cause the Bonds to be federally guaranteed within the meaning of section 149(b) of the Code and the Regulations and rulings thereunder.
- (g) *Information Report.* The Issuer shall timely file the information required by section 149(e) of the Code with the Secretary of the Treasury on Form 8038-G or such other form and in such place as the Secretary may prescribe.
- (h) *Rebate of Arbitrage Profits.* Except to the extent otherwise provided in section 148(f) of the Code and the Regulations and rulings thereunder:

(1) The Issuer shall account for all Gross Proceeds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of accounting for at least six years after the day on which the last outstanding Bond is discharged. However, to the extent permitted by law, the Issuer may commingle Gross Proceeds of the Bonds with other money of the Issuer, provided that the Issuer separately accounts for each receipt and expenditure of Gross Proceeds and the obligations acquired therewith.

(2) Not less frequently than each Computation Date, the Issuer shall calculate the Rebate Amount in accordance with rules set forth in section 148(f) of the Code and the Regulations and rulings thereunder. The Issuer shall maintain such calculations with its official transcript of proceedings relating to the issuance of the Bonds until six years after the final Computation Date.

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(3) As additional consideration for the purchase of the Bonds by the Purchasers and the loan of the money represented thereby and in order to induce such purchase by measures designed to insure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, the Issuer shall pay to the United States out of the Debt Service Fund or its general fund, as permitted by applicable Texas statute, regulation or opinion of the Attorney General of the State of Texas, the amount that when added to the future value of previous rebate payments made for the Bonds equals (i) in the case of a Final Computation Date as defined in section 1.148-3(e)(2) of the Regulations, one hundred percent (100%) of the Rebate Amount on such date; and (ii) in the case of any other Computation Date, ninety percent (90%) of the Rebate Amount on such date. In all cases, the rebate payments shall be made at the times, in the installments, to the place and in the manner as is or may be required by section 148(f) of the Code and the Regulations and rulings thereunder, and shall be accompanied by Form 8038-T or such other forms and information as is or may be required by section 148(f) of the Code and the Regulations and rulings thereunder.

(4) The Issuer shall exercise reasonable diligence to assure that no errors are made in the calculations and payments required by paragraphs (2) and (3), and if an error is made, to discover and promptly correct such error within a reasonable amount of time thereafter (and in all events within one hundred eighty (180) days after discovery of the error), including payment to the United States of any additional Rebate Amount owed to it, interest thereon, and any penalty imposed under section 1.148-3(h) of the Regulations.

- (i) *Not to Divert Arbitrage Profits.* Except to the extent permitted by section 148 of the Code and the Regulations and rulings thereunder, the Issuer shall not, at any time prior to the earlier of the Stated Maturity or final payment of the Bonds, enter into any transaction that reduces the amount required to be paid to the United States pursuant to Subsection (h) of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Bonds not been relevant to either party.
- (j) *Elections.* The Issuer hereby directs and authorizes the President or any Vice President of the District or the Superintendent of the District, either or any combination of them, to make elections permitted or required pursuant to the provisions of the Code or the Regulations, as they deem necessary or appropriate in connection with the Bonds, in the Certificate as to Tax Exemption or similar or other appropriate certificate, form or document.
- (k) *Bonds Not Hedge Bonds.*

(1) At the time the original bonds refunded by the Bonds were issued, the Issuer reasonably expected to spend at least 85% of the spendable proceeds of such bonds within three years after such bonds were issued.

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(2) Not more than 50% of the proceeds of the original bonds refunded by the Bonds were invested in Nonpurpose Investments having a substantially guaranteed Yield for a period of 4 years or more.

(1) *Qualified Advance Refunding.* The Bonds are issued exclusively to refund the Refunded Obligations, and the Bonds will be issued more than 90 days before the redemption of the Refunded Obligations. The Issuer represents as follows:

- (1) The Bonds are the first advance refunding of the Refunded Obligations, within the meaning of section 149(d)(3) of the Code.
- (2) The Refunded Obligations are being called for redemption, and will be redeemed not later than the earliest date on which such bonds may be redeemed and on which the Issuer will realize present value debt service savings (determined without regard to administrative expenses) on the issue.
- (3) The initial temporary period under section 148(c) of the Code will end: (i) with respect to the proceeds of the Bonds not later than 30 days after the date of issue of such Bonds; and (ii) with respect to proceeds of the Refunded Obligations on the Issue Date if not ended prior thereto.
- (4) On and after the date of issue of the Bonds, no proceeds of the Refunded Obligations will be invested in Nonpurpose Investments having a Yield in excess of the Yield on such Refunded Obligations.
- (5) The Bonds are being issued for the purposes stated in the preamble of this Order. There is a present value savings associated with the refunding. In the issuance of the Bonds the Issuer has neither: (i) overburdened the tax-exempt bond market by issuing more bonds, issuing bonds earlier or allowing bonds to remain outstanding longer than reasonably necessary to accomplish the governmental purposes for which the Bonds were issued; (ii) employed on "abusive arbitrage device" within the meaning of Section 1.148-10(a) of the Regulations; nor (iii) employed a "device" to obtain a material financial advantage based on arbitrage, within the meaning of section 149(d)(4) of the Code, apart from savings attributable to lower interest rates and reduced debt service payments in early years.

Section 7.6.: Qualified Tax-Exempt Obligations. In accordance with the provisions of paragraph (3) of subsection (b) of Section 265 of the Code, unless otherwise provided by the Pricing Officer, the City hereby designates the Bonds to be "qualified tax exempt obligations" in that the Bonds are not "private activity bonds" as defined in the Code and the reasonably anticipated amount of "qualified tax exempt obligations" to be issued by the District (including all subordinate entities of the District) for the calendar year will not exceed \$10,000,000.

Section 7.7.: Related Matters. In order that the City shall satisfy in a timely manner all of its obligations under this Ordinance, the Mayor, City Secretary and all other appropriate officers, agents, representatives and employees of the City are hereby authorized and directed to

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take all other actions that are reasonably necessary to provide for the issuance and delivery of the Bonds, including, without limitation, executing and delivering on behalf of the City all certificates, consents, receipts, requests, notices, and other documents as may be reasonably necessary to satisfy the City's obligations under this Ordinance and to direct the transfer and application of funds of the City consistent with the provisions of this Ordinance.

ARTICLE VIII.

CONTINUING DISCLOSURE UNDERTAKING

Section 8.1.: Continuing Disclosure Undertaking.

(a) Unless otherwise provided in the Officer's Pricing Certificate, the City will provide certain updated financial information and operating data to the MSRB annually in an electronic format as prescribed by the MSRB and available via the Electronic Municipal Market Access ("EMMA") system at www.emma.msrb.org. The information to be updated includes all quantitative financial information and operating data with respect to the City of the general type included in the official statement authorized by Section 7.3 of this Ordinance, under the Tables numbered 1 through 5 and 7 through 13 and in APPENDIX B. The City shall update such information within six months after the end of each fiscal year. Any financial statements so to be provided shall be (1) prepared in accordance with the accounting principles prescribed by the Texas State Board of Education or such other accounting principles as the City may be required to employ from time to time pursuant to State law or regulation and (2) audited, if the City commissions an audit of such statements and the audit is completed within the period during which they must be provided. If audited financial statements are not so provided, then the City shall provide unaudited financial statements for the applicable fiscal year by the required time, and audited financial statements when and if audited financial statements become available.

If the City changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to documents (i) available to the public on the MSRB's internet web site or (ii) filed with the SEC. All filings shall be made electronically, in the format specified by the MSRB.

(b) The City shall notify the MSRB in an electronic format prescribed by the MSRB, in a timely manner (not in excess of ten (10) days after the occurrence of the event), of any of the following events with respect to the Bonds:

- (i) Principal and interest payment delinquencies;
- (ii) Non-payment related defaults, if material;
- (iii) Unscheduled draws on debt service reserves reflecting financial difficulties;

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- (iv) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (v) Substitution of credit or liquidity providers or their failure to perform;
- (vi) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (vii) Modifications to rights of holders of the Bonds, if material;
- (viii) Bond calls, if material, and tender offers;
- (ix) Defeasances;
- (x) Release, substitution, or sale of property securing repayment of the Bonds, if material;
- (xi) Rating changes;
- (xii) Bankruptcy, insolvency, receivership or similar event of the City;
- (xiii) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (xiv) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

The City shall notify the MSRB in an electronic format prescribed by the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with this Section by the time required by such Section.

All documents provided to the MSRB shall be accompanied by identifying information, as prescribed by the MSRB.

(c) The City shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the City remains an “obligated person” with respect to the Bonds within the meaning of the Rule, except that the City in any event will give the notice required by this Section of any Bond calls and defeasance that cause the City to be no longer such an “obligated person.”

The provisions of this Section are for the sole benefit of the Registered Owners and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly

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provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

No default by the City in observing or performing its obligations under this Section shall constitute a breach of or default under the Ordinance for purposes of any other provision of this Ordinance.

Nothing in this Section is intended to or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

(d) The provisions of this Section may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell the Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (2) either (a) the Registered Owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the Outstanding Bonds consent to such amendment or (b) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the Registered Owners and beneficial owners of the Bonds. If the City so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with this Section an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided. The City may also amend or repeal the provisions of this Section if the SEC amends or repeals the applicable provisions of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, and the City also may amend the provisions of this Section in its discretion in any other manner or circumstance, but in any case only if and to the extent that the provisions of this sentence would not have prevented an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds, giving effect to (a) such provisions as so amended and (b) any amendments or interpretations of the Rule.

ARTICLE IX.

**ESCROW AGREEMENT; REDEMPTION OF REFUNDED
OBLIGATIONS AND ESCROW SECURITIES**

Section 9.1.: Discharge and Defeasance of Refunded Bonds; Escrow Agreement. The discharge and defeasance of the Refunded Obligations shall be effected at the direction of the Pricing Officer by either (a) a cash deposit with the paying agent for the Refunded Bonds or (b) pursuant to terms and provision of an Escrow Agreement, in the form and containing the terms and provision as shall be approved by the Pricing Officer, including any insertions, additions, deletions, and modifications as may be necessary (i) to maximize the City's present value savings and/or to minimize the City's costs of refunding, (ii) to carry out the program designed for the City by the Purchaser and the City's Financial Advisor, (iii) to comply with all applicable laws and regulations relating to the refunding of the Refunded Obligations and (iv) to carry out the other intents and purposes of this Ordinance. The Mayor is hereby authorized to execute and deliver such Escrow Agreement on behalf of the City in multiple counterparts and the City Secretary is hereby authorized to attest thereto and affix the City's seal.

Section 9.2.: Redemption of Refunded Obligations Prior to Maturity. To minimize the City's costs of refunding, the City hereby authorizes and directs that certain of the Refunded Obligations shall be called for redemption prior to maturity in the amounts, at the dates and at the redemption prices set forth in the Report or the Certificate of Financial Advisor, and the Mayor, City Manager, the Financial Director and City Secretary are each hereby authorized and directed to take all necessary and appropriate action to give or cause to be given a notice of redemption and/or a notice of defeasance to the holders or paying agent/ registrars, as appropriate, of such bonds, and, if required, to publish such notices, all in the manner required by the documents authorizing the issuance of such Refunded Obligations.

Section 9.3.: Purchase of Escrowed Securities. To assure the purchase of the Escrowed Securities referred to in the Escrow Agreement, the Mayor, City Manager, the Finance Director and City Secretary and other officers and employees of the City are hereby authorized (i) to subscribe for, agree to purchase and purchase Escrowed Securities, in such amounts and maturities and bearing interest at such rates as may be provided for in the Report or the Certificate of Financial Advisor, and to execute any and all subscriptions, purchase agreements, investment contracts, commitments, letters of authorization and other documents necessary to effectuate the foregoing, and (ii) to authorize such contributions to the escrow fund as are provided in the Escrow Agreement. Any actions heretofore taken for such purpose are hereby ratified and approved.

ARTICLE X.

MISCELLANEOUS

Section 10.1.: Legal Holidays. In any case where the date interest accrues and becomes payable on the Bonds or principal of the Bonds matures or a Record Date shall be in the City a Saturday, Sunday, legal holiday or a day on which banking institutions are authorized by law to close, then payment of interest or principal need not be made on such date, or the Record

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Date shall not occur on such date, but payment may be made or the Record Date shall occur on the next succeeding day which is not in the City a Saturday, Sunday, legal holiday or a day on which banking institutions are authorized by law to close with the same force and effect as if (i) made on the date of maturity and no interest shall accrue for the period from the date of maturity to the date of actual payment or (ii) the Record Date had occurred on the last day of that calendar month.

Section 10.2.: No Recourse Against City Officials. No recourse shall be had for the payment of principal of or interest on any Bonds or for any claim based thereon or on this Ordinance against any official of the City or any person executing any Bonds.

Section 10.3.: Further Proceedings. The Mayor, City Secretary and other appropriate officials of the City are hereby authorized and directed to do any and all things necessary and/or convenient to carry out the terms of this Ordinance. The Mayor, City Secretary and other appropriate officials of the City are each hereby authorized to execute, attest and impress the City's seal to such other agreements, assignments, bonds, certificates, contracts, documents, licenses, instruments, releases, financing statements, letters of instruction, notices of acceptance, notices of final payment, written requests and other documents, and to take all actions and to do all things whether or not mentioned herein, as may be necessary or convenient to carry out or assist in carrying out the purposes of this Ordinance and the Bonds.

Section 10.4.: Severability. If any Section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 10.5.: Open Meeting. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at City Hall for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 10.6.: Repealer. All orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 10.7.: Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below.

Section 10.8.: Power to Revise Form of Documents. Notwithstanding any other provision of this Ordinance, the Mayor, City Secretary, the City Manager and the Finance Director and other appropriate officials of the City are each hereby authorized to make or approve such revisions, additions, deletions and variations in the form of the documents attached hereto as exhibits as, in the judgment of the Mayor, City Secretary, the City Manager and the

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Finance Director and other appropriate officials of the City, and in the opinion of Bond Counsel to the City, as may be necessary or convenient to carry out or assist in carrying out the purposes of this Ordinance, the Preliminary Official Statement, and the final Official Statement; provided, however, that any changes to such documents resulting in substantive amendments to the terms and conditions of the Bonds or such documents shall be subject to the prior approval of the City Council.

Section 10.9.: Ordinance a Contract - Amendments. This Ordinance shall constitute a contract with the Registered Owners from time to time, be binding on the City, and shall not be amended or repealed by the City so long as any Bond remains Outstanding except as permitted in this Section. The City may, without the consent of or notice to any Registered Owners, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Registered Owners, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the consent of Registered Owners who own in the aggregate 51% of the principal amount of the Bond then Outstanding, amend, add to, or rescind any of the provisions of this Ordinance; provided that, without the consent of all Registered Owners of Outstanding Bonds, no such amendment, addition, or rescission shall (i) extend the time or times of payment of the principal of and interest on the Bonds, reduce the principal amount thereof or the rate of interest thereon, or in any other way modify the terms of payment of the principal of or interest on the Bonds, (ii) give any preference to any Bond over any other Bond, or (iii) reduce the aggregate principal amount of Bonds required to be held by Registered Owners for consent to any such amendment, addition, or rescission.

[The remainder of this page is intentionally left blank.]

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PASSED AND APPROVED on this 5th day of February, 2013.

Glenn Royal
Mayor
City of Seabrook, Texas

ATTEST:

Michele L. Glaser, TRMC
City Secretary
City of Seabrook, Texas

(SEAL)

Exhibit A – Form of Bonds
Exhibit B – Schedule of Refundable Obligations

EXHIBIT A

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF FORT BEND

CITY OF SEABROOK, TEXAS,
GENERAL OBLIGATION REFUNDING BOND
SERIES 2013

NUMBER	PRINCIPAL AMOUNT
_____	\$ _____
REGISTERED	REGISTERED

INTEREST RATE:	DATED DATE:	MATURITY DATE:	CUSIP:
_____ %	_____, 2013 ¹		

REGISTERED OWNER:

PRINCIPAL AMOUNT: _____ DOLLARS

THE CITY OF SEABROOK, TEXAS, a home rule municipality of the State of Texas (the "City"), for value received, hereby promises to pay to the Registered Owner identified above or its registered assigns, on the maturity date specified above, upon presentation and surrender of this Bond at the principal payment office of The Bank of New York Mellon Trust Company, N.A., or its successor (the "Paying Agent/Registrar"), the principal amount identified above, payable in any coin or currency of the United States of America which on the date of payment of such principal is legal tender for the payment of debts due to the United States of America, and to pay interest thereon at the rate shown above, calculated on a basis of a 360-day year composed of twelve 30-day months, from the later of the Dated Date identified above, or the most recent interest payment date to which interest has been paid or duly provided for. Interest on this Bond is payable by check on September 1 and March 1, beginning on September 1, 2013, mailed to the registered owner as shown on the books of registration kept by the Registrar as of the close of business on the last business day of the month next preceding the applicable interest payment date.

THIS BOND IS ONE OF A DULY AUTHORIZED SERIES OF BONDS (the "Bonds") in the aggregate principal amount of \$ _____¹ issued pursuant to an ordinance adopted by the City Council of the City on February 5, 2013 (the "Ordinance") for the purpose of refunding certain outstanding obligations (the "Refunded Obligations") of the City under and pursuant to

¹ Insert from Officer's Pricing Certificate.

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the authority of Chapter 1207, Texas Government Code, as amended. Proceeds of the Bonds will also be used to pay the costs of issuing the Bonds and refunding the Refunded Obligations.

THE CITY RESERVES THE RIGHT, at its option, to redeem Bonds maturing on or after March 1, _____², in whole or from time to time in part, in integral multiples of \$5,000, on March 1, _____², or on any date thereafter at par plus accrued interest on the principal amounts called for redemption to the date fixed for redemption. If less than all the Bonds are to be redeemed, the District shall determine the maturities and amounts to be redeemed. If less than all the Bonds of a particular maturity are to be redeemed, the Registrar shall select by lot or other customary random selection method the Bonds or portions thereof to be redeemed.

[If applicable, mandatory redemption language]²

NOTICE OF ANY REDEMPTION shall be given at least thirty (30) days prior to the date fixed for redemption by first class mail, addressed to the registered owner of each Bond to be redeemed in whole or in part at the address shown on the books of registration kept by the Registrar. When Bonds or portions thereof have been called for redemption, and due provision has been made to redeem the same, the principal amounts so redeemed shall be payable solely from the funds provided for redemption, and interest which would otherwise accrue on the amounts called for redemption shall terminate on the date fixed for redemption.

THIS BOND shall not be valid or obligatory for any purpose or be entitled to any benefit under the Ordinance unless this Bond is either (i) registered by the Comptroller of Public Accounts of the State of Texas by registration certificate attached or affixed hereto or (ii) authenticated by the Paying Agent/Registrar by due execution of the authentication certificate endorsed hereon.

THIS BOND IS TRANSFERABLE only upon presentation and surrender at the principal payment office of the Paying Agent/Registrar in Dallas, Texas, accompanied by an assignment duly executed by the Registered Owner or its authorized representative, subject to the terms and conditions of the Ordinance.

THIS BOND IS EXCHANGEABLE at the principal payment office of the Paying Agent/Registrar in Dallas, Texas, for a Bond or Bonds of the same maturity and interest rate and in the principal amount of \$5,000 or any integral multiple thereof, subject to the terms and conditions of the Ordinance.

THE CITY has covenanted in the Ordinance that it will at all times provide a legally qualified registrar for the Bonds and will cause notice of any change of registrar to be mailed to each registered owner.

THE REGISTERED OWNER of this Bond by acceptance hereof, acknowledges and agrees to be bound by all the terms and conditions of the Ordinance.

² Insert from Officer's Pricing Certificate.

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IT IS HEREBY DECLARED AND REPRESENTED that this Bond has been duly and validly issued and delivered; that all acts, conditions and things required or proper to be performed, exist and to be done precedent to or in the issuance and delivery of this Bond have been performed, exist and have been done in accordance with law; that the Bonds do not exceed any constitutional or statutory limitation; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied, within the limits prescribed by law, against all taxable property in the City and have been irrevocably pledged for such payment.

REFERENCE IS HEREBY MADE TO THE ORDINANCE, a copy of which is filed with the Paying Agent/Registrar, for the full provisions thereof, to all of which the Registered Owners of the Bonds assent by acceptance of the Bonds.

IN WITNESS WHEREOF, the City has caused its corporate seal to be impressed or placed in facsimile hereon and this Bond to be signed by the Mayor, countersigned by the City Secretary by their manual, lithographed or printed facsimile signatures.

CITY OF SEABROOK, TEXAS

Mayor

(SEAL)

COUNTERSIGNED:

City Secretary

(b) Form of Registration Certificate of Comptroller of Public Accounts.

OFFICE OF THE COMPTROLLER
OF PUBLIC ACCOUNTS
THE STATE OF TEXAS

§
§
§

REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS MY SIGNATURE AND SEAL OF OFFICE this _____.

(SEAL)

Comptroller of Public Accounts
of the State of Texas

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(c) Form of Paying Agent/Registrar's Authentication Certificate.

AUTHENTICATION CERTIFICATE

It is hereby certified that this Bond has been delivered pursuant to the Ordinance described in the text of this Bond.

The Bank of New York Mellon Trust Company, N.A.
As Paying Agent/Registrar

By: _____
Authorized Signature:
Date of Authentication:

(d) Form of Assignment.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

(Please print or type name, address and zip code of Transferee)

(Please insert Social Security or Taxpayer Identification Number of Transferee)
the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints
_____ attorney to transfer the within
Bond on the books kept for registration thereof, with full power of substitution in the premises.

DATED: _____

Signature Guaranteed:

NOTICE: Signature must be guaranteed by
a member firm of the New York Stock
Exchange or a commercial bank or trust
company.

Registered Owner
NOTICE: The signature above must
correspond to the name of the registered
owner as shown on the face of this Bond
in every particular, without any alteration,
enlargement or change whatsoever.

(f) The Initial Bond shall be in the form set forth in paragraphs (a), (b), (d) and (e) above, except for the following alterations:

(i) immediately under the Bond, the headings "INTEREST RATE" and "MATURITY DATE" shall both be completed with the words "As Shown Below" and the word "CUSIP" deleted;

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(ii) in the first paragraph of the Bond, the words “on the maturity date specified above” and “at the rate shown above” shall be deleted and the following shall be inserted at the end of the first sentence”..., with such principal to be paid in installments on March 1 in each of the years and in the principal amounts identified in the following schedule and with such installments bearing interest at the per annum rates set forth in the following schedule:”

[Information to be inserted from Officer’s Pricing Certificate]

(iii) the Initial Bond shall be numbered I-1.

EXHIBIT B

SCHEDULE OF REFUNDABLE OBLIGATIONS

- Certificates of Obligation, Series 2010
- General Obligation Bonds, Series 2008
- Water Works and Sewer System Revenue Bonds, Series 2008
- General Obligation and Refunding Bonds, Series 2005
- Water Works and Sewer System Revenue Bonds, Series 2005
- General Obligation Bonds, Series 2003
- General Obligation Refunding Bonds, Series 2003
- Water Works and Sewer System Revenue and Refunding Bonds, Series 2003



Fulbright Tower • 1301 McKinney, Suite 5100 • Houston, Texas 77010-3095
www.fulbright.com

MEMORANDUM

TO: Ms. Pam Lab
FROM: Marcus Deitz
DATE: January 31, 2013
RE: Agenda Item and Recommendation Language for February 5, 2013 City of Seabrook, Texas City Council Meeting

Listed below is appropriate agenda item and recommendation language for the February 5, 2013 meeting of the City of Seabrook, Texas City Council (the "City Council") where the City Council will consider the approval of an Ordinance Authorizing the Issuance of City of Seabrook, Texas, General Obligation Refunding Bonds, Series 2013. If you have any questions, please feel free to call me at 713-651-5649.

Agenda item language:

Consideration and approval of an Ordinance Authorizing the Issuance of City of Seabrook, Texas, General Obligation Refunding Bonds, Series 2013; Authorizing a Pricing Officer To Approve the Amount, the Interest Rates, Price, Redemption Provisions and Terms Thereof and Certain Other Procedures and Provisions Related Thereto; and Containing Other Matters Related Thereto.

Recommendation language:

It is recommended: that City Council approve the Ordinance Authorizing the Issuance of City of Seabrook, Texas, General Obligation Refunding Bonds, Series 2013; Authorizing a Pricing Officer To Approve the Amount, the Interest Rates, Price, Redemption Provisions and Terms Thereof and Certain Other Procedures and Provisions Related Thereto; and Containing Other Matters Related Thereto.

MWD

cc: ryan O'Hara, BOSC, Inc.
John Robuck, BOSC, Inc
Peter Smith (*firm*)
Yvette Deitrick (*firm*)



OF SEABROOK

AGENDA BRIEFING

Date of Meeting: 02/05/2013

Submitter/Requestor: City of Seabrook

Date Submitted: January 28, 2013

Presenter: Sean Landis

Description/Subject:

Request for an amendment to the Seabrook City Code, Chapter 90, "Traffic and Vehicles," Article III, "Stopping, Standing and Parking," Division I, by adding a new Section 90-70, "Parking Prohibited; Streets, Road Shoulder, Alleys and Driveways."

AN ORDINANCE AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, ENTITLED "TRAFFIC AND VEHICLES," ARTICLE III, "STOPPING, STANDING, AND PARKING," DIVISION 1, "GENERALLY," BY ADDING A NEW SECTION 90-70 ENTITLED, "PARKING PROHIBITED; STREETS, ALLEYS AND DRIVEWAYS," PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00), OR THE MAXIMUM AMOUNT PERMITTED BY LAW FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

Purpose/Need: Policy Issue ☒ Administrative Issue ☐

Recently citizens of the Wildwood Subdivision file complaints relating to individuals parking on the grass, within the city right-of-way, next to an improved city street. City Council requested that staff create a committee to discuss and possibly find a resolution to the problem.

On the 2nd of July, 2012 City Staff met with Wildwood Association members to discuss the issues. The group concluded that a public meeting be scheduled to receive input from the entire subdivision.

On the 29th of August, 2012 representatives from City Staff and Wildwood Association held a public meeting with the residents of the Wildwood Subdivision (Mayor Royal was in attendance). It was concluded by majority that the Association should continue to work with City Staff to address the parking issues.

On the 17th of October, 2012 City Staff members Sean Landis and Jeff Galyean attended the Wildwood Civic Club Meeting. It was concluded that the following ordinance language be drafted for City Council consideration:

“Sec. 90-70. Parking Prohibited; Streets, Alleys and Driveways.

(A.) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places:

(1) In a front yard, which for purposed herein refers to, means and includes an improved single-family or duplex lot, which:

(a) For the purposes of an interior lot, includes:

(i) the area bounded by the front and side property lines of the lot and an imaginary line coinciding with and parallel to the front building wall of the residential structure extending to the side property lines; and

(ii) the area extending the entire width of the lot between the front property line of the lot and the curb line or five feet (5') from the edge of the adjacent street if without curbs; or

(b) For the purposes of a corner lot, includes:

(i) The area described in subsection (a) of this definition; and

(ii) The area of the lot bounded by the front property line, the side property line, which is adjacent to the street, the back property line and an imaginary line coinciding with and parallel to the side building wall nearest the street of the residential structure extending to the front and rear property lines; and

(iii) The area extending the entire depth of the lot between the side property line of the lot nearest the curb and the curb line or five feet (5') from the edge of the adjacent street if without curbs. A corner lot shall be treated as having two front yards.

(c) It is an exception to the prohibition in subsection (A)(1) of this section if all wheels of the vehicle, parked in the front yard are on an “improved surface”.

Improved surface means a parking area, including a “driveway”, extending from the curb, street, or alley in a contiguous course, and constructed of concrete, brick, pavers, asphalt, or other equivalent materials approved by the chief building official prior to installation and serves as an all-weather surface acceptable to the chief building official.

Driveway means the permitted area of a lot constructed, improved, maintained and used for the primary purpose of vehicular access to a single-family or duplex residence from a public street or the permitted parking of vehicles at such residence in compliance with this Code.

(2) In front of a public or private driveway;

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

- (3) Within an intersection;
- (4) Within fifteen (15) feet of a fire hydrant;
- (5) On a crosswalk; or
- (6) Alongside or opposite any street excavation or obstruction, when stopping, standing or parking would obstruct traffic.
- (B.) No person shall park any vehicle upon a street or alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic.
- (C.) In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where and for the time during which such violation occurred.
- (D.) It shall not be a defense to prosecution under this section that signs have not been posted, notice having been provided by publication.
- (E.) The elements of the various offenses and definitions relating thereto that are set forth in the Texas Transportation Code, and any other state statutes, articles or codes relating to the parking, standing or stopping of vehicles, including amendments thereto, are adopted as a part of this chapter by reference. Violations of any of the aforesaid provisions that are adopted by reference shall also constitute city ordinance violations as provided by this Code."

Background/Issue (What prompted this need?):

Impacted Parties (Expected/Notified):

City at Large

Recommended Action:

Approval

Attachments :(Please list description of attachments and number of pages in each attachment)

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

Agenda Briefing Form
Page 4

Fiscal Impact: Budgeted _____ Yes _____ No
Budget Amendment required _____ Yes _____ No
Future/Ongoing Impact _____ Yes _____ No
Finance Officer Review: _____
Budget Dept/Line Item Number _____

Funding Comments:

Where on the agenda should this item be placed?

(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

New Business

Suggested Motion:

City Manager Review:

- ☐ Approved as submitted
- ☐ Submitted for Council consideration without comment
- ☐ Submitted for Council consideration with comments stated below:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review _____
(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant _____

Returned by the City Secretary/Assistant (If incomplete) _____

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

**ORDINANCE NO. 2013-01
PROHIBITED PARKING**

AN ORDINANCE AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, ENTITLED "TRAFFIC AND VEHICLES," ARTICLE III, "STOPPING, STANDING, AND PARKING," DIVISION 1, "GENERALLY," BY ADDING A NEW SECTION 90-70 ENTITLED, "PARKING PROHIBITED; STREETS, ALLEYS AND DRIVEWAYS," PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00), OR THE MAXIMUM AMOUNT PERMITTED BY LAW FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

WHEREAS, the City Council of the City of Seabrook has attempted to be continually aware of the problems and issues relating to hazards, nuisances and other circumstances which negatively impact the health, safety and well-being of its residents, citizens and inhabitants; and

WHEREAS, the City Council of the City of Seabrook has investigated, reviewed and considered complaints and associated concerns regarding parking creating a hazard to the health, safety and welfare of the citizens of the City that require the need of further regulation; and

WHEREAS, in the interest of public safety City Council has determined it necessary to regulate the parking of vehicles in the front yard areas of single-family or duplex residential properties to preserve the property values and aesthetics of neighborhoods, prevent damage to underground utility facilities and to mitigate or lessen the environmental effect of contamination caused by the leakage of automobile or other fuels, petroleum products or other harmful chemicals from vehicles;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, AS FOLLOWS:

SECTION 1. FINDINGS OF FACT.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. AMENDMENT TO THE CODE.

That Chapter 90 entitled, "Traffic and Vehicles," Article III, "Stopping, Standing, and Parking," Division 1, "Generally" be amended by adding a new section 90-70 entitled, "Parking Prohibited; Streets, Road Shoulder, Sidewalks, Alleys and Driveways," as follows:

"Sec. 90-70. Parking Prohibited; Streets, Alleys and Driveways.

(A.) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places:

(1) In a front yard, which for purposes herein refers to, means and includes an improved single-family or duplex lot, which:

(a) For the purposes of an interior lot, includes:

(i) the area bounded by the front and side property lines of the lot and an imaginary line coinciding with and parallel to the front building wall of the residential structure extending to the side property lines; and

(ii) the area extending the entire width of the lot between the front property line of the lot and the curb line or five feet (5') from the edge of the adjacent street if without curbs; or

(b) For the purposes of a corner lot, includes:

(i) The area described in subsection (a) of this definition; and

(ii) The area of the lot bounded by the front property line, the side property line, which is adjacent to the street, the back property line and an imaginary line coinciding with and parallel to the side building wall nearest the street of the residential structure extending to the front and rear property lines; and

(iii) The area extending the entire depth of the lot between the side property line of the lot nearest the curb and the curb line or five feet (5') from the edge of the adjacent street if without curbs. A corner lot shall be treated as having two front yards.

(c) It is an exception to the prohibition in subsection (A)(1) of this section if all wheels of the vehicle, parked in the front yard are on an "improved surface".

***Improved surface* means a parking area, including a "driveway", extending from the curb, street, or alley in a contiguous course, and constructed of concrete, brick, pavers, asphalt, or other equivalent materials approved by the chief building official prior to installation and serves as an all-weather surface acceptable to the chief building official.**

***Driveway* means the permitted area of a lot constructed, improved, maintained and used for the primary purpose of**

vehicular access to a single-family or duplex residence from a public street or the permitted parking of vehicles at such residence in compliance with this Code.

(2) In front of a public or private driveway;

(3) Within an intersection;

(4) Within fifteen (15) feet of a fire hydrant;

(5) On a crosswalk; or

(6) Alongside or opposite any street excavation or obstruction, when stopping, standing or parking would obstruct traffic.

(B.) No person shall park any vehicle upon a street or alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic.

(C.) In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where and for the time during which such violation occurred.

(D.) It shall not be a defense to prosecution under this section that signs have not been posted, notice having been provided by publication.

(E.) The elements of the various offenses and definitions relating thereto that are set forth in the Texas Transportation Code, and any other state statutes, articles or codes relating to the parking, standing or stopping of vehicles, including amendments thereto, are adopted as a part of this chapter by reference. Violations of any of the aforesaid provisions that are adopted by reference shall also constitute city ordinance violations as provided by this Code."

SECTION 3. PENALTY CLAUSE; INCLUSION INTO THE CODE.

This Ordinance is hereby incorporated into and made a part of the Seabrook City Code. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not more than Two Hundred Dollars (\$200.00) per offense, or the maximum amount allowed by law. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

SECTION 5. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 6. NOTICE BY PUBLICATION

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 22nd day of January, 2013.

PASSED AND APPROVED on second and final reading this 5th day of February, 2013.

By: _____
Glenn Royal
Mayor

ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

Approved as to form:

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Steven L. Weathered
City Attorney

**CITY OF SEABROOK
ORDINANCE NO. 2013-03
BUDGET AMENDMENT ORDINANCE
FY 2011-12**

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2011 AND ENDING ON SEPTEMBER 30, 2012 FOR THE CITY OF SEABROOK.

WHEREAS, the City of Seabrook adopted the 2011-2012 budget by Ordinance No. 2011-17 and,

WHEREAS, various actions have occurred in 2011 and 2012 subsequent to the adoption of said budget requiring formal appropriations; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

THAT, the 2011-12 Adopted Budget for the City of Seabrook for the period October 1, 2011 through September 30, 2012 is hereby amended as shown and described in Exhibit A which is hereby, attached and made a part of this Ordinance.

AND IT IS SO ORDERED.

PASSED, APPROVED, AND ADOPTED ON FIRST AND FINAL READING THIS THE 5th DAY OF FEBRUARY, 2013.

GLENN R. ROYAL, MAYOR

ATTEST:

MICHELE L. GLASER, TRMC
CITY SECRETARY

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Ordinance No. 2013-03 'Exhibit A'

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PROPOSED AMENDMENTS TO CITY OF SEABROOK 2011-12 BUDGET

February 5, 2013

GENERAL FUND			Original		Revised	
	Account No	Line Item	Budget	Amendment	Budget	Description
Revenue	100-7010	Property tax-current	3,905,689	25,000	3,930,689	Revenue higher than anticipated
Revenue	100-7020	Property tax-delinquent	75,000	18,000	93,000	Revenue higher than anticipated
Revenue	100-7100	Sales tax	1,445,161	(63,000)	1,382,161	Revenue lower than anticipated
Revenue	100-7210	Franchise fees	710,000	(35,000)	675,000	Unbudgeted creation of PEG fund
	100-7220	Mixed beverage tax	74,000	23,000	97,000	Revenue higher than anticipated
	100-8252	Grants - DOJ	1,350	17,000	18,350	Revenue higher than anticipated
	100-8640	Licenses & permits	200,000	27,000	227,000	Revenue higher than anticipated
Revenue	100-9503	DOT fines	110,000	(18,000)	92,000	Revenue lower than anticipated
Revenue	100-9505	Court fines	600,000	(48,000)	552,000	Revenue lower than anticipated
	**	All other revenues	<u>2,282,818</u>	<u>0</u>	2,282,818	
Total Revenues			9,404,018	(54,000)	9,350,018	

GENERAL FUND BUDGET TRANSFERS

			Original	Transfer	Revised	
			Budget	In/(Out)	Budget	
Legislative	100-5195	Election expense	12,000	8,500	20,500	
Administraive	102-3010	Salaries	575,715	55,000	630,715	
	102-3014	Car allowance	14,538	2,500	17,038	
	102-3110	Retirement	117,254	13,000	130,254	
	102-3120	Hospitalization	59,226	8,000	67,226	
	102-3350	Unemployment insurance	1,046	2,000	3,046	
	102-4150	Small tools & equipment	500	2,000	2,500	
	102-5200	Prof fees-accounting	50,000	13,000	63,000	
	102-5465	Miscellaneous expense	500	2,000	2,500	
Non-depart	107-5220	Prof fees - legal	175,000	(65,000)	110,000	
	107-5410	Utilities	85,000	(25,000)	60,000	
	107-6300	Transfer out of GF	0	300,000	300,000	
Police	200-3010	Salaries	1,700,439	(95,000)	1,605,439	
	200-4005	Supplies-police operations	15,000	(10,000)	5,000	
	200-5210	Civil service exp	35,000	(15,000)	20,000	
Parks	400-5180	Maintenance-bldg & grounds	54,000	(35,000)	19,000	
	400-5410	Utilities	65,000	(10,000)	55,000	
Streets	500-3010	Salaries	440,631	(35,000)	405,631	
Comm Dev	600-3010	Salaries	355,315	(85,000)	270,315	
	600-3110	Retirement	73,108	(10,000)	63,108	
	600-3120	Hospitalization	55,628	(10,000)	45,628	
	600-5240	Contract services-mowing/demo	<u>20,000</u>	<u>(11,000)</u>	<u>9,000</u>	
			3,904,900	0	3,904,900	

AMENDED GENERAL FUND DEPARTMENTAL BUDGETS

	Original	Net	Revised	
	Budget	Change	Budget	
Legislative	249,633	8,500	258,133	
Administration	883,107	97,500	980,607	
IT	163,956	0	163,956	
Emergency Mgt	115,132	0	115,132	
Non-Departmental	1,680,849	210,000	1,890,849	
Public Safety	3,131,691	(120,000)	3,011,691	
Animal Control	114,739	0	114,739	
DOT	228,901	0	228,901	
Parks	636,892	(45,000)	591,892	
Public Works	1,154,295	(35,000)	1,119,295	
Communtiy Dev	590,939	(116,000)	474,939	
Municipal Court	<u>440,051</u>	<u>0</u>	<u>440,051</u>	
	9,390,185	0	9,390,185	

ENTERPRISE FUND

Revenue-Sewer	912-8520	Sewer service	2,380,000	(50,000)	2,330,000
Revenue-Sanit	922-8515	Commercial sanitation service	655,621	(8,000)	647,621
Expense-Water	902-6301	Transfer to Other Funds	0	(500,000)	(500,000)

Ordinance No. 2013-03 'Exhibit A'

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<u>BUDGET AMENDMENTS - OTHER FUNDS</u>			<u>Original Budget</u>	<u>Amendment</u>	<u>Revised Budget</u>	
301-4150	Technology Fund	Small tools & equip	0	18,569	18,569	Budgeted but unspent in 2010-11. This 5,123 brings fund balance to zero.
301-4151		Software <\$5,000	0	5,123	5,123	
301-6031		Software >\$5,000	0	<u>10,260</u>	<u>10,260</u>	
				<u>33,952</u>	<u>33,952</u>	

901-4150	Seizure Fund	Small tools & equip	3,500	2,500	6,000	Expenses over budget
901-5030		Rentals & service agrmts	8,500	1,500	10,000	
901-5110		Maint - autos & equip	200	13,800	14,000	
901-5300		Training & conference	<u>0</u>	<u>1,000</u>	<u>1,000</u>	
			12,200	18,800	31,000	

929-5215	Cap. Impact fees	Prof fees-engineering	0	20,000	20,000	Additional funding needed for the waterline on Seascape project.
929-6080		Water line improvements	<u>0</u>	<u>76,000</u>	<u>76,000</u>	
				96,000	96,000	

300-5215	Cap Proj-EF (bonds)	Prof fees-engineering	0	3,000	3,000	All funds budgeted in prior year

350-5200	Cap Proj-Street bonds	Prof fees-accounting	0	1,600	1,600	All funds budgeted in prior year
350-5215		Prof fees-engineering	0	8,400	8,400	
350-6065		Various street projects	<u>0</u>	<u>112,625</u>	<u>112,625</u>	
				122,625	122,625	

380-5465	Cap Proj-Library bonds	Misc exp	0	20,000	20,000	All funds budgeted in prior year

430-9522	Natural Playground	Revenue-Donations	0	7,000	7,000	New fund
430-4400		Expense-Supplies	0	2,000	2,000	
430-5010		Advertising	<u>0</u>	<u>500</u>	<u>500</u>	
			0	2,500	2,500	

707-7100	EDC Revenue	Sales tax	722,580	(32,000)	690,580	Revenues less thabn antipated
707-8269	EDC Revenue	Grant proceeds	<u>0</u>	<u>25,000</u>	<u>25,000</u>	HGAC grant for gateway sign project
			722,580	(7,000)	715,580	

830-7210	PEG Fund	Revenue-Franchise tax	0	33,000	33,000	New fund
830-4150		Small tools & equip	0	3,500	3,500	
830-602		Equipment	<u>0</u>	<u>22,000</u>	<u>22,000</u>	
			0	25,500	25,500	

Excerpt from the minutes of the Ethics Review Commission meeting of January 24, 2013.

Due to the shortage of membership by two members, the Commission recommended ordinance amendments that would allow more flexibility for the current membership.

Motion was made by Craig Reynolds and seconded by David Wilkerson

To recommend the following amendments to the Code of Ethics, Sections 2-207, 2-208 and 2-209:

Sec. 2-207 (a) The Ethics Review Commission shall consist of [~~seven~~] **five** regular members and up to two alternate members.

Sec. 2-207 (b) The mayor and [~~each~~] **members** of the city council shall nominate a member to the commission. The nominations shall be confirmed by a majority vote of the entire city council.

Sec. 2-207 (c) Commission members shall be appointed to two-year staggered terms with the terms of [~~three~~] **two** members to expire October 31 [~~, 1994,~~] **of even numbered years** with successive two-year terms, and the terms of [~~four~~] **three** members to expire October 31 [~~, 1995,~~] **of odd numbered years** with successive two year terms. Alternate members shall also be appointed to two-year terms with the term of one alternate member expiring October 31 of even numbered years and the term of the other alternate member expiring October 31 of odd-numbered years

Sec. 2-208. Chairperson;quorum

The commission shall elect a chairperson and a vice-chairperson to one-year terms. The vice-chairperson shall act as chairperson in the absence of the chairperson or in the event of a vacancy in that position. [~~Four~~] **Three** members of the commission shall constitute a quorum for routine items. [~~Five~~] **Four** or more members of the commission shall constitute a quorum for all ethics complaint hearings or related matters. No action of the commission concerning any ethics complaint shall be of any force or effect unless it is adopted by the favorable votes of [~~five~~] **four** or more of the members.

Sec. 2-209. Meetings

The Commission shall have regular quarterly meetings and such other meetings as may be necessary to fulfill its responsibilities. The chairperson or any [~~four~~] **three** members of the commission may call a meeting, in compliance with the Open Meetings Act, provided that reasonable notice is given to each member and to any person who requests notice of such meetings.

MOTION CARRIED BY UNANIMOUS CONSENT.

ACTION ITEM CHECK LIST STATUS

#	STATUS	DATE ASSIGNED	NEXT REVIEW DATE	PROPOSED CLOSURE DATE	RESPONSIBLE ORGANIZATION	City Council RESPONSIBILITY	PLANNING OBJECTIVE #	AGENDA ITEM NUMBER	DESCRIPTION OF ACTION ITEM	STATUS AND DATE
2	OPEN/IN WORK	10/2/2012			Staff/Council			5.5	Form Committee to review uses of Carothers property and bring back recommendations to Council.	Council accepted two recommendations on 11/6/12. Will reassess after trial period of 1/13-3/13.
3	OPEN/IN WORK	11/6/2012			Staff/Council			5.1	Negotiation of new contract with SVFD.	Ongoing,
4	OPEN/IN WORK	12/4/2012			Staff/Council			6.1	Consider transportation alternatives from hotels to new cruise terminal.	Ongoing.
5	OPEN/IN WORK	12/4/2012			Staff/P&Z			5.4	Ord. No. 2012-24, "Deleting Existing Point Overlay Sign Regulations" was tabled for staff & P&Z review.	On 2/21 P&Z Agenda
6	OPEN/IN WORK	12/4/2012			Staff/P&Z			5.5	Human Directional/spinner signs prohibition sent back to P&Z to reconsider.	On 2/21/ P&Z Agenda
7	OPEN/IN WORK	1/8/2013			Staff/Council			4.2	Hold a contest to ask for new name of swimming pool complex. Council will judge entries.	In planning stages.
8	OPEN/IN WORK	1/22/2013			City Manager			5.1	Contact Waste Management to see if an adjustment can be given for M-Th customers as they miss days due to holiday closings.	In progress
9	OPEN/IN WORK	1/22/2013			<i>Ad hoc</i> members/city manager			5.2	<i>Ad hoc</i> committee to deal with fire department issues.	Seabrook members appointed. Will meet when members of other entities have been appointed.

February 2013

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 City Council	6	7 Open Space EDC	8	9 Yachty Gras Boat Parade 7 p.m.
10	11 Mayor's Night In	12	13 Public Safety	14	15	16
17	18	19 City Council	20	21 P&Z HCM&CA	22	23
24	25	26 Men Who Cook	27	28		