The City Council of the City of Seabrook met in regular session on Tuesday, September 3, 2013 at7:00 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	COUNCIL PLACE NO. 6
KELLY TEMPLIN	CITY MANAGER
STEVE WEATHERED	CITY ATTORNEY
MICHELE L. GLASER	CITY SECRETARY

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

1.0 INTERVIEW CANDIDATES FOR VARIOUS BOARDS & COMMISSIONS

1.1 Interview candidates to fill the vacancy of a regular member on the Board of Adjustment, with a term ending January 31, 2014. (Council)

Council interviewed Herman Burton and Margaret Hunt.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS - None

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

Councilor Giangrosso announced several upcoming events.

3.0 CONSENT AGENDA

3.1 Approve the minutes of the August 20, 2013 special City Council meeting. (Glaser)

3.2 Approve the minutes of the August 20, 2013 regular City Council meeting. (Glaser)

3.3 Approve an interlocal agreement with Harris County for the administration and implementation of a Regional Watershed Protection Education Program. This agreement meets the TCEQ and EPA requirements of the MS4 permit and covers the fifth year of the five-year permit. (Padgett)

3.4 Approve second and final reading of proposed Ordinance No. 2013-13, Amendment to the Official Zoning Map to Rezone 12.21 Acres of Land East of Bayport Boulevard and

West of Old Highway 146 from C-2 (Medium Commercial) to L-I (Light Industrial.) (Applicant/Landis)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING 12.21 ACRES OF TRACT 6J, A 16.9058 ACRE TRACT SITUATED IN ABSTRACT 52 OF THE RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS FROM C-2 MEDIUM COMMERCIAL DISTRICT TO LI LIGHT INDUSTRIAL DISTRICT AND REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS CHANGE.

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN $2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDES FOR SEVERABILITY.

3.5 Approve second and final reading of Ordinance No. 2013-14, "Standards for Planned Unit Developments. (P&Z/Landis)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 4 "SPECIAL USE REGULATIONS", SECTION 4.10, "PLANNED UNIT DEVELOPMENTS," BY REVISING SUBSECTION, 4.10.06(B) "PUD DESIGNATION PROCEDURE", 4.10.10 "DEVELOPMENT SCHEDULE", AND 4.10.11"DISSOLUTION OF THE PUD"; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

3.6 Approve second and final reading of proposed Ordinance No. 2013-15, "Sign Standards for Temporary Grand Opening Signs" (P&Z/Landis)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 6, "SIGN STANDARDS", SECTION 6.04 "EXEMPT SIGNS", BY AMENDING SUBSECTION 6.04.02 (C) "TEMPORARY GRAND OPENING SIGNAGE"; TO ALLOW CERTAIN WIND-DRIVEN SIGNS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED $2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

3.7 Approve proposed Resolution No. 2013-14,"Updating Animal Control Fees." (Marshall)

A RESOLUTION REPLACING RESOLUTION NO. 2000-14 BY PROVIDING FOR LICENSE AND REGISTRATION FEES, POUND FEES, QUARANTINE FEES, FEES AND ANIMAL ESTABLISHMENT PERMIT FEES; AND PROVIDING THAT LICENSING FEES MAY BE PERIODICALLY WAIVED FOR SPECIAL PROGRAMS CONDUCTED TO INDUCE CITIZENS TO HAVE THEIR PETS VACCINATED AND REGISTERED WITH THE CITY.

3.8 Removed from the Consent Agenda.

Motion was made by Councilor Llorente and seconded by Councilor Johnson

To approve the Consent Agenda with the exception of Item 3.8.

MOTION CARRIED BY UNANIMOUS CONSENT.

END OF CONSENT AGENDA

3.8 Approve a parade permit w/waiver of fees for the annual Toughest 10K run on Saturday, September 21 from 7:30 to 9:30 a.m. beginning in Kemah, over the bridge to Seabrook and back again. (Applicant)

Motion was made by Councilor Davis and seconded by Councilor Giangrosso

To approve the event with the provision that all applicable public safety entities such as the Seabrook Police Department, the Clear Lake Emergency Medical Corps (CLEMC) and the Seabrook Volunteer Fire Department (SVFD) will be notified of these events.

Mrs. Glaser stated that she would send copies of special events/parade permit applications to both CLEMC and the SVFD, in addition to the Police Department which already receives and must sign off on all applications.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.0 NEW BUSINESS

4.1 Consider and act upon a proposed tax rate of $.651229/$100 for FY 2013/14 and placement of a proposal to adopt this proposed tax rate on the agenda of a future meeting. A record vote is required. (Templin/Lab)

Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To approve the proposed tax rate of $.651229/$100 for FY 2013/14 and place a proposal to adopt this proposed tax rate on the agenda of a future meeting.

Mayor Royal conducted a roll call vote.

Ayes: Davis, Llorente, Giangrosso, Johnson, Holbrook, Kolupski, Royal.
Nays: No one.
Abstain: No one.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.2 Consider and approve dates for two (2) public hearings on the City of Seabrook's proposed tax rate as it is in excess of the effective tax rate of .630958/$100. (Templin/Lab)

Finance Officer, Pam Lab stated that she would like to hold the two required public hearings on the tax rate on September 24 (special meeting) and October 1 (regular meeting.) She verified that a quorum would be present at both meetings. Adoption of the tax rate would take place on October 15.

Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To approve holding the two required public hearings on September 24, 2013 at 6:00 p.m. and on October 1, 2013 at 7:00 p.m.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.3 Consider approval of first reading of Ordinance No. 2013-16, TMRS Annual Repeating Annuity Change from 70 percent to 30 percent effective January 1, 2014. (Cook)

AN ORDINANCE PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY OF SEABROOK , AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

Motion was made by Councilor Giangrosso and seconded by Councilor Llorente

To approve proposed Ordinance No. 2013-16 on first reading with the reading of the caption serving as the reading of the ordinance.

Mr. Templin stated that the COLA reduction for retirees will save approximately $254,000 in the 2013/14 budget.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.4 Consider appointment of a Board of Adjustment member with a term ending January 21, 2014. (Council)

Mayor Royal opened the floor for nominations.

Councilor Kolupski nominated Herman Burton. Councilor Llorente nominated Margaret Hunt.

Voting for Herman Burton were Councilor Kolupski and Mayor Royal.
Voting for Margaret Hunt were Councilors Davis, Giangrosso, Holbrook, Johnson and Llorente.

Mayor Royal announced that Ms. Hunt had been appointed by majority vote.

4.5 Consider purchase of election equipment from Hart Intercivic. Purchase cost for new equipment is approximately $42,162. Purchase cost for refurbished equipment is approximately $32,228. Recommend that purchase is funded through Reserve Funds. Purchase of equipment is necessary as Harris County can no longer lease equipment to cities in May of even numbered years. (Glaser)

Mrs. Glaser stated that the proposal was for equipment identical to the equipment leased from Harris County in previous elections. In answer to questions from Council, Mrs. Glaser stated that the failure of the election equipment from another vendor (Election Systems) used in the 2012 election was because of failure in service, not a problem in the hardware. She stated that the city had not experienced any problems with Hart equipment or services.

Motion was made by Councilor Llorente and seconded by Councilor Davis

To approve the purchase of refurbished equipment in the approximate amount of $32,228.

Councilor Johnson and Councilor Kolupski recommended purchasing new equipment as the warranty for new equipment was three years, while the warranty for refurbished equipment was only for 3 months.

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To amend the original motion to approve the purchase of new election equipment from Reserve Funds at the approximate cost of $42,162, contingent upon review of the warranty by the IT Director, George Szakacs.

AMENDMENT CARRIED BY UNANIMOUS CONSENT.

Mayor Royal then called for a vote on the original motion as amended.

MOTION CARRIED BY UNANIMOUS CONSENT.

Mrs. Glaser thanked Council for approving the equipment.

4.6 Consider whether to nominate Ed Heathcott as a candidate to represent small cities and towns for the Harris County Appraisal District Board. Mr. Heathcott's third term expires on December 31, 2013. (Royal)

Motion was made by Councilor Holbrook and seconded by Councilor Llorente

To approve the nomination of Ed Heathcott.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.7 Consider whether to nominate Jim Edwards as representative to the Subsidence District Board. Mayor Mark Denman of Nassau Bay sent a letter recommending Mr. Edwards to fill the vacancy left by Jodi Norris. (Royal)

Motion was made by Councilor Davis and seconded by Councilor Johnson

To approve the nomination of Jim Edwards.

Councilor Holbrook stated that he would like to have more information concerning the nominee before making a decision.

Motion was made by Councilor Holbrook

To table this item.

MOTION TO TABLE FAILED DUE TO LACK OF A SECOND.

Royal called for a vote on the original motion to nominate Mr. Edwards.

Ayes: Royal, Davis, Giangrosso, Johnson, Llorente.
Abstain: Holbrook, Kolupski.

MOTION CARRIED BY MAJORITY VOTE.

5.0 ROUTINE BUSINESS

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

Councilor Holbrook recommended removing Item 10 concerning the interview of board applicants for expiring terms as this was an ongoing event. Councilor Holbrook also asked for an update on Item 2 concerning Carothers Gardens at the next regular meeting.

Motion was made by Councilor Holbrook and seconded by Councilor Davis

To approve the Checklist with the changes listed above.

MOTION CARRIED BY UNANIMOUS CONSENT.

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

The following announcements were made:

1) There will be no special meeting on September 10;

2) The Crime Control & Prevention District budget public hearing will be held on September 17 at **6:45 p.m**. Council serves as the Board of Directors of the Crime Control and Prevention District; and

3) A special meeting and first of the required public hearing on the proposed tax rate will be held on September 24 at **6:00 p.m**.

Upon motion, Mayor Royal adjourned the meeting at 7:58 p.m.

Approved this 17th day of September 2013.

Glenn R. Royal, Mayor

Michele L. Glaser, TRMC
City Secretary