

City of Shoreacres



NOTICE OF MEETING

Notice is hereby given that a Regular Meeting of the
City Council
of the City of Shoreacres, Texas, will be held on
Monday, February 24, 2014 at 7:00 p.m.
in the City Council Chambers on the first floor at City Hall, 601 Shore Acres Blvd.,
Shoreacres, Texas, at which time the following subjects will be discussed, to wit:

1.0 CALL TO ORDER / ROLL CALL: Members Present and Absent

2.0 PLEDGES OF ALLEGIANCE

Texas Pledge:

Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

3.0 SPECIAL PRESENTATIONS

None.

4.0 APPROVAL OF MINUTES

4.1 Regular Council Meeting: February 10, 2014.

5.0 COUNCIL REPORTS & REQUESTS

5.1 Mayor Webber – Report on meetings attended.

6.0 PUBLIC HEARINGS & PUBLIC COMMENTS

6.1 Citizen's Comments

This is the opportunity for citizens to comment on items which do not appear on the agenda. Time is limited to five minutes per speaker. Members of Council are prohibited by law from participating in the discussion or deliberation of items that are not specifically identified on this agenda.

7.0 ADMINISTRATIVE REPORTS

7.1 City Administrator David Stall – General activity report.

7.1.1 Water and Sewer project updates.

7.2 Monthly Financial report. ^{Stall}

8.0 BUSINESS

8.1 Consideration and approval of invoices. ^{Stall}

8.2 Consideration and action to appoint citizen members to the Miramar Shoreline Advisory Group. ^{Webber}

- 8.3 Consideration and action to adopt Resolution No. 2014-126 approving an interlocal agreement with Harris County Public Health & Environmental Services to provide veterinary public health services to include housing and quarantining of animals and related animal control services; and, authorizing the Mayor to execute such agreement. ^{Stall}
- 8.4 Consideration and action to adopt Resolution No. 2014-129 adopting a limit on the amount of time that personnel are required to spend producing public information for inspection or duplication by a requestor without recovering costs attributable to that personnel time. ^{Bunker}
- 8.5 Review and possible action to adjust the rate of pay available for the position of Public Works Director. ^{Schnell}
- 8.6 Consideration and action to ratify Mayor's nominee for appointment to Position 4 of the Planning and Zoning Commission for a term beginning February 25, 2014 and ending January 31, 2016. ^{Webber}

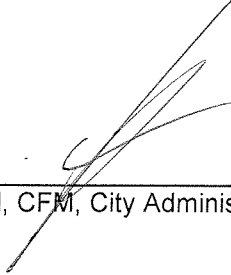
9.0 ADJOURNMENT

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Shoreacres, Texas is a true and correct copy of said Notice and that I posted a copy of said Notice on the bulletin board at City Hall on February 20, 2014 at or before 10:00 p.m., at a place convenient and readily accessible to the general public at all times; to remain so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

DATED THIS 20TH DAY OF FEBRUARY 2014.



SHOREACRES, TEXAS

BY: 
David K. Stall, CFM, City Administrator / City Secretary

The City Council of the City of Shoreacres reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).

The City Council Chamber is wheelchair accessible and accessible parking spaces are available.

Requests for accommodations or interpretive services must be made at least two (2) working days prior to the meeting. Please contact City Office at 281.471.2244 or fax 281.471.8955 for additional information.

I, the undersigned, do hereby certify that this Notice of Meeting was removed from the City Hall bulletin board at _____ AM/PM on _____, 2014.

BY: _____

City of Shoreacres



MEETING MINUTES

The City Council of the City of Shoreacres, Texas, met in Regular Session on
Monday, February 10, 2014 at 7:00 p.m.
in the City Council Chambers of City Hall, 601 Shore Acres Blvd., Shoreacres, Texas
with the following present constituting a quorum:

Mayor pro tem	Rick Moses
Alderman	Steven Jones
Alderman	Mike Wheeler
City Administrator / City Secretary	David K. Stall

<u>Absent</u>	
Mayor	Matt Webber
Alderwoman	Nancy J. Schnell
Alderman	Bo Bunker

1.0 CALL TO ORDER / ROLL CALL:

The meeting was called to order by Mayor pro tem Moses at 7:00 p.m.

2.0 PLEDGE OF ALLEGIANCE

3.0 SPECIAL PRESENTATION

4.0 APPROVAL OF MINUTES

4.1 Special Council Meeting January 23, 2014: Mike Wheeler moved to approve the January 23, 2014 Special Council Meeting minutes; seconded by Steven Jones. Motion carried unanimously.

4.2 Regular Council Meeting January 27, 2014: Mike Wheeler moved to approve the January 27, 2014 Regular Council Meeting minutes; seconded by Steven Jones. Motion carried unanimously.

5.0 COUNCIL REPORTS & REQUESTS

5.1 Mayor Webber – Report on meetings attended.

Mayor Webber was absent due to illness, therefore, there were no items to report.

6.0 PUBLIC HEARINGS & PUBLIC COMMENTS

6.1 Citizen's Comments:

Mr. Paul Croas – 111 E. Forest: Mr. Croas asked Council to direct the City Administrator to establish a grievance/complaint policy; request for a more stringent enforcement of leash law and dogs at large.

Mr. Phil Yovino – 210/214 Fairfield: Mr. Yovino requested for the city to be more stringent in the process of pet registration, especially vicious dogs.

Mr. Mike Marshall – 209 Fairfield: Mr. Marshall also talked about the issue of large vicious dogs around the city.

Mr. Patrick Stanton – 128 Shadylawn: Mr. Stanton stated that the city needs to be more active in the enforcement of our ordinances regarding the responsibility of pet ownership.

Ms. Charlotte Wells – 3342 Miramar: Ms. Wells addresses her concerns regarding the drainage issue throughout the city, especially on new construction.

7.0 ADMINISTRATIVE REPORTS

- 7.1 City Administrator Report: Mr. Stall reported: (1) Arub Engineering for the Coastal Erosion Project has requested for a 10 day extension on presenting an agreement to us; (2) Round 2.2, the water main project pre-construction meeting is scheduled for February 11; (3) Annual field audit work will start on February 17; and, (4) Filing for Mayor and Council positions are open until February 28.
- 7.2 Police Department Report: Chief Harrison reported that Shoreacres Police Department is in good standing with TCOLE after a throughout audit by their regional representative Mr. Doug Staudt.
- 7.3 Public Works Department Report: Mr. Sutton was absent due to emergency work being performed at Water Plant #2. Mr. Stall reported that water purchased has decreased compared to that in December. Public Works completed installation of two 6-inch valves in the 400 block of Fairfield and the 500 block of E. Forest working at night. Two employees attended water/wastewater classes as required for TCEQ continuing education credit.

8.0 BUSINESS

- 8.1 Consideration and approval of invoices
Mike Wheeler moved to pay our bills; Seconded by Steven Jones. Motion carried unanimously.
- 8.2 Consideration and action to adopt Resolution No. 2014-125 creating a Miramar Shoreline Advisory Group; setting the composition defining the group's purpose and duties.
Mike Wheeler moved to approve Resolution No. 2014-125; Seconded by Steven Jones. Motion carried unanimously.
- 8.3 Consideration and action to adopt Resolution No. 2014-126 approving an intermodal agreement with Harris County Public Health & Environmental Services to provide veterinary public health services to include housing and quarantining of animals and related animal control services; and, authorizing the Mayor to execute such agreement.
The contract has been received. Re-scheduled to the next council meeting.
- 8.4 Discussion of staff time and financial impact of recent open records requests.
Mr. Stall reported to Council on the significant increase in the number of open record requests for the month of January. These requests are much more

complicated and many require legal review for exceptions and several have required (by state law) a formal request for determination from the Texas Attorney General. As of January 29, legal expense for open record request has totaled \$5,603.73. Year to date legal expense is \$12,781 and amount budgeted for legal is \$10,000.

8.5 Consideration and approval of Resolution No. 2014-127 approving an Investment Policy pursuant to the Public Funds Investment Act; and, other related provisions.

Rick Moses moved to approve Resolution No. 2014-127; Seconded by Mike Wheeler. Motion carried unanimously.

8.6 Consideration and approval of Resolution No. 2014-128 authorizing representatives to sign on accounts and represent the city in transacting business with Wells Fargo Bank.

Mike Wheeler moved to approve Resolution No. 2014-128; Seconded by Rick Moses. Motion carried unanimously.

8.7 Discussion and review of Resolution No. 2012-94 adopting the 2012 Goals and Governance Plan.

Mr. Stanton presented a PowerPoint of his suggestion for the City 2014 Goals and Objectives. The following is a summary of the presentation:

- Goal participants should include Mayor, Council, all city employees, Park & Recreation; and, Board of Adjustment and Planning & Zoning.
- Goals must be measurable, realistic, and achievable.
- Areas of consideration: Quality of Life Issues; Citizen Safety; and, Asset Value.
- Purpose of goals and objectives should support the organization; improve efficiency & knowledge; improve the City's financial position; and, to correct existing problems.

9.0 ADJOURNMENT.

Mike Wheeler moved to adjourn the meeting; Seconded by Rick Moses. The meeting was adjourned at 8:29 p.m.

PASSED AND APPROVED ON THIS 24TH DAY OF FEBRUARY, 2014.

(CITY SEAL)

Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Administrator / City Secretary

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	General Fund			Utility Fund			Service Deposits		
	Credits	Debits	Balance	Credits	Debits	Balance	Credits	Debits	Balance
			\$ 104,964.83			\$ 46,802.98			\$ 53,454.82
OCT	\$ 192,129.47	\$ (224,158.48)	\$ 72,935.82	\$ 66,783.61	\$ (23,677.25)	\$ 89,909.34	\$ 900.00	\$ (57.30)	\$ 54,297.52
	Gain/(Loss)	\$ (32,029.01)		Gain/(Loss)	\$ 43,106.36		Gain/(Loss)	\$ 842.70	
NOV	\$ 97,641.01	\$ (103,677.47)	\$ 66,899.36	\$ 38,236.39	\$ (76,193.48)	\$ 51,952.25	\$ 300.00	\$ (63.43)	\$ 54,534.09
	Gain/(Loss)	\$ (6,036.46)		Gain/(Loss)	\$ (37,957.09)		Gain/(Loss)	\$ 236.57	
DEC	\$ 109,100.73	\$ (88,014.21)	\$ 87,985.88	\$ 46,251.91	\$ (39,264.97)	\$ 58,939.19	\$ 600.00	\$ -	\$ 55,134.09
	Gain/(Loss)	\$ 21,086.52		Gain/(Loss)	\$ 6,986.94		Gain/(Loss)	\$ 600.00	
JAN	\$ 383,663.55	\$ (143,423.68)	\$ 328,225.75	\$ 42,767.13	\$ (47,927.34)	\$ 53,778.98	\$ 200.00	\$ -	\$ 55,334.09
	Gain/(Loss)	\$ 240,239.87		Gain/(Loss)	\$ (5,160.21)		Gain/(Loss)	\$ 200.00	
FEB			\$ 328,225.75			\$ 53,778.98			\$ 55,334.09
	Gain/(Loss)	\$ -		Gain/(Loss)	\$ -		Gain/(Loss)	\$ -	
MAR			\$ 328,225.75			\$ 53,778.98			\$ 55,334.09
	Gain/(Loss)	\$ -		Gain/(Loss)	\$ -		Gain/(Loss)	\$ -	
APR			\$ 328,225.75			\$ 53,778.98			\$ 55,334.09
	Gain/(Loss)	\$ -		Gain/(Loss)	\$ -		Gain/(Loss)	\$ -	
MAY			\$ 328,225.75			\$ 53,778.98			\$ 55,334.09
	Gain/(Loss)	\$ -		Gain/(Loss)	\$ -		Gain/(Loss)	\$ -	
JUN			\$ 328,225.75			\$ 53,778.98			\$ 55,334.09
	Gain/(Loss)	\$ -		Gain/(Loss)	\$ -		Gain/(Loss)	\$ -	
JUL			\$ 328,225.75			\$ 53,778.98			\$ 55,334.09
	Gain/(Loss)	\$ -		Gain/(Loss)	\$ -		Gain/(Loss)	\$ -	
AUG			\$ 328,225.75			\$ 53,778.98			\$ 55,334.09
	Gain/(Loss)	\$ -		Gain/(Loss)	\$ -		Gain/(Loss)	\$ -	
SEP			\$ 328,225.75			\$ 53,778.98			\$ 55,334.09
	Gain/(Loss)	\$ -		Gain/(Loss)	\$ -		Gain/(Loss)	\$ -	
	\$ 782,534.76	\$ (559,273.84)		\$ 194,039.04	\$ (187,063.04)		\$ 2,000.00	\$ (120.73)	
	Gain/(Loss)	\$ 223,260.92		Gain/(Loss)	\$ 6,976.00		Gain/(Loss)	\$ 1,879.27	

TxCDBG Fund

	Credits	Debits	Balance
			\$ 1,639.97
OCT	\$ 0.03	\$ (32.26)	\$ 1,607.74
	Gain/(Loss)	\$ (32.23)	
NOV	\$ 0.02	\$ (20.00)	\$ 1,587.76
	Gain/(Loss)	\$ (19.98)	
DEC	\$ 12,468.81	\$ (12,488.74)	\$ 1,567.83
	Gain/(Loss)	\$ (19.93)	
JAN	\$ 25,748.81	\$ (32.26)	\$ 27,284.38
	Gain/(Loss)	\$ 25,716.55	
FEB			\$ 27,284.38
	Gain/(Loss)	\$ -	
MAR			\$ 27,284.38
	Gain/(Loss)	\$ -	
APR			\$ 27,284.38
	Gain/(Loss)	\$ -	
MAY			\$ 27,284.38
	Gain/(Loss)	\$ -	
JUN			\$ 27,284.38
	Gain/(Loss)	\$ -	
JUL			\$ 27,284.38
	Gain/(Loss)	\$ -	
AUG			\$ 27,284.38
	Gain/(Loss)	\$ -	
SEP			\$ 27,284.38
	Gain/(Loss)	\$ -	
	\$ 38,217.67	\$ (12,573.26)	
	Gain/(Loss)	\$ 25,644.41	

TexPool					
	Deposits	Interest	Withdrawals	Balance	
				\$	954,702.90
OCT	\$ -	\$ 38.44	\$ (100,000.00)	\$	854,741.34
				Gain/(Loss)	\$ (99,961.56)
NOV	\$ -	\$ 31.31	\$ -	\$	854,772.65
				Gain/(Loss)	\$ 31.31
DEC	\$ -	\$ 26.96	\$ -	\$	854,799.61
				Gain/(Loss)	\$ 26.96
JAN	\$ -	\$ 19.86	\$ -	\$	854,819.47
				Gain/(Loss)	\$ 19.86
FEB			\$ -	\$	854,819.47
				Gain/(Loss)	\$ -
MAR			\$ -	\$	854,819.47
				Gain/(Loss)	\$ -
APR			\$ -	\$	854,819.47
				Gain/(Loss)	\$ -
MAY			\$ -	\$	854,819.47
				Gain/(Loss)	\$ -
JUN			\$ -	\$	854,819.47
				Gain/(Loss)	\$ -
JUL			\$ -	\$	854,819.47
				Gain/(Loss)	\$ -
AUG			\$ -	\$	854,819.47
				Gain/(Loss)	\$ -
SEP			\$ -	\$	854,819.47
				Gain/(Loss)	\$ -
<hr/>					
	\$ -	\$ 116.57	\$ (100,000.00)		
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	Gain/(Loss)		\$ (99,883.43)		

Certificate	Issue Date	Interest Paid	Value	Interest Rate	Maturity Date	
42716758	7/19/2012		\$ 60,161.20	0.0500%	7/19/2013	\$ 30.08
42716757	7/19/2012		\$ 60,161.20	0.0500%	7/19/2013	\$ 30.08
42713649	12/19/2011		\$ 64,709.55	0.8500%	2/19/2014	\$ 550.03
42713648	12/19/2011		\$ 64,709.55	0.8500%	2/19/2014	\$ 550.03
			\$ 249,741.50			\$ 1,160.22

FY 2013/2014 PROPERTY TAX COLLECTION

2013 Taxable Value: \$ 79,384,559.00

Budgeted Tax Revenue:

Delinquent Taxes: \$ 37,447.46

	Tax Roll		2012 Taxes		Delinquent Taxes			Disbursed Totals	
	Correction (+/-)	Adjusted Value	Current Levy	Collections	Correction	Current Levy	Collections	Month	YTD
OCT	\$ 2,992,466.00	\$ 82,377,025.00	\$ 695,576.19	\$ 6,895.33	\$ -	\$ 37,447.46	\$ 904.99	\$ 7,990.28	\$ 7,990.28
NOV	\$ 10,510,993.00	\$ 92,888,018.00	\$ 784,329.04	\$ 39,450.50	\$ (337.76)	\$ 37,109.70	\$ 1,252.62	\$ 40,990.54	\$ 48,980.82
DEC	\$ 449,988.00	\$ 93,338,006.00	\$ 788,128.66	\$ 307,972.16	\$ -	\$ 37,109.70	\$ 2,125.74	\$ 310,669.99	\$ 359,650.81
JAN	\$ 56,461.00	\$ 93,394,467.00	\$ 788,605.41	\$ 322,047.58	\$ 7,195.55	\$ 44,305.25	\$ 4,737.32	\$ 328,087.34	\$ 687,738.15
FEB									
MAR									
APR									
MAY									
JUN									
JUL									
AUG									
SEP									

\$ 14,009,908.00 Correction	Collection \$ 676,365.57 85%	\$ 6,857.79	Collection \$ 9,020.67 25%	\$ 687,738.15 Disbursed 86%
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General Sales Tax (4030)

	FY-2012	FY-2013	+ / -	
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OCT	\$ 5,314.10	\$ 9,483.17	\$ 4,169.07	78%
NOV	\$ 5,740.59	\$ 5,648.48	\$ (92.11)	-2%
DEC	\$ 5,091.71	\$ 3,752.74	\$ (1,338.97)	-26%
JAN	\$ 4,254.22	\$ 8,539.60	\$ 4,285.38	101%
FEB	\$ 5,352.90			
MAR	\$ 4,775.10			
APR	\$ 5,071.94			
MAY	\$ 4,605.09			
JUN	\$ 5,292.29			
JUL	\$ 5,398.82			
AUG	\$ 5,212.73			
SEP	\$ 8,980.06			

Road Maintenance Sales Tax (4035)

	FY-2012	FY-2013	+ / -	
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OCT	\$ 1,328.52	\$ 2,370.79	\$ 1,042.27	78%
NOV	\$ 1,435.15	\$ 1,412.12	\$ (23.03)	-2%
DEC	\$ 1,272.93	\$ 938.19	\$ (334.74)	-26%
JAN	\$ 1,063.55	\$ 2,134.90	\$ 1,071.35	101%
FEB	\$ 1,338.22			
MAR	\$ 1,193.78			
APR	\$ 1,267.98			
MAY	\$ 1,151.27			
JUN	\$ 1,323.07			
JUL	\$ 1,349.70			
AUG	\$ 1,303.18			
SEP	\$ 2,245.02			

TOTAL	\$ 65,089.55	\$ 27,423.99	\$ (37,665.56)	-58%	TOTAL	\$ 16,272.37	\$ 6,856.00	\$ (9,416.37)	-58%
BUDGET	\$ 50,000.00	\$ 52,000.00			BUDGET	\$ 12,500.00	\$ 13,000.00		
+ / -	\$ 15,089.55	\$ (24,576.01)			+ / -	\$ 3,772.37	\$ (6,144.00)		
	130%	53%				130%	53%		

**RESOLUTION NO. 2014-126
CITY OF SHOREACRES**

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH HARRIS COUNTY PUBLIC HEALTH & ENVIRONMENTAL SERVICES TO PROVIDE VETERINARY PUBLIC HEALTH SERVICES TO THE CITY OF SHOREACRES; AUTHORIZING THE MAYOR TO SIGN THE INTERLOCAL AGREEMENT; AND, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW.

* * * *

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

Section 1. The City Council hereby approves and authorizes the Mayor to sign an interlocal agreement with Harris County Public Health & Environmental Services to provide veterinary public health services to include housing and quarantining of animals and related animal control services; a copy of which is attached hereto.

Section 2. The City Council officially finds, determines, recites, and declares 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 resolution 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.

PASSED AND APPROVED, this 24th day of February, 2014.

CITY OF SHOREACRES

(CITY SEAL)

By: _____
Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Secretary



INSERT MISSING DOCUMENT(S) HERE

**RESOLUTION No. 2014-129
CITY OF SHOREACRES**

A RESOLUTION ADOPTING 36 HOURS IN A 12 MONTH PERIOD THAT CORRESPONDS WITH THE CITY'S FISCAL YEAR AS THE TIME LIMIT ON THE AMOUNT OF TIME THAT PERSONNEL OF THE CITY OF SHOREACRES ARE REQUIRED TO SPEND PRODUCING PUBLIC INFORMATION FOR INSPECTION OR DUPLICATION BY A REQUESTOR, OR PROVIDING COPIES OF PUBLIC INFORMATION TO A REQUESTOR, WITHOUT RECOVERING ITS COSTS ATTRIBUTABLE TO THAT PERSONNEL TIME; PROVIDING RULES FOR REQUESTS BY MINORS AND SENDING NOTICES OF TIME LEFT, IF ANY, AND OTHER COMPLIANCE RULES, AND PROVIDING CERTAIN EXCEPTIONS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

* * * * *

WHEREAS, The City of Shoreacres (hereinafter sometimes "City") has received multiple voluminous requests for Open Records by certain requestors who have arguably abused the process, which has prompted the City to review the Texas Public Information Act and to adopt policies/procedures to curb such abuses; and,

WHEREAS, Pursuant to Subsection 552.275(a) of the Texas Government Code, The City of Shoreacres may establish a reasonable limit on the amount of time that personnel of the City of Shoreacres are required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering its costs attributable to that personnel time; and,

WHEREAS, the City of Shoreacres' fiscal year is from October 1 to September 30;

NOW, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

THAT the City of Shoreacres wishes to adopt 36 hours in a 12 month period that corresponds with the City's fiscal year (from October 1 to September 30) as the time limit on the amount of time that personnel of the City of Shoreacres are required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering its costs attributable to that personnel time.

FURTHER RESOLVED, in determining whether a time limit established above applies, any time spent complying with a request for public information submitted in the name of a minor, as defined by Section 101.003(a), Family Code, is to be included in the calculation of the cumulative amount of time spent complying with a request for public information by a parent, guardian, or other person who has control of the minor under a court order and with whom the minor resides, unless that parent, guardian, or other person establishes that another person submitted that request in the name of the minor.

FURTHER RESOLVED, each time the City complies with a request for public information, the City shall provide the requestor with a written statement of the amount of personnel time spent complying with that request and the cumulative amount of time spent complying with requests for public information from that requestor during the applicable 12-month period. The amount of

time spent preparing the written statement may not be included in the amount of time included in the statement provided to the requestor.

FURTHER RESOLVED, if in connection with a request for public information, the cumulative amount of personnel time spent complying with requests for public information from the same requestor equals or exceeds the limit established by the City hereunder, the City shall provide the requestor with a written estimate of the total cost, including materials, personnel time, and overhead expenses, necessary to comply with the request. The written estimate must be provided to the requestor on or before the 10th day after the date on which the public information was requested. The amount of this charge relating to the cost of locating, compiling, and producing the public information shall be established by rules prescribed by the attorney general under Texas Government Code Sections 552.262(a) and (b).

FURTHER RESOLVED, if the City of Shoreacres determines that additional time is required to prepare the written estimate under Texas Government Code 552.275, subsection (e) and provides the requestor with a written statement of that determination, the City must provide the written statement under that subsection as soon as practicable, but on or before the 10th day after the date the City provided the statement under this subsection.

FURTHER RESOLVED, if a City provides a requestor with the written statement under this policy, the City is not required to produce public information for inspection or duplication or to provide copies of public information in response to the requestor's request unless on or before the 10th day after the date the City provided the written statement under that subsection of Texas Government Code Section 552.275, the requestor submits a statement in writing to the City in which the requestor commits to pay the lesser of:

- (1) the actual costs incurred in complying with the requestor's request, including the cost of materials and personnel time and overhead; or
- (2) the amount stated in the written statement provided hereunder.

FURTHER RESOLVED, if the requestor fails or refuses to submit the written statement hereunder, the requestor is considered to have withdrawn the requestor's pending request for public information.

FURTHER RESOLVED, this policy does not prohibit a City from providing a copy of public information without charge or at a reduced rate under Section 552.267 or from waiving a charge for providing a copy of public information under that section.

FURTHER RESOLVED, this policy does not apply if the requestor is an individual who, for a substantial portion of the individual's livelihood or for substantial financial gain, gathers, compiles, prepares, collects, photographs, records, writes, edits, reports, investigates, processes, or publishes news or information for and is seeking the information for:

- (1) a radio or television broadcast station that holds a broadcast license for an assigned frequency issued by the Federal Communications Commission;
- (2) a newspaper that is qualified under Section 2051.044 to publish legal notices or is a free newspaper of general circulation and that is published at least once a week and available and of interest to the general public in connection with the dissemination of news;

- (3) a newspaper of general circulation that is published on the Internet by a news medium engaged in the business of disseminating news or information to the general public; or
- (4) a magazine that is published at least once a week or on the Internet by a news medium engaged in the business of disseminating news or information to the general public.

FURTHER RESOLVED, this policy does not apply if the requestor is an elected official of the United States, this state, or a political subdivision of this state.

FURTHER RESOLVED, this policy does not apply if the requestor is a representative of a publicly funded legal services organization that is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as amended, by being listed as an exempt entity under Section 501(c)(3) of that code.

The City Council officially finds, determines, recites, and declares 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 resolution 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.

This Resolution is effective immediately following adoption by the City Council and signature by the Mayor.

PASSED AND APPROVED, this 24th day of February, 2014.

CITY OF SHOREACRES

(CITY SEAL)

By: _____
 Matt Webber, Mayor

ATTEST:

 David K. Stall, CFM
 City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	M. Webber	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	B. Bunker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	S. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M. Wheeler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed _____
 David Stall, City Secretary - Date

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