

**SEABROOK CITY COUNCIL
NOTICE OF SPECIAL CITY COUNCIL MEETING
TUESDAY, AUGUST 14, 2012 - 7:00 PM**

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY AUGUST 14, 2012 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.

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.

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

 ATTACHMENT 1

- 2.1 Consider first and final reading of Ordinance No. 2012-17, Ordering a Special Bond Election to be Held on November 6, 2012. (Council)

AN ORDINANCE CALLING A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF SEABROOK, TEXAS, A PROPOSITION FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS FOR VARIOUS PURPOSES AND THE EXPENDITURE OF FUNDS OF THE CITY OF SEABROOK, TEXAS, FOR CERTAIN WATER AND SEWER SYSTEM IMPROVEMENTS; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT

3.0 BUDGET WORK SESSION

- 3.1 Conduct a budget work session to review the proposed City of Seabrook budget for FY 2012/13 and schedule future work sessions if needed. (Templin)

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 5:00 p.m. on Friday, August 10, 2012 and that this notice will remain posted until the meeting has ended.

Meredith Brant, TRMC
Assistant City Secretary

1 **ORDINANCE NO. 2012-17**
2 **ORDERING A SPECIAL BOND ELECTION**
3 **TO BE HELD ON NOVEMBER 6, 2012**
4

5 **AN ORDINANCE CALLING A SPECIAL ELECTION TO BE HELD ON**
6 **TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING**
7 **TO THE QUALIFIED ELECTORS OF THE CITY OF SEABROOK,**
8 **TEXAS, A PROPOSITION FOR THE ISSUANCE OF PUBLIC**
9 **IMPROVEMENT BONDS FOR VARIOUS PURPOSES AND THE**
10 **EXPENDITURE OF FUNDS OF THE CITY OF SEABROOK, TEXAS,**
11 **FOR CERTAIN WATER AND SEWER SYSTEM IMPROVEMENTS;**
12 **AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT**

13 * * *

14 WHEREAS, the City Council (the "City Council") of the City of Seabrook, Texas (the
15 "City") is authorized and has determined to call a special election for the purpose of submitting
16 (i) a proposition to voters in the City to authorize the issuance of City bonds payable from ad
17 valorem taxes for the purposes hereinafter set forth and (ii) two propositions to voters in the City
18 to authorize the capital expenditure of funds of the City for certain water and sewer system
19 improvements; and

20 WHEREAS, the City Council wishes to proceed with the ordering of such special
21 election and the City Council has determined that holding such election is in the public interest;

22 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
23 OF SEABROOK, STATE OF TEXAS:

24 **Section 1. Call of Election; Date; Eligible Electors and Hours.** (a) It is hereby
25 ordered that a special election (the "Election") be held in and throughout the City on Tuesday,
26 November 6, 2012, between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m. at which
27 Election the propositions set forth on **Exhibit A** hereto for (i) the issuance of bonds for
28 permanent public improvements for the City and the levy of taxes for payment thereof and (ii)
29 authorization for the capital expenditure of funds of the City for certain water and sewer system
30 improvements, shall be submitted to all resident, qualified electors of the City.

31 (b) The Election shall be held under the provisions of the Home Rule Charter of the
32 City (the "Charter"), the Constitution and laws of the State of Texas and of this Ordinance. All
33 qualified voters residing in the City shall be allowed to vote at the Election and each voter shall
34 vote in the election precinct in which such voter resides.

35 **Section 2. Election Precincts; Polling Places; Election Officers.** (a) The election
36 precincts for the Election shall be the Harris County, Texas (the "County") election precincts
37 located in the City and such precincts, the polling places and the precinct judges will be as
38 designated by the County at a later date.

39 (b) The election officials for each City precinct shall be designated by Stan Stanart
40 (the "Election Administrator"); and such officials shall conduct the City's Election in accordance

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with a Joint Election Agreement and Contract for Election Services (the "Election Contract") between the County and the City. The physical location of the Election Administrator is 1001 Preston, 4th Floor, room 440, Houston, Texas 77251-1148 and the official mailing address is P.O. Box 1148, Houston, Texas 77251-1148.

(c) In the event the Mayor of the City (the "Mayor") shall find that one or more of the polling places hereby established and designated shall become unavailable or unsuitable for use at the Election or if any person or persons appointed herein do not appear or are unable to perform their duties, the Mayor is hereby authorized to designate substitute polling places and appoint substitute personnel, giving such notice as he deems appropriate.

Section 3. Ballots and Propositions. The City Secretary and the Election Administrator are hereby authorized and directed to prepare the ballots for the Election in accordance with the provisions of the Texas Election Code. The ballots to be used in the Election shall have printed thereon the propositions set forth on **Exhibit A** to this Ordinance. The specific ballot language for the propositions shall be as described on **Exhibit B** hereto with provision to vote "FOR" or "AGAINST" each proposition.

Section 4. Voting. Voting in the Election, including early voting by personal appearance shall be by Hart InterCivic eSlate Voting System Version 6.2.1, which voting system is hereby adopted by the City for use in the Election. Pursuant to Section 61.012, as amended, Texas Election Code, the Election Administrator shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirements for voting systems that permit voters with physical disabilities to cast a confidential or secret ballot.

Each voter in the Election desiring to vote in favor of a proposition shall mark the ballot indicating "FOR" the proposition, and each voter desiring to vote against a proposition shall mark the ballot indicating "AGAINST" the proposition. Voting shall be conducted in accordance with the Texas Election Code.

Section 5. Early Voting. Early voting by personal appearance shall be conducted at the dates, times and polling places designated by the County for their election of the same date and as further described on **Exhibit C**.

The City Council hereby establishes the Harris County Administration Building, 1001 Preston Street, 1st Floor, Houston, Texas 77002 as the main early voting polling place at which early voting by personal appearance shall be conducted.

The Council hereby appoints the Election Administrator as the early voting clerk. The Election Administrator shall receive applications for a ballot to be voted by mail. The mailing address to which ballot applications and ballots voted by mail may be sent is as follows: Stan Stanart, Harris County Clerk, Attn: Elections Division P.O. Box 1148, Houston, TX 77251-1148. Applications for ballots by mail may be received no earlier than September 7, 2012 and no later than 5:00 p.m. on October 30, 2012.

The Council hereby appoints the Election Administrator as the presiding judge of the special early voting ballot board to count and return early voting ballots in accordance with the

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Election Code. The presiding judge shall appoint election clerks as needed, and such judge and clerks shall constitute the special early voting ballot board and shall perform the duties set forth for such board in the Texas Election Code.

Section 6. Notice of Election. Notice of the Election in English, Spanish, Vietnamese and Mandarin Chinese, stating in substance the contents of this Ordinance, shall be published and posted pursuant to the requirements of the Texas Election Code, Texas Government Code and the Charter.

Section 7. Declaring Results. City Council shall canvass the returns and declare the results of the Election.

In the event that the propositions considered by the voters in the Election are authorized at the Election, all matters relating to the issuance of such bonds and the expenditure of such funds shall be determined by City Council. Any authorized bonds may be issued at one time, or in installments from time to time as City Council may determine, and bonds for different purposes may be issued separately, or combined in single multi-purpose issues, or issued in any other lawful manner, in the discretion of the City Council.

Section 8. Notice of Meeting. It is further found and determined that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City 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 9. Authority of the Mayor. The Mayor shall have the authority to take, or cause to be taken, all actions reasonable and necessary to insure that the Election is fairly held and returns properly counted and tabulated for the canvass of the Election returns by the City Council in accordance with state law.

Section 10. Effective Date. This Ordinance is effective immediately upon its passage and approval.

APPROVED AND ADOPTED on first and final reading this 14th day of August 2012.

Glenn Royal, Mayor

ATTEST:

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117 _____
118 Michele L. Glaser, TRMC
119 City Secretary
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123 APPROVED AS TO FORM:

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126 _____

127 Steven L. Weathered

128 City Attorney

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EXHIBIT A

PROPOSITION 1

In accordance with Texas law and Section 5.21 of the Charter of the City of Seabrook, Texas, shall the City Council of the City of Seabrook, Texas be authorized to issue bonds of the City in the amount of \$6,000,000 maturing serially or otherwise at such times as may be fixed by the City Council not to exceed 40 years from their date or dates and bearing interest at any rate or rates, either fixed, variable or floating, according to any clearly stated formula, calculation or method not exceeding the maximum interest now or hereafter authorized by law as shall be determined within the discretion of the City Council at the time of issuance, and to levy a tax upon all taxable property in the City sufficient to pay the interest on the bonds, and to provide a sinking fund for the payment of the bonds as they mature, for the purpose of making permanent public improvements as follows: acquisition of approximately 13 acres of property at the intersection of Red Bluff Road and Park Street and the construction and equipment of a public works and animal control facility thereon, and all matters necessary or incidental thereto?"

PROPOSITION 2

In accordance with Texas law and Section 5.21 of the Charter of the City of Seabrook, Texas, shall the City Council of the City of Seabrook, Texas be authorized to make a capital expenditure of funds of the City in the amount of \$2,000,000 for the purpose of relocating a ground storage water tank to the new public works facility, and all matters necessary or incidental thereto?"

PROPOSITION 3

In accordance with Texas law and Section 5.21 of the Charter of the City of Seabrook, Texas, shall the City Council of the City of Seabrook, Texas be authorized to make a capital expenditure of funds of the City in the amount of \$3,300,000 for the purpose of replacing and constructing sewer lines on Todville Road from Meyer Road to Second Street and on East Meyer Road from State Highway 146 to North Meyer Road, and all matters necessary or incidental thereto?"

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EXHIBIT B

BALLOT LANGUAGE

PROPOSITION

- | | | |
|----------------------------------|--------|--|
| ☐ FOR |) | The proposed issuance of \$6,000,000 City of |
| |)----- | Seabrook, Texas Permanent Improvement Bonds for |
| |) | acquisition of approximately 13 acres of property at |
| ☐ AGAINST |) | the intersection of Red Bluff Road and Park Street |
| | | and the construction and equipment of a public |
| | | works and animal control facility thereon, and the |
| | | levy of taxes to provide for the payment thereof and |
| | | interest thereon, and all matters necessary or |
| | | incidental thereto. |
| | | |
| ☐ FOR |) | The proposed capital expenditure of funds of the |
| |)----- | City of Seabrook, Texas in the amount of |
| |) | \$2,000,000 for the purpose of relocating a ground |
| ☐ AGAINST |) | storage water tank to the new public works facility, |
| | | and all matters necessary or incidental thereto. |
| | | |
| ☐ FOR |) | The proposed capital expenditure of funds of the |
| |)----- | City of Seabrook, Texas in the amount of |
| |) | \$3,300,000 for the purpose of replacing and |
| ☐ AGAINST |) | constructing sewer lines on Todville Road from |
| | | Meyer Road to Second Street and on East Meyer |
| | | Road from State Highway 146 to North Meyer |
| | | Road, and all matters necessary or incidental thereto. |

EXHIBIT C

EARLY VOTING INFORMATION

Early Voting Schedule – November 6, 2012:

October 22 – October 26 – 8:00 a.m. - 4:30 p.m.

October 27 – 7:00 a.m. - 7:00 p.m.

October 28 – 1:00 p.m. - 6:00 p.m.

October 29 - November 2 – 7:00 a.m. -7:00 p.m.

Early Voting Locations:

<u>Location</u>	<u>Address</u>	<u>City</u>	<u>Zip</u>
Harris County Administration Building	1001 Preston, 1st Floor	Houston	77002
Champion Forest Baptist Church - Multi Purpose Bldg	4840 Strack Road	Houston	77069
Lone Star College University Park	20515 State Hwy 249	Houston	77070
Kingwood Branch Library	4400 Bens View Lane	Kingwood	77345
Crosby ISD Administration Building	706 Runneburg Road	Crosby	77532
Harris County Courthouse Annex #25	7330 Spencer Highway	Pasadena	77505
Freeman Branch Library	16616 Diana Lane	Houston	77062
Cypress Top Park	26026 Hempstead Highway	Cypress	77429
Tomball Public Works Building	501B James Street	Tomball	77375
Greater Saint Matthew Baptist Church	14919 South Main	Houston	77035
Franz Road Storefront	19818 Franz Road	Katy	77449
Nottingham Park	926 Country Place Drive	Houston	77079
Metropolitan Multi-Service Center	1475 West Gray	Houston	77019
Metropolitan Multi-Service Center	1475 West Gray	Houston	77019
Harris County Public Health Environmental Service	2223 West Loop S	Houston	77027
City of Jersey Village - City Hall	16327 Lakeview Drive	Jersey Village	77040
Bayland Park Community Center	6400 Bissonnet	Houston	77074
Tracy Gee Community Center	3599 Westcenter Drive	Houston	77042
Bear Creek Park Community Center	3055 Bear Creek Drive	Houston	77084
Trini Mendenhall Sosa Community Center	1414 Wirt Road	Houston	77055
Acres Home Multi Service Center	6719 W. Montgomery	Houston	77091
Hardy Senior Center	11901 West Hardy Road	Houston	77076
Northeast Multi-Service Center	9720 Spaulding St, Bldg #4	Houston	77016
Octavia Fields Branch Library	1503 South Houston Avenue	Humble	77338
Kashmere Multi-Service Center	4802 Lockwood Dr.	Houston	77026
North Channel Branch Library	15741 Wallisville Road	Houston	77049
Galena Park City Hall	2000 Clinton	Galena Park	77547
Ripley House	4410 Navigation Boulevard	Houston	77011

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<u>Location</u>	<u>Address</u>	<u>City</u>	<u>Zip</u>
Baytown Community Center	2407 Market Street	Baytown	77520
H.C.C.S Southeast College, Learning Hub	6815 Rustic, Bldg D	Houston	77087
IBEW Hall #66	4345 Allen Genoa Road	Pasadena	77504
Fiesta Mart, Inc.	8130 Kirby	Houston	77054
Sunnyside Multi-Service Center	4605 Wilmington	Houston	77051
Palm Center	5300 Griggs Road	Houston	77021
Moody Park Community Center - TBD	3725 Fulton	Houston	77009
Henington-Alief Regional Library	7979 South Kirkwood	Houston	77072
Glen Cheek Education Building	16002 Westheimer Pkwy	Houston	77082
Champion Life Centre	3031 FM 2920 Road	Spring	77388