

The City Council of the City of Seabrook met in regular session on Tuesday, March 5, 2013 at 7:00 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:

GLENN R. ROYAL	MAYOR
ROBERT LLORENTE (Ex. Abs.)	COUNCIL PLACE NO. 1
MIKE GIANGROSSO (Absent)	COUNCIL PLACE NO. 2
GARY JOHNSON	COUNCIL PLACE NO. 3
DON HOLBROOK.	COUNCIL PLACE NO. 4
THOM KOLUPSKI	COUNCIL PLACE NO. 5
LAURA DAVIS	MAYOR PRO TEM & COUNCIL PLACE NO. 6
KELLY TEMPLIN	CITY MANAGER
MEREDITH BRANT	ASSISTANT CITY SECRETARY
STEVEN L. WEATHERED	CITY ATTORNEY

Mayor Royal called the meeting to order at 7:00 p.m. and led the audience in the Pledge of Allegiance and the Texas Pledge.

1.0 PRESENTATIONS

1.1 Presentation of Certificate of Appreciation to John Coggeshall, member of the Open Space & Trails Committee for implementation of the tree planting program with TXU. (Royal)

Mayor Royal made the presentation to Mr. Coggeshall.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

Eddie Selden, Gene Scott and Chris Kuhlman, all residents of Todville Road spoke against removal of old pilings located in Galveston Bay by the Texas General Land Office (GLO), particularly as it relates to the pilings along the 1400 – 1500 block of Todville which are bird habitats. They asked that Council consider assisting with the preservation of the pilings thereby creating a sanctuary for the pelicans.

Chris Kuhlman showed a short film of the pelicans roosting on the pilings.

Tony Williams of the GLO spoke regarding the removal of derelict structures (pilings) from Galveston Bay. He stated that the pilings being removed extend beyond existing piers and are more than 150 to 200 feet from shore. In response to Council questions, Mr. Williams stated that there had been an environmental impact study; there are approximately 1500 pilings to be removed from the Seabrook area; and that there will be about a one week delay due to the winds and tides in which the city's requests and comments could be considered. He added that the contract has a specific time frame, but the GLO tries to work with the local governments. He will email the permit to Mr. Templin along with the location and number of pilings for removal.

Mike Sommers and Terry Sones, residents of Baywood Drive, spoke concerning the nuisance created by the parties at Carothers Gardens. Suggestions were made for changes in the rental contract or to change the use of the property so that it may be enjoyed by all citizens or to revert back to residential.

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

Mayor Royal announced upcoming events as follows:

- March 16 & 17 – Lucky Trails Marathon
- March 23 – Trash Bash
- March 30 – Seabrook Easter Egg Hunt
- April 27 – Gumbo Cook-off at Clear Lake Park
- May 4 & 5 – Keels & Wheels at Lakewood Yacht Club
- May 25 – Veteran's Memorial Grand Opening Event.

3.0 CONSENT AGENDA

3.1 Approve application for the annual Bayside Area Little League Opening Day Parade on Saturday, March 23, 2013 from 8:00 to 9:00 a.m. starting at El Mar Shopping Center and ending at the baseball complex on Meyer. The applicant is requesting a waiver of fees as the league is a non-profit organization. (Applicant)

3.2 Approve an excused absence for Councilor Don Holbrook for the February 19, 2013 Council meeting. (Glaser)

3.3 Approve Mayor Royal's withdrawal as a member of the *ad hoc* group formed to deal with fire department issues. (Royal)

3.4 Approve the minutes of the February 19, 2013 regular City Council meeting. (Glaser)

3.5 Removed by Steve Weathered.

3.6 Consider approval of second and final reading of proposed Ord. No. 2013-06, "TMRS Buyback Ordinance." (Cook)

AN ORDINANCE ALLOWING CERTAIN EMPLOYEES OF THE CITY OF SEABROOK, TEXAS WHO HAVE TERMINATED PREVIOUS MEMBERSHIPS IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM, TO DEPOSIT THE SUMS SO WITHDRAWN, PLUS ANNUAL WITHDRAWAL CHARGES, AND ALLOWING AND UNDERTAKING THE COST OF ALLOWING ANY SUCH EMPLOYEE CREDIT IN SUCH SYSTEM FOR ALL SERVICE TO WHICH SUCH EMPLOYEE HAD BEEN ENTITLED AT DATE OF SUCH

91 **WITHDRAWAL, WITH LIKE EFFECT AS IF ALL SUCH SERVICE HAD BEEN**
92 **PERFORMED AS AN EMPLOYEE OF THIS CITY.**

93 **3.7 Approve the annual Racial Profiling Report as submitted by the Seabrook Police**
94 **Department and required by Senate Bill 1074. (Holomon)**
95

96 **3.8 Approve list of seized items to be sold at auction. (Holomon)**
97

98 **3.9 Approve letter of support for Senate Bill 3 which relates to public high school**
99 **graduation, curriculum requirements and funding of such curriculum. (Royal)**
100

101 Motion was made by Councilor Holbrook and seconded by Councilor Johnson
102

103 To approve the Consent Agenda with the exception of Item 3.5.
104

105 MOTION CARRIED BY UNANIMOUS CONSENT.
106

107 **END OF CONSENT AGENDA**
108

109 **3.5 Consider second and final reading of proposed Ordinance No. 2013-04, " Ethics**
110 **Review Commission. Change in Membership and Quorum Requirements." (Ethics**
111 **Review Commission)**
112

113 **AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK,**
114 **CHAPTER 2. "ADMINISTRATION", ARTICLE VI. "CODE OF ETHICS",**
115 **DIVISION 2. "ETHICS REVIEW COMMISSION" BY CHANGING THE**
116 **REQUIRED MEMBERSHIP FROM SEVEN TO FIVE REGULAR MEMBERS**
117 **AND BY CHANGING THE REQUIRED QUORUM. THIS ORDINANCE**
118 **PROVIDES FOR A ENALTY IN AN AMOUNT OF NOT MORE THAN \$500.00**
119 **FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE**
120 **CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES**
121 **INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDES FOR**
122 **SEVERABILITY.**
123

124 City Attorney Steve Weathered pointed out that this is not a penal ordinance, but it has a
125 penalty for violation. He suggested that the penalty was unnecessary, but deferred to
126 Council as this is a policy matter.
127

128 Motion was made by Councilor Holbrook and seconded by Councilor Kolupski
129

130 To approve the ordinance with the removal of the penalty clause as recommended by the
131 City Attorney.
132

133 MOTION CARRIED BY UNANIMOUS CONSENT.
134
135

4.0 NEW BUSINESS

4.1 Consider forming an *ad hoc* committee concerning weight restrictions of vehicles and heavy weight corridors. (Llorente)

Due to the absence of Councilor Llorente, this item was deferred until the next regular City Council meeting.

5.0 ROUTINE BUSINESS

5.1 Consider approval of the Action Items Checklist which is attached and made a part of this agenda. (Council)

Motion was made by Councilor Holbrook and seconded by Councilor Davis
To approve the action items checklist.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.2 Establish future meeting dates and agenda items, including establishing date(s) for goal setting work session(s). (Council)

Councilor Holbrook stated that he would like for the removal of pilings to be considered at the second meeting in March. He also suggested that Jerry Patterson be contacted to request a temporary stop to removal of pilings.

Mayor Royal requested that Carothers Gardens be placed on the next agenda.

The above items will be considered at the next regular meeting, although depending on the response of the GLO, a special meeting may be called.

Councilor Davis stated that the Public Safety item originally scheduled to be on tonight's agenda, will be placed on the agenda for the second meeting in April.

Mr. Templin stated that the city staff will meet to consider goals, after which he will bring the staff perspective to Council. A special meeting for goal setting was tentatively scheduled for Tuesday, April 30 at Carothers Gardens, providing it is available.

6.0 EXECUTIVE SESSION

Mr. Weathered stated that Item 6.1 should be removed from the executive session agenda.

Section 551.071

6.1 Consult with City Attorney to receive legal advice only relating to Charter Provision, pursuant to Section 551.071 Texas Government Code. (Weathered)

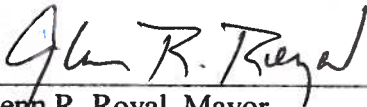
Section 551.072

6.2 Conduct a closed meeting, as provided by Section 551.072 Texas Government Code to deliberate the purchase of real property as deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. (Templin)

No executive session was held on Item 6.1 or 6.2.

Upon motion, the meeting was adjourned at 7:47 p.m.

APPROVED THIS 19TH DAY OF MARCH, 2013.


Glen R. Royal, Mayor


Meredith Brant, TRMC
Assistant City Secretary

