

The City Council of the City of Seabrook met in regular session on Tuesday, November 20, 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 – ex. abs.	COUNCIL PLACE NO. 2
JEFF LARSON	COUNCIL PLACE NO. 3
NATALIE PICHA- ex. ab.	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
XOCHYTL GREER	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 Presentation of the post event report for the 2018 Gulf Coast Film and Video Festival held September 21-22, 2018 at Lakewood Yacht Club. (Wixon)

Domino Taylor, Festival Board member and Publicist, stated that this year's event, held at the Lakewood Yacht Club, was the best one yet, with about 2000 tickets sold between the films and the gala. The event received really good publicity, with write ups in the New York paper and advertising in Miami. There were also ads in the Galveston Daily news, the Houston Press, the Houston Chronicle, and the Bay Area Observer. Suzanne Savoy received the Lifetime Achievement Award, and Michelle Mower, who has done four films in Hollywood, received the Ernie Robertson award. A film shot entirely in Seabrook won for best film in the festival. Film critic, producer, actor Nick Nicholson served as master of ceremonies for the evening. Next year's festival, the last weekend in September, will be at the Lakewood Yacht Club, which draws a crowd because of its beautiful setting and good food, and the hope is that 300-400 more tickets will be sold. The Festival Board is very appreciative and couldn't do the festival without the City of Seabrook.

2. PUBLIC COMMENTS AND ANNOUNCEMENTS - none

40 **2.1** Mayor, City Council, and/or members of City staff may make announcements about
41 City/community events. (Council)

42 Councilmember Klein announced the following events: City Hall will be closed for
43 Thanksgiving Day and Friday; the Birding Seminar and Bird Counting event; Share Your
44 Christmas; Breakfast with Santa; the Tree Lighting event; the Santa Run; and the Christmas Boat
45 Lane Parade.

46 **3. *CONSENT AGENDA***

47 **3.1** Approve on second reading proposed Ordinance 2018-30, "Comprehensive Update of Speed
48 Limits and Zones." (Wright)

49 AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, COMPLETELY
50 UPDATING CHAPTER 90 "TRAFFIC AND VEHICLES", ARTICLE II, "SPEED
51 RESTRICTIONS", BY ESTABLISHING NEW PROVISIONS, SPEED ZONES AND LIMITS,
52 AND ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES
53 UNDER THE PROVISIONS OF SECTION 545.356, TEXAS TRANSPORTATION CODE,
54 UPON BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, WITHIN THE
55 CORPORATE LIMITS OF THE CITY OF SEABROOK, PROVIDING FOR A PENALTY OF
56 A FINE NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) OR THE MAXIMUM
57 AMOUNT PROVIDED BY LAW FOR VIOLATION OF ANY PROVISIONS HEREOF BY
58 INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF
59 ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR
60 SEVERABILITY

61
62 **3.2** Approve on second of two readings proposed Resolution 2018-32, "EDC Project Designation
63 for WMF Investments, Inc. and 3300 Hwy 146, LLC, (D/B/A Retail at the Commons) and
64 Approval of SEDC Expenditures for Promotion of New Business for Construction of Two New
65 Retail Structures Pursuant to Performance Agreement." (Chavez)

66 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS,
67 APPROVING A PROJECT OF THE SEABROOK ECONOMIC DEVELOPMENT
68 CORPORATION TO PROVIDE BUSINESS INCENTIVES TO WMF INVESTMENTS, INC.,
69 AND 3300 HWY 146, LLC D/B/A "RETAIL AT THE COMMONS" IN AN AMOUNT NOT TO
70 EXCEED \$64,162.75 FOR PROMOTION OF NEW RETAIL BUSINESS FOR
71 CONSTRUCTION OF TWO NEW RETAIL STRUCTURES, PURSUANT TO THE TERMS
72 AND CONDITIONS OF THE "ECONOMIC DEVELOPMENT AGREEMENT", ATTACHED
73 HERETO

74

75 **3.3** Approve the proposal from Cobb Fendley to provide Engineering and Surveying Services
76 for the City of Seabrook CIP water projects W6 and W14, in the amount of \$156,630.00. (Padgett)

77 **3.4** Approve the proposal from Cobb Fendley to provide Engineering and Surveying Services for
78 the City of Seabrook CIP water projects W17 and W18, in the amount of \$70,770.00. (Padgett)

79 **3.5** Approve a request for a permit to remove (where feasible) or abandon-in-place two 10"
80 pipelines which are located: one in the newly purchased Texas Department of Transportation
81 (TxDOT) right-of-way (ROW) and one outside of the TxDOT ROW and replace both with a new
82 8" pipeline. (Landis)

83 Motion was made by Councilmember Hammann and seconded by Councilmember Machol

84 To approve the Consent Agenda, as presented.

85 MOTION CARRIED BY UNANIMOUS CONSENT

86 **4. NEW BUSINESS**

87 **4.1** Consider and take all appropriate action on presentation of donation to the City of Seabrook
88 Share Your Christmas in the amount of \$4,000.00 out of proceeds from the 2018 Celebration
89 Seabrook Festival. (Petersen)

90 Motion was made by Councilmember Larson and seconded by Councilmember Machol

91 To approve a donation to the City of Seabrook Share Your Christmas in the amount of \$4,000.00
92 out of proceeds from the 2018 Celebration Seabrook Festival.

93 MOTION CARRIED BY UNANIMOUS CONSENT

94 Myra Perez, Chair of the Share Your Christmas Program, explained that the program is a
95 fully employee based program that is also community based. Share Your Christmas hosts a food
96 and toy drive every year for local families. Citizens can come to City Hall and also to the new
97 Public Works Building and pick a star off of the Christmas Tree to purchase items for the child on
98 the star. Items are due back to City Hall before Christmas, and there is also an after hours drop off
99 at the Police Department. The Hampton Inn has agreed to host the food drive and staff is working
100 with one other business to also participate. The Program helps about 25-35 families every year,
101 which is about 60-70 children. This donation will provide some new events such as a summer
102 food drive and lunch with the kids and some kind of operation backpack for when the kids go back
103 to school. The Program was able to provide a Thanksgiving dinner for the families this year,
104 through the hard work of Natalie Stephens from the Public Works Department. Kroger is the main
105 participant, and families will pick up meals on Wednesday and on Thanksgiving morning.

Mayor Kolupski stated that this program and these events are a lot of work and Council appreciates how much staff puts into this program.

4.2 Consider and take all appropriate action on presentation of donation to the City of Seabrook Animal Shelter and Adoption Center in the amount of \$4,000.00 out of proceeds from the 2018 Celebration Seabrook Festival. (Petersen)

Motion was made by Councilmember Machol and seconded by Councilmember Klein

To approve a donation to the City of Seabrook Animal Shelter and Adoption Center in the amount of \$4,000.00 out of proceeds from the 2018 Celebration Seabrook Festival.

MOTION CARRIED BY UNANIMOUS CONSENT

Dwayne Vanselous, Animal Control Supervisor, explained that since moving into the new Animal Control Facility, staff has been implementing new programs that will use the donated funds. The Shelter is now using volunteers for walking dogs and general help around the shelter. Community services workers are also helping. Staff talked about implementing the microchip program for dogs, and right now, the cost is right around \$1000-\$2000 to start. The Shelter also wants to start a wellness program to administer updated rabies vaccines at possibly a discounted rate. Seabrook had a wellness program years ago at the Baptist Church and it worked out really well with many vendors participating and giving discounts on their product (grooming, shots, microchips). Staff wants to put together a similar event this year and reach out to the entire community, to those that might not have the ability to pay for the shots. This donation will also help out with an adoption event. The Shelter will continue to add programs and reach out to citizens

4.3 Consider and take all appropriate action on Mario's Pizza request for an extension on project completion date from October 20, 2018 to April 20, 2019. This extension request has been approved by the Seabrook EDC. (Chavez)

Motion was made by Councilmember Hammann and seconded by Councilmember Klein

To approve the Mario's Pizza request for an extension on project completion date from October 20, 2018 to April 20, 2019.

MOTION CARRIED BY UNANIMOUS CONSENT

4.4 Consider and take all appropriate action on first and final reading of proposed Ordinance 2018-31, "Amending the Budget for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019 for City Department encumbrances". (Gibbs)

AN ORDINANCE AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019 BY AUTHORIZING CERTAIN ADDITIONS AND REDUCTIONS IN THE AMOUNT OF \$47,525.96 FOR GENERAL FUND, ENTERPRISE FUND, AND PUBLIC SAFETY FUND; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTION NECESSARY TO FACILITATE THE CHANGES IDENTIFIED; AND FINDING AVAILABLE UNENCUMBERED FUNDS FOR THE SUPPLEMENTAL APPROPRIATE AND/OR TRANSFER

Michael Gibbs, Director of Finance, went over the numbers and items for amendment as shown in the attached Exhibit "A".

Motion was made by Councilmember Hammann and seconded by Councilmember Machol

To approve on first and final reading proposed Ordinance 2018-31, "Amending the Budget for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019 for City Department encumbrances".

MOTION CARRIED BY UNANIMOUS CONSENT

5. CLOSED EXECUTIVE SESSION

5.1 Section 551.071

Conduct a closed executive session to consult with the City Attorney on legal issues regarding the contract for Emergency Medical Services between the City of Seabrook and the Clear Lake Emergency Medical Corps (CLEMC). (Cook)

At 7:15 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.

At 7:30 p.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.

5.2 Section 551.087

Conduct a closed executive session to discuss commercial information the City has received from a business prospect that it seeks to have located, stay or expand in the City and which the City is conducting economic development negotiations, including deliberation of a financial offer or incentive as provided by Section 551.087 of the Texas Government Code. (Cook)

At 7:49 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 551.087, Deliberation Regarding Economic Development Negotiations.

At 8:09 p.m. Mayor Kolupski reconvened the meeting in open session and stated that item 5.2 had been discussed, but that no action had been taken in executive session.

6. DISCUSSION ITEM

6.1 Discuss and take all appropriate action on the current contract between the City of Seabrook and the Clear Lake Emergency Medical Corps (CLEMC), and consider approving up to and not to exceed a quarterly payment in lieu of a monthly payment to CLEMC. (Cook)

Motion was made by Councilmember Klein and seconded by Councilmember Hammann

To approve up to and not to exceed a quarterly payment in lieu of a monthly payment to CLEMC under the terms of the current contract between the City of Seabrook and the Clear Lake Emergency Medical Corps.

MOTION CARRIED BY UNANIMOUS CONSENT

7. ROUTINE BUSINESS

7.1 Review the Clear Lake Emergency Medical Corps (CLEMC) breakdown report for October 2018.

No discussion or action taken.

7.2 Review the Seabrook Volunteer Fire Department (SVFD) monthly report for October 2018. (Gutacker)

The Assistant Fire Chief stated that the Department responded to 63 calls in the month of October, with seven of those calls cancelled in route. The average response time was 3min 53 sec. Most of the calls are for EMS support, medical, hazmat, and Motor Vehicle Accidents along 146. There were two fires in October, one grass fire and one brush fire. In addition to call, the Department participated in the MDA Fill The Boot fundraiser and donated just under \$14,000.00.

No additional discussion or action was taken.

207

208 **7.3** Review the Seabrook Police Department monthly report for October 2018. (Wright)

209 No discussion or action taken.

210 **7.4** Review the Seabrook Building Department monthly report for October 2018. (Landis)

211 No discussion or action taken.

212

213 **7.5** Approve the Action Items Checklist made a part of this agenda. (Cook)

214 **TXDOT** – Gayle Cook, City Manager, stated that there are no new updates on 146 at this
215 time. Demolitions are continuing. Staff has had no additional contact from TXDOT. At the
216 kickoff meeting TXDOT stated that they are working on a GLO permit issue with Phase 1 as there
217 is a mitigation area that was not previously identified, so the City is waiting to see if that changes
218 the construction start date.

219 **PROJECTS** – Kevin Padgett, Director of Public Works, reported that there is not much to
220 report on projects at this time because of the weather and upcoming Thanksgiving holiday. The
221 Todville Sewer Project is slow and demanding because each manhole has to be dewatered and it's
222 a very slow process. Staff met with Harris County about resident drainage concerns. Now that
223 the water cannot infiltrate the sanitary sewer lines, there is about 600,000 gallons of water causing
224 a drainage issue on Todville. The County sent high level reps out to evaluate and work started
225 immediately to alleviate the problem. Some progress has been made, but at the same time the
226 enormity of the situation has not been realized. The culverts were there for 40 years. The City is
227 working with the County because the City has some streets that flow out into the slough. Because
228 of low tides Todville looks dry now, but the ditches will fill back up and the drainage is not what
229 is should be, and because the majority of the problem is County right of way, the City needs their
230 help. The County will not be boxing the culverts because it will be expensive. Right now the
231 County is looking at cross pipes to allow water to start to move, but some of the system is extremely
232 old (the City had maps that the County had not seen). There are 4 areas south of Hammer to 10th
233 street and 4 cross pipes, so water gets to cross pipes and then out. There are some driveways
234 without culverts at all, just poured straight into the ditch. The County is going to go back
235 retroactively to find out how the homeowners were able to pour driveways without permits. The
236 City and County are working on pockets at a time, and are down to one major pocket closer to
237 Curry that is still a big issue. The project on Todville didn't cause this issue, but exposed it. City
238 equipment and personnel will be used to assist the County. The Old Seabrook Parking Lot was
239 inspected and substantially completed last week. The Old Seabrook Village Subdivision is putting
240 in underground utilities. Public Works staff is working towards the next two events – Breakfast
241 with Santa and the Tree Lighting Ceremony.

GRANTS – Ms. Cook stated that there is nothing to report at this time. Staff is waiting on a response form FEMA on the HMGP questions.

REPORTS FROM COUNCIL:

Councilmember Klein attended the Heart Association's Mayor's Heartwalk Challenge; the Veteran's Memorial Day event; the Water's Edge Wine Down Wednesday event; the Bay Area Economic Partnership meeting on the results of the 2018 Mid-term Elections and learned that there have been 100,000 newly registered voters age 35 or younger; the November HCMCA meeting.

Mayor Kolupski attended the Grand Opening of the new Morgan's Point City Hall; a Deer Hunt with a number of Congressional leaders and area Mayors; the Heart Association's Mayor's Heartwalk Challenge; the Bay Area Houston Economic Partnership dinner with the City Manager; the Galveston Bay Foundation Awards luncheon as an invitee of Nassau Bay Mayor Mark Denman where a Seabrook resident, who has been involved in Trash Bash for 20 years, won a Steward of the Bay Award; the Veterans Day Celebration; the CLEMC meetings; the Bay Area Houston Economic Partnership meeting with Mayors from around the lake to discuss a number of legislative items to take to the legislators at the next session (tax cap and funding for unfunded mandates – utility relocates for 146 is an example of an unfunded mandate and Mayor Kolupski is trying to get that on the legislative agenda); a quarterly lunch meeting with Chambers County Mayors since Seabrook extends into the Channel and essentially abuts Chambers County.

Councilmember Larson attended the same meetings as Councilmember Klein.

Councilmember Hammann attended the same meetings as Councilmember Klein and attended an HOA meeting.

Councilmember Machol attended the Troup 1513 Boy Scouts meeting and talked about civic duties; the Water's Edge Wine Down Wednesday event and promoted the City of Seabrook; the Veterans' Day event where he was a speaker; the Hilton Americas for the Holocaust Museum Houston and met with Robert Gates and General Ramirez backstage about leadership and how people can lead with civility instead of with anger.

Motion was made by Councilmember Machol and seconded by Councilmember Klein
To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT

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

The next City Council meeting is December 4 at 7:00pm.

The second regular meeting in December is December 18 at 7:00pm.

274 There will be no meeting for the first Tuesday in January, which is January 1.

275 Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 8:31 p.m.

276
277 Approved this 4th day of December 2018.

278

279

280

281

282

283

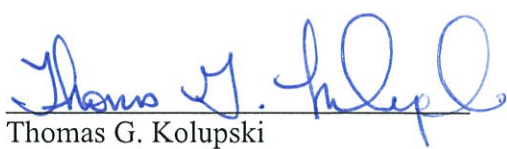
284

285

286

287


Robin Hicks, TRMC
City Secretary


Thomas G. Kolupski
Mayor

