

The City Council of the City of Seabrook met in regular session on Tuesday, June 20, 2023 at 6:00 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
JACKIE RASCO	COUNCIL PLACE NO. 1
ROB HEFNER	COUNCIL PLACE NO. 2
TOM TOLLETT	COUNCIL PLACE NO. 3
MICHAEL GIANROSSO	COUNCIL PLACE NO. 4
BUDDY HAMMANN	MAYOR PRO TEM/COUNCIL PLACE NO. 5
JOE MACHOL	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	DEPUTY CITY MANAGER
TOMMY RAMSEY	INTERIM CITY ATTORNEY
ROBIN LENIO	CITY SECRETARY
MARIA LAWLER	DEPUTY CITY SECRETARY

Mayor Kolupski called the meeting to order at 6:07 p.m. and led the audience in the Pledges of Allegiance.

1. WORK SESSION

1.1 Presentation from the City's Financial Advisor on the associated ad valorem tax implications, certificates of obligation, and issuance and timing of bond election. *John Robuck, BOK Financial Securities, Inc.*

John Robuck, Financial Advisor, presented a review of the City's current debt position and preliminary bond position analysis for a November 7, 2023 Bond Election, in which three tax rate scenarios with different projects were presented to Council. Council then directed staff that they would like to continue conversations in support of multiple project scenarios.

2. PRESENTATIONS

2.1 Presentation of a Post Event Report for the Lucky Trails Event on March 17-18, 2023. *Robby Saban, Event Organizer*

Robby Saban, Event Organizer, presented statistics and information regarding the success of the Seabrook Lucky Trail 20th Year Anniversary Event, including stories and backgrounds of some of the participants.

2.2 Presentation to recognize the Seabrook Public Affairs Department on receiving First Place for Best Electronic Newsletter for populations of 75,000 or less from the Texas Association of Municipal Information Officers (TAMIO). *Thom Kolupski, Mayor*

Mayor Kolupski recognized the Seabrook Public Affairs Department for receiving First Place for Best Electronic Newsletter for populations of 75,000 or less from the Texas Association of Municipal Information Officers (TAMIO). Mayor Kolupski also read a note from LeaAnn Petersen, former Director of Public Affairs, on the content and highlights of the Electronic Newsletter.

3. HOTEL OCCUPANCY TAX (HOT) ALLOCATIONS

Discussion and presentation of applicants/applications seeking hotel occupancy tax funds for fiscal year 2023-2024 in accordance with Chapter 351 of the Texas Tax Code. *Gayle Cook, City Manager*

3.1 Consider and take all appropriate action of a request from Bay Access Sailing Programs for hotel occupancy tax funds for fiscal year 2023-2024, to include a schedule for releasing funds to the applicant if approved.

The Bay Access Sailing Programs representative spoke about the program's mission, which is to try to get more National Events to make Seabrook and the Galveston Bay area a place to go to race. This year they are bringing the Sears Cup, the Junior National Championship for Keel Boats and the National North American Championship of the RS2, in addition to their regular events.

3.2 Consider and take all appropriate action of a request from Bay Area Houston Ballet & Theater for hotel occupancy tax funds for fiscal year 2023-2024, to include a schedule for releasing funds to the applicant if approved.

Jill Reason, Executive Director, of the Bay Area Houston Ballet & Theater started by stating her appreciation for the support from the City of Seabrook. They are entering their 48th year in the area and advertise a great deal in Houston to try to bring people to the Bay Area Houston Ballet & Theatre arts and the Seabrook area. They produce four productions a year and bring in visitors over fourteen weekends, starting in October thru April. They plan to expand in the near future and produce five productions.

3.3 Consider and take all appropriate action of a request from Gulf Coast Film Festival for hotel occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to the applicant if approved.

Hall Wixon, one of the Founding Directors, of the Gulf Coast Film Festival stated that this year they will be celebrating their 25th Season. They will be holding their Festival on the weekend of September 22-24, 2023. The Festival promotes every business and hotel in the Seabrook area. They hope to have Lyle Lovett, in attendance, as well as other Emmy Award Winning personalities handing out awards at the Festival.

3.4 Consider and take all appropriate action of a request from JFest Southwest for hotel occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to the applicant if approved.

88 3.5 Consider and take all appropriate action of a request from Keels and Wheels Concours D'
89 Elegance for hotel occupancy tax funds for fiscal year 2023-2024, to include for releasing funds
90 to the applicant if approved.
91

92 Patty Eng, Keels and Wheels administrator, started by stating that they have the privilege
93 of being an event partner with its host City of Seabrook. Keels and Wheels brings in over 200 cars
94 and 60 boats every year to the Lakewood Yacht Club. More than half of the exhibitors stay in the
95 City of Seabrook hotels. In addition, they have been doing extensive advertising, both nationally
96 and locally, bringing many visitors to the area. They love bringing the art, the technology, the
97 history, and love being a part of Seabrook and being able to share this with the community and
98 visitors.
99

100 3.6 Consider and take all appropriate action of a request from Seabrook Lucky Trails for hotel
101 occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to applicant if
102 approved.
103

104 3.7 Consider and take all appropriate action of a request from Seabrook Saltwater Derby for hotel
105 occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to the applicant if
106 approved
107

108 The Saltwater Derby representative, stated that this was their 13th year holding the event.
109 The event is held strictly in Seabrook, and all the vendors are in Seabrook as well. The proceeds
110 go to Shriners Children's Hospital, and to CCISD Seabrook graduates. They also donate to Share
111 Your Christmas, Seabrook Rocks, and help sponsor a booth at Celebration Seabrook.
112

113 3.8 Consider and take all appropriate action of a request from Texas Outlaw Challenge for
114 hotel occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to the applicant
115 if approved.
116

117 Paul Robertson with the Texas Outlaw Challenge, mentioned that the Texas Outlaw
118 Challenge has been a great event for 16 years with the support of the City of Seabrook. They have
119 gone National and Coast to Coast with the applications. Registration is looking healthy and they
120 have tremendous impact on fuel, restaurants, clubs, and hotels revenue in the City of Seabrook
121 during the weekend of the event.
122

123 3.9 Consider and take all appropriate action of a request from Yachty Gras Boat Parade for hotel
124 occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to the applicant if
125 approved.
126

127 The Yachty Gras Boat Parade representative reminded everyone that the event will be
128 celebrating its 25th year anniversary in the next year. They have captive graphics to design
129 interactive websites listing every hotel in Seabrook and the surrounding cities. They called hotels
130 to secure blocks for a certain amount of rooms with discounted rates. The representative also
131 personally called hotels and received feedback that the occupancy was higher than normal.
132

Gayle Cook, City Manager, went over a presentation to City Council over the Hotel Occupancy Tax applications and the process of the Committee on the allocation of funds, which reflects the recommendations from the committee, being that they do have lower than anticipated revenue.

Council and staff discussed revising and updating the Hotel Occupancy Tax Allocations Events process in regards to funding the events in the future.

Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Tollett to approve the Hotel Occupancy Allocations as per the Committee recommendations.

MOTION CARRIED BY UNANIMOUS CONSENT

4. PUBLIC COMMENTS AND ANNOUNCEMENTS - NONE

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

Councilmember Hefner announced upcoming events, including

Texas Outlaw Challenge – June 21-25 – All Day – Seabrook, TX

4th of July Kids' Parade – July 1 – 10:00am-12:00pm – Meador Park

Independence Day – July 4 – City Offices Closed

5. SPECIFIC PUBLIC HEARING

5.1 Conduct a Public Hearing on a request for a Conditional Use Permit to establish an "Open Air Market" at 1409 Main Street as per the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4, "Special Use Regulations," Section 4.11, "Conditional use permit criteria and procedures". **Applicant:** Sarah Duncan, 1409 Main Street, Seabrook, TX 77586 **Owner:** Marian P. Kidd, P.O. Box 353, Seabrook, TX 77586 **Legal Description:** Lots 1 & 2 Block 25 of Seabrook **Location:** 1409 Main Street, which is located south of Main Street, and east of E. Meyer Road. *Sean Landis, Assistant City Manager*

Mayor Kolupski opened the Public Hearing.

Having no speakers come forward, Mayor Kolupski closed the Public Hearing.

5.2 Conduct a Public Hearing on a request for approval of a Final Planned Unit Development (Final PUD) to create "Residences at Highland Center Planned Unit Development"; a mixed used development consisting of a not to exceed 180 feet in height, 275 units, Class "A" Multi-Family Apartment Building; and a single story Restaurant Building; and an elevated Parking Garage. **Owner:** Bill Neeson, Highland Resources, Inc., 1001 Fannin, Suite 4775, Houston, TX 77002. **Applicant:** Katy Harris, LJA Engineering, 3600 W. Sam Houston Parkway, Suite 600, Houston, TX 77042. **Legal Description:** BEING a 3.091 acre tract of land located in the Ritson Morris Survey, Abstract No. 52, Harris County, Texas, being out of the called 3.18 acre tract conveyed unto PHCG Investments as recorded under Clerk's File No. P511078 of the Official

Public Records of Real Property of Harris County. This property is **located at** 3805 and 3813 NASA Road, which is south of NASA Road 1, east of Bayou View Drive, and west of Repsdorph Drive. *Sean Landis, Assistant City Manager*

Mayor Kolupski opened the Public Hearing.

Having no speakers come forward, Mayor Kolupski closed the Public Hearing.

6. CONSENT AGENDA

6.1 Approve on second reading Ordinance 2023-13, "Revision to Records Management". *Robin Lenio, City Secretary*

AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, AMENDING THE CITY OF SEABROOK CODE OF ORDINANCES, CHAPTER 2, "ADMINISTRATION", ARTICLE VII, "PUBLIC RECORDS", DIVISION 2, "RECORDS MANAGEMENT", BY ADDING CITY MANAGER, CITY ATTORNEY, AND CONTRACTOR TO SECTION 2-281, "DEFINITIONS"; BY UPDAING SECTION 2-282 (D) TO ADD CITY CONTRACTOR; BY UPDATING SECTION 2-291(c) TO ALIGN WITH STATE LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTEN OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE

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

MOTION CARRIED BY UNANIMOUS CONSENT

7. NEW BUSINESS

7.1 Consider and take all appropriate action on the selection/appointment of Council Members as members of / representatives / liaisons to various boards and organizations as outlined in the attached table. *City Council*

Motion was made by Councilmember Giangrosso and seconded by Councilmember Machol to approve the appointment of Council Members to various boards and organizations as outlined in the Liaison Appointment Table.

MOTION CARRIED BY UNANIMOUS CONSENT

7.2 Consider and take all appropriate action on first reading of Ordinance 2023-14, "Issuance of Conditional Use Permit to allow for an 'Open Air Market' in the OS Old Seabrook District". *Sean Landis, Assistant City Manager*

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 13, "TEMPORARY AND NONTEXT CHANGES," SECTION 13.03, BY ADDING A NEW PARAGRAPH TWENTY NINE (29), GRANTING A CONDITIONAL USE PERMIT ALLOWING FOR AN "OPEN AIR MARKET" AT 1409 MAIN STREET WITHIN A OS (OLD SEABROOK) DISTRICT OF THE CITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 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

Motion was made by Councilmember Giangrosso and seconded by Councilmember Tollett to approve first reading of Ordinance 2023-14, "Issuance of Conditional Use Permit to allow for an 'Open Air Market' in the OS Old Seabrook District".

MOTION CARRIED BY UNANIMOUS CONSENT

7.3 Consider and take all appropriate action on first reading of Ordinance 2023-15, "Residence at Highland Center (PUD) 'Planned Unit Development'". *Sean Landis, Assistant City Manager*

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING 3.091 ACRES SITUATED IN ABSTRACT 52, OF THE RITSON MORRIS SURVEY, IN SEABROOK, HARRIS COUNTY, TEXAS, GENERALLY LOCATED SOUTH OF NASA ROAD ONE (1), EAST OF BAYOU VIEW DRIVE, AND WEST OF REPSDORPH DRIVE; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", FROM (WAD) "WATERFRONT ACTIVITY DISTRICT", TO (PUD) "PLANNED UNIT DEVELOPMENT", FOR A MIXED USE DEVELOPMENT COMPRISED OF A NOT TO EXCEED 180 FEET IN HEIGHT, 275 UNITS, CLASS "A" MULTI-FAMILY APARTMENT BUILDING; AND A SINGLE STORY RESTAURANT BUILDING; AND AN ELEVATED PARKING GARAGE; 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

Motion was made by Councilmember Tollett and seconded by Councilmember Giangrosso to approve first reading of Ordinance 2023-15, "Residence at Highland Center (PUD) 'Planned Unit Development'".

*MOTION CARRIED BY A 5-2 VOTE, WITH COUNCILMEMBERS RASCO AND MACHOL
VOTING IN OPPOSITION*

7.4 Consider and take all appropriate action on first reading of Resolution 2023-09, "Project and Incentive Agreement for Town Center Partners, LLC" *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 UNDER TEXAS LOCAL GOVERNMENT CODE SECTION 505.158

*Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Hefner to
approve first reading of Resolution 2023-09, "Project and Incentive Agreement for Town Center
Partners, LLC".*

MOTION CARRIED BY UNANIMOUS CONSENT

8. ROUTINE BUSINESS

8.1 City Manager update and report to City Council on various items that require no action, including Seabrook Boards and Commissions, SH 146 Expansion Projects, Port of Houston Rail Spur, Gulf Coast Protection District, City of Seabrook CIP Projects, Legislative Update, and any City of Seabrook Grant Administration. *Gayle Cook, City Manager*

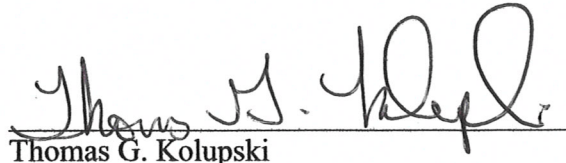
The City Manager gave City Council a Legislative update on various house bill items that require no action.

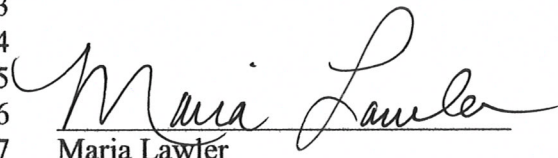
8.2 Establish future meeting dates and agenda items. *City Council*

The next regular City Council meeting will be held on July 18 in Council Chamber at 6:00pm.

303 Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 7:17pm.

304
305
306 Approved this 1st day of August 2023.

307
308
309
310
311 
312 Thomas G. Kolupski
313 Mayor

314
315
316 
317 Maria Lawler
318 Deputy City Secretary

