



**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, APRIL 16, 2024 - 6:00 PM**

For city information visit www.seabrooktx.gov
For Agenda Center visit www.seabrooktx.gov/agendacenter

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY APRIL 16, 2024 AT 6:00 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.

PLEDGE OF ALLEGIANCE

1. 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.

REGISTER ONLINE TO SPEAK IN PERSON DURING PUBLIC COMMENTS:

[www.seabrooktx.gov/speaker - registration](http://www.seabrooktx.gov/speaker-registration)

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

2. PRESENTATIONS

2.1 Annual presentation by the Bay Area Houston Convention and Visitors Bureau. *Colton Trout*

3. CONSENT AGENDA

3.1 Approve the minutes of the April 2, 2024 City Council Meeting.

4. BOARDS AND COMMISSIONS

4.1 Consider and take all appropriate action concerning appointments to the Charter Review Commission in accordance with the Seabrook Charter. *Council*

5. NEW BUSINESS

5.1 Consider and take all appropriate action regarding raising the concrete sign located at the Bay Area Veterans Memorial. *Joe Machol, At-Large Position 6*

5.2 Consider and take all appropriate action to designate Council liaisons to various public organizations to represent the City of Seabrook. *Rachel Lewis, City Secretary*

5.3 Consider and take all appropriate action on the report from Progressive Commercial Aquatics regarding the Seabrook Pelican Bay Pool Assessment (CIP# P24) and any further engagement on the proposal for further design phases. *Brian Craig, City Engineer*

6. OLD BUSINESS

6.1 Consider and take all appropriate action on an Operations and Maintenance Agreement between the City of Seabrook and a 501(c)(3), *Carothers Coastal Gardens* for use and operations on public land for the ongoing use of a community garden incorporating the \$5,000.00 approved grant toward the project. *Gayle Cook, City Manager*

7. DISCUSSION

7.1 Discussion regarding new Mini-Mural Art Project for businesses in Seabrook. *Jackie Rasco, At-Large Position 1*

7.2 Discussion regarding Special Events Ordinance 2017-08, and authorizing a maximum of eight (8) permits allowed annually for each address *Jackie Rasco, At-Large Position 1*

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, Transportation Projects, Port of Houston Rail Spur, City of Seabrook CIP Projects, Economic Development Updates, and any City of Seabrook Grant Administration. *Gayle Cook, City Manager*

8.2 Establish future meeting dates and agenda items. *Rachel Lewis, City Secretary*

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.

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.

I certify that this notice was posted on the bulletin board on or before Friday, April 12, 2024 no later than 6:00 p.m. and that this notice will remain posted until the meeting has ended.

Rachel Lewis, TRMC





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Mayor Thom Kolupski called the Seabrook Council Meeting to order at 6:00 p.m. in the Council Chambers in Seabrook City Hall. Present were City Councilmembers Jackie Rasco, Rob Hefner, Tom Tollett, Mike Giangrosso, Buddy Hammann, and Joe Machol. Also in attendance were City Manager Gayle Cook, City Secretary Rachel Lewis, and Deputy City Manager Sean Landis. Mayor Thom Kolupski declared a quorum and pledges were conducted.

1. Public Comments and Announcements

The following citizens gave public comments:

NAME	ADDRESS	TOPIC
Jason Klein	2226 Water Way	Highway Noise
Natalie Barry	2225 Water Way	Highway Noise and Speed limits

1.1 Mayor, City Council and/or City Staff Announcements

Councilmember Rob Hefner reported the following upcoming events:

- DF 95 Regional Championship April 19, 2024 through the 21, 2024.
- Trail Adventure on April 20, 2024
- SVFD Open House on April 20, 2024
- SIS Leadership Development Corp 5k on April 27, 2024
- National Take Back Day on April 27, 2024
- Keels & Wheels May 4, 2024 through May 5, 2024

2. Presentations

2.1 Mayor Kolupski to issue a proclamation declaring the month of April, 2024 as Sexual Assault Awareness Month in the City of Seabrook.

Mayor Kolupski presented the proclamation to Melissa Prentice of the Bay Area Turning Point.

3. Consent Agenda

3.1 Approve the minutes of the March 19, 2024 meeting.

3.2 Consider and take all appropriate action on the second reading of Ordinance 2024-10, modifying the Civil Service Classification System for the Seabrook



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Police Department.

AN ORDINANCE MODIFYING AND CONTINUING A CIVIL SERVICE CLASSIFICATION SYSTEM CONSISTING OF CLASSES, POSITIONS, PAY GRADES AND COMPENSATION LEVELS IN THE CLASSIFIED SERVICE OF THE SEABROOK POLICE DEPARTMENT; PROVIDING FOR A REPEAL WITH LIMITED EXTENSION; PROVIDING A SEVERABILITY CLAUSE, AN EFFECTIVE DATE, CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT AND REPLACING PREVIOUSLY ADOPTED ORDINANCES 2023-32.

Motion: To approve the Consent Agenda
Made By: Councilmember Hammann
Seconded By: Councilmember Tollett
Vote: **Motion carried** unanimously by all present

4. Bid Awards

- 4.1 Consider and take all appropriate action on bid award and execution of a contract for RFP 2023-27-318, Fiber Infrastructure NASA for design, supply integration, installation and commissioning of Fiber Optic lines with Gulf Coast Fiber Services in an amount not to exceed \$481,373.50 and authorizing the City Manager to execute any and all documents.**

Motion: To Approve
Made By: Councilmember Rasco
Seconded By: Councilmember Hammann
Vote: **Motion carried** unanimously by all present.

- 4.2 Consider and take all appropriate action on bid award and execution of a contract for RFP 2024-01-341, Sidewalk Removal and Replacement Project for an on call Maintenance Contract for FY23-24 with Cracon, Inc. in an amount not to exceed \$100,000.00 and authorizing the City Manager to execute any and all documents.**

Motion: To Approve
Made By: Councilmember Rasco
Seconded By: Councilmember Machol
Vote: **Motion carried** unanimously by all present.

- 4.3 Consider and take all appropriate action on bid award and execution of a contract for RFP 2024-02-340 Red Oak Acres Subdivision Water Line to Bull-G Construction LLC, not to exceed \$516,572.00.**

Motion: To Approve
Made By: Councilmember Rasco
Seconded By: Councilmember Machol



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Vote: **Motion carried** unanimously by all present.

5. New Business

- 5.1 Consider and take all appropriate action on the approval of a Professional Services Agreement between the City of Seabrook and Brown Reynolds Watford Architects (BRW) for architectural services in an amount not to exceed \$264,000.00 and authorize the City Manager to execute all associated documents. This project is part of the 2023 Bond Program.**

Motion: To Approve
Made By: Councilmember Rasco
Seconded By: Councilmember Giangrosso
Vote: **Motion carried** unanimously by all present

- 5.2 Consider and take all appropriate action on an amendment to the Public Safety Fund budget including an additional \$7,215.49 for additional equipment for the Seabrook Police Department and Seabrook Public Works.**

Motion: To Approve
Made By: Councilmember Hammann
Seconded By: Councilmember Tollett
Vote: **Motion carried** unanimously by all present

- 5.3 Consider and take appropriate action regarding flying the existing PVC pole American flags all year long on Main Street at the Bay Area Veterans Memorial.**

Motion: To Approve
Made By: Councilmember Rasco
Seconded By: Councilmember Hammann
Vote: **Motion carried** unanimously by all present

6. Old Business

- 6.1 Discuss, consider, and take all appropriate action on second reading of Ordinance 2024-06, a request to amend the Seabrook City Code, Appendix A, "Comprehensive Zoning", Article 3, "Establishment of Zoning Districts and Associated Regulations" by modifying the "Supplementary Regulations", to include, the addition of tents and lean-to as prohibited temporary structures to be used for on-site dwelling purposes.**

AN AMENDMENT TO SEABROOK CODE OF ORDINANCE, APPENDIX A,



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"COMPREHENSIVE ZONING", ARTICLE III, SECTIONS 3.02 THROUGH 3.14 AND SECTION 3.16, BY AMENDING THE "SUPPLEMENTARY REGULATIONS", TO INCLUDE, THE ADDITION OF TENTS AND LEAN-TOS AS PROHIBITED TEMPORARY STRUCTURES TO BE USED FOR ON-SITE DWELLING PURPOSES; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 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.

Deputy City Manager Sean Landis explained why the word "temporary" was not removed as requested after the first reading of the ordinance, stating it would change the meaning of the ordinance which would then not allow any structures.

Motion:	To Approve
Made By:	Councilmember Hammann
Seconded By:	Councilmember Tollett
Vote:	Motion carried unanimously by all present

7. Discussion

7.1 Discussion of a city funded advertising program for hotel logo signage on SH146 with Lonestar Logos for main lanes and ramps.

Councilmember Giangrosso presented the hotel logo program and proposed using HOT funds to pay for the signage. **See attachment A.** Council had questions regarding inclusion of short-term rentals and other businesses. They also questioned the annual HOT revenues as well as budgeted items which utilized HOT funding. It was determined City staff would provide answers to these questions for consideration in a future action item.

7.2 Discussion of the Seabrook Economic Development Services agreement and administrative services provided to the Economic Development Corporation.

Councilmember Rasco proposed filling the role of Economic Development Director rather than making this function a part of the City Manager's role. After discussion by Council there was no further direction given to staff regarding this proposal.

7.3 Discussion and update regarding the appointment of members to the Charter Review Commission for 2024.

City Secretary Rachel Lewis presented an update regarding the status of applications for the Charter Review Commission. Council agreed that the deadline to receive all applications would be 5:00 pm on April 11, 2024 and the appointments would take place in an open meeting on April 16, 2024.



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8. Closed Executive Session

- 8.1 Section 551.071 Conduct a Closed Executive Session to consult with the City Attorney for legal matters relating to 202218911; DHI Fund LP v. City of Seabrook, et al.; in the 127th Judicial District, Harris County, Texas.**

The Executive Session was not conducted.

9. Open Session

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

No Executive Session took place.

10. Routine Business

- 10.1 City Manager update and report to City Council on various items that require no action, including Seabrook Boards and Commissions, Transportation Projects, Port of Houston Rail Spur, City of Seabrook CIP Projects, Economic Development Updates, and any City of Seabrook active grants.**

City Manager Gayle Cook presented the update. **See attachment B.**

Councilmember Rasco requested Section 65-8 regarding special events be included on a future agenda. She also requested a discussion regarding a mini mural project.

- 10.2 Establish future meeting dates and agenda items.**

City Secretary Rachel Lewis stated the next meeting was scheduled for April 16, 2024 at 6:00 pm.

Councilmember Machol requested a proclamation be considered for a prominent member of the community who had passed away. Mayor Kolupski requested that Councilmember Machol contact him about a plan for this.

Motion:	To adjourn
Made By:	Councilmember Hammann
Seconded By:	Councilmember Giangrosso
Vote:	Motion carried unanimously by all present.



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Council was adjourned at 7:20 pm.

Signature Page:

APPROVED: _____
Thom Kolupski, Mayor

DATE: _____

ATTEST: _____
Rachel Lewis City Secretary

From: noreply@civicplus.com
To: [City Secretary](#); [Marketing](#)
Subject: Online Form Submittal: Application for Appointment to the Charter Review Commission
Date: Monday, March 25, 2024 6:12:49 PM

Application for Appointment to the Charter Review Commission

All information provided in this application is public information pursuant to the provisions of the Texas Public Information Act.

The purpose of the Charter Review Commission is to review the City's Charter and make recommendations for possible changes to the Charter. The Charter Review Commission is composed of 7 regular members serving a six-month term.

Candidates are required to be registered voters of the City; to have resided within the corporate limits for at least twelve months preceding the appointment; have no felony convictions for which they have not been pardoned; not be an adversary party to pending litigation against the City; and not in arrears on any city taxes, water services charges, or other obligations owed the City. All appointments are made by and at the discretion of the City Council. Because vacancies may arise before the next regular appointment period, all applications are kept on file for one year.

If you have questions or need more information about this application, please email the Office of the City Secretary at citysec@seabrooktx.gov or call (281) 291-5663.

Name	Melanie Bentley
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Phone	281 474 7847
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Email	
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Please enter the address of your residence. All applicants must live within Seabrook City limits.

Street Address	1434 Cottage Cove Ct.
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City	Seabrook
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State	Tx.
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Zip Code	77586
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Are you a Registered Voter?	Yes
How long have you been a resident of Seabrook?	22
Have you attended a meeting of the Charter Review Commission?	No
Are you currently a member of the Charter Review Commission?	No
Have you previously served on a Seabrook board or commission?	No
Have you ever served a full or partial term on Seabrook City Council?	No
If you have served on a Seabrook board or commission please identify which ones.	Open Space & Trails Committee
Have you previously served on a board or commission for another city or organization?	No
If you have served on a board or commission for another city or organization, please list them here.	<i>Field not completed.</i>
Does any potential conflict of interest exist which may interfere or inhibit you to carry out the duties of a Charter Review Commissioner?	No
If you answered Yes or	<i>Field not completed.</i>

Uncertain to a potential conflict of interest, please explain

What special skill or knowledge would you bring to the Charter Review Commission?

I'm great at researching issues. I have work with Debra Harper as a volunteer for Seabrook Parks. I love Seabrook and my neighbors.

I feel we need people with different points of view. Objectivity is important.

I would love the opportunity help find solutions.

I am flattered that Jackie Rasco believes my opinions would be helpful to the Charter Review Commission.

The Charter Review Commission must carefully examine the City's Charter and consider whether and which updates are appropriate. The City Attorney will be available to the Commission to help guide Commissioners on State and local law. What would make you a good candidate for reviewing the City's Charter? Do you have experience reviewing foundational documents such as the Charter?

I have nothing but time to examine City Charter.

I love research and would scrutinize any code or law brought before the Commission for consideration and updates.

Given its role as the constitution of the City, many stakeholders exist who would benefit from the Charter being changed in their favor. Therefore, objectivity of Commissioners is essential. Please give an example of a time when you had to resist outside influences in order to make the right decision.

I recently resisted outside influence when I spoke out about my 4th amendment rights being violated by City Inspector and Code enforcement.

I would love the opportunity to help protect fellow Seabrook Residents from inappropriate enforcement by working with others to review the Charter being changed or the ones that need changing..... and how they are enforced.

Please provide any additional information you feel would be useful to the City Council in considering your application. A cover letter and/or resume may also be submitted with the application.

Field not completed.

Today's Date

3/25/2024

By submitting this application online, I hereby affirm that I am aware of the requirements for the position and certify that I meet those requirements.

I Understand and Agree

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [City Secretary](#); [Marketing](#)
Subject: Online Form Submittal: Application for Appointment to the Charter Review Commission
Date: Monday, March 25, 2024 8:52:13 AM

Application for Appointment to the Charter Review Commission

All information provided in this application is public information pursuant to the provisions of the Texas Public Information Act.

The purpose of the Charter Review Commission is to review the City's Charter and make recommendations for possible changes to the Charter. The Charter Review Commission is composed of 7 regular members serving a six-month term.

Candidates are required to be registered voters of the City; to have resided within the corporate limits for at least twelve months preceding the appointment; have no felony convictions for which they have not been pardoned; not be an adversary party to pending litigation against the City; and not in arrears on any city taxes, water services charges, or other obligations owed the City. All appointments are made by and at the discretion of the City Council. Because vacancies may arise before the next regular appointment period, all applications are kept on file for one year.

If you have questions or need more information about this application, please email the Office of the City Secretary at citysec@seabrooktx.gov or call (281) 291-5663.

Name	Andrew Croce
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Phone	8322441263
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Email	
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Please enter the address of your residence. All applicants must live within Seabrook City limits.

Street Address	2703 Sea Ledge Drive
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City	Seabrook
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State	Texas
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Zip Code	77586
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Are you a Registered Voter?	Yes
How long have you been a resident of Seabrook?	15
Have you attended a meeting of the Charter Review Commission?	No
Are you currently a member of the Charter Review Commission?	No
Have you previously served on a Seabrook board or commission?	No
Have you ever served a full or partial term on Seabrook City Council?	No
If you have served on a Seabrook board or commission please identify which ones.	I have not served on a Seabrook board or commission
Have you previously served on a board or commission for another city or organization?	No
If you have served on a board or commission for another city or organization, please list them here.	Seabrook
Does any potential conflict of interest exist which may interfere or inhibit you to carry out the duties of a Charter Review Commissioner?	No
If you answered Yes or	Field not completed.

Uncertain to a potential conflict of interest, please explain

What special skill or knowledge would you bring to the Charter Review Commission?

Attention to detail, experience reviewing documents for updates, errors, etc.

The Charter Review Commission must carefully examine the City's Charter and consider whether and which updates are appropriate. The City Attorney will be available to the Commission to help guide Commissioners on State and local law. What would make you a good candidate for reviewing the City's Charter? Do you have experience reviewing foundational documents such as the Charter?

I have experience reviewing contract documents between businesses and project documents for clarity, updates and errors. Have worked with the legal group to ensure language in contracts are beneficial for all parties involved

Given its role as the constitution of the City, many stakeholders exist who would benefit from the Charter being changed in their favor. Therefore, objectivity of Commissioners is essential. Please give an example of a time when you had to resist outside influences in order to make the right decision.

As a contractor, for O&G, we constantly walk the line as the outside influence from clients, their subsidiaries, etc. can try to sway the directions certain projects will go. It's always important to maintain the neutral position so that all benefit from the outcomes

Please provide any additional information you feel would be

[ACroce_resume_0723.docx](#)

useful to the City Council in considering your application. A cover letter and/or resume may also be submitted with the application.

Today's Date

3/25/2024

By submitting this application online, I hereby affirm that I am aware of the requirements for the position and certify that I meet those requirements.

I Understand and Agree

Email not displaying correctly? [View it in your browser.](#)

Andrew Croce

Project Manager

Summary

Project Manager with over Twenty years of overall experience with more than twelve years in executing projects to meet client expectations. Expert in coordinating project estimates, risk assessments and technical drawings to prepare for projects. Attentive in consistently analyzing real-time project data and reviewing reports for informed decision-making and ongoing support. Studios leader when assisting and training engineers with less experience.

Experience highlights

2023 – Present	Principal Project Engineer, Worley, Houston, Texas
2022 – 2022	Project Manager, Hargrove Engineers & Constructors, Pasadena, Texas
2021 – 2021	Engineering Project Manager, Avenue Technologies, Houston, Texas
2019 – 2020	Senior Project Engineer, Worley/Jacobs, Houston, Texas
2018 – 2019	Senior Project Manager, Hargrove Engineers & Constructors, Angleton, Texas
2017 – 2018	Project Manager, Middough, Inc., Houston, Texas
2012 – 2017	Project Engineer/Mechanical Engineering Manager, Preferred Engineering, Nassau Bay, Texas
2007 – 2012	Lead Test Engineer, Jacobs, Houston, Texas
2006 – 2007	Mechanical Test Engineer, Jacobs, Las Cruces, New Mexico
2004 – 2006	Field Electrical Engineer, L&M Technologies, Las Cruces, New Mexico

Education

1993	Bachelor of Science, Mechanical Engineering Technology, Wentworth Institute of Technology – Boston, Massachusetts
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Experience detail

2023 – Present	Principal Project Engineer, Worley, Houston, Texas • Currently executing \$25MM project for bp for their offshore assets
2022 – 2022	Project Manager, Hargrove Engineers & Constructors, Pasadena, Texas • Plan and execute projects in accordance with client specifications and standards while maintaining safety and quality ▪ <u>Eastman, AT4218 Piping Design, Kingsport, Tennessee</u> – Provide piping design and mechanical engineering services for a highly confidential project entailing: - Check to ensure ~200 lines match the P&IDs, which are currently in IFD state. - Update 3D modeling of approximately 200 process lines. - Extract and Issue piping isometrics for review/approval to Eastman. - Perform pick-ups in 3D model through 2 cycles of comments - Assume that 100 process lines will require computational/formal pipe stress analysis.

- CVR, Numerous Projects, Coffeyville, KS – Provide home office Project management coordination for numerous refinery project including pipe design, pipe stress analysis, mechanical vessel design, and civil and structural design and analysis
- Chevron, Numerous Projects, Pasadena, TX – FEL2, 3 and Detailed Design
 - Overall responsibility to control and report monthly cash flow and progress
 - Assist with construction coordination
 - Produce cost and schedule reports weekly, updating clients and senior leadership on progress and roadblocks
 - Monitor contracts and service level agreements to identify potential risks and implement mitigation plans to protect the development process from unforeseen delays and costs

2021 – 2021 Engineering Project Manager, Avenue Technologies, Houston, Texas

Engineering Project Manager

- Performed project management and engineering functions for xEMU space suit development, including requirements development, hardware development, manufacturing, assembly, and testing.
- Managed the engineering team for the specific space suit subsystem assigned (xPLSS).
- Provided budgeting, forecasting and cost estimating to NASA management.
- Monitored cost performance for the subsystem development against established plans.
- Developed and maintained company and customer financial reports.
- Oversaw and developed schedules, procedures, work instructions and process flows.
- Updated the Development Plan to ensure it is in sync with schedules
- Developed risks and risk mitigation plans for rollup into the higher-level risk system
- Interacted frequently with inter-organizational disciplines, NASA System Managers, and operational customers.
- Worked with component owners to help them manage their day-to-day activities associated with their components
- Generated and updated component end-item specifications

Lead Test Engineer

- Implemented test plans and schedules, supervised test preparation, build up and test execution.
- Identified and categorized which tests were needed and prioritizing the tests already defined.
- Worked closely with test facilities coordinating the test schedules and helping determine the process for providing the test schedules to program.
- Developed and managed test schedules, including the long-term planning of integrated tests with multiple programs.
- Managed the planning, monitoring, and execution of project cost estimates, scheduling, certification activities, and hardware processing and delivery.
- Reviewed test techniques, processes, and equipment to ensure that employees were not exposed to unnecessary risks while testing hardware.
- Supported the integration and assembly of test articles and reviewed and wrote Test Reports.
- Identified test issues and effectively resolved them for test hardware, Ground Support Equipment (GSE), procedures, and team members, and I notified the Program of those decisions and findings.
- Worked to resolve conflicts between procedures and requirements.
- Discussed schedule conflicts and impacts and worked with Test Team members and Facilities to provide effective solutions.
- Worked in a team environment, provided daily status to customer (NASA) and other support personnel, and maintained a professional relationship with the NASA customer and other NASA support contractors.

2019 – 2020 Senior Project Engineer, Worley/Jacobs, Houston, Texas

- Client account and project engineer for the Marathon Texas City Refinery
- Provided estimating, proposals, and project management for small and mid-cap projects
- Provided monthly reporting on cost and schedule (including Primavera P6 and MS Project) to senior Marathon management
- Managed projects effectively to deliver finished work on time and on budget
- Calculated risks during project development and then managed the risks throughout the project's lifecycle
- Spearheaded 25 small-cap projects over the past 15 months through planning, design, and implementation phases
- Delegated engineering activities to maintain work standards, adhere to timelines and meet quality assurance target

2018 – 2019 Senior Project Manager, Hargrove Engineers & Constructors, Angleton, Texas

- Orchestrated the execution of the largest mid-cap project in support of the May 2019 TAR for the Ascend Chocolate Bayou site
- Planned and executed the project in accordance with client specifications and standards while maintaining safety and quality
- Overall responsibility to control and report monthly cash flow and progress

- Assisted with construction coordination and project coordination between the Capital Projects Group and the TAR Group
- Produced cost and schedule reports weekly, updating the client and senior leadership on progress and roadblocks
- Monitored contracts and service level agreements to identify potential risks and implemented mitigation plans to protect the development process from unforeseen delays and costs
- Established and led a multi-disciplined design team throughout development and contract document phases for a \$12MM project
- Monitored equipment transport and disposal requirements and checked incoming products for compliance

2017 – 2018 Project Manager, Middough, Inc., Houston, Texas

- Project manager appointed for the overall development and execution of small to mid-cap projects
- Successfully managed and completed over 90 projects in the first year, on time and on budget and completed written proposals for over 150 additional projects
- Demonstrated excellent communication skills (written and verbal) and maintained specific knowledge of planning and scheduling functions and a thorough understanding of contract administration, liability, and safety issues.
- Served as the primary contact for Marathon and any other outside consultants concerning the projects
- Provided reports on status and work to adjust schedules as needed
- Monitored changes in scope and schedule and prepared Change Authorizations as required
- Supervised the preparation of proposals, project specifications and scopes, and assisted in negotiating the final contracts
- Monitored project costs and quality to ensure the profitability and technical performance of the project and developed innovative actions to correct variances to scope, budget, and schedules
- Established business and relationship development activities with Marathon

2012 – 2017 Project Engineer/Mechanical Engineering Manager, Preferred Engineering, Nassau Bay, Texas

- Monitored resource planning, cost/budget, and the utilization of personnel
- Interfaced directly with customers and industry organizations to ensure service and technical delivery and quality of our established service and product and drove technical development of new areas of services and products to enhance customer satisfaction and the overall safety footprint.
- Executed engineering projects within the business, with regards to scope, quality, efficiency, and customer satisfaction.
- Monitored all work leaving the department and interfacing with the other discipline managers to ensure proper coordination of work.
- Established practical and professional experience in many diverse areas of engineering: chemical, process, mechanical and structural.
- Proficient with P&IDs, PFDs, equipment, and instrument specifications.
- Skilled at troubleshooting problem situations.
- Responsible for coordinating, directing, and exercising the functional authority for the planning, organization, control integration and completion of engineering projects for the petrochemical industry in the Houston, TX area.
- Worked to plan and implement the engineering program, including defining the project activities, milestones and staff requirements based on the customer's requirements.
- Developed and maintained the schedule and budget for the projects.
- Provided reports on status and work to adjust schedules as needed.
- Assigned and oversaw project personnel to specific phases or aspects of projects such as design, technical plans and product testing.
- Reconciled and evaluated design changes, specifications and drawing releases.
- Prepared interim and completion project reports and interfaced with the customers to ensure the customer needs have been met.
- Continually updated the customer, project team and management with progress reports.
- Proficient with P&IDs, PFDs, equipment, and instrument specifications.
- Skilled at troubleshooting problem situations.

2007 – 2012 Lead Test Engineer, Jacobs, Houston, Texas

- As the Lead Test Engineer was responsible for reviewing relevant documents such as Project Technical Requirements Specification and Verification & Validation Document and providing input to the Systems Engineering & Integration Team.
- Authored the Qualification and Acceptance Test Plan, Master Verification Plan, and other test documents for the program.
- Responsible for identifying and categorizing which tests were needed and worked to prioritize the already defined tests.

- Worked closely with the test facilities coordinating the test schedules and helping determine the process for providing the test schedules to program.
- Suggested ways for team members to effectively work with their customers to satisfy needs within the confines of the program requirements.
- Managed and developed test schedules, including the long-term planning of integrated tests with multiple programs.
- Managed the planning, executing, and monitoring of project cost estimates, scheduling, certification activities, and hardware processing and delivery.
- Reviewed test techniques, processes, and equipment to ensure that employees were not exposed to unnecessary risks while testing hardware.
- Responsible for supporting the integration and assembly of test articles and reviewing and writing Test Reports.
- Identified test issues and effectively resolved them for test hardware, Ground Support Equipment (GSE), procedures, and team members, and I notified the Program of those decisions and findings.
- Worked to resolve conflicts between procedures and requirements.
- Discussed schedule conflicts and impacts and worked with Test Team members and Facilities to provide effective solutions

• **2006 – 2007 Mechanical Test Engineer, Jacobs, Las Cruces, New Mexico**

- Served as a Test Conductor/Repair Engineer in the Hardware Processing Department, Depot Component Test Facility (CTF) processing (flushing, Pilot Operated and Direct Actuated Valve removal and replacement, disassembly, reassembly, failure analysis, repair, and acceptance testing) of Orbiter Primary Reaction Control System (PRCS) and Vernier Reaction Control System (VRCS) thrusters in support of Space Shuttle flight operations.
- Managed quality assurance program, including on-site evaluations, internal audits, and customer surveys.
- Led mechanical and electrical teams in delivery of flight hardware projects, resulting in Return to Flight Status for all components
- Only Mechanical Test Engineer to rebuild a thruster designated as “scrap” and have it fly on a Shuttle
- Resolved complex problems, improved operations, and provided exceptional client support.

2004 – 2006 Field Electrical Engineer, L&M Technologies, Las Cruces, New Mexico

- Responsible for analyzing the assigned jobs by reviewing the program, contract, specifications, and specific customer requirements as they applied to the assigned project.
- Determined technical and presentation approach and developed detailed work outlines as needed.
- Tracked planning, scheduling, and implementation of program projects for field installation, operation, modification and technical documentation and training.
- Responded to issues by analyzing, troubleshooting, diagnosing, and recommending solutions.
- Resolved technical issues in areas of competence.
- Interacted with management and NASA customer representatives.
- Performed material take-offs, scheduling and prioritizing of projects for the section, and establishing and tracking resource requirements for the project engineers.
- Responsible for guidance and direct supervision of twenty journeyman level electrical and twelve carpentry personnel

Technical courses

Construction & Project Management Courses

Specialist and technical skills

Full MS Office Suite

MS Project

Aspen Capital and In-Plant Cost Estimator

From: noreply@civicplus.com
To: [City Secretary](#); [Marketing](#)
Subject: Online Form Submittal: Application for Appointment to the Charter Review Commission
Date: Friday, March 29, 2024 6:10:00 PM

Application for Appointment to the Charter Review Commission

All information provided in this application is public information pursuant to the provisions of the Texas Public Information Act.

The purpose of the Charter Review Commission is to review the City's Charter and make recommendations for possible changes to the Charter. The Charter Review Commission is composed of 7 regular members serving a six-month term.

Candidates are required to be registered voters of the City; to have resided within the corporate limits for at least twelve months preceding the appointment; have no felony convictions for which they have not been pardoned; not be an adversary party to pending litigation against the City; and not in arrears on any city taxes, water services charges, or other obligations owed the City. All appointments are made by and at the discretion of the City Council. Because vacancies may arise before the next regular appointment period, all applications are kept on file for one year.

If you have questions or need more information about this application, please email the Office of the City Secretary at citysec@seabrooktx.gov or call (281) 291-5663.

Name	Michael DeHart
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Phone	409-938-8800
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Email	
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Please enter the address of your residence. All applicants must live within Seabrook City limits.

Street Address	2727 NASA #908
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City	Seabrook
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State	tx
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Zip Code	77586
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Are you a Registered Voter?	No
How long have you been a resident of Seabrook?	40
Have you attended a meeting of the Charter Review Commission?	No
Are you currently a member of the Charter Review Commission?	No
Have you previously served on a Seabrook board or commission?	Yes
Have you ever served a full or partial term on Seabrook City Council?	Yes
If you have served on a Seabrook board or commission please identify which ones.	Ethics Review Commission, Master Plan Review, Planning & Zoning Commission
Have you previously served on a board or commission for another city or organization?	No
If you have served on a board or commission for another city or organization, please list them here.	Seabrook
Does any potential conflict of interest exist which may interfere or inhibit you to carry out the duties of a Charter Review Commissioner?	No
If you answered Yes or	<i>Field not completed.</i>

Uncertain to a potential conflict of interest, please explain

What special skill or knowledge would you bring to the Charter Review Commission?

3 terms on city council (1986-1993), ethics committee, planning & zoning 1994-2018, CPA

The Charter Review Commission must carefully examine the City's Charter and consider whether and which updates are appropriate. The City Attorney will be available to the Commission to help guide Commissioners on State and local law. What would make you a good candidate for reviewing the City's Charter? Do you have experience reviewing foundational documents such as the Charter?

As a prior member of city council and the planning & zoning commission and in order to make knowledgeable decisions it was necessary to understand the codes and regulations of the City of Seabrook. I am a practicing CPA with over 50 years experience. decisions, I had to know and understand the various codes and regulations of the City of Seabrook

Given its role as the constitution of the City, many stakeholders exist who would benefit from the Charter being changed in their favor. Therefore, objectivity of Commissioners is essential. Please give an example of a time when you had to resist outside influences in order to make the right decision.

While on City Council and the Planning & Zoning Commission, we the members of these two bodies dealt with numerous proposals by developers and other business organizations for rule changes that were detrimental to the City of Seabrook and/or its citizens.

Please provide any additional information you feel would be

Field not completed.

useful to the City Council in considering your application. A cover letter and/or resume may also be submitted with the application.

Today's Date

3/29/2024

By submitting this application online, I hereby affirm that I am aware of the requirements for the position and certify that I meet those requirements.

I Understand and Agree

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [City Secretary](#); [Marketing](#)
Subject: Online Form Submittal: Application for Appointment to the Charter Review Commission
Date: Monday, April 1, 2024 2:30:12 PM

Application for Appointment to the Charter Review Commission

All information provided in this application is public information pursuant to the provisions of the Texas Public Information Act.

The purpose of the Charter Review Commission is to review the City's Charter and make recommendations for possible changes to the Charter. The Charter Review Commission is composed of 7 regular members serving a six-month term.

Candidates are required to be registered voters of the City; to have resided within the corporate limits for at least twelve months preceding the appointment; have no felony convictions for which they have not been pardoned; not be an adversary party to pending litigation against the City; and not in arrears on any city taxes, water services charges, or other obligations owed the City. All appointments are made by and at the discretion of the City Council. Because vacancies may arise before the next regular appointment period, all applications are kept on file for one year.

If you have questions or need more information about this application, please email the Office of the City Secretary at citysec@seabrooktx.gov or call (281) 291-5663.

Name	Betty Heverly
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Phone	281-773-8935
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Email	
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Please enter the address of your residence. All applicants must live within Seabrook City limits.

Street Address	2020 Todville Road
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City	Seabrook
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State	Texas
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Zip Code	77586
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Are you a Registered Voter?	Yes
How long have you been a resident of Seabrook?	33
Have you attended a meeting of the Charter Review Commission?	No
Are you currently a member of the Charter Review Commission?	No
Have you previously served on a Seabrook board or commission?	No
Have you ever served a full or partial term on Seabrook City Council?	No
If you have served on a Seabrook board or commission please identify which ones.	I have not served on a Seabrook board or commission
Have you previously served on a board or commission for another city or organization?	No
If you have served on a board or commission for another city or organization, please list them here.	<i>Field not completed.</i>
Does any potential conflict of interest exist which may interfere or inhibit you to carry out the duties of a Charter Review Commissioner?	No
If you answered Yes or	<i>Field not completed.</i>

Uncertain to a potential conflict of interest, please explain

What special skill or knowledge would you bring to the Charter Review Commission?

Long time resident of Seabrook
Active volunteer in the Seabrook community
Recently retired after 37 years in the chemical industry
Experience with charter activities in an industrial setting

The Charter Review Commission must carefully examine the City's Charter and consider whether and which updates are appropriate. The City Attorney will be available to the Commission to help guide Commissioners on State and local law. What would make you a good candidate for reviewing the City's Charter? Do you have experience reviewing foundational documents such as the Charter?

I retired last year after 37 years in the chemical industry. Charters were commonly used to define an opportunity and document goals and timelines, as well as constraints. I am very familiar with the charter concept in an industrial setting and I believe the techniques can be easily applied to a city setting.

Given its role as the constitution of the City, many stakeholders exist who would benefit from the Charter being changed in their favor. Therefore, objectivity of Commissioners is essential. Please give an example of a time when you had to resist outside influences in order to make the right decision.

I have served on the Board of Directors for the Friends of Evelyn Meador Library for the last 7 years. We routinely debate and vote on purchases, activities and projects that serve the library as well as the larger Seabrook community. In 2016, I campaigned for creation of a Friends web site in order to improve communication, increase visibility, and ramp up membership. I was able to make a value case for this project and get the support from the Board to proceed. I also helped develop a shopping site where we could sell merchandise and increase income. Since the launch date in 2016, we've had almost 12,000 views and 6,500 visitors. Being objective and listening to both sides of a position are critical. As a chemical engineer, I am well versed at being objective and listening to other's opinions. Collaboration is the ultimate goal.

Please provide any additional information you feel would be

Field not completed.

useful to the City Council in considering your application. A cover letter and/or resume may also be submitted with the application.

Today's Date

4/1/2024

By submitting this application online, I hereby affirm that I am aware of the requirements for the position and certify that I meet those requirements.

I Understand and Agree

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [City Secretary](#); [Marketing](#)
Subject: Online Form Submittal: Application for Appointment to the Charter Review Commission
Date: Friday, March 22, 2024 3:45:56 PM

Application for Appointment to the Charter Review Commission

All information provided in this application is public information pursuant to the provisions of the Texas Public Information Act.

The purpose of the Charter Review Commission is to review the City's Charter and make recommendations for possible changes to the Charter. The Charter Review Commission is composed of 7 regular members serving a six-month term.

Candidates are required to be registered voters of the City; to have resided within the corporate limits for at least twelve months preceding the appointment; have no felony convictions for which they have not been pardoned; not be an adversary party to pending litigation against the City; and not in arrears on any city taxes, water services charges, or other obligations owed the City. All appointments are made by and at the discretion of the City Council. Because vacancies may arise before the next regular appointment period, all applications are kept on file for one year.

If you have questions or need more information about this application, please email the Office of the City Secretary at citysec@seabrooktx.gov or call (281) 291-5663.

Name	Garry Mack
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Phone	281-642-2504
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Email	
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Please enter the address of your residence. All applicants must live within Seabrook City limits.

Street Address	1601 E Meyer
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City	Seabrook
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State	TX
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Zip Code	77586
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Are you a Registered Voter?	Yes
How long have you been a resident of Seabrook?	36
Have you attended a meeting of the Charter Review Commission?	Yes
Are you currently a member of the Charter Review Commission?	No
Have you previously served on a Seabrook board or commission?	No
Have you ever served a full or partial term on Seabrook City Council?	Yes
If you have served on a Seabrook board or commission please identify which ones.	I have not served on a Seabrook board or commission
Have you previously served on a board or commission for another city or organization?	Yes
If you have served on a board or commission for another city or organization, please list them here.	Board of adjustments, Webster TX.
Does any potential conflict of interest exist which may interfere or inhibit you to carry out the duties of a Charter Review Commissioner?	No
If you answered Yes or	<i>Field not completed.</i>

Uncertain to a potential conflict of interest, please explain

What special skill or knowledge would you bring to the Charter Review Commission?

36-year Seabrook resident, 18-year member Seabrook Volunteer Fire Dept. (Current President), 3-years Seabrook City Council, Business owner 40 years

The Charter Review Commission must carefully examine the City's Charter and consider whether and which updates are appropriate. The City Attorney will be available to the Commission to help guide Commissioners on State and local law. What would make you a good candidate for reviewing the City's Charter? Do you have experience reviewing foundational documents such as the Charter?

Experience: 3years City Council, ten years President SVFD, 40 years building a business from the ground up.

Given its role as the constitution of the City, many stakeholders exist who would benefit from the Charter being changed in their favor. Therefore, objectivity of Commissioners is essential. Please give an example of a time when you had to resist outside influences in order to make the right decision.

During my three years on City Council, I voted on many agenda items that were best for the city over all and not for any special interest.

Please provide any additional information you feel would be

Field not completed.

useful to the City Council in considering your application. A cover letter and/or resume may also be submitted with the application.

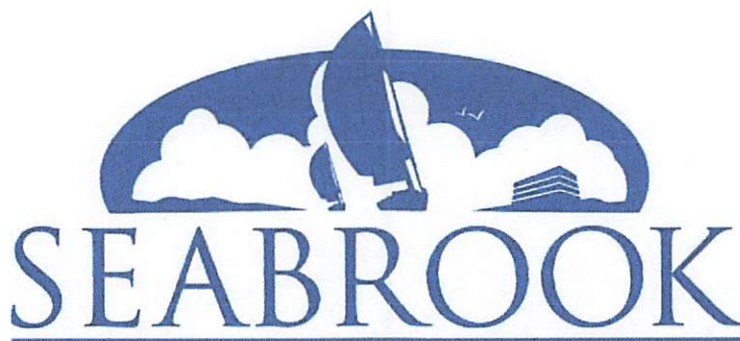
Today's Date

3/22/2024

By submitting this application online, I hereby affirm that I am aware of the requirements for the position and certify that I meet those requirements.

I Understand and Agree

Email not displaying correctly? [View it in your browser.](#)



**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

QUALIFICATIONS FOR APPOINTMENT (Please check option that applies):

I have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)

I am or will be a qualified City of Seabrook voter at the time of appointment.

Voter Registration # 1109923847

I have no felony conviction for which you have not been pardoned.

I am not an adversary party to pending litigation against the City.

I am not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference.
Please do not select more than three (3) boards on which you wish to serve.

	Board of Adjustment/Building Standards
1	Charter Review Commission
	Civil Service Commission
	Comprehensive Master Plan Review Commission
	Economic Development Corporation
	Ethics Review Commission
	Open Space & Trails Committee
	Planning and Zoning Commission

Name of Applicant: Elaine Renola

Date of Application: 03-21-2024

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD

DATE OF APPLICATION: 03-21-2024

NAME: Elaine M. Renola

HOME ADDRESS: 4530 Tharp Drive, Seabrook, TX 77856

HOME PHONE: 281-474-7938

CELL PHONE: 832-563-7069

E-MAIL ADDRESS :

DAY TIME PHONE: 281-474-7938

PROFESSION: Nursing- retired

BUSINESS NAME AND ADDRESS:

n/a

PERSONAL REFERENCES:

Name: Thom Kolupski

Address:

Daytime Phone #:

Name: Sean Landis

Address:

Daytime Phone #:

Name: Glenn Royal

Address:

Daytime Phone #:

How long have you lived in the City of Seabrook?

34 years

Name of Applicant: Elaine Renola

Date of Application: 03-21-2024

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service:

Charter Review - 2014; Master Plan - 2022

Have you ever been convicted of a crime, other than minor traffic violations?

No

What experience do you have that may qualify you for service on a particular Board, Commission or Corporation (i.e. licenses, degrees, and certificates)?

Master of Science in Nursing and Administration
45 years employment in Healthcare Administration and Education
Previous experience on Charter Review

Please list any civic or community endeavors in which you have been involved:

Board of Trustees Methodist Hospital Clear Lake
Board member and previous chair Perry YMCA
Previous board member, secretary Bay Area Turning Point

I understand that applicants for board positions will be interviewed by City Council during a Council meeting. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including **Section 2-239** (see page 3), that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment.

I agree to be bound by the Seabrook Charter, including **Section 11.09**, "Personal Interest" (See page 3.)

I understand that State law requires that I undergo two hours of training concerning the **Opening Meetings Act** and the **Public Information Act** within 90 days of my appointment. (See page 3 for instructions.)

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

Signature Elaine M Renola Date 03-21-2024

Return to: City Secretary
1700 1st Street, Seabrook, TX 77586
281-291-5663
citysecretary@seabrooktx.gov

From: noreply@civicplus.com
To: [City Secretary](#); [Marketing](#)
Subject: Online Form Submittal: Application for Appointment to the Charter Review Commission
Date: Monday, April 1, 2024 4:51:25 PM

Application for Appointment to the Charter Review Commission

All information provided in this application is public information pursuant to the provisions of the Texas Public Information Act.

The purpose of the Charter Review Commission is to review the City's Charter and make recommendations for possible changes to the Charter. The Charter Review Commission is composed of 7 regular members serving a six-month term.

Candidates are required to be registered voters of the City; to have resided within the corporate limits for at least twelve months preceding the appointment; have no felony convictions for which they have not been pardoned; not be an adversary party to pending litigation against the City; and not in arrears on any city taxes, water services charges, or other obligations owed the City. All appointments are made by and at the discretion of the City Council. Because vacancies may arise before the next regular appointment period, all applications are kept on file for one year.

If you have questions or need more information about this application, please email the Office of the City Secretary at citysec@seabrooktx.gov or call (281) 291-5663.

Name	Richard Tomlinson
------	-------------------

Phone	281-989-6788
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Email	
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Please enter the address of your residence. All applicants must live within Seabrook City limits.

Street Address	2517 Du Lac Trace
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City	Seabrook
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State	Texas
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Zip Code	77586-3302
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Are you a Registered Voter?	Yes
How long have you been a resident of Seabrook?	25
Have you attended a meeting of the Charter Review Commission?	Yes
Are you currently a member of the Charter Review Commission?	No
Have you previously served on a Seabrook board or commission?	Yes
Have you ever served a full or partial term on Seabrook City Council?	No
If you have served on a Seabrook board or commission please identify which ones.	Charter Review Commission, Master Plan Review, Seabrook Economic Development Corporation
Have you previously served on a board or commission for another city or organization?	No
If you have served on a board or commission for another city or organization, please list them here.	Seabrook
Does any potential conflict of interest exist which may interfere or inhibit you to carry out the duties of a Charter Review Commissioner?	No
If you answered Yes or	Field not completed.

Uncertain to a potential conflict of interest, please explain

What special skill or knowledge would you bring to the Charter Review Commission?

25 years as a resident of Seabrook. Professional Engineer in the State of Texas. President of Lake Cove HOA 6 years.

The Charter Review Commission must carefully examine the City's Charter and consider whether and which updates are appropriate. The City Attorney will be available to the Commission to help guide Commissioners on State and local law. What would make you a good candidate for reviewing the City's Charter? Do you have experience reviewing foundational documents such as the Charter?

Yes, As President of the Lake Cover Homeowners Association for 5 years.

Given its role as the constitution of the City, many stakeholders exist who would benefit from the Charter being changed in their favor. Therefore, objectivity of Commissioners is essential. Please give an example of a time when you had to resist outside influences in order to make the right decision.

Working for the US Army Corps of Engineers and NASA as a contract administrator I had lots of experience with contractors looking for favors.

Please provide any additional information you feel would be

Field not completed.

useful to the City Council in considering your application. A cover letter and/or resume may also be submitted with the application.

Today's Date

4/1/2024

By submitting this application online, I hereby affirm that I am aware of the requirements for the position and certify that I meet those requirements.

I Understand and Agree

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [City Secretary](#); [Marketing](#)
Subject: Online Form Submittal: Application for Appointment to the Charter Review Commission
Date: Thursday, March 21, 2024 2:33:30 PM

Application for Appointment to the Charter Review Commission

All information provided in this application is public information pursuant to the provisions of the Texas Public Information Act.

The purpose of the Charter Review Commission is to review the City's Charter and make recommendations for possible changes to the Charter. The Charter Review Commission is composed of 7 regular members serving a six-month term.

Candidates are required to be registered voters of the City; to have resided within the corporate limits for at least twelve months preceding the appointment; have no felony convictions for which they have not been pardoned; not be an adversary party to pending litigation against the City; and not in arrears on any city taxes, water services charges, or other obligations owed the City. All appointments are made by and at the discretion of the City Council. Because vacancies may arise before the next regular appointment period, all applications are kept on file for one year.

If you have questions or need more information about this application, please email the Office of the City Secretary at citysec@seabrooktx.gov or call (281) 291-5663.

Name	Ann Wacker
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Phone	2817948207
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Email	
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Please enter the address of your residence. All applicants must live within Seabrook City limits.

Street Address	526 Villa Drive
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City	Seabrook
------	----------

State	TX
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Zip Code	77586
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Are you a Registered Voter?	Yes
How long have you been a resident of Seabrook?	6
Have you attended a meeting of the Charter Review Commission?	No
Are you currently a member of the Charter Review Commission?	No
Have you previously served on a Seabrook board or commission?	Yes
Have you ever served a full or partial term on Seabrook City Council?	No
If you have served on a Seabrook board or commission please identify which ones.	Master Plan Review, Seabrook Economic Development Corporation
Have you previously served on a board or commission for another city or organization?	No
If you have served on a board or commission for another city or organization, please list them here.	Seabrook
Does any potential conflict of interest exist which may interfere or inhibit you to carry out the duties of a Charter Review Commissioner?	No
If you answered Yes or	Field not completed.

Uncertain to a potential conflict of interest, please explain

What special skill or knowledge would you bring to the Charter Review Commission?

I am a retired attorney who previously worked for almost 40 years at Chevron Corp in the business development group. In addition to my legal and business skills, I enjoy residing in Seabrook and want to help my community in any way I can. I have enjoyed volunteering my time and serving on the Master Plan Review and the EDC.

The Charter Review Commission must carefully examine the City's Charter and consider whether and which updates are appropriate. The City Attorney will be available to the Commission to help guide Commissioners on State and local law. What would make you a good candidate for reviewing the City's Charter? Do you have experience reviewing foundational documents such as the Charter?

As an attorney, I am very familiar with reviewing and analyzing documents and additionally via my previous and current commission/board experience have now gained knowledge in City processes and procedures .

Given its role as the constitution of the City, many stakeholders exist who would benefit from the Charter being changed in their favor. Therefore, objectivity of Commissioners is essential. Please give an example of a time when you had to resist outside influences in order to make the right decision.

In my previous role of managing the acquisition and sale of Chevron oil and gas properties, we often had various buyers who "had connections" or with whom we had conducted business previously. We instituted transparent procedures and were known in the A&D industry for running an ethical, competitive bid sales process.

Please provide any additional information

Field not completed.

you feel would be useful to the City Council in considering your application. A cover letter and/or resume may also be submitted with the application.

Today's Date

3/21/2024

By submitting this application online, I hereby affirm that I am aware of the requirements for the position and certify that I meet those requirements.

I Understand and Agree

Email not displaying correctly? [View it in your browser.](#)



8830 Emnora Ln.
Houston TX 77080
(281) 558-1828, (972) 587-8796
Connect@brickrestoration.com

Contract Proposal

PROPOSAL #	44614
DATE	04/02/2024

CUSTOMER
City of Seabrook Best Contact: Sean Landis (281) 309-7234 slandis@seabrooktx.gov

SERVICE LOCATION
City of Seabrook Veteran's Memorial 1700 1st St Seabrook, Texas, 77586-3540 (281) 309-7234 slandis@seabrooktx.gov

PROPOSED WORK BY BRICK RESTORATION

Estimate	
Description	Total
Monument Demo & Rebuild	\$4,686.50
CMU Block Panel D&R BRI will demolish and rebuild (1) CMU block monument over existing foundation footer located at Bay Area Veterans Memorial. Current monument measures approx 10.5' L x 1.5' H. New Monument will measure approx 10.5' L x 4' H and will have stucco on front. Work to include: > Demo, haul away and dispose of all debis. > Install new or repair damaged rebar in column as necessary. > Install new closest match CMU block to rebuild panel and column. > Panel will be built with ladder wire every 3-4 courses. > Panels and columns to be built in the same pattern as adjacent panels. NOTES: - Price assumes concrete footer is intact. If additional work is required to rebuild foundation additional charge will apply. - BRI will provide new closest matching block to be approved by customer prior to install. If same block cannot be located or customer requests additional staining for closer match - additional charge of \$12.sqft will be charged for staining. - All personal items, lights, planters, sprinkler boxes, etc. must be removed from the area where work will be performed prior to start of work.	
Thin Brick Exterior BRI will install new thin-brick veneer to the sides and top of new monument.	

Price includes:

- > Protect and prepare surrounding work area.
- > Install wire mesh and/or concrete backer board and scratch coat if dictated by sub material.
- > Install thin-brick in standard running bond pattern.

****NOTES:**

- > Special installation methods such as herringbone/chevron patterns for brick will incur an additional charge of \$10/sqft.
- > BRI will provide brick/stone sample for customer to approve prior to start of work.
- > All personal items must be removed from the work area prior to start of work.
- > If full-sized brick is selected & approved by customer, a cutting charge of \$14/SF will apply.

Stucco Re-surface

BRI will install new brown coat and finish to front face of monument.

****NOTE****

BRI will demo and construct monument. Any signs or letters for monument are to be purchased and applied by customer.

Cleanup & Payment

\$0.00

All of the above work includes materials, labor and final clean-up; and is guaranteed under Brick Restoration's 1-year warranty. BRI will take reasonable precautions at work area, but cannot be responsible for damages to landscaping or sprinklers that occur during the regular course of work (if applicable). Prior to start of work, all personal items must be removed from area and stored by customer.

Please note that this proposal is valid for 90 days. After 90 days, a re-evaluation may be required and prices are subject to adjustment.

*****PAYMENT PLAN*****

- 25% deposit is due upon approval of work. When materials are purchased, this deposit becomes nonrefundable.
- Final 75% balance is due by the last day of work, upon completion.

Customer Authorization:

Upon approval of this proposal, I authorize Brick Restoration to perform all work described above. I accept this proposal on a per job basis without regard to the total hours or labor required for completion. By signing this proposal, I agree to make payment in full upon completion of the work listed above.

SUB-TOTAL:

\$4,686.50

SALES TAX:

\$0.00

PROPOSAL TOTAL:

\$4,686.50

APPROVAL SIGNATURE:

Terms of Service:

Authorization, Terms and Conditions - Warranty & Limitations

Upon approval of this proposal, I authorize Brick Restoration (aka BRI) to perform all work described above. I accept this proposal on a per job basis without regard to the total hours or labor required for completion. By signing this proposal, or submitting an electronic approval, I agree to make payment in full upon completion of the work listed above.

Brick Restoration Warranty: Unless, noted otherwise on the proposal, the above work has a **one-year warranty** covering failures on work performed related exclusively to the workmanship performed by our crews or

material defects.

Warranty excludes damage not related to the work performed; as well as damage or deterioration due to preexisting conditions or new failures of underlying conditions such as foundation settling, water leaking or damage, plant growth or other underlying conditions not implicitly related to the work performed by BRI. Exclusions to this warranty also include normal wear and tear, or severe acts of nature and is subject to inspection and approval by Brick Restoration, Inc.

**CITY OF SEABROOK
RESOLUTION NO. 2022-33**

**BAY AREA VETERAN'S MEMORIAL
POLICY FOR DEDICATIONS, MEMORIALS, DONATIONS
AND MEMORIAL GUIDELINES**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS ESTABLISHING A POLICY FOR CITY STAFF AND/OR FUTURE DESIGNEES TO PROCESS REQUEST(S) FOR DEDICATIONS AND MEMORIALS AND ALLOW FOR AN ELIGIBILITY AND PROOF OF SERVICE VERIFICATION; ESTABLISH MEMORIAL GROUND GUIDELINES AND DONATION PROCESS; AND RELATED MATTERS

WHEREAS, the City Council of the City of Seabrook donated property to Bruce and Jenny Arunyon in 2012 for the construction of the Bay Area Veteran's Memorial and the project was completed in 2013; and

WHEREAS, in May, 2017, the City of Seabrook accepted a transfer of ownership and maintenance of the memorial; and

WHEREAS, in the spirit of the gift to honor local veterans, the City Council desires to set a policy for dedication bricks and/or memorial plaques placed in or around the memorial; and

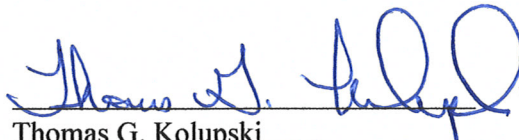
WHEREAS, the attached document titled, "Bay Area Veteran's Memorial Policy for Dedications and Memorials" be adopted as the city's guidelines for the memorial; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Seabrook, Texas:

Section 1. That, the Seabrook City Council hereby adopt the attached Bay Area Veteran's Memorials and Dedications Policy.

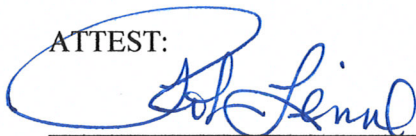
PASSED AND APPROVED THIS 6TH DAY OF December, 2022.

CITY OF SEABROOK, TEXAS

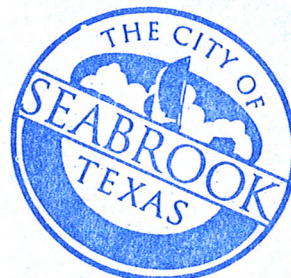


Thomas G. Kolupski
Mayor

ATTEST:



Robin Lenio, TRMC
City Secretary





BAY AREA VETERAN'S MEMORIAL POLICY FOR DEDICATIONS, MEMORIALS, DONATIONS AND MEMORIAL GROUNDS GUIDELINES

1. INTRODUCTION:

Bruce and Jenny Arunyon constructed the Bay Area Veteran's Memorial in 2013 in honor to local veterans who served or are actively serving our Nation. In May 2017, the City of Seabrook approved the transfer of ownership and maintenance on the memorial to the city. A website by the city was established for the receipt of applications for plaques, bricks or donations to the memorial.

2. PURPOSE

The purpose of this policy is to establish an ongoing policy to assist with the procedure of approving memorial bricks and dedication plaques within the vision of the memorial and allowing for a verification process.

3. MISSION:

To honor our community members and their family members who have selflessly served our Nation.

4. ELIGIBILITY:

Individuals honored must have some connection to Seabrook, Texas. This includes:

- a. Living in or have lived in Seabrook, including their relative(s)
- b. Individuals that currently serve or have served in an elected or appointed role, including their relative(s)
- c. Individuals that currently work or have worked for the City of Seabrook, including their relative(s)

If the above eligibility is met, they must also meet one or more requirements listed below to have their given birth name or marriage name (no nicknames), rate/rank, branch of service, honors, and dates of service inscribed on a granite memorial or brick for display on the memorial.

- a. Served in the active military, naval, or air service and who was discharged or released under conditions other than dishonorable by means of an honorable or

- under honorable conditions (general) discharge
- b. Was a member or former member of the selected reserve
- c. Completed at least one (1) enlistment as a member of the selected reserve or, in the case of an officer, completed the initial obligated service as a member of the selected reserve
- d. Died while a member of the active component or selected reserve
- e. Retired from an active component or selected reserve
- f. Has served honorably in one of the Armed Forces of the United States of America and has a Department of Defense DD-214 form

5. AUTHORIZED PROOF OF SERVICE:

- a. DD Form 214 (Active Component or Selected Reserves)
- b. NGB Form 22 or NGB Form 55 (National Guardsman)
- c. Memorandum Eligibility for Retired Pay (20 Year Letter)
- d. Certificate of Honorable Discharge
- e. Verification of Eligibility of Burial in National Veterans Cemetery
- f. Memorandum, Notification of Eligibility for Retired Pay at Age 60
- g. DD Form 2 (Retired Identification Card)
- h. Documentation from the National Archives

6. PROCESS:

- a. Complete the application and submit with payment on the city's website
- b. Application is reviewed and approved or denied
- c. Memorial plaque is ordered and received
- d. Memorial plaques are scheduled to be positioned
- e. Memorial plaques will be placed within 3 months after order is received and approved

7. MEMORIAL GROUNDS:

To assure the memorial is properly maintained and displays sacred honor to those being memorialized, we maintain the right to enforce rules and remove items from the memorial.

- a. Flowers may be placed on the memorial grounds on the following dates:
 - a. Immediately after the plaque is placed
 - b. Veterans Day
 - c. Memorial Day
 - d. Flag Day
 - e. July 4th
- b. Fresh-cut flowers or artificial flowers made of silk, polyethylene, or similar material are permitted. However, they will be removed when, in the judgment of the grounds staff, they are unsightly
- c. Potted plants will not be permitted

- d. Public displays of ten or more people shall require the approval of the City staff prior to holding the event
- e. Nothing shall be affixed to the memorial wall
- f. Alcohol or drugs are not allowed on the memorial property
- g. No bicycles or skateboards shall be admitted to the memorial
- h. No signs or notices or advertisements of any kind shall be allowed in the memorial, unless placed by the City

8. MEMORIAL BRICKS AND DEDICATION PLAQUES PLACEMENT:

- a. Memorial plaques shall include at least the service members Rate/Rank full name, branch of service, and date of service
- b. It shall be the responsibility of the applicant to assure the information placed on the plaque is correct and subject to City staff verification
- c. City staff shall determine when and where the plaques shall be placed on the memorial
- d. The City shall maintain and insure the memorial on a regular basis and will replace damaged plaques at no cost to the applicant
- e. No touching, scraping, rubbing or spraying of liquids on the memorials or monument is permitted for any purpose

9. DONATIONS:

- a. Donations will be accepted to properly maintain capital items and/or expand the memorial.
 - i. Monetary donations shall be sent to the City of Seabrook with a notation for: BAY AREA VETERAN'S MEMORIAL DONATION on the check
 - ii. Funds for the memorial shall stay in a specific budgetary line item solely for capital improvements or large repairs to memorial itself

ORGANIZATION / BACKGROUND	CURRENT COUNCIL LIAISON	POSSIBLE COUNCIL ALTERNATE (optional)	CURRENT STAFF LIAISON	MEETING DATES AND TIMES
Bay Area Houston Convention and Visitors Bureau The BAHCVB and each city shall work together and coordinate their retrospective marketing activities to avoid duplication of efforts and to increase marketing efficiency. Gives insight on events/special promotions happening in the local area. The center offers lodging, dining, shopping, attractions and recreational information, as well as maps, coupons, discount tickets and souvenirs	Mike Giangrosso <i>This position does not have to be a Council position, it may also be a city staff member</i>	Mayor Thom Kolupski <i>The mayor for each city serves in an ex-officio capacity and is encouraged to come to each board meeting</i>	LeaAnn Petersen (appointed by Council) <i>Additional Council appointed board positions include Community Hotelier (currently Rushi Patel) and Community Tourism Partner (currently Julie Howell with Lakewood Yacht Club)</i>	Monthly meetings 2 nd Wednesday of each month 11:00am Date and time subject to change to accommodate board members
Bay Area Houston Economic Partnership BAHEP has been dedicated to defining the future for the people who live and work in its service area of southeast Texas. Utilizing a collaborative committee structure, BAHEP engages approximately 270 investor companies, business professionals, local governments, and educational institutions to bring about prosperity and a high quality of life. Leadership is a quality that defines the Bay Area Houston Economic Partnership. BAHEP is trusted to provide exceptional leadership in advocating for regional economic interests, innovative partnerships, and collaborations	Joe Machol	Buddy Hammann	Appointed at the Discretion of the CM	Various committees meet throughout the month. Link to BAHEP calendar: www.bayareahouston.com/con tent/calendar/calendar
Bay Area Houston Transportation Partnership Enhance regional mobility by advocating for improved infrastructure and air quality, reducing traffic congestion, and cultivating relationships with communities, business leaders, and elected/appointed officials that result in positive transportation solutions	Rob Hefner	Mike Giangrosso	Appointed at the Discretion of the CM	Monthly luncheon Last Thursday of the month 11:30am

ORGANIZATION / BACKGROUND	CURRENT COUNCIL LIAISON	POSSIBLE COUNCIL ALTERNATE (optional)	CURRENT STAFF LIAISON	MEETING DATES AND TIMES
Clear Lake Area Chamber of Commerce The mission of the Chamber is to be Champions for Business Success & Quality of Life in the Clear Lake Area Community by upholding values of accountability, inclusion, transparency, integrity, innovation, and member-focus	Tom Tollett	Jackie Rasco	Appointed at the Discretion of the CM	General Membership Luncheon Last Wednesday of Every Month 11:30am
Economic Alliance Port Region The Economic Alliance Houston Port Region is a regional Economic Development Corporation whose mission is to create a vibrant regional economy. Our goal is to be the most sought-after region in the entire world for potential employers and their employees. We accomplish this by offering top-notch economic development services to site locators, brokers, private industry, and our member cities & communities from inception of a project to groundbreaking	Thom Kolupski	Buddy Hammann	Appointed at the Discretion of the CM	Various committees meet throughout the month. Link to Port Region calendar: www.allianceportregion.com/events-2/
Galveston Bay Foundation The Galveston Bay Foundation (GBF) is a non-profit organization established in 1987 to preserve and enhance Galveston Bay as a healthy and productive place for generations to come. The Foundation's strength is that it involves a true cross-section of interests to address issues and concerns related to Galveston Bay. The strong Board of Directors represent sport and commercial fishing groups, government agencies, recreational users, environmental groups, shipping, development, and business interests.	Joe Machol	Jackie Rasco	Appointed at the Discretion of the CM	Quarterly Meetings Wednesdays 6:30pm

ORGANIZATION / BACKGROUND	CURRENT COUNCIL LIAISON	POSSIBLE COUNCIL ALTERNATE (optional)	CURRENT STAFF LIAISON	MEETING DATES AND TIMES
Houston Galveston Area Council (HGAC) H-GAC is the regional organization through which local governments consider issues and cooperate in solving area wide problems. Through H-GAC, local governments also initiate efforts in anticipating and preventing problems, saving public funds. The 13-county H-GAC service region is growing, becoming more diverse, and constantly changing. In order to address the needs of citizens and businesses, local governments are providing leadership to guide regional development wisely and manage change constructively	Thom Kolupski	Mike Giangrosso	Appointed at the Discretion of the CM	Board of Directors Meetings 3 rd Tuesday of the month Various committees meet throughout the month. Link to HGAC calendar: www.hgac.com/calendar/default.aspx
Seabrook Economic Development Corporation The purpose of the Corporation is the promotion and development of new and expanded industrial and manufacturing enterprises in the City of Seabrook to promote and encourage employment in the public welfare	Buddy Hammann	N/A	N/A	2 nd Thursday of every month 7:00pm

Harris County Mayors' and Councils' Association (HCMCA)

The association was established to promote the general welfare of the communities of Harris County, to maintain lines of communication between the various governmental units within Harris County, to create a better understanding between the cities and governmental units of Harris County, and to aid in the improvement of municipal administration in Harris County.



Agenda Briefing

Date of Meeting: April 16, 2024

Responsible Department: City Manager's Office

Presenter: Kevin Padgett, Public Works Director

Briefing Prepared By: Brian Craig

Strategic Focus Area: Quality of Life

General Information:

Consider and take all appropriate action on the report from Progressive Commercial Aquatics regarding the Seabrook Pelican Bay Pool Assessment (CIP# P24) and any further engagement on the proposal for further design phases.

Executive Summary / Background:

The City of Seabrook City Council heard report from staff on the internal conditions report of the city pool facilities in 2023. Based on a number of proposals acquired by staff, the City Council received information initially totaling during capital improvement workshops in 2023 of approximately \$300,000 of improvements to maintenance existing facilities. As presented, the proposals were for components that could be easily assessed by vendors and further investigation for underground facility integrity and piping would still be required.

This City Council in early 2024 were informed that the city's slide feature was reaching end of life and required demolition. At that time, the site plan of the facility was impaired for utilization without further discussion on future vision for facility. The staff brought forward a proposal that would fully assess the existing pools and include additional phases for preliminary design, community input and final design should City Council move into additional action.

The attached report is phase I of the proposal for City Council consideration on the city aquatic facilities.

Funding / Fiscal Information:

The current Capital Improvement Fund (CIP # P24) has \$519,200 allotted for this capital improvement project based on FY2024 CIP workshop discussions and before pool assessment.

Supporting Materials Attached:

1. Pool Assessment Report
2. Progressive Aquatic Proposal

Prior Action / Review by Council, Boards, Commissions:

Staff Recommendation:

All requests must be submitted to the City Secretary's Office no later than 12:00 p.m. on the Monday, one week prior to the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

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Brian Craig
City Engineer/Assistant Public Works Director
City of Seabrook

April 09, 2024

Subject: Pelican Bay – Seabrook Swimming Pool Assessment

Progressive Commercial Aquatics appreciates the opportunity to assist your team as you continue discussions concerning the vision for the aquatic facility in Seabrook, Texas. We have prepared this report with the goal of providing your team with the information necessary to make an educated decision about renovations or replacement of the aquatic portion of the facility. We welcome the opportunity to continue to serve the City of Seabrook and please do not hesitate to reach out to us should you have any questions.

Executive Summary

Stephen Seliskar of Progressive Commercial Aquatics (PCA) met with the staff of the City of Seabrook on February 19th, 2024 to provide a visual assessment of the aquatic facility. The purpose of the assessment was to identify and observe existing aquatic conditions and provide key stakeholders with recommendations to renovate or replace the pools, splashpad, and respective mechanical systems.

This report is designed identify existing conditions which require action for renovation of the aquatic facility based on a visual assessment of the pools, deck, piping, pumps, filters, pool water chemical treatment systems, heaters and other mechanical, plumbing, and electrical systems associated with the pools.

General Assessment & Deficiencies

International Swimming Pool and Spa Code (2021 Version) and Accessibility Violations

Major items or deficiencies that are recommended to be repaired prior to the opening of the 2024 swim season. These items all constitute violations to the health code in place for the City of Seabrook and must be remedied before I can recommend safe operation of this facility.

1. Replace the Splashpad secondary-disinfectant UV system.
 - a. The Texas Administrative Code has adopted the International Swimming Pool and Spa Code (ISPSC) 2021 version and is applicable in the City of Seabrook. The ISPSC requires all aerated water features be treated by a medium-pressure UV system capable of meeting 40mJ/sq.cm. of disinfection capacity.
 - b. Operation of the current UV system installed on the Splashpad recirculation piping could not be verified at time of visit. The current system installed is no longer supported by the manufacturer and it does not meet the standards listed in the ISPSC.
 - c. **This is a major health concern as without this system, harmful (and potentially deadly - Naegleria fowleri) microorganisms can grow in the Splashpad balance tank and return back to the water features.**
 - d. This situation can be mitigated by super-chlorinating the Splashpad balance tank water every 96 hours, but this process is not only costly, but unfeasible during swim season as you cannot distribute super-chlorinated water to your patrons.

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- e. Please note that the UV system required to remedy item 1 on the Splashpad typically has a long lead time, so action would need to be taken quickly if there is a desire to operate that area of the facility in the coming months.
 - f. Reference photos 14 and 15 in the photo log.
2. Provide ADA accessibility to both bodies of water.
 - a. Currently, no primary means of access are provided for either pool and no ADA-compliant pool lifts were observed on site. Barring modifications to the pool shells, two (2) anchors for permanent pool lifts (4 total) would need to be installed and one (1) lift per pool (2 total) would need to be provided.
 - b. One (1) portable pool lift was observed stored in the activity center, but operation of this lift could not be confirmed. Unless the City purchased this lift prior to March 15th, 2012, this lift cannot be deemed ADA-compliant. Furthermore, it would only be permitted to serve one body of water.
3. Ensure accuracy and operation of recirculation system flowmeters.
 - a. Recirculation system flow meters must be accurate within 10% of the actual flow rate per ISPSC section 311.7.
 - b. Reference photo 9 in the photo log.
4. Clean and repair all cracks in the pool decking and unsealed deck joints. Surrounding landscaping should also be repaired and smoothed to ensure there are no tripping hazards on walkable surfaces accessible to patrons.
 - a. Reference photos 29 and 64 in the photo log.
5. Visual inspection of the pool main drains could not be performed at time of visit due to excessive algae growth. These main drains must be inspected for VGB compliance and operation of the safety vacuum release system (SVRS) must be confirmed.
 - a. The suction lines leading away from these main drains aren't adequately sized per the current ISPSC standards (6 FPS) given a recirculation flow rate of 676 gallons per minute. It should also be noted, that this flow rate does not allow for adequate turnover time for these pools
 - b. Reference photos 53, 54, and 57 in the photo log.
6. One mechanical and piping system currently serves both the Children's Pool and Lap Pool. This configuration is not permitted per the ISPSC and separate mechanical and piping systems must be provided for each body of water.
 - a. New recirculation pumps, filtration systems, and piping systems would need to be provided for each body of water to accommodate modern turnover rates. Both pools would need to be updated to accommodate a 6-hour turnover rate (minimum). Pipe velocity standards would also need to be met to include 6 feet per second for suction piping and 8 feet per second for supply (pressure) piping.
 - b. A geotechnical analysis of the site should be performed prior to demolition and excavation of the existing pool deck and piping. It is likely excessive ground water exists and the site will need to be dewatered during this process.
 - c. The existing water chemistry controller could be protected to remain for one of the new pool systems, however it is outdated and recommended to be replaced with new.
 - d. The following mechanical equipment standards are recommended and provided per the attached Opinion of Probable Cost:

- i. New Pentair EQ series (or equivalent) recirculation pumps with motor starter or variable frequency drive (VFD) capable of ensure a flow rate to meet a 6-hour turnover.
 - ii. New high-rate sand filters (Neptune Benson SHFFG or equivalent) with a maximum filtration rate of 15 gpm/sq.ft.
 - iii. Peristaltic pumps (Stenner or equivalent) for feeding sodium-hypochlorite and muriatic acid from existing storage containers.
 - iv. Water chemistry controllers (Aquasol to match existing or equivalent).
 - v. Automatic water level controllers and solenoid valves for fresh-water feed.
 - vi. Optional: Secondary-disinfectant medium-pressure UV systems (Hanovia or equivalent).
- e. The mechanical space currently allotted is more than adequate to house all of this equipment.
- f. When providing new piping systems to the existing swimming pools, wall inlets will need to be spaced every 20 feet (minimum) around the perimeter waterline per ISPSC section 407.4.4. This will require core-drilling through the existing pool shell in some areas to accommodate new inlets as the existing spacing does not meet this requirement.
7. The issue of water loss was raised by City staff. The facility underwent a leak detection test from American Leak Detection and was issued a report on 10/17/2022. While it appears some of the suggested repairs from this report have been completed, the issue of water loss persists. This may indicate the structural integrity of the pool shells has been compromised due to soil shifting and settling over the years. If major repair/renovation work is to be completed, it is suggested that the City obtains a soils report from a qualified geotechnical engineer prior to design and demolition of the existing pool deck.

Future Aquatic Priorities and Minor Code Violations

Overall, the Splashpad surface and water features appear to be in fair to good condition for their age. Maintenance, upgrades, and repairs have been provided throughout the years. That said, Splashpad design has evolved since it's original construction and there are ways to make the system more manageable and efficient.

While it was difficult to see much of the pool finish at the time of visit due to excessive algae growth, the conduction plaster, tile work, and perimeter coping stone/brick appeared to be in relatively good condition. Barring some minor chips and stains, these finishes are in working order and don't pose an immediate hazard to patrons. Although, the Children's Pool perimeter brick coping does not include a handhold element and should be changed with other renovations to this pool.

The outdoor pool deck has been repaired and patched over the years and deck joint sealants are beginning to fail in many areas. As splash-out from patrons entering and exiting the pool, as well as rainwater seeps into these joints, it further degrades soil beneath and eventually crates a void space which can cause structural issues for the surrounding pool structures. With the removal of the waterslide in the deep end of the Lap Pool, portions of the concrete footings remain and are considered a trip hazard. These footings should be roped off or brought down to

deck-level prior to operating the facility. Pool depth markings on the deck do not meet code requirements in the deep sections of both pools as markings are required to be provided at two (2) foot increments of depth.

Splashpad – 4,600 gal (balance tank):

Finishes/Aesthetics:

- Continue to monitor and maintain the painted finish and patch delaminated paint as needed.
- Repair elevated feature pain as needed and routinely clean feature nozzles to ensure proper flow is achieved.
- A valve box for the water features wasn't observed during the site visit. If features have individual valves and are accessible, they should be throttled to achieve proper flow upon start-up for the season.

Mechanical Systems:

- Currently, one (1) pump serves as the recirculation and feature pump utilizing actuated valves to switch between recirculation and feature flow. If possible, these piping loops should be separated using a two (2) pump system. This eliminates the need for maintenance-intensive actuated valves, ensures more consistent flow rate to the water features, and provides cleaner water as the balance tank is constantly being filtered and treated during operation.
 - NOTE: Reconfiguration of these systems as described above does not eliminate the requirement for a secondary-disinfectant UV system mentioned part 1 of this assessment report.
- Monitor the adjacent ground-water site well and drain as needed over time to structural issues across the facility.

Children's Pool – Estimated 81,300 gallons:

Finishes/Aesthetics:

- Clean and brush the pool plaster of all debris prior to facility operation. Continue to monitor the plaster finish for delamination and patch those areas to avoid patrons scraping their feet.
- Replace the perimeter coping brick with a pre-cast coping stone that has a handhold. If larger repairs trigger reconfiguration of the perimeter overflow system into a gutter, this will be unnecessary.

Lap Pool – Estimated 217,900 gallons:

Finishes/Aesthetics:

- Continue to monitor and maintain the plaster finish and patch areas of delamination as needed to prevent a scrape hazard.
- Ensure all skimmers have lids as there are a few currently left open that pose a trip hazard.

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- Provide new sealant/caulk at backside of perimeter coping stone.

Mechanical Systems:

- Relocate any electrical panels, switches, equipment, etc. away from muriatic acid storage and feed pumps as they will cause corrosion of those systems rapidly.

Opinion of Probable Cost (04/09/2024)

Please note that this is the minimum work required to be done to get the facility to a safe operating point and includes bringing the pool and splashpad systems up to current ISPSC and ADA Accessibility standards. There are additional considerations as outlined in this report that will need to be addressed as ongoing maintenance items, but they are not immediate safety/code concerns.

Items to be Addressed Prior to Facility Operation		
Item Description		Estimated Subtotal
1	Replace Splashpad UV System	\$43,550
2	Provide four (4) pool lift anchors and two (2) permanent pool lifts	\$14,280
3	If needed, provide new flowmeters (pending calibration)	\$4,500
4	Address trip hazards on the pool deck and surrounding landscape areas	\$8,000
5	If needed, replace pool main drains and SVRS system (pending VGB compliance verification)	\$13,200
6	Replace Children’s Pool and Lap Pool Mechanical and Piping Systems:	
	Children’s Pool Mechanical Systems (see design standards referenced in item 6.d)	\$97,948
	Lap Pool Mechanical Systems (see design standards referenced in item 6.d)	\$165,895
	Demolition and Replacement of Pool Mechanical System and Return Piping (does not include replacement of existing decking – square footage requirements will need to be determined at time of demolition)	\$402,590
7	Patch leaks in all systems as discovered (min. price listed)	\$5,800
Subtotal		\$755,763
10% Contingency		\$75,577
Total		\$831,340

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Progressive Commercial Aquatic's relationship with the City of Seabrook is deeply valued and we look forward to building on that relationship as your partner for this project. Our knowledge of aquatic facility design, construction, service, and management provides us with an understanding of the facility conditions and systems which will ensure a meaningful evaluation. Should you have any questions, please do not hesitate to contact any of us.

Sincerely,

A handwritten signature in black ink that reads "Stephen Seliskar". The signature is written in a cursive, flowing style. It is positioned within a light blue rectangular box that has a thin black horizontal line underneath it.

Stephen Seliskar
Project Manager
Progressive Commercial Aquatics
703.343.5520
sseliskar@landmarkaquatic.com

EXHIBIT A

PHOTO LOG



Photo #1 View of Splashpad area.



Photo #2 View of Splashpad balance tank.



Photo #3 Alternate view of Splashpad area.



Photo #4 View of site well (lid closed) adjacent to Splashpad mechanical systems.



Photo #5 View of site well (lid open) adjacent to Splashpad mechanical systems.



Photo #6 View of Splashpad mechanical systems.



Photo #7 View of Splashpad slab floor penetrations.



Photo #8 View of Splashpad water chemistry controller, probes, and water feature sequencing panel (lid closed).



Photo #9 View of Splashpad impact flow meter.

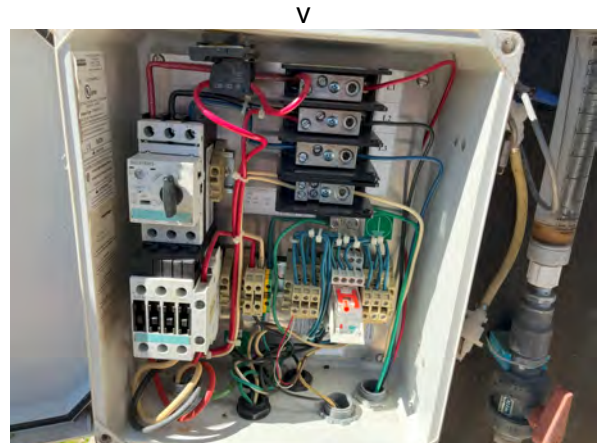


Photo #10 View of Splashpad water feature sequencing panel (lid open).



Photo #11 View of Splashpad water feature control panel (lid closed).



Photo #12 View of Splashpad water feature control panel (lid open).



Photo #13 View Splashpad sodium-hypochlorite and muriatic acid chemical feed pumps.



Photo #14 View of Splashpad secondary disinfectant UV system.



Photo #15 View Splashpad secondary disinfectant UV system control panel (lid open).



Photo #16 View of Splashpad recirculation/feature pump.



Photo #17 View of Splashpad recirculation/feature pump specifications.



Photo #18 View of Splashpad chemical treatment system injection points.



Photo #19 View of Children's Pool stair entry.



Photo #20 View of Children's Pool shallow end.



Photo #21 View of Children's Pool west wall and deep end.



Photo #22 View of contrasting tile floor marking indicating change in floor slope in the Children's Pool.



Photo #23 View of Children's Pool brick coping.



Photo #24 Example view of Children's Pool skimmer lid (cracked).



Photo #25 Example view of Children's Pool depth marking and "No Diving" signage.



Photo #26 Example view of Children's Pool grab rail.



Photo #27 View of Children's Pool freshwater fill line.

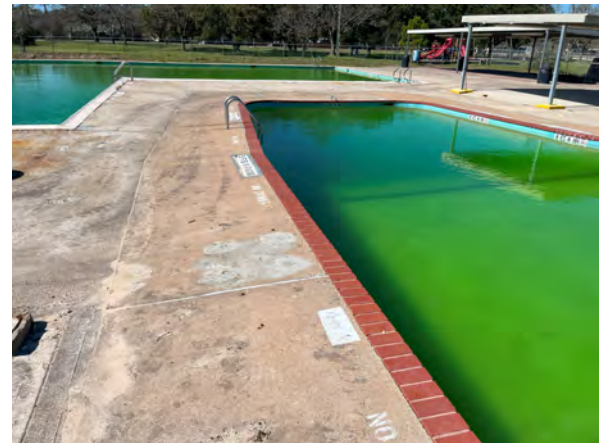


Photo #28 View of Children's Pool south side and deep end.



Photo #29 View of concrete deck joint with failing sealant.



Photo #30 View of Lap Pool looking south.



Photo #31 Example view of Lap Pool grab rail.



Photo #32 Example view of Lap Pool skimmer lid.



Photo #33 Example view of Lap Pool depth marking and "No Diving" signage.



Photo #34 Example view of Lap Pool starting block anchor.

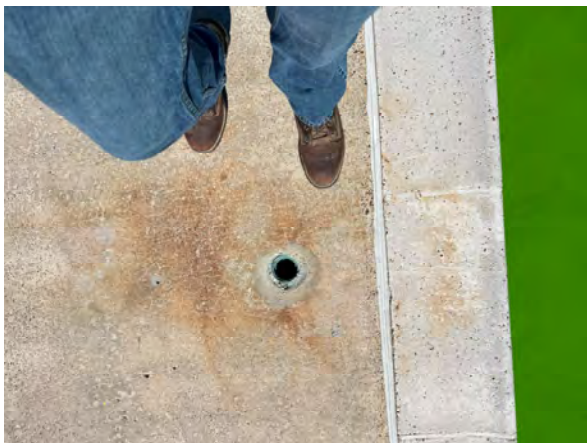


Photo #35 Example view of Lap Pool backstroke flag stanchion wedge anchor.



Photo #36 View looking west from south side of Lap Pool towards site access for chemical delivery and maintenance.



Photo #37 View of fence surrounding outdoor pool mechanical and chemical storage area.



Photo #38 View of pool equipment storage and chemical feed pump enclosure with garage door open.



Photo #39 View of pool chemical hazard signage.



Photo #40 View Lap Pool lane rope storage reel on the west side of the pool equipment storage enclosure.

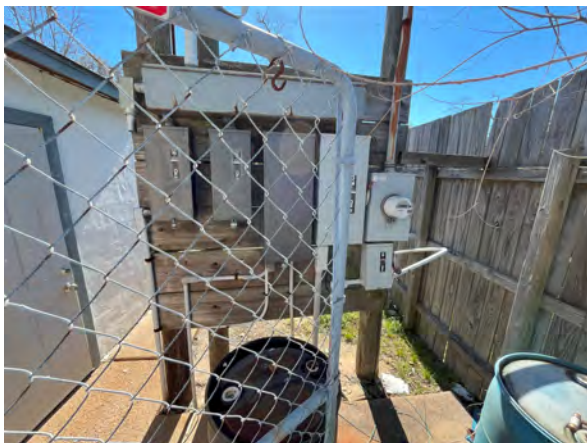


Photo #41 View of pool mechanical system electrical panels and disconnects.



Photo #42 View of empty chemical storage carboys adjacent to pool electrical panels.



Photo #43 View of electrical conduit along south fence of mechanical area and nonoperational emergency eyewash shower.



Photo #44 View of pool equipment storage enclosure roof and overhead lighting.



Photo #45 View of pool filter tank.



Photo #46 View pool filter face piping and valves.



Photo #47 View of pool filter engineering specifications.



Photo #48 View of pool recirculation pump motor starter (lid closed).



Photo #49 View of pool filter pressure gauges.



Photo #50 View of pool filter backwash sequencing directions.



Photo #51 View of pool pump and strainer basket.



Photo #52 View of pool pump motor engineering specifications.

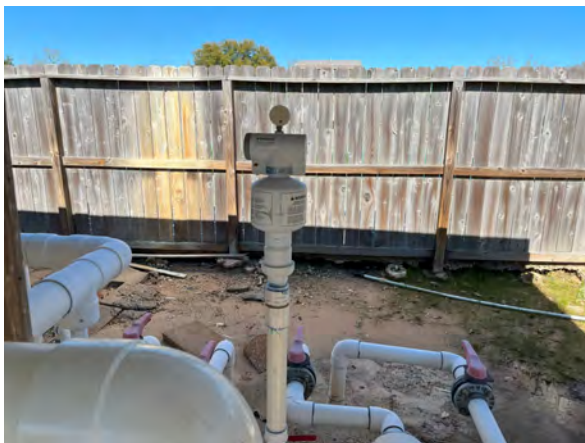


Photo #53 View of pool main drain safety vacuum release system (SVRS).



Photo #54 View of pool main drain safety vacuum release system (SVRS) pressure gauge.



Photo #55 View of pool recirculation piping penetrations.



Photo #56 View of muriatic acid carboys on secondary containment platform.



Photo #57 View of pool water chemistry controller.



Photo #58 View of pool sodium-hypochlorite and muriatic acid chemical feed system pumps.



Photo #59 View of pool portable vacuum and filter system.



Photo #60 View pool sodium-hypochlorite storage closet entrance.



Photo #61 View of sodium-hypochlorite storage tank interior.



Photo #62 View of sodium-hypochlorite storage closet, above the chemical container.



Photo #63 View of pool deck where Lap Pool waterslide has been removed. Concrete footings still remain.



Photo #64 View looking southeast away from the pool deck.



Photo #65 View of fence dividing the Splashpad area from the Children's Pool.



Photo #66 View of front entrance and access booth.



Photo #67 View of pool filter backwash line and drain down line to storm behind the pool mechanical area.



Photo #68 View of men's bathroom.



Photo #69 View of women's bathroom.



Photo #70 View of lifeguard room and activity center.

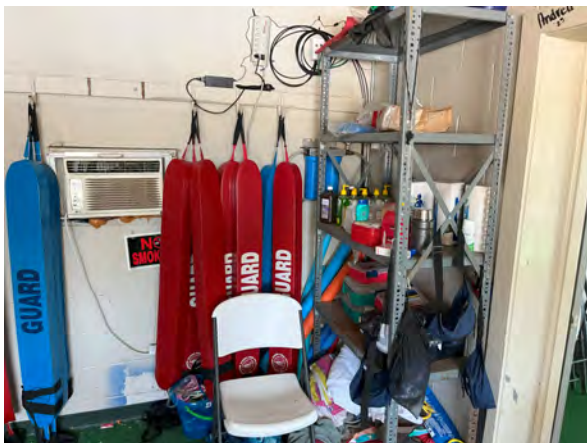


Photo #71 View of lifeguard equipment storage.



Photo #72 View bathroom entrances and observation balcony above.

END OF PHOTO LOG

Brian Craig
City Engineer/Assistant Public Works Director
City of Seabrook, TX

January 24, 2024

Subject: City of Seabrook – Pelican Bay Aquatic Renovation

Dear Mr. Craig,

Thank you for the opportunity to provide a proposal for the aquatic design services for the proposed aquatic facility. The purpose of our services will be to provide the aquatic construction and permitting documents and construction administration. This proposal outlines our understanding of the project, our documents and proposed scope of services and provides a fee for our services. This proposal is valid for thirty (30) days.

A. PROJECT INFORMATION

	DESCRIPTION
Location	The real estate development project is located in Seabrook, Texas.
Proposed Improvements	Based on the preliminary site visit performed 01/18/24, it is proposed to replace the existing pools and splashpad with a new aquatic facility. Based on three (3) tiers of budget and scope to be determined with input from the City, three (3) concepts will be developed for the new aquatic facility.

B. SCOPE OF SERVICES

The Client (City of Seabrook) retains the Consultant (Progressive Commercial Aquatics), for professional aquatic planning and design engineering consulting services to prepare conceptual design and, if desired, construction documents for the pools and splashpad for obtaining a construction permit and constructing the swimming pools and associated aquatic mechanical and sanitization systems in conformance to the State of Texas Health and Building Codes for Public Swimming Pools. The scope of the Consultant's services shall include:

I. AQUATIC ASSESSMENT

One (1) Scheduled Site Visit

- a. Assessment of the existing conditions of the pool, filtration and chemical treatment systems and pool items related to compliance with current health code requirements and standards of care. Report to include:
 1. Review of health code issues related to public safety, VGB, ADA compliance and operation.
 2. Recommendations for correction.
 3. Measurements of critical areas of the facility.

- b. Inventory and visual assessment of existing conditions of the pool, filtration, recirculation and chemical treatment systems.
 1. Visually inspect pool shell, deck and finishes.
 2. Visually inspect pool piping.
 3. Perform necessary calculations to determine effectiveness of existing filtration, recirculation and chemical treatment systems.
 4. Visually inspect and analyze effectiveness of existing mechanical equipment (pumps, motors, starters, filters, etc.)
 5. Recommendations for renovation of pools and equipment to meet the following standards:
 - a. Compliance with current aquatic codes implemented in the City of Seabrook and State of Texas
 - b. Updating the facility to meet current industry standards for new construction
- c. Assessment of all chemical control, storage and delivery systems for effectiveness and compliance with health and safety requirements.
- d. Detailed and itemized estimated cost of recommended aquatic renovations.

EXCLUSIONS, MAY BE ADDED AS AN ADDITIONAL SERVICE

- a. Physical testing of pool shell and finishes.
- b. Pressure testing of pool piping and pool shell leak detection.

II. AQUATIC FEATURES SURVEY AND COMMUNITY MEETING

One (1) Scheduled Site Visit

- a. Develop a custom digital survey to overview the following aquatic design considerations to be issued to the Client for distribution to facility patrons and staff (if desired).
 1. Request generic information (anonymously) regarding user profile and desired use of this facility with the intent of gathering information regarding the aquatic user groups (competitive, leisure, therapy, learn-to-swim, etc.) that will be visiting.
 2. Provide visual and written descriptions of aquatic programming elements/features and ask patrons to rank (1-3) their preferences. The Consultant will work with the Client to develop a tailored list of elements/features prior to developing this survey.
 3. Provide visual and written descriptions of various aesthetic themes/choices and ask patrons to indicate their preference to determine the look and feel of this facility.

- b. Using results from the aforementioned survey, the Consultant will host one (1) design charrette meeting with facility patrons or a committee selected by the Client.
 - 1. The Consultant will review the results and questions posed by the survey to ensure all meeting attendees understand the design intent moving forward.
 - 2. The Consultant will confirm what aquatic elements/feature and themes will be incorporated into conceptual renderings.

III. CONCEPTUAL DESIGN PHASE

- A. Using input from the aforementioned survey and community meeting, as well as input from City officials, the Consultant will develop three (3) conceptual design renderings of varying scope and budget. The Consultant will also provide rough order of magnitude (ROM) costs to accompany each conceptual design.
 - 1. The Consultant will provide three (3) fully-colored renderings of the aquatic scope only. Renderings of the aquatic bathhouse and mechanical spaces will not be included.
 - a. One rendering will be provided for each of three (3) price points (low, medium, and high).
 - 2. The Consultant will provide a brief written description of each conceptual rendering including the aquatic elements/features and theming used.
 - 3. The Consultant will provide a ROM cost to accompany each conceptual rendering.

IV. PRELIMINARY DESIGN PHASE (SCHEMATIC DESIGN AND DESIGN DEVELOPMENT)

No (0) Scheduled Visits

- B. Attend kick-off meeting with Client, Design Team and Owner Representatives via teleconference or web conference to determine and confirm desired aquatic programmatic features, filtration / chemical treatment system options, budget, code related items and aquatic points of coordination between the respective design consultants.
- C. Provide an overview of applicable codes, standards and laws related to the swimming pool design for coordination with the project team and client, including building codes, health code, ADA Accessibility Guidelines and Virginia Graeme Baker (VGB) Pool and Spa Safety Act.
- D. Provide recommendations for aquatic facility design and operation based on Consultant's 50+ year overall experience in design, construction, service and management.
- E. Review project Geotechnical Report to determine aquatic shell structural design parameters which impacts overall project construction budget.

- F. Confirm aquatic equipment for design of pool mechanical room. Provide product aquatic cut sheets or list for review and sign-off.
 - G. Prepare Schematic Design drawings including pool and splashpad plans and sections.
 - H. Prepare preliminary plan of aquatic equipment room and chemical rooms showing pump, filters, and water chemistry equipment in CAD format. Indicate where electrical, plumbing, mechanical coordination items are located.
 - I. Prepare Design Development plans and sections based on desired equipment for review and confirmation before proceeding into the Construction Document Phase.
 - J. Provide preliminary aquatic construction budget for review and present value engineering options for consideration.
 - K. Meet with Client and/or Architectural design team via teleconference or web conference to review plans and determine specific aquatic program and features desired and discuss points of coordination for architectural, structural, mechanical, electrical, plumbing and civil designers.
- V. CONSTRUCTION DOCUMENT PHASE

No (0) Scheduled Visits

- A. Prepare aquatic drawings (SP or AQ sheets) in CAD format based on the Manufacturer drawings and submit to Design/Construction Team following the drawing format indicated below. Refer to SECTION E – DESIGN TEAM COORDINATION for additional information relative to aquatic and design team scope.
 - 1. Aquatic Site Plan (building or site background from Client)
 - 2. Aquatic Plans and Sections
 - 3. Aquatic Details
 - 4. Aquatic Piping Plan and Details
 - 5. Surge/Balance Tank, Plans, Sections and Details, if required
 - 6. Aquatic Equipment Details
 - 7. Pool Water Heaters, Electric, Natural Gas and/or Solar
 - 8. Aquatic Systems Schematic
 - 9. Provide Aquatic Specifications on Plans
 - a) Swimming Pool Equipment
 - b) Swimming Pool Finish(es)

- c) Splashpad Equipment and Features
 - d) Splashpad Finishes
- B. Structural Design of Pool Shells and Splashpad slab – By Progressive Sub-Consultant
 - 1. Prepare structural design construction documents for the pools and surge tank (if required) floor slab and walls.
 - 2. Prepare structural design construction documents for the splashpad floor slab and balance tank floor slab and walls.
 - 3. Specifications for the pool, splashpad, and associated tanks poured-in-place concrete and shotcrete.
 - 4. Coordinate pool and splashpad structural documents with other disciplines.
- C. Meet with Client and/or Architectural design team via teleconference or web conference to review plans and determine specific aquatic program and features desired and discuss points of coordination for architectural, structural, mechanical, electrical, plumbing and civil designers.
- D. Provide final aquatic construction budget for review and present value engineering options for consideration, if required.

VI. AGENCY REVIEW PHASE

No (0) Scheduled Visits

- A. Furnish sealed engineering swimming pools and splashpad (SP or AQ Series) plans, specifications, application, equipment cut sheets and additional documents as required to the Agency for obtaining a swimming pool construction permit. Furnish additional sealed engineering swimming pool and splashpad plans to Client for submittal to the Department of Buildings or other agencies having jurisdiction, as required.
- B. Coordinate requirements for Owner, Architectural, Civil, Structural, Mechanical, Electrical and Plumbing plans with design team for consolidated Agency submittal by the Consultant.
- C. Agency permit filing fees shall be by the Client or Owner.
- D. Coordinate Agency comments with respective design team members and furnish consolidated responses to Agency. Response to State Building Department Plan check comments shall be provided for the aquatic engineering scope items.
- E. Respond to contractor requests for information (RFI) items pertaining to the pools and splashpad and to clarify drawings as required.

VII. CONSTRUCTION ADMINISTRATION PHASE

One (1) Scheduled Visit

- A. Review submittals by pool subcontractor for the pool / splashpad and their related systems. Provide review and comments on submittals related to the aquatic items from the design team.
- B. Observe aquatic construction through communication and documentation from the pool subcontractor team at specific milestones and submit a punch-list report. The suggested milestone for a punch-list visit is detailed below and may be altered at the Client / Owner request.
 - 1. Following installation of pool shell and splashpad finishes and when aquatic equipment room installation is at least 75% complete.
- C. Address Contractor, Sub-Contractor and Design Team requests for information and provide clarifications via Bulletin response and/or drawing revisions.
- D. Address Agency requests for information during their construction observation visits.
- E. Furnish Record Documents, if requested, based on pool contractor plan markups and furnished data.

C. SCHEDULE

Completion of Construction Documents and Agency Review Submittal shall comply with the schedule as provided by the Client and/or Owner. The Consultant's schedule shall be extended based on delays provided by other Consultants or the Owner.

D. COMPENSATION – LUMP SUM

AQUATIC TASK		LUMP SUM FEE
I.	Aquatic Assessment (travel expenses included)	\$8,100
II.	Aquatic Features Survey and Community Meeting (one (1) site visit planned)	\$1,500
III.	Conceptual Design Phase	\$13,500
IV.	Preliminary Design Phase (no site visits planned)	TBD
V.	Construction Document Phase (no site visits planned)	TBD
VI.	Agency Review & Bidding Phase (no site visits planned)	TBD

AQUATIC TASK		LUMP SUM FEE
VII.	Construction Administration Phase (one site visit, travel reimbursables included)	TBD
VIII.	Total for Aquatic Assessment, Aquatic Features Survey, Community Meeting, and Conceptual Design Phase (I, II, & III)	\$23,100

For Aquatic Task item I details, refer to Aquatic Assessment Proposal sent 01/25/2024. Refer to document titled “City of Seabrook – Pelican Bay Aquatic Assessment Proposal 012324”.

Fees for Aquatic Task items IV – VII are dependent on the project scope selected by Owner following the Conceptual Design Phase.

The Consultant monthly invoices submitted shall be based on the percentage of the Consultant's services completed. Client shall make payments to Progressive Commercial Aquatics within thirty (30) days after receipt of invoice. Upon written notice, Consultant may suspend services until payment for past due invoices is made.

Reimbursable expenses and add services are subject to Client approval. Reimbursable expenses shall consist of travel expenses and personnel time for additional trips and be billed to the Client at cost at the rates listed below.

ADDITIONAL SERVICES

Consultant shall not proceed with any additional work without Client authorization in writing. The above lump sum fee is based on our current rate schedule.

If we are authorized to proceed and the client subsequently postpones or cancels the work, we will invoice the client for the costs of project set up and mobilization incurred prior to notice of cancellation.

Additional Services shall be billed out at the following rates:

President	\$200.00/hour
Design Director / Structural Principal	\$175.00/hour
Project Manager / Structural Designer	\$135.00/hour
Revit Designer / CAD Drafter	\$100.00/hour
Administration	\$65.00/hour
Design/Construction Administration Site Visit	\$2,500/day, includes travel expenses
Mileage	0.65/per mile

E. DESIGN TEAM COORDINATION

1. HOLD HARMLESS

- The Consultant shall provide recommendation for design of the pool mechanical building and support spaces based on previous experience, but the Client, Architect and their Engineers shall be responsible for the design of the building. The Client shall hold harmless the Consultant

from all claims relating to building design, and specifically claims related to condensation, moisture damage, excessive humidity, absence or poor performance of vapor barriers and corrosion of surfaces.

2. ARCHITECTURAL / BUILDING STRUCTURAL

- a. Consultant will develop a pool/splashpad equipment room plan layout locating pump pit with sump pit, backwash pit/tank and chemical feed/storage rooms for Architectural coordination and building structural design.
- b. Housekeeping pads for pool/splashpad equipment shall be by the Structural Engineer with the assistance of the Consultant to provide operational weights and location of items requiring a thickened slab greater than the floor slab.
- c. Building Structural Engineer and Architect are responsible for pool/splashpad deck design from the back side of the respective pool wall or splashpad floor slab, including backer rod, sealant, deck finish(es) and fencing.

3. PLUMBING/CIVIL

- a. If required in the project Geotechnical Report, the pool underdrain system design shall be by Civil for dewatering the area. Consultant shall provide a monitoring well to assist the Client for observing groundwater conditions prior to emptying pool for maintenance. Hydrostatic relief valves shall be specified by the Consultant in each pool main drain, but these relief valves are not the primary means of prevention of floating the pool shells.
- b. Consultant shall size pool/splashpad wastewater tank / catch basin within the equipment room for periodic draining of pool or splashpad balance tank and filter cleaning via an approved air gap. Plumbing and Civil shall be responsible for pool/splashpad wastewater from the pit / holding tank to the appropriate sewer.
- c. Consultant shall size and provide design for pool and splashpad balance tank automated fills based on domestic water supply and backflow preventer provided by Plumbing/Civil.
- d. Plumbing shall be responsible for drinking fountains, hose bibs and bathroom facilities per the Health Code. Consultant may recommend locations for hose bibbs in pool equipment room and on pool/splashpad deck at no greater than 150-ft apart or as listed by the Agency.
- e. Deck drain system selection and layout shall be the responsibility of Plumbing with Consultant guidance on location from pool/splashpad and if applicable, area drain separation.

4. MECHANICAL

- a. If desired, Consultant will size and specify natural or propane gas-fired pool heaters. Mechanical is responsible to design heater gas connections, any necessary gas regulators, combustion air supply and exhaust venting.
- b. If pool water heater source requirement is heating hot water or steam, specification of the boiler shall be by the Mechanical Engineer with the Consultant's recommendation for heating load and coordination with pool filtration system.

- c. Mechanical is responsible for providing ventilation to pool mechanical building, equipment and chemical treatment rooms.

5. ELECTRICAL

- a. Electrical Engineer is responsible for preparing construction documents and details for the pump single line diagrams, underwater lights and electrical panel, etc.
- b. Electrical Engineer is responsible for electrical specifications on drawing sheets.
- c. Electrical Engineer is responsible for specifying the pool electrical panel and power.
- d. Consultant will assist Electrical Engineer in coordinating pool electrical documents with other disciplines.
- e. Consultant is responsible for connection of line voltage and greater to pool and splashpad equipment. Connections shall be provided by the Electrical Contractor. Consultant will show low voltage control wiring connections (less than 120V) to pool and splashpad equipment. Low voltage connections provided by swimming pool contractor.
- f. Consultant will specify underwater lighting fixtures and niches. Consultant responsible for connections from pool panel, junction boxes and conduit to niches. Connections shall be provided by the Electrical Contractor.
- g. Consultant will provide details for pool bonding and grounding per Electrical Code. Connections shall be provided by the Electrical Contractor.

F. AUTHORIZATION

This proposal may be accepted by executing this proposal. This proposal is valid only if authorized within thirty days from the listed proposal date. If an alternative contract is proposed additional delays may occur due to reviewing the contract. We appreciate the opportunity to provide this proposal and look forward to working with you on this project. Please call the undersigned if you have any questions or comments regarding this proposal.

PROGRESSIVE COMMERCIAL AQUATICS

BY:

Stephen Seliskar

Stephen Seliskar
Project Engineer

DATE: January 24, 2024

CITY OF SEABROOK

BY:

Gayle Cook

Brian Craig
City Engineer/Assistant Public Works Director
c/o Gayle Cook
City Manager
(approved by Seabrook City Council 2-7-24)

Digitally signed by Gayle Cook
DN: cn=Gayle Cook, o=City of Seabrook,
ou, email=gcook@seabrooktx.gov, c=US
Date: 2024.02.12 12:48:32 -06'00'

**CITY OF SEABROOK
RESOLUTION 2021-14**

ESTABLISHMENT OF CAROTHERS COMMUNITY GARDEN

**A RESOLUTION ALLOWING FOR VOLUNTEERS FOR THE
CAROTHERS COMMUNITY GARDEN SUBJECT TO DIRECTION
BY THE CITY OF SEABROOK, APPROVING INITIAL BUDGET
FOR PROPERTY IMPROVEMENTS TO BE UNDERTAKEN BY
THE CITY OF SEABROOK, AND ESTABLISHING A GARDEN
MANAGEMENT PLAN**

WHEREAS, Carothers Community Garden serves the community of Seabrook by providing a setting for wholesome and productive family and communal activity, and;

WHEREAS, the City has been approached by volunteers as the Carothers Community Garden Volunteer Group (hereinafter referred to as "VOLUNTEERS"), an informal group of area residents, desires to maintain a Community Garden subject to direction of the City, (hereinafter referred to as "GARDEN") in SEABROOK, Texas, and;

WHEREAS, the VOLUNTEERS group can be an informal group but structured so everyone involved understands the goals, mission, policies, rules this will help avoid misunderstanding and conflict with developed guidelines/rules. Any documentation or promotion shall be submitted to the city for review prior to release involving city owned land; and

WHEREAS, The VOLUNTEERS have submitted a plan (Exhibit "A" - PROPOSED COMMUNITY GARDEN) providing the desired location, boundaries, and garden elements for Carothers Costal Gardens;

WHEREAS, on November 6, 2007, the electorate approved bond referendum for the acquisition of 11.566 acres in gross area as described in Resolution 2007-14, and;

WHEREAS, the City Council deems it appropriate to create a community garden within Carothers Costal Gardens city land to be established and managed by the City, and to allow for Volunteers to work with the City for such purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS:

The Carothers Community Garden are hereby approved as Volunteers subject to the following conditions:

Section 1. The CITY and the VOLUNTEERS do, in good faith to work toward the success of the Carothers Community Garden for the benefit of the SEABROOK community. The City of Seabrook approves the proposed plan (**Exhibit A**), including

GARDEN location, and to undertake the following initial improvements to the property, as determined appropriate and funded and approved by SEABROOK City Council commensurate within the approved budget for Phase I of **\$41,000.00** for materials and city personnel labor.

- 1) All Volunteers are subject to approval by the City and shall execute a Release prior to acting as Volunteers
- 2) The City is in the process of demolishing existing concrete or foundation slabs and preparation of land for granite path and garden beds
- 3) The City is in the process of addressing water, irrigation lines, and water spigots sufficient to water the GARDEN and all garden plots
- 4) The City shall determine, by and through the City Manager/assignee fencing and gates along the perimeter of the GARDEN to city specifications, to enclose the garden area
- 5) Material delivery for 30 raised beds including bedding soil
- 6) Electrical work for appropriate lighting
- 7) Construction of or installation of a compost bin
- 8) Purchase and installation of a Bulletin Board and Suggestion Box
- 9) Placement of Garbage and Recycling Bin
- 10) Selection, purchase and installation of any signage
- 11) Purchase of tools for Garden Shed for use onsite

Section 2. The VOLUNTEERS, an informal group of area residents and garden enthusiasts, subject to approval by the City will be provided access for maintaining the day-to-day operations of the GARDEN, and to ensure the success of the GARDEN, the group will:

- 1) Organize the volunteer group so that everyone knows the goals, mission, policies, and rules
- 2) Assign a volunteer ('Volunteer Garden Manager') to act as liaison with the CITY to ensure communication of garden activities, status, and reporting

- 3) Keep and maintain all records related to the GARDEN, and provide such as requested by the City of Seabrook
- 4) Maintain the GARDEN, including ensuring that all gardeners complete appropriate membership application for identification and releases with dues submitted to CITY offices
- 5) Properly maintain plots within GARDEN
- 6) Formulate appropriate structured organization to maintain the day-to-day operations of the GARDEN
- 7) Evaluate how individual garden plots are separated, identified, and assigned
- 8) Prepare beds for planting
- 9) Ensure that no garden volunteer installs, erects, assembles, manufactures, fabricates or constructs any permanent structure on the property; provided that temporary plant-supporting structures are permitted within individual beds
- 10) Ensure that all sections of the GARDEN, including demonstration gardens, garden plots, storage areas, fencing, driveways and walkways, are well-maintained and free of weeds, litter, rotten produce, plant debris, rubbish, or junk items
- 11) Permit gardening activities only during daylight hours as approved by City
- 12) Not use animal waste, due to environmental and health concerns
- 13) Assure that children 12 years of age and under visiting the GARDEN are supervised at all times
- 14) Dispose of GARDEN trash/waste in approved receptacles
- 15) Adhere to all regulations pertaining to activity in the park or city property, as provided in Municipal Code. Immediately inform the CITY of any accidents/injuries, or problems related to the infrastructure of the GARDEN, vandalism, or troublesome activities in or near the GARDEN

- 16) In the event that there is insufficient interest, or lack of participation, as determined by the CITY or by the VOLUNTEERS, the VOLUNTEERS may give notice to the existing gardeners and call for a vote to dissolve the organization. Upon a vote to dissolve the organization, the VOLUNTEERS shall, give written notice to the CITY, and turn over to the CITY all equipment, materials, supplies and/or funds, or shall dispose of same as the CITY directs
- 17) VOLUNTEERS shall indemnify, hold harmless, and defend the City of Seabrook, Texas, its officers, agents, employees, against any and all claims, losses, damages, causes of action, suits and liabilities of every kind, arising out of the existence of the above-described activity. VOLUNTEERS specifically stipulates and agrees that the risk of injury, damage or loss shall remain with VOLUNTEERS
- 18) Volunteers recognize and understand, that the Volunteers and/or individual members may be removed at any time by City

Section 3. The CITY will authorize any and all expenditures related to the GARDENS through the approved Purchasing Policy of the CITY and by CITY personnel and any additional minor expenditures will be requested to the CITY through Work Authorizations

Section 4. The CITY may, at any time, and for any reason, dissolve this Resolution, and at all times shall retain control of the city land, as deemed in the best interest of the City of SEABROOK and its citizens.

This Resolution shall become effective immediately upon adoption and it is so resolved.

PASSED AND APPROVED this 19th day of October, 2021.

Thomas G. Kolupski

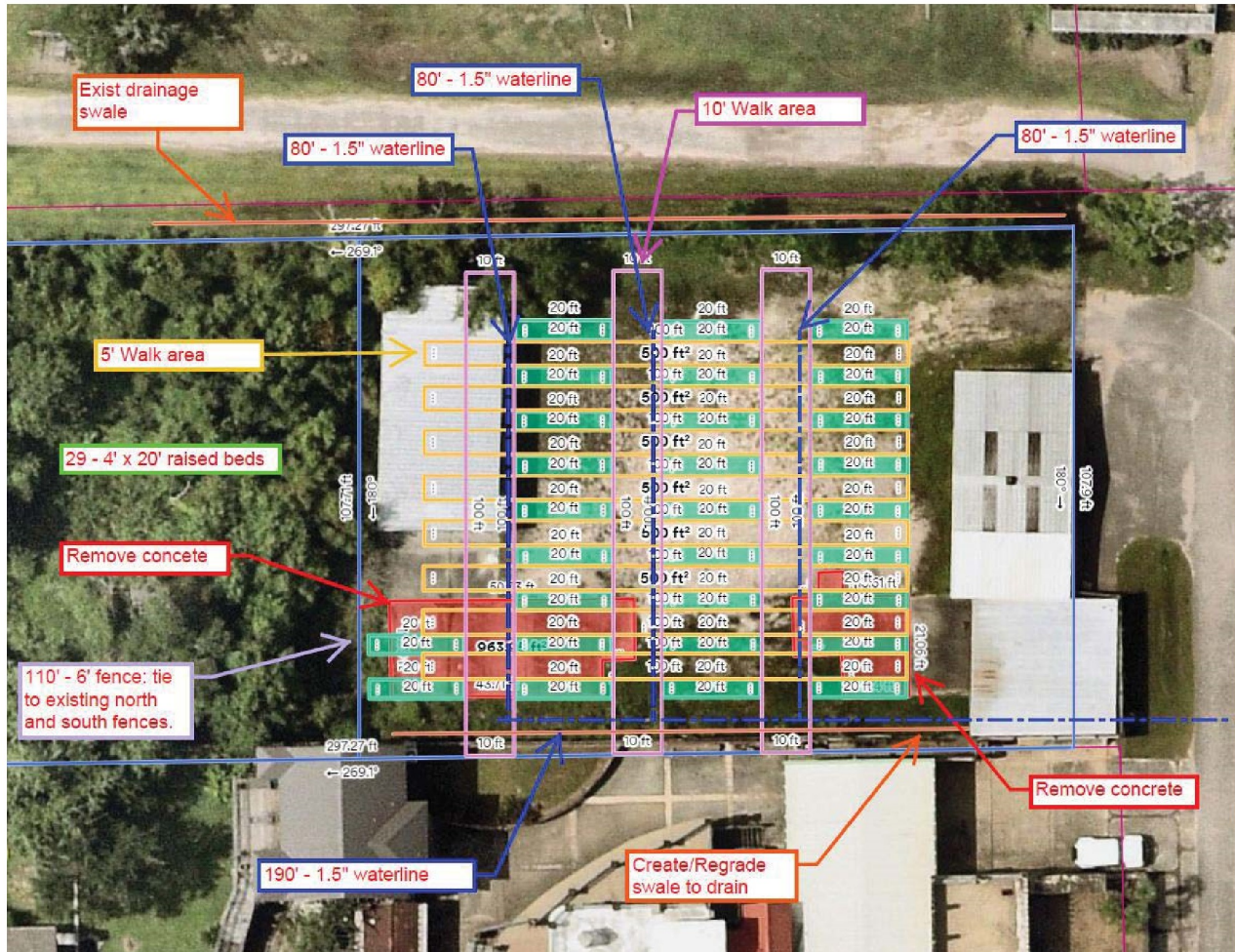
Thomas G Kolupski
Mayor

ATTEST:

Robin Lenio

Robin Lenio, TRMC
City Secretary

Exhibit "A" -- PROPOSED GARDEN PLAN (PHASE I)



**AGREEMENT BETWEEN CITY OF SEABROOK AND
CAROTHERS COASTAL GARDENS 501 (c)(3)
FOR DEVELOPMENT, OPERATION AND MAINTENANCE OF
PROJECT: CAROTHERS COMMUNITY GARDENS**

This Agreement ("Agreement") is made and entered into this ____ day of_____, 2024, by and between the CITY OF SEABROOK, TEXAS, a Texas municipality ("**City**") and CAROTHERS COASTAL GARDENS a 501(c)(3) not-for profit licensed to do business in the State of Texas, as sponsor and managing operator ("**Operator**") of a not-for-profit community garden activity at the City's Carothers Coastal Garden land.

SECTION 1. DEFINITIONS

1. **ROUTINE MAINTENANCE**: Routine maintenance encompasses the regular upkeep and minor repairs necessary to preserve the condition of the leased premises over time as first granted to Operator. This includes tasks such as damage or safety issues with insured structures, replacing light bulbs, servicing any existing AC systems, and repairing minor plumbing or electrical issues that do not include upgrades or expansion.
2. **ELECTIVE IMPROVEMENTS**: Elective improvements refer to any alterations, renovations, or enhancements made to the City property that are not required for the basic functioning of the property as first granted to the Operator. These improvements are typically at the discretion of the Operator and may include aesthetic upgrades, non-essential repairs, or modifications tailored to the Operator's preferences. Elective improvements are initiated and funded by the Operator and may require prior written consent from the City, as specified in this Agreement.
3. **COMMUNITY GARDEN MEMBER A** Community Garden Member is an individual who has formally joined a community garden initiative as a participant or stakeholder by filling out an application and acceptance by Operator. As a member, they typically have certain rights and responsibilities, such as access to garden plots, participation and adherence to any rules or guidelines established by the community garden organization. Community Garden Members may contribute financially, through work hours, or through other forms of participation to support the maintenance and operation of the community garden.
4. **COMMUNITY GARDEN VOLUNTEER** A Garden Volunteer is an individual who offers their time, skills, and labor on a voluntary basis to support the maintenance, development, or operation of a garden, often without formal membership or obligations. Garden Volunteers may engage in tasks such as planting, weeding, watering, harvesting, or general upkeep of the garden under the direction of the garden coordinator or leadership team. Unlike Community Garden Members, Garden Volunteers may not have access to individual garden plots, although they may still play a valuable role in its success through their contributions.

SECTION 2. GENERAL

1. **PROPERTY:** The City hereby acknowledges and agrees that as part of this agreement and a continuance of the Carothers Community Garden project, the City hereby allows the usage of the public property for the term and upon the conditions set forth herein, certain property located at 502B Pine Gully Road. A portion of the public property of the Carothers Coastal Gardens acreage will be allowed to be used for a public purpose as the Carothers Community Garden.
2. **TERM:** The term of this Agreement shall be for the duration of three (3) years commencing on the effective date at the beginning of this agreement.
3. **FUNDING FOR PROJECT**
 - a. **Annual Funding Allocation:** The City agrees to provide the Operator with an annual funding allocation of **\$5,000.00 beginning FY 2023-24**, subject to the availability of funds in the City's budget for each subsequent fiscal year during the term of this agreement.
 - b. **Contingency Clause:** The obligation of the City to provide the annual funding allocation specified herein is contingent upon the appropriation of sufficient funds by the City's governing body or other funding sources. If funds are not appropriate or become unavailable for any reason, the City shall not be liable for the provision of the annual funding allocation specified herein.
 - c. **Notification:** The City shall notify the Operator in writing of the availability of funds for each fiscal year. Such notification shall specify the amount of funding allocated to the Operator for that fiscal year.
 - d. **Utilization of Funds:** The Operator shall utilize the annual funding allocation provided by the City in accordance with the terms and conditions of this agreement and for the purposes specified herein:
 - i. Utilities (
 - ii. Improvements with the boundaries of the Community Garden
 - iii. Supplies or Equipment for Community Garden
 - e. **Carryover of Unspent Funds:** Any unspent funds from the annual allocation provided by the City may be carried over to subsequent fiscal years.
 - f. **Audit and Reporting:** The Operator shall maintain accurate records of the utilization of funds received from the City and shall provide annual report as noted in this agreement, detailing the expenditure of funds and the achievement of objectives funded by the City.

4. **USE OF PUBLIC PROPERTY**

Operator shall use the public property solely for the purpose of a Community Garden, consistent with the public and educational purposes of the Carothers Coastal Gardens.

Elective Improvements:

a. Operator Responsibilities:

The Operator shall have the right to make reasonable **Elective Improvements** to the public property, subject to written approval of the City through the City Manager's office.

b. City Authorization

If the Operator should contact the City Manager's office and submit the following:

Detailed Scope of Improvement(s)

- Be specific about the nature of the improvements.
- Intended Purpose
- Timeline
- Relevant backup information and documents
- Estimated cost and proposed funding.
- Proposed vendors

c. City's Procurement Policy

Under the terms of this agreement, the Operator acknowledges that certain Elective Improvements may be subject to procurement procedures as with securing bond funding initially for this Pine Gully enhancement between the City and relevant authorities that debt was issued.

The Operator agrees to comply with any procurement requirements imposed by the City when undertaking such improvements. This includes but is not limited to obtaining multiple quotes or bids for the proposed improvements, adhering to specified timelines, and ensuring transparency and accountability in the procurement process.

The Operator further agrees to provide the City with any necessary documentation or information related to procurement activities upon

request. Failure to comply with procurement requirements may result in consequences for the City.

5. **TITLE TO IMPROVEMENTS:** Title to Improvements that shall be placed upon the Property by Operator shall vest in City upon the completion of the Improvements, and Operator acknowledges that it shall have no right to remove such fixed or permanent improvements from the Property.

6. **MAINTENANCE AND REPAIR**

Routine Maintenance:

- a. **Operator Responsibilities:** Operator shall be responsible for the routine maintenance and upkeep of the public property, including but not limited to routine trash removal, weed removal and general lawn upkeep for the gardens as specified in the original establishing Resolution 2021-14 to ensure that the area is well-maintained and free of weeds, litter, rotten produce, plant debris, rubbish, or junk items.
- b. **City Responsibilities:** City will provide and pay for facility maintenance that may be deemed a building safety issue or would not keep the structure in usable condition on the following structures as established by Resolution 2021-14.

City Insured Property

502A PINE GULLY – YELLOW PARKS BUILDING (TMLIRP# 53)

502B PINE GULLY – METAL AWNING (TMLIRP# 54)

All expenditures for Routine Maintenance are subject to the securing and approving of funds for the City's responsibility either through the annual Parks Department budget or a special City Council budget allocation. Should a routine maintenance item on a city insured structure be deemed an immediate safety or health concern, the city reserves the right as in all public facilities to close or secure it until proper repairs can be made.

7. **INSPECTION AND ACCESS TO PROPERTY:** During the term of the Agreement and any renewal or extension hereof, Operator shall always permit the representatives of City access to the Property and may perform inspections on an as needed basis, with or without notice. A formal inspection shall occur at least once per year by a representative of the City and shall include but not be limited to documenting

improvements, condition of the property, safety related issues, and compliance with the City code.

8. UTILITIES

The utilities for the Community Garden site will be metered separately from other public property, allowing for accurate monitoring, and reporting of usage specific to that location.

The expectation for the Operator and its members and volunteers of the public property is to exercise reasonable usage and care when consuming utilities. This includes avoiding excessive use and being mindful of conserving resources responsibly.

- 9. CONSIDERATIONS:** The City and the Operator hereby acknowledge that this Agreement is supported by good and valuable consideration, the sufficiency and delivery of which is hereby acknowledged. The parties agree that the Operator is responsible for all expenses not otherwise mentioned in the agreement.

SECTION 3. OPERATOR'S RESPONSIBILITIES

1. The Operator shall have the right to occupy and use the Property for the purpose of growing and harvesting legal plants and produce and operating a community gardening program for the purposes described herein under this Agreement and in accordance with the following limitations:
 - a. **Annual Review:** The Operator shall present to City Council a formal annual performance review each **June** on:
 - a. the activities and accomplishments of the Operator
 - b. level of participation by Seabrook residents
 - c. any significant change in the Operator's purpose, goals, objectives in relation to establishment Resolution 2021-14 and this agreement
 - b. **Community Garden Member Participation:** Operator shall assign approximately 80% of gardening plots for City of Seabrook residents. For the purpose of this agreement, Seabrook residents are citizens that reside within the city limits proper.
 - c. **Garden Access to Public:** City shall provide a combination lock to the facility and to serve the citizenry, the garden shall be open to the public upon request and there shall be appropriate signage that states "Garden Access" and contact information.
 - d. **Accidents:** The Operator will notify the City immediately if any incidents occur at the Property which require medical attention or whenever public safety personnel are called to assist in any circumstance.
 - e. **Fundraising Events:** The Operator may conduct fundraising events on the public property (but must comply with the special event process if it is triggered or they are utilizing other park property for an event, Chapter 65 – *Parks, Recreation and Municipal Facilities, Division 2, and all future amendments*).
 - f. **Hold Harmless Waivers:** The Operator will secure and maintain on file a valid hold harmless agreement approved by the City with respect to each Community Garden Member admitted entering onto the Property. The individual Hold Harmless Agreements signed by the Community Garden Member will include full name and address of each member on the approved form. The individual Hold Harmless Agreements will be renewed annually and submitted to the City by **June 1st** each calendar year.
 - g. **Other Activities:** The City maintains the right to disallow any specific activity which it deems to be contrary to the best interests of the City of Seabrook on the Property and shall notify the Operator of such disallowance in writing.

- h. **Content Coverage:** Any loss or damage to equipment (contents) and or materials owned by the Operator shall be the full responsibility of the Operator. The City will have no liability for losses.
- i. **Outside Vendors:** Any outside vendor engaged by the Operator to perform work in the Garden shall be in accordance with the City's procurement policies in accordance with local, county, state, or federal laws.
- j. **Damages:** Damage to City owned property caused by the Operator shall be the responsibility of the Operator.
- k. **Work Order Requests:** Requests by the Operator for support for Routine Maintenance on City Covered Property Items to City staff shall be made through the City Manager's Office.
- l. **Signage:** Operator shall ensure any City signage on the Property remains visible and shall not obscure such signage, nor permit others to do the same without prior written consent of the City.

SECTION 4. LIABILITY AND COMPLIANCE

1. **PROVISION REGARDING TAX-EXEMPT BONDS** City has financed this public property with proceeds from tax-exempt bonds (the "Bonds"). The City reserves the right to terminate the agreement without notice if, at its sole discretion, termination is deemed necessary to maintain the tax-exempt status of the Bonds.
2. **BACKGROUND CHECKS FOR VOLUNTEERS ENGAGING WITH MINORS** Operator shall require any Community Garden Member or Community Garden Volunteer participating in activities on the Property involving direct contact with minors to complete a background check. The background check can be initiated by the Operator and kept on file by the Operator.

Each year along with the Hold Harmless Agreements, the Operator is to disclose the individuals that background checks have been performed for the City's record. The Operator will be responsible for all personal and private data of the member or volunteer, the City will just require the number and names of authorized individuals.

Ongoing Monitoring and the right to conduct additional periodic background checks as deemed necessary or triggered by specific events shall be stated in the Operator's authorization document and signed by the member or volunteer.

3. **CONFLICTS OF INTEREST:** No officer or employee of the City shall have any interest, direct or indirect, in this Agreement or in the proceeds thereof. During the term of this agreement, the Operator and 501 (c)(3) board members of the

Operator's organization shall not accept employment or an obligation which is inconsistent under this agreement.

4. **OPERATOR'S ACKNOWLEDGEMENTS AND REPRESENTATIONS:** Operator represents to and covenants with City that the representations made by it are true and correct and that Operator shall use the Property only for such purposes as described.
5. **FINANCIAL TRANSPARENCY:** The Operator and the City agree that any all financial documents (including any all records of donations), receipts and information shall be available to each party at any time.
6. **RELATIONSHIP OF THE PARTIES:** The Operator shall be an independent contractor of its activities on the Property and shall not be an agent of the City of Seabrook. The City is granting the Operator the right to use the Property for gardening purposes only, and it is not the intent of the parties that a Landlord/Tenant relationship is created by this Agreement, nor is it the intent that this Agreement creates any third-party beneficiaries. It is also not the intent that no commercial or property value benefit be derived from the current Operator.
7. **REVENUE GENERATING ACTIVITIES AND PRIVATE USE:** The City shall be notified before any revenue-generating activities are conducted by the Operator on the public property and it must receive prior approval from the City. The City reserves the right to assess whether these activities constitute private business use of the proceeds of the Bonds. Any activities determined by the City of the Operator to result in private business use may be prohibited from taking place on the property at the discretion of the City.
8. **THIRD PARTY REPRESENTATIONS AND USE OF CITY LOGO:** The Operator shall not use the City logo as representation or imply association as a representative of the City for soliciting funds, grants, or other income.
9. **SOVEREIGN IMMUNITY:** The City does not waive its right of sovereign immunity, its police power to provide for the public interest and safety, nor its municipal authority to provide for and protect its assets by entering into this Agreement.
10. **INDEMNITY: THE OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS CITY, ITS OFFICERS, AGENTS, EMPLOYEES AND VOLUNTEERS FROM ANY AND ALL CLAIMS, DEMANDS, ACTIONS, CAUSES OF ACTION, LOSSES, DAMAGES, LIABILITIES KNOW OR UNKNOWN, AND ALL COSTS AND EXPENSES, INCLUDING ATTORNEY'S FEES, IN CONNECTION WITH ANY INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF OR IN ANY WAY CONNECTED WITH THIS AGREEMENT.**

11. **INSURANCE REQUIRED:** The Operator will maintain current Commercial General Liability Insurance Policy with limits of \$1,000,000 per occurrence, with the City named as an additional named insured, and Operator will provide the City's Risk Manager with a current copy of each such policy.

A Certificate of Insurance in an acceptable format and in compliance with this subsection is attached to this Agreement as ***Exhibit C***. Failure of the Operator to maintain Commercial General Liability Insurance could result in the immediate termination of the agreement. The City shall have the right to make reasonable increases to the minimum required limits of liability during the term of this Agreement or any renewal or extension hereof. Operator shall be responsible for all deductibles and self-insured retentions under its insurance policies.

12. **COMPLIANCE WITH LAWS:** Operator, by exercising the rights granted herein, shall not discriminate, or permit discrimination against any person or group of persons in any manner on the grounds of race, color, sex, sexual orientation, religion, national origin or ancestry, age, physical handicap, or disability. Non-compliance with such assurances shall constitute a breach of this Agreement, and in the event of non-compliance, City may take appropriate action to enforce compliance and, at its option, may terminate this Agreement or seek judicial enforcement thereof. Applicable Law. This Agreement shall be governed by and construed and enforced in accordance with all federal state, county and city laws, statutes, ordinances, rules and regulations and the orders and decrees of any courts or administrative bodies in any manner affecting performance of the agreement, and venue shall lie in Harris County, Texas. Notices. All notices regarding this Agreement shall be addressed from one party to the other according to the following: 1) City of Seabrook, City Manager, 1700 First Street, Seabrook, TX; 2) Carothers Coastal Gardens Non-Profit, 15150 Middlebrook Dr, Houston, Texas 77585

13. **TERMINATION**

- a. **Termination by Mutual Agreement:** This agreement may be terminated by mutual written agreement of both parties. Any such termination shall specify the effective date of termination and any other relevant terms or conditions agreed upon by the parties.
- b. **Termination for Cause:** Either party may terminate this agreement for cause upon written notice to the other party if the other party materially breaches any provision of this agreement and fails to cure such breach within 30 days after receiving written notice specifying the nature of the breach.

- c. **Termination for Convenience:** The City reserves the right to terminate this agreement for its convenience upon 30 days' written notice to Carothers Coastal Garden 501(c)(3).
- d. **Termination Due to Funding Constraints:** If funding for this agreement is reduced or discontinued by the City, either party may terminate this agreement upon 30 days' written notice to the other party.
- e. **Effect of Termination:** Upon termination of this agreement for any reason:
 - a. Operator shall promptly cease all activities under this agreement and return any property or materials provided by City.
 - b. The Operator shall pay the City for any services satisfactorily performed up to the effective date of termination, subject to any applicable deductions or adjustments as provided for in this agreement.
 - c. Both parties shall cooperate in good faith to effectuate an orderly transition of responsibilities and obligations arising from the termination of this agreement.
 - d. Survival of Certain Provisions: Termination of this agreement shall not affect any rights or obligations of the parties that by their nature should survive termination, including but not limited to confidentiality, indemnification, and dispute resolution provisions.

14. **AMENDMENTS:** No modification to this agreement shall be effective unless and until such modification is evidenced by writing signed by all parties.

IN WITNESS WHEREOF the parties hereto have subscribed their names the date first written above.

CITY:
City of Seabrook

OPERATOR:
CAROTHERS COASTAL GARDENS 501(c)(3)

04/11/2024

By: _____
Thomas Kolupski
Mayor

By: _____
Name:
Title:

AERIAL PHOTOGRAPH AND BOUNDARY

Exhibit A



EXHIBIT B

RESOLUTION 2021-21

CITY COUNCIL –ESTABLISHING CAROTHERS COASTAL COMMUNITY
GARDEN

[illegible]



Agenda Briefing

Date of Meeting: April 16, 2024

Responsible Department: City Manager's Office

Presenter: Jackie Rasco, At-Large Position 1

Briefing Prepared By: Jackie Rasco

Strategic Focus Area: Economic Development

General Information:

Discussion regarding new Mini-Mural Art Project for businesses in Seabrook.

Executive Summary / Background:

Funding / Fiscal Information:

Supporting Materials Attached:

1. Mini-Mural Map Example
2. Mini-Mural Examples

Prior Action / Review by Council, Boards, Commissions:

Staff Recommendation:



Murals by Whitney

MINI MURAL TRAIL

Find the seagulls and post your adventure using the hashtags
#LPgulls and **#VisitLaPorteTX** for a chance to win a prize!



Battleground Saloon | Main 101 | Chamber of Commerce | Ed's Bistro
 Junk Junkies | Stacy's Dog Grooming | Whimsy | El Ranchero
 Dimensions Comics | Main Street Food Truck Park

PUBLIC ART

Looking for more public art to explore?

Check out the locations listed below!

Art Garden

Junk Junkies, 208 W Main

Barrett's Bulldog

Barrett's AC, 208 E Main

Batman and Joker

Dimensions Comics, 323 W Main

Butterfly Wings

2nd to New Antiques, 300 W Main

Butterfly Wings & Flowers

Whimsy Home & Decor, 301 W Main

Rich in History, Built on Community

Five Points Pavilion, 100 S Broadway



SAMPLE PROGRAM

- Historic Main District starting area for murals
- Mural Trail with accompanying trail map
- Social Media Posts
- Approximately \$200 per design and painting





Agenda Briefing

Date of Meeting: April 16, 2024

Responsible Department: City Manager's Office

Presenter: Jackie Rasco, At-Large Position 1

Briefing Prepared By: Jackie Rasco

Strategic Focus Area:

General Information:

Discussion regarding Special Events Ordinance 2017-08, and authorizing a maximum of eight (8) permits allowed annually for each address

Executive Summary / Background:

Funding / Fiscal Information:

Supporting Materials Attached:

1. Ordinance 2017-08

Prior Action / Review by Council, Boards, Commissions:

Staff Recommendation:

**CITY OF SEABROOK
ORDINANCE NO. 2017-08**

**REMOVING “SPECIAL EVENT” REGULATIONS FROM
APPENDIX “A”, “COMPREHENSIVE ZONING” AND
RECODIFYING IN CHAPTER 65, “PARKS, RECREATION, AND
MUNICIPALITIES”**

**AN ORDINANCE AMENDING THE SEABROOK CODE OF
ORDINANCES, APPENDIX “A”, “COMPREHENSIVE ZONING”,
ARTICLE 4, “SPECIAL USE REGULATIONS”, TO REMOVE
SECTION 4.07, “SPECIAL EVENTS”, AND RECODIFYING SUCH
PROVISIONS IN CHAPTER 65, “PARKS, RECREATION, AND
MUNICIPAL FACILITIES”, ARTICLE I, “IN GENERAL”, BY
ADDING A NEW DIVISION 1, “SPECIAL EVENTS”, SECTIONS 65-2
THROUGH 65-8; MAKING FINDINGS OF FACT; PROVIDING FOR
A PENALTY IN AN AMOUNT OF NOT MORE THAN FIVE
HUNDRED DOLLARS (\$500.00) FOR VIOLATION OF ANY
PROVISIONS HEREOF BY INCLUSION INTO THE CODE;
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES
INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR
SEVERABILITY; AND PROVIDING FOR NOTICE AND EFFECTIVE
DATE.**

WHEREAS, special events in the City of Seabrook are increasing in both number and complexity, making it is necessary to adopt a more comprehensive ordinance to better allow the City to manage the competing uses of its public spaces and its resources and infrastructure, and to ensure that members of the public are able to access public space; and

WHEREAS, the definition of a Special Event was not fully defined in the previous ordinance, and there has been confusion from both City staff and Special Event applicants regarding the definition of a Special Event and its application process; therefore, it is essential that the City Council adopt a revised ordinance with a more clear definition of a Special Event; and

WHEREAS, the Seabrook Planning and Zoning Commission conducted a public hearing to consider a recommendation to the City Council to remove , Sec. 4.07, “Special Events”, from Article 4, “Special Use Regulations” of Appendix “A”, “Comprehensive Zoning” and recodify such new provisions under the general Code of Ordinances; with the Planning and Zoning Commission filing a report on February 16, 2017, recommending the recodification of such provisions; and

WHEREAS, the Seabrook City Council conducted a public hearing to consider approval of the subject recommendation by the Planning and Zoning Commission on March 7, 2017; and

WHEREAS, the subject hearings were duly called as provided by the laws of the State of Texas and Appendix "A" of the Code of Ordinances of the City, and that in such hearing all persons attending were allowed to be heard on the question of whether or not to remove Sec. 4.07, "Special Events", from Article 4, "Special Use Regulations" of Appendix "A", "Comprehensive Zoning" and recodify such provisions in Chapter 65, "Parks, Recreation, and Municipal Facilities"; and

WHEREAS, all public notices have been published and provided in accordance with statute and Appendix "A" of the City Code of Ordinances (Zoning Code); and

WHEREAS, the City recognizes the need to encourage and promote events for the greater good and promotion of the City, which contribute to the unique character and vitality of the City; and

WHEREAS, some gatherings and organized activities, due to their size and special requirements, may impact public safety and impede the flow of pedestrian and vehicular traffic and place unique demands on public resources, and in order to plan for these demands on public resources and ensure that public health and safety is protected, it is necessary that the City receive advance notice of these events; and

WHEREAS, as a result of the said public hearings and the recommendation of the Planning and Zoning Commission as contained in its report, the City Council hereby finds and determines that the removal of Sec. 4.07, "Special Events", from Article 4, "Special Use Regulations" of Appendix "A", "Comprehensive Zoning" and recodification of such new provisions in Chapter 65, "Parks, Recreation, and Municipal Facilities as provided herein would be in the best interest of the health, safety and welfare of the public;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

SECTION 1. FINDINGS.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. AMENDMENT OF THE SEABROOK CODE OF ORDINANCES APPENDIX "A", "COMPREHENSIVE ZONING", ARTICLE 4, "SPECIAL USE REGULATIONS", TO REMOVE SECTION 4.07, "SPECIAL EVENTS", AND RECODIFY SUCH PROVISIONS IN CHAPTER 65, "PARKS, RECREATION, AND MUNICIPAL FACILITIES".

The Seabrook Code of Ordinances is hereby amended by removing Section 4.07, "Special Events" from Article 4, "Special Use Regulations" Appendix "A", Comprehensive Zoning and recodifying such new provisions in Chapter 65, "Parks, Recreation, and Municipal Facilities," Article I, "In General", by adding a new Division 1, "Special Events", Sections 65-2 through 65-8 as follows:

APPENDIX "A", "COMPREHENSIVE ZONING", ARTICLE 4, "SPECIAL USE REGULATIONS"

~~"[Sec. 4.07. Special events;~~

~~4.07.01. Special events defined: Any temporary activity or event involving any public show, exhibition, street dance, carnival, circus, concert, fair, festival, trade show, or amusement of any kind outside the confines of a building or permanent structure.~~

~~4.07.02. Compliance and site plan required: Special events shall conform to all city codes and regulations. A site plan for such special events shall be submitted to the city council for review not less than 30 days prior to the start of such events. The site plan shall be drawn to scale and depict as a minimum:~~

~~A. The traffic circulation in the vicinity of the site including entrance and exit arrangements and on-site circulation;~~

~~B. Parking arrangements for the event; and~~

~~C. The location of all facilities and equipment supporting the event.~~

~~The site plan shall be accompanied by a written explanation of the purpose of the event and how the event will comply with applicable city codes and regulations.~~

~~4.07.03. Permit duration: Each special event shall be limited to five consecutive days of operation. Continuous or revolving use of property for special events not otherwise provided for in this ordinance is prohibited and shall be grounds for denying a request. The activity or event shall meet the intent of the zoning ordinance and operate so as not to adversely affect other property or persons in the vicinity of the site.~~

~~4.07.04. Optional restrictions authorized: Restrictions may be placed on special events by the director of administration [city manager] to ensure compatibility with surrounding land uses. These restrictions include, but are not limited to, the following:~~

~~A. Hours of operation;~~

~~B. The location of facilities and equipment;~~

~~C. The provision of adequate traffic circulation and parking;~~

~~D. Provision for public safety; and~~

~~E. Provision for proper health and sanitation.~~

~~4.07.05. Storage/portable structures: Storage/portable structures shall be located in accordance with the directives of the code enforcement officer.]”~~

CHAPTER 65, “PARKS, RECREATION, AND MUNICIPAL FACILITIES”

“DIVISION 1. – SPECIAL EVENTS

Sec. 65-2. – Definition.

A Special Event is defined as an event, gathering, or organized activity, which is open to the public and may impact public safety. In addition, a Special Event permit may be required if a mobile food provider is present, if alcohol is sold and/or consumed, and if more than ninety (90) attendees are expected.

Sec. 65-3. – Application for Permit.

A Special Event Permit shall not be issued until a completed Special Event Permit Application, together with any requested supporting documents and payments of all applicable fees, are received by the City at least 45 days prior to the date of the proposed Special Event. The proposed Special Event must comply with this ordinance and all other applicable laws.

Sec. 65-4. – Standards for Issuance of Special Events Permit.

A Special Event Permit will be issued only if the City finds that the following standards for issuance of a Special Event Permit are met:

- (a) The Special Event will not unnecessarily interrupt the safe and orderly movement of traffic near its location or route.
- (b) The Special Event will not conflict in time or location with another event.
- (c) The Special Event will not constitute a public threat.
- (d) The Special Event will not require on-duty police officers to police the Special Event locale.
- (e) The concentration of people, animals, or vehicles, etc. will not unduly interfere with fire, police, or emergency medical services.
- (f) A Special Event which is scheduled to move from its point of origin to its point of termination, must do so without unreasonable delays.

- (g) Other licenses and permits, restrictions, regulations, fees, safeguards or other conditions deemed necessary for the safe and orderly conduct of a Special Event are submitted.
- (h) The Special Event must not violate any City ordinance or any other applicable law.
- (i) The Applicant must provide proof that the insurance requirements for the Special Event have been met.

Sec. 65-5. – Revocation of Special Event Permit.

A Special Event Permit shall be revoked upon the following conditions:

- (a) If the police chief, fire chief, emergency coordinator, building official or other City official, or their designated representatives, find that any of the provisions of this ordinance, another City ordinance, or other applicable law are being violated, they shall immediately notify the City Manager or designee and based on that information, the City Manager or designee shall determine whether the Special Event Permit shall be revoked.
- (b) When, in the judgment of any of the above named City officials, a violation exists, the City official shall have authority to revoke a Special Event Permit and/ or immediately order the abatement of the event in the absence or unavailability of the City Manager or designee.
- (c) The Applicant made or allowed to be made a false or misleading statement or omission of material fact on a Special Event Application that was not discovered until after the Special Event Permit was issued.

Sec. 65-6. – Additional Required Documents.

Certificate of Insurance. A certificate of insurance, naming the City of Seabrook as an additional insured. This insurance provides protection of not less than \$100,000 against liability for damages to property and protection of not less than \$100,000 for protection of injury or death of one person and of not less than \$300,000 for protection against injury or death of two or more persons in a single accident or occurrence.

Sign Permit (If Applicable). A completed Sign Permit showing the location, type, size, content, and display dates of all Special Event signage.

Sec. 65-7. – Fees and Costs.

- (a) Fees have been established in the Master Fee Schedule ordinance.
- (b) Applicant shall pay any and all required fees with the Special Event Permit Application. Applicant shall also be required to pay all fees and costs related to City services in conjunction with or as part of a Special Event.

Sec. 65-8. – Timeframe and Deadlines.

A Special Event Permit Application shall be filed no less than 45 days, nor more than 125 days, before the commencement of the proposed Special Event. The City Manager or designee may consider a Special Event Application that is filed less than 45 days before the commencement of the proposed Special Event where good and compelling cause is shown. An additional fee may be charged if the application is submitted less than 45 days before the proposed Special Event date.

When a timeframe or deadline established in this Section resulted in an Application being due on a weekend, holiday or a day the City is closed for business, the Application shall be due on the business day immediately following said weekend, holiday or closed business day.”

SECTION 3. INCORPORATION INTO THE CODE; PENALTY CLAUSE.

This Ordinance is hereby incorporated into and made a part of the Seabrook City Code and violation of any provision hereof shall be subject to the penalty described in said Code, Section 1-15 “General Penalty; continuing violations” which provides that any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

SECTION 5. SEVERABILITY.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

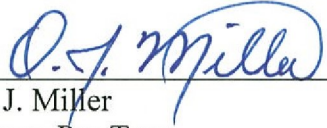
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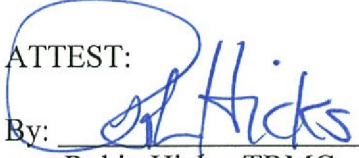
SECTION 6. NOTICE.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

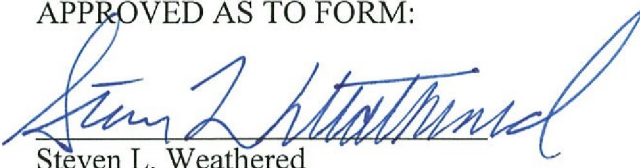
PASSED AND APPROVED with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on first reading, this **7th day of March, 2017.**

PASSED AND ADOPTED with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10, on second and **final reading, this 21st day of March, 2017.**

By: 
O. J. Miller
Mayor Pro Tem

ATTEST:
By: 
Robin Hicks, TRMC
City Secretary

APPROVED AS TO FORM:


Steven L. Weathered
City Attorney



April 2024

April 2024							May 2024						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6	5	6	7	1	2	3	4
14	8	9	10	11	12	13	12	13	14	15	16	17	18
21	15	16	17	18	19	20	19	20	21	22	23	24	25
28	22	23	24	25	26	27	26	27	28	29	30	31	

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Mar 31	Apr 1 11:00am SH 146 MILESTONE EVENT - TXDOT EVENT 12:00pm SH 146 TOAST AT TOOKIES SEAFOOD (TOOKIES)	2 6:00pm Regular City Council Meeting (City Hall 1st Floor)	3	4 6:00pm Open Space and Trails Committee Meeting (Public Works Facility)	5	6
7	8	9	10	11 8:30am 3rd Grade Field Trip (City Hall) 6:00pm Seabrook Economic Development Board of Directors Meeting	12	13
14	15	16 5:00pm CivicClerk Agenda Software Training - Council 6:00pm Regular City Council Meeting (City Council Chamber)	17	18 6:00pm Seabrook Planning & Zoning Commission Meeting 6:30pm HCMCA Meeting (Monument Inn - Independence)	19	20 9:00am Seabrook Trail Adventure (1100 Red Bluff)
21	22	23	24	25	26	27
28	29	30	May 1	2	3	4

May 2024

May 2024							June 2024						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	1	2	3	4	2	3	4	5	6	7	1
12	13	14	8	9	10	11	9	10	11	12	13	14	8
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Apr 28	29	30	May 1	2 6:00pm Open Space and Trails Committee Meeting (Public Works Facility)	3 6:00pm Keels & Wheels Preview Event (Lakewood Yacht Club)	4 Keels & Wheels (Lakewood Ya
5 Keels & Wheels (Lakewood \	6	7 6:00pm Regular City Council Meeting (City Hall 1st Floor)	8	9 6:00pm Seabrook Economic Development Board of Directors Meeting (Council Chamber)	10	11
12	13	14	15	16 6:00pm Seabrook Planning & Zoning Commission Meeting (Council Chamber)	17	18
19	20	21 6:00pm Regular City Council Meeting (City Council Chamber)	22	23 4:30pm 2024 State of the Bay (SSHR Marina Plaza Ballroom)	24	25
26	27 9:00am Memorial Day Event (Bay Area Veterans Memorial)	28	29	30	31	Jun 1