

HUMBLE CITY COUNCIL

MINUTES

REGULAR MEETING

FEBRUARY 14, 2013 - 6:30 P.M.

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

MEMBERS PRESENT:

Mayor Donnie McMannes, Presiding
Mayor Pro Tempore Merle Aaron
Councilmember Ray Calfee
Councilmember Allen Lee
Councilmember Allan Steagall
City Manager Darrell Boeske
City Secretary Sue Daniel

EMPLOYEES PRESENT:

Finance Director Dixie Kellum
Director of Public Works Barry Brock
Chief Gary Outlaw
Chief Gary Warman
Civic Center Director Sergio Corrales
Lieutenant Delbert Dawes

VISITORS PRESENT:

Juanita Steagall
Linda Aaron
Naomi Curry
Andy Curry
John Rudloff
Frank Morris
Bebb Francis
Arless Bentley
Dave Kasper
James Andrews
Madhu Kilambi
Ian Krause, Boy Scout Troop 9
James Mills, Boy Scout Troop 9
Jeremiah Hernandez, Boy Scout Troop 9
Mark Mills
Preston Malser, Boy Scout Troop 27
Grant Vera, Boy Scout Troop 27
Web Rosson, Boy Scout Troop 27
John Rosson

Mayor Donnie McMannes called the regular meeting of the Humble City Council to order at 6:30 p.m. with all members present.

1. INVOCATION/PLEDGE OF ALLEGIANCE

Councilmember Merle Aaron gave the invocation and members of Boy Scout Troop 9, Ian Krause, James Mills, and Jeremiah Hernandez, and members of Boy Scout Troop 27, Preston Malser, Grant Vera and Web Rosson, led the Pledge of Allegiance.

2. MINUTES - JANUARY 10, 2013

Minutes of the council meeting held January 10, 2013 were presented to the mayor and councilmembers for approval. Councilmember Allen Lee moved to approve the minutes of January 10, 2013 as printed and circulated.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

3. FINANCIAL STATEMENT

The financial statement was presented to the mayor and councilmembers for approval. Councilmember Merle Aaron moved to accept the financial statement as presented.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

4. CURRENT INVOICES

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

<u>Accounts Payable:</u>	
General Fund	\$ 1,028,833.20
W/S Operating Fund	181,957.00
Special Revenue Fund	30,903.78
Red Light Camera Fund	161,077.01
Beautification Committee Fund	1,150.00
C.O., Series 2005A	<u>50,555.04</u>
Total	\$ 1,454,476.03

<u>Purchase Cards - December:</u>	
General Fund	\$ 63,718.65
W/S Operating Fund	26,085.93
Special Revenue Fund	212.58

Red Light Camera Fund	1,826.42
Beautification Committee Fund	<u>1,559.18</u>
Total	\$ 93,402.76

Councilmember Lee moved to pay the invoices.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

5. ORDINANCE NO. 13-713 CALLING CITY OF HUMBLE GENERAL ELECTION TO BE HELD MAY 11, 2013 FOR THE ELECTION OF MAYOR, COUNCILMEMBER PLACE NO. 1 AND COUNCILMEMBER PLACE NO. 2

City Manager Darrell Boeske presented Ordinance No. 13-713 to the mayor and councilmembers for approval.

ORDINANCE NO. 13-713

STATE OF TEXAS:

COUNTY OF HARRIS:

TO THE REGISTERED VOTERS OF THE CITY OF HUMBLE, TEXAS:

Notice is hereby given that a general election has been ordered to be held on the 11th day of May, 2013 for the purpose of electing the following City Officials:

MAYOR

COUNCILMEMBER PLACE NO. 1

COUNCILMEMBER PLACE NO. 2

The entire corporate limits of the city shall constitute one election precinct and the polling place for said election shall be City Hall located at 114 West Higgins, Humble, Texas. The polls will open at 7:00 a.m. and close at 7:00 p.m.

Early voting by personal appearance will be conducted each weekday at the office of the city secretary located in City Hall at 114 West Higgins, Humble Texas. Early voting will be held April 29 - May 3, 2013 between the hours of 8:00 a.m. and 5:00 p.m. On May 6 and 7, 2013 early voting will be held from 7:00 a.m. to 7:00 p.m.

Applications for a ballot by mail shall be mailed to:

CITY OF HUMBLE
SUE DANIEL, CITY SECRETARY
114 WEST HIGGINS
HUMBLE, TEXAS 77338

Applications for a ballot by mail must be received no later than the close of business on May 3, 2013 at 5:00 p.m.

No person shall vote at said election unless they are qualified to vote under the Constitution and laws of the State of Texas and the City of Humble Charter regulating election when not in conflict with the provisions of the statutes relating thereto.

Councilmember Lee moved to approve Ordinance No. 13-713 calling the City election to be held May 11, 2013.

Ayes: Aaron Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

6. RENTAL OF EQUIPMENT AND SALE OF SERVICES AGREEMENT WITH ES&S FOR GENERAL ELECTION TO BE HELD MAY 11, 2013

The lease agreement for the rental of election equipment and election services with ES&S for the City of Humble General Election to be held May 11, 2013 in the amount of \$ 5,496.64 was presented to the mayor and councilmembers for approval. City Manager Boeske asked for approval of the lease agreement. Councilmember Aaron moved to approve item #6 the rental of election equipment.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

7. ORDINANCE NO.13-714 CITY OF HUMBLE CODE OF ORDINANCES SECTION 12 BUILDING AND BUILDING REGULATIONS, ARTICLE VII, TOWERS, SECTION 12-328 DEED RESTRICTION TITLE REPORT; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO

City Manager Boeske presented Ordinance No. 130-714 to the mayor and councilmembers for approval.

ORDINANCE NO. 13-714

AN ORDINANCE AMENDING THE CITY OF HUMBLE CODE OF ORDINANCES, CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE VII, TOWERS, SECTION 12-328 DEED

RESTRICTION TITLE REPORT; AND MAKING OTHER FINDINGS
AND PROVISIONS RELATED THERETO.

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

Section 1. That Chapter 12, Article VII, Section 12-328 is hereby amended to read as follows:

“Section 12-328 Deed restriction title report

(a) Every applicant for a tower permit or a waiver shall furnish to the city manager a title report, from a title company doing business in the county, that the lot or tract upon which the proposed tower is to be located is not included within a recorded platted subdivision subject to enforceable, valid and unexpired deed restrictions which limit the use of such lot or tract to residential purposes. The title report shall be accompanied by certified copies of any instruments containing restrictions purporting to be applicable to the lot or tract in question, any instrument of revocation or termination thereof, any declaratory judgement order pertaining to the use of the property, or any other recorded document containing restrictions that pertain to the use of the property.

(b) A tower permit shall not be issued until the requested title report and supporting documentation has been produced. Any permit issued on the basis or erroneous documentation known to the applicant or a title report which contains false information known to the applicant is void with the same force and effect as if it had never been issued and without the necessity of any action by the city or any other person or agency. A tower permit shall not be issued for the construction or alteration of a tower if the use of the intended use will be in violation of the recorded deed restrictions.”

Section 2. 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 Humble, 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.

Section 3. Upon the passage of this Ordinance, the City Secretary is directed to publish this Ordinance in accordance with the provisions of Article II, Section 13 of the Charter of the City of Humble and to note on this Ordinance and on the record thereof the fact that this Ordinance has been published as required by the Charter, including the date of such publication.

City Manager Boeske stated that the amendments to the ordinance were necessary as it is against State law to require the title company to do a deed restriction affidavit. The

amendment provides that the title company submit a title search on the property. Councilmember Steagall moved to approve Ordinance No. 13-714.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

8. ENGINEERING PROPOSAL WITH ARKK, L.L.C. FOR 2013 CONCRETE PAVEMENT IMPROVEMENTS PROJECT - AREA NORTH OF FIRST STREET BOUNDED BY CHARLES STREET, SEVENTH STREET, AND HOUSTON AVENUE; WEST MAIN, US 59 TO RAILROAD; CHARLES STREET, HIGGINS TO FIRST STREET; SOUTH MEMORIAL, MEMORIAL TO DEAD END; BENDER AT TOWNSHIP DRAINAGE IMPROVEMENTS; INTERCONTINENTAL VILLAGE WATER LINE REPLACEMENT; VARIOUS SIDEWALKS WITHIN THE COMMERCIAL AND SCHOOL AREAS - AND AUTHORIZATION TO ADVERTISE FOR BIDS

City Manager Boeske presented an engineering proposal from ARKK, L.L.C. for the 2013 Concrete Pavement Improvements Project and a request for authorization to advertise for bids. The streets in this project are: the area north of First Street bounded by Charles Street, Seventh Street and Houston Avenue; West Main, U.S. 59 to Railroad; Charles Street, Higgins to First Street; South Memorial, Memorial to dead end; Bender at Township drainage improvements; Intercontinental Village water line replacement; various sidewalks within the commercial and school areas. The estimated cost for the improvements project is \$ 5,700,000.00. The engineering fees are Design Phase Services - \$ 526,950.00 and the Construction Phase Services - \$126,150.00 with the total contract authorization amount not to exceed \$ 653,100.00. Time and materials charges and additional services beyond those described in the Scope of Services will be invoiced on the basis of direct labor costs times a factor of 2.99 and direct cost plus 10%. Mileage will be charged at \$0.55 per mile. No additional services will be performed or invoiced without prior authorization from the City of Humble. Councilmember Lee moved to approve the engineering proposal from ARKK and the authorization to advertise for bids.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

9. ENGINEERING PROPOSAL WITH ARKK, L.L.C. FOR 2013 ASPHALT PAVEMENT IMPROVEMENTS PROJECT - WILSON ROAD FROM WILL CLAYTON PARKWAY TO ATASCOCITA ROAD; WEST HIGGINS FROM US 59 TO RAILROAD AVENUE; NORTH RAILROAD AVENUE FROM HIGGINS TO FIRST STREET; AVENUE D SOUTH OF STAITTI; AVENUE H FROM MAIN TO GRANBERRY; GRANBERRY FROM AVENUE H TO HOUSTON AVENUE; GRACE LANE; WINDSWEPT FROM MONTGOMERY TO HCFCD DITCH; ANNE AVENUE FROM WINDSWEPT TO SHARON; J&L RANCLAND SIDE STREETS - AND AUTHORIZATION TO ADVERTISE FOR BIDS

City Manager Boeske presented an engineering proposal from ARKK, L.L.C. for the 2013 Asphalt Pavement Improvements Project and a request for authorization to advertise for bids. The streets involved in this project are: Wilson Road from Will Clayton Parkway to Atascocita Road; West Higgins from US 59 to Railroad Avenue; North Railroad Avenue from Higgins to First Street; Avenue D south of Staitti; Avenue H from Main to Granberry; Granberry from Avenue H to Houston Avenue ; Grace Lane; Windswept from Montgomery to HCFCD ditch; Anne Avenue from Windswept to Sharon; J&L Ranchland side streets. The estimated contraction cost for the asphalt paving improvement project is \$ 5,100,000.00. The engineering fees for ARKK are Design Phase - \$457,200.00 and the Construction Phase - 109,000.00 with the total contract authorization amount is not to exceed \$566,200.00. Time and materials charges and additional services beyond those described in the Scope of Services will be invoiced on the basis of direct labor costs times a factor of 2.99 and direct cost plus 10%. Mileage will be charged at \$0.55 per mile. No additional services will be performed or invoiced without prior authorization from the City of Humble. Councilmember Steagall moved to approve item # 9.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

10. HOUSTON PLATING - HUMBLE DEVELOPMENT PLAT, HOUSTON PLATING & COATINGS, L.L.P., 2622 WILSON ROAD, BUILDING "H"

City Manager Boeske presented a development plat for Houston Plating & Coatings, L.L.P. located at 2622 Wilson Road, Building H and stated the development plat meets the city's requirements and asked for approval. Councilmember Aaron moved to approve the plat for Houston Plating Company, item # 10.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

11. APPOINTMENT OF SERGIO M. CORRALES AS CIVIC CENTER DIRECTOR

City Manager Boeske asked the mayor and councilmembers to appoint Sergio M. Corrales as the Civic Center Director. Ray Calfee moved to approve Sergio Corrales as the Civic Center Director.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

12. REQUEST TO PURCHASE PROPERTIES (O BOWER STREET AND 0 WILLOW STREET) FOR PUBLIC WORKS DRAINAGE PROJECTS FOR ROAD IMPROVEMENTS

City Manager Boeske asked the mayor and councilmembers to purchase properties, 0 Bower Street and 0 Willow Street, to provide public works drainage projects for road improvements. He stated the Bower property is located at the end of Bower Street and will improve drainage for the area and the Willow Street property will allow for the continuance of the street to access the drainage ditch. Councilmember Aaron moved to approve the purchase of the properties on Bower Road and Willow Street.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

13. APPROVAL OF AMENDED CITY OF HUMBLE ORGANIZATIONAL CHART

City Manager Boeske presented an amended City of Humble Organization Chart to the mayor and councilmembers. He stated the amended chart provides for a risk manager position, deletes the assistant city manager position and moves the fire marshal department under the supervision of the fire chief. Councilmember Allan Steagall moved to approve the organizational chart.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

14. CORRESPONDENCE: TML LEGISLATIVE UPDATE

Mayor McMannes stated the correspondence was for information only.

15. REPORTS

A. MONTHLY DEPARTMENT REPORTS

B. POLICE DEPARTMENT ANNUAL DATA CAPTURE REPORT (CCP 2.134)

Mayor McMannes stated the reports were for information only.

16. ADJOURNMENT

There being no further business to transpire, Mayor McMannes moved the meeting be adjourned. Meeting Adjourned. 6:40 p.m.

D. G. McMannes
Mayor

ATTEST:

Sue Daniel
City Secretary