

The City Council of the City of Seabrook met in regular session on Tuesday, September 5, 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:

THOM KOLUPSKI	MAYOR
ROBERT LLORENTE	COUNCIL PLACE NO. 1
LAURA DAVIS	COUNCIL PLACE NO. 2
GARY JOHNSON	MAYOR PRO TEM &
NATALIE PICHA	COUNCIL PLACE NO. 3
GLENNA ADOVASIO	COUNCIL PLACE NO. 4
JOE MACHOL	COUNCIL PLACE NO. 5
GAYLE COOK	COUNCIL PLACE NO. 6
SEAN LANDIS	CITY MANAGER
STEVE WEATHERED	DEPUTY CITY MANAGER
ROBIN HICKS	CITY ATTORNEY
	CITY SECRETARY

Mayor Kolupski 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 Acknowledgement and Appreciation of all the staff and volunteers who worked and assisted during Hurricane Harvey. (Cook)

Gayle Cook, City Manager, introduced various individual employees and departments to recognize each for his/her role during the storm and how each assisted the City and the public.

Mayor Kolupski explained that the City Manager, the Deputy City Manager, the Director of the Office of Emergency Manager, and other City employees slept on cots at City Hall and at the Public Works facility to man the City 24/7 and most of those employees were on the streets and prepared to do what was needed. The Mayor stated that a phenomenal job was done and the Council and other City staff cannot express enough appreciation for the hard work, dedication and perseverance. Working during the storm was a monumental task. Kudos to all.

1.2 Presentation on the Mystic Village Drainage System (Public Works and Engineering)

Mayor Kolupski introduced the Public Works Director, Kevin Padgett, and the Public Works Assistant Director, Brian Craig. During the presentation portion of the agenda, the public is not able to speak or ask questions. The Public Comments portion of the agenda allows for anyone to participate and persons signed up will have a maximum of 4 minutes to speak. Council will not be able to respond to those comments in accordance with Open Meetings Act, unless the person is speaking about an item on the agenda.

Kevin Padgett, Director of Public Works, presented information on the drainage system within Mystic Village and what staff was doing to monitor the system as the storm was happening. Harvey brought an astronomical, record rainfall of 45-55 inches. The three storms before, combined, did not equal the amount of rainfall of Harvey. In Seabrook rainfall measured from 35 to 44 inches in various location. Almost 5 inches of rain fell on Friday, which began to go into Mystic Village and empty into Lake Mija. On Saturday Seabrook continued to get very heavy rain, bringing the total rainfall to nearly 15 inches. The water draining into Lake Mija filled the lake, which is the detention pond for the back 2/3rds of Mystic Village. The front 1/3rd of the subdivision drains out to Todville Rd. Once the lake is full, drainage stops. On Sunday another 3 inches of rain fell, which put the lake over its capacity, and water started backing up into the subdivision. On Monday nearly 7 inches of rain fell, causing continued water backup into the subdivision. Once rains stopped, the front 1/3rd of the subdivision drained quickly. The back 2/3rds could no longer drain into the lake, and so it started to utilize overflows: the street, a 12" pipe by the elementary, and an 18" pipe at Cottage Cove. The overflows are to keep water draining and away from homes. There are four inspection points for the pipes, which Public Works is monitoring to catch any blockage from debris or other issues. Both overflow pipes have been running from the beginning of the rainfall.

The retention pond is a private facility (operated by the owner), and Lake Mija is a private lake. In order for the detention pond and the lake to be used as overflow, an agreement is in place and is required between the HOA and the owner.

There are safeguards that this detention pond has that others do not, which is why League City and Dickinson had many houses that took in water. First, this detention pond is 40-50 feet deep, so that it can take a lot of overflow, and it did. Second, the front 1/3rd of the subdivision drains to Todville Road. Third, at E. Meyer, the water crested into the ditch and leveled out at 12 feet, and the homes slabs are at 13 feet. Public Works felt confident that homes would not take in water.

Assessments were done on Wednesday for flood elevations, and there was a confidence that all overflows were working at a controlled rate, as designed.

Measurable progress was made and recorded starting on Wednesday at 7:30am, then at 10:00am, and then 11:00am. Public Works was marking on the curb with spray paint to mark the progress. Looking at the same intersection 24 hours later, the water was evidently going down. Although the progress seemed slow, it was by design. On Thursday at 5:30am, toward the front of the neighborhood, the water was almost gone. At Park at Cottage Cove on Thursday morning, which is at the back of subdivision, there was still much water, but by Friday morning, there was progress on the water flowing out. At Wallington at Water's Edge, Friday 11:00am, the street was drying up. At its worst, every street was inundated with water, but started to recede and by Thursday, the front 1/3rd of the neighborhood is drained off. By Friday (48 hour mark), seeing inlet ponding. By Saturday morning, had improved dry areas.

The system worked as designed. Public Works does not see how the drainage system can be approved upon. There is always room for improvement, so if a study was completed and it was agreed that the system could take on more water, an agreement would have to be made between the HOA and Harris County Flood Control District.

2. PUBLIC COMMENTS AND ANNOUNCEMENTS

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.

Paul Robinson, with the Texas Outlaw Challenge, who had 4 personal vehicles flooded in Dickinson Bayou, came forward to share that people were really touched by the rescue efforts, and boaters from Florida asked how they could help and if Paul could accept donations for the community. The local TOPS boating chapter allowed donations to run through its 501(c)3; and two checks were presented, on behalf Doug and Carolyn Contry, to the Seabrook Association and to the City of Seabrook Marine Division, for \$5,000 each.

Porter Shannon, 1129 Carriage Court, a long time resident of Seabrook, stated that he's been in Seabrook before Allison, and thanked the City for the presentation on the Mystic Village drainage system. Mr. Shannon asked the Council or the City engineers if the drainage agreements can be reviewed to see any lessons can be learned from Harvey that can be applied in the future. The streets in the subdivision frequently flood, and during Harvey it would have been difficult, if not impossible, to get persons out with medical emergencies towards the back of the subdivision.

109 Rob Hefner, 1413 Cottage Cove, stated that communication from the City during the
110 event was much better than expected. Storm surge is a concern because during IKE it was the
111 storm surge that hurt Seabrook. Harvey was a pure rain event, and it's not expected, living this
112 close to the water. Thanks again to the City. I posted on Facebook and I got a message back
113 from the City. Information is key and tremendously grateful for the effort put into the
114 communication.

115 Steve Duncombe, 910 Mystic Village Lane, President of the HOA, stated that the
116 association had a meeting, and about 30 residents showed up to voice concerns. The drainage
117 system presentation was very intuitive and on point with what the subdivision residents were
118 seeing. The residents agree that the drainage system worked as designed, but it might not work
119 as designed once there is flooding. Evacuation or going to work is impossible. If the lake was
120 lowered by 1 foot, it would take 19 million gallons of water. To put that number into
121 perspective, a fire truck can pump 21 million gallons. A pump is out of the question, unless we
122 want to pour a lot of money into it. We are concerned with outflows, none of us are engineers,
123 but some of us have ideas. What would be the impacts if drainage for the front and back parts of
124 the subdivision were connected? We would really like to see a drainage study performed.
125 Would it be possible to lower the drains, so that they would kick in at 10' level instead of 11'
126 level? We appreciate the communication. We would like to set up a committee to help the City
127 with a resolution to this issue. If we had storm surge come in, where would we be?

128 Mary Lee, 1305 Garden Lane, thanked the Mayor and Council for listening to the
129 concerns. Ms Lee personally thanked Laura Davis who spoke with Ms. Lee on the phone at
130 length, late in the evening. Street flooding was significant. City employees set up a pump.
131 Thank you Ms. Davis and the staff of the Public Works Department for making sure drains were
132 clear. Family has lived in Mystic Village since July 2001. 3rd house built overall in the
133 subdivision. Tropical Storm Allison happened that year and most of our belongings were in
134 storage because we were living in an apartment waiting for the house to finish being built. When
135 we saw Space Center Blvd. completely under water during Tropical Storm Allison we were
136 greatly concerned about our new house and if it would be damaged by flooding. When we were
137 able to check out the house it was high and dry with no evidence of flooding. Since then we
138 have survived Rita, Ike, and several mini storms without flooding or drainage issues. There has
139 been no problem with flooding until now. Most of us are able to understand the perspective of
140 the storm, even though it was scary. What will happen when the next storm arrives? What about
141 the Riverfront property for homes in Mystic Village? How long will flooded streets take to
142 drain? We are concerned that something might additionally be wrong in Mystic Village. Maybe
143 drainage is now not able to keep up. We in the Village feel like the drainage must be looked at
144 immediately. I'm thankful for the presentation. It answered a lot of our questions. Thank you to
145 all of you for all that you do for our community.

Ralls Lee, 1305 Garden Lane, stated that the drainage system was sufficient to prevent flood damage to the houses. We need to make sure houses are not damaged by flood in the future. Mr. Lee thanked the Mayor for replying to a text message on Sunday and then talking on the phone to Mr. Lee on Monday. The spillway from Lake Mija was sufficient. Mr. Lee thanked the Seabrook employees for providing excellent service during the storm. The water could be drained to Pine Gully with sufficient pumps and drains. Given the current situation, a look at pumping water out of the lake to lower its level is recommended. It's not clear that the existing system is as designed, and should be checked.

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

Councilmember Adovasio announced several upcoming events, including: cancellation of the Kids' Fish event; Grand Opening of The Boldthouse; Carothers workshop yoga for beginners; The Saltwater Derby Calcutta; the Saltwater Derby; the Galveston bay Song Writers Festival; The Toughest 10k (upcoming); A CCISD cross country meet (Upcoming); and Bike Around The Bay (upcoming).

3. CONSENT AGENDA

3.1 Approve on second reading proposed Ordinance 2017-31, "Adding 'Use of Public Right-Of-Way' to the City of Seabrook Code of Ordinances" (Craig)

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.

THIS SPACE INTENTIONALLY LEFT BLANK

178 **3.2** Approve on second reading proposed Ordinance 2017-32, "Amending the City of
179 Seabrook Code of Ordinances to Update 'Appendix B', 'Master Fee Schedule'".
180

181 AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, TO UPDATE
182 "APPENDIX B", ENTITLED "MASTER FEE SCHEDULE" BY ADDING PERMIT FEES
183 FOR WORK IN CITY OWNED RIGHT OF WAY; MAKING CORRECTIONS TO
184 TYPOGRAPHICAL ERRORS; MAKING FINDINGS OF FACT; REPEALING AND
185 REPLACING ALL REFERENCES TO SUCH FEES AND CHARGES IN ALL
186 ORDINANCES OR RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE;
187 PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE AND EFFECTIVE
188 DATE.
189

190 **3.3** Approve on second of two readings proposed Resolution 2017-18, "EDC Project
191 Designation for Façade Improvement Incentive Program and Incentives for Y.M. Properties,
192 LLC for Commercial Building at 2825 Nasa Road 1." (Chavez)

193 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS,
194 AUTHORIZING A PROJECT OF THE SEABROOK ECONOMIC DEVELOPMENT
195 CORPORATION FOR THE FACADE IMPROVEMENT INCENTIVE PROGRAM TO
196 PROVIDE BUSINESS INCENTIVES TO Y.M. PROPERTIES, LLC PURSUANT TO THE
197 TERMS AND CONDITIONS OF THE "ECONOMIC DEVELOPMENT AGREEMENT",
198 ATTACHED HERETO

199 **3.4** Approve Economic Development Agreement between the Seabrook Economic
200 Development Corporation and YM Properties LLC for relocation of a business to Seabrook and
201 construction of a new facility in an amount not to exceed \$13,875.50 for façade improvements,
202 signage and related landscaping. (Chavez)

203 **3.5** Approve the three-year renewal of the Contract between the Seabrook Economic
204 Development Corporation and The Bay Area Houston Economic Partnership (BAHEP) for
205 economic development services to the Seabrook Economic Development Corporation from
206 October 1, 2017 thru September 30, 2020, in an amount not to exceed \$20,000 per year.
207 (Chavez)
208

209 Motion was made by Councilmember Adovasio and seconded by Councilmember Machol

210 To approve the Consent Agenda as presented.

211 MOTION CARRIED BY UNANIMOUS CONSENT
212

213 **4. NEW BUSINESS**

214 **4.1** Consider and take all appropriate action on first and final reading of proposed Ordinance
215 2017-35, "Emergency Ordinance Temporarily Suspending Building Permit Fees for Residential
216 and Commercial Structures". (Cook)

217 AN EMERGENCY ORDINANCE OF THE CITY OF SEABROOK, TEXAS, TO
218 TEMPORARILY SUSPEND BUILDING AND PERMIT FEES IN SPECIFIC RESPONSE TO
219 WIDESPREAD DAMAGE CAUSED BY HURRICANE HARVEY IN ACCORDANCE WITH
220 DECLARATION OF DISASTER, SUBJECT TO SPECIFIC CONDITIONS; MAKING
221 VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND
222 PROVIDING FOR PENALTIES.

223 Steve Weathered, City Attorney, stated that a time frame needs to be established for this
224 ordinance.

225 Sean Landis, Deputy City Manager, stated that a time limit needs to be established. Fees
226 will be waived for any structure or improvement that were damaged and that require a building
227 permit. Through the tracking system during the storm, the City has a good handle on who
228 suffered damages and what facilities were damaged. There were approximately 60 residential
229 structures damaged and approximately 20 commercial structures damaged. Through the process,
230 the City can verify if the damage is because of the storm. The number may grow and may
231 change, but the City can easily verify.

232 Motion was made by Councilmember Adovasio and seconded by Councilmember Machol

233 To approve Ordinance 2017-35, "Emergency Ordinance Temporarily Suspending Building
234 Permit Fees for Residential and Commercial Structures" with the addition of a one (1) year time
235 limit from the date of adoption of the ordinance.

236 MOTION CARRIED BY UNANIMOUS CONSENT

237 **4.2** Consider and take all appropriate action on the first and final reading of proposed
238 Ordinance 2017-34 "Termination of Curfew" (Kolupski)

239 AN ORDINANCE PROVIDING FOR TERMINATION OF CURFEW AS PROVIDED IN
240 ORDINANCE 2017-33, WITHOUT REPEALING OR ABROGATING REMAINING
241 PROVISIONS OF SAID ORDINANCE DETERMINING NEED FOR EXTENSION OF
242 DISASTER DECLARATION FOR THE CITY OF SEABROOK

243 Mayor Kolupski stated that approval of this ordinance is a formality. The curfew is no
244 longer in effect, and this ordinance does not repeal the disaster declaration. The curfew for
245 minors is not affected by the adoption of this ordinance.

Motion was made by Councilmember Picha and seconded by Councilmember Davis

To approve on first and final reading Ordinance 2017-34 "Termination of Curfew".- Natalie

MOTION CARRIED BY UNANIMOUS CONSENT

4.3 Consider and take all appropriate action on proposed fiscal year 2017/2018 budget. (Cook)

Michael Gibbs, Director of Finance, reminded Council that last month staff presented a balanced budget and that at that time stated that a proposed budget would be brought back to Council to assist in discussing an effective tax rate. There are only a few changes in the balanced budget presented tonight, which include:

- Ad valorem tax revenues are increased to \$592,000 and sales tax revenues are increased to \$89,038. New building construction was left off the original budget proposal and left out of the sales tax model. Several businesses have been closed due to the Highway 146 expansion project; however, sales tax revenue remains above what was being forecast. 30% of businesses have been identified as staying in the City; therefore, if the model takes the entire loss up front, we are cutting ourselves short. Construction sales tax dollars were a big boost to our payment last month. Mr. Friedrichs property, as that project gets going, should bring in more revenue. Mayor Kolupski added that we were anticipating the worst and some businesses are staying and remodeling and additional businesses are moving to Seabrook quicker than we thought, so we've cut back on projections. It was doom and gloom, but turned out better than we thought.
- The only changes made to General Fund expenses are to personnel and to CIP. Once the tax rolls came in and the effective tax rate calculation was completed, there was room for growth in property tax revenue; therefore, and after discussing with the City Manager, it is being proposed that street and drainage projects that were pushed out to 2020 because of lack of an identifiable revenue source be brought back to the current CIP list for start. There is more growth than anticipated on new projects.
- Staff has been watching the salary surveys that come through on Public Safety positions, and a number of cities are going through a compensation study. There is normally a trend of a pretty drastic increase. In reviewing other cities studies, there is a sharp spike in Public Safety positions salaries, and in particular, the beginning pay scale. It's difficult to recruit and more difficult if competing with neighboring cities. Seabrook wants to stay competitive, so Council doesn't have to come back in several years and spend more. In the presented balanced budget the Crime District and the DOT have reflected a 4.5% increase in pay scale with approximately \$71,000 in salary and \$20,000 in benefits for a total of approximately \$91,000. The minimum starting median in

Seabrook is \$50,164, and pay studies brought medium starting salary to \$52,770. Taking into consideration the uncertainties ahead with the Highway 146 expansion the 4.5% helps make sure Seabrook doesn't fall too far behind in the market. Overtime there is an increase of approximately 10% for salaries, for a total of \$7,043. Finally, duties were added to one Animal Control officer position for a salary increase of \$6,403.

- There is consensus from the Fire Department to move forward with hiring a Fire Administrator at \$103,000. The SVFD contract will decrease by \$4600.
- Ambulance services will increase 15% for approximately \$9600.
- Workers compensation decreases by \$33,000 in the General Fund.
- There is \$18,000 in fuel charges, which is part of the fuel contract. Now that Public Works is up and going, we are going to be migrating towards our system in full.
- The Step program for all employees is a 2.5% increase at anniversary date.
- Medical insurance is an overall 6.2% increase, which is down from 25% projected.

There is no need for action on the proposed budget at this time, but these numbers explain the difference in the first budget reviewed by Council and the current proposed budget.

4.4 Consider and take all appropriate action on the effective tax rate calculation for fiscal year 2017/2018 and proposed tax rate. If tax rate exceeds effective tax rate, take record vote and schedule two (2) public hearings. (Gibbs)

Michael Gibbs, Director of Finance, stated that there is a formula for calculating the effective tax rate, and typically, as appraised values go up, the effective tax rate goes down and vice versa.

For 2017, Seabrook is seeing over \$1.24 billion in certified values, which is a 6.6% growth in taxable value. There is actually a 13% decrease in values from the 2016 tax rolls to the 2017 tax rolls, but there was over \$87million growth. Seabrook is growing as a city but property values are going down.

The tax rate is actually in two parts, operations and maintenance and debt service.

318 The current O&M rate is \$0.39 is current for O&M, and the effective calculation came in
319 at \$0.40, which leaves a shortage in O&M. The proposed rate is enough to cover O&M and debt
320 service. Council is looking at a \$0.02 increase in O&M and \$0.015 decrease in Debt service.
321 Overall, less than \$0.01 increase.

322 Average effect on homes of \$210,000 in value is an increase of \$21.10 annually or \$1.76
323 monthly.

324 The State Legislature is talking about changing the 8% cap and bringing it down to 5%.
325 Seabrook would have to adopt a \$0.613 tax rate for the legislation restriction to come into play.
326 Staff has done a good job of putting together a budget that doesn't require the \$0.613 rate.

327 Staff is asking Council to approve the proposed tax rate calculation. In addition, there is
328 an additional sum sitting in the budget that's been calculated based on the effective tax rate.
329 Staff is proposing a capital improvement fund; however, in the decision on this additional sum, it
330 will be important to keep in mind the fiscal responsibility for Hurricane Harvey expenses and the
331 Highway 146 project unknowns. There is currently 65% in reserves (above the recommended
332 25%) and the stabilization funds are in place.

333 Because of position vacancies and court revenues, the forecast for this year (2016-17) is a
334 surplus. There is about \$484,655 unallocated in Department 500 (professional engineering)

335 Staff has two proposals:

- 336 1. Establish a new CIP fund; transfer balance into the fund; look at re-prioritizing the
337 projects and fund for streets, sidewalks, drainage, and other CIP's.
338
- 339 2. Add a Cost of Living increase of 2% for General fund, HOT, Enterprise, Crime District
340 (total \$159,000)

341 Mayor Kolupski stated that Harvey has shown the need for CIP projects that probably
342 need to come forward. As far as cost of living, it is important to keep employees happy at this
343 point, and it is deserved, and has not been given recently. The last time cost of living was added
344 was over 4 years ago.

345 For the proposed Capital Improvement Fund, the City Manager's goal is to use the CIP
346 more effectively and add in mid-level projects. The monies will be in the line item until Council
347 decides which projects to fund. Department 500 is maintenance for streets and drainage. There
348 has been a need expressed for additional projects for drainage outfalls and those type of things.
349 This is a good time to expand a fund for additional projects. There have been projects on the
350 CIP list for years that have never been funded.

Michael Gibbs, Director of Finance, explained that staff worked with Cobb Fendley to identify a 5 year CIP Plan, and several projects on that plan were pushed out until 2023 because a funding source could not be identified. These projects that have been pushed out could be funded with a new CIP fund. The new CIP fund would not be for maintenance after a project is completed, but for proposed projects to be funded, constructed, and finished. We already know the projects we want to work, and this would give us the funding.

Brad Matlock, Cobb Fendley, stated that operation and maintenance on the proposed projects is minimal. The bigger O&M in the future is the wastewater treatment plant because both plants will be operating at the same time at some point. O&M for other CIP projects has already been accounted for in the budget process. All costs for any given CIP project can be discussed at the time Council is asked to fund out of the new line item.

Motion was made by Councilmember Llorente and seconded by Councilmember Adovasio

To approve the effective tax rate calculation of \$0.574911 for fiscal year 2017/2018 by roll call vote.

Councilmember Llorente – yes

Councilmember Davis – yes

Councilmember Johnson – yes

Councilmember Picha – yes

Councilmember Adovasio – yes

Councilmember Machol – yes

Mayor Kolupski – yes

This rate does not exceed the effective tax rate; therefore, two public hearings are not needed.

4.5 Consider and take all appropriate action for approval of contract for construction services for the installation of a pedestrian pathway with landscape and hardscape amenities between the Seabrook Economic Development Corporation and B&D Contractors Inc. in an amount not to exceed \$166,047.04. (Cook)

Gayle Cook, City Manager, stated that this contract is part of the \$750,000 project for EDC for a number of activities in Old Seabrook. The contract with B&D Contractors, Inc. is for Merlion for landscaping, hardscape, pedestrian pathway, bicycle racks, lighting, and trash receptacles.

Steve Weathered, City Attorney, stated that the EDC approved this contract earlier tonight, and performance would be 90 days with Council approval.

Sean Landis, Deputy City Manager, explained that the installation would be in front of Merlion only, but it is the City's intent to propose an update to the zoning ordinance for the entire district. Might be slight deviations based on land types.

Motion was made by Councilmember Johnson and seconded by Councilmember Llorente

To approve a contract for construction services for the installation of a pedestrian pathway with landscape and hardscape amenities between the Seabrook Economic Development Corporation and B&D Contractors Inc. in an amount not to exceed \$166,047.04.

MOTION CARRIED BY UNANIMOUS CONSENT

5. EXECUTIVE SESSION

5.1 Section 551.071

Conduct a closed executive session to consult with attorney to receive legal advice only relating to emergency operations and Texas Government Code Chapter 418.

At 9:00p.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.

At 9:21p.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. ROUTINE BUSINESS

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

TXDOT – Gayle Cook, City Manager, stated that the scheduled meeting with TXDOT was cancelled due to the storm, and there has been no response to a communication about rescheduling. TXDOT is moving with acquisition and Phase 1 of demolition will begin within the next 30 days. Council was forwarded a letter from Union Pacific which was a 30 day vacate notice for the West side properties. At this time staff doesn't know exactly what the vacate notice will mean for those businesses and how that will progress. As soon as staff knows more details, Council will be updated.

Projects – Ms. Cook stated that Public Works took possession of the new building with a temporary Certificate of Occupancy. There are still a number of outstanding items, but the City needed the facility during the storm. Staff has not reported anything that went wrong in the building during the storm. PD kept their vehicles at the Public Works facility and they stayed high and dry, which is great news for the City.

Motion was made by Councilmember Davis and seconded by Councilmember Johnson

To approve the Action Items Checklist

MOTION CARRIED BY UNANIMOUS CONSENT

6.2 Update on Hurricane Harvey expenses and claims, and all other associated items. (Cook)

LeaAnn Dearman, Director of Communications, gave Council the statistics on communication during the storm. Councilmember Davis pointed out that people in other cities in the area have expressed appreciation for the great job by the Communications Department because they were not getting information from their respective cities as quickly.

Gayle Cook, City Manager, stated that the City is working with Society of St. Stephens for outreach/donations. The assistance through St. Stephens is available Mon-Thur (9-5) through Sept. 29 at Seabrook Methodist Church. 68 people have been provided assistance through St. Stephens. More volunteers are needed. Rotary was there cooking and Rotary is going back tomorrow.

Staff met briefly with FEMA and all the information can be found on the on the disaster recovery page on the City's website. There is disaster unemployment assistance available. People need to register and a packet will be mailed to them.

A number of expenses that will be FEMA reimbursed. Seabrook is at Category A, which is 90% reimbursement. Emergency protective services is Category B at 100% reimbursement. Debris removal will start on September 9 and go through September 13. The City has roughly 180 days complete the removal, so if someone is missed, there is a chance they will get picked up on a second round.

The City's Building Office and Code Enforcement Officer are having face to face conversations with property owners who filled out the online damage assessment. They will make sure everyone affected gets registered with FEMA. In addition, property owners must register with SBA to get any money from FEMA. Mobile Disaster recovery centers will be in Seabrook for a day.

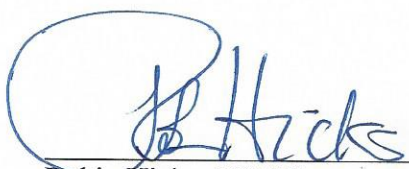
6.3 Establish future meeting dates and agenda items. (Council)

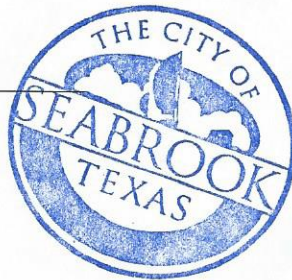
Council is on track with regular meetings. There is a joint meeting on September 19 at 6:00pm with the Planning & Zoning Commission and a meeting of the Crime Control and Prevention District Board of Directors at 7:00pm on September 19. The regular Council meeting will begin at 7:15pm on September 19.

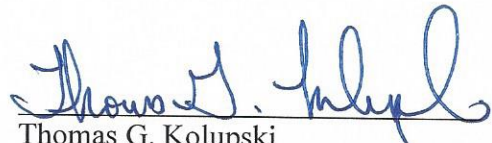
There will be a special meeting on September 26 at 7:00pm for a public hearing on the City's general fund, enterprise fund, and special funds budgets.

Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 9:35 p.m.

Approved this 26th day of September, 2017.


Robin Hicks, TRMC
City Secretary




Thomas G. Kolupski
Mayor