



**NOTICE OF REGULAR MEETING  
SEALY CITY COUNCIL  
415 MAIN STREET  
SEALY, TX 77474  
TUESDAY, SEPTEMBER 17, 2019  
6:00 P.M.**

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Notice is hereby given of a meeting of the City Council of Sealy to be held on the abovementioned date and time at the City Hall Council Chamber located at 415 Main Street in Sealy, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

In the interest of maintaining the decorum of the meeting, and in accordance with Sections 2-35 and 2-36 of the Code of Ordinances, only those individuals who have registered to speak may speak on any agenda item. Individuals may register prior to the start of the meeting on the form at the entrance of the council chamber or by contacting the City Secretary. Comments may not be addressed to or at individuals and are limited to five minutes per speaker; however, if a large quantity of individuals has registered to speak, the time may be reduced. Speakers may not poll the council members or attendees.

1. Call to Order
2. Invocation and Pledges of Allegiance
3. Roll Call and Certification of a Quorum
4. Proclamations and Special Recognitions
5. Petition(s) and/or Request(s) from the Public.  
*(Comments made under this agenda item are limited to five minutes per person; however, if a large quantity of individuals has registered to speak, the time may be reduced. In accordance with the Texas Open Meetings Act and Section 2-36(5) k.7 of the Code of Ordinances, the city council will not discuss or consider any item addressed during this agenda item. However, the mayor and the city manager may make statements of fact, for example, identifying the procedure for reporting an issue or referring the speaker to the cognizant agency or individual.)*
6. **PUBLIC HEARING:** The City Council will receive public comments concerning the proposed property tax rate of \$0.39807 per \$100 valuation for tax year 2019. *(This is the second of two public hearings.)*

*A tax rate of \$0.39807 per \$100 valuation has been proposed for adoption by the governing body of the City of Sealy. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearing be held by the governing body before adopting the proposed tax rate.*

7. **PUBLIC HEARING:** The City Council will hold a public hearing to receive comments concerning the proposed City of Sealy fiscal year 2019-2020 budget.

**8. CONSENT AGENDA**

*(In accordance with Sec. 2-35. (1) of the Code of Ordinances, "Routine matters thought to require little or no deliberation by city council may be placed on a consent agenda, which shall be treated as one agenda item." At any time prior to the call for a vote on the consent agenda, any council member may request that one or more items may be removed from the consent agenda and handled separately in the same manner as a regular agenda item.)*

- a. Discussion and possible action regarding approval of minutes for the meeting held September 3, 2019.
  - b. Discussion and possible action to adopt a resolution approving the Sealy EDC reimbursement to City of Sealy of Sika payment in the amount of \$80,704.71. *(This is the second of two readings.)*
  - c. Discussion and possible action to approve an ordinance amending Chapter 66 of the City of Sealy Code of Ordinances to adopt regulations regarding use of electronic cigarettes, e-cigarettes, and electronic smoking devices (vaping) in the City of Sealy. *(This is the second of two readings.)*
  - d. Discussion and possible action to approve an ordinance amending Chapter 42 of the City of Sealy Code of Ordinances to adopt regulations regarding use of electronic cigarettes, e-cigarettes, and electronic smoking devices (vaping) in the City of Sealy. *(This is the second of two readings.)*
  - e. Discussion and possible action to adopt an ordinance establishing and providing rates for services of the waterworks and sanitary sewer systems of the City of Sealy. *(This is the second of two readings.)*
  - f. Discussion and possible action to adopt an ordinance establishing and providing rates for services of solid waste of the City of Sealy. *(This is the second of two readings.)*
9. Discussion and possible action to approve a resolution authorizing the expenditure of funds for Hailiang Copper Texas by the Sealy Economic Corporation, for incentives, not to exceed \$75,000, to include \$25,000.00 infrastructure grant and a \$50,000 permit and tap fee reimbursement. *(This is the second of two readings.)*
  10. Discussion on possible sale of remainder of acreage for Sealy Homestead with the TIRZ #2 and PID One.
  11. Discussion and possible action to appoint a member to serve on the TIRZ #2 board.
  12. Discussion and possible action to approve a resolution *nunc pro tunc* in which the caption reads:  
A RESOLUTION NUNC PRO TUNC FOR RESOLUTION 2018-29 OF THE CITY COUNCIL OF THE CITY OF SEALY TEXAS, APPOINTING A CAPITAL IMPROVEMENTS ADVISORY COMMITTEE AS REQUIRED BY CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE.
  13. Discussion and possible action to designate a representative and alternate to the Houston-Galveston Area Council 2020 Assembly.

14. City Manager's report and possible discussion:

- Main Street revitalization
- BSA development
- WWTP update
- Need for animal shelter

15. Request(s) for future agenda items and comment(s).

16. **EXECUTIVE SESSION:** A closed meeting will be held concerning the following item(s):

- a. **Section 551.071 CONSULTATION WITH ATTORNEY.** A governmental body may conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, namely legal issues associated with 380 Development Agreements – Prasek's Hillje Smokehouse.
- b. **Section 551.071 CONSULTATION WITH ATTORNEY.** A governmental body may conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, namely legal issues associated with 380 Development Agreement and Performance Agreement with the Sealy Economic Development Corporation – Hailiang Copper Texas, Inc.

17. Reconvene into regular session and consider action, if any, on items discussed in Executive Session.

18. Adjournment.

**CERTIFICATION**

*I certify that a copy of the September 17, 2019, agenda of items to be considered by the Sealy City Council was posted on the City Hall bulletin board and on the city website on or before 6:00 p.m., Friday, September 13, 2019.*

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Dayl Cooksey, City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETING:** The Sealy City Hall and Council Chambers is wheelchair accessible. Access to the building and special parking are available at the primary entrance to the building facing Main Street. Persons with disabilities who plan to attend this meeting and who might need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's office at 979-885-3511 or E-mail at [dcooksey@ci.sealy.tx.us](mailto:dcooksey@ci.sealy.tx.us).