The City Council of the City of Seabrook met in regular session on Tuesday, September 2, 2014 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 - Ex. Abs.	COUNCIL PLACE NO. 2
GARY JOHNSON	MAYOR PRO TEM & COUNCIL PLACE NO. 3
MELISSA BOTKIN	COUNCIL PLACE NO. 4
THOM KOLUPSKI	COUNCIL PLACE NO. 5
O. J. MILLER	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	ASSISTANT CITY MANAGER
STEVEN L. WEATHERED	CITY ATTORNEY
MICHELE L. GLASER	CITY SECRETARY

Mayor Royal led the audience in the Pledge of Allegiance.

1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS - None

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

Upcoming events were announced.

2.0 CONSENT AGENDA

2.1 Approve second and final reading of proposed Ordinance No. 2014-18, "Amendment to the Official Zoning Map to Rezone 28.74 Acres Located South of Red Bluff Road, North of Lake Mija and West of Friendship Park from R-1 to R-2." (Applicant/P&Z)

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 28.74 ACRES BEING OUT OF AND A PART OF TRACTS 19A, 22B, AND 22F, SITUATED IN ABSTRACT 52 OF THE RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS FROM R-1 (RESIDENTIAL – SINGLE FAMILY DETACHED) TO R-2 (RESIDENTIAL – SINGLE FAMILY DETACHED – SMALL LOT) ZONING DISTRICT; REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS CHANGE; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN $2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL

ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

2.2 Approve second and final reading of proposed Ordinance No. 2014-19, "Updating and Amending the Comprehensive Land Use Regulation Matrix and Related Definitions." (P&Z)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING," ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS," SECTION 3.15 "COMPREHENSIVE LAND USE REGULATION MATRIX", TO REVISE AND UPDATE "USES PERMITTED BY RIGHT AND CONDITIONAL USES"; AMENDING RELATED ARTICLE 1, "IN GENERAL", SECTION 1.10 "DEFINITIONS" TO SUPPLEMENT SUCH MATRIX REVISIONS BY ADDING A NEW DEFINITION FOR "RETAIL, HEAVY"; AND PROVIDING 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.

2.3 Approve Resolution No. 2014-06, "Soliciting Change of Deadline for Tax Rate Notice." (Lab)

A RESOLUTION SOLICITING SUPPORT FOR LEGISLATIVE ACTION TO CHANGE THE DEADLINE FOR POSTING THE PROPOSED PROPERTY TAX RATE NOTICE AS REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 140.010

2.4 Approve proposed Resolution 2014-07, "CenterPoint Energy Houston Electric LLC Rate Case." (Cook)

A RESOLUTION OF THE CITY OF SEABROOK TEXAS SUSPENDING THE OCTOBER 1, 2014 EFFECTIVE DATE OF CENTERPOINT ENERGY HOUSTON ELECTRIC LLC'S APPLICATION TO AMEND ITS RATE SCHEDULES TO PERMIT THE CITY TIME TO STUDY THE REQUEST; APPROVING COOPERATION WITH THE GULF COAST COALITION OF CITIES; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

2.5 Approve excused absences for Robert Llorente and Mike Giangrosso for the August 19, 2014 City Council meeting. (Glaser)

2.6 This item was removed from the Consent Agenda by Mrs. Cook.

2.7 Approve the minutes of the August 19, 2014 regular City Council meeting. (Glaser)

2.8 This item was removed from the Consent Agenda by Mr. Weathered.

2.9 This item was removed from the Consent Agenda by Mr. Weathered.

2.10 Approve a special event permit to be issued to the Seabrook Association for a community event, to include dancing with a disc jockey and service of food and alcohol on Saturday, November 1, 2014 from 6:00 p.m. until 10:00 p.m. in Meador Park and Pavilion. The applicant has requested a waiver of the special event fees and approval pending submission of the required certificate of insurance. (Applicant)

2.11 Approve a special events/parade permit to be issued to Running Alliance Sport for a race to be held on September 20, 2014 between 5:00 a.m. and 9:30 a.m. (Applicant)

Motion was made by Councilor Llorente and seconded by Councilor Botkin

To approve the Consent Agenda with the exception of Items 2.6, 2.8 and 2.9.

MOTION CARRIED BY UNANIMOUS CONSENT.

END OF CONSENT AGENDA

2.6 Approve an application from Crown Castle to install telecommunications equipment on the cell tower located at 1700 First Street. There is no increase in footprint or height to the current facility. (Applicant)

Mrs. Cook asked that this item be deferred as she plans to negotiate a contract revision with Crown Castle.

Motion was made by Councilor Llorente and seconded by Councilor Miller

To defer this item at the request of the city manager.

MOTION CARRIED BY UNANIMOUS CONSENT.

2.8 Approve a Contract Extension from October 23, 2014 until October 23, 2015 between the City of Seabrook and Solids Recovery Services, Inc. for the disposal of municipal sludge in the amount of $118,800.00. This is a budgeted item. (Chairez)

Mr. Weathered asked that approval be subject to his preparation of a written confirmation to be signed by both parties agreeing to extend the contract and that either the mayor or the city manager be authorized to execute the contract on behalf of the city.

Kevin Padgett, Assistant Director of Public Works stated that the city had been satisfied with the services of the contractor and would like to extend the contract for an additional 12 months.

Motion was made by Councilor Llorente and seconded by Councilor Botkin

To approve the contract extension subject to the preparation and execution of a written agreement between both parties and authorizing the mayor or city manager to execute the agreement on behalf of the city.

MOTION CARRIED BY UNANIMOUS CONSENT.

2.9 Approve an Interlocal Agreement with SunGard Public Sector, Inc. and the City of League City to Grant Permission to Allow Access to Software for Computer Aided Dispatch and Record Management at an estimated cost of $60,000 and authorize the city manager to sign the agreement. Funds are available in the current budget. (Wright)

Mr. Weathered disclosed that his firm also represents League City and therefore he did not offer any legal representation concerning this contract.

Sean Wright, Chief of Police stated that all cities in the Bay Area will become part of this agreement. Annual maintenance costs will be lower than the amount the city currently pays.

Motion was made by Councilor Johnson and seconded by Councilor Llorente

To approve the agreement as recommended.

MOTION CARRIED BY UNANIMOUS CONSENT.

3.0 NEW BUSINESS

3.1 Review proposed FY 2014/2015 Budget and takes action, as needed. (Lab)

Mrs. Cook presented the proposed budget.

Motion was made by Councilor Llorente and seconded by Councilor Botkin

To approve the proposed FY 2014/15 budget as presented. (A public hearing on the budget will be held on September 16, 2014.)

MOTION CARRIED BY UNANIMOUS CONSENT.

3.2 Consider/discuss the effective tax rate calculation and take action on proposed tax rate. If tax rate exceeds effective tax rate, take record vote and schedule 2 public hearings. (Lab)

Mrs. Cook reviewed the definition of "effective tax rate." She stated that the current tax rate is $0.651229 per $100 valuation.

Director of Finance Pam Lab reviewed taxable property values from 2001 to present, noting that there was a decrease in values from 2009 to 2012. She explained that as taxable values have increased this year, the effective tax rate for 2014 will be lower than the current tax rate. Mrs. Cook and Mrs. Lab presented six different tax rate options, as shown on Attachment A, for Council to consider with a staff recommendation to adopt Option 4 or 5. Council discussed the various options presented.

Motion was made by Councilor Llorente

To approve Option 3 for a 2014 tax rate of $.0627582 per $100 valuation which is a 3.38 percent increase.

MOTION FAILED FOR LACK OF A SECOND.

Motion was made by Councilor Miller and seconded by Councilor Kolupski

To approve Option 4 as recommended by staff for a 2014 tax rate of $0.640030 per $100 valuation which is a 5.43 percent increase.

Mayor Royal conducted a record (roll call) vote by order of position.

Ayes: Johnson, Botkin, Kolupski, Miller, Royal.
Nay: Llorente.

MOTION CARRIED BY A VOTE OF 5-1.

Mrs. Lab told Council that as the new proposed tax rate is higher than the effective rate; two public hearings will be required. Council agreed to hold the public hearings on September 30 and October 7 with adoption of the new rate to take place on October 21, 2014.

4.0 ROUTINE BUSINESS

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

Motion was made by Councilor Kolupski and seconded by Councilor Johnson

To approve the Action items Checklist as presented.

MOTION CARRIED BY UNANIMOUS CONSENT.

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

Mrs. Glaser reminded Council that they will meet as the Board of Directors of the Crime Control and Prevention District on September 16 at 6:45 p.m.

Upon a motion duly made and seconded, Mayor Royal adjourned the meeting at 8:10 p.m.

Approved this 16th day of September 2014.

Glenn R. Royal, Mayor

Michele L. Glaser, TRMC
City Secretary

OPTION 1

ADOPT EFFECTIVE RATE

O&M RATE	0.449826
DS RATE	0.157214
	0.607040
O&M REV @ 98%	$4,217,390
DS REV @ 100%	1,504,063
RESULT	
O&M (UNDER) BUDGET	($90,772)
DS EQUALS BUDGET	$0

RATE IS = EFFECTIVE TAX RATE
NO PUBLIC HEARING REQUIRED

TAX INCREASE/(DECREASE) OVER CURRENT

O&M RATE	(0.033328)
DS RATE	(0.010861)
	(0.044189)

OPTION 2A

ADOPT O&M EFFECTIVE RATE

O&M EFFECTIVE RATE	0.451266
DS RATE	0.157214
	0.608480
O&M REV @ 98%	$4,230,895
DS REV @ 100%	1,504,063

RESULT

O&M UNDER BUDGET	($77,267)
DS EQUALS BUDGET	$0

RATE IS OVER LIMIT
PUBLIC HEARING REQUIRED

TAX INCREASE/(DECREASE) OVER CURRENT

O&M RATE	(0.031888)
DS RATE	(0.010861)
	(0.042749)

OPTION 2B	
ADOPT RATE TO FUND GF BUDGET	
O&M EFFECTIVE RATE	**0.459507**
DS RATE	**0.157214**
	0.616721
O&M REV @ 98%	**$4,308,162**
DS REV @ 100%	**1,504,063**
RESULT	
O&M UNDER BUDGET	**$0**
DS EQUALS BUDGET	**$0**
RATE IS OVER LIMIT	
PUBLIC HEARING REQUIRED	
TAX INCREASE/(DECREASE) OVER CURRENT	
O&M RATE	**(0.023647)**
DS RATE	**(0.010861)**
	(0.034508)

OPTION 3	
ADOPT O&M RATE EQUAL TO GF BUDGET	
DEBT SERVICE RATE EQUAL TO CURRENT	
O&M RATE	0.459507
DS RATE	0.168075
	0.627582
O&M REV @ 98%	$4,308,162
DS REV @ 100%	1,607,965
RESULT	
O&M EQUAL TO BUDGET	$0
DS PROVIDES FOR NEW DEBT	$103,902
RATE IS OVER LIMIT	
PUBLIC HEARING REQUIRED	
TAX INCREASE/(DECREASE) OVER CURRENT	
O&M RATE	(0.023647)
DS RATE	0.000000
	(0.023647)

OPTION 4	
ADOPT O&M RATE EQUAL TO GF BUDGET	
DEBT SERVICE EQUAL TO EFFECTIVE	
O&M RATE	0.459507
DS RATE	0.180523
	0.640030
O&M REV @ 98%	$4,308,162
DS REV @ 100%	1,727,055
RESULT	
O&M OVER BUDGET	$0
DS PROVIDES FOR NEW DEBT	$222,992
RATE IS OVER LIMIT	
PUBLIC HEARING REQUIRED	
TAX INCREASE/(DECREASE) OVER CURRENT	
O&M RATE	(0.023647)
DS RATE	0.012448
	(0.011199)

OPTION 5

ADOPT O&M RATE EQUAL TO GF BUDGET TOTAL RATE EQUAL TO CURRENT

O&M RATE	0.459507
DS RATE	0.191722
	0.651229
O&M REV @ 98%	$4,308,162
DS REV @ 100%	1,834,193
RESULT	
O&M OVER BUDGET	$0
DS PROVIDES FOR NEW DEBT	$330,130
RATE IS OVER LIMIT PUBLIC HEARING REQUIRED	
TAX RATE EQUAL TO CURRENT	
O&M RATE	(0.023647)
DS RATE	0.023647
	(0.00000)