The City Council of the City of Seabrook met in regular session on Tuesday, April 4, 2017 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN R. ROYAL	MAYOR
ROBERT LLORENTE – Ex. Abs.	COUNCIL PLACE NO. 1
MIKE GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	COUNCIL PLACE NO. 3
MELISSA BOTKIN	COUNCIL PLACE NO. 4
GLENNA ADOVASIO	COUNCIL PLACE NO. 5
O.J. MILLER - Absent	MAYOR PRO TEM & COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	DEPUTY CITY MANAGER
STEVE WEATHERED	CITY ATTORNEY
ROBIN HICKS	CITY SECRETARY

Mayor Royal called the meeting to order at 7:00 p.m. and led the audience in the United States and Texas Pledge of Allegiance.

1. PRESENTATIONS

1.1 Presentation of a proclamation recognizing Merlion on 4th Restaurant as the winner of the Bay Area Magazine Best Asian Restaurant in the Bay Area for 2016. (Royal)

Mayor Royal read the proclamation and the Merlion owners accepted the proclamation.

1.2 Present Audit for FY 2015/16. (Auditors)

Highlights were presented. The Finance Department was recognized for the 36th consecutive year of receiving the Certificate of Achievement for Government Reporting. The auditors are issuing a clean, unmodified opinion on the City's financial statements, which is the highest level of assurance that can be given. Everything is materially correct and all disclosures required are included.

2. PUBLIC COMMENTS AND ANNOUNCEMENTS - None

At this time we would like to listen to any member of the audience on any subject matter, whether or not that item is on the agenda. All comments are limited to a maximum of four minutes for each speaker, shall be limited to city business or city-related business or matters of general public interest, and shall not include any personal attacks. In accordance with the Open Meetings Act, members may not discuss or take action on any item that has not been posted on the agenda. When your name is called, please come to the podium and state your name and address clearly into the microphone before making your comments. Thank you.

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

Councilmember Giangrosso announced several upcoming events, including: May 5 election; April 6 – last day to register to vote; Marcy Fryday Pelican Path dedication; Watercolors; pilates and yoga; 2017 easter egg hunt; ribbon cutting at new public works facility; open house carothers; early voting begins april 24. 2017 Keels and Wheels; HCMCA april meeting; tml spring meeting

3. SPECIFIC PUBLIC HEARINGS

3.1 Conduct a Public Hearing on request to change the street name of Lidstone Street to Lakewood Yacht Club Drive for the entire street length from NASA Parkway to Lakewood Pointe.

Mayor Royal opened the public hearing.

James Winton, 1435 Nasa Rd 1, on behalf of the Lakewood Yacht Club, stated his appreciation of the opportunity to address Council for this name change. This is an important issue for the club. The name change request is for only two blocks of Lidstone between Nasa 1 and the front entrance of the club, which includes the condos on the club grounds. The backside of several businesses are there now and the front of undeveloped land, plus the entrance to club. After TXDOT did some major work on Nasa 1, the club entrance moved to Lidstone, which has caused people to not be able to find the Lakewood Yacht Club because GPS still uses the Nasa 1 address. Also, there was recently a medical call on the grounds and the ambulance had a hard time finding the club.

Kitch Taub, 3926 Lidstone, stated that he wrote a letter to give to Council and he also appreciates the opportunity to address Council about the name change. The undeveloped 60 + acres fronting the street has been owned since the early 1900's, and it is hoped to be developed at some point. The idea was to change the name of the street to the name of the new development. It might be important to the City because hotel/conference, condo, and hospital developers have looked at the property, including large developers like the Hyde Organization in Houston.

Mr. Winton rebutted that if Development recognition is a concern, other entrances would solve the matter.

Mr. Taub rebutted by asking if this name change is fair and reasonable. What's in the best interest of the City and what's in the best interest of the community at large.

Mayor Royal closed the public hearing.

3.2 Conduct a Public Hearing on proposed text changes to Appendix A, "Comprehensive Zoning," Article 8 "Nonconformance" to address potential updates and clarification of regulations pertaining to nonconforming structures/uses.

Mayor Royal opened the public hearing. No one came forward to speak. Mayor Royal closed the public hearing.

4. CONSENT AGENDA

4.1 Approve on second reading proposed Ordinance 2017-11, "Amending the City of Seabrook City Code of Ordinances to Add New 'Appendix B', 'Master Fee Schedule'". (Cook)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, BY ADDING A NEW "APPENDIX B", ENTITLED "MASTER FEE SCHEDULE" BY ADOPTING A COMPREHENSIVE FEE SCHEDULE TO ESTABLISH AND INCORPORATE SUCH CITY FEES AND CHARGES FOR MUNICIPAL SERVICES INTO A CONSOLIDATED DOCUMENT; MAKING FINDINGS OF FACT; REPEALING AND REPLACING ALL REFERENCES TO SUCH FEES AND CHARGES IN ALL ORDINANCES OR RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE AND EFFECTIVE DATE

4.2 PULLED BY THE CITY ATTORNEY

4.3 Consider and take all appropriate action on a Professional Services Agreement between the Seabrook Economic Development Corporation and The Retail Coach LLC for assisting SEDC in creating a retail strategy, in an amount not to exceed $33,000, with the option to extend for an additional two years at an amount not to exceed $21,000 for year two and $21,000 for year three. (Chavez)

4.4 Accept Audit and Comprehensive Annual Financial Report (CAFR) for FY 2015-16. (Gibbs)

4.5 Approve an excused absence for Mayor Glenn Royal for the March 21, 2017 regular City Council meeting. (Hicks)

4.6 Approve minutes of the March 7, 2017 regular City Council meeting. (Hicks)

Motion was made by Councilmember Botkin-Everett and seconded by Councilmember Adovasio

To approve the Consent Agenda, with the exception of Item 4.2.

MOTION CARRIED BY UNANIMOUS CONSENT

4.2 Approve on second reading of proposed Ordinance 2017-13, "The Commons at Seabrook Modified PUD". (Landis)

AN ORDINANCE AMENDING ORDINANCE 2013-23 APPROVING "THE COMMONS AT SEABROOK PUD" LOCATED AT 3300 BAYPORT BOULEVARD GENERALLY NORTH OF SEABROOK CIRCLE AND SOUTH OF BAYVIEW DRIVE, BY REVISING THE PLANNED UNIT DEVELOPMENT ("PUD") PLAN, REGULATIONS, RESTRICTIONS AND CONDITIONS ("PLAN") IN RELATION TO THE FOOTPRINT OF THE THIRTY THOUSAND (30,000) SQUARE FOOT RETAIL BUILDING, THE ELIMINATION OF RESERVES A, B, AND C, INCREASED PARKING COUNT FROM 185 TO 195 SPACES, AND CHANGES TO THE LOCATION OF THE MULTI-TENANT FREESTANDING GROUND SIGN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWTH; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; AND PROVIDING FOR SEVERABILITY

Motion was made by Councilmember Adovasio and seconded by Councilmember Johnson

To approve second reading of proposed Ordinance 2017-13, "The Commons at Seabrook Modified PUD".

MOTION CARRIED BY UNANIMOUS CONSENT

5. NEW BUSINESS

5.1 Consider and take all appropriate action on the tender of resignation for Councilmember O.J. Miller for council position and council-elect. (Royal)

Motion was made by Councilmember Johnson and seconded by Councilmember Botkin-Everett

To accept the resignation of Councilmember O.J. Miller for council position and council-elect.

MOTION CARRIED BY UNANIMOUS CONSENT

7. EXECUTIVE SESSION – moved up in the meeting per request of the City Manager

7.1 Section 551.071

Pursuant to Section 551.071, Texas Government Code, consult with an attorney to receive legal advice regarding legal issues related to properties made non-conforming by right-of-way acquisition by governmental agency. (Landis)

At 7:38 p.m. Mayor Royal announced that the City Council will now hold a closed executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551 Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in Sections 551.071, Consultation with an Attorney.

8. OPEN SESSION

8.1 Council will reconvene in open session to allow for possible action on any of the agenda items listed above under "Executive Session."

At 7:50 p.m. Mayor Royal reconvened the meeting in open session and stated that item 7.1 had been discussed, but that no action had been taken in executive session.

5.2 Consider and take all appropriate action on first reading of proposed Ordinance 2017-15, "Properties Made Non-Conforming By Right-Of-Way Acquisition By Governmental Agency". (Landis)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING," ARTICLE 8, "NONCONFORMANCE", BY ADDING A NEW SECTION, 8.07 "RIGHT-OF-WAY ACQUISION BY GOVERNMENTAL AGENCY"; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

Motion was made by Councilmember Botkin-Everett and seconded by Councilmember Botkin-Everett

To approve on first reading of proposed Ordinance 2017-15, "Properties Made Non-Conforming By Right-Of-Way Acquisition By Governmental Agency".

MOTION CARRIED BY UNANIMOUS CONSENT

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5.3 Consider and take all appropriate action on first and final reading of proposed Ordinance 2017-16, "Budget Amendment FY 2015/16". (Gibbs)

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2015 AND ENDING ON SEPTEMBER 30, 2016 FOR THE CITY OF SEABROOK

Motion was made by Councilmember Adovasio and seconded by Councilmember Botkin-Everett

To approve on first and final reading of proposed Ordinance 2017-16, "Budget Amendment FY 2015/16".

MOTION CARRIED BY UNANIMOUS CONSENT

5.4 Consider and take all appropriate on first reading of proposed Ordinance 2017-17, "Amendment To The Official Street Map To Rename Lidstone Street To Lakewood Yacht Club Drive". (Landis)

AN ORDINANCE AMENDING THE OFFICIAL CITY STREET MAP OF THE CITY OF SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, CHAPTER 75, "STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES", ARTICLE 2, "STREETS", SECTION 75-26, "STREET NAMING AND NUMBERING MAP", BY RENAMING "LIDSTONE STREET" TO "LAKEWOOD YACHT CLUB DRIVE", REQUIRING THAT THE "CITY STREET MAP" BE AMENDED TO REFLECT THIS CHANGE; REPEALING ALL ORDINANCES OR PARTS OF ORDINACES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

Mayor Royal stated that this is a great problem to have, with two great groups asking for a solution and the City really moving forward and trending growth. Grand Parkway is going to be a part of Highway 146, and developers are moving ahead of that construction and final product. The City and Council are trying to keep the old town charm of Seabrook, and at the same time, feeling pressures on the City budget from the State Legislature. The City has to grow its own revenue. The City has worked closely with Lakewood Yacht Club during my time on Council, and not being a member of the club, it is evident the value it brings to the City. The City invests heavily into the club with sponsorship of Keels and Wheels and several regattas. It has been the best return on investment for hotel tax dollars. The point made by the other property owner makes sense. A resolution might be to also change a portion of the street to Blue Dolphin Drive. That action will have to be taken up by Council as a separate item at a future meeting, but want to accommodate both groups, to assist with both groups doing

exceedingly well. The City is trying so hard to help out the property owners, but we want to make this the crown jewel. I'm in favor of the street name change from Lidstone to Lakewood.

Other Council members reiterated that they would also support a name change to Blue Dolphin Drive.

Motion was made by Councilmember Johnson and seconded by Councilmember Adovasio

To approve on first reading of proposed Ordinance 2017-17, "Amendment To The Official Street Map To Rename Lidstone Street To Lakewood Yacht Club Drive" and to direct staff to come back to Council with an ordinance for the name change of a portion of 7th Street to Blue Dolphin Drive.

MOTION CARRIED BY UNANIMOUS CONSENT

5.5 Consider and take all appropriate action on proposed Resolution 2017-04, "Updated Regulations For City Park Rental Facilities". (Cook)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, AMENDING AND UPDATING REGULATIONS GOVERNING THE USE OF VARIOUS CITY PARK RENTAL FACILITIES, INCLUDING DRUSILLA CAROTHERS COASTAL GARDENS, THE SEABROOK COMMUNITY HOUSE, CITY PAVILIONS, CABANAS, AND PARTY ROOMS. THIS RESOLUTION REPLACES ALL OR PARTS OF RESOLUTION 2014-04 APPROVED ON JUNE 17, 2014 AND RESOLUTION 2012-21 APPROVED ON SEPTEMBER 4, 2012.

Gayle Cook, City Manager, explained that the Assistant Director of Public Works, Kevin Padgett, and the Administrative Assistant for Public Works, Natalie Stephens have been working on this resolution. Natalie did a great job and the majority of the work on this resolution. Resolution 2017-04 is a summary of the two resolutions approved in the past on Park facilities. The two previously approved, but somewhat convoluted resolutions have been reduced down to one easier to understand document.

Motion was made by Councilmember Johnson and seconded by Councilmember Botkin-Everett

To approve proposed Resolution 2017-04, "Updated Regulations For City Park Rental Facilities".

MOTION CARRIED BY UNANIMOUS CONSENT

5.6 Consider and take all appropriate action on a proposal by Cobb Fendley to conduct a Speed Study Program on certain residential streets, for the purpose of altering, as necessary, the prima facie speed limits. The proposal is for an amount not to exceed $8,048. This is an unbudgeted item and would be a supplemental appropriation. (Cook)

Gayle Cook, City Manager, stated that for some time now the Police Department has been dealing with traffic issues on residential roads. The City current has 20 mph on speed limit signs; however the City's Code of Ordinances does not reflect 20mph. The State requires 30mph in residential areas. Because of this discrepancy, the PD cannot enforce the speed limits posted in residential neighborhoods. If a citation is issued on the 20mph signs, the citation will get thrown out of court. Right now warnings are the best officers can do. There are certain thresholds that must exist to override the State's requirements. The required data collection to override the State's requirements warrants a traffic engineering study. An ordinance will be brought back to Council to put 20 mph on the books, if the study proves the need. This study also ties in with citizen complaints on speeding in residential neighborhoods.

Motion was made by Councilmember Johnson and seconded by Councilmember Botkin-Everett

To approve a proposal by Cobb Fendley to conduct a Speed Study Program on certain residential streets, for the purpose of altering, as necessary, the prima facie speed limits. The proposal is for an amount not to exceed $8,048. This is an unbudgeted item and would be a supplemental appropriation.

MOTION CARRIED BY UNANIMOUS CONSENT

6. ROUTINE BUSINESS

6.1 Approve the Action Items Checklist which is attached and made a part of this Agenda.

TXDOT – Gayle Cook, City Manager, stated there is nothing new to report at this time.

PROJECTS – Ms. Cook stated that the Public Works and Animal Control facility will not be completed until the end of May / beginning of June. Everything is going well, but a few things have caused the timeline to change slightly. There will be a Ribbon Cutting ceremony on May 16 at 5:00pm.

Motion was made by Councilmember Giangrosso and seconded by Councilmember Johnson

To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT

6.2 Establish future meeting dates and agenda items.

April 18 - special joint meeting with P&Z to hear amendments to an existing PUD.

May 2 - special joint meeting with EDC, beginning at 5:30pm, on the City of Seabrook Master Landscaping and City Branding Plan, followed by the regular Council meeting at 7:00pm.

May 16 - regular meeting to canvass the election and administer oaths of office

7. EXECUTIVE SESSION

7.1 Section 551.071 – moved to earlier in the meeting, as requested by the City Manager

7.2 Section 551.072

Discuss the purchase, lease, or exchange of real property in closed session due to potential detrimental effect on City in negotiations with third party if conducted in open session, as provided by Section 551.072 of the Texas Government Code. (Cook)

At 8:14 p.m. Mayor Royal announced that the City Council will now hold a closed executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551 Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in Sections 551.072, Deliberation Regarding Real Property.

8. OPEN SESSION

8.1 Council will reconvene in open session to allow for possible action on any of the agenda items listed above under "Executive Session."

At 8:19 p.m. Mayor Royal reconvened the meeting in open session and stated that item 7.2 had been discussed, but that no action had been taken in executive session. No action taken was taken in open meeting on the executive session item.

Upon motion duly made and seconded, Mayor Royal adjourned the meeting at 8:20p.m.

Approved this 18th day of April 2017.

Robin Hicks, TRMC
City Secretary

Glenn Royal, Mayor