

1 The City Council of the City of Seabrook met in regular session on Tuesday, August 15, 2017 at
2 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if
3 appropriate, take action on the items listed below.

4
5 THOSE PRESENT WERE:

6 THOM KOLUPSKI	MAYOR
7 ROBERT LLORENTE	COUNCIL PLACE NO. 1
8 LAURA DAVIS	COUNCIL PLACE NO. 2
9 GARY JOHNSON – Ex. Abs.	MAYOR PRO TEM &
10	COUNCIL PLACE NO. 3
11 NATALIE PICHA	COUNCIL PLACE NO. 4
12 GLENNA ADOVASIO	COUNCIL PLACE NO. 5
13 JOE MACHOL	COUNCIL PLACE NO. 6
14 GAYLE COOK	CITY MANAGER
15 SEAN LANDIS	DEPUTY CITY MANAGER
16 STEVE WEATHERED	CITY ATTORNEY
17 ROBIN HICKS	CITY SECRETARY

18
19 Mayor Kolupski called the meeting to order at 7:00 p.m. and led the audience in the United
20 States and Texas Pledge of Allegiance.

21
22 ***1. PRESENTATIONS***

23
24 ***1.1 Presentation and update on Evelyn Meador Library Activities. (Tenega)***

25
26 Milagros Tenega, Branch Manager for the library for 1 year and 8 months, explained that
27 Seabrook's mission aligned with Harris County values for the construction of the Evelyn Meador
28 Library. In the Spring of 2016 the County conducted a community survey that resulted in
29 conversation regarding lack of a centralized hub for information and informing residents on
30 topics like the Highway 146 Expansion Project, local business, and hurricanes. The library
31 created more community-oriented programming and activities that engaged local residents. The
32 library also provides a newsletter, and ELS and Citizenship classes (in Spanish and French) at no
33 charge. Programs such as teen tycoons (college and money management); cultural appreciation
34 and awareness; free computer classes; free electronic resources; and senior bus trips. This fall
35 the library will feature book buddies to bring children and adults together; a creativity shell
36 (sewing for 12 weeks, then a fashion show); SCORE for small business counseling; and after
37 school programming from 4p-6p; yoga; bike repair; gaming; and 3D printing. The library is
38 active on social media and encourages suggestions and feedback. The library's wish list is an
39 increase in community partnerships, more outreach, and more volunteers.

43 **2. PUBLIC COMMENTS AND ANNOUNCEMENTS - none**

44 *At this time we would like to listen to any member of the audience on any subject matter, whether*
45 *or not that item is on the agenda. All comments are limited to a maximum of four minutes for*
46 *each speaker, shall be limited to city business or city-related business or matters of general*
47 *public interest, and shall not include any personal attacks. In accordance with the Open*
48 *Meetings Act, members may not discuss or take action on any item that has not been posted on*
49 *the agenda. When your name is called, please come to the podium and state your name and*
50 *address clearly into the microphone before making your comments. Thank you.*
51

52 **2.1** Mayor, City Council and/or members of the city staff may make announcements about
53 city/community events. (Council)

54 Councilmember Llorente announced several upcoming events, including: Carothers
55 workshop on linoleum carving and printing; Pelican Bay Swimming Pool closing; Carothers
56 workshop on basic mediation; Free Paper Shredding event; 2017 Kids' Fish; 8th annual Saltwater
57 Derby; 2 CCISD Cross Country Meets; and Toughest 10K.

58 Councilmember Adovasio added that the Saltwater Derby Calcutta will occur on
59 Thursday September 28 at Cabo. Boats will be auctioned and attendees will have the
60 opportunity to pick the next day's winners.

61 Councilmember Picha announced the Harris County Mayor's and Councils' Association
62 August meeting at the Hilton Americas Houston from 6:30pm to 9:00pm on August 17.

63 **3. CONSENT AGENDA**

64
65 **3.1** Approve the Seabrook Municipal Court Quarterly Report. (Ancira)

66
67 **3.2** Approve the Clear Lake Emergency Medical Corps (CLEMC) Monthly Report for July
68 2017. (Hunter)

69
70 **3.3** Approve the Seabrook Volunteer Fire Department (SVFD) Monthly Report for July 2017.
71 (Gutaker)

72
73 **3.4** Approve the Seabrook Police Department Monthly Report for July 2017. (Wright)

74
75 **3.5** Approve the Seabrook Building Department Monthly Report for July 2017. (Landis)

76
77 **3.6** Approve the Seabrook Communications Department Monthly Report for July 2017.
78 (Dearman)

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Motion was made by Councilmember Adovasio and seconded by Councilmember Machol

To approve the Consent Agenda as presented.

MOTION CARRIED BY UNANIMOUS CONSENT

4. NEW BUSINESS

4.1 Consider and take all appropriate action on first reading of proposed Ordinance 2017-31, "Adding 'Use of Public Right-Of-Way' to the City of Seabrook Code of Ordinances" (Craig)
ATTACHMENTS: Agenda Briefing Ordinance 2017-31 Appendix A - Design Manual

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS, CHAPTER 75, "STREEETS, SIDEWALKS AND OTHER PUBLIC PLACES", BY ADDING A NEW ARTICLE III ENTITLED "USE OF PUBLIC RIGHT-OF-WAY", IN ORDER TO ADMINISTER AND REGULATE THE USE OF PUBLIC RIGHTS-OF-WAY FOR THE PUBLIC INTEREST, HEALTH, SAFETY AND WELFARE; PROVIDING FOR THE ISSUANCE AND REGULATION OF PERMITS; ESTABLISHING FEES; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$500 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.

Brian Craig, City Engineer, explained that, in the past, if the City received requests to place anything in the right-of-way, Public Works went through a process with no conflicts, then issued right to proceed letters. SB 1004 recently passed in the State Legislature, and will be effective September 1, and which creates legislation dealing with cell nodes and where they can go in public right of way. SB 1004 limits the City's ability to stipulate the node locations, and the ability to collect fees. Provisions in this bill allow for network providers to install new poles, and/or use city service poles and street lights. Poles on residential streets of less than 50 feet wide are not allowed uses. The bill allows cities to have concealment measures and vendors have to comply with underground electrical requirements. Cities may adopt a design manual. The design manual tonight was put together by Brian, the City Engineer. A lot of municipalities are adopting similar ordinances and manuals. City had a process that we can look at things in our own time, but now we have a certain number of days to respond.

This ordinance will help us regulate and monitor/regulate the design. It discourages certain locations and develops design standards. Our design manual defines the district as the entire city. When vendors submit applications, the design manual will allow the City to discuss the elements that SB 1004 does not allow.

Gayle Cook, City Manager, explained that we have a current lease for the City's cell tower, but it is separate and will not be affected because it's not in the ROW. The City's cell tower under the lease is a macro tower and this new bill is for micro nodes.

Motion was made by Councilmember Picha and seconded by Councilmember Davis

To approve on first reading proposed Ordinance 2017-31, "Adding 'Use of Public Right-Of-Way' to the City of Seabrook Code of Ordinances".

MOTION CARRIED BY UNANIMOUS CONSENT

4.2 Consider and take all appropriate action on first reading of proposed Ordinance 2017-32, "Amending the City of Seabrook Code of Ordinances to Update 'Appendix B', 'Master Fee Schedule'". (Cook)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, TO UPDATE "APPENDIX B", ENTITLED "MASTER FEE SCHEDULE" BY ADDING PERMIT FEES FOR WORK IN CITY OWNED RIGHT OF WAY; MAKING CORRECTIONS TO TYPOGRAPHICAL ERRORS; 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

Gayle Cook, City Manager, stated that this ordinance will update the Master Fee Schedule to include the permit fees for work in the City owned Right of Way and is also correcting the typo in the original schedule for sanitation fees.

Motion was made by Councilmember Llorente and seconded by Councilmember Adovasio

To approve Ordinance 2017-32, "Amending the City of Seabrook Code of Ordinances to Update 'Appendix B', 'Master Fee Schedule'".

MOTION CARRIED BY UNANIMOUS CONSENT

159 4.3 Consider and take all appropriate action first of two reading of proposed Resolution 2017-
160 18, "EDC Project Designation for Façade Improvement Incentive Program and Incentives for
161 Y.M. Properties, LLC for Commercial Building at 2825 Nasa Road 1." (Chavez)
162

163 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS,
164 AUTHORIZING A PROJECT OF THE SEABROOK ECONOMIC DEVELOPMENT
165 CORPORATION FOR THE FACADE IMPROVEMENT INCENTIVE PROGRAM TO
166 PROVIDE BUSINESS INCENTIVES TO Y.M. PROPERTIES, LLC PURSUANT TO THE
167 TERMS AND CONDITIONS OF THE "ECONOMIC DEVELOPMENT AGREEMENT",
168 ATTACHED HERETO
169

170 Paul Chavez, Director of Economic Development, stated that this resolution is for
171 incentive for YM Properties, a chiropractor's office next to Tires by Design. The original
172 application was for an incentive for a buildout; however, the SEDC Board unanimously
173 approved a value added incentive rather than incentivizing what was already built. Therefore,
174 the approval of Resolution 2017-18 will be for incentives for façade improvements, signage and
175 landscaping.
176

177 Motion was made by Councilmember Adovasio and seconded by Councilmember Davis
178

179 To approve on first of two reading proposed Resolution 2017-18, "EDC Project Designation for
180 Façade Improvement Incentive Program and Incentives for Y.M. Properties, LLC for
181 Commercial Building at 2825 Nasa Road 1."
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183 MOTION CARRIED BY A 5-1 VOTE, WITH COUNCILMEMBER DAVIS VOTING NAY
184

185 4.4 Consider and take all appropriate action on proposed Resolution 2017-19, "Establishment of
186 the Bay Area Veterans Memorial Task Force". (Cook)
187

188 A RESOLUTION FORMALLY ESTABLISHING THE BAY AREA VETERANS
189 MEMORIAL TASK FORCE AND ESTABLISHING PARAMETERS AND CRITERIA FOR
190 SUCH
191

192 Gayle Cook, City Manager, stated that the City took over ownership and maintenance of
193 the Memorial in May and at that time the formation of a committee was discussed. There are a
194 number of persons who have been involved with the Memorial since its construction, and they
195 have asked to be involved moving forward. Because not all the people involved are residents of
196 Seabrook, a task force, rather than a committee will allow the City to have an advisory board and
197 still get the knowledge of this group with the Memorial. The task force will come together and

establish guidelines and work with the City Manager. The City will control the operation of the Memorial and all related expenditures. The task force will not be a decision making body, but will be only advisory in nature, and will not be required to follow the Open Meetings Act, so informal agendas will be prepared. A Councilmember liaison to the task force will be decided at a later date. The task force will be comprised of 7 members, the Council liaison, and the City Manager.

Motion was made by Councilmember Picha and seconded by Councilmember Davis

To approve Resolution 2017-19, "Establishment of the Bay Area Veterans Memorial Task Force".

MOTION CARRIED BY UNANIMOUS CONSENT

5. EXECUTIVE SESSION - At 7:40p.m. Mayor Kolupski 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 Section 551.071, Consultation with Attorney.

5.1 Section 551.071 – 7:55

Conduct a closed executive session to consult with the City Attorney to receive legal advice regarding legal issues related to indemnification provisions in the agreement for depository banking services. (Cook)

At 7:55p.m. Mayor Kolupski reconvened the meeting in open session and stated that item 5.1 had been discussed, but that no action had been taken in executive session.

6. OLD BUSINESS

6.1 Consider and take all appropriate action on an amended agreement between the City of Seabrook and Wells Fargo Bank for Depository Banking Services from July 1, 2017 through June 30, 2022. This item was previously conditionally approved by the City Council on June 6, 2017, with the provision that the indemnification language be removed from the agreement. (Gibbs)

Motion was made by Councilmember Llorente and seconded by Councilmember Davis to approve an amended agreement between the City of Seabrook and Wells Fargo Bank for Depository Banking Services from July 1, 2017 through June 30, 2022.

MOTION CARRIED BY UNANIMOUS CONSENT

238 **7. ROUTINE BUSINESS**

239
240 **7.1 Presentation of the Food and Vine Time monthly report for the 3rd Annual Celebration**
241 **Seabrook Festival. (Dearman)**

242
243 LeaAnn Dearman, Director of Communications, explained that the festival preparations
244 are moving right along. Cobb Fendley has agreed to be a co-sponsor at \$10,000. All American
245 Orthopedic has given \$2,500. Bay Area Regional Hospital gave \$3,500. Lakewood Yacht Club
246 is giving \$1,500. For artists, preparations are ahead of the benchmark. The concentration is on
247 increasing merchants and vendors, which usually both come in at the very last minute. Kendra
248 Scott will have a trunk show and 20% of those proceeds will go to Seabrook. A pirate show and
249 bug show have been secured for the Kid Zone, and bounce houses are being bid now. All the
250 food trucks have been secured except St. John's Fire. Merlion will provide light bites and wine
251 tasting in the VIP tent around noon and cocktail hour and wine tasting in the evening. Tickets
252 sales are up. Residents will be provided a code for resident pricing. The next meeting is
253 September 11, then meetings will change to twice per month. The Seabrook Association will
254 participate again this year.

255
256 **7.2 Approve the Action Items Checklist which is attached and made a part of this**
257 **Agenda. (Council)**

258
259 TXDOT – Gayle Cook, City Manager, explained that the Director of Public Works
260 received notification for a meeting on August 31 regarding 60% on utility coordination. Since
261 the last meeting with TXDOT, staff has had several questions answered. Cobb Fendley will be
262 able to give a better scope of the Seabrook project with a few items that could be incorporated
263 with TXDOT out of the City project, like the drainage set, which will hopefully take some of the
264 cost off of the City. In budgeting, staff took a very conservative approach at \$1 million plus and
265 TXDOT has given municipalities priority to put utilities in TXDOT's easement. Union Pacific is
266 anticipating closing at the end of August. TXDOT has acquired the Right of Way and the
267 closing is pending. Blue Line Rentals, AutoZone, CVS, Mario's, and Enterprise Rental Car have
268 identified Seabrook locations and are talking with the Building Department. McDonald's, Taco
269 Bell, Valentine Law Firm, Sonic, Tookie's, and Seabrook House of Flowers are all talking with
270 the Economic Development Department. About 50% of the revenue from the East side is being
271 retained.

276 PROJECTS - Ms. Cook stated that the Public Works Complex construction continues to
277 have a few issues and change orders are coming through rapidly which are being prioritize so
278 that a certificate of occupancy can be issued. Staff and contractors have a meeting in the
279 morning to work through a list of outstanding issues, and the hope is to have the C/O in the next
280 week or so. August 31 is a comfortable date that is still being considered for opening/occupancy.

281
282 Motion was made by Councilmember Llorente and seconded by Councilmember Machol

283
284 To approve the Action Items Checklist.

285
286 MOTION CARRIED BY UNANIMOUS CONSENT

287
288 7.3 Establish future meeting dates and agenda items. (Council)

289
290 Staff will be wrapping up the budget process with one more meeting but will try to
291 coordinate that with the September 5 agenda. Council will have a joint meeting on September 5
292 with EDC at 6pm.

293
294 Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 8:14 p.m.

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296 Approved this 3rd day of October, 2017.

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305 Robin Hicks, TRMC
306 City Secretary



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