

1 The City Council of the City of Seabrook met in regular session on Tuesday, July 10, 2012 at 7:00
2 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate,
3 take action on the items listed below.

4
5 **THOSE PRESENT WERE:**

6 GLENN R. ROYAL	MAYOR
7 ROBERT LLORENTE	COUNCIL PLACE NO. 1
8 MIKE GIANGROSSO	COUNCIL PLACE NO. 2
9 GARY JOHNSON	COUNCIL PLACE NO. 3
10 DON HOLBROOK.	COUNCIL PLACE NO. 4
11 THOM KOLUPSKI	COUNCIL PLACE NO. 5
12 LAURA DAVIS	COUNCIL PLACE NO. 6
13 KELLY TEMPLIN	CITY MANAGER
14 STEVEN L. WEATHERED	CITY ATTORNEY
15 MEREDITH BRANT	ASSISTANT CITY SECRETARY

16
17 Mayor Royal called the meeting to order and led the audience in the Pledge of Allegiance.

18
19 **1.0 PRESENTATIONS**

20
21 **1.1 Present Certificates of Appreciation to sponsors of the 4th of July Kids' Parade.**
22 **(Council)**

23
24 Mayor Royal made presentations.

25
26 **1.2 Presentation of Certificates of Appreciation to outgoing board members. (Council)**

27
28 Mayor Royal made presentations.

29
30 **1.3 Presentation of the 2012 Gold Leadership Circle Award to Finance Director Pam Lab.**
31 **(Council)**

32
33 Mayor Royal made the presentation.

34
35 **2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS**

36
37 **2.1 Mayor, City Council and/or members of the city staff may make announcements about**
38 **city/community events. (Council)**

39
40 City Manager Kelly Templin stated that the new fireboat is scheduled to arrive next week.
41 Training will take place July 19- 21 with an event at the Lakewood Yacht Club on July 26. He
42 stated that once all the details are worked out he will inform Council.
43
44
45

46 **3.0 BID AWARDS**

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48 **3.1 Consider award of Bid Project No. 2012- 05 for street paving and waterline**
49 **improvements to Seascape 1 to apparent low bidder D & W Contractors, Inc. in the**
50 **amount of \$503,240.00. (Chairez)**

51

52 Motion was made by Councilor Kolupski and seconded by Councilor Davis

53

54 To award bid to D & W Contractors as recommended.

55

56 Public Works Director Arthur Chairez stated that this is a three phase project which consists
57 of repaving and reconstructing roads and replacing waterlines. He stated that this is a
58 budgeted item and funding will come from franchise fee from Waste Management, impact
59 fees and bond money from the 2002 bond election.

60

61 MOTION CARRIED BY UNANIMOUS CONSENT.

62

63 **4.0 CONSENT AGENDA**

64

65 **4.1 Approve the construction of the Valerij Alyohin Memorial in Meador Park. (Templin)**

66

67 **4.2 Approve minutes of the June 26, 2012 City Council meeting. (Glaser)**

68

69 **4.3 Approve annual 5-K Fun Run hosted by the Bay Area Running Club on Saturday,**
70 **August 4, 2012 from 5:00 - 11:00 a.m. beginning and ending at Outrigger's and**
71 **contingent on the receipt of an appropriate certificate of liability insurance. (Applicant)**

72

73 **4.4 Approve parade permit for annual charity bike race hosted by Outloud Productions on**
74 **Saturday, August 25, 2012 from 7:30 - 9:30 a.m. (Applicant)**

75

76 **4.5 Ratify the City Manager's Reappointment of John Chisler to the Civil Service**
77 **Commission for a term of three years. (Templin)**

78

79 4.6 Removed by Councilor Holbrook.

80

81 4.7 Removed by City Attorney.

82

83 Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

84

85 To approve the Consent Agenda with the exception of Items 4.6 and 4.7.

86

87 MOTION CARRIED BY UNANIMOUS CONSENT.

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END OF CONSENT AGENDA

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4.6 Approve Resolution No. 2012-16, Concerning Port of Houston Authority's Project to Deepen and Widen the Ship Channel.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SEABROOK, TEXAS CONCERNING THE PORT OF HOUSTON'S PROJECT TO DEEPEN AND WIDEN THE BAYPORT SHIP CHANNEL IN CHAMBERS AND HARRIS COUNTIES, TEXAS.

Motion was made by Councilor Davis and seconded by Councilor Giangrosso

To approve Resolution No. 2012-16.

City Manager Templin explained the map showing the ship channel and the islands created by the dredge materials. He stated that there is opposition to the planned disposal of the dredge material, not to the dredging itself. The erosion of the planned islands may cause Pine Gully to fill and the recommendation is that the Port find an alternative for the dredge materials. It is expensive to haul materials and difficult to contain the dredge material and prevent erosion.

In response to council members' inquiries, Mr. Templin explained the concept for a habitat island; raising Goat Island with fill in order to create a nature habitat. While it would be ideal to use the Port dredge materials for this purpose, it would require the lengthy process of approval from the Corps of Engineers and would be an expensive endeavor for which the timing is not right. Previously this issued had been mentioned to the Port to no avail.

Mayor Royal stated that the planned site of the islands will impact the Houston Yacht Club and the surrounding recreational boating community. He added that location of the spoils is key.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.7 Approve Resolution No. 2012-17, "Acceptance of Temporary and Permanent Easements from John N. Huynh and Jenny Pham, Parcel 7 for the waterfront Drive Public Improvements Project." (Templin)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DETERMINING THAT EASEMENTS ARE NECESSARY FOR THE "WATERFRONT DRIVE RECONSTRUCTION," PUBLIC IMPROVEMENTS PROJECT; APPROVING THE ACCEPTANCE OF SAID EASEMENTS FROM JOHN N. HUYNH AND WIFE, JENNY PHAM, PROPERTY OWNERS IN RELATION TO PARCEL 7, A 0.0344 ACRE TRACT SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, BEING OUT OF AND PART OF LOTS 6,7,AND 8, BLOCK 150 OF THE MAP OF SEABROOK, AS MORE PARTICULARLY DESCRIBED HEREIN

135 Mr. Weathered stated that there was not an amount not to exceed in the resolution due to the
136 amount being unknown at the time the resolution was written. He stated that the figure not to
137 exceed is \$30,000.
138

139 Motion was made by Councilor Davis and seconded by Councilor Holbrook
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141 To approve the resolution with the addition of the amount of \$30,000 as recommended.
142

143 MOTION CARRIED BY UNANIMOUS CONSENT.
144

145 **5.0 NEW BUSINESS**
146

147 **5.1 Approve official naming of Monroe Park which is adjacent to Brummerhop Park)**
148 **pursuant to the Warranty Deed from Pelican's Nest, comprising approximately 2.237**
149 **acres in Pelican's Nest Subdivision. The attached Deed requires that the property be**
150 **used as a public park and carry the name of the Scott Monroe family. With the**
151 **completion of the Repsdorff Road Project, the property has been released for access by**
152 **the City for proceeding. (Templin)**
153

154 Motion was made by Councilor Holbrook and seconded by Councilor Johnson
155

156 To approve naming the property Monroe Park.
157

158 Mr. Templin explained that this property had been a detention pond and was filled as a result
159 of the Repsdorff Road improvement. According to the agreement with the Monroe family,
160 once the work is complete, the property becomes a part of the City's park inventory and is to
161 be given the Monroe name.
162

163 Mr. Chairez stated that the proposed use of the property is for practice fields.
164

165 Motion was made by Councilor Davis and seconded by Councilor Johnson
166

167 To name the property Monroe Field.
168

169 The City Attorney stated that this change was acceptable.
170

171 Mayor Royal called for a vote on the amendment to rename as Monroe Field.
172

173 MOTION CARRIED BY UNANIMOUS CONSENT.
174

175 Mayor Royal called for a vote on the original motion as amended.
176

177 MOTION CARRIED BY UNANIMOUS CONSENT.
178

179 **5.2 Consider appointment of a Mayor Pro Tem for 2012/13. Paul Dunphey served as Mayor**
180 **Pro Tem for 2011/12. (Council)**

181
182 Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

183
184 To appoint Councilor Laura Davis as Mayor Pro Tem for 2012/13.

185
186 AYES: Davis, Giangrosso, Holbrook, Johnson, Kolupski, Llorente.

187 ABSTAIN: Royal.

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189 MOTION CARRIED BY MAJORITY VOTE.

190
191 **5.3 Consider appointment of bond attorney for the November, 2012 bond election. Staff**
192 **recommendation is to appoint Fulbright & Jaworski. (Templin)**

193
194 Mayor Royal recused himself and left the dais. Mayor Pro Tem Davis conducted this portion
195 of the meeting.

196
197 Motion was made by Councilor Kolupski and seconded by Councilor Holbrook

198
199 To approve the appointment of Fulbright & Jaworski as bond attorney firm for the November
200 bond election.

201
202 AYES: Davis, Giangrosso, Holbrook, Johnson, Kolupski, Llorente.

203 NAYS: No one.

204 RECUSED AND NOT VOTING: Royal.

205
206 MOTION CARRIED BY UNANIMIOUS CONSENT OF THOSE PRESENT AND
207 VOTING.

208
209 Mayor Royal returned to the dais and with the permission of Council, changed the order of the
210 meeting.

211
212 **5.5 Consider appointment of a member to the Ethics Review Commission for a term ending**
213 **10/31/12. (Council)**

214
215 Motion was made by Councilor Holbrook

216
217 To table this item.

218
219 MOTION FAILED DUE TO LACK OF A SECOND.

220
221 Motion was made by Councilor Davis and seconded by Councilor Giangrosso

222
223 To appoint David Wilkerson to the Ethics Review Commission.

224
225 MOTION CARRIED BY UNANIMOUS CONSENT.
226

227 **5.6 Consider appointment of a member to the Planning & Zoning Commission with a term**
228 **ending January, 2013. (Council)**
229

230 Motion was made by Councilor Johnson and seconded by Councilor Davis
231

232 To appoint Bolivar (Bo) Lewis to the Planning & Zoning Commission.
233

234 MOTION CARRIED BY UNANIMOUS CONSENT.
235

236 **5.4 Distribute draft budget, discuss calendar and schedule future budget workshops.**
237 **(Templin)**
238

239 Mr. Templin stated that the budget as presented is balanced; if council agrees to the proposed
240 schedule of meetings, the first meeting will be Tuesday, July 17 at 7:00 p.m. City staff and
241 Council will review the budget by department as well as the different funds.
242 The budget will be refined as ad valorem taxes become available.
243

244 Motion was made by Councilor Holbrook and seconded by Councilor Davis
245

246 To adopt the budget calendar as presented and shown on Attachment A.
247

248 MOTION CARRIED BY UNANIMOUS CONSENT.
249

250 **6.0 OLD BUSINESS**
251

252 **6.1 Discussion and consideration of recommended changes to the existing noise ordinance.**
253 **This item was tabled on June 12, 2012. (Templin)**
254

255 Motion was made by Councilor Holbrook and seconded by Councilor Llorente
256

257 To untable this item.
258

259 MOTION TO UNTABLE CARRIED BY UNANIMOUS CONSENT.
260

261 Motion was made by Councilor Kolupski and seconded by Councilor Holbrook
262

263 To discuss this item.
264

265 MOTION CARRIED BY UNANIMOUS CONSENT.
266

267 Mr. Templin explained due to its subjective nature, the heading of Sec. 55-24 should be
268 changed from "Disturbance of reasonable person of ordinary sensibilities prohibited" to

269 “Violations.” Mr. Templin displayed a map which showed the main corridors of commerce in
270 Seabrook, State Highway 146 and NASA Parkway. He suggested that times and/or decibel
271 levels could be changed based on whether the area was commercial or residential.
272

273 Mayor Royal recommended increasing daytime to 11:00 p.m. along commercial corridors and
274 reducing the time to 9:00 p.m. in residential areas.
275

276 Mr. Weathered stated that Council is entitled to make the changes they deem appropriate. He
277 recommended that all references to “noise sensitive areas” be stricken as the City of Seabrook
278 has no such areas.
279

280 Motion was made by Councilor Johnson and seconded by Councilor Giangrosso
281

282 To make the recommended changes to Sec. 55-24, strike “noise sensitive areas” and leave the
283 existing times and decibel levels the same.
284

285 The issue was discussed further, but no vote was taken.
286

287 Motion was made by Councilor Holbrook and seconded by Councilor Johnson
288

289 To amend the ordinance based on recommendations and defer language specifics to the city
290 manager and city attorney.
291

292 MOTION CARRIED BY UNANIMOUS CONSENT.
293

294 **7.0 ROUTINE BUSINESS**
295

296 **7.1 Approve the Action Items Checklist which is attached and made a part of this agenda.**
297 **(Council)**
298

299 Motion was made by Councilor Davis and seconded by Councilor Holbrook
300

301 To approve the Action Items Checklist.
302

303 MOTION CARRIED BY UNANIMOUS CONSENT.
304

305 **7.2 Establish future meeting dates and agenda items. (Council)**
306

307 City Council will meet Tuesday, July 17 for budget considerations.
308

309 Councilor Giangrosso stated that he would like for Council to consider pool hours and dates
310 of operation at the next regular Council meeting.
311
312
313

314 **8.0 EXECUTIVE SESSION**
315

316 At 9:07 p.m. Mayor Royal announced that the City Council would hold a closed executive
317 meeting pursuant to the provisions of the Open Meetings Act, Charter 551, Government
318 Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained
319 Section 551.071, Consultation with Attorney and Section 551.072, Real Property.
320

321
322 **Section 551.071 and 551.072**

323 **8.1 Pursuant to Sections 551.071 and 551.072 of the Texas Government Code, deliberate the**
324 **sale, purchase, exchange, lease or value of real property to avoid detrimental effect on**
325 **position of City in negotiations with third parties if the matter was to be discussed in**
326 **open meeting and legal issues associated herewith. (Templin)**
327

328 **9.0 OPEN MEETING**

329 Mayor Royal reconvened the meeting in open session at 10:01 p.m. and stated that Item 8.1
330 had been discussed in Executive Session, but no action had been taken.
331

332 Upon motion, Mayor Royal adjourned the meeting at 10:02 p.m.
333

334 Approved this 24th day of July, 2012.
335

336
337
338
339 
340 _____
Glenn R. Royal, Mayor

341
342 
343 _____
Meredith Brant, TRMC
344 Assistant City Secretary
345



PRELIMINARY
CITY OF SEABROOK
2012 BUDGET CALENDAR FOR 2012-13 BUDGET

ATTACHMENT A

DATE	DAY	EVENT	
Mar 1 - 31	Mon - Fri	Finance Dept reviewing & updating new budget sheets & forecasts for each department	
Mar 15-31	Mon - Fri	Prepare Personnel Budget (Finance & Personnel) & update department budget worksheets.	
Mar 28- Apr 1	Mon - Fri	Complete preparation of departmental budget sheets	
Apr 4	Wed	Download March final numbers & update forecasts	
Apr 5	Thur	Distribute revised 2011-12 forecasts to department heads	
Apr 10	Tues	Receive revised forecasts from department heads	
Apr 10-11	Tue-Wed	Update forecasts and review with staff concerning possible mid-year adjustments	
Apr 11	Wed	Update revised forecasts and complete budget sheets	
Apr 12	Thur	Distribute budget worksheet files to department directors.	
Apr 16-Apr 30	Mon-Fri	Finance - Review revenue/expense estimates, assist in completion of personnel sheets	
May 21	Mon	1st draft department budgets submitted to finance dept with updated forecasts	
May 21-May 25	Mon-Fri	Finance - Review budgets & forecasts submitted for completeness, review decision packages	
May 29	Tue	Meet with city manager & HR director to discuss budgets as submitted	
May 30	Wed	Distribute 1st UN-CUT draft of 2012-13 budget to department heads	
May 31	Thur	Meet with city manager & dept heads to discuss 1st UN-CUT draft & make any changes	
Jun 4	Mon	Meet with city manager and dept heads to distribute & review 2nd draft & make any changes	
Jun 19	Tue*	Budget workshop with City Council	
Jul 10	Tue	Present balanced budget to Council	
Jul 17	Tue *	Possible City Council Budget Workshop	
Jul 31	Tue *	Possible City Council Budget Workshop	
Aug 14	Tue *	Possible City Council Budget Workshop	
Aug 24	Fri	Email PDF file by noon notice of Public Hearing on 2012-13 Budget to newspaper.	
Aug 30	Thur	Publication of notice of Public Hearing on 2012-13 Budget. (14 days required before public hearing)	
TIMING IS CRITICAL FOR EVENTS LISTED BELOW HOWEVER ALL DATES ARE CONTINGENT UPON RECEIPT OF TAX ROLLS FROM HARRIS COUNTY			
Aug 31 estim	Fri	Report of Certified Appraised Values from Harris County Tax Assessor. (60 days starts)	
Sep 4	Tue	Calculation of Effective and Rollback tax rates.	
Sep 7	Fri	Email PDF file by noon publication of Effective and Rollback tax rates & post notice on website/TV	
Sep 7	Fri	72 hour notice for meeting to discuss effective tax rate calculation & Budget public hearing	
Sep 11	Tue*	City Council meeting discuss effective tax rate	
Sep 13	Thur	Publication of Effective and Rollback tax rates.	
Sep 14	Fri	72 hour notice for meeting to discuss proposed tax rate and budget public hearing	
Sep 18	Tue	Council Agenda - Discuss final budget & proposed tax rate. Take record vote on proposal if tax increase. If no increase, tax rate can be adopted anytime after the budget is adopted.	
Sep 18	Tue	Public Hearing on 2012-13 Budget.	
Sep 18	Tue	Council MAY adopt 2012-13 Budget.	
Sep 18	Tue	Council MAY adopt 2012 Property tax rate (if no increase)	
Sep 21	Fri	Email PDF file by noon of notice of Public Hearings on Tax Rate change (if needed) & post on website/TV	
Sep 27	Thur	Publication of notice of Public Hearings on Tax Rate change. (7 days required before public hearing)	
Sep 27	Thur	Last day to adopt budget per Charter.	
Sep 28	Fri	Email PDF file by noon of Notice of Vote on Tax Rate & post on website/TV	
Oct 5	Fri	72 hour notice for 1st public hearing on tax rate	
Oct 9	Tue*	First public hearing on tax rate change.	
Oct 11	Thur	Publication of Notice of Vote on Tax Rate (7 days required before meeting)	
Oct 12	Fri	72 hour notice for 2nd public hearing on tax rate	
Oct 16	Tue	Second public hearing on tax rate change (must adopt rate within 3-14 days)	
Oct 19	Fri	72 hour notice for meeting at which Council will adopt tax rate	
Oct 23	Tue*	Council adopts 2012 Ad Valorem Tax Rate. (Not <3 days or >14 days after 2nd public hearing)	
Oct 30	Tue*	Last Day for Council to adopt 2012 Ad Valorem Tax Rate if increased. IS THE 14TH DAY AFTER 2ND PUBLIC HEARING	THIS
Oct 31	Wed	Last day to adopt tax rate. (60 days maximum after delivery of certified tax rolls) if no increase	

* Tuesdays that are not a normal City Council meeting night.