The City Council of the City of Seabrook met in regular session on Tuesday, May 7, 2013 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

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

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

1.0 PRESENTATIONS

1.1 Present a proclamation for "Municipal Clerks Week." (Council)

Mayor Royal presented the proclamation to City Secretary, Michele Glaser.

1.2 Present a Proclamation for "Motorcycle Awareness Month." (Council)

Mayor Royal presented the proclamation to several motorcyclists.

Mayor Royal took Agenda Item 5.1 out of order.

5.0 NEW BUSINESS

5.1 Select the winner of a contest to rename the municipal swimming pool complex and after selection, recognize the winner. (Dearman)

Director of Communications LeaAnn Dearman reviewed the top five names as voted by staff and asked Council to choose the winner. Some names had been recommended by more than one person.

Mayor Royal asked each councilmember to vote for his/her top three choices.

Councilor Davis: Pelican Reef, Pelican Bay and Splash Zone.
Councilor Holbrook: Pelican Bay, Seabrook Fun & Sun and Splash Zone.
Councilor Johnson: Pelican Bay, Pelican Reef and Splash Zone.

Councilor Giangrosso: Pelican Bay, Pelican Reef and Seabrook's Fun Splash.
Councilor Llorente: Pelican Bay, Seabrook Fun & Sun and Seabrook's Fun Splash.

Mayor Royal announced that, based on tonight's vote, the name "Pelican Bay" was the winning entry. The winners, Alan Barnes, Rhiannon Gabel, Jennifer Galipeault and Tim Galipeault, were awarded certificates of appreciation and pool passes for the 2013 swim season.

Motion was made by Councilor Holbrook and seconded by Councilor Davis

To award 2013 pool passes to all the finalists.

MOTION CARRIED BY UNANIMOUS CONSENT.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

Terry Sones, Baywood Drive, objected to noise caused by events at Carothers Gardens. She asked Council to resolve the problem.

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

Dates of various upcoming events were announced.

3.0 BID AWARDS

3.1 Consider Project No. 2013-06, "Bid Award for Seascape I Paving & Water Line Improvements, Phase II", to the low bidder, AAA Asphalt Paving Inc. in the amount of $307,474.50, This is a budgeted item. (Chairez)

Motion was made by Councilor Holbrook and seconded by Councilor Johnson

To approve Bid Project No. 2013-06 as recommended by staff.

MOTION CARRIED BY UNANIMOUS CONSENT.

3.2 Consider Award of Bid Project No. 2013-08, "Waterfront Drive Improvements" to low bidder Angel Brothers Enterprises, LTD in the amount of $$4,329,579.00. This is a budgeted item. (Chairez)

Councilor Johnson asked staff to select the actual palm trees to be used in landscaping Waterfront Drive, instead of allowing the contractor to pick the trees.

Motion was made by Councilor Davis and seconded by Councilor Giangrosso

To approve Bid Project No. 2013-08 as recommended by staff.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.0 CONSENT AGENDA

4.1 Approve an excused absence for Robert Llorente for the April 16, 2013 Council meeting. (Glaser)

4.2 Approve the minutes of the regular City Council meeting on April 16, 2013, (Glaser)

4.3 Approve a request for a special events permit and temporary signs for an outside craft show to be held at Endeavor Marina, 3101 NASA Parkway on May 18 & 19, 2013 from 10 a.m. until 6:00 p.m. (Applicant)

4.4 Approve proposed Resolution No. 2013-07, "Acceptance of a Permanent Easement from American Acryl, L.P. (Templin)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DETERMINING THAT EASEMENTS ARE NECESSARY FOR THE "WATERFRONT DRIVE RECONSTRUCTION," AND "PINE GULLY DRAINAGE IMPROVEMENT PROJECT;" APPROVING THE ACCEPTANCE OF DONATION OF A PERMANENT EASEMENT FROM AMERICAN ACRYL. L.P., PROPERTY OWNER IN RELATION TO PARCEL 2, A 2.4146 ACRE TRACT SITUATED IN THE RITSON MORRIS SURVEY, A-52 HARRIS COUNTY, TEXAS, BEING OUT OF AND PART OF LOT 2 OF SEABROOK FIRE TRAINING FACILITY, A SUBDIVISION RECORDED IN VOLUME 585, PAGE 54, HARRIS COUNTY MAP RECORDS; ALL, AS MORE PARTICULARILY DESCRIBED HEREIN.

4.5 Approve a non-reimbursable Space Act Agreement between Bay Area Responders (including the City of Seabrook) and NASA Lyndon B. Johnson Space Center for the reciprocal use of emergency operations centers and other facilities during emergencies. (Templin)

Motion was made by Councilor Llorente and seconded by Councilor Giangrosso

To approve the Consent Agenda as presented.

MOTION CARRIED BY UNANIMOUS CONSENT.

END OF CONSENT AGENDA

5.0 NEW BUSINESS (continued)

5.2 Approve proposed Resolution No. 2013-09, "Amendment of Boundaries and Name of the 'SH146 Corridor Empowerment Zone' created by Resolution No. 2011-01 To Empowerment Zone 1." (Chavez/EDC)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, AMENDING BOUNDARIES AND NAME DESIGNATION OF "THE SH 146 CORRIDOR EMPOWERMENT ZONE", ESTABLISHING A NEW DESIGNATION FOR SUCH EMPOWERMENT ZONE AS THE "NEIGHBORHOOD EMPOWERMENT ZONE 1" WITH REVISED BOUNDARIES THEREOF AS DEPICTED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED BY REFERENCE, AND OTHER MATTERS RELATING THERETO

EDC Director Paul Chavez gave a brief explanation of the three separate zones and the rebate program. He stated that Zone 1 has slightly different incentive parameters than Zones 2 and 3.

Motion was made by Councilor Llorente and seconded by Councilor Davis

To approve proposed Resolution No. 2013-09 as presented.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.3 Approve proposed Resolution No. 2013-10, "Creation of Neighborhood Empowerment Zone 2." (Chavez/EDC)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, CREATING A NEW NEIGHBORHOOD EMPOWERMENT ZONE TO BE DESIGNATED AS THE "NEIGHBORHOOD EMPOWERMENT ZONE 2", ESTABLISHING THE BOUNDARIES AT THE NORTHERN MOST BOUNDARY OF "NEIGHBORHOOD EMPOWERMENT ZONE 1" AND CONTINUING NORTH TO THE CITY LIMITS, AS MORE SPECIFICALLY DEPICTED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED BY REFERENCE, AND OTHER MATTERS RELATING THERETO

Motion was made by Councilor Davis and seconded by Councilor Giangrosso

To approve proposed Resolution No. 2013-10 as presented.

In answer to questions from Councilor Davis, Mr. Chavez stated that the boundaries of the proposed Neighborhood Empowerment Zones (NEZ) follow current zoning boundaries. Mr. Weathered confirmed that residentially zoned property could be placed in a NEZ. Councilor Davis asked if Council should consider placing the undeveloped residentially zoned property located north of Repsdorph Road into a NEZ. There was no action on this suggestion.

Mayor Royal called for a vote on the original motion.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.4 Approve proposed Resolution No. 2013-11, "Creation of Neighborhood Empowerment Zone 3. (Chavez/EDC)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, CREATING A NEW NEIGHBORHOOD EMPOWERMENT ZONE TO BE DESIGNATED AS THE "NEIGHBORHOOD EMPOWERMENT ZONE 3", ESTABLISHING THE BOUNDARIES AT THE LOWER PORTION OF THE ORIGINAL "SH 146 CORRIDOR EMPOWERMENT ZONE," SOUTH OF HALL STREET INCLUDING COMMERCIAL PROPERTIES ALONG NASA PARKWAY UNTIL THE WESTERN MOST BOUNDARY OF THE CITY, AS MORE SPECIFICALLY DEPICTED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED BY REFERENCE, AND OTHER MATTERS RELATING THERETO

Motion was made by Councilor Holbrook and seconded by Councilor Llorente

To approve proposed Resolution No. 2013-11 as presented.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.0 ROUTINE BUSINESS

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

Councilor Holbrook asked that Item #7 "Swimming Pool Naming Contest" be removed as final action had been taken tonight.

Motion was made by Councilor Holbrook and seconded by Councilor Johnson

To approve the Action Items Checklist as amended.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.2 Establish future meeting dates and agenda items, including a reminder of the cancellation of the May 21 Council meeting. (Council)

Council members asked Mr. Templin to send them the list of goals discussed at the April 30 council meeting and a budget calendar. Councilor Holbrook suggested holding a special meeting to rank the goals. It was informally agreed by Council to discuss and rank the goals at the first budget meeting.

7.0 EXECUTIVE SESSION

At 7:51 p.m. Mayor Royal announced that the City Council would hold a closed executive meeting pursuant to the provisions of the open meetings Act, Charter 551, Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.071, Consultation with Attorney.

Section 551.071

7.1 Consult with attorney to receive legal advice regarding pending litigation, Exquisite Designs by Castlerock & Co. (Brad Jones) v. City of Seabrook, pending in the United States Bankruptcy Court, Southern District of Texas, Houston Division, and City Code enforcement issues, pursuant to Section 551.071 Texas Government Code. (Weathered)

Section 551.072

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

8.0 OPEN MEETING

Mayor Royal reconvened the meeting in open session at 8:20 p.m. and stated that Items 7.1 and 7.2 had been discussed in Executive Session, but no action had been taken.

Upon motion, Mayor Royal adjourned the meeting at 8:21 pm.

Approved this 4th day of June 2013.

Glenn R. Royal, Mayor

Michele L. Glaser, TRMC
City Secretary

THE CITY OF SEABROOK TEXAS