

The City Council of the City of Seabrook met in regular session on Tuesday, August 21, 2018 at 7:00 p.m. in Seabrook City Hall, 1700 1st Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

THOM KOLUPSKI	MAYOR
ED KLEIN	COUNCIL PLACE NO. 1
LAURA DAVIS	COUNCIL PLACE NO. 2
JEFF LARSON	COUNCIL PLACE NO. 3
NATALIE PICHA	MAYOR PRO TEM
BUDDY HAMMANN	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. 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.

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

Councilmember Davis announced several upcoming events including: a 5k Fun Run; the Toughest 10K; Celebration Seabrook; Bike Around the Bay; and Kids' Fish.

2. CONSENT AGENDA

2.1 Approve an agreement between the Seabrook Economic Development Corporation and the Economic Alliance Houston Port Region for the promotion of Economic Development in Seabrook for a period beginning October 1, 2018 and ending September 30, 2021. This agreement has been approved by SEDC. (Chavez)

43 2.2 Approve an addendum to the Agreement between the Seabrook Economic Development
44 Corporation and Mario's Pizza Inc. to reallocate incentive funds previously approved. This
45 addendum has been approved by the SEDC. (Chavez)

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47 Motion was made by Councilmember Picha and seconded by Councilmember Klein

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49 To approve the Consent Agenda as presented.

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51 MOTION CARRIED BY UNANIMOUS CONSENT

52
53 3. *NEW BUSINESS*

54
55 3.1 Consider and take all appropriate action on an amendment to the Agreement between the City
56 of Seabrook and Waste Management Inc. for an increase to the base rate to recover increased costs
57 of recycling to be effective January 1, 2019. (Cook)

58
59 Gayle Cook, City Manager, explained that the ban by China on recyclables and increased
60 costs to Waste Management for finding another buyer is a pass through on the current contract
61 with the City of Seabrook for recovering the increase. The total to customers is \$1.14 per month.
62 Staff has looked at ways to change the cost, by possibly take out some recyclables, but the cut was
63 less than 4 cents. It is unlikely that the ban will be lifted, so Waste Management will try to
64 negotiate with other countries. The Seabrook contract with Waste Management is a five (5) year
65 contract, so if costs go back down, staff can discuss a decrease at that point. Every January, per
66 the agreement, the two parties take a look at the current Consumer Price Index and rates are
67 adjusted accordingly.

68
69 Shanna Lopez, with Waste Management, explained that the company went through
70 negotiations with China last year. By 2020 China will stop taking everything, which forces a look
71 elsewhere. Waste Management is looking at Vietnam and India, but the cost to ship to those
72 countries is higher. China requires noting over a .5% contamination rate. The U.S. is at a 25%
73 contamination rate. Going to larger containers increased the likelihood of liquid and food waste
74 being picked up; however, larger containers allow for lids which helps with keeping the contents
75 dry. With the increase in liquid and food waste, Waste Management is having to slow down the
76 process to pull out the contamination. Four (4) different audits were performed on Seabrook
77 recyclables, and the contamination is there, so Waste Management will work on getting the
78 information out / education the public about contamination. It has been suggested that we go to
79 separate containers for each type of recyclable, and that would eliminate some of the
80 contamination; however, research has shown that people are more likely to recycle if everything
81 can be placed into one container.

82
83 In answer to the question about what Waste Management is doing in the background to
84 deal with possible continued cost escalation, the company is hoping that it is at the point of
85 stabilizing with China. There are local agreements in place, and Waste Management is looking at
86 Vietnam and India. Cleaner materials must be in place or local sites won't take them.
87 Contamination must be weeded out. Waste Management may have to renew buyers' contracts, so
88 it's a constant turning process, but the company is trying to be as much in front of it as possible.
89 In May – June, China stopped taking all materials, so Waste Management started trying to discover
90 other avenues. Even though China is getting to a stabilization point, because China is demanding
91 cleaner products, now all buyers are demanding the same.

92
93 Mayor Kolupski stated that this isn't just a Seabrook issue. Many cities have stopped
94 recycling. Their programs have gone away. So, does Seabrook pay for the privilege of recycling?

95
96 Motion was made by Councilmember Picha and seconded by Councilmember Davis

97
98 To approve an amendment to the Agreement between the City of Seabrook and Waste
99 Management Inc. for an increase to the base rate to recover increased costs of recycling to be
100 effective January 1, 2019.

101
102 MOTION CARRIED BY UNANIMOUS CONSENT

103
104 **3.2** Consider and take all appropriate action on post bid analysis, value engineering, and review
105 of the SH 146 Project and an amendment (SBKs701.A) to the Agreement between the City of
106 Seabrook and SWA Group (SBKs701) for the Design Services for SH 146, in an amount of
107 \$41,500.00, including reimbursables, from Hotel Occupancy Tax (HOT) funds. This expenditure
108 will directly enhance and promote tourism and the convention and hotel industry and attract
109 tourists and convention delegates to the municipality through advertising. This is not a budgeted
110 item and will require a budget amendment. (Cook)

111
112 Gayle Cook, City Manager, explained that at the last Council meeting an SWA amendment
113 was approved for a little over \$26,000, with a scope to include pieces of 146 construction. After
114 the construction bid came out, there was quite a difference in the cost on granite between the initial
115 estimate and the bid submittals. The City is looking at alternates, and this amendment is to work
116 with a contractor to formulate a change order. Staff is recommending that the funding for this
117 amendment come from HOT funds.

118
119 Mayor Kolupski stated that this money will probably be well spent because the consultant's
120 job is to try to save the City money.

121
122 Motion was made by Councilmember Davis and seconded by Councilmember Klein
123

124 To approve an amendment (SBKs701.A) to the Agreement between the City of Seabrook and
125 SWA Group (SBKs701) for the Design Services for SH 146, in an amount of \$41,500.00, including
126 reimbursables, from Hotel Occupancy Tax (HOT) funds, with Council finding that This
127 expenditure will directly enhance and promote tourism and the convention and hotel industry and
128 attract tourists and convention delegates to the municipality through advertising.
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130 MOTION CARRIED BY UNANIMOUS CONSENT
131

132 **4. ROUTINE BUSINESS**
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134 **4.1** Review the Clear Lake Emergency Medical Corps (CLEMC) monthly report and call
135 breakdown report for July 2018. (Hunter)
136

137 Councilmembers commented that the order of the report seems to be everywhere and
138 haphazard in format. Also, the response times seem to be a little better than the last report;
139 although, 10 ½ minutes on all out for a stroke is an issue.
140

141 No action was taken on this report.
142

143 **4.2** Review the Seabrook Volunteer Fire Department (SVFD) monthly report for July
144 2018. (Gutacker)
145

146 No comments, questions, or action on this report.
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148 **4.3** Review the Seabrook Police Department monthly report for July 2018. (Wright)
149

150 No comments, questions, or action on this report.
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152 **4.4** Review the Seabrook Building Department monthly report for July 2018. (Landis)
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154 No comments, questions, or action on this report.
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156

157 **THIS SPACE INTENTIONALLY LEFT BLANK**
158

159
160 **4.5** Approve the Action Items Checklist which is attached and made a part of this agenda. (Cook)
161

162 **TXDOT** - Gayle Cook, City Manager, stated that the Mayor and City Manager met with
163 TXDOT and met the Project Manager team and were able to go through the written sequence for
164 Phase 1 construction, but the sequence nor start of construction were able to be confirmed. Weber
165 has officially signed the contract for construction. There is a 180 day built into the contract before
166 full construction has to engage. Utility work on the east side will probably start before year's end
167 and before construction is fully engaged on the bridge, right after first of the year. The City is
168 anticipating that the first step will be a kickoff meeting, so project manager will answer some of
169 the phasing questions that the City has and then those answers will hopefully be pushed out to the
170 public. TXDOTs anticipates surveyors and stakes within the month on both sides. TXDOT has
171 assured the City that staff can sit in on weekly meetings, once construction starts. On the utility
172 issue, the City will engage with inspection and relocation services. Mayor Kolupski that it is
173 critical that PD be in on some of these conversations for lane closures. The awarded project
174 manager did come in and talk with staff. Staff asked how communications will work and discussed
175 concerns. The project manager walked staff through their experience. If emergency response
176 times were not discussed, then it needs to be addressed with the project manager. Ms. Cook stated
177 that there will be a weekly email that goes out from TXDOT to stakeholders, and the City will be
178 given a certain amount of time notice on closures.
179

180 **PROJECTS** – Kevin Padgett, Director of Public Works, stated that Todville project is still
181 in process. Some of the sections being worked are roughly 600 feet long, and the contractor is
182 down to the last 500 feet. The dewatering section will start getting pulled out, which means smaller
183 pockets will be worked on for installation. The bore and the east-west connection has been
184 completed on the Red Bluff waterline project. Staff will be working with the contractor on
185 Tuesday to do the tie-in. Loganberry will be without water on Thursday, so staff is working with
186 PD and Fire on that issue. Residents will be notified by call down and door flyers. The Wastewater
187 Treatment plant rehab clarifier project is coming to a close. Rotating arm assemblies were put in
188 today. Concrete floor was poured earlier this week. Brookwood and Lakepoint Forest will have
189 substantial walkthrough next Wednesday and staff is anticipating releasing the streets. School is
190 back in session, and everyone has probably seen the beacons flashing. Please be aware of all the
191 school zones.
192

193 **GRANT ADMIN** – Staff is looking for deposits from FEMA on Harvey. The City recently
194 had a call with the HMGP grant team, which had one question regarding the location and whether
195 it was a flood plain. That question was quickly resolved and there have been no other questions
196 or requests for information, so staff is hoping for good news soon.
197

CELEBRATION SEABROOK – LeaAnn Petersen, Director of Communications, stated that preparations are almost at the month out mark. Everyone should see the billboard go up soon and print ads will be seen as well.

Motion was made by Councilmember Davis and seconded by Councilmember Picha
To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT

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

The next City Council meeting is September 4.

The Council meeting on October 2 (National Night Out) will begin at 5pm.

The December HCMCA Meeting will be December 20 at Lakewood Yacht Club.

5. CLOSED EXECUTIVE SESSION

5.1 Section 551.071

Conduct a Closed Executive Session to consult with the City Attorney on legal issues associated with traffic management. (Wright)

5.2 551.074

Conduct a Closed Executive Session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the position of Director of Emergency Services. (Cook)

At 7:36 p.m. Mayor Kolupski announced that the City Council will now hold closed executive meetings 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 and Section 551.074 Personnel Matters.

6. 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 8:43p.m. Mayor Kolupski reconvened the meeting in open session and stated that items 5.1 and 5.2 had been discussed, but that no action had been taken in executive session.

237 7. **DISCUSSION ITEM**

238
239 7.1 Discuss, consider and take all appropriate action on traffic management. (Wright)

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241 No action was taken on item 7.1.

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243 Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 8:45 p.m.

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245 Approved this 4th day of September, 2018.

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254 Robin Hicks, TRMC
255 City Secretary



Thomas G. Kolupski
Mayor