



**SEABROOK CITY COUNCIL
NOTICE OF EMERGENCY CITY COUNCIL MEETING
MONDAY, JULY 15, 2024 - 5:00 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 **MONDAY, JULY 15, 2024 AT 5:00 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/publiccomment

1.1 Report from Mayor/City Manager/Staff/City Council concerning health, safety, and welfare issues associated with Hurricane Beryl impacts and post-storm recover efforts.

2. NEW BUSINESS

2.1 Consider and approve on first and final reading Ordinance 2024-18, continuing the Mayoral Declaration of a local state of disaster due to Hurricane Beryl. *Thom Kolupski, Mayor of Seabrook*

AN ORDINANCE PROVIDING FOR AN EXTENSION OF THE DISASTER DECLARATION AS PROVIDED FOR HEREIN, AND MAKING CERTAIN FINDINGS OF FACT AND OTHER CONCLUSIONS AS SET OUT HEREIN.

2.2 Consider and take all appropriate action on the approval of Resolution 2024-17,

Waiving the building permit fees associated with the repair of homes and businesses damaged as a result of Hurricane Beryl *Gayle Cook, City Manager*

A RESOLUTION OF THE CITY OF SEABROOK TEXAS, TEMPORARILY WAIVING THE BUILDING PERMIT FEES ASSOCIATED WITH THE REPAIR OF HOMES AND BUSINESSES DAMAGED AS A RESULT OF HURRICANE BERYL; PROVIDING THAT SUCH WAIVER SHALL EXPIRE AFTER NINETY (90) DAYS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT AND PROVIDING AN EFFECTIVE DATE.

2.3 Consider and take all appropriate action on Resolution 2024-18, establishing authority for disaster debris removal on privately owned roads. *Gayle Cook, City Manager*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, CONCERNING ELIGIBILITY FOR DISASTER DEBRIS REMOVAL ON PUBLICLY SERVICED ROADWAYS/RIGHT OF-WAYS THAT ARE PRIVATELY OWNED, PRIVATELY MAINTAINED AND/OR GATED.

3. ROUTINE BUSINESS

3.1 Establish future meeting dates and agenda items.

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 Monday, July 15th no later than 2:00 p.m. and that this notice will remain posted until the meeting has ended.

Rachel Lewis, TRMC



**CITY OF SEABROOK
ORDINANCE NO. 2024-18**

AN ORDINANCE PROVIDING FOR AN EXTENSION OF THE DISASTER DECLARATION AS PROVIDED FOR HEREIN AND MAKING CERTAIN FINDINGS OF FACT AND OTHER CONCLUSIONS AS SET OUT HEREIN.

WHEREAS, on the 8th day of July, 2024, the Mayor issued a proclamation declaring a State of Local Disaster for the City of Seabrook, Texas due to the threat of imminent disaster, including widespread and severe property damage and possible injuries; and

WHEREAS, the conditions necessitating declaration of a local state of disaster continue to exist, including widespread power outages, many downed trees and power lines, and many residents and businesses without power for multiple days and property damage; and

WHEREAS, §418.108(b) of the Texas Government Code provides that a local state of disaster may not be continued for a period in excess of seven days without the consent of the governing body of the political subdivision;

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

Section 1. That the local state of disaster proclaimed by the City of Seabrook by the Mayor on the 8th day of July, 2024, shall continue until terminated by ordinance of the City Council.

Section 2. This ordinance is passed as an emergency measure and pursuant to local authority for emergency measures and shall become effective on this 15th day of July, 2024.

Section 3. That this declaration of local disaster activates the recovery aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the declaration. All aspects of the City of Seabrook Emergency Management Plan not already activated are hereby activated as provided in the plan.

Section 4. That the Mayor and the City Manager, in coordination with the Mayor, are herein authorized to sign such necessary documentation and to take such action as to alleviate the damages in the City, restore services to the citizens of the City of Seabrook and to seek aid and assistance from any and all local, state and federal agencies.

PASSED AND APPROVED by a vote of _____ “ayes” in favor and _____ “no’s” against on this first and final reading in full compliance with the provisions of the Charter of the City of Seabrook on this, the **15th of July, 2024.**

APPROVED:

ATTEST:

Thom Kolupski, Mayor

Rachel Lewis, City Secretary



DECLARATION OF DISASTER

WHEREAS, the City of Seabrook, in the County of Harris County, Texas on the 8th day of July, 2024, the Mayor has determined that

Hurricane Beryl

Poses a threat of imminent disaster, including widespread and severe property damage and possible injuries; and

WHEREAS, the Mayor of Seabrook has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property,

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF SEABROOK:

1. That a local state of disaster is hereby declared for the City of Seabrook pursuant to §418.108(a) of the Texas Government Code.

2. Pursuant to §418.018(b) of the Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council of Seabrook.

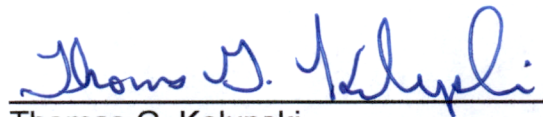
3. Pursuant to §418.018(c) of the Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

4. Pursuant to §418.018(d) of the Government Code, this declaration of a local state of disaster that activates the City Emergency Management Plan.

5. That this proclamation shall take effect immediately from and after its issuance.

ORDERED this the 8TH day of JULY, 2024.




Thomas G. Kolupski
Mayor



GOVERNOR GREG ABBOTT

July 6, 2024

Mr. David Nelson
Deputy Secretary of State
State Capitol, Room 1E.8
Austin, Texas 78701

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
12:15 pm O'CLOCK

JUL 06 2024
David Nelson
Secretary of State

Dear Deputy Secretary Nelson:

Pursuant to his powers as Acting Governor of the State of Texas, Dan Patrick has issued the following:

A proclamation amending a previous proclamation that declared a state of disaster in a certain number of counties based on the threat posed by Hurricane Beryl on July 5, 2024, and that continues, by adding additional counties to the disaster area.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Dan Patrick, Acting Governor of the State of Texas, issued successive disaster proclamations on Friday, July 5, 2024, certifying that Hurricane Beryl poses a threat of imminent disaster, including widespread and severe property damage, injury, and loss of life due to widespread flooding, life-threatening storm surge, damaging wind, and heavy rainfall in Aransas, Atascosa, Bee, Bexar, Brooks, Calhoun, Cameron, DeWitt, Dimmit, Duval, Frio, Goliad, Gonzales, Hidalgo, Jackson, Jim Hogg, Jim Wells, Karnes, Kenedy, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Matagorda, Maverick, McMullen, Medina, Nueces, Refugio, San Patricio, Starr, Uvalde, Victoria, Webb, Wharton, Willacy, Wilson, Zapata, and Zavala Counties;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby amend the aforementioned proclamation and declare a disaster in the additional counties of Anderson, Angelina, Austin, Bastrop, Bell, Bowie, Brazoria, Brazos, Burleson, Caldwell, Camp, Cass, Chambers, Cherokee, Collin, Colorado, Comal, Dallas, Delta, Ellis, Falls, Fannin, Fayette, Fort Bend, Franklin, Freestone, Galveston, Grayson, Gregg, Grimes, Guadalupe, Hardin, Harris, Harrison, Hays, Henderson, Hill, Hopkins, Houston, Hunt, Jasper, Jefferson, Kaufman, Lamar, Lee, Leon, Liberty, Limestone, Madison, Marion, McLennan, Milam, Montgomery, Morris, Nacogdoches, Navarro, Newton, Orange, Panola, Polk, Rains, Red River, Robertson, Rockwall, Rusk, Sabine, San Augustine, San Jacinto, Shelby, Smith, Titus, Travis, Trinity, Tyler, Upshur, Van Zandt, Walker, Waller, Washington, Williamson, and Wood Counties.

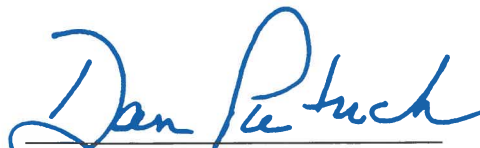
Pursuant to Section 418.017 of the Texas Government Code, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016 of the Texas Government Code, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to protect life or property threatened by this declared disaster, I hereby authorize the suspension of such statutes and rules for the duration of this declared disaster.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 6th day of July, 2024.


DAN PATRICK
Acting Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
12:15 PM O'CLOCK

JUL 06 2024

Acting Governor Dan Patrick
July 6, 2024

Proclamation
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ATTESTED BY:


DAVID NELSON
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
12:15 pm O'CLOCK
JUL 06 2024

President Joseph R. Biden, Jr. Approves Major Disaster Declaration for Texas

Release Date: July 10, 2024

WASHINGTON -- FEMA announced that federal disaster assistance is available to the state of Texas to supplement recovery efforts in the areas affected by Hurricane Beryl from July 5-9, 2024.

Federal funding is available to the state, tribal and eligible local governments and certain private nonprofit organizations on a cost-sharing basis in Anderson, Angelina, Aransas, Austin, Bowie, Brazoria, Brazos, Burleson, Calhoun, Cameron, Camp, Cass, Chambers, Cherokee, Colorado, Dewitt, Fayette, Fort Bend, Freestone, Galveston, Goliad, Gregg, Grimes, Hardin, Harris, Harrison, Hidalgo, Houston, Jackson, Jasper, Jefferson, Kenedy, Kleberg, Lavaca, Lee, Leon, Liberty, Madison, Marion, Matagorda, Milam, Montgomery, Morris, Nacogdoches, Newton, Nueces, Orange, Panola, Polk, Refugio, Robertson, Rusk, Sabine, San Augustine, San Jacinto, San Patricio, Shelby, Trinity, Tyler, Upshur, Victoria, Walker, Waller, Washington, Webb, Wharton and Willacy counties for debris removal and emergency work, including direct federal assistance.

Federal funding is also available on a cost-sharing basis for hazard mitigation measures statewide.?

Benjamin Abbott has been named Federal Coordinating Officer for federal recovery operations in the affected areas. Additional designations may be made at a later date if requested by the state and warranted by the results of further assessments.?



FEMA

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RESOLUTION 2024-17

A RESOLUTION OF THE CITY OF SEABROOK TEXAS, TEMPORARILY WAIVING THE BUILDING PERMIT FEES ASSOCIATED WITH THE REPAIR OF HOMES AND BUSINESSES DAMAGED AS A RESULT OF HURRICANE BERYL; PROVIDING THAT SUCH WAIVER SHALL EXPIRE AFTER NINETY (90) DAYS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 8th day of July, 2024, the Mayor of the City of Seabrook, Texas, pursuant to Government Code Chapter 418, declared a Local State of Disaster pending the imminent threat of widespread or severe damage, injury, and loss of life and property, resulting from the approaching storm “Hurricane Beryl;” and

WHEREAS, the recent flooding associated with Hurricane Beryl severely damaged residential and business properties in the City; and

WHEREAS, it is in the City’s best interest to assist affected residents and business owners who are required to repair and/or renovate structures damaged by Hurricane Beryl; and

WHEREAS, continuing the building permit review and inspections will ensure compliance with building codes and life safety that are in the best long-term interests of the residents and the City; and

WHEREAS, normal building permit fees related to damage caused by Hurricane Beryl and the resulting flooding would add financial costs to affected property owners, and the City is willing to absorb these fees;

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

Section 1. The City Council of the City of Seabrook, Texas, hereby waives the collection of building permit fees for the repair and/or renovation of homes and businesses damaged as a result of Hurricane Beryl, for a period of ninety (90) days, from July 15, 2024 through and until October 13, 2024.

Section 2. Individuals and contractors will still be required to follow the building permitting process, but those fees associated therewith shall be waived.

PASSED AND APPROVED this 15TH day of July, 2024.

Thomas G Kolupski, Mayor

ATTEST:

Rachel Lewis, City Secretary

RESOLUTION NO. 2024-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, CONCERNING ELIGIBILITY FOR DISASTER DEBRIS REMOVAL ON PUBLICLY SERVICED ROADWAYS/RIGHT-OF-WAYS THAT ARE PRIVATELY OWNED, PRIVATELY MAINTAINED AND/OR GATED

WHEREAS, the Mayor of Seabrook, Texas, issued a declaration of local disaster by proclamation for Hurricane Beryl, on July 8, 2024, which brought fierce winds and heavy rains to a large portion of southeastern Texas, causing severe damage, injury, or loss of life or property that requires emergency action; and

WHEREAS, President Joe Biden declared Hurricane Beryl a major disaster Tuesday, July 9, 2024; and

WHEREAS, the nuisance or condition has caused difficulties in agencies providing emergency medical, fire, police, utility, and sanitation services because of debris on streets in all communities; and

WHEREAS, the debris resulting from natural or man-made disasters can block streets and can hinder emergency management's ability to provide emergency medical services and to fight fires, provide basic services and save lives; and

WHEREAS, the situation can jeopardize and compromise the ability to provide emergency management services to the residents in private communities and the City at large; and

WHEREAS, in an emergency condition, constituting an immediate threat to the life, health and safety of the citizens of the City, it is necessary to eliminate an immediate threat of significant damage to improved property; and

WHEREAS, the City in this emergency condition, has jurisdiction over all private roads in the City for the purposes set forth herein; and

WHEREAS, the City in a natural disaster that has been declared a public emergency by the Mayor and/or City Council, has the obligation, authority, and responsibility to enforce its laws on private streets and to provide emergency services;

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

SECTION 1. That the City of Seabrook, Texas, has the authority and responsibility to protect the public health and safety, to enter upon and clear debris from public and private streets, to clear and remove debris to permit access by other agencies, public emergency vehicles, and other municipal service providers.

SECTION 2. That in a natural disaster that has been declared a public emergency by the Mayor and/or City Council (County, State and Federal), the City may exercise its authority to implement the measures set forth herein.

SECTION 3. That in order to respond to emergency conditions, the City must expeditiously clear debris from all roads, including roads in private communities. This is necessary to eliminate an imminent threat to the public health, safety, and welfare.

SECTION 4. That the City is hereby authorized to remove debris from private roads, rights-of-ways, and ingress/egress easements in private communities. The actions authorized hereby do not permit debris removal except from streets (and rights-of-ways and ingress/egress easements) to clear streets for emergency vehicle travel and delivery of services essential to the public health and safety. No other property will be cleared in a private community. This shall apply only to streets where the City regularly provided access for emergency vehicles and the enforcement of City regulations as well as access for municipal and other public service vehicles. Debris will be removed only where there is unrestricted access during removal times.

SECTION 5. That the City shall conduct similar operations on public streets.

PASSED AND APPROVED this 15TH day of July, 2024.

Thomas G Kolupski, Mayor

ATTEST:

Rachel Lewis, City Secretary