

HUMBLE CITY COUNCIL

MINUTES

PUBLIC HEARING/REGULAR MEETING

SEPTEMBER 28, 2006 - 6:30 P.M.

HELD AT CITY HALL, 114 WEST HIGGINS, HUMBLE, TEXAS

MEMBERS PRESENT:

Mayor Donnie McMannes, Presiding
Mayor Pro Tempore Andy Curry
Councilman Merle Aaron
Councilman Bill Conner
Councilman Allen Lee
Councilman Allan Steagall
City Manager Darrell Boeske
City Secretary Sue Daniel

EMPLOYEES PRESENT:

Assistant City Manager Mark Martin
Assistant Chief Mike Legoudes
Director of Public Works Barry Brock
Sgt. Delbert Dawes
Lt. Jay Wrobliske
Officer Martin
Chief Gary Outlaw
Civic Center Director Johnnie Scroggins
Carole Chambers

Fire Marshal Clint Johnson
Chief Gary Warman
Betty Hogan
Captain Curtis Mills
Tax Assessor/Collector Cindy Gens
Electrical Inspector Robert Pennington
Finance Director Dixie Kellum

VISITORS PRESENT:

Juanita Steagall
Linda Aaron
Suzanne West

Naomi Curry
Luisa Hart

Mayor Donnie McMannes called the public hearing to order at 6:00 p.m with all members present. The notice for the public hearing was read aloud.

THE PURPOSE OF THE PUBLIC HEARING IS FOR CONSIDERING THE ADOPTION OF THE PROPOSED BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007. AT THIS TIME ALL CITIZENS OF THE CITY OF HUMBLE WILL BE GIVEN AN OPPORTUNITY TO PROVIDE WRITTEN OR ORAL COMMENTS AND TO ASK QUESTIONS CONCERNING THE PROPOSED BUDGET.

No one came forward to ask questions or give comments and no written comments were received. At 6:30 p.m. Mayor McMannes closed the public hearing.

1. INVOCATION/PLEDGE OF ALLEGIANCE

Assistant City Manager Mark Martin gave the invocation and led the Pledge of Allegiance.

2. CURRENT INVOICES

Invoices were presented to the mayor and councilmembers for approval of payment.

<u>Accounts Payable:</u>	
General Fund	\$ 298,329.77
W/S Operating Fund	46,041.32
Special Revenue	5,587.48
C.O., Series 2006	840,396.85
C.O., Series 1996	4,658.94
C. O. Series 2005A	<u>551,853.97</u>
Total	\$1,746,868.33

<u>Manual Checks:</u>	
General Fund	\$ 3,130.82
W/S Operating Fund	<u>77,607.02</u>
Total	\$ 80,737.84

<u>Purchase Cards:</u>	
General Fund	\$ 69,678.91
W/S Operating Fund	29,904.71
Special Revenue	<u>4,605.84</u>
Total	\$ 104,189.46

Councilman Allen Lee moved the invoices be paid.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

3. COMPETITIVE BIDS: CIVIC CENTER GUTTER PROJECT

City Manager Darrell Boeske stated seal bids had been received for the gutter project at the Civic Center. The bids received were:

Con-Tex	\$ 88,000.00
F. W. Walton, Inc.	\$ 98,797.00
Foster Enterprises, Inc.	\$ 105,173.00

The City Manager recommended the project be awarded to the low bidder, Con-Tex, in the amount of \$ 88,000.00. Mayor McMannes moved the low bid, Con-Tex be awarded the bid.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

4. SET CITY OF HUMBLE TAX RATE FOR 2006

City Manager Boeske asked the tax rate be set at the effective tax rate of \$ 0.19885 for 2006. He stated this rate is lower than last year's rate of \$ 0.20.

5. CITY OF HUMBLE ORDINANCE NO. 06-629 AMENDING THE CITY OF HUMBLE ORDINANCE 05-606, PASSED AND APPROVED THE 13TH DAY OF SEPTEMBER, 2005 AND BEING AN ORDINANCE ADOPTING THE "CITY OF HUMBLE BUDGET FOR FISCAL YEAR 2005-2006", BY ADDING TO THE BUDGET ADOPTED HEREBY AN ADDENDUM NO. 3; PROVIDING FOR A CERTAIN AMENDMENT TO SUCH BUDGET; MAKING CERTAIN FINDINGS; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

City Manager Boeske presented Ordinance No. 06-629 to the mayor and councilmembers and recommended approval.

ORDINANCE NO. 06-629

AN ORDINANCE AMENDING CITY OF HUMBLE ORDINANCE 05-606, PASSED AND APPROVED THE 13TH DAY OF SEPTEMBER, 2005 AND BEING AN ORDINANCE ADOPTING THE "CITY OF HUMBLE BUDGET FOR FISCAL YEAR 2005-2006", BY ADDING TO THE BUDGET ADOPTED HEREBY AN ADDENDUM NO. 3; PROVIDING FOR A CERTAIN AMENDMENT TO SUCH BUDGET; MAKING CERTAIN FINDINGS; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

WHEREAS, following proper notice and public hearing, the City Council adopted the "City of Humble Budget for Fiscal Year 2005-2006"; and

WHEREAS, due to economic growth and an increase in hotel/motel tax revenue to the City during stated fiscal period an amendment to said budget is necessary; and

WHEREAS, the City Council of the City of Humble, Texas hereby finds and determines that public necessities require the adoption of such amendment; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. City of Humble Ordinance No. 05-606 passed and approved the 13th day of September, 2005 is hereby amended by adding to the "City of Humble Budget for Fiscal Year 2005-2006" adopted thereby, Addendum No. 3, a copy of which is attached hereto and made a part hereof for all purposes.

Section 3. That the City Secretary be authorized and directed to cause a true and correct copy of Addendum No. 3 to be attached to "City of Humble Budget for Fiscal Year 2005-2006" on file in the Office of the City Secretary.

PASSED, APPROVED AND ADOPTED this 28th DAY OF September, 2006.

ADDENDUM NO. 3

ADDENDUM TO CITY OF HUMBLE BUDGET FOR FISCAL YEAR
2005-2006

SPECIAL REVENUE FUND:

Publications/Marketing	\$ (30,000.00)
Maintenance & Repairs - Arena	\$ 16,840.00
Maintenance & Repairs - Civic Center	\$ <u>118,000.00</u>
Total	\$ 104,840.00

Councilman Lee moved Ordinance No. 06-629 be approved in the amount of \$104,840.00.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

6. CITY OF HUMBLE ORDINANCE NO. 06-630 ENCUMBERING FUNDS BUDGETED IN FISCAL YEAR 2005-2006 FOR SPECIFIC MAINTENANCE, REPAIRS AND CAPITAL IMPROVEMENTS TO BE PERFORMED DURING FISCAL YEAR 2006-2007

City Manager Boeske presented Ordinance No. 06-630 to the mayor and councilmembers and recommended approval.

ORDINANCE NO. 06-630

AN ORDINANCE ENCUMBERING FUNDS BUDGETED IN

FISCAL YEAR 2005-2006 FOR SPECIFIC MAINTENANCE,
REPAIRS AND CAPITAL IMPROVEMENTS TO BE
PERFORMED DURING FISCAL YEAR 2006-2007

WHEREAS, the governing body of the City of Humble, Texas deems it a public necessity to encumber the following funds from the fiscal year 2005-2006 budget for specific maintenance, repairs and capital improvements proposed during fiscal year 2006-2007.

GENERAL FUND:

A.	<u>STREET DEPARTMENT:</u>	
	Maintenance & Repairs - Drainage	\$ 20,000.00
	Maintenance & Repairs - Streets	\$ 65,000.00
B.	<u>FIRE DEPARTMENT:</u>	
	Cover for generator	\$ 11,000.00
	Update Audio-visual Equipment	5,000.00
	Mobile Communication Equipment	\$ 22,870.00

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS that this ordinance shall be effective immediately, upon passage.

PASSED, APPROVED AND ADOPTED this 28th day of September, 2006.

Councilman Andy Curry moved Ordinance No. 06-630 be approved.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

7. CHANGE ORDER NO. 2 - EAST TOWNSEN BLVD./N. HOUSTON PAVING, DRAINAGE AND UTILITY IMPROVEMENT PROJECT

City Manager Boeske presented Change Order No. 2 in the amount of \$ 22,346.90 for the East Townsen Boulevard/North Houston Paving, Drainage and Utility Improvement Project. The change order adds striping for Townsen Boulevard West. Councilman Merle Aaron moved Change Order #2 be approved for the Townsen Blvd./North Houston Project in the amount of \$ 22,346.90.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

8. ORDINANCE NO. 06-631 AN ORDINANCE ADOPTING THE 2006-2007 BUDGET FOR THE CITY OF HUMBLE, TEXAS; APPROPRIATING THE SEVERAL SUMS ALLOCATED FOR THE PURPOSE THEREIN NAMED; PROVIDING AN EFFECTIVE DATE

City Manager Boeske presented Ordinance No. 06-631 to the mayor and councilmembers for approval.

ORDINANCE NO. 06-631

AN ORDINANCE ADOPTING THE 2006-2007 BUDGET FOR THE CITY OF HUMBLE, TEXAS; APPROPRIATING THE SEVERAL SUMS ALLOCATED FOR THE PURPOSE THEREIN NAMED; PROVIDING AN EFFECTIVE DATE

WHEREAS, the budget for the City of Humble for the fiscal year beginning October 1, 2006 and ending September 30, 2007 was presented for consideration; and

WHEREAS, notice of a public hearing on said budget was duly given as required by law, that such hearing was duly held prior to the time the City Council levied taxes for the fiscal year; Now, Therefore:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS:

SECTION 1. That the budget for the fiscal year beginning on October 1, 2006 and ending September 30, 2007, be, and the same is hereby in all respects approved and adopted.

SECTION 2. That the several amounts allocated for the purposes named in said budget be, and they are hereby appropriated for such purposes.

SECTION 3. That this Ordinance shall take effect immediately and be in full force upon and after its adoption.

PASSED, APPROVED AND ADOPTED this the 28th day of September, 2006.

Mayor McMannes moved Ordinance No. 06-631 be approved.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

9. ORDINANCE NO. 06-632 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, SETTING THE AD VALOREM TAX RATE OF THE CITY OF HUMBLE FOR THE YEAR 2006 AT A RATE OF \$0.19885 PER ONE HUNDRED DOLLARS (\$100.00) VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF HUMBLE AS OF JANUARY 1, 2006, SPECIFYING SEPARATE COMPONENTS OF SUCH RATE FOR OPERATIONS AND MAINTENANCE AND FOR DEBT SERVICE; LEVYING AN AD VALOREM TAX FOR THE YEAR 2006; AND OTHER RELATED MATTERS

City Manager Boeske presented Ordinance No. 06-632 to the mayor and councilmembers for approval.

ORDINANCE NO. 06-632

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, SETTING THE AD VALOREM TAX RATE OF THE CITY OF HUMBLE FOR THE YEAR 2006 AT A RATE OF \$0.19885 PER ONE HUNDRED DOLLARS (\$100.00) VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF HUMBLE AS OF JANUARY 1, 2006, SPECIFYING SEPARATE COMPONENTS OF SUCH RATE FOR OPERATIONS AND MAINTENANCE AND FOR DEBT SERVICE; LEVYING AN AD VALOREM TAX FOR THE YEAR 2006; AND OTHER RELATED MATTERS

WHEREAS, the appraisal roll of the city of Humble, Texas for 2006 has been prepared and certified by the Harris County Appraisal District and submitted to the city of Humble Tax Assessor/Collector; and

WHEREAS, the City's tax assessor/collector has submitted the appraisal roll for the City showing \$ 923,787,306 to be the total appraised, assessed and taxable value of all property and the total taxable value of new property to the City; and

WHEREAS, following notice and hearing in accordance with applicable legal requirements and based upon said appraisal roll, the City Council has determined a tax rate to be levied for 2006 sufficient to provide the tax revenues by the City.

WHEREAS, THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATION THAN LAST YEAR'S RATE.

WHEREAS, THE TAX RATE WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$ 103,000 HOME BY APPROXIMATELY \$ 10.11.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS:

Section 1. That an ad valorem tax rate of \$ 0.19885 per one hundred dollars assessed valuation is hereby adopted for the 2006 calendar year, such rate consisting of the following specified components:

- (a) For operations and maintenance, \$ 0.15023 per one hundred dollars assessed valuation.

- (b) For payment of principal and interest on bonds, \$ 0.04862 per one hundred dollars assessed valuation.

Section 2. That an ad valorem tax for the 2006 calendar year in the amount established by the rate hereinabove provided is hereby levied and assessed on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Humble, Texas, and not otherwise except under the Constitution and laws of the State of Texas.

Section 3. That the City of Humble tax assessor/collector is hereby authorized to assess and collect the taxes of the City of Humble, Texas, employing the above tax rate.

Section 4. That all ordinances and parts of ordinances in conflict with this Ordinance be and the same are hereby repealed to the extend of said conflict.

Section 5. That this ordinance shall take effect immediately of and from the date of adoption.

PASSED, APPROVED AND ADOPTED this the 28th day of September, 2006.

Councilman Lee moved Ordinance No. 06-632 be approved.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

10. RESOLUTION 06-658 DESIGNATION OF REPRESENTATIVE AND ALTERNATE TO THE HOUSTON-GALVESTON AREA COUNCIL 2007 GENERAL ASSEMBLY

City Manager Boeske presented Resolution No. 06-658 to the mayor and councilmembers for approval.

RESOLUTION NO. 06-658

DESIGNATION OF REPRESENTATIVE AND ALTERNATE TO
THE HOUSTON-GALVESTON AREA COUNCIL 2007
GENERAL ASSEMBLY

BE IT RESOLVED, by the Mayor and the City Council of Humble, Texas that Allen Lee be, and is hereby designated as its Representative to the GENERAL ASSEMBLY of the Houston-Galveston Area Council for the year 2007.

FURTHER, that the Official Alternate authorized to serve as the voting representative should the hereinabove named representative become ineligible, or should he resign, is Bill Conner.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named representative and alternate.

PASSED AND ADOPTED, this 28th day of September, 2006.

Mayor McMannes moved Resolution No. 06-658 be approved.

11. RESOLUTION NO. 06-659 CALLING FOR A HEARING FOR THE PURPOSE OF RECEIVING PUBLIC TESTIMONY REGARDING PROPOSED AMENDMENTS TO THE CITY'S CAPITAL IMPROVEMENTS PLAN, LAND USE ASSUMPTIONS AND IMPACT FEES; MAKING CERTAIN FINDINGS AND DIRECTING THE GIVING OF NOTICE OF SUCH PUBLIC HEARING

City Manager Boeske presented Resolution No. 06-659 to the mayor and councilmembers for approval.

RESOLUTION NO. 06-659

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, CALLING A HEARING FOR THE PURPOSE OF RECEIVING PUBLIC TESTIMONY REGARDING PROPOSED AMENDMENTS TO THE CITY'S CAPITAL IMPROVEMENTS PLAN, LAND USE ASSUMPTIONS AND IMPACT FEES; MAKING CERTAIN FINDINGS AND DIRECTING THE GIVING OF NOTICE OF SUCH PUBLIC HEARING

WHEREAS, the City Council has directed that the City's consulting engineers, Claunch & Miller Inc., review and prepare proposed amendments to the City's capital improvements program, land use assumptions and impact fees with specific reference to the impending expansion of the City's wastewater treatment facility; and

WHEREAS, the review and preparation of amendments having been prepared, the City Council deems it appropriate to call a public hearing on such proposed amendments in accordance with the requirements of Chapter 395, Texas Local Government Code, to receive public testimony regarding such proposed amendments; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS:

Section 1. A public hearing is hereby called for the 9th day of September, 2006, for the purpose of receiving public testimony regarding proposed amendments to the City's capital improvements plan, land use assumptions, and impact fees, as set forth in that certain "Amendment to Land Use Assumptions, Capital Improvements Plan and Impact Fee for the City of Humble, Texas", dated September 20, 2006, a copy of which is on file and available for viewing at the office of the City Secretary

of the City. All person desiring to be heard at such hearing shall be afforded an opportunity to do so.

Section 2. The City Secretary is hereby authorized and directed to cause notice of the public hearing described in Section 1 of this Resolution to be given as required by law.

PASSED, APPROVED, AND RESOLVED this 28th day of September, 2006.

Councilman Steagall moved Resolution No. 06-659 be approved.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

12. RESOLUTION NO. 06-660 AMENDING THE CITY OF HUMBLE PERSONNEL POLICIES, SECTION 6 ATTENDANCE AND LEAVE POLICY, 6.02 HOLIDAYS

City Manager Boeske presented Resolution No. 06-660 to the mayor and councilmembers for approval.

RESOLUTION NO. 06-660

A RESOLUTION AMENDING CITY OF HUMBLE PERSONNEL POLICIES SECTION 6 ATTENDANCE AND LEAVE POLICY, ARTICLE 6.02 HOLIDAYS

WHEREAS, the City of Humble Personnel Policies was adopted by the City Council of the City of Humble by Resolution No. 00-591 dated March 23, 2000; and

WHEREAS, the City Council has deemed it necessary to amend Section 6 Attendance and Leave Policy, Article 6.02 Holidays; and

WHEREAS, Section 6, Article 6.02 shall be amended to read:

HOLIDAYS: The following days are declared holidays for regular full time employees:

New Years Day

Good Friday

Memorial Day

Independence Day

Labor Day

Thanksgiving Day and the following Friday

Christmas Day

One Floating Holiday

An employee who is absent without authorized leave on the day immediately preceding or following a holiday shall lose pay for the holiday as well as pay for the day. Holidays occurring during vacation leave will be considered holiday pay and not vacation.

For definitive purposes, the City's holidays will be declared by council each calendar year. These days may vary from the actual holiday date. An employee who works their normal shift on a declared holiday will receive double time pay for the actual hours worked. If the holiday falls on an employee's regular day off, the employee will receive another day off with pay to be taken within ninety (90) days of the accrued holiday.

6.02.01 FIRE DEPARTMENT/EMS FLOATING HOLIDAY: Fire department/EMS shift personnel shall accrue twelve (12) hours of floating holiday time each January 1. This floating holiday must be used within the calendar year in which it is accrued.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Humble, Texas that the aforementioned amendment shall be effective upon passage of this Resolution.

PASSED, APPROVED AND ADOPTED this 28th day of September, 2006.

Mayor McMannes moved Resolution No. 06-660 be adopted.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

13. CERTIFICATION OF ESTIMATED DEBT COLLECTIONS FOR 2006 AND EXCESS DEBT COLLECTIONS FOR 2005 - CINDY GENS, TAX ASSESSOR/COLLECTOR

City Manager Boeske presented the Certification of Estimated Debt Collections for 2006 and Excess Debt Collection for 2005 from Cindy Gens, Tax Assessor/Collector. She certified the anticipated collection rate for 2006 is estimated to be 100% and there are no excess debt collections for 2005. Councilman Curry moved to accept the certification from the tax assessor/collector.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

14. CORRESPONDENCE: TML LEGISLATIVE UPDATE

Mayor McMannes stated the correspondence was for information only.

15. ADJOURNMENT

There being no further business to transpire, Mayor McMannes moved the meeting be adjourned. Meeting adjourned. 6:41 p.m.

D. G. McMannes
Mayor

ATTEST:

Sue Daniel, City Secretary