The City Council of the City of Seabrook met in regular session on Tuesday, February 6, 2018 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 & COUNCIL PLACE NO. 3
NATALIE PICHA	COUNCIL PLACE NO. 4
GLENNA ADOVASIO	COUNCIL PLACE NO. 5
JOE MACHOL	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	DEPUTY CITY MANAGER
STEVE WEATHERED	CITY ATTORNEY
STEPHANIE MARTINEZ	EXECUTIVE ADMINISTRATIVE ASST.

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

1. PUBLIC COMMENTS AND ANNOUNCEMENTS

Robby Sabban, 3811 Hickory View Court, the race director for Lucky Trails Marathon, . thanked the City of Seabrook for all of the help during this year's event. The 15th annual Lucky Trails Marathon will be held March 16-18, 2018 and will have a St. Patrick's Day theme. The trail distance has been extended to assist and please everyone. All Seabrook residents are encouraged to come out and root for those in the marathon.

1.1 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: Men Who Cook; the time for Filing for a Place on the Ballot for the May 5, 2018 General Election; Seabrook Birding Seminar and Walking Tour; Lucky Trail Marathon; Trash Bash; and the City Easter Egg Hunt.

Councilmember Picha reminded Council about the upcoming Harris County Mayors' and Councils' Association meetings in February and March.

2. SPECIFIC PUBLIC HEARINGS

2.1 Conduct a Public Hearing on proposed text changes to Appendix A, "Comprehensive Zoning", Article 6, "Sign Standards".

Mayor Kolupski opened the public hearing.

No speaker came forward.

Mayor Kolupski closed the public hearing.

3. CONSENT AGENDA

3.1 Approve on second reading proposed Ordinance 2018-03, "Amendments to the Seaside RV Resort and Cabanas PUD." (Landis)

AN ORDINANCE AMENDING ORDINANCE 2017-07 APPROVING "SEASIDE RV RESORT AND CABANAS PUD", A TRACT OF APPROXIMATELY 8.822 ACRES SITUATED IN ABSTRACT 52, OF THE RITSON MORRIS SURVEY, IN SEABROOK, HARRIS COUNTY, TEXAS, LOCATED IMMEDIATELY EAST OF OLD HIGHWAY 146 AND NORTH OF RED BLUFF ROAD, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A," BY REVISING THE EXISTING PLANNED UNIT DEVELOPMENT ("PUD") PLAN, REGULATIONS, RESTRICTIONS AND CONDITIONS ("PLAN") ONLY IN RELATION TO THE MODIFICATION OF THE SITE PLAN, TO PROVIDE FOR A SINGLE MEANS OF EGRESS TO BE LOCATED EAST OF OLD STATE HIGHWAY 146, ELIMINATING THE SECONDARY MEANS OF EGRESS NORTH OF RED BLUFF ROAD, ADJUSTING THE NUMBER OF "CLASS A" RV SITES FROM 90 SITES TO 86 SITES, AND THE NUMBER OF RENTAL CABANAS FROM 40 UNITS TO 37 UNITS, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "B"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; 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 AND NOTICE

3.2 Approve on second reading proposed Ordinance 2018-05, "Amending the Water Conservation and Drought Contingency Plan." (Craig / Padgett)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS AMENDING CHAPTER 95, "UTILITIES", ARTICLE III, "WATER CONSERVATION" AND DROUGHT CONTINGENCY PLAN OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS BY UPDATING THE UTILITY PROFILE USING THE PREVIOUS FIVE YEARS WATER USE DATA; UPDATING THE WATER CONSERVATION GOALS BASED ON THE HISTORIC USE DATA; SHOWING THE UPDATE TO THE WATER RATE STRUCTURE; AND BY INCORPORATING THE ENTIRE PLAN INTO THE CODE INSTEAD OF BY REFERENCE ONLY, AS DEPICTED IN EXHIBIT "A"

3.3 Approve the City auction items list for the annual surplus auction. (Padgett)

3.4 Reaffirm the reappointment of Mike DeHart, Dodie Miller, and Greg Aguilar as members to the Planning & Zoning Commission for a term ending January 1, 2019. (Council)

3.5 Approve the reappointment of regular members Michele Glaser, Margaret Hunt and Edelmiro Muniz, and alternate member Jared Kelly to the Board of Adjustment / Building Standards Commission for a term ending January 1, 2020. (Council)

3.6 Approve the minutes of the January 16, 2018 Special City Council meeting. (Hicks)

3.7 Approve the minutes of the January 16, 2018 Regular City Council meeting. (Hicks)

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 proposed Resolution 2018-09, "Homeland Security Grant Division (HSGD) Fiber Optic Network." (Padgett)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, PROVIDING THAT GRANT FUNDS IN THE AMOUNT OF $328,950 SHALL BE PAID TO THE CITY OF SEABROOK FOR THE PURCHASE AND INSTALLATION OF AN UNDERGROUND FIBER OPTIC NETWORK SYSTEM TO ENHANCE SCADA CONNECTIVITY FOR HOMELAND SECURITY AND AUTHORIZING GAYLE COOK, CITY MANAGER TO ADMINISTER SUCH GRANT

Kevin Padgett, Director of Public Works, stated that the basis of the Resolution is to give staff support to pursue grant funds for the City from the Homeland Security Grant Division. The funds for this grant are being offered to municipalities that are seeking protection. The fiber optic network will protect the City from tampering, hacking, and terrorist threats. The City qualifies due to its current SCADA system that is a radio-based system, which is prone to communication failures and hacking. This fiber optic network would extend the current fiber optic network to some of the City's data points for the water system entry points. Cameras would be able to be installed at all the water system entry points. A breach or any kind of tampering of the systems will immediately be known and reported. The SCADA system that is in place now will be up-to-date and more reliable with the underground fiber optic network. There is no match requirement for this grant.

Motion was made by Councilmember Picha and seconded by Councilmember Machol

To approve Resolution 2018-09, "Homeland Security Grant Division (HSGD) Fiber Optic Network".

MOTION CARRIED BY UNANIMOUS CONSENT

4.2 Consider and take all appropriate action on proposed Resolution 2018-10, "Support for the Low Income Housing Tax Credit (LIHTC) application by Seaside Lodge at Chesapeake Bay." (Landis)

A RESOLUTION OF THE CITY OF SEABROOK, TEXAS, SUPPORTING A DEVELOPMENT TO BE KNOWN AS SEASIDE LODGE AT CHESAPEAKE BAY, A DEVELOPMENT FOR SENIORS TO BE LOCATED THAT NORTHEAST QUADRANT OF ELAM STREET AND LARRABEE STREET, SEABROOK, TEXAS, THE APPLICANT BEING SEASIDE LODGE, LP, A TEXAS LIMITED PARTNERSHIP TO BE FORMED; AND AUTHORIZING THE MAYOR TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S SUPPORT OF THIS DEVELOPMENT

David Koogler, the applicant and president of Mark-Dana Corporation, requested this Resolution from City Council to provide an in-kind contribution of a discounted permit fee by $500. This Resolution would provide additional points to the applicant when applying for the Low Income Housing Tax Credit since the application is scored on a point basis. The application is due March 1, 2018 and the decision is made at the end of July.

Motion was made by Councilmember Johnson and seconded by Councilmember Llorente

To approve proposed Resolution 2018-10, "Support for the Low Income Housing Tax Credit (LIHTC) application by Seaside Lodge at Chesapeake Bay".

MOTION WAS CARRIED BY UNANIMOUS CONSENT

4.3 Consider and take all appropriate action on proposed Resolution 2018-11, "Providing an in-kind contribution for the Low Income Housing Tax Credit (LIHTC) application by Seaside Lodge at Chesapeake Bay." (Landis)

A RESOLUTION OF THE CITY OF SEABROOK, TEXAS, PROVIDING FOR AN IN-KIND CONTRIBUTION FOR A DEVELOPMENT TO BE KNOWN AS SEASIDE LODGE AT CHESAPEAKE BAY, A DEVELOPMENT FOR SENIORS TO BE LOCATED IN THE NORTHEAST QUADRANT OF ELAM STREET AND LARRABEE STREET, SEABROOK, TEXAS, THE APPLICANT BEING SEASIDE LODGE, LP, A TEXAS LIMITED PARTNERSHIP TO BE FORMED; AND AUTHORIZING THE MAYOR TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S SUPPORT OF THIS DEVELOPMENT

Motion was made by Councilmember Llorente and seconded by Councilmember Davis

To approve Resolution 2018-11 providing an in-kind contribution of a $500 discounted permit fee for the Low Income Housing Tax Credit (LIHTC) application by Seaside Lodge at Chesapeake Bay.

MOTION CARRIED BY UNANIMOUS CONSENT

4.4 Consider and take all appropriate action on proposed Ordinance 2018-04, "Ordering the General City Election to be Held on May 5, 2018 and a June 9, 2018 Run Off Election, if necessary." (Hicks)

AN ORDINANCE CALLING AND ESTABLISHING PROCEDURES FOR THE GENERAL CITY OFFICERS' ELECTION FOR COUNCIL POSITION 1,3, AND 5 TO BE HELD ON MAY 5, 2018; AND FOR A RUN OFF ELECTION ON JUNE 9, 2018, IF REQUIRED, AND MAKING OTHER PROVISIONS RELATED TO THESE ELECTIONS

Motion was made by Councilmember Machol and seconded by Councilmember Davis

To approve Ordinance 2018-04, "Ordering the General City Election to be Held on May 5, 2018 and a June 9, 2018 Run Off Election, if necessary".

MOTION CARRIED BY UNANIMOUS CONSENT

4.5 Consider and take all appropriate action on the 2017 Celebration Seabrook budget to fund event expenditures that exceed the amount of revenue generated by the event, in an amount not to exceed $26,000, from the Hotel Occupancy Tax reserve fund and give direction on future Celebration Seabrook events. (Dearman)

LeaAnn Dearman, Director of Communications gave an overview of the 2017 Celebration Seabrook event, stating that having the event at Meador Park and having the Salute to Veterans was well received. The promotional codes were utilized. The children's activities were still a hit. The twenty (20) art exhibitors added something new to the event and it was incredible to have the community involved in the live paintings. Because of the art attractions, the mini-mural was published in the Economic Alliance Port Region newsletter and the City has two new pelicans for the Pelican Path. Despite the new attractions, the attendance did not increase from previous years, food vendors did not show up the day of the event, and cooking demonstrations were cancelled last minute. There were complaints made about the entry fee, food, and beverage being too expensive, and having the beverage bar so close to the stage made it difficult to order. In addition, the devastation of Hurricane Harvey played a negative role in attendance and promotion. The revenue did not meet the forecasted revenue in the budget for this event. After talking to the Texas Hotel Lodging Association, if the event puts attendees in overnight stays in nearby lodging and if the event is a promotion of the arts, funds from the Hotel Occupancy Tax can be utilized to help cover the cost of the event. This agenda item is a request

to use funds from HOT reserves instead of the general expenditure fund to cover the $26,000 loss.

The following changes were discussed by Council and the Communications Director:

- Keep the children's activity area
- Either make it a free entry event or reduce the entry fee
- Raise the alcohol prices by $1
- Move the event to October – the event will be held before the time change, it will get darker later and the event will not compete with other local events held in November
- Keep the event in November for Veterans Day
- Increase sponsor levels
- Scale down production services and go out for bid
- Use savings from production services to go towards entertainment
- Consider the impact of the expansion of SH146 for next year's event

It was stated that Celebration Seabrook should continue because it takes 3-5 years for a production to get established and start making profit.

Motion was made by Councilmember Johnson and seconded by Councilmember Llorente

To approve an amount not to exceed $26,000 from the Hotel Occupancy Tax reserve fund and give direction to staff on Celebration Seabrook 2018 with proposed changes that were discussed

MOTION CARRIED BY UNANIMOUS CONSENT

5. ROUTINE BUSINESS

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

TXDOT – Gayle Cook, City Manager, announced that the May 2018 letting date is still anticipated by TXDOT, so the dirt will start turning in August 2018. The engineers and design consultant did receive the updated CAD files. Traffic control plan and construction sequencing plan were released. Phase 1 of this project will be 18 months long. This phase will contain the widening of the North bound portion of the bridge and the relocation of utilities on the East side of Seabrook. Running concurrent with the widening of the bridge and relocation of the utilities, a detention pond will be constructed on the North side of Seabrook. Phase 2 of this project will be the southbound part of the existing bridge, southbound frontage road, and some storm and drainage structures. Phase 3 will start on the main roads, retaining wall, and Repsdorph overpass. Phase 4, the final phase, is when the construction of the new bridge will begin. After speaking with the design team, the estimated split for the aesthetics will be $1.6 million to $1.8 million for TXDOT in design work and $800,000 to $1 million for the City. The City is still waiting on the final number for the utility relocation. The Bay Area design theme will be exclusive in Seabrook because Kemah opted out. The landscaping of the Red Bluff intersection will be a minimal cost to the City. Once the work on the bridge has started, the boat ramps will be closed.

Projects – Ms. Cook explained that staff is still working on closing out the new Public Works Complex project. The City is now down to $60,000 in retainage. The fence issue is still on-going and there is one electrical breaker issue.

Grants – Ms. Cook stated that the only grant at the moment is the Homeland Security Grant Division (HSGD) Fiber Optic Network that the Public Works Director presented earlier in the meeting.

Motion was made by Councilmember Davis and Seconded by Councilmember Johnson

To approve the Action Items Checklist

MOTION CARRIED BY UNANIMOUS CONSENT

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

Ms. Cook, City Manager, stated that the FEMA projects have now been fine-tuned with the damage the City had during Hurricane Harvey. $75,000 is what is being looked at for debris removal, which is very nominal compared with Hurricane Ike. After reviewing the FEMA Portal, which is now electronic, Ms. Cook has revised the scope of duties of the consultant "as needed" because he was working only as a pass-through, and will be used for mitigation. The City's total expenses for Hurricane Harvey are $626,000.

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

The next City Council meeting will be held on February 20, 2018.

6. CLOSED EXECUTIVE SESSION

6.1 Section 551.071
Conduct a closed executive session to consult with an Attorney to receive legal advice on legal issues associated with Sign Regulations update. (Landis)

6.2 Section 551.071
Conduct a closed executive session to consult with an Attorney to receive legal advice on legal issues associated with the sale or purchase of real property by City. (Cook)

6.3 Section 551.072
Conduct a closed executive session to deliberate the purchase, exchange, lease, or value of property to avoid detrimental effect on City in negotiations with third person. (Cook)

At 8:10 p.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 an Attorney.

7. OPEN SESSION

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

At 8:57 p.m. Mayor Kolupski reconvened the meeting in open session and stated that items 6.1, 6.2, and 6.3 have been discussed, but no action had been taken in executive session.

7.1 Consider and take all appropriate action regarding offer of purchase received from PG Legacies Inc. for 2.0514 acres of City property located at the west line Lakeside Drive, north of Repsdorph Road, (Ritson Morris Survey, Abstract 52, Harris County, Texas, being out of Lots 14 and 15 of Ruggles Subdivision, recorded in Volume 5, Page 30 of Harris County Map Records and being more particularly described in attached exhibit). (Cook)

Motion was made my Councilmember Picha and seconded by Councilmember Machol

To approve for staff to continue negotiations of the sale of the property and discussion around infrastructure improvements

MOTION CARRIED BY UNANIMOUS CONSENT

7.2 Consider and take all appropriate action on first reading of proposed Ordinance 2018-06, "Amendments to Sign Standards." (Landis)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, "APPENDIX A", "COMPREHENSIVE ZONING", ARTICLE 6, "SIGN STANDARDS", BY DELETING THE EXISTING ARTICLE IN ITS ENTIRETY AND REPLACING IT WITH NEW PREVISIONS UNDER THE SAME CHAPTER TITLE "SIGN STANDARDS"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; 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 PROVIDNG FOR SEVERABILTY AND NOTICE

Sean Landis, Deputy City Manager, asked if Council had any specific questions after forwarding the Ordinance ahead of time.

The following sign standards were discussed:

- The vehicles with signage on them that are parked in front of property will be regulated
- Wind driven signs will be prohibited unless part of a grand opening
- Residential signs on private property are fine unless they are placed in the street then they interfere with traffic flow and become a traffic violation
- Lost dog signs on stop signs are prohibited and code enforcement will remove the sign

Mr. Landis stated that this ordinance was developed with each district in mind. If someone has a unique development and cannot comply with the ordinance they can come before Planning and Zoning and City Council and present a master sign plan for approval. The existing

signs in the City are grandfathered .Mr. Landis stated that landscaping and parking lot ordinances will be brought before Council in upcoming meetings.

Mayor Kolupski added that the ordinance was created to create uniformity along Highway 146.

Motion was made by Councilmember Adovasio and seconded by Councilmember Machol

To approve Ordinance 2018-06, "Amendments to Sign Standards".

MOTION CARRIED BY UNANIMOUS CONSENT

8. CLOSED EXECUTIVE SESSION

8.1 Section 551.074
Conduct a closed executive session to deliberate the evaluation and duties of the City Manager. (Kolupski)

At 9:08 p.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 551.074, Personnel Matters.

9. OPEN SESSION

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

At 9:36 p.m. Mayor Kolupski reconvened the meeting in open session.

Motion was made by Councilmember Johnson and seconded by Councilmember Machol To increase the salary of the City Managers by 9.25%. MOTION CARRIED BY UNANIMOUS CONSENT

Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 9:40 p.m.

Approved this 3rd day of April 2018.

Thomas G. Kolupski
Mayor

Stephanie Martinez
Executive Administrative Assistant