



**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, AUGUST 6, 2024 - 5:30 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, AUGUST 6, 2024 AT 5:30 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 Mayor, City Council and/or members of the City staff may make announcements about City/Community events. City Council

2. PRESENTATIONS

2.1 Mayor Kolupski to present the Eco-Star Award to the Seabrook Trap Neuter Release (TNR) Sponsor and Caregivers as recommended by the Open Space & Trails Committee.

2.2 Presentation of the post-event report for the Texas Outlaw Challenge. *Paul Robertson*

3. CONSENT AGENDA

3.1 Approve the minutes of the July 15, 2024, July 16, 2024, July 22, 2024, July 23, 2024, and July 31, 2024 meetings.

4. OLD BUSINESS

4.1 Presentation of the City Council Audio Visual Pilot Program analytics for the recording of City Council meetings, and consider and take all appropriate action on the continuation and any changes to the program. *Mick Barnabo, Multimedia Producer*

5. NEW BUSINESS

5.1 Consider and take all appropriate action on the first reading of Ordinance # 2024-17 a request for approval of a Final Planned Unit Development (Final PUD) to create a "World Class Freezer Facility Planned Unit Development" comprising a 134,632 square foot freezer warehouse, 84 vehicle parking spaces, and 19 tractor-trailer loading spaces located on approximately 7.19 acres tract of land. *Sean Landis, Deputy City Manager | Planning and Zoning Director*

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING 7.19 ACRES SITUATED IN ABSTRACT 52, OF THE RITSON MORRIS SURVEY, IN SEABROOK, HARRIS COUNTY, TEXAS, GENERALLY LOCATED WEST OF OLD STATE HIGHWAY 146, EAST OF STATE HIGHWAY 146, NORTH OF RED BLUFF ROAD, AND SOUTH OF PORT ROAD; AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", FROM (C-2) "MEDIUM COMMERCIAL DISTRICT", AND (LI) "LIGHT INDUSTRIAL DISTRICT", TO (PUD) "PLANNED UNIT DEVELOPMENT", FOR THE DEVELOPMENT OF A 134,632 SQUARE FOOT FREEZER WAREHOUSE, 84 VEHICLE PARKING SPACES, AND 19 TRACTOR-TRAILER LOADING SPACES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; AND PROVIDING FOR SEVERABILITY.

5.2 Hear a presentation, consider, and take all appropriate action on the approval of an amendment to the agreement between the City of Seabrook and Driver & Rescue Club LLC, lessee of the property located at 2613 1/2 NASA Parkway (operating as 'The Yard' at Barge295) for additional temporary conditional exceptions to codes and ordinances, to allow cover charge/ticket sales as well as a temporary tent to be erected during the temporary agreement. *Jackie Rasco, At-Large Position 1*

5.3 Consider and take all possible action on the request for explanation and protocols in an Emergency Operations Center (EOC) under a declared disaster per the Seabrook Emergency Management Plan and associated annexes on non-essential construction contracts. *Jackie Rasco, At-Large Position 1*

5.4 Consider and take all appropriate action on the approval of an amendment #3 to the reallocation of remaining funds from the American Rescue Plan Act (ARPA) fund and

amendment of the FY2024 and FY 2025 Proposed CIP Program to reflect projects.
Gayle Cook, City Manager

5.5 Consider and take all appropriate action on the approval of a BuyBoard proposal with Fun Abounds in the amount of \$92,465.00 for playground shade structures in Meador, Pine Gully and Baybrook parks as part of the American Rescue Plan Act (ARPA) Funds allocations and approve and authorize the City Manager to execute all associated documents and amend the FY2024 CIP to reflect this project. *Brian Craig, City Engineer*

5.6 Consider and take all appropriate action on the approval of Cooperative Proposal to design and construct two Pickleball courts with fencing, seating and shade structure behind the Monroe Field Splash Pad with ProTech Track and Tennis Surface Inc. in the amount of \$169,531.00 as part of the American Rescue Plan Act (ARPA) Funds allocations and authorize the City Manager to execute all associated documents and amend the FY2024 CIP to reflect this project. *Brian Craig, City Engineer*

5.7 Consider and take all appropriate action on the approval of a BuyBoard proposal with CXT, Inc. in the amount of \$169,147.00 for upgrading the Brummerhop Park Restroom as part of the American Rescue Plan Act (ARPA) Funds allocations and authorize the City Manager to execute all associated documents and amend the FY2024 CIP to reflect this project. *Brian Craig, City Engineer*

5.8 Consider and take all appropriate action on the approval of a BuyBoard proposal with Protrack and Tennis in the amount of \$42,600.00 for resurfacing of the basketball court at Baybrook as part of the American Rescue Plan Act (ARPA) Funds allocations and authorize the City Manager to execute all associated documents and amend the FY2024 CIP to reflect this project.

5.9 Consider and take all appropriate action on the approval of a BuyBoard proposal with Spark Lighting in the amount of \$61,000.00 for solar trail lighting in Meador Park as part of the American Rescue Plan Act (ARPA) Funds allocations and authorize the City Manager to execute all associated documents and amend the FY2024 CIP to reflect this project. *Brian Craig, City Engineer*

5.10 Consider and approve upon the first reading of Ordinance 2024-16, Budget Amendment No. 5 for fiscal year ending September 30, 2024, in the amount of \$1,235,982.00 to the General, Enterprise, Public Safety Vehicle and Equipment, and General and Enterprise Vehicle and Equipment Funds. *Michael Gibbs, Director of*

Finance

AN ORDINANCE AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024 BY AUTHORIZING CERTAIN ADDITIONS IN THE AMOUNT OF \$1,235,982 FOR GENERAL ENTERPRISE, PUBLIC SAFETY VEHICLE AND EQUIPMENT, AND GENERAL AND ENTERPRISE VEHICLE AND EQUIPMENT FUNDS, AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO FACILITATE THE CHANGES IDENTIFIED; AND FINDING AVAILABLE UNENCUMBERED FUNDS FOR THE SUPPLEMENTAL APPROPRIATION AND/OR RESERVE REDUCTION.

5.11 Consider and take all appropriate action on the purchase of a new artificial 20' LED Christmas Tree, outdoor ornaments, and bows for Main Street in the amount of \$20,944.10, and adding this as an amendment to FY2024 CIP . This is an unbudgeted item and will require a budget amendment. *Gayle Cook, City Manager*

6. EXECUTIVE SESSION

6.1 Section 551.071 Conduct a Closed Executive Session to consult with the City's attorneys regarding the settlement entitled City of Seabrook v. Barge 295 and the Yard at Barge 295. *John Hightower, Olson & Olson*

7. OPEN SESSION

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

8. DISCUSSION

8.1 Discussion of the trees and live wires over East Meyer for future disaster planning. *Joe Machol, At-Large Position 6*

8.2 Discussion of the FEMA requirements for restroom facilities within certain flood zones to a height of eighteen (18') feet and the FEMA response to a request sent by the City. *Joe Machol, At-Large Position 6*

8.3 Discussion of a policy requiring interviews of three (3) candidates by the City Council for selection of a City Attorney. *Joe Machol, At-Large Position 6*

8.4 Discussion of a monthly financial report to be presented at City Council meetings, to occur at the first regular City Council meeting of each month. *Joe Machol, At-Large Position 6*

9. ROUTINE BUSINESS

9.1 City Manager update and report to City Council on various items that require no action, including Post Hurricane Beryl Recovery efforts, Seabrook Boards and Commissions, Transportation Projects, Port of Houston Rail Spur, City of Seabrook CIP Projects, Economic Development Updates, and City of Seabrook Grant Administration.

9.2 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 Friday, August 2, 2024 no later than 6:00 p.m. and that this notice will remain posted until the meeting has ended.

Rachel Lewis, TRMC

