



**SEABROOK CITY COUNCIL  
NOTICE OF REGULAR CITY COUNCIL MEETING  
TUESDAY, DECEMBER 3, 2019 - 7:00 PM**

For city information visit [www.seabrooktx.gov](http://www.seabrooktx.gov)  
For SH 146 updates visit [www.sh146.com](http://www.sh146.com)

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY DECEMBER 3, 2019 AT 7:00 PM** IN THE CITY HALL CITY COUNCIL CHAMBERS, 1700 1ST STREET, SEABROOK, TEXAS, **TO DISCUSS, CONSIDER, AND IF APPROPRIATE, TAKE ACTION** WITH RESPECT TO THE ITEMS LISTED BELOW.

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR OTHER ACCOMMODATIONS OR INTERPRETIVE SERVICES, MUST BE MADE, 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (281) 291-5663 OR CITYSEC@SEABROOKTX.GOV FOR FURTHER INFORMATION.

**PLEDGE OF ALLEGIANCE**

**1. INTERVIEW CANDIDATE**

**1.1** Interview candidates for positions on the Seabrook Board of Adjustment. *City Council*

**ATTACHMENT:** [Application\\_Hefner](#)   [Application\\_Hanssen](#)

**2. PRESENTATIONS**

**2.1** Presentation of a Life Saving Award for assisting in a major accident which resulted in saving a life to Andy Gutacker, Justin Amaro, Daniel Prentice, Johnathan Martin, Andy Castiglione, Elizabeth Yancey, Michael Miner, Ingris Berrios, Michael Dyer, Constance Robinson, and Austin Wood. *Brad Goudie, Director of Emergency Services*

**2.2** Presentation of a Life Saving Award for responding to a medical emergency which resulted in saving a life to Kimberly Boniface, Hailey Hayes, Robert Ozment, Justin Amaro, Robert Turner, and Christi Krause. *Brad Goudie, Director of Emergency Services*

**2.3** Presentation of the Post Event Report for the 2019 Celebration Seabrook Festival.  
*LeaAnn Petersen, Director of Community and Visitor Relations*

### **3. 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 Texas 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.*

**3.1** Mayor, City Council, and/or members of City Staff may make announcements about City/Community events. *City Council*

**ATTACHMENT:** [Events Memo](#)

### **4. CONSENT AGENDA**

**4.1** Approve on second reading proposed Ordinance 2019-28, "Mobile Food Vendor Regulations." *Sean Landis, Deputy City Manager*

**ATTACHMENTS:** [Ordinance 2019-28](#) [Section 22-51](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 22, "BUSINESSES", ARTICLE II, "FOOD SERVICES" BY CREATING A NEW SECTION 22-51 ENTITLED "MOBILE FOOD VENDORS", WITH ASSOCIATED REGULATIONS UNDER THIS TITLE; REPEALING ALL ORDINANCES OF 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

**4.2** Approve on second reading proposed Ordinance 2019-31, "Amendment to the Official Zoning Map to Rezone Seabrook Island, Section 4, Reserve C, Being a 10.3586 Acre Tract situated in Abstract 52, Ritson Morris Survey, Harris County, Texas, located East of Palm Bay Circle, South of Scenic Shore Drive and immediately West of State Highway 146 from R-2 to 146-M". *Sean Landis, Deputy City Manager*

**ATTACHMENTS:** [Ordinance 2019-31](#) [Exhibit A - Plat](#) [PZ Report](#) [Plot Plan](#) [Location Map](#)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING, SEABROOK ISLAND, SECTION 4, RESERVE C, BEING A 10.3586 ACRE TRACT SITUATED IN ABSTRACT 52, RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS, AS MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE, FROM R-2 ("SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT SMALL LOTS") TO 146-M ("SH 146 MAIN COMMERCIAL DISTRICT"); REQUIRING THAT THE ZONING MAP BE

AMENDED TO REFLECT THIS REZONING; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH TRACT; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY

**4.3** Approve on second reading proposed Ordinance 2019-32, "Restaurant - Fast Food and Restaurant - Full Service, Parking Regulations".

*Sean Landis, Deputy City Manager*

**ATTACHMENTS:** [Ordinance 2019-32](#) [PZ Report](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 5, "OFF-STREET PARKING, LOADING, INGRESS, AND EGRESS", SECTION 5.05, "COMPREHENSIVE PARKING REGULATION MATRIX", TABLE 5-C, "REQUIRED PARKING SPACES BY LAND USE CATEGORY" BY ADDING RESTAURANT - FAST FOOD AND RESTAURANT - FULL SERVICE, AND CREATING NEW ASSOCIATED PARKING REGULATIONS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000.00 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

**4.4** Approve on second reading proposed Ordinance 2019-33, "Creation of Definitions for Restaurant-Fast Food and Restaurant-Full Service".

*Sean Landis, Deputy City Manager*

**ATTACHMENTS:** [Ordinance 2019-33](#) [PZ Report Fast Food](#) [PZ Report Full Service](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 1, "IN GENERAL", SECTION 1.10, "DEFINITIONS", BY CREATING DEFINITIONS FOR RESTAURANT-FAST FOOD AND RESTAURANT-FULL SERVICE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000.00 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

**4.5** Approve on second of two readings Resolution 2019-24, "EDC Project Designation for Moshe Allen Doing Business as Americano's Cafe and Approval of EDC Expenditures for Construction Improvements of New Restaurant pursuant to Performance Agreement".

*Paul Chavez, Director of Economic Development*

**ATTACHMENTS:** [Resolution 2019-24 Performance Agreement Business Plan](#)

A RESOLUTION OF THE CITY COUNCIL OF CITY OF SEABROOK, TEXAS, APPROVING A PROJECT OF THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE BUSINESS INCENTIVES TO MOSHE ALLEN DOING BUSINESS AS AMERICAN'S CAFE IN AN AMOUNT NOT TO EXCEED \$68,500.00 FOR CONSTRUCTION AND IMPROVEMENTS FOR A NEW RESTAURANT, PURSUANT TO THE TERMS AND CONDITIONS OF THE "ECONOMIC DEVELOPMENT AGREEMENT", ATTACHED HERETO

**4.6** Approve the reappointment of Regular Members Michele Glaser and Edelmiro Muniz, and Alternate Member Jared Kelly to the Seabrook Board of Adjustment and Building Standards Commission for a term to expire January 1, 2022. *Sean Landis, Deputy City Manager*

## **5. NEW BUSINESS**

**5.1** Consider and take all appropriate action on Resolution 2019-28, "Designation of Official Newspaper". *Robin Lenio, City Secretary*

**ATTACHMENTS:** [Agenda Briefing](#) [Resolution 2019-28](#) [Bay Area Observer Rates & Subscriber Stats](#) [Houston Chronicle Rate Comparisons & Subscriber Stats](#) [Seabrook Charter Section 11.12](#) [Local Government Code Section 52.005](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS DESIGNATING THE CITY'S OFFICIAL NEWSPAPER, PURSUANT TO SECTION 11.12 OF THE CHARTER OF THE CITY OF SEABROOK, FOR PUBLICATION OF ALL ORDINANCES, NOTICES, AND OTHER MATTER

**5.2** Consider and take all appropriate action on approval of donation to the City of Seabrook Share your Christmas in the amount of \$2,500.00 out of proceeds from the 2019 Celebration Seabrook Festival.

*LeaAnn Petersen, Director of Community & Visitor Relations*

**ATTACHMENT:** [Agenda Briefing](#)

**5.3** Consider and take all appropriate action on approval of donation to the City of Seabrook Animal Shelter and Adoption Center in the amount of \$1,200.00 out of proceeds from the 2019 Celebration Seabrook Festival. *LeaAnn Petersen, Director of Community & Visitor Relations*

**ATTACHMENT:** [Agenda Briefing](#)

**5.4** Consider and take all appropriate action on approval of donation to the Bay Area Veterans Memorial in an amount of \$1,200.00 out of proceeds from the 2019 Celebration Seabrook Festival.

*LeaAnn Petersen, Director of Community & Visitor Relations*

**ATTACHMENT:** [Agenda Briefing](#)

**5.5** Consider and take all appropriate action on the appointment of Rob Hefner to a regular position on the Seabrook Board of Adjustment for a term to expire January 1, 2022. *Robin Lenio, City*

Secretary

**ATTACHMENT:** [Application\\_Hefner](#)

**5.6** Consider and take all appropriate action on the appointment of Byron Hanssen to an alternate position on the Seabrook Board of Adjustment for a term to expire January 31, 2021. *Robin Lenio, City Secretary*

**ATTACHMENT:** [Application\\_Hanssen](#)

## **6. ROUTINE BUSINESS**

**6.1** Update and report on various items that require no action, including SH 146 Expansion Project, City of Seabrook CIP Projects, and City of Seabrook Grant Administration. *Gayle Cook, City Manager*

**6.2** Establish future meeting dates and agenda items, including a discussion on whether to hold the regular City Council meeting on December 17, 2019. *City Council*

## **7. CLOSED EXECUTIVE SESSION**

### **7.1 Section 551.074**

Conduct a closed executive session to deliberate the evaluation and duties of the City Secretary. *Robin Lenio, City Secretary*

## **8. OPEN SESSION**

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

THE CITY COUNCIL RESERVES THE RIGHT TO HEAR ANY OF THE ABOVE DESCRIBED AGENDA ITEMS THAT QUALIFY FOR AN EXECUTIVE SESSION IN AN EXECUTIVE SESSION BY PUBLICLY ANNOUNCING THE APPLICABLE SECTION NUMBER OF THE OPEN MEETINGS ACT, (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE) THAT JUSTIFIES EXECUTIVE SESSION TREATMENT.

I certify that this notice was posted on the bulletin board on or before Friday, November 29, 2019 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Stephanie Martinez,  
Executive Administrative Assistant