

1 The City Council of the City of Seabrook met in regular session on Tuesday, August 2, 2022
2 at 6:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas, to discuss, consider
3 and if appropriate, take action on the items listed below.

4
5 **THOSE PRESENT WERE:**

6 **THOM KOLUPSKI**

MAYOR

7 **JACKIE RASCO**

COUNCIL PLACE NO. 1

8 **ROB HEFNER**

COUNCIL PLACE NO. 2

9 **TOM TOLLETT**

COUNCIL PLACE NO. 3

10 **MICHAEL GIANROSSO**

COUNCIL PLACE NO. 4

11 **BUDDY HAMMANN**

MAYOR PRO TEM

12
13 **JOE MACHOL**

COUNCIL PLACE NO. 5

14 **GAYLE COOK**

COUNCIL PLACE NO. 6

15 **STEVE WEATHERED**

CITY MANAGER

16 **ROBIN LENIO**

CITY ATTORNEY

CITY SECRETARY

17
18 Mayor Kolupski called the meeting to order at 6:00 p.m. and led the audience in the United
19 States and Texas Pledges of Allegiance.

20
21 **1. PRESENTATIONS**

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23 **1.1 Presentation of a Post Event Report for the Yachty Gras Event on February 19,**
24 **2022. *Maureen Howard, Executive Director, Yachty Gras Foundation***

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26 Dr. Maureen Howard presented the report shown in Attachment A. In addition, she
27 informed City Council other events that the Yachty Gras organization has participated in
28 during 2022, including Clear Lake Chamber Spotlight Table, Masquerade Ball, Marine Max
29 Boat Show, Men Who Cook, Keels n Wheels, and the Americal Division of Bravo Company
30 visit to the Clear Lake Area. Yachty Gras has also made donations to and for the Bay Area
31 Veterans Memorial, SPCA, cancer research for children, the Seabrook Animal Shelter, Sea
32 Scouts, Wounded Warriors, and hearing aids for children. Finally, Yachty Gras has put a plan
33 together to build the Bay Area Maritime Museum. Staff has already been hired to support the
34 museum and plans include construction of the museum in Seabrook

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36 **2. PUBLIC COMMENTS AND ANNOUNCEMENTS**

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38 Angela Cervantes, Loganberry Circle, thanked Mayor Pro Tem Hammann,
39 Councilmember Rasco, and Councilmember Machol for visiting the neighborhood to
40 experience what the residents are fighting. Until someone sees it in person, he or she does not
41 know what residents are facing. The battle with CenterPoint began one (1) year ago today.
42 Neighbors had no idea how many assaults on the neighborhood would happen as a result of
43 poor decisions previously made by the City of Seabrook. In February of 2022 extremely loud
44 round the clock rumblings from plant just on other side of CenterPoint tree line persisted for
45 nearly two month, with occasional weekends off. Seabrook PD was called and said to call

Pasadena PD. Pasadena PD said to call Harris County Precinct 3. Precinct 3 came out and filed a report, but stated that their hands were tied because they had no noise ordinance. The City was called again, to no avail. Records requests revealed that the poly plan land was gifted to Harris County by the City of Seabrook to invade the space and neighborhood without recourse to the City. Due to City's inaction, neighbors pooled resources to hire outside legal counsel. A letter to the Geon president resulted in change, when City provided no help. In the midst of the CenterPoint battle, another poor decision from the City brought loud crashing booms like thunder and squawking, screeching of metal friction invaded the neighborhood. In 2016 Seabrook had accepted \$1.6million to allow Union Pacific full expansion with the agreement to never ask for any future mitigation. Residents were assured of a tenfold increase in train traffic on the other side of the CenterPoint tree line, and that is currently coming to fruition. Neighborhood residents have reached out to Union Pacific with no reassurances or plans of action to mitigation the noise. Now there is a major highway, Red Bluff, right outside the neighborhood entrance with no flashing lights for turning in or out of neighborhood. Another example of no regard while decisions are being made. The City has spent countless tax payer dollars on studies and outside legal counsel, most recently on Barge 295 and on the installation of two flagpoles agreed upon at a City Council meeting. Seabrook has made a point to consult outside counsel when they deem it important. This is important. Council members have openly stated that they do not know what mitigation efforts can be made against CenterPoint. The ask today is for the City of Seabrook to consult outside counsel to see what options exist for the substation. Once the substation goes in, it will be the nail in the coffin for property values and peace of mind. Residents can't win on our own. City of Seabrook don't sit idly by or passively tell residents that you are reaching out to CenterPoint. Get in the fight and pick a side: a Seabrook neighborhood or CenterPoint. We will not be quiet until this is over.

2.1 Mayor, City Council and/or members of the City staff may make announcements about City/Community events. *City Council*

Councilmember Rob Hefner announced the Comprehensive Master Plan Community Workshop at 5:30pm on Wednesday, August 3, at the Seabrook Public Works Facility and also the Kids' Fish event on Saturday, September 10, at Main Street, all day.

3. *BID AWARDS*

3.1 Consider and take all appropriate action on a Bid Award to Hahn Equipment Company for CIP FAC12 for the design, supply, integration, installation and commissioning of an updated SCADA system for wastewater facilities and authorize the City Manager to negotiate and execute an agreement between the City of Seabrook and Hahn Equipment Company, in an amount not to exceed \$74,750. *Kevin Padgett, Director of Public Works*

Kevin Padgett, Director of Public Works, explained that this is the last piece of the SCADA installation and is for the wastewater facilities. All other components of the SCADA system have been installed.

Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Tollett to approve a Bid Award to Hahn Equipment Company for CIP FAC12 for the design, supply, integration, installation and commissioning of an updated SCADA system for wastewater facilities and authorize the City Manager to negotiate and execute an agreement between the City of Seabrook and Hahn Equipment Company, in an amount not to exceed \$74,750.

MOTION CARRIED BY UNANIMOUS CONSENT

4. CONSENT AGENDA

4.1 Approve amended Resolution 2022-27, "Application for Apache Tree Grant". *Kevin Padgett, Director of Public Works*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE APACHE FOUNDATION UNDER THE FISCAL YEAR 2021-22 TREE GRANT PROGRAM AND TO EXECUTE ALL GRANT DOCUMENTS RELATING THERETO

4.2 Approve the minutes of the June 20, 2022 Joint Comprehensive Master Plan Review Commission Meeting. *Pat Patel, EDC Administrative Coordinator*

Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Machol to approve the Consent Agenda, as written.

MOTION CARRIED BY UNANIMOUS CONSENT

5. NEW BUSINESS

5.1 Consider and take all appropriate action on a nine month extension request from WMF Investments "Retail at the Commons" seeking to extend their project completion date from August 18, 2022 to May 18, 2023. The Seabrook EDC Board of Directors approved this request on July 14, 2022. *Paul Chavez, Director of Economic Development*

Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Giangrosso to approve a nine month extension request from WMF Investments "Retail at the Commons" seeking to extend their project completion date from August 18, 2022 to May 18, 2023.

MOTION CARRIED BY UNANIMOUS CONSENT

5.2 Consider and take all appropriate action on first reading of Resolution 2022-28, "EDC Project Designation for Transwestern Development Company, L.L.C., affiliate, TDC Bayport GP, L.P., and Approval of EDC expenditures for promotion of new business for Construction of a warehouse located at 5803 Old Highway 146, pursuant to Economic Development Agreement". The Economic Development Agreement was approved by the Seabrook

Economic Development Board of Directors on July 14, 2022. *Paul Chavez, Director of Economic Development*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, APPROVING A PROJECT OF THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE BUSINESS INCENTIVES TO TRANSWESTERN DEVELOPMENT COMPANY, L.L.C, AFFILIATE TDC BAYPORT GP, L.P., IN AN AMOUNT NOT TO EXCEED \$50,000 FOR PROMOTION OF NEW RETAIL BUSINESS FOR CONSTRUCTION OF A WAREHOUSE LOCATED AT 5803 OLD HIGHWAY 146, PURSUANT TO THE TERMS AND CONDITIONS OF THE "ECONOMIC DEVELOPMENT AGREEMENT", ATTACHED HERETO

Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Rob Hefner to approve Resolution 2022-28, on first reading, "EDC Project Designation for Transwestern Development Company, L.L.C., affiliate, TDC Bayport GP, L.P., and Approval of EDC expenditures for promotion of new business for Construction of a warehouse located at 5803 Old Highway 146, pursuant to Economic Development Agreement".

MOTION CARRIED BY UNANIMOUS CONSENT

5.3 Consider and take all appropriate action on a request to increase the hourly rate for all Seabrook Municipal Judges from \$150 to \$200 per hour. *Presiding Municipal Court Judge, Dick H. Gregg, III*

Judge Dick H. Gregg, III, explained that it has been about 11 years since the Seabrook Municipal Court judges have received a pay increase. Judge Gregg is also asking other areas cities, for which he provided judicial services, for the same increase. Council asked Judge Gregg to discuss pay rates for Municipal Court judges on an annual basis during budget discussions, rather than waiting 10 years. Judge Gregg explained that Seabrook is a Municipal Court of Record, which requires the judges to be attorneys. In addition, Judge Gregg explained that cities' budgets for municipal judges are set up differently, based on how the court is set up and the logistics of the performance of judicial services. Judge Gregg reiterated that he has signed more standing orders for court staff, which cuts down on judges overall time in the court room, thus cutting down the amount of hours spent on judges' salaries.

Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Tollett to approve a request to increase the hourly rate for all Seabrook Municipal Judges from \$150 to \$200 per hour, effective immediately.

MOTION CARRIED BY UNANIMOUS CONSENT

For items 5.4 through 5.8, City Council discussed and made appointments by consent of all members.

179 **5.4** Consider and take all appropriate action on the appointment of two (2) Councilmembers
180 to an Interview Panel for appointments to the Seabrook Board of Adjustment to fill two vacant
181 alternate positions and for appointments or re-appointments due to current members' expiring
182 terms, pursuant to new appointment procedures set out in Resolution 2021-21. *City Council*

183
184 *Members appointed: Rob Hefner and Buddy Hammann*
185

186 **5.5** Consider and take all appropriate action on the appointment of two (2) Councilmembers
187 to an Interview Panel for appointments to the Seabrook Ethics Review Commission to fill two
188 vacant positions, pursuant to new appointment procedures set out in Resolution 2021-21. *City*
189 *Council*

190
191 *Members appointed: Mike Giangrosso and Buddy Hammann*
192

193 **5.6** Consider and take all appropriate action on the appointment of two (2) Councilmembers
194 to an Interview Panel for appointments or re-appointments to the Seabrook Planning & Zoning
195 Commission due to current members' expiring terms, pursuant to new appointment procedures
196 set out in Resolution 2021-21. *City Council*

197
198 *Members appointed: Rob Hefner and Joe Machol*
199

200 **5.7** Consider and take all appropriate action on the appointment of two (2) Councilmembers
201 to an Interview Panel for appointments or re-appointments to the Seabrook Economic
202 Development Corporation Board of Directors due to current members' expiring terms, pursuant
203 to new appointment procedures set out in Resolution 2021-21. *City Council*

204
205 *Members appointed: Tom Tollett and Jackie Rasco*
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207 **5.8** Consider and take all appropriate action on the appointment of two (2) Councilmembers
208 to an Interview Panel for appointments or re-appointments to the Seabrook Open Space and
209 Trails Committee due to current members' expiring terms, pursuant to the new appointment
210 procedures set out in Resolution 2021-21. *City Council*

211
212 *Members appointed: Tom Tollett and Joe Machol*
213

214 **5.9** Consider and take all appropriate action on a presentation by staff on recommendations
215 for video streaming options for City Council and associated City board meetings including any
216 authorization or direction on the expenditure and utilization of funds from the Public,
217 Education, and Governmental (PEG) Special Fund for such purposes. *LeaAnn Petersen,*
218 *Director of Public Affairs*

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220 *LeaAnn Petersen, Director of Public Affairs, gave the presentation shown in*
221 *Attachment B.*
222

After discussion on options for live streaming City Council meetings, motion was made by Councilmember Tollett and seconded by Councilmember Giangrosso to table this item. MOTION FAILED BY A 5-2 VOTE, WITH COUNCILMEMBERS TOLLETT AND GIANGROSSO VOTING IN FAVOR.

Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Machol to direct City staff to publish notice of bid for the cost of upgrading the City Council Chamber with the necessary equipment to record, broadcast and stream public meetings; this includes but is not limited to the camera(s), lighting, sound equipment, microphones, monitors, screens and for personnel cost to operate the equipment during public meetings and posting the video on an online platform live and/or after public meetings.

MOTION CARRIED BY UNANIMOUS CONSENT

6. ROUTINE BUSINESS

6.1 City Manager update and report to City Council on various items that require no action, including SH 146 Expansion Projects, Red Bluff Expansion Project, Gulf Coast Protection District, CenterPoint Substation and Industrial Area, City of Seabrook CIP Projects, and any City of Seabrook Grant Administration. *Gayle Cook, City Manager*

Gayle Cook, City Manager, presented the information shown in Attachment C.

6.2 Establish future meeting dates and agenda items. *City Council*

The next regular City Council meeting will be held on Tuesday, August 16, at 6:00pm.

Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 7:36pm.

Approved this 16th day of August, 2022.


Thomas G. Kolupski
Mayor


Robin Lenio, TRMC
City Secretary