

**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, AUGUST 4, 2015 - 7:00 PM**

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY AUGUST 4, 2015 AT 7:00 PM** IN THE SEABROOK CITY HALL COUNCIL CHAMBERS, 1700 FIRST STREET, SEABROOK, TEXAS, **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 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.

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

2.0 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.

- 2.1 Approve an excused absence for Melissa Botkin and O.J. Miller for the July 13, 2015 Council Budget Workshop meeting. (Hicks)
- 2.2 Approve an excused absence for Melissa Botkin for the July 14, 2015 Council Budget Workshop meeting. (Hicks)

ATTACHMENT 1

- 2.3 Approve proposed Resolution No. 2015-22, "Expansion of Highway 146." (Cook)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, SUPPORTING THE TEXAS DEPARTMENT OF TRANSPORTATION STATE HIGHWAY 146 EXPANSION PROJECT DUE TO ITS REGIONAL IMPACT WITH REGARD TO EMERGENCY EVACUATIONS, MOBILITY, AND ECONOMIC AND OTHER DEVELOPMENT; AND SOLICITING SUPPORT FROM THE TEXAS MUNICIPAL LEAGUE FOR LEGISLATIVE ACTION TO CHANGE REQUIRED MUNICIPAL FUNDING REQUIREMENTS BY TEXAS DEPARTMENT OF TRANSPORTATION ON A STATE PROJECT FOR UTILITY RELOCATIONS WITHIN A STATE DESIGNATED EVACUATION ROUTE

END OF CONSENT AGENDA

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

ATTACHMENT 2

- 3.1 Consider approval on first reading of proposed Ordinance 2015-15 "Establish a Water Rate Stabilization and Capital Reserve Fund." (Lab)

AN ORDINANCE ESTABLISHING A WATER RATE STABILIZATION AND CAPITAL RESERVE FUND TO PROTECT THE CITY AND ITS CUSTOMERS FROM SPIKES IN WATER RATES DUE TO VOLATILE WATER CONSUMPTION AND TO PROVIDE FUNDING FOR FUTURE WATER CONTRACT NEGOTIATIONS AND/OR CAPITAL INFRASTRUCTURE NEEDS ASSOCIATED WITH WATER SUPPLY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

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

ATTACHMENT 3

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

ATTACHMENT 4

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

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, July 31, 2015 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Robin Hicks
City Secretary

RESOLUTION NO. 2015-22
SUPPORT OF STATE HIGHWAY 146 EXPANSION PROJECT AND CHANGES IN
LEGISLATION FOR TXDOT FUNDING REQUIREMENTS ON UTILITY RELOCATIONS IN A
STATE EVACUATION ROUTE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, SUPPORTING THE TEXAS DEPARTMENT OF TRANSPORTATION STATE HIGHWAY 146 EXPANSION PROJECT DUE TO ITS REGIONAL IMPACT WITH REGARD TO EMERGENCY EVACUATIONS, MOBILITY, AND ECONOMIC AND OTHER DEVELOPMENT; AND SOLICITING SUPPORT FROM THE TEXAS MUNICIPAL LEAGUE FOR LEGISLATIVE ACTION TO CHANGE REQUIRED MUNICIPAL FUNDING REQUIREMENTS BY TEXAS DEPARTMENT OF TRANSPORTATION ON A STATE PROJECT FOR UTILITY RELOCATIONS WITHIN A STATE DESIGNATED EVACUATION ROUTE

WHEREAS, State Highway 146 (SH 146) in the Houston Bay Area, traverses portions of both Harris and Galveston Counties, and serves the communities of Baytown, Bayou Vista, Clear Lake Shores, Deer Park, El Lago, Galveston, Hitchcock, Houston, Kemah, La Marque, La Porte, League City, Pasadena, Seabrook, Shoreacres, Taylor Lake Village, and Texas City; and

WHEREAS, over the past two decades, the area surrounding SH 146 has experienced robust development, which has strained the ability of SH 146 to safely and efficiently accommodate daily traffic flow or to meet the emergency evacuation needs of the Bay Area's increased population; and

WHEREAS, during Hurricane Ike, the City of Seabrook experienced a tidal surge between 10 to 13 feet which completely submerged parts of the existing SH 146 and the route was inaccessible to the public or emergency personnel for a period of time; and

WHEREAS, the expansion of SH 146 is determined to impact over 40 local businesses within the Seabrook, Texas city limits by the Right of Way acquisition process thus significantly decreasing sales and property tax revenues; and

WHEREAS, the expansion of SH 146 is estimated to cause a local funding requirement by the City of Seabrook of approximately \$5.5 million dollars for water and sewer utility relocations and the City seeks legislation to limit such a significant economic impact not only on itself, but other municipalities similarly situated; and

WHEREAS, the need of the project is driven by increased volumes on a regional level beyond the City of Seabrook's control due to increased mobility needs for residential growth beyond the city limits of the City of Seabrook and ease of mobility for commercial and port activity also outside Seabrook's city limits;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

Section 1: That the recitations set forth in the preamble of this resolution are accurate and correct.

Section 2: That the City Council of the City of Seabrook, on behalf of the Citizens of the City of Seabrook, fully endorses and supports the Texas Department of Transportation State Highway 146 Expansion Project.

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58 **Section 3:** That the City Council respectfully requests for itself and other municipalities similarly
59 situated for the Texas State Legislature to provide legislation to allow additional funding for local utility
60 relocations for the TXDOT SH 146 Expansion Project because the expansion of SH 146 is a significant
61 need for public safety in emergency evacuations.
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63 **Section 4:** That the City Council respectfully requests that the Texas Municipal League assist in
64 drafting legislation for additional funding measures from the Legislature for projects in a state designated
65 evacuation route.
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67 **PASSED, APPROVED, AND ADOPTED on this 4th Day of August 2015.**
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70 CITY OF SEABROOK, TEXAS
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75 Glenn R. Royal, Mayor

76 ATTEST:
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80 Robin Hicks, City Secretary
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**ORDINANCE NO. 2015-15
ESTABLISHING A WATER RATE STABILIZATION
AND CAPITAL RESERVE FUND**

AN ORDINANCE ESTABLISHING A WATER RATE STABILIZATION AND CAPITAL RESERVE FUND TO PROTECT THE CITY AND ITS CUSTOMERS FROM SPIKES IN WATER RATES DUE TO VOLATILE WATER CONSUMPTION AND TO PROVIDE FUNDING FOR FUTURE WATER CONTRACT NEGOTIATIONS AND/OR CAPITAL INFRASTRUCTURE NEEDS ASSOCIATED WITH WATER SUPPLY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

WHEREAS, on February 3, 2015, the City Council approved the Five-Year Water & Sewer Rate Study as prepared and presented by Karyn Keese of Atkins Global; and

WHEREAS, the study recommended the formal establishment of a capital water rate stabilization reserve; and

WHEREAS, the rates necessary to fund and sustain the reserve were adopted by Resolution No. 2015-04 on February 17, 2015; and

WHEREAS, the Water Rate Stabilization Fund is separate from, and in addition to, the already established reserve funds which are 25 percent of operating expenditures in General Fund and 15 percent of operating expenses in the Enterprise Fund; now, therefore,

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

SECTION 1. FINDINGS OF FACT.

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

SECTION 2. ESTABLISHMENT OF THE STABILIZATION FUND.

The Seabrook City Council hereby establishes the Water Rate Stabilization Fund to protect the City and its customers from spikes in water rates due to volatile water consumption and to provide funding for future contract negotiations and/or capital needs. The Water Rate Stabilization Fund is separate and in addition to the already established reserve funds which are 25 percent of operating expenditures in General Fund and 15 percent of operating expenses in the Enterprise Fund. The Water Rate Stabilization Fund will be used to help mitigate future increases in the cost to purchase water and/or build or improve infrastructure to provide water to the citizens.

The Stabilization Fund will be initially funded by a 2015-2016 budgeted transfer from the Enterprise Fund in the amount of \$35,000 and will increase annually in increments of \$35,000, unless otherwise determined by City Council.

SECTION. 3. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

SECTION 4. SEVERABILITY.

In the event any clause phrase, provision, sentence, or 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.

PASSED AND APPROVED on first reading this 4th day of August, 2015.

PASSED, APPROVED, AND ADOPTED on second and final reading this 18th day of August, 2015.

BY: _____
GLENN R. ROYAL, MAYOR

ATTEST:

Robin Hicks
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered, City Attorney

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
23		OPEN/IN WORK	11/4/2014			Mayor/ City Mgr.			5.1	Provide periodic updates on TxDOT's progress to improve/widen SH 146.	
30		OPEN/IN WORK	11/18/2014			Staff			4.2	Provide periodic updates of Strategic Plan	
32		OPEN/IN WORK	2/17/2015			Staff			6.1	Provide periodic project updates	

August 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1 Summer Fun in the Park Swim n Movie Night
2	3	4 Regular City Council Meeting 7:00pm	5	6 Open Space & Trails Committee 5:00pm	7	8
9	10	11	12	13 EDC 7:00pm	14	15 Summer Fun I n the Park
16	17	18 Regular City Council Meeting 7:00pm	19	20 P&Z 7:00pm HCMCA meeting	21	22
23	24	25	26	27	28	29
30	31					

September 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		<i>1</i> Regular City Council Meeting 7:00pm	<i>2</i>	<i>3</i> Open Space & Trails Committee 5:00pm	<i>4</i>	<i>5</i>
<i>6</i>	<i>7</i> Labor Day City offices closed	<i>8</i>	<i>9</i>	<i>10</i> EDC 7:00pm	<i>11</i>	<i>12</i>
<i>13</i>	<i>14</i>	<i>15</i> Regular City Council Meeting 7:00pm	<i>16</i>	<i>17</i> P&Z 7:00pm	<i>18</i>	<i>19</i> Kids' Fish
<i>20</i>	<i>21</i>	<i>22</i>	<i>23</i>	<i>24</i>	<i>25</i>	<i>26</i>
<i>27</i>	<i>28</i>	<i>29</i>	<i>30</i>			