



**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, AUGUST 20, 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, AUGUST 20, 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/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 Presentation of update regarding the progress of the Trap-Neuter-Return (TNR) pilot program. *Rolf Nelson, Police Chief*

2.2 Presentation of a Lifesaving Award to Officer Jordan Tankersley for the lifesaving efforts he provided for a severely injured child on July 5, 2024. *Rolf Nelson, Police Chief*

2.3 Presentation and Quarterly Update of the Seabrook Volunteer Fire Department.
Chief Nathan Douglas

3. CONSENT AGENDA

3.1 Approve the minutes of the August 6, 2024 Joint Meeting and the August 6, 2024 Regular Meeting.

3.2 Consider and take all appropriate action on the Economic Development Corporation Administrative Services Agreement between the City of Seabrook and the Seabrook Economic Development Corporation for Fiscal Year 2024-2025.

3.3 Approve the quarterly investment report for the period of April 2024 through June 2024.

4. SPECIFIC PUBLIC HEARING

4.1 Conduct a Public Hearing on a request to change the zoning classification of land described below from the current classification of R-1 “Single-Family Detached Residential District” to R-2 “Single-Family Detached Residential District (Small Lots)”.
Sean Landis, Deputy City Manager | Planning and Zoning Director

4.2 Conduct a Public Hearing on a request for approval of a Final Planned Unit Development (PUD), to create, “5815 Old Hwy 146 Monroe Quiet Warehousing Project”, comprising of two 23,980 square-foot tilt wall constructed warehouses located on a 3.695-acre tract of land. *Sean Landis, Deputy City Manager | Planning and Zoning Director*

5. OLD BUSINESS

5.1 Consider and take all appropriate action on the second 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 extending video recording and livestreaming to all boards & commissions. *Gayle Cook, City Manager*

6. NEW BUSINESS

6.1 Consider and take all appropriate action on the first reading of Ordinance # 2024-15 a request to change the zoning classification of land located at 4017 Todville Road, Seabrook, TX 77586 from the current classification of R-1 "Single-Family Detached Residential District" to R-2 "Single-Family Detached Residential District (Small Lots)".

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING, 16.479 ACRES OF LAND SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT NO. 52, CITY OF SEABROOK, HARRIS COUNTY, TEXAS, LOCATED AT 4017 TODVILLE ROAD, WHICH IS LOCATED WEST OF TODVILLE ROAD, SOUTH OF W. FLAMINGO DRIVE, AND NORTH OF MYSTIC VILLAGE LANE; BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", FROM (R-1) "SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT" TO (R-2) "SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT (SMALL LOTS)" FOR THE DEVELOPMENT OF A SINGLE-FAMILY DETACHED RESIDENTIAL DEVELOPMENT; 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.

6.2 Consider and take all appropriate action on the first reading of Ordinance # 2024-11 a request for approval of a Final Planned Unit Development (PUD), to create, "5815 Old Hwy 146 Monroe Quiet Warehousing Project", comprising of two 23,980 square feet tilt wall constructed warehouses located on a 3.695-acre 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 3.695 ACRES SITUATED IN ABSTRACT 52, OF THE RITSON MORRIS SURVEY, IN SEABROOK, HARRIS COUNTY, TEXAS, GENERALLY LOCATED EAST OF OLD STATE HIGHWAY 146, NORTH OF RED BLUFF ROAD, AND SOUTH OF PORT ROAD; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", FROM (C-2) "MEDIUM COMMERCIAL DISTRICT", TO (PUD) "PLANNED UNIT DEVELOPMENT", FOR THE DEVELOPMENT OF TWO (TILT WALL WAREHOUSES) EACH CONTAINING APPROXIMATELY 24,000 SQUARE FEET OF FLOOR SPACE; 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.

6.3 Consider and take all appropriate action on the approval of Resolution 2024-19, Seabrook Economic Development Bylaws Amendment, amending the term and allowing for staggered terms of directors. *Gayle Cook, City Manager*

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS,
ADOPTING REVISIONS AND AMENDMENTS TO THE BYLAWS FOR THE
SEABROOK ECONOMIC DEVELOPMENT CORPORATION**

6.4 Consider and take all appropriate action on the approval of an engagement letter for auditing services with Crowe. The contract extension is for auditing and reporting on the City's financial statements for the year ending September 30, 2024. The amount not to exceed is \$58,500. *Michael Gibbs, Director of Finance*

6.5 Consider and take all appropriate action on the approval of a three (3) year Interlocal Governmental Agreement from 2024-2027 for School Crossing Guards between the City of Seabrook and Clear Creek Independent School District (CCISD) for Crossing Guard services for a flat fee of \$12,500.00 a year for two (2) guards. *Gayle Cook, City Manager*

6.6 Discussion and possible action regarding LifeVac choking systems for police and emergency vehicles. *Joe Machol, At-Large Position 6*

7. DISCUSSION

7.1 Discussion of rules of procedure and/or a code of conduct for City Council and all boards and commissions for the City of Seabrook. *Rachel Lewis, City Secretary*

7.2 Discussion of the code enforcement activities for the properties located at 3805 and 3813 NASA Road, Seabrook, Texas, particularly regarding violations of the city's nuisance codes. *Joe Machol, At-Large Position 6*

8. ROUTINE BUSINESS

8.1 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, and City of Seabrook CIP Projects.

8.2 Monthly Financial Report for July, 2024.

8.3 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 16, 2024 no later than 6:00 p.m. and that this notice will remain posted until the meeting has ended.

Rachel Lewis, TRMC





Agenda Briefing

Date of Meeting: August 20, 2024

Responsible Department: Police Department

Presenter: Rolf Nelson, Police Chief

Briefing Prepared By: Rolf Nelson

Strategic Focus Area:

General Information:

Presentation of update regarding the progress of the Trap-Neuter-Return (TNR) pilot program.

Executive Summary / Background:

The Trap-Neuter-Return (TNR) pilot program was implemented in Seabrook on April 1, 2024.

At the four-month mark since the program's inception, the volunteer group has accomplished many of the intended goals established during the planning stages of the program:

- Establish and maintain communications with City officials
- Reasonably follow agreed-upon guidelines
- Identify and document feral cats in the designated TNR Zone
 - Cataloged 38 cats
 - Spayed/Neutered 11
 - Rehomed 9 cats
 - No cats from the TNR Zone were euthanize
 - There have been no calls for nuisance animals on the Point during the last four months
- At last count, there are 19 cats located in the TNR Zone

Funding / Fiscal Information:

Supporting Materials Attached: None

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.



MEETING MINUTES
AUGUST 6, 2024

SEABROOK CITY COUNCIL
SPECIAL JOINT CITY COUNCIL AND
PLANNING & ZONING COMMISSION MEETING

Mayor Thom Kolupski called the Seabrook Council Meeting to order at 5:00 p.m. in the Council Chambers in Seabrook City Hall. Present were City Councilmembers Thom Kolupski, Buddy Hammann, Jackie Rasco, Rob Hefner, Tom Tollett, Michael Giangrosso, and Joe Machol. Planning & Zoning Chairman Gary Renola called the meeting to order at 5:00 pm and present were members Derrell Picha, Guy Rodgers, Scott Reynolds, and Gary Renola. Pledges were conducted.

1. PUBLIC COMMENTS AND ANNOUNCEMENTS

The following citizens gave public comments:

Kevin Lilly	1825 Wallington Lane, Seabrook Tx	Traffic and warehouse
Debrah Delucia	929 Mystic Village, Seabrook Tx	Crime, traffic, warehouse
Katrinia Mcguire	1818 Wallington Ln, Seabrook Tx	Traffic, warehouse, small business
Denise Shaefer	1302 Plymoth Rock, Seabrook Tx	Traffic and warehouse
Richard Green	2009 Yorktown Ct, Seabrook Tx	Traffic at Red Bluff intersection
Chris Isreal	1426 Cottage Cove Ct. Seabrook, Tx	Warehouses
J.P. Byers	3663 NASA #414, Seabrook, Tx	Council, traffic, Port

2. SPECIFIC PUBLIC HEARING

Planning & Zoning Chairman Renola and Mayor Kolupski opened the Public Hearing at 5:27 pm.

2.1 Conduct a Joint Public Hearing on 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.

Deputy City Manager Sean Landis presented the final PUD. Chairman Renola asked about a traffic plan. Mr. Landis stated that TxDOT had not given given permits to the applicants for access onto 146. Chairman Renola asked about Port of Houston's power over the properties in that area. Mr. Landis stated that the Port planned to build commercial properties along 146 and they are aware that traffic must be improved. The City was told the 146 and Red Bluff intersection was already in the plan to be widened and improved.

Member Guy Rodgers asked if the Seabrook Police Department could patrol 146 and the roads in the area, and Mr. Landis stated they could. He asked if the City had any control over State Hwy 146 and Mr. Landis stated that the City had no control over that road.

The following citizens gave public comments:

J.P Byers	3663 NASA #414, Seabrook Tx	Asked for property clarification
Denise Schaefer	1302 Plymoth Rock Ln., Seabrook Tx	Traffic needs before approval

Chris Isreal	1426 Cottage Cove, Seabrook Tx	Increased patrol on roads near property
Kevin Lilly	1825 Wallington Ln, Seabrook Tx	Railroad traffic
Katrinia Mcguire	1818 Wallington Ln, Seabrook Tx	Traffic control around property
Rob Alborn	Mystic Village, Seabrook Tx	Mapping of area and traffic

The Public Hearing was closed by Mayor Kolupski at 6:05 pm.

Motion:	To Adjourn by Planning & Zoning
Made By:	Member Picha
Seconded By:	Member Rodgers
Vote:	Passed unanimously by all present

Motion:	To Adjourn by Council
Made By:	At-Large Position 1 Rasco
Seconded By:	At-Large Position 4 Giangrosso
Vote:	Passed unanimously by all present

Chairman Renola and Mayor Kolupski adjourned the meeting at 6:05 pm.

APPROVED: _____ DATE: _____
Thomas G. Kolupski
Mayor

ATTEST: _____
Rachel Lewis, TRMC
City Secretary

APPROVED: _____ DATE: _____
Gary Renola
Chair

ATTEST: _____
Kiarra Bello
Administrative Assistant



MEETING MINUTES
AUGUST 6, 2024

SEABROOK CITY COUNCIL
REGULAR CITY COUNCIL MEETING

Mayor Thom Kolupski called the Seabrook Council Meeting to order at 6:16 p.m. in the Council Chambers in Seabrook City Hall. Present were City Councilmembers Thom Kolupski, Buddy Hammann, Jackie Rasco, Rob Hefner, Tom Tollett, Michael Giangrosso, 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:

Aaron Burton	2217 Scenic Shore Dr., Seabrook Tx	Recording of meetings
Chris Isreal	1426 Cottage Cove, Seabrook Tx	Law firm, police station
J.P. Byers	3663 NASA #414, Seabrook Tx	Support Barge 295 and livestream
John Barnett	22 Lakewood Ln, Seabrook Tx	Barge 295 noise & violations

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

Councilmember Hefner announced the following events:
First Responders Day August 7, 2024 at Meador Library
Movie Night at Meador Park August 17, 2024

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.

Mayor Kolupski presented the Eco-Star Award to the Cats of Seabrook Point group for establishing a trap-neuter-release program on Seabrook Point.

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

Paul Robertson presented the report to Council about the 2024 Texas Outlaw Challenge. **See attachment A.**

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.

Motion:	To Approve the Consent Agenda
Made By:	Mayor Pro Tem, At-Large Position 5 Hammann
Seconded By:	At-Large Position 4 Giangrosso
Vote:	Passed unanimously by all present

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.

Multimedia Producer Michelle Barnabo presented the outcome of the pilot program analytics. **See attachment B.**

Motion:	To Approve Live Stream the Meetings with Comments and no Chat
Made By:	At-Large Position 1 Rasco
Seconded By:	At-Large Position 2 Hefner
Vote:	Passed unanimously by all present

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.

Deputy City Manager Sean Landis informed Council Planning & Zoning met and was recommending that Council approve the PUD. The vote by Planning & Zoning was unanimous. **See attached recommendation C.** Councilmember Rasco asked about the traffic plan by TxDOT. City Manager Gayle Cook stated the street improvements were scheduled for about one year away according to TxDOT.

Motion:	To Approve
Made By:	Mayor Pro Tem, At-Large Position 5 Hammann
Seconded By:	At-Large Position 2 Hefner
Vote:	Passed with Councilmembers Hammann, Giangrosso, Tollett, Hefner and Mayor Kolupski voting in favor, and Councilmembers Rasco and Machol voting opposed.

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.

Owner of the Barge295, Mike Robinson, presented the reasons why they were requesting the additional variances, amendments to the current agreement with the City. The City Attorney explained if zoning ordinance changes were requested, those could not be approved by Council without zoning ordinances being changed through the legal processes.

Motion:	To Approve the tent use
Made By:	At-Large Position 1 Rasco

Seconded By: At-Large Position 6 Machol
Vote: **Passed** unanimously by all present

- 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.**

Councilmember Rasco requested that non-essential work not take place during disasters until there is approval from the City. City Manager Gayle Cook stated that verbiage in future contracts could include this approval.

- 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.**

City Manager Gayle Cook presented the amendment. **See attachment D.**

Motion: To Approve
Made By: Mayor Pro Tem, At-Large Position 5 Hammann
Seconded By: At-Large Position 4 Giangrosso
Vote: **Passed** unanimously by all present

- 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.**

Motion: To Approve
Made By: Mayor Pro Tem, At-Large Position 5 Hammann
Seconded By: At-Large Position 2 Hefner
Vote: **Passed** unanimously by all present

- 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.**

Motion: To Approve
Made By: At-Large Position 6 Machol
Seconded By: Mayor Pro Tem, At-Large Position 5 Hammann
Vote: **Passed** unanimously by all present

- 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.

Motion: To Approve
Made By: Mayor Pro Tem, At-Large Position 5 Hammann
Seconded By: At-Large Position 1 Rasco
Vote: **Passed** unanimously by all present

- 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.**
-

Motion: To Approve
Made By: Mayor Pro Tem, At-Large Position 5 Hammann
Seconded By: At-Large Position 1 Rasco
Vote: **Passed** unanimously by all present

- 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.**
-

Motion: To Approve
Made By: Mayor Pro Tem, At-Large Position 5 Hammann
Seconded By: At-Large Position 2 Hefner
Vote: **Passed** unanimously by all present

- 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.**
-

Motion: To Approve
Made By: Mayor Pro Tem, At-Large Position 5 Hammann
Seconded By: At-Large Position 2 Hefner
Vote: **Passed** unanimously by all present

- 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.**
-

Motion:	To Approve
Made By:	Mayor Pro Tem, At-Large Position 5 Hammann
Seconded By:	At-Large Position 3 Tollett
Vote:	Passed unanimously by all present

6. EXECUTIVE SESSION

Mayor Kolupski moved this item to take place before item 5.2. He adjourned into Executive Session at 7:40 pm.

- 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

Mayor Kolupski moved the meeting back into Regular Session at 8:23 pm stating no action was taken.

8. DISCUSSION

- 8.1 Discussion of the trees and live wires over East Meyer for future disaster planning.**

Councilmember Machol requested information about future plans for the trees around the live wires on East Meyer. He requested police, fire, or city staff be posted at these types of locations in the future. Councilmember Tollett asked Chief Nelson if an officer could have been placed there and Chief Nelson stated that would have taken an officer off patrol when they were needed at the time. Councilmember Rasco asked if an empty police car could be placed at those types of locations and Chief stated that would bring concerns with vandalism and other liability issues. City Manager Cook stated signs had been printed for these areas for use in the future.

- 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.**

Councilmember Machol requested information concerning FEMA's response for restroom facilities in flood zones. Deputy City Manager Landis clarified the ordinance and the FEMA response. **See attachment E.**

- 8.3 Discussion of a policy requiring interviews of three (3) candidates by the City Council for selection of a City Attorney.**

Councilmember Machol requested information regarding a requirement for Council to interview three candidates when choosing a City Attorney. City Manager Cook stated she researched the past meeting when the City Attorney was chosen, and she informed Council at the time that the Texas Government Code did not require three bids to be considered because City Attorneys are exempt from that requirement. However, there were three bids considered at the time an interim City Attorney was initially chosen, even though there was no requirement to do so.

- 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.**

Councilmember Machol requested a monthly financial report be presented to Council at each first meeting of the month. Finance Director Mike Gibbs explained this was presented monthly in the past but Council requested the reports be emailed and posted

on the website monthly instead. He also informed Council the report could not be ready at the first meeting of every month due to the financials taking longer to close out each month. City Manager Cook stated this could be added back into Routine Business for future meetings.

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.

City Manager Cook presented the report. **See attachment F.**

9.2 Establish future meeting dates and agenda items.

City Secretary Rachel Lewis informed Council the next meeting would be a Budget Workshop on August 20, 2024 at 5:00 pm, followed by the Regular City Council meeting on the same day at 6:00 pm.

Motion:	To Adjourn
Made By:	Mayor Pro Tem, At-Large Position 5 Hammann
Seconded By:	At-Large Position 4 Giangrosso
Vote:	Passed unanimously by all present

The meeting was adjourned at 9:46 pm.

APPROVED:

Thomas G. Kolupski
Mayor

DATE:

ATTEST:

Rachel Lewis, TRMC
City Secretary

ATTACHMENT A

17TH ANNUAL TEXAS OUTLAW CHALLENGE 2024



**JOIN US FOR THE 2024 OUTLAW
ROUND-UP**
June 20 - 23, 2024

SALOON Street Party
EXTREME Shoot Out
2-DAY POKER RUN
OUTLAW Pool Parties
CASINO Charity Gala

Register Online At:
TexasOutlawChallenge.com



2024 TEXAS OUTLAW CHALLENGE: LOCAL REVENUE SUMMARY

Event Date: June 19-23 (representing 17th Annual)

Attendance Base: 100+ Poker Run boats & 1500 guests + (New) 250+ Fishing Tournament

TRANSPORTATION

- 100 boats (200gal fuel tanks) = 20,000 gals x \$5.25 = \$105,000
 - o \$105,000 x two fill-ups = \$210,000
- 40 Non-local participant trucks (boat towing) x 60 gallons (re-fuel) = 2400 gal x \$4.00 = \$9600
- Rental Cars (40) x \$150 = \$6000 + Fuel (40x15galx\$4.85) = \$2910.
- **TOTAL TRANSPORTATION = \$228,510**

ACCOMMODATIONS

- Event is a 4 night evening-stay activity
- **Non-Local: Vendors + Visiting Weekend Spectators = 100 Rooms (estimate) = 400 Room Nights**
- **Non-Local: Registrations (from Registration Form):** 50 boats = 100 (Captain and 1st Mate) + 284 Crew = 384 Non-Local Guests
- 384 persons is represented by 50 couples, and 284 singles
 - o COUPLES: 50 divided by 2 = 25 rooms (couples) x 4 night event-stay = **100 room nights**
 - o SINGLES: 284 rooms – (55% sharing a room) = **156 rooms** x 4 night event-stay = **624 room nights**
- Fishing Tournament: 150 participants and vendors (estimate 30 rooms for 2 nights) = **60 room nights**
- Average room night cost including taxes = \$150
- **TOTAL ACCOMODATIONS = (200+100+624+60) = 984 Room nights x \$150. = \$147,600**

FOOD & BEVERAGE (Event Participant Purchases)

- Thursday: Event Food = \$3000.00
- Thursday Evening: Beverages = 900 participants x 2drinks x \$7.00 (average) = \$12,614.00
- Friday Breakfast: 900 x \$8.00 = \$7200.00
- Friday Lunch: 900 x \$20.00 = \$18,000.00
- Friday Evening: \$13,500.00
- Friday Afternoon/Evening: Beverages = 1500 participants x 3drinks x \$6.00 (average) = \$27,000.00
- Saturday (Event food): \$18,000.00
- Saturday Beverages: = 1500 participants x 3drinks x \$7.00 (average) = \$31,500.00
- Sunday Lunch and Beverages: 500 x \$10.00 = \$5000.00
- Weekend grocery purchases: On-board boat and hotel room groceries:
 - o Visiting Guests Purchases: 900 x (\$10 each of 4-days) = \$36,000
 - o Boat Groceries and Beverages: 170 x \$100 = \$17,000
- **EVENT FOOD & BEVERAGE = \$188,804.00**

LOCAL EQUIPMENT RENTALS AND SUPPORT PURCHASES

- Tent rentals and banquet supplies = \$25,500
- Security = \$8500
- Sanitation = \$4000
- Media Helicopter and Photo Staff = \$7500
- Local Food Purchases and labor prep for banquets = \$11,500
- Support Equipment & Shipping = \$11,000
- Guest shuttles (during late evenings) = \$2500
- Local Labor and infrastructure for event production = \$12000
- **TOTAL = \$82,500.00**

ADVERTISING (National & International Marketing)

- Local Banner/Signage Services = \$6500
- Local Advertising & Ad Merchandise Purchases = \$24000
- Local Award Purchases for Sponsors and Guests = \$9800
- Advertising Printing and Packaging Purchases = \$9000
- National Magazine Ads - \$7000
- Distribution to National Clubs and Newsletters - \$2500
- Local and National Mailing - \$3500
- Website Advertising Management - \$7500
- Media Relations Support - \$8000
- Exposure and Audience Reach Program (Local, State, National & International) - \$25,000
- Marketing & Communications Management Service - \$4200
- **TOTAL = \$103,950.00**

2024 TOTAL Estimate: “SUPPORTING LOCAL COMMERCE”= \$751,364



EVENT COST SUMMARY

Event Dates: June 19-23, 2024

Attendance: 100+ Boat Teams & 1500 Guests + 1000+ Spectators

EVENT COSTS: (rounded to nearest 100)

Advertising:

- Local Banner/Signage Services = \$10,000
- Local Advertising Purchases = \$10,000
- Advertising Shirt Design and Production = 16,500
- Advertising Printing and packaging = \$8000
- National Magazine Ads = \$6500
- Marine Clubs and Newsletter Production: \$4500
- Local and National Mailing - \$3500
- Website Production and Advertising Management = \$7500
- Media Relations Management and Support = \$7500
- Advertising Exposure and Outreach Campaign (Local, State, National, International) = \$25,000
- Pre-Event marine function(s) advertising articles = \$8000
- TOTAL Estimate: \$107,000**

Transportation:

- Event Shuttles = \$2500
- VIP Support = \$2000
- Helicopter (x3) Support = \$6600

Food & Beverage:

- Wednesday Volunteers = \$1000
- Wednesday Welcome = \$2500
- Thursday Registration = \$4000
- Friday Breakfast = \$500 (Captains only)
- Friday Lunch = \$10,500
- Friday Dinner = \$8000
- Saturday Breakfast = \$2500 (All Crews)
- Saturday Lunch Event = \$26,000
- Saturday Dinner Event = \$19,000
- Sunday Lunch = \$2500

Safety & Security:

- Ambulance Services (x2) = \$1600
- Safety Dive Team = \$1200
- Emergency Response Watercraft (x4) = \$2000
- Helicopter Standby Service = \$3500
- GPS Speed Limit Devices (x100) = \$2000
- Safety Flags and Buoys = \$2800
- Security = \$2500

Local Equipment and Infrastructure Rentals and Contracting:

- Sanitation = \$4800
- Tenting = \$5500
- Dockage and Site Reservation(s) Contracting = \$5000
- Dock Preparations (Additional Safety) = \$2500

Shipping:

- Sponsor/Vendor Support= \$5000
- Participant Packages = \$2500
- Magazine Ad Distribution = \$2500

Accommodations:

- Complimentary VIP (3) = \$2000
- National Photography Crew = \$1000
- Media Crew = \$1200
- National Magazine Representatives/Editors = \$1000

Awards:

- Appreciation for Sponsors = \$6000
- Event Winners = \$10,000
- VIP's = \$4000

TOTAL EVENT COSTS = \$263,200





20 YEAR HISTORY: COMMUNITY IMPACT PERFORMANCE

TEXAS OUTLAW CHALLENGE

20 YEAR HISTORY: Community Impact Performance

Statistics of Event History	Number of Participant Boats/Guests	Total Event Production Costs	Advertising Local & National	Number of Local Volunteers	Summary of Commerce to Local Area Business
2008	25/300	\$54K	\$12K	12	\$98,455.
2009	38/425	\$83K	\$15K	16	\$165,225.
2010	51/600	\$94K	\$17K	20	\$225,340.
2011	83/1000	\$104K	\$19K	25	\$302,999.
2012	127/1500	\$130K	\$24K	75	\$667,805.
2013	165/1800	\$170K	\$77K	75	\$913,498.
2014	200/1700	\$180K	\$75K	70	\$983,250

TEXAS OUTLAW CHALLENGE

20 YEAR HISTORY: Community Impact Performance

Statistics of Event History	Number of Participant Boats/Guests	Total Event Production Costs	Advertising Local & National	Number of Local Volunteers	Summary of Commerce to Local Area Business
2015	225/1800	\$198K	\$85K	45	\$1.M
2016	230/2000	\$220K	\$87K	50	\$1.1M
2017	233/2000	\$250K	\$90K	47	\$1.M
2018	190/1950	\$275K	\$85K	47	\$940,625
2019	175/1875	\$290K	\$80K	45	\$920,400
2020	COVID				
2021 (Estimate)	165/1800	\$326K	\$78K	46	\$913,348

TEXAS OUTLAW CHALLENGE

20 YEAR HISTORY: Community Impact Performance

Statistics of Event History	Number of Participant Boats/Guests	Total Event Production Costs	Advertising Local & National	Number of Local Volunteers	Summary of Commerce to Local Area Business
2022	160/1800	\$300K	\$93K	42	\$973,200
2023	90/1200	\$250K	\$87K	46	\$743,790
2024	110/1500	\$263K	\$107K	45	\$751,400
2025 Estimate	150/1700	\$276	\$112	45	\$1.M
2026	TBD	TBD	TBD	TBD	\$TBD
2027	TBD	TBD	TBD	TBD	\$TBD
2028	TBD	TBD	TBD	TBD	\$TBD



MARKETING STRATEGY



2024 Texas Outlaw Challenge & Texas Air Land & Sea Fishing Tournament Marketing and Promotions



2024 Marketing and Promotions for the Texas Outlaw Challenge and the Texas Outlaw and the Texas Air Land & Sea Fishing Tournament was implemented in January 2023. Exposure and Audience Reach was via: Traditional Marketing, Social Media, Digital, Broadcasting, Internet, Website, Radio, Sponsor co-promotions, direct mail, e-blast, retail promotions, banners, marketing and public relations campaign to name a few. Note this is an overview of the Marketing and PR Campaign and does not include all marketing as some items have expired or some items via Broadcasting were live mentions and were not recorded. The Facebook Page, Website, Post Event follow-ups and updates for The Outlaw Challenge are constantly being updated with new updates and posts - reach/views are constantly expanding.

The Texas Air Land & Sea Fishing Tournament expanded the reach via follower through joining over 40 fishing groups for expanded exposure. Social media is expansive, this marketing overview shows a few examples of various FB pages, Instagram, Twitter, Snapchat YouTube; however, cannot encompass all the posts, reposts and organic social media that is supplement via Texas Outlaw Challenge sponsors, advertisers, supports, and followers.



Media/Marketing Outlet	Marketing Type	Distribution	Impressions/Reach/Views Visitors/Likes /Circulation
National/International Industry Publications (Print and Digital)     	<u>Major National Industry Magazines</u> <i>SpeedBoat Magazine: Full Page Color Ads, Cover Story in 1st Quarter, Pre-& Post Event Coverage and Event Coverage; Video and Links, FB Posts. Eblast and full event coverage in August issue. On-site coverage and article. Social Media coverage on the full 3-day event Helicopter coverage</i> <i>August 2024 issue to be released with full event coverage.</i> <i>Speed on The Water: Event highlights full page ads and calendar of events. Social Media promotions</i> <i>Offshore Only.com: Promotions, add and articles. On-line supplemental promotions</i> <i>Powerboating in Paradise - Add it to the monthly Magazine and mentions on the calendar. Distribution of Magazine at various events.</i> <i>Onsite coverage by Speedboat, Poker Runs America and Circus Media</i>	National and International     	1,614,885

Broadcast – Radio



Clear Channel



Online event Calendar Listing on FB - Clear Channel Media Group: KBME - Sports radio, KODA-FM - Adult contemporary music, KPRC - Talk radio, KQBT - Classic Rock, KTBZ-FM - Alternative rock, KTRH-AM - News Talk radio- *Reach via full broadcasting numbers* Online Event Calendar inclusion. Additional Pod Cast for the event

Local

455,100 Reach

Broadcasting- Television



Mentions on Website- Listing on Community Calendar of Events for Local TV (ABC, NBC, CBS & CW)
Texas Outlaw Challenge Promotional Video was sent to each station with an invite to attend.

VHF 69 Radio Broadcast of the Shootout Races on Friday - 2 Hours.
Face Book live via Texas Outlaw Challenge FB for 3 hours.

Local

547,500 Impressions

Event Advertisers / Sponsors, Manufacturers Cross Promotion – Local Area Merchants, Hotels, Charities



Over 80 sponsors - this is a small sampling of promotional & co-promotions with sponsors via their websites, social media, E-blasts, postcard distribution and promotions Manufacturers/Dealers promotions via websites and FB.

Recognition and thanks to the cities, mayor and council of Seabrook, Kemah and Nassau Bay for their support.

This most significant performance boating event in Texas that supports a number of local Texas cities - Clear Lake, Nassau Bay, Kemah, El Lago, Pasadena, Seabrook, Baytown League City, San Leon, and Galveston!

Location Sponsors: Beacon Hill Guest House Bed & Breakfast, Best Western, Boardwalk Inn, Comfort Inn & Suites, Holiday Inn Kemah, The Hampton Inn Houston NASA, Clipper House Inn, Palm Lodge and Breakfast, Hilton Houston, Quality Inn Yacht Basin, Springhill Suites, La Quinta, Palm Lodge Bed and Breakfast, Old Parsonage Guest Houses Bed and Breakfast, Courtyard by Marriott Houston NASA

Local, Regional with some national organic distribution

380,240 Reach



Special thanks to all our sponsors for their support! (Add a link to the sponsors here)

Thank you to the Cities of Seabrook, Kemah, Nassau Bay, Pasadena, El Lago, Clear Lake Shores, and League City for their support and sponsorship!

Shoutout to the volunteers!

See you at the Texas Outlaw Challenge



MARKETING CONT.

Face to Face Promotions	Events Regional/National: The following are a few of the major events: Desert Storm Poker Run & Shootout, 1000 Island Poker Run, Lake Travis Power Boat Club, Tic Faw 200 Poker Run, World Finals Offshore Boat Races – Key West, Florida, Miami Boat Show, Lake of the Ozarks, TOPPS, TOPPS – Conroe, Texas, Powerboat Association, Possum Kingdom Muscle Boat Association, Orange Beach Flora Bama Run, Florida, Dallas, Texas Regional NHRA, Belle Rosa, LA NHRA; Tulsa, Ok NHRA to name a few. On-site promotions and distribution of invitations; full page ads, banners, exhibits, public relations, social media & website promotions.	Local, Regional & National	52,550 Reach
Face to Face Promotions continued with For the Texas Air Land & Sea Fishing Tournament	Participated in over a dozen- attending various fishing tournaments, support with booth and entry fees in each. Distribution of promotional material for event: Jackie's Brickhouse, Got Fish Expo, First Responders Fishing Tournament, Galveston Fishing Charters, Houston Fishing Show - GRBCC, The Boaters Club Clear Lake Member Meeting, Pat Doyle 20th Annual Fishing Tournament, and Sisters Helping Sisters Fishing, 27th annual AADE Saltwater Fishing Tournament, Pasadena Rodeo to name a few. Also, hand distribution of invitations to over 40 businesses		

Magazines – Print & Digital (Local)	Support from local area magazine Post show overview of the event promotions via Social Media and on site. promotions: event coverage via FB live, Promotions. Calendar listings in Culture Map, Texas Mariner, Bay Area Houston, Gulf coast Mariner and to name a few in addition to the fishing magazines for the Texas Air, Land & Sea Fishing Tournament and all supplemented with social media.	Local/ Regional	147,500 Circulation
Newspaper Print & Digital	Houston Chronicle, Houston Community Newspapers 26 Regional Papers; Culture Map, Galveston Daily News - includes calendar listing on the website and FB. Listing via website for Houston 365 – Top Things to do in Houston. Circulation number reflects the entire circulation of the media.	Local/ Regional	960,612 Circulation
Promotional Material / Public Relations	A comprehensive assortment of Promotional material and Public Relations was used for the event. Included by not limited to Invitations, Flyers, Banners, Postcards, Tents, Banners, Maps, Tents, Newsletter, Poker Run Punch Card, Advertiser Promotions, Public Admission, Press Releases, E-blasts Promotions (National/Regional/Local) Sponsors were included in the Public Relations Campaigns and on-site signage.	Local/ Regional /National	65,695 Reach

Marketing Cont.

Social Media General 	This is an <u>exceedingly small sampling</u> of the general FB, Twitter, Instagram, Social Media, YouTube – General / Organic was supplanted with Event expanding to Twitter, Instagram and Snapchat. Included Texas Outlaw Fishing Tournament and Videos. Note, a majority of the social media information will be found in the Official FB Social media section. This is only a sampling	Organic 	827,220 Views/Followers
Official FB Pages / Social Media 	Daily Postings, Pre-Posting, reposting, Shares, Likes and Paid Promotions; Heavy Social Media Coverage, Video Posting and Outreach, Media Postings, Features. Two FB Pages Community and 2 Group and the addition of the Texas Air Land & Sea Fishing Tournament FB Page. Over 800 Posts since in 2024 in addition to the reposts and shares. Coverage various social media, video, YouTube, Reels and Facebook Live. This includes joining 40 fishing groups and informing members of the new event. This does not include an organic reach. 	Local/Regional /National/ Organic 	1461825 Reach Views 13000 - Followers
www.Texasoutlawchallenge.com  https://www.txoutlawtournament.com/	Official Website for both events - Key information and promotion vehicle. Six months of promotions – with the maximum promotion the last two months prior to the event. 	Local/Regional /National/ Organic	47104 Page Views

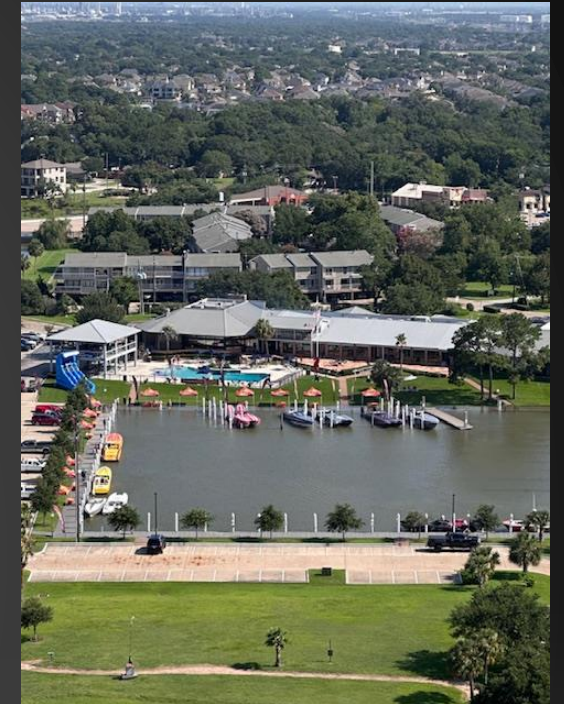


Dear Outlaws and Performance Boating Enthusiasts,

Get ready to wrangle the wildest rides and gear up for the Lone Star State's hottest event . . . the Texas Outlaw Challenge!



Spanning four action-packed days, this event is a Texan extravaganza celebrating high-end performance boating. Join us for the Stampede Street Party, lock horns in the Shoot-out with the big guns, cruise through the Poker Run with thrilling stops, dive into pool parties, vie for Outlaw awards, and culminate the adventure at the Finale Gala!





EVENT PROGRAMS

ATTENDANCE

TEXAS OUTLAW CHALLENGES HOSTS AN EVENT IN A VARIETY OF PLACES: LAKEWOOD YACHT CLUB, STREET PARTY, SHOOTOUT ON THE LAKE, 4 POOL PARTIES, POKER RUN CHARITY CASINO AND AWARD EVENT AND MORE,

AND HAS EXPANDED ATTENDANCE AT EACH EVENT.

Number of Participant Boats/Guests

110/1500 PLUS



TEXAS OUTLAW CHALLENGE 2024 EVENT SCHEDULE		
<i>Registered Participant armbands MUST be worn for entry into event activities.</i>		
TIME		LOCATION
Monday, June 17 th	On-Line Registration Deadline (Midnight)	
Wednesday June 19	WELCOME OUTLAWS (Early Arrival)	
► 7PM-10PM	SHOOTER Pre-Party! (NEW)	Sammy G's
Thursday June 20	REGISTRATION & STAMPEDE STREET PARTY	
► 9AM-4PM	Team Arrivals	Clear Lake Area
► 11am-2PM	LOADED GUN FUN RUN Sponsor Appreciation (NEW)	Houston Yacht Club
► 6PM-9PM	GUNSLINGER Poker Run Captain Bag Pick-up (Mandatory)	Landry's @ Kemah Boardwalk
► 6PM-11PM	STAMPEDE Street Party: Bars & Bands, Extreme Boat Displays	Kemah Downtown
Friday June 21	OUTLAW SHOOTOUT	
► 8:30AM Sharp	SHOOT-OUT Boats (Only) Mandatory Safety Meeting (NEW)	Lakewood Yacht Club
► 9:AM	SHOOT-OUT Boat Staging	Lakewood Yacht Club
► 10:00 – NOON	SHOOT-OUT Competition – “OFFSHORE OUTLAWS”	Seabrook Clear Lake Course
	<i>Note: Clear Lake – NO WAKE Zone: 8AM – NOON</i>	
Friday June 21	GUNSLINGER POKER RUN (Day 1)	
► 9:00AM (Stop)	GUNSLINGER Poker Run Mandatory Safety Meeting – Captains Only	CABO Club
► 1PM-5PM (Stop)	MOST WANTED OUTLAW Pool Party/Lunch, Presented by DH TECH	Kenny's Casa
	<i>Random: (Stops) Bayland Marina-O'Neils, Blue Marlin, Marina Bay Harbor Marina</i>	
► 5PM-7PM (Stop)	HANG'EN HIGH @ “Topwater Oasis” Palapa Bar & Dinner	Topwater Grill
► 7PM (Stop)	RAFT-OFF at SAMMY G'S (NEW)	Sammy G's
► 7PM-2AM	OUTLAW ROUNDUP: Corral your OUTLAWS at your favorite watering holes	
Saturday June 22	GUNSLINGER POKER RUN (Day 2)	
► 10AM	SHOTGUN Boat Parade (random departure)	Kemah Boardwalk
	<i>Random: (Stop) Bayland Marina-O'Neils, Blue Marlin, Marina Bay Harbor Marina</i>	
► 12PM- 3PM (Stop)	GUNSLINGER POOL & LUNCH	Harborwalk
► 4PM-7PM (Stop)	ACE IN THE HOLE “Champagne Showcase” Dockside Party	Pier 6
► 7PM-11PM (Stop)	OUTLAWS Awards Finale & Charity Casino (NEW)	Hilton Hotel Ballroom
ALL CARDS (POKER GAME PLAY) MUST BE COMPLETED BY 10:30 PM		
Sunday June 23	WOUNDED KNEE Pool Party	
► 11AM-Afternoon	Presented By: PMC INDUSTRIAL SERVICES (NEW)	Allan's Channel Ranch

PERMITS/INSURANCE

ACORD		CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 06/07/2024	
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.					
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION is WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).					
PRODUCER Wozencraft Insurance Agency 860 North Santiago Street Santa Ana CA 92701		CONTACT NAME: Devin Wozencraft PHONE: (AC, No. Ext.) 714-263-2626 FAX: (AC, No.) 866-538-7660 EMAIL: dwozencr@wozencraftinsurance.com PRODUCER CUSTOMER ID #:			
INSURED Offshore Thunder Productions, LLC 4600 Country Club Dr Dickinson, TX 77539		INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia Indemnity Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:			
COVERAGES		CERTIFICATE NUMBER:		REVISION NUMBER:	
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.					
INSURANCE	TYPE OF INSURANCE	ACORD FORM	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)
A	GENERAL LIABILITY		EV141935	06/19/2024	06/24/2024
	☒ COMMERCIAL GENERAL LIABILITY	☒ X			
	☐ CLAIMS-MADE ☒ OCCUR				
	☒ Liquor Liability				
	☒ Special Event Liability				
	GEN'L AGGREGATE LIMIT APPLIES PER:				
	☒ POLICY ☐ PRO. ☐ LOC				
	AUTOMOBILE LIABILITY				
	ANY AUTO				
	ALL OWNED AUTOS				
	SCHEDULED AUTOS				
	HPIED AUTOS				
	NON-OWNED AUTOS				
	UMBRELLA LIAB				
	EXCESS LIAB				
	DEDUCTIBLE				
	RETENTION				
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				
	ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/ MEMBER EXCLUDED?	Y/N	N/A		
	(Mandatory in NH)				
	SPECIAL ENDORSEMENTS BELOW				
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)					
CERTIFICATE HOLDER		CANCELLATION			
City of Seabrook 1700 First St Seabrook, TX 77586		SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.			
		AUTHORIZED REPRESENTATIVE			
		Devin Wozencraft <i>Devin Wozencraft</i>			
© 1988-2009 ACORD CORPORATION. All rights reserved.					
ACORD 25 (2009/09) The ACORD name and logo are registered marks of ACORD					
Clear All					

DEPARTMENT OF HOMELAND SECURITY U.S. COAST GUARD			Date Approved
PERMIT FOR MARINE EVENT			
Name of Event Texas Outlaw Challenge	Location Clear Lake, TX	Date of Event 06/21/2024	
Sponsoring Organization Offshore Thunder Productions LLC	Name of Representative (Last, First, MI) Paul Robinson	Title Producer	
Your application for the following event is approved. Special services to be rendered by the Coast Guard are listed. You are reminded that your organization is primarily responsible for safety in the regatta area and that this permit does not relieve you of such responsibility. Participants shall be adequately briefed and their boats equipped as required by law. A permit may also be required by a state, county or municipal agency. This authorization grants no exemption from state or local ordinances. In the event of any change in the information furnished in your application you will notify this office.			
☐ There will not be a Special Local Regulation issued. No restriction is placed on the use of any navigable waters by other parties. Your event shall not obstruct any channel or normal shipping lane, or interfere with any aid to navigation. The Committeeman in Charge shall control participants to prevent conditions hazardous to other craft in the area.			
☒ There will be a Special Local Regulation issued establishing a restricted area and other controls. You will be provided a copy for guidance. The Committeeman in Charge shall control participants to prevent conditions hazardous to other craft in the area.			
☒ There will be a Local Notice to Mariners issued to inform maritime interests and solicit their cooperation.			
☐ There will not be a Regatta Patrol assigned by the Coast Guard.			
☒ There will be a Regatta Patrol assigned by the Coast Guard. The attached instruction for Patrol Commanders outlines their responsibility and authority. You should work out specific details with the Patrol Commander.			
☐ Additional safety equipment is stipulated below.			
1. The Coast Guard assumes no responsibility for the operation of the event, the safety of the participants, the safety of the spectators, the safety of transient craft in the area, or the safety of real and personal property in the area. This responsibility rests solely with the sponsor of this event. Any accident involving property damage, personal injury, or death shall be reported to the appropriate state authority and Coast Guard Sector Houston-Galveston at 866-539-8114 immediately after addressing resultant safety concerns.			
2. In consideration of the granting of this permit, the event sponsor agrees to indemnify, protect, and hold harmless the United States of America, the Department of Homeland Security, the United States Coast Guard, all their officers, agents, and employees, acting officially or otherwise from any and all liability, cost, judgments, demands, clauses, or settlements of every kind and character, due to or by reason of, injury or death to any person whomsoever and damage to any real or personal property whatsoever, which may result in any manner arising out of, or directly related to the activities or mission of the sponsor of the United States of America, its agencies and/or agents, in connection with the event itself.			
3. This permit is valid only for June 21, 2024. Event sponsors are responsible for monitoring hazardous weather, advisories, watches and/or warnings issued by the National Weather Service and advise USCG of cancellation of this event.			
<i>J. W. Morgans</i> J. W. Morgans Commander, U.S. Coast Guard Chief, Prevention Department By direction			
CG-4424 (03/20) PREVIOUS EDITIONS ARE OBSOLETE			
Reset			
Page 1 of 1			

TRIPLE CROWN TEXAS AIR LAND & SEA FISHING TOURNAMENT

JOIN US FOR THE 2024
**TEXAS GULF COAST
PETROCHEMICAL INDUSTRY
"TRIPLE CROWN"**
NETWORKING COMPETITION
Friday, June 14, 2024
\$10,000 in Cash & Prizes!

Presented by:
 **SCS**
SPACE CITY SERVICES

CHARITY AUCTION:
Bid for business
networking
luncheon with
industry VIPs


**TEXAS
AIR LAND & SEA
FISHING TOURNAMENT
GOLF CHALLENGE
SKEET SHOOT**


HOME
HELP OUR MILITARY ENDS
Charity Recipient

Registration includes:
Team entry
Company Booth Display
VIP auction entry

Featuring:
Trophies
Food Buffet
Vendor Village



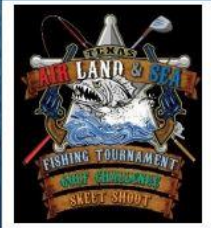
Register On-Line :
TXOutlawTournament.com


SEABROOK

For tournament details contact Paul Robinson 281 702 8744



MARKETING OVERVIEW



Marketing & Promotions 2024 for the Texas Gulf Coast Petrochemical Industry "Triple Crown" Networking Competition - Texas Air Land & Sea Fishing Tournament, Fishing Tournament, Golf Challenge & Skeet Shoot



2024 Marketing and Promotions for the Texas Gulf Coast Petrochemical Industry "Triple Crown" Networking Competition - Texas Air Land & Sea Fishing Tournament, Fishing Tournament, Golf Challenge & Skeet Shoot Tournament is an industry event with a public component. Exposure and Audience Reach was via: Traditional Marketing, Social Media, Digital, Broadcasting, Internet, Website, Sponsor co-promotions, retail promotions, face to face and public relations campaign to name a few. Note this is an overview of the Marketing and PR Campaign and does not include all marketing as some items have expired or some items via broadcasting were live mentions and were not recorded. The Facebook Page, Website, Post Event follow-ups and updates for the event are constantly being updated with new updates and posts - reach/views are constantly expanding. Texas Air Land & Sea Fishing Tournament, Fishing Tournament, Golf Challenge & Skeet Shoot expanded its reach via follower through joining a wide variety of fishing groups for expanded exposure. This marketing overview shows a few examples of various posts; however, cannot encompass all the posts, reposts and organic social media.

Media/Marketing Outlet	Marketing Type	Distribution	Impressions/ Reach/Views Visitors/Likes /Circulation
Broadcast – Radio   	Online Event Calendar - Clear Channel Media Group: KBME - Sports radio, KTRH-AM - News Talk radio - Reach via full broadcasting numbers	Local	125,000

Broadcasting- Television



Online on Website- a listing on Community Calendar of Events for Local TV (ABC, NBC, CBS & CW)
Each entity was sent a promo package and invited to attend.

Local

357,500

Event Advertisers / Sponsors, Manufacturers Cross Promotion – Local Area Merchants, Charities



A sampling of the distribution:

A sampling of the distribution: T-bone Toms, Jackie's Brickhouse, Pomodoro's, Fishing Tackle Unlimited, Dick's, Franks Auto, Topwater Grill, SS Fitness Club, SS Golf Club, Boondoggles, Shafer's, Skippers, Webster Police Station, West Marine, Texas Sportfish, Noah's, VFW San Leon, VFW Webster/LC, American Legion, Top Golf, Cabela's, Yacht Equipment Services, Doxy Tackle, Marina Bay Harbor, Coastline Marine, Gulf Coast Boating Ctr., Texas Marine, Blackburn Marine, Simmons, The Boat Yard, Action Boats, Ron Hoover, Texas Sportfish, Galati Yachts, Smithy's Bait House, Bayou Bait & Tackle, Galveston Bait & Tackle, Fishing Tackle Unlimited, Clear Lake Power Boat Service, Blue Marlin Fuel Dock, Seabrook Marina, Castaway Customs, South Texas Marine Ctr., Serious Tackle, and TopWater Grill

Local

1,260,801



LinkedIn



Connected with companies and organization in the Oil & Gas and Petroleum industry: Small sampling includes Shell, BP Exxon Mobil, Chevron, Conoco Phillips, Marathon Petroleum Corp., Valero, OXY, Phillips 66 with 33 more connections.

Potential
Connections
20,149,941

Face to Face  Promotions 	Events The following are a few of the events That consisted of on-site promotions and distribution of invitations, banners, exhibits, public relations, social media & website promotions. Participated in 24 event attending various fishing tournaments and Oil/Gas and Petroleum Events: 9th Annual First Responders Saltwater Fishing Tournament, , The Boaters Club Clear Lake Member Meeting, Pat Doyle 20th Annual Fishing Tournament, and 11th Annual Sisters Helping Sisters Fishing, 27th annual AADE Saltwater Fishing Tournament, OIG Happy Hour, Barefoot Classic Golf Tournament, ILTA Conference, OTC Conference . Additionally, hand distribution of invitations to over 60 businesses. Included hand distribution for 1 month at Topwater Grill to guests and additional tournaments being hosted at this location.	Local & organic distribution 	7,785
Magazines – Print & Digital (Local) 	Support from local area magazine Post show overview of the event promotions via Social Media and on site. promotions. Calendar listings in Culture Map, Texas Saltwater Angler, Bay Area Houston, and to name a few in addition to the fishing magazines and all supplemented with social media from the same. 	Local, Regional  	Circulation 110,000

Newspaper Print & Digital 	Online - Houston Chronicle, some Houston Community Newspapers; Galveston Daily News - includes calendar listing on the website and FB. <i>Circulation number reflects the entire circulation of the media.</i>	Local	Circulation 211,000
Promotional Material / Public Relations 	A comprehensive assortment of Promotional material and Public Relations was used for the event. Included by not limited to Invitations, Flyers, Banners, Postcards, Banners, Newsletter, Advertiser Promotions, Press Releases, E-blasts Promotions. Sponsors were included in the Public Relations Campaigns and on-site signage. 		7611 Pieces of promotional material 
Official FB Pages / Social Media 	Daily Postings, reposting, shares, likes and Paid Promotions - Heavy social media Coverage. Over 73 Posts. Includes cross promotion via Texas Outlaw Challenge FB pages 	243,160 Reach	

Social Media General



This is a **small sampling** of the general Social Media.

Note, a majority of the social media information will be found in the Official FB Social media section.

Includes joining 60 fishing groups and informing members of the new event.

210 Fishing, All Anglers Fishing Group, Als Gal Sportfishing, Bit ME, Corpus Christi Fishing Group, Fish on Texas, Fishing Girls, Fishing Lake Houston, Fishing Lovers, Fishing SLP, Fishing with Babes, Galveston Bay Area Fishing, Galveston, Saltwater Fishing, Gulf of Mexico Offshore Fishing, Houston Fishing Spots, Houston Freshwater Fishing, Lake Livingston hunting and Fishing Forum, Matagorda Fishing, Next Door, North Texas Fishing Addicts, Port O'Connor Fishing, Rockport Fishing, Saltwater Galveston/Chocolate Bay Area Fishing, Salty Angler, Sister Helping Sisters Fishing Tournament, South Texas Fishing and Outdoors, Texas Gulf Coast Saltwater Fishing Texas Inshore Anglers, Texas Saltwater Fishing, Texas Saltwater Fishing Tournaments, Texas Saltwater kayak Fishing, Texas Wade Fishing, Galveston Bay Kayak Cartel, West End Anglers, Chocolate Bayou Bay Hunting and Fishing, Salty Head Fishing, Kayak Fishing Texas and many more.

texasoutlawchallenge.com/event-introduction/



Official Website for the Event - Key information and promotion vehicle. Months of promotions – with the maximum promotion the last two months prior to the event.

Note: Cross Promotion with the Texas Outlaw Challenge.



Local



825,630 Reach

21,500



THANK YOU TO THE CITY OF
SEABROOK FOR YOUR SUPPORT
AND SPONSORSHIP





CITY COUNCIL VIDEO RECORDINGS

PILOT PROGRAM RECAP AUGUST 6, 2024

THE PILOT PROGRAM



4,071
TOTAL VIEWS



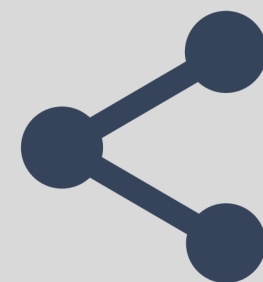
903 HRS+
TOTAL WATCH TIME



13 MIN 18 SEC
AVG. VIEW DURATION



28
SUBSCRIPTIONS



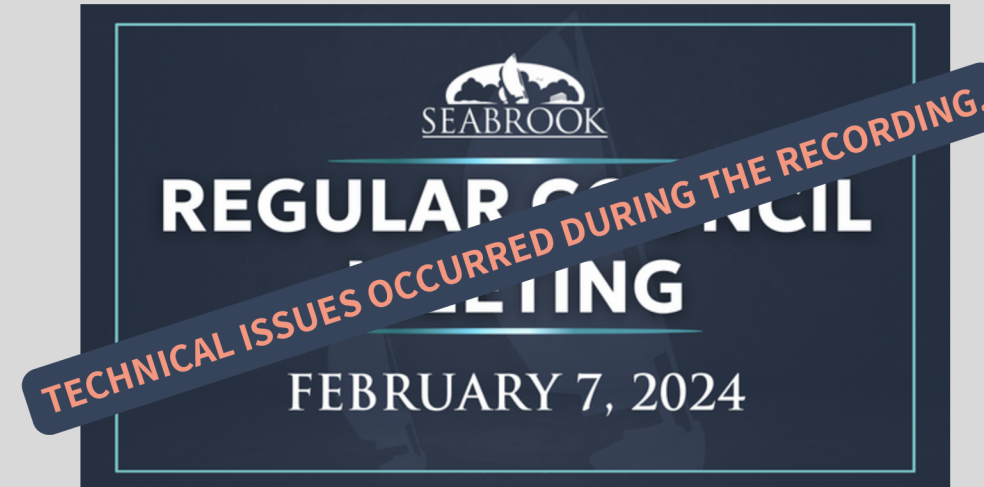
163
SHARES

As of Monday, July 29, 10:15 AM (from Looker Studio Report)

RECORDINGS



16 views in the first 24 hours



19 views in the first 24 hours



73 views in the first 24 hours



67 views in the first 24 hours



75 views in the first 24 hours

RECORDINGS



REGULAR COUNCIL MEETING

APRIL 2, 2024

61 views in the first 24 hours



REGULAR COUNCIL MEETING

APRIL 16, 2024

61 views in the first 24 hours



REGULAR COUNCIL MEETING

MAY 7, 2024

32 views in the first 24 hours



REGULAR COUNCIL MEETING

MAY 21, 2024

21 views in the first 24 hours



REGULAR COUNCIL MEETING

JUNE 6, 2024

16 views in the first 24 hours



SPECIAL COUNCIL MEETING

JUNE 11, 2024

21 views in the first 24 hours



RECORDINGS



16 views in the first 24 hours



615 views in the first 24 hours



6 + 17 views in the first 24 hours



388 views in the first 24 hours

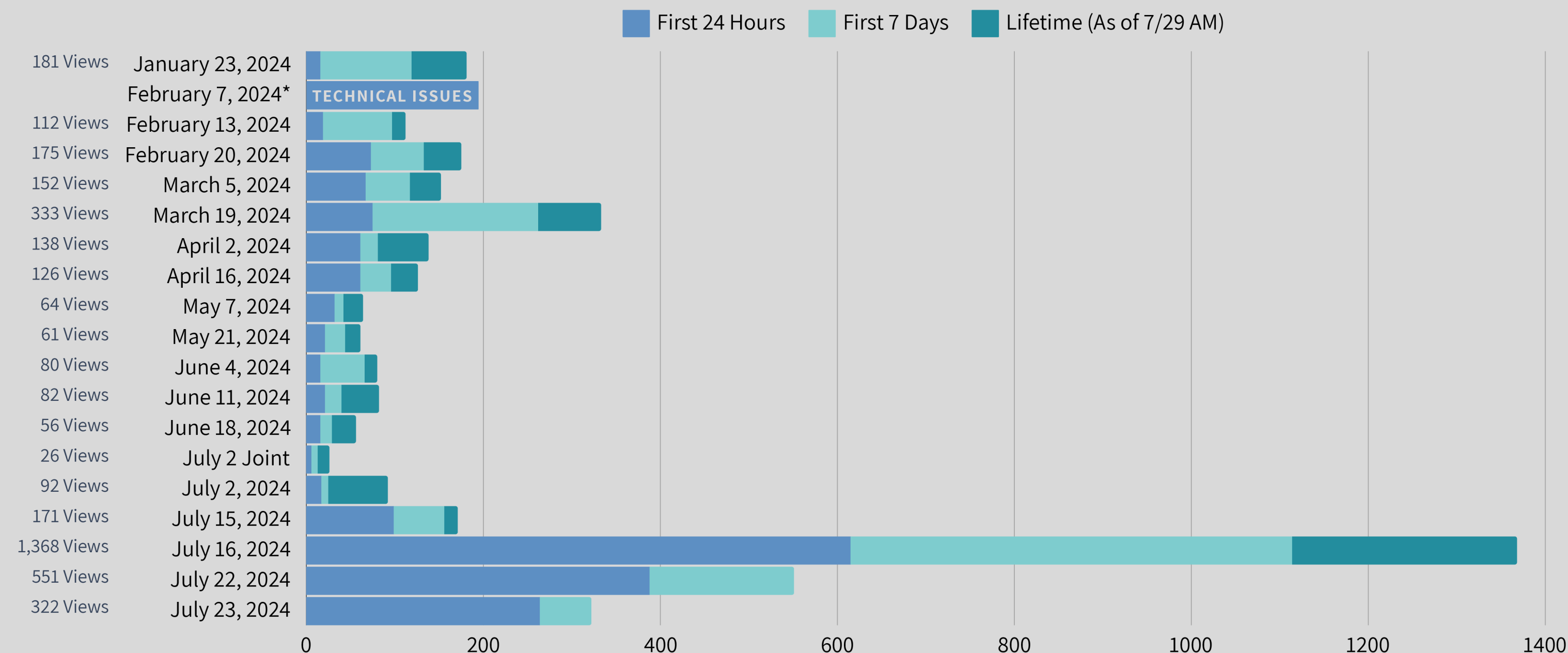


99 views in the first 24 hours



264 views in the first 24 hours
END OF PILOT PROGRAM

RECORDINGS



As of Monday, July 29, 10:15 AM (from YouTube Analytics)



PROGRAM ANNOUNCEMENT

WEBSITE FRONT PAGE



COUNCIL VIDEO RECORDINGS

Did you miss a City Council meeting?
[Read on...](#)

THE ANNOUNCEMENT

CITY NEWS

Posted on: February 26, 2024

Council Video Recordings

The City of Seabrook is now recording its city council meetings on video. If you couldn't make it to a meeting in person, you can watch the recording on our YouTube channel at www.seabrooktx.gov/youtube. Recorded meetings will be uploaded the day following the meeting.

To make things easier for residents, we also offer a catalog of indexed video recordings. An indexed recording includes a list of clickable agenda items next to the video. By clicking on an agenda item from the list, you can jump to that part of the meeting in the video. Indexed meeting videos will be available within 5 days of the meeting date and can be viewed from the agenda by clicking the video camera icon.

- View the latest council recording at www.seabrooktx.gov/councilrecording
- View agendas and minutes at www.seabrooktx.gov/agendas



FACEBOOK

Screenshot taken June 25, 2024

VIDEO INDEX

WWW.SEABROOKTX.GOV/COUNCILRECORDING

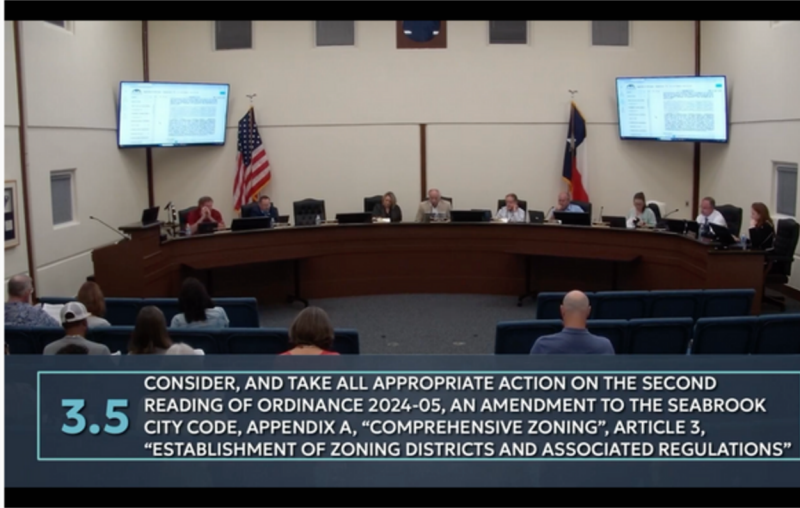
Interact with the Agenda and Meeting Management agenda in the same window.

Click on an agenda item on the right to watch the item's discussion on the left.



[Return to Session Listing](#)

REGULAR CITY COUNCIL MEETING



3.5 CONSIDER, AND TAKE ALL APPROPRIATE ACTION ON THE SECOND READING OF ORDINANCE 2024-05, AN AMENDMENT TO THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS"

3.4 Consider and take all appropriate action on the second reading of Ordinance 2024-01, a request to amend the Code of Ordinances of the City of Seabrook, Appendix A, Comprehensive Zoning, Article 4, Special Use Regulation, by creating a new Section 4.27 entitled Portable On-Demand Storage Container to establish associated regulations

3.5 Consider, and take all appropriate action on the second reading of Ordinance 2024-05, an amendment to the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 3, Establishment of Zoning Districts and Associated Regulations

4. NEW BUSINESS

4.1 Consider and take all appropriate action on a recommendation by the Open Space and Trails Committee for the addition of Solar Lighting at Meador Park to the City's Capital Improvement Program under Park Projects, with an estimated project cost of \$77,000.00

Closed Executive Session

Open Session Reconvenes

[+ Share](#)

[Interactive HTML Agenda](#)



Agendas & Minutes - Seabrook, TX

City Council Meeting - March 05, 2024

[SIGN IN](#)

Meeting Overview

Meeting Media

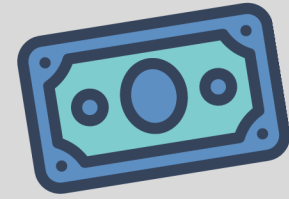
Meeting

1. PUBLIC COMMENTS AND ANNOUNCEMENTS

1 Mayor, City Council and/or members of the City staff may make announcements about City/Community Council

2. PRESENTATIONS





COSTS

STREAMING TO YOUTUBE

- Free
- Unlimited cloud storage
- No custom dictionary for closed captioning
- Resulting video file is technically property of Google, not the city

MULTIPLE MEETING LOCATIONS

- Min \$1,000.00 per room depending on build intricacy
- Open Space & Trails meets at Public Works
- Concurrent meetings would each need to be recorded/streamed in separate spaces

PUBLIC INFORMATION ACT

- \$7,500 yearly +5% annual increase for social media archiving of ALL accounts
- ArchiveSocial by CivicPlus
 - Up to 3,500 new records per month
 - Includes YouTube comments

OFF-CLOUD STORAGE

- Est. \$6,500.00 one-time cost
- Local server for records retention of meetings & comments
- Storage of individual camera feeds each meeting in the event of stream malfunction

PEG CHANNEL & PUBLIC MEETINGS



CURRENT SYSTEM

- RUSHWORKS A-LIST - **Purchased 2020**
- Only outputs to Comcast Channel 16
- Malfunctioning after Hurricane Beryl
- Out of warranty
- Windows 10 operating system
- No admin web interface, must connect via IP address in file manager
- Specific file format needed



ONLINE TRANSPARENCY

- Open Media
- Utilizes YouTube for hosting recordings
- Depends on YouTube automatic captions to create transcription
- Able to chapter/index public meetings



PROPOSED/BUDGETED SYSTEM

- CASTUS
- Sends signal to Comcast Channel 16 with scalability to stream online
- Linux-based operating system
- Admin web interface
- Multi file format support

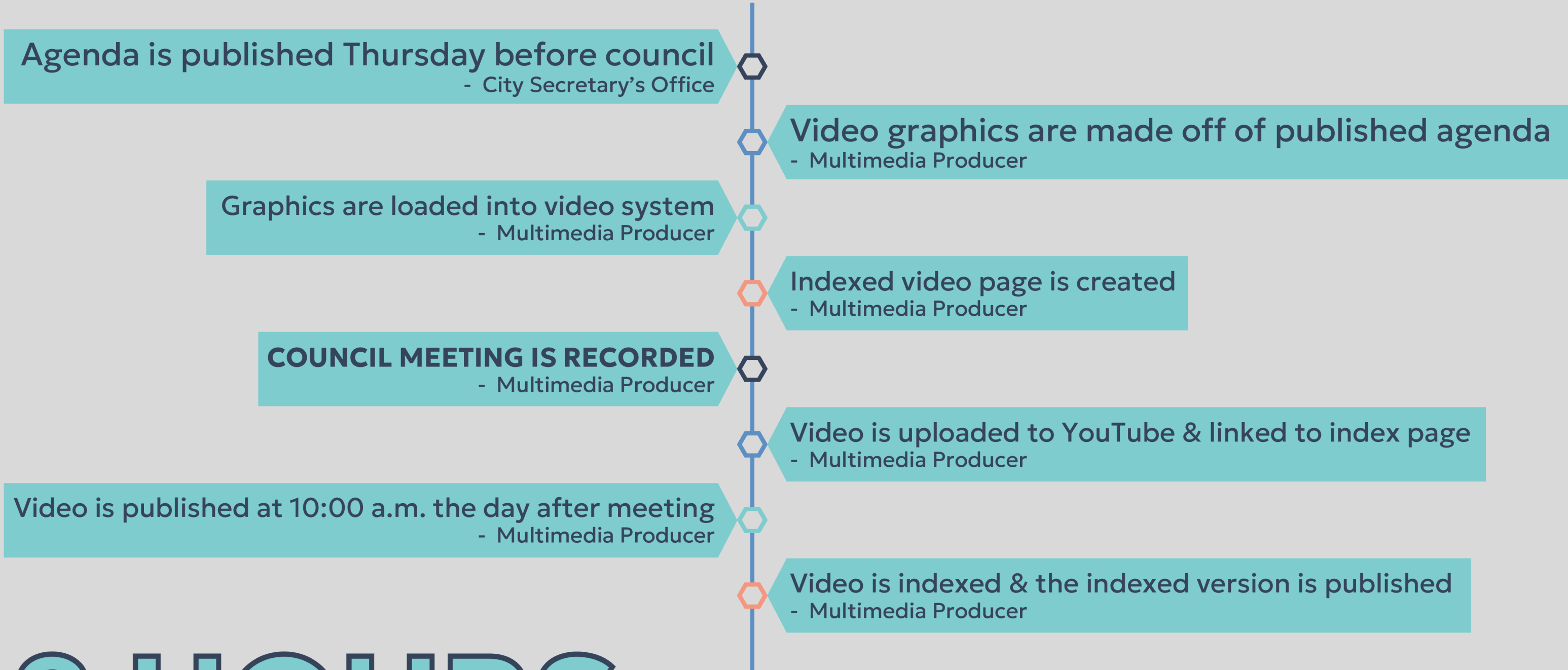


ONLINE TRANSPARENCY - ADD'L FEATURES

- Provides a video-on-demand (VOD) portal
 - 2 TB of cloud storage w/ scalability
- Able to chapter/index public meetings
- Can create closed captions with a custom dictionary
- Can translate captions to over 70 languages
- Capable of also outputting streams to YouTube
- Can create a mobile app of the VOD portal
- Can create a TV app for Roku & Fire TVs of the VOD portal



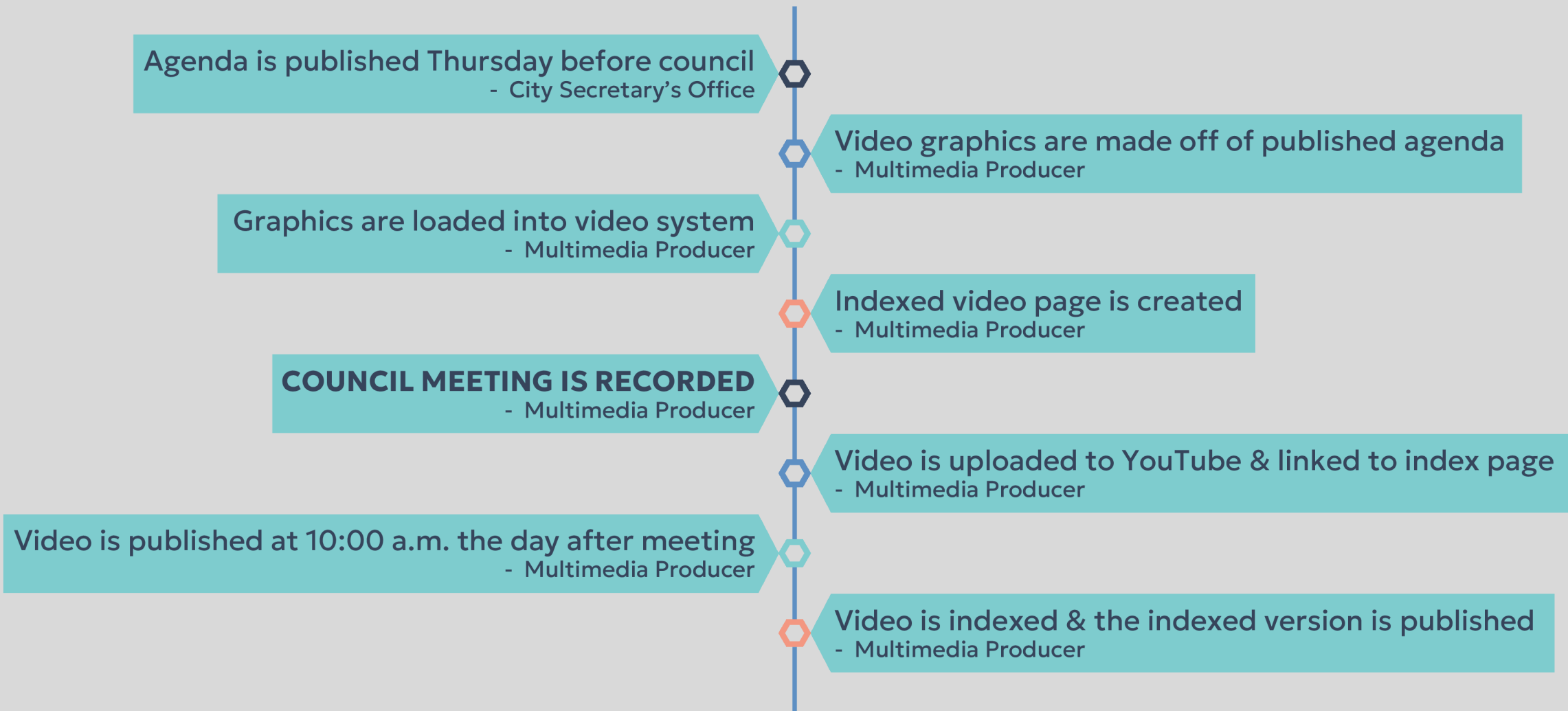
CURRENT STAFF TIMELINE



6-8 HOURS
Staff Impact per Meeting



CONSIDERATIONS FOR PILOT PROGRAM REVIEW



MAINTAINING THE PROGRAM AS-IS:

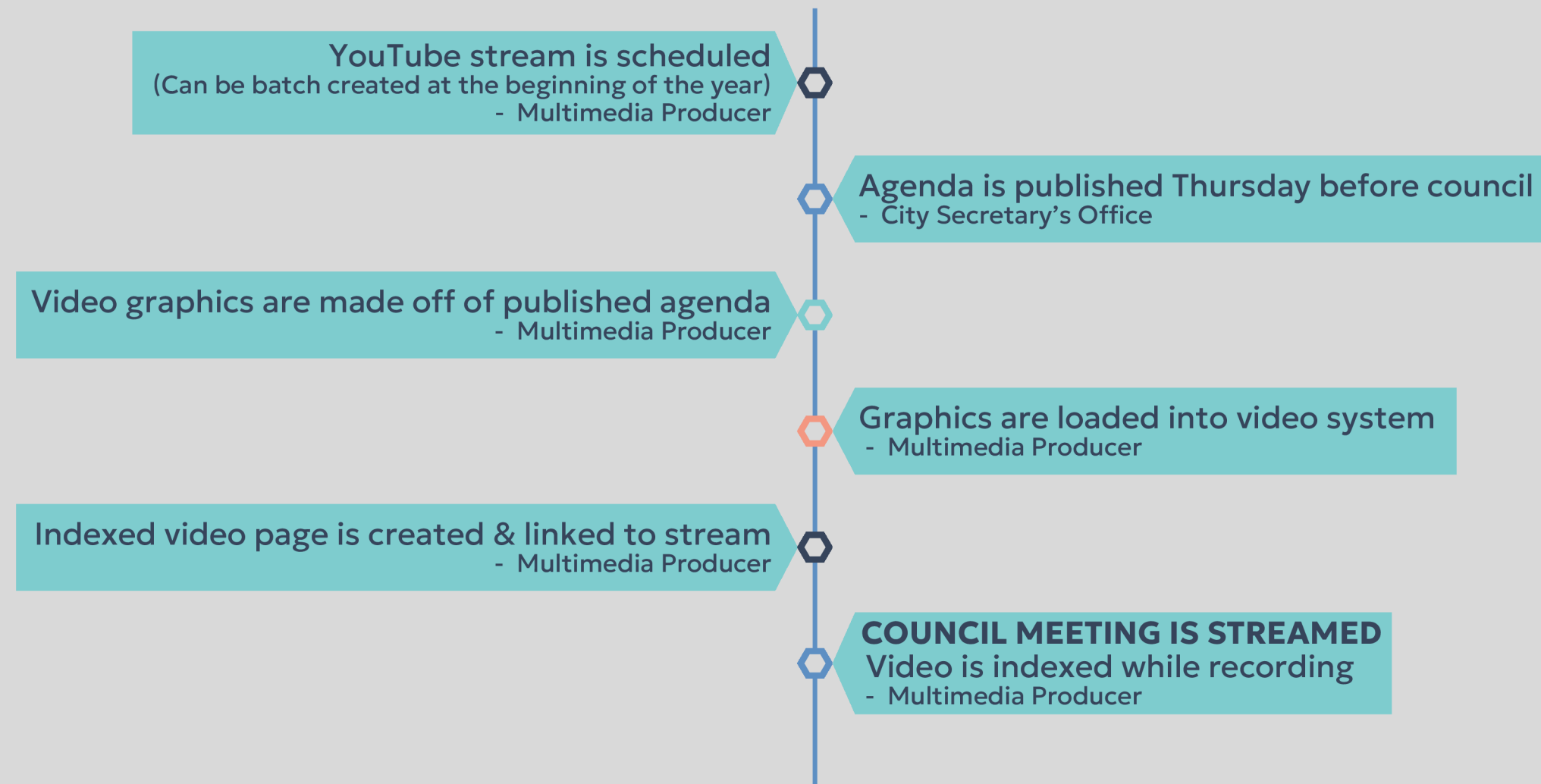
- Only city council meetings
- Recorded and published after
- Published via YouTube
- 2 scheduled meetings per month
- 6-8 hours staff impact per meeting



12-16 HOURS
Staff Impact per Month*

*12-16 Hours is only considering 2 regular council meetings, no special meetings.

CONSIDERATIONS FOR PILOT PROGRAM REVIEW



ADJUSTING TO INCLUDE LIVESTREAM:

- Only city council meetings
- VIEWABLE AS COUNCIL HAPPENS
- STREAMED VIA YOUTUBE
- Comments and Live Chat disabled



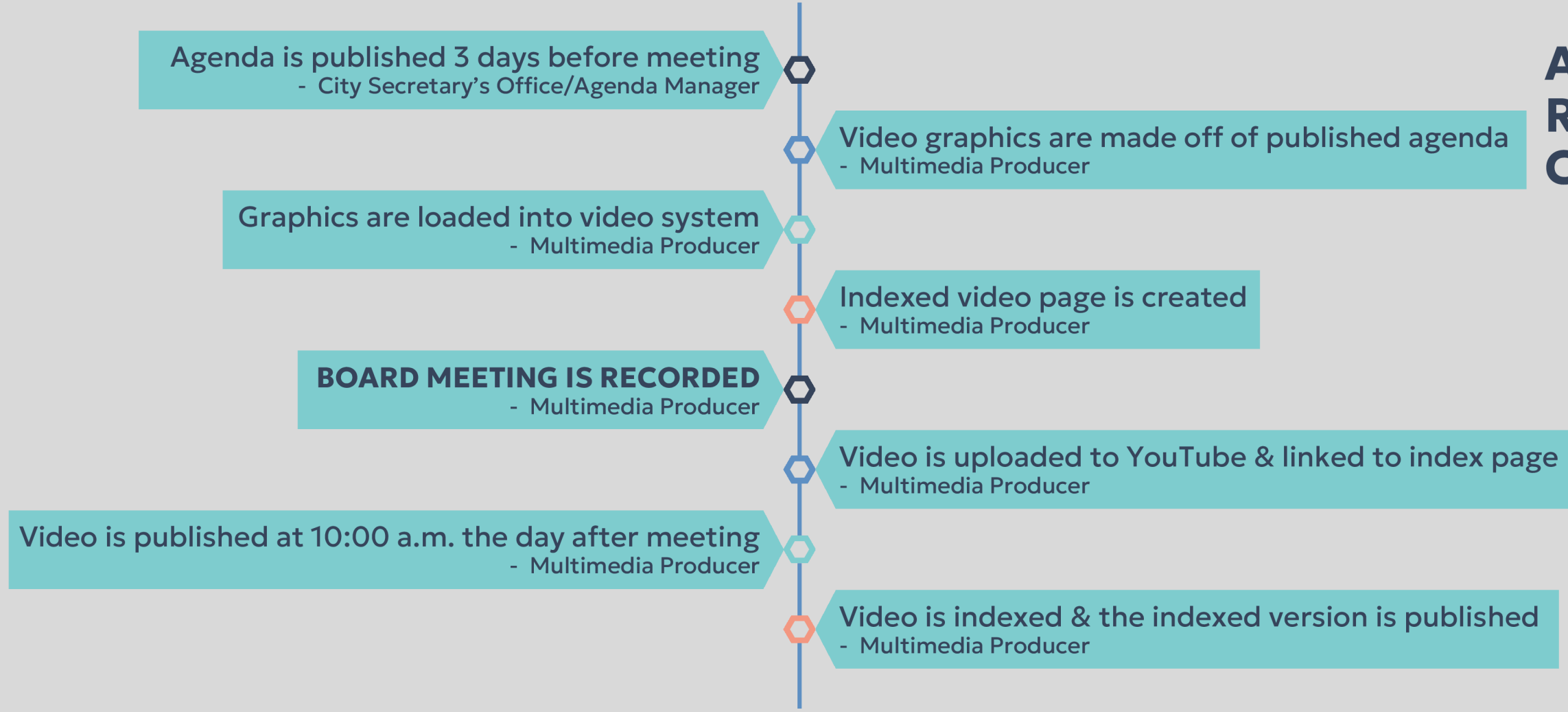
12-16 HOURS

Staff Impact per Month*

*12-16 Hours is only considering 2 regular council meetings, no special meetings.

CONSIDERATIONS FOR PILOT PROGRAM REVIEW

REPEAT FOR EACH BOARD & COMMISSION



ADJUSTING TO INCLUDE RECORDING OTHER BOARDS & COMMISSIONS:

- ALL MEETINGS
- Recorded and published after
- Published via YouTube
- **STAFF IMPACT**
 - 6-8 hours per meeting
 - 5 regularly scheduled meetings per month, not including special meetings
- Staff Recommendations
 - Contract employee, media intern
 - Non-City Council meetings be less produced (no graphics, only one camera)



30-40 HOURS

Staff Impact per Month



OTHER CONTROL ROOMS



SURPRISE, ARIZONA



MONT BELVIEU, TEXAS

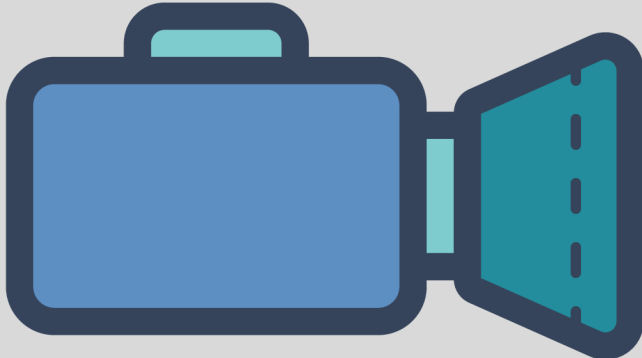


TUSTIN, COLORADO



BAYTOWN, TEXAS

THE CONTROL ROOM



**SWITCHES
CAMERAS**



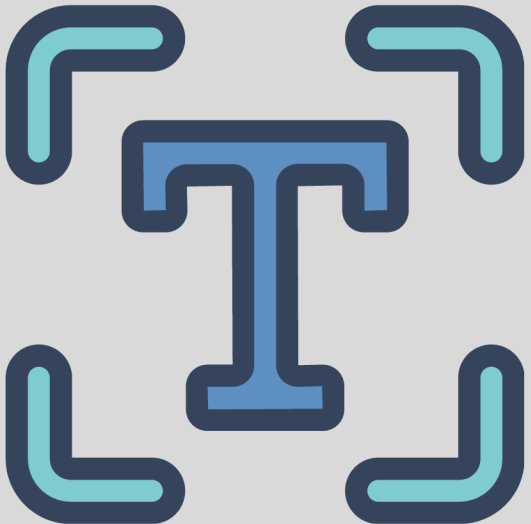
**MONITORS
NETWORK
CONNECTION**



**MAINTAINS
EQUIPMENT**



**CHECKS
STREAM
HEALTH**



**CHANGES
GRAPHICS**

HOW THE CHAT FEATURE COULD IMPACT TOMA

COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT

UNDISCLOSED CONVERSATIONS

Chats can result in side conversations separate from the official record, potentially violating TOMA transparency.

RECORD KEEPING

Minutes and/or recordings must be available to the public. Ensuring ALL chat messages are recorded and preserved could be challenging and lead to compliance issues.

EQUAL ACCESS

Not all members of the public may have the means or ability to participate in a chat, potentially leading to unequal access. Similarly, a chat comment can not follow the same restrictions as a public comment with a 4-minute timer which would create an inequity in the method of public comment.

PUBLIC SCRUTINY

Chats can make it difficult for the public to follow a discussion, especially if important points are made in the chat rather than aloud during the meeting.

MISCOMMUNICATION

Written chats can be misinterpreted or lack context, which could lead to confusion or misinformation.

MODERATION

Managing & moderating a live chat can be resource-intensive and distracting to council members and staff.

DISRUPTION

Chat can become a platform for disruptive behavior, such as off-topic comments or inappropriate language, which can derail the meeting.



RECOMMENDATIONS TO ENSURE COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT & PUBLIC INFORMATION ACT

It is recommended to use a more controlled method of public participation, such as:

PUBLIC COMMENT PERIODS

Designated specific times for public comments, either verbally or through submitted written statements.

PRE-SUBMITTED QUESTIONS

Allow the public to submit questions or comments before the meeting, which could then be read aloud and addressed during the meeting.

MAXIMIZE INFORMATION TO SUBMIT COMPLIANT PUBLIC COMMENTS

Starting stream or recorded video with a slide of the proper channels to submit a public comment. The information can also be placed in the video description.

EXAMPLE 1



SEABROOK

WELCOME TO THE SEABROOK CITY COUNCIL
LIVE STREAM.

COMMENTS IN THE CHAT OR ON THIS VIDEO ARE
NOT CONSIDERED OFFICIAL PUBLIC COMMENTS.
TO MAKE AN OFFICIAL COMMENT, REGISTER TO
SPEAK AT A COUNCIL MEETING OR EMAIL
CITYSEC@SEABROOKTX.GOV

THANK YOU.

EXAMPLE 2



SEABROOK

WELCOME TO THE SEABROOK CITY COUNCIL
LIVE STREAM.

COMMENTS IN THE CHAT OR ON THIS VIDEO ARE
NOT CONSIDERED OFFICIAL PUBLIC COMMENTS.
TO MAKE AN OFFICIAL COMMENT, REGISTER TO
SPEAK AT A COUNCIL MEETING OR EMAIL
CITYSEC@SEABROOKTX.GOV

STREAM WILL BEGIN SHORTLY

EXAMPLE 3



SEABROOK

PLEASE NOTE

COMMENTS LEFT ON THIS LIVE
STREAM WILL NOT BE READ OR
ENTERED INTO THE MEETING
RECORD. TO CONTACT YOUR
REPRESENTATIVES, VISIT
WWW.SEABROOKTX.GOV

STAFF KNOWLEDGE BASE & PERSONNEL IMPACT



MULTIMEDIA PRODUCER KNOWLEDGE BASE

- B.A. in Communications – Media Production
- Former director of a professional multicamera studio production (college-level sports talk show)
- Helped teach college production classes
- Producer of a church Sunday live streams
- Director of a church Sunday multicamera live streams
- Helps design, build and maintain multicamera production systems

CURRENT PERSONNEL



- Hired December 2019 as Multimedia Developer - new position
- Within Department of Public Affairs
- Funded **50% General Fund & 50% HOT Fund**
- Became Multimedia Producer October 2020



FUTURE PERSONNEL

- Raise Multimedia Producer to a managerial position
- Within Department of Public Affairs - no change
- Fund **100% General Fund**
- Additional personnel costs
 - Additional staff for other Boards & Commissions

STAFF TRAINING

TRAINING

- Multimedia Producer must train staff to be backup
- Staff to train:
 - the rest of the Public Affairs department
 - IT
 - City Secretary

CONTRACTOR VS. PART-TIME

- Contractor: Paid flat rate, either per diem or hourly. No benefits cost to the city. Depends on reliability of contractor.
- Part-time employee: hourly rate, benefits cost to the city
- BOTH: given a minimum cost for arriving to work, even if a public meeting is canceled less than 24 hours before the meeting or if the meeting is shorter than the minimum hourly cost.

SUCCESSION PLANNING

Creation of a comprehensive living document to catalog all of the established settings and processes that have gone into the project so that anyone can step up upon a change in personnel.

This includes a Standard Operating Procedure (SOP).

PROCESS STREAMLINING

- Ongoing process that started before pilot program began
- 100's of hours spent in this endeavor

THANK YOU



Planning & Zoning Commission
OFFICIAL REPORT

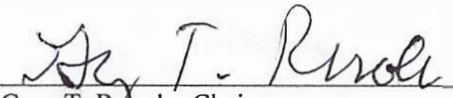
The Planning and Zoning Commission of the City of Seabrook met on AUGUST 6, 2024 to hold a meeting to consider:

Consider and take all appropriate action on a request for approval of a Final Planned Unit Development (Final PUD) to create a "World Class Freezer Facility Planned Unit Development" comprising of 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.

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING
RECOMMENDATION:

APPROVAL ☒ APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW) ☐ DENIAL ☐
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on AUGUST 6, 2024, as designated below and as certified by the signature of the Chairman.
This document is not valid unless signed by the Chairman/Presiding Commissioner.

<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Gary Renola	GR				
Darrell Picha	DP				
Jared Justus				✓	
Scott Reynolds	SR				
Ed Klein				✓	
Guy Rodgers	GR				
Rhonda Thompson				✓	


Gary T. Renola, Chairman
Planning & Zoning Commission

ATTEST:

Kiarra Bellow
Administrative Assistant



AMERICAN RESCUE PROGRAM ALLOCATION (ARPA)
CITY OF SEABROOK 8-6-2024

Project Title	Project Description	Project	Budget	3,505,923.39	Subtotal	
Taylor Lake Water Line Crossing at Red Bluff	The replacement of the existing 24" water line by directional drilling a new HDPE water line under Taylor Lake and connect to the existing 24" water line on both sides of the lake.	Red Bluff Road				
Water				\$2,873,574.00	\$632,349.39	Done
City Wide Park Equipment and Site Improvements	Improvements to support the enrichment of the existing park system to ensure that is is safe, accessible and the facilities add to the quality of life of the community.					
Quality of Life	1. Shade Structure - Pine Gully		\$ 29,334.00	\$ 603,015.39	Confirmed Quote	Council 8-6-24
	2. Shade Structure - Baybrook		\$ 34,680.00	\$ 568,335.39	Confirmed Quote	Council 8-6-24
	3. Shade Structure - Meador	City Parks	\$ 28,451.00	\$ 539,884.39	Confirmed Quote	Council 8-6-24
	2. Pickleball Court, fence and parking area at		\$ 169,531.00	\$ 370,353.39	Confirmed Quote	Council 8-6-24
	3. Basketball Resurfacing at Baybrook Park		\$ 45,000.00	\$ 325,353.39		
	4. Restroom Upgrades at Friendship Park		\$ 95,000.00	\$ 230,353.39		
	5. Pedestrian Bridge at Hester Park		\$ -			
	5. Restroom Upgrade at Brummerhop		\$ 169,147.00	\$ 61,206.39	Confirmed Quote good until Aug 25,2024	Council 8-6-24
	6. P31 Park Lighting at Meador		\$ 61,206.39	\$ 0.00		
			New Allocation Reque	\$ (632,349.39)		
			Expensed ARPA Funds	\$ (2,873,574.00)		
			Balance ARPA	\$ -		
			Total ARPA	\$ 3,505,923.39		

From: mrobinson@cardinaltx.com
To: [Gayle Cook](mailto:Gayle.Cook); [Joe Machol](mailto:Joe.Machol); [Jackie Rasco](mailto:Jackie.Rasco); probinson@cardinaltx.com; mhessemer1980@gmail.com
Cc: [Sean Landis](mailto:Sean.Landis)
Subject: RE: FEMA: Park Restroom Facility _ VE Flood Zone
Date: Tuesday, May 14, 2024 1:20:01 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image007.png](#)
[image008.png](#)
[image011.png](#)

Gayle,
Good afternoon,
Could you please outline the steps needed to bring the bathroom issue to a vote.
Thank you,

Michael Robinson

Cardinal Companies Int'l
(cell) 832-215-1910



From: Gayle Cook <gcook@seabrooktx.gov>
Sent: Monday, April 15, 2024 11:23 AM
To: 'mrobinson@cardinaltx.com' <mrobinson@cardinaltx.com>; Joe Machol <jmachol@seabrooktx.gov>; Jackie Rasco <jrasco@seabrooktx.gov>
Cc: Sean Landis <slandis@seabrooktx.gov>
Subject: RE: FEMA: Park Restroom Facility _ VE Flood Zone
Mike
Are you available to meet on Wednesday this week?
Thank you

G



GAYLE COOK
City of Seabrook
City Manager
281-291 5688 Work
gcook@seabrooktx.gov
1700 First Street
Seabrook, Texas 77586
www.seabrooktx.gov

Council and board members, please reply individually (and **not** "to all") so as to avoid the appearance of any inadvertent violation of the Open Meetings Act

From: Gayle Cook
Sent: Friday, April 12, 2024 10:26 AM
To: mrobinson@cardinaltx.com; Joe Machol <jmachol@seabrooktx.gov>; Jackie Rasco <jrasco@seabrooktx.gov>
Cc: Sean Landis <slandis@seabrooktx.gov>
Subject: FEMA: Park Restroom Facility _ VE Flood Zone
All

Please see below the response from FEMA and the summary from Sean Landis on the question regarding restrooms. If you have availability next Wednesday, send us your times so that a meeting can be created.

Thank you
Gayle Cook
Gayle,

Please review the response we received from a FEMA representative regarding the question that was posed regarding the use of a temporary restroom trailer within the floodplain.

The response from the FEMA representative states that the use of a temporary restroom trailer is permissible with the stipulation that it is in a functional state, in a functional location, self-contained and not connected to a utility. The effluent materials are stored within the vessel storage and transported to another location for disposal.

Currently, the city has in place a higher standard beyond the regulations within the city's floodplain ordinance. The adopted plumbing code requires all uses, both residential and commercial, to have permanent plumbing fixtures. The number of required fixtures is determined by the number of occupants permitted on the premises.

The FEMA representative confirmed the NFIP does not prohibit communities from adopting their own higher standards as it relates to this topic.

Currently, Nick is out of the office until next Tuesday. What I propose is that we all get together to include Jackie, Joe, and Mike Robinson in person next Wednesday, April 17, and discuss the next steps.

Prior to approving the use of a temporary restroom trailer the prohibition within the adopted plumbing code will need to be addressed. An amendment of the plumbing code will require a recommendation from the Planning and Zoning Commission, along with approval from the City Council.

Again, I would like to discuss this process in person if everyone is available to meet next Wednesday.

Thanks,

Sean

From: Bartley, Brian <Brian.Bartley@fema.dhs.gov>

Sent: Thursday, April 11, 2024 5:10 PM

To: Nick Kondejewski <nickk@seabrooktx.gov>

Cc: Seabrook Permits <permits@seabrooktx.gov>; Sean Landis <slandis@seabrooktx.gov>; Case, Bradford <bradford.case@fema.dhs.gov>; Jenkins, Keoka <keoka.jenkins@fema.dhs.gov>; Rozelle, Trey <Trey.Rozelle@fema.dhs.gov>

Subject: RE: Park Restroom Facility _ VE Flood Zone

Mr. Kondejewski;

Thank you for your inquiry.

After doing some checking and research into how the National Flood Insurance Program (NFIP) and local regulatory framework associated with the NFIP would look at this, we have a reply for you.

1. Based on the information you sent we feel it is not a structure nor a recreational vehicle.
2. There is no "specific standard" found in the model local regulation for this type of vehicle, vessel, unit, or equipment as it was described.
3. So long as it is not placed on a foundation or anchored to a site it remains a "vessel."
4. In some cases when motorized vehicles are stored at a storage facility the facility might be asked to provide an operational plan if the facility is in a special flood hazard area under the provisions of local regulations related to storage of equipment and materials. This does not seem to be the situation as described so we do not think this applies.
5. In the situation presented to us the unit would be in a functional state in the functional location and self-contained so it would not be connected to utilities. The effluent materials would be stored withing the vessel storage and transported to another location for disposal.
6. As described this vehicle, vessel, unit, or equipment would not be regulated under the provisions of the NFIP or local model regulation.
7. The NFIP however does not prohibit communities from adopting their own higher standards. A community might find it expedient to develop a local regulation for this type of equipment and situation and could as long as the regulation created did not nullify any other required program provision.

Respectfully,

Brian W Bartley, CFM

FEMA Region 6

Hazard Mitigation Emergency Management Specialist – Mitigation

Floodplain Management and Insurance Branch

Brian.bartley@fema.dhs.gov

(940) 383-7207 Desk

(202) 805-6676 IPH

From: Nick Kondejewski <nickk@seabrooktx.gov>

Sent: Tuesday, April 2, 2024 12:22 PM

To: Bartley, Brian <Brian.Bartley@fema.dhs.gov>

Cc: Seabrook Permits <permits@seabrooktx.gov>; Sean Landis <slandis@seabrooktx.gov>

Subject: RE: Park Restroom Facility _ VE Flood Zone

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please select the Phish Alert Report button on the top right of your screen to report this email if it is unsolicited or suspicious in nature.

Hello Mr. Brantley

I was following up on our question about FEMA Regulations on the use of Temporary Sanitary Facilities. Did you have any guidance or specific regulations we should be looking at?

Regards,

Nick Kondejewski

Chief Building Official / Floodplain Administrator

CFM #1579-09N, TSBPE I-2833

City of Seabrook

Phone: 281-291-5638



From: Nick Kondejewski

Sent: Tuesday, March 12, 2024 3:53 PM

To: 'Bartley, Brian' <Brian.Bartley@fema.dhs.gov>

Cc: Seabrook Permits <permits@seabrooktx.gov>

Subject: RE: Park Restroom Facility _ VE Flood Zone

Hello Brain

We have another Floodplain regulation question that we continue to get from business and council members. Our specific example related to the previous site you provided information on for a floating bathroom facility.

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PORTABLE RESTROOMS

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Commercial 4

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The 4-room Commercial Restroom Trailer is great for medium to large events; suited for many different environments, including industrial, construction, weddings, and concerts.

These units accommodate up to 250 guests. Call one of our portable restroom specialists today for pricing and availability.

For a quick quote, fill out the form below and we will be in touch as soon as possible.

None of our PP Trailers are delivered with artwork or decor because of the range and complexity of each event. We welcome damage free decorating in any of our portable restrooms.

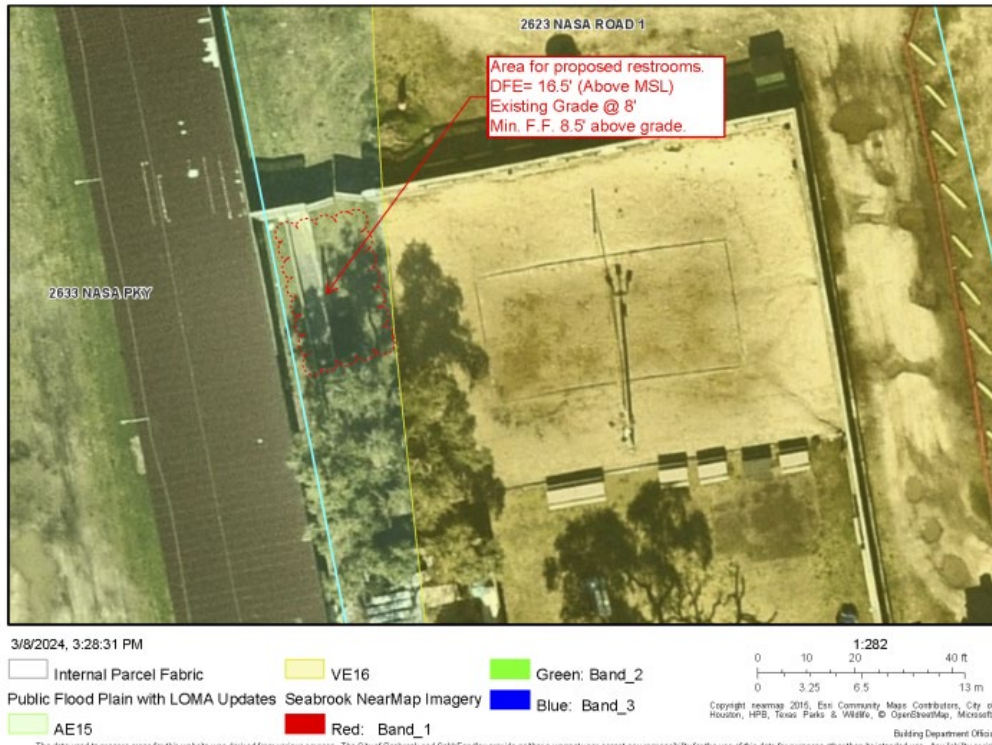
Get a Quote

First Name	Last Name	Comments	
Email	Phone		
4 Room Commercial	Event Start Date	Event End Date	Event Zip Code

[Let's Chat!](#)

We have been asked about the use of trailer mounted temporary restroom to provide sanitary facilities below BFE and design flood elevation. What has been proposed would be similar to regulations for Recreational Vehicles in the flood plain. These units would not be connected to sewer but make use of a holding tank, and may or may not need water and electric connections.

2625.5 E Nasa Pkwy



We as a city area looking for guidance from FEMA on this issue. I appears that some communities like Galveston have used this typer of facilities in a limited basis on the Seawall. At this time we have no building code or city ordinance allowance for such facilities, and any type of approval would require ordinance changes. But before we even entertain this question we want to make sure we meet all FEMA regulation to prevent any future regulatory violation. As always, you help and regulatory guidance is very much appreciated.

Regards,

Nick Kondejewski

Chief Building Official / Floodplain Administrator

CFM, TSBPE I-2833

City of Seabrook

Phone: 281-291-5638

Fax: 281-291-5690



From: Nick Kondejewski

Sent: Wednesday, August 31, 2022 7:00 AM

To: Bartley, Brian <Brian.Bartley@fema.dhs.gov>

Subject: RE: Park Restroom Facility _ VE Flood Zone

Hi Brain

Thank you for the review and analysis of our "Floating Structure" question. This is not the first time something like this has been proposed and having specific regulations to point to is a great help. We know that you get an enormous number of request and your help is very much appreciated.

Regards,

Nick Kondejewski

Chief Building Official / Floodplain Administrator

CFM, TSBPE I-2833

City of Seabrook

Phone: 281-291-5638

Fax: 281-291-5690



From: Bartley, Brian <Brian.Bartley@fema.dhs.gov>

Sent: Monday, August 29, 2022 6:03 PM

To: Nick Kondejewski <nickk@seabrooktx.gov>

Cc: Seabrook Permits <permits@seabrooktx.gov>; Rozelle, Trey <Trey.Rozelle@fema.dhs.gov>

Subject: RE: Park Restroom Facility _ VE Flood Zone

Mr. Kondejewski;

The National Flood Insurance Program (NFIP) Regulations do not address “floating” structures. If you attempted to permit under a floodplain development permit, you would find there is a total lack of specific standards and as such it would be impossible to issue a compliant floodplain development permit.

There may be some community ordinance that applies to development over water, but to my knowledge the only NFIP applicable provisions have to do with defining a building

44 CFR Appendix A(1) to Part 61 II.C.6.

and excluding coverage for structure completely over water

44 CFR Appendix A(1) to Part 61 IV.2.

Sorry for the delayed reply.

Brian W Bartley, CFM

FEMA Region 6

Hazard Mitigation Emergency Management Specialist – Mitigation

Floodplain Management and Insurance Branch

Brian.bartley@fema.dhs.gov

(940) 383-7207 Desk

(202) 805-6676 IPH

From: Nick Kondejewski <nickk@seabrooktx.gov>

Sent: Monday, August 15, 2022 11:36 AM

To: Bartley, Brian <Brian.Bartley@fema.dhs.gov>

Cc: Seabrook Permits <permits@seabrooktx.gov>

Subject: RE: Park Restroom Facility _ VE Flood Zone

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Hello Again Mr. Brantley

I have another unusual bathroom building proposal for official review. We have a commercial property located on clear lake that is adjacent to a Coastal Velocity Zone (VE-16). The developer is proposing Floating bathroom structure placed on the land. We typically see these types of facilities in marinas. This developments primary building / facility is located on a barge. They have submitted some preliminary concept images, but the idea would be that sewage is pumped from a holding tank in the floating building through a flexible line to a sealed lift station on land and then pumped to a gravity main on the site. An direction on specific regulations would be a great help.

2623.5 E Nasa Pkwy (Floating Restroom)



8/15/2022, 10:56:03 AM

Seabrook Streets Parcels Certified 2020 VE16
Elevation Contours FEMA 2017_View AE15 VE17

The data used to prepare maps for this website was derived from various sources. The City of Seabrook and CobbLendley provide neither a warranty nor accept any responsibility for the use of this data for purposes other than its intended use. Any liability or risk

Regards,

Nick Kondejewski

Chief Building Official / Floodplain Administrator

CFM, TSBPE I-2833
City of Seabrook
Phone: 281-291-5638
Fax: 281-291-5690



From: Nick Kondejewski

Sent: Friday, February 18, 2022 8:59 AM

To: Bartley, Brian <Brian.Bartley@fema.dhs.gov>

Cc: Sean Landis <slandis@seabrooktx.gov>; Kevin Padgett <kpadgett@seabrooktx.gov>; Brian Craig <bcraig@seabrooktx.gov>;
alanar@seabrooktx.gov

Subject: RE: Park Restroom Facility _ VE Flood Zone

Hi Brian

Thank you for the quick follow up to your question. Your knowledge and help are greatly appreciated. I look forward to talking to again in the future.

Regards,

Nick Kondejewski

Chief Building Official / Floodplain Administrator

CFM, TSBPE I-2833

City of Seabrook

Phone: 281-291-5638

Fax: 281-291-5690



From: Bartley, Brian <Brian.Bartley@fema.dhs.gov>

Sent: Thursday, February 17, 2022 11:34 AM

To: Nick Kondejewski <nickk@seabrooktx.gov>

Cc: Rozelle, Trey <Trey.Rozelle@fema.dhs.gov>; Gironjr, Gilbert <gilbert.giron@fema.dhs.gov>

Subject: RE: Park Restroom Facility _ VE Flood Zone

Correcting some typographical errors, I think my keyboard is malfunctioning. Sorry for any inconvenience Sir.

Corrected text follows:

I reviewed the NFIP Technical Bulletin Guide, which pointed to TB-5.

I opened TB-5 hit ctrl-f and typed "restroom" and this was the result:

7.8 Restroom Buildings and Comfort Stations Restroom buildings and comfort stations must be treated the same as other types of structures in Zone V and must meet the same elevation and design requirements as other buildings, even when the facilities are situated in public parks or recreation areas

Those V-Zone design standards are found in your local ordinance and will closely follow 44 CFR 60.3 (e), (4) – (5).

End.

The remainder of the message was fine.

Brian W Bartley, CFM

FEMA Region 6

Hazard Mitigation Emergency Management Specialist – Mitigation

Floodplain Management and Insurance Branch

Brian.bartley@fema.dhs.gov

(940) 383-7207 Desk

(202) 805-6676 IPH

From: Bartley, Brian

Sent: Thursday, February 17, 2022 11:25 AM

To: Nick Kondejewski <nickk@seabrooktx.gov>

Cc: Rozelle, Trey <Trey.Rozelle@fema.dhs.gov>; Gironjr, Gilbert <gilbert.giron@fema.dhs.gov>

Subject: RE: Park Restroom Facility _ VE Flood Zone

Mr. Kondejewski;

I reviewed the NFIP Technical Bulletin Guide, which pointed to TB-5.

I opened TB-F hit ctrl-f and typed "restroom" and this was the result:

7.8 Restroom Buildings and Comfort Stations Restroom buildings and comfort stations must be treated the same as other types of structures in Zone V and must meet the same elevation and design requirements as other buildings, even when the facilities are situated in public parks or recreation areas

Those V-Zone design standards are found in your local ordinance and will closely follow 44 CFR 60.2 (e), (4) – (5).

When the Federal Insurance Administrator has provided a notice of final base flood elevations within Zones A1-30 and/or AE on the community's FIRM and, if appropriate, has designated AH zones, AO zones, A99 zones, and A zones on the community's FIRM, and has

identified on the community's FIRM coastal high hazard areas by designating Zones V1-30, VE, and/or V, the community shall:

(4) Provide that all new construction and substantial improvements in Zones V1-30 and VE, and also Zone V if base flood elevation data is available, on the community's FIRM, are elevated on pilings and columns so that

(i) the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level; and

(ii) the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of [paragraphs \(e\)\(4\)\(i\) and \(ii\)](#) of this section.

(5) Provide that all new construction and substantial improvements within Zones V1-30, VE, and V on the community's FIRM have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

(i) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and,

(ii) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards.

Such enclosed space shall be useable solely for parking of vehicles, building access, or storage

The conclusion I draw from this is that the proposed structure would not comply with the program minimum design standards as presented.

Respectfully;

Brian W Bartley, CFM
FEMA Region 6
Hazard Mitigation Emergency Management Specialist – Mitigation
Floodplain Management and Insurance Branch
Brian.bartley@fema.dhs.gov
(940) 383-7207 Desk
(202) 805-6676 IPH

From: Nick Kondejewski <nickk@seabrooktx.gov>

Sent: Thursday, February 17, 2022 10:58 AM

To: Bartley, Brian <Brian.Bartley@fema.dhs.gov>

Subject: RE: Park Restroom Facility _ VE Flood Zone

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please select the Phish Alert Report button on the top right of your screen to report this email if it is unsolicited or suspicious in nature.

Hello Brian

See the attached information.

Regards,

Nick Kondejewski

Chief Building Official / Floodplain Administrator

CFM, TSBPE I-2833

City of Seabrook

Phone: 281-291-5638

Fax: 281-291-5690



From: Bartley, Brian <Brian.Bartley@fema.dhs.gov>

Sent: Thursday, February 17, 2022 10:56 AM

To: Nick Kondejewski <nickk@seabrooktx.gov>

Subject: FW: Park Restroom Facility _ VE Flood Zone

Please reply

Brian W Bartley, CFM
FEMA Region 6
Hazard Mitigation Emergency Management Specialist – Mitigation
Floodplain Management and Insurance Branch
Brian.bartley@fema.dhs.gov
(940) 383-7207 Desk
(202) 805-6676 IPH

From: Rozelle, Trey <Trey.Rozelle@fema.dhs.gov>
Sent: Thursday, February 17, 2022 10:43 AM
To: Segner, Michael <michael.segner@fema.dhs.gov>; Bartley, Brian <Brian.Bartley@fema.dhs.gov>
Subject: FW: Park Restroom Facility _ VE Flood Zone

Can one of you field this and also let me know if you are hip to the restrooms in greenspace requirements?

Thanks,

Trey Rozelle

Senior Specialist | Floodplain Management & Insurance | Mitigation – Region 6

Office: (940) 898-5412 | Mobile: (940) 395-3479

trey.rozelle@fema.dhs.gov

Federal Emergency Management Agency

fema.gov



From: Gironjr, Gilbert <gilbert.giron@fema.dhs.gov>
Sent: Thursday, February 17, 2022 8:25 AM
To: Nick Kondejewski <nickk@seabrooktx.gov>; Rozelle, Trey <Trey.Rozelle@fema.dhs.gov>
Cc: Seabrook Permits <permits@seabrooktx.gov>
Subject: RE: Park Restroom Facility _ VE Flood Zone

Nick,

I have sent this to our Senior Compliance Specialist who will assign to one of his team to help you out.

Trey,

This is a good question, can you please assist with the ask.

Gilbert

Gilbert L. Giron, CFM, DR 4611
Regional Flood Insurance Liaison
FEMA Region VI Mitigation Division
Floodplain Management and Insurance Branch
Gilbert.giron@fema.dhs.gov
940-383-7253 Office
940-898-5195 fax



From: Nick Kondejewski <nickk@seabrooktx.gov>
Sent: Thursday, February 17, 2022 8:15 AM
To: Gironjr, Gilbert <gilbert.giron@fema.dhs.gov>
Cc: Seabrook Permits <permits@seabrooktx.gov>
Subject: Re: Park Restroom Facility _ VE Flood Zone

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Hello Gilbert

We are reaching out with a question concerning installation of a restroom facility in one of our park areas. I'm not sure if you can help us, if not please direct me to the proper contact. We are requesting feedback on a possible parks project in a coastal hazard flood zone. We are trying to figure out how to provide accessible sanitary facilities to the public at our Bayside Park fishing and Kayak launch area adjacent to Galveston Bay. We have found a "waterless" precast bathroom building that could be installed that is entirely independent of water, sewer, and electrical connections (See Attached Information). We are trying to determine if this type of facility could be installed without conflicting with FEMA Flood Zone regulations since the structure if damaged would not impact our public infrastructure and would not pose a large debris risk. In the event of a design hurricane event we would hope to be able to clean out the structure and composting vault and then be able to put the facility back into service.

Any ideas, questions, or concerns would be greatly appreciated. Thank Again for any assistance you can provide.



Regards,
Nick Kondejewski
Chief Building Official / Floodplain Administrator
CFM, TSBPE I-2833
City of Seabrook
Phone: 281-291-5638
Fax: 281-291-5690



**STAFFING SERVICES AGREEMENT
SEABROOK ECONOMIC DEVELOPMENT CORPORATION
AND CITY OF SEABROOK, TEXAS
FY 2024-2025**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This Staffing Services Agreement ("Agreement") is made and entered into by and between the City of Seabrook, Texas (the "City") and the Seabrook Economic Development Corporation ("EDC").

WHEREAS, pursuant to The Texas Development Corporation Act, Texas Local Government Code Chapters 501, 502 and 505 (the "Act"), the City created the EDC and collects, on behalf of the EDC, an additional sales and use tax of which a portion may be used by the EDC to pay certain administrative costs; and

WHEREAS, the EDC desires to utilize the services and support of City staff in furtherance of its work and the projects it undertakes to eliminate duplication and to promote economy and efficiency in the use of the additional sales tax revenues it receives; and

WHEREAS, the City has determined that providing personnel and services to the EDC will be mutually beneficial to the City and the EDC, will promote local economic development, and stimulate business and commercial activity within the City, all in furtherance of the purposes of the EDC; now, therefore,

FOR AND IN CONSIDERATION of the mutual covenants, agreements, and benefits accruing herein to each party, the City and the EDC hereby agree as follows:

1. The EDC will utilize City employees to perform the following services for and on behalf of the EDC:
 - a. Preparing all financial and investment reports and keeping all financial books and records required by the SEDC's Bylaw. Providing all necessary budgeting, accounting, financial management and investment management through the City's Finance Department.
 - b. Preparing a budget for the forthcoming year for review and approval by the Board and City Council;
 - c. Providing executive and administrative support, review and oversight by various City departments including but not limited to City Manager, City Secretary, Community Development, Administrative Support, Human Resources, Planning & Zoning Commission.

- d. Providing for a repository of records, office and conference space.
 - e. Providing for project management services.
 - f. Providing technology support of hardware, software and phone systems through the City's Information Technology Department and GIS / Data services;
 - g. Any other reasonable services in furtherance of the purposes of the EDC and authorized by the Act.
2. The City and EDC acknowledge that from time to time conflicts between a city employee's primary responsibilities to the City and requests for services from the EDC may arise. The City and the EDC encourage employees to bring conflicts to the attention of the City Manager, who shall consult with the EDC President as necessary to prioritize demands and resolve any conflicts.
3. Consideration
- After having reasonably estimated the amount of time City employees are anticipated to spend performing services for and on behalf of the EDC during the term of this Agreement, the parties have agreed that EDC will reimburse the City in the amount of One hundred and thirteen thousand seven hundred forty-five and no cents (\$113,745.00), as presented in the Fiscal Year 2024-2025 EDC and City budgets. (Reference Exhibit A). Such reimbursement is predicated on the approval of the budget by both the EDC Board and City Council and is contingent upon such amount being collected in sales and use tax dollars for the fiscal year.
4. Term
- The term of this Agreement shall be for one (1) year commencing October 1, 2024, no matter when actually executed. Provided, further, either party may terminate this Agreement by giving thirty (30) days advance written notice thereof to the other.
5. Right to Hire Third Parties
- EDC specifically reserves the right to hire third parties to perform any or all of the services described herein.
6. Notice
- All notices and communications regarding the term of this Agreement to any party shall be in writing. If mailed, any notice or communication shall be deemed to have been received three (3) days after the date of its deposit into the United States mail, first class, postage prepaid. Unless otherwise provided in this Agreement, all notices shall be delivered to the following address:

City of Seabrook
Attention: City Manager
1700 First Street
Seabrook, Texas 77586

Seabrook Economic Development Corporation
Attention: President, Board of Directors
1700 First Street
Seabrook, Texas 77586

Either party may designate a different address by giving the other parties at least ten (10) days written notice in the manner prescribed above.

7. Parties in Interest

This Agreement shall be for the sole and exclusive benefit of the City and the EDC and shall not be construed to confer any benefit or right upon any other parties.

8. Severability

In the event any clause, phrase, provision, sentence, or part of this Agreement shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Agreement as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional.

9. Entire Agreement

This Agreement contains the entire agreement between the parties and supersedes all other negotiations and agreements with respect to the matters addressed herein, whether written or oral.

IN WITNESS WHEREOF, this Agreement has been executed by the duly authorized officers of the City of Seabrook, Texas and the Seabrook Economic Development Corporation, as of _____ day of _____, 2024.

CITY OF SEABROOK

ATTEST:

Thomas G. Kolupski
Mayor

Rachel Lewis, TRMC
City Secretary

SEABROOK ECONOMIC DEVELOPMENT CORPORATION

ATTEST:

Ann Wacker, Secretary
Board of Directors

Paul Dunphey, President
Board of Directors

EXHIBIT A

Administrative Services Agreement 2024-25

CITY OF SEABROOK 2024-2025 BUDGET FUND 70 - EDC

707 - EDC

EXPENSE ACCOUNTS	FOR FISCAL YEAR ENDING SEPTEMBER 30,					2025 BUDGET VS		2025 BUDGET VS		
	2021	2022	2023	BUDGET 2024	FORECAST 2024	BUDGET 2025	2024 FORECAST \$CHANGE	%CHANGE	2024 BUDGET \$CHANGE	%CHANGE
707-4010 4010 OFFICE SUPPLIES	667	232	684	150	239	500	261	109.52%	350	233.33%
707-4150 4150 SMALL EQUIPMENT	-	-	1,545	-	-	-	(1,545)	-100.00%	-	0.00%
TOTAL SUPPLIES	\$ 667	\$ 232	\$ 2,229	\$ 150	\$ 239	\$ 500	\$ (1,283)	-57.59%	\$ 350	233.33%
707-5010 5010 ADVERTISING	11,522	15,134	34,154	50,000	29,708	51,300	21,592	72.68%	1,300	2.60%
707-5020 5020 DUES & SUBSCRIPTIONS	1,614	786	1,388	1,515	1,530	1,465	(65)	-4.26%	(50)	-3.30%
707-5030 5030 RENTALS & SERVICE AGRMTS (below)	5,869	5,052	5,435	5,695	3,408	-	(3,408)	-100.00%	(5,695)	-100.00%
707-5042 5042 IT SOFTWARE (New Line Item)						22,350	22,350	0.00%	22,350	0.00%
707-5182 5182 TRAIL MAINTENANCE	24,486	14,014	29,686	30,000	55,350	30,000	(25,350)	-45.80%	-	0.00%
707-5215 5215 PROF FEES - ENGINEERING	-	-	-	-	-	-	-	0.00%	-	0.00%
707-5220 5220 PROF FEES - LEGAL	37,255	36,000	24,135	30,000	16,836	16,800	(36)	-0.21%	(13,200)	-44.00%
707-5227 5227 PROF FEES - CONSULTING	82,500	82,650	37,405	42,000	60,519	60,000	(519)	-0.86%	18,000	42.86%
707-5300 5300 TRAINING & CONFERENCE	4,554	15,144	16,760	12,800	8,198	13,800	5,602	68.34%	1,000	7.81%
707-5400 5400 TELEPHONE	303	302	351	325	310	-	(310)	-100.00%	(325)	-100.00%
707-5465 5465 MISC EXPENDITURES	126	216	370	1,000	657	500	(157)	-23.90%	(500)	-50.00%
707-5470 5470 DEBT SERVICE AGENT	-	-	-	-	-	-	-	0.00%	-	0.00%
707-5610 5610 BUSINESS INCENTIVES	-	-	-	-	-	-	-	0.00%	-	0.00%
707-5617 5617 ECONOMIC DEVELOPMENT PROJECTS	337,398	91,600	-	537,081	447,716	1,000,000	552,284	123.36%	462,919	86.19%
707-5620 5620 ECONOMIC DEVELOPMENT INCENTIVES	15,214	13,812	119,985	15,000	24,819	665,406	640,587	2581.06%	650,406	4336.04%
TOTAL SERVICES	\$ 520,839	\$ 274,710	\$ 269,669	\$ 725,416	\$ 649,051	\$ 1,861,621	\$ 1,212,570	449.65%	\$ 1,136,205	156.63%
707-6020 6020 EQUIPMENT	-	13,868	-	-	-	-	-	0.00%	-	0.00%
707-6035 6035 FACILITIES & PARKS	-	-	-	-	-	-	-	0.00%	-	0.00%
707-6036 6036 WATERFRONT	-	-	-	-	-	-	-	0.00%	-	0.00%
707-6038 6038 TRAIL CONSTRUCTION	-	-	-	-	-	-	-	0.00%	-	0.00%
707-6039 6039 SIGNAGE	-	-	-	-	-	-	-	0.00%	-	0.00%
707-6077 6077 RIGHT OF WAY EXPENSE	-	-	-	-	-	-	-	0.00%	-	0.00%
TOTAL CAPITAL OUTLAY	\$ -	\$ 13,868	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%	\$ -	0.00%
707-6250 6250 GENERAL FUND REIMBURSEMENT	251,633	274,106	288,942	110,000	110,000	113,745	3,745	3.40%	3,745	3.40%
707-6255 6255 TRANSFER TO ENTERPRISE FUND PROJECT	195,576	197,275	193,867	195,459	195,459	196,945	1,486	0.76%	1,486	0.76%
707-6325 6325 REDEMPTION OF BONDS	-	-	-	-	-	-	-	0.00%	-	0.00%
707-6350 6350 INTEREST ON BONDS & CERT	-	-	-	-	-	-	-	0.00%	-	0.00%
TRANSFERS OUT	\$ 447,209	\$ 471,381	\$ 482,809	\$ 305,459	\$ 305,459	\$ 310,690	\$ 5,231	1.08%	\$ 5,231	1.71%
TOTAL EXPENDITURES	\$ 968,718	\$ 760,192	\$ 754,707	\$ 1,031,025	\$ 954,748	\$ 2,172,811	\$ 1,216,518	161.19%	\$ 1,141,786	110.74%

TEXPOOL REPORT

MONTH OF APRIL 30, 2024

5.3142%

	BEGINNING BALANCE	TRANSFER IN/(OUT)	INT EARNED (Posted Apr)	ENDING BALANCE	PURPOSE OF FUND
GENERAL FUND - UNRESTRICTED	9,641,905.86	(415,863.73)	49,648.32	9,275,690.45	Working capital
GENERAL FUND - RESTRICTED	1,600,000.00	0.00	incl in above	1,600,000.00	
SEIZURE	52,267.08	0.00	228.29	52,495.37	Solely to purchase equipment for Law Enforcement
CHILD SAFETY PROGRAMS	2,101.01	0.00	9.18	2,110.19	Reserved for Child Safety/School Zones
DEBT SERVICE FUND	3,889,099.79	14,514.42	16,989.11	3,920,603.32	Restricted for General fund reserves & yearly debt service
FEDERAL SEIZURE	6,386.35	0.00	27.89	6,414.24	Criminal Investigation - Federal Funds
STEP FUND	48,451.98	0.00	211.63	48,663.61	
PUBLIC SAFETY	157,120.36	0.00	686.28	157,806.64	Public Safety Needs
HOTEL/MOTEL FUND	1,546,814.95	21,000.00	6,759.31	1,574,574.26	Restricted for promotion of tourism
CAPITAL IMPACT FEES	4,651,499.08	100,000.00	20,331.62	4,771,830.70	Water & sewer lines extensions & expansions
ENTERPRISE FUND - UNRESTRICT	1,979,010.08	114,609.09	9,188.36	2,102,807.53	Working capital
ENTERPRISE FUND - RESTRICTED	300,000.00	0.00	incl in above	300,000.00	Customer liability
GENERAL CAPITAL PROJECTS	3,497,790.21	(20,000.00)	15,274.90	3,493,065.11	General Fund CIP
CAPITAL PROJECT BONDS	2,366,246.47	0.00	10,335.40	2,376,581.87	2016A CO WW Plant, Clarifier & Todville 2016 Sewer
WTR/SWR BONDS	325,895.73	0.00	1,423.46	327,319.19	Funds transferred from Bond Mkt Acct to allow liquidity
IT BONDS	0.00	0.00	0.00	0.00	Fiber Optics
PD & GF BONDS	0.00	0.00	0.00	0.00	Public Works Facility
PD & GF BONDS (GEN FUND Reserve)	(0.00)	0.00	0.00	(0.00)	Public Works Facility funds provided by GF Reserve
FIRE BONDS	0.00	4,305,000.00	12,536.23	4,317,536.23	GO Series 2024
STREET BONDS	0.00	10,000,000.00	29,120.17	10,029,120.17	CO Series 2024
DRAINAGE BONDS	1,054,066.91	(30,000.00)	4,599.63	1,028,666.54	Drainage CO Funds 50/50 Split County Projects
CAROTHERS	249,313.54	0.00	1,088.96	250,402.50	Carother Facility & Park
PARK FEES	8,118.71	0.00	35.46	8,154.17	Reserved for acquisition & development of park land
ANIMAL	8,161.59	0.00	35.65	8,197.24	Animal Shelter Needs - Donation
CRIME DISTRICT	1,228,365.38	77,304.67	5,280.77	1,310,950.82	Funds transferred from Bond Mkt Acct to allow liquidity
SEDC II - UNRESTRICTED	3,869,404.31	45,487.99	17,780.77	3,932,673.07	Seabrook Economic Development Corporation II
SEDC II - RESTRICT FOR EMERGENCY	180,000.00	0.00	incl in above	180,000.00	Emergency Reserve
MUNI COURT - SECURITY FUND	19,571.31	0.00	85.48	19,656.79	Funds from fines to be used for security
COURT - TIME PAYMENT FEES	20,541.80	(1,000.00)	89.58	19,631.38	Funds from fines to be used to improve court
MUNI COURT - TECHNOLOGY FUND	1,084.66	0.00	4.74	1,089.40	Fund court on technology
PUBLIC SAFETY VERF	884,104.14	(27,304.67)	3,953.47	860,752.94	Public Safety Vehicle Equipment Replacement
PEG Fund	57,267.58	0.00	250.14	57,517.72	Public Education and Government Access
GE VERF	1,156,762.57	121,252.23	5,159.97	1,283,174.77	
STABILIZATION FUND	884,008.54	0.00	3,861.21	887,869.75	Highway 146 Project
WATER RATE STABILIZATION	0.00	0.00	0.00	0.00	
TOTAL TEXPOOL FUND	39,685,359.99	14,305,000.00	214,995.98	\$54,205,355.97	

The investment portfolio of the City of Seabrook is in compliance with the investment strategies expressed in the City's Investment Policy and relevant provisions of Chapter 2256 of the Local Government Code.

Michael Gibbs

Finance Director



Monthly Newsletter: May 2024

ANNOUNCEMENTS

We welcome the following entities who joined TexPool in April 2024:

TexPool

Southeast Texas Housing Finance Corporation
Delta County
Tom Bean ISD
Lago Bello MUD 1A
Fort Bend County ESD 9
Milam Appraisal District

TexPool Prime

Southeast Texas Housing Finance Corporation
Delta County
Tom Bean ISD
Lago Bello MUD 1A
Fort Bend County ESD 9
City of Hunters Creek Village
Milam Appraisal District

Upcoming Events

6/17/2024
Summer Texas Association of School Business Officials (TASBO)
Round Rock, TX

6/10/2024
County Inv. Academy
Irving, TX

TexPool Advisory Board Members

Patrick Krishock	David Landeros
Belinda Weaver	Sharon Matthews
Deborah Lauder milk	David Garcia
Valarie Van Vlack	Dina Edgar

Overseen by the State of Texas Comptroller of Public Accounts Glenn Hegar

Operated under the supervision of the Texas Treasury Safekeeping Trust Company

Economic and Market Commentary: Extra Innings

May 1, 2024

The Federal Reserve has had the markets running on a treadmill for several months. The despairing tone of the statement from the May 1 Federal Open Market Committee (FOMC) meeting indicates we won't step off anytime soon: "In recent months, there has been a lack of further progress toward the Committee's 2% inflation objective." Goes almost without saying that the target fed funds range remained at 5.25-5.5%.

But a better analogy is that we have entered extra innings in the game against inflation. It just won't give up. But despite the recent disappointing Consumer Price Index (CPI) and the Personal Consumption Expenditures (PCE) index readings, Chair Jerome Powell said yesterday he still expects price pressures to decline this year and that the Fed will cut rates eventually. (He seems plenty confident in that despite constantly saying he lacks confidence). In our view, the U.S. economy isn't moving backward or running in place, but simply in overtime in a game in which cash remains king. Two cuts are likely the most we will get this year.

This makes investing tricky. Moving out of liquidity vehicles too soon might mean losing out on yield if the contest stretches on; but waiting to extend the duration of a portfolio until the

(continued page 6)

Performance as of April 30, 2024

	TexPool	TexPool Prime
Current Invested Balance	\$35,183,989,668	\$15,542,809,148
Weighted Average Maturity**	40 Days	44 Days
Weighted Average Life**	95 Days	78 Days
Net Asset Value	0.99988	0.99989
Total Number of Participants	2,854	575
Management Fee on Invested Balance	0.0450%	0.0550%
Interest Distributed	\$155,531,925.26	\$69,116,349.26
Management Fee Collected	\$1,205,720.85	\$625,904.55
Current S&P Global Rating	AAAm	AAAm

Month Averages

Average Invested Balance	\$35,646,535,045	\$15,355,447,663
Average Monthly Rate*	5.31%	5.48%
Average Weighted Average Maturity**	40	42
Average Weighted Average Life**	92	73

*This average monthly rate for TexPool Prime for each date may reflect a waiver of some portion or all of each of the management fees.

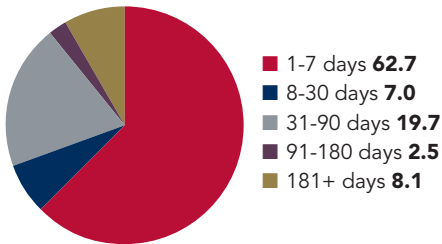
**See page 2 for definitions.

Past performance is no guarantee of future results.



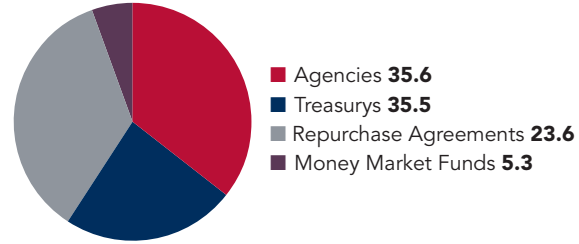
Portfolio by Maturity (%)

As of April 30, 2024



Portfolio by Type of Investment (%)

As of April 30, 2024



Portfolio Asset Summary as of April 30, 2024

	Book Value	Market Value
Uninvested Balance	\$1,527.74	\$1,527.74
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	84,910,912.85	84,910,912.85
Interest and Management Fees Payable	-155,532,098.70	-155,532,098.70
Payable for Investments Purchased	-328,534,647.22	-328,534,647.22
Accrued Expenses & Taxes	-39,620.81	-39,620.81
Repurchase Agreements	8,404,721,000.00	8,404,721,000.00
Mutual Fund Investments	1,867,085,200.00	1,867,085,200.00
Government Securities	12,648,711,443.59	12,643,316,409.00
US Treasury Bills	10,917,942,852.87	10,916,403,629.87
US Treasury Notes	1,744,723,097.51	1,746,246,301.30
Total	\$35,183,989,667.83	\$35,178,578,614.03

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool. The only source of payment to the Participants is the assets of TexPool. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services.

Participant Summary

	Number of Participants	Balance
School District	627	\$11,455,153,645.36
Higher Education	60	\$1,490,441,234.59
County	199	\$4,284,203,137.63
Healthcare	94	\$2,237,713,524.20
Utility District	930	\$5,468,420,705.09
City	505	\$8,202,279,565.16
Emergency Districts	108	\$475,757,016.47
Economic Development Districts	90	\$207,231,388.86
Other	241	\$1,362,749,946.74

**Definition of Weighted Average Maturity and Weighted Average Life

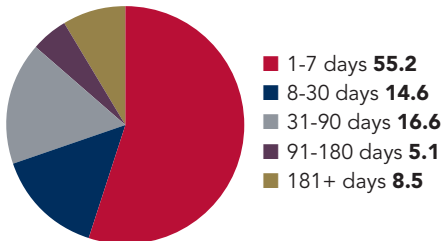
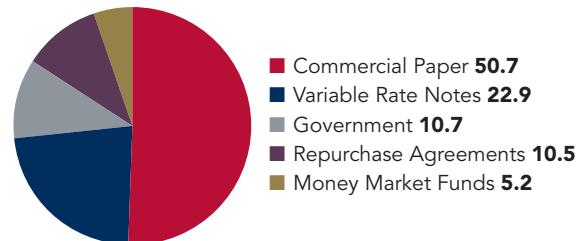
WAM is the mean average of the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid, (b) would be repaid upon a demand by TexPool, or (c) are scheduled to have their interest rate readjusted to reflect current market rates. Securities with adjustable rates payable upon demand are treated as maturing on the earlier of the two dates set forth in (b) and (c) if their scheduled maturity is 397 days or less; and the later of the two dates set forth in (b) and (c) if their scheduled maturity is more than 397 days. The mean is weighted based on the percentage of the amortized cost of the portfolio invested in each period.

WAL is calculated in the same manner as WAM, but is based solely on the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid or (b) would be repaid upon a demand by TexPool, without reference to when interest rates of securities within TexPool are scheduled to be readjusted.



Daily Summary

Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool Invested Balance	NAV	WAM Days	WAL Days
4/1	5.3166%	0.000145659	\$35,801,399,015.37	0.99994	38	91
4/2	5.3185%	0.000145713	\$35,789,082,897.20	0.99995	39	92
4/3	5.3150%	0.000145616	\$35,701,963,451.60	0.99995	39	92
4/4	5.3084%	0.000145435	\$35,970,352,329.83	0.99997	39	92
4/5	5.3165%	0.000145657	\$35,960,016,884.56	0.99995	39	92
4/6	5.3165%	0.000145657	\$35,960,016,884.56	0.99995	39	92
4/7	5.3165%	0.000145657	\$35,960,016,884.56	0.99995	39	92
4/8	5.3101%	0.000145481	\$35,879,044,520.84	0.99994	37	90
4/9	5.3094%	0.000145462	\$35,887,124,952.70	0.99997	38	93
4/10	5.3105%	0.000145492	\$35,759,808,416.33	0.99989	39	94
4/11	5.3104%	0.000145490	\$35,636,948,340.51	0.99990	39	92
4/12	5.3110%	0.000145506	\$35,599,341,241.73	0.99990	39	92
4/13	5.3110%	0.000145506	\$35,599,341,241.73	0.99990	39	92
4/14	5.3110%	0.000145506	\$35,599,341,241.73	0.99990	39	92
4/15	5.3122%	0.000145541	\$35,569,259,609.57	0.99990	37	89
4/16	5.3164%	0.000145654	\$35,657,664,628.78	0.99991	41	93
4/17	5.3133%	0.000145569	\$35,643,909,381.78	0.99991	40	92
4/18	5.3122%	0.000145540	\$35,700,780,433.23	0.99985	40	90
4/19	5.3105%	0.000145494	\$35,671,291,417.50	0.99989	40	90
4/20	5.3105%	0.000145494	\$35,671,291,417.50	0.99989	40	90
4/21	5.3105%	0.000145494	\$35,671,291,417.50	0.99989	40	90
4/22	5.3014%	0.000145243	\$35,547,108,332.23	0.99989	39	89
4/23	5.3221%	0.000145811	\$35,505,786,634.60	0.99991	41	92
4/24	5.3241%	0.000145865	\$35,380,232,660.60	0.99989	40	93
4/25	5.3249%	0.000145887	\$35,556,224,239.95	0.99988	40	93
4/26	5.3151%	0.000145618	\$35,421,793,819.68	0.99988	41	94
4/27	5.3151%	0.000145618	\$35,421,793,819.68	0.99988	41	94
4/28	5.3151%	0.000145618	\$35,421,793,819.68	0.99988	41	94
4/29	5.3188%	0.000145720	\$35,268,041,744.17	0.99988	40	95
4/30	5.3233%	0.000145844	\$35,183,989,667.83	0.99988	40	95
Average:	5.3142%	0.000145595	\$35,646,535,044.92	0.99991	40	92

**TEXPOOL Prime****Portfolio by Maturity (%)***As of April 30, 2024***Portfolio by Type of Investment (%)***As of April 30, 2024***Portfolio Asset Summary as of April 30, 2024**

	Book Value	Market Value
Uninvested Balance	\$491.51	\$491.51
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	21,797,874.55	21,797,874.55
Interest and Management Fees Payable	-69,116,348.98	-69,116,348.98
Payable for Investments Purchased	-248,458,541.65	-248,458,541.65
Accrued Expenses & Taxes	-21,146.17	-21,146.17
Repurchase Agreements	1,317,822,000.00	1,317,822,000.00
Commercial Paper	10,019,718,141.67	10,017,748,909.23
Mutual Fund Investments	830,153,483.22	829,943,055.05
Government Securities	1,693,885,277.22	1,693,848,231.00
Variable Rate Notes	1,639,962,916.67	1,640,422,548.95
Total	\$15,205,744,148.04	\$15,203,987,073.49

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool Prime. The assets of TexPool Prime are the only source of payments to the Participants. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services

Participant Summary

	Number of Participants	Balance
School District	159	\$5,589,620,666.65
Higher Education	19	\$916,161,578.50
County	52	\$1,247,770,084.94
Healthcare	23	\$649,677,680.27
Utility District	72	\$528,146,717.78
City	113	\$2,725,652,522.44
Emergency Districts	29	\$105,689,902.52
Economic Development Districts	20	\$58,205,746.82
Other	88	\$3,721,863,523.49



TexPool Prime

Daily Summary

Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool Prime Invested Balance	NAV	WAM Days	WAL Days
4/1	5.4790%	0.000150110	\$14,886,267,464.17	1.00001	35	57
4/2	5.4754%	0.000150011	\$14,971,969,955.38	1.00000	35	56
4/3	5.4747%	0.000149991	\$14,995,086,581.98	0.99999	40	62
4/4	5.4670%	0.000149782	\$14,942,237,986.71	1.00000	40	65
4/5	5.4774%	0.000150067	\$14,915,141,542.81	0.99982	41	66
4/6	5.4774%	0.000150067	\$14,915,141,542.81	0.99982	41	66
4/7	5.4774%	0.000150067	\$14,915,141,542.81	0.99982	41	66
4/8	5.4670%	0.000149780	\$14,900,811,433.63	0.99998	38	66
4/9	5.4693%	0.000149845	\$14,889,179,845.31	0.99998	38	70
4/10	5.4735%	0.000149959	\$14,930,078,403.85	0.99993	38	71
4/11	5.4693%	0.000149843	\$15,029,826,831.79	0.99986	39	72
4/12	5.4693%	0.000149845	\$14,997,499,200.56	0.99974	40	72
4/13	5.4693%	0.000149845	\$14,997,499,200.56	0.99974	40	72
4/14	5.4693%	0.000149845	\$14,997,499,200.56	0.99974	40	72
4/15	5.4657%	0.000149744	\$15,603,952,378.59	0.99991	38	70
4/16	5.4712%	0.000149895	\$16,049,025,641.93	0.99991	38	74
4/17	5.4705%	0.000149877	\$16,051,301,136.76	0.99990	39	74
4/18	5.4723%	0.000149925	\$16,087,082,473.90	0.99991	42	77
4/19	5.4757%	0.000150020	\$15,803,807,298.57	0.99974	46	81
4/20	5.4757%	0.000150020	\$15,803,807,298.57	0.99974	46	81
4/21	5.4757%	0.000150020	\$15,803,807,298.57	0.99974	46	81
4/22	5.4772%	0.000150060	\$15,799,858,321.51	0.99989	43	79
4/23	5.4810%	0.000150164	\$15,745,253,567.38	0.99989	44	80
4/24	5.4829%	0.000150216	\$15,834,008,559.95	0.99990	45	80
4/25	5.4863%	0.000150310	\$15,636,471,750.20	0.99990	46	82
4/26	5.4884%	0.000150366	\$15,386,815,702.04	0.99974	47	83
4/27	5.4884%	0.000150366	\$15,386,815,702.04	0.99974	47	83
4/28	5.4884%	0.000150366	\$15,386,815,702.04	0.99974	47	83
4/29	5.4894%	0.000150395	\$15,458,417,185.24	0.99989	44	80
4/30	5.4895%	0.000150398	\$15,542,809,148.04	0.99989	44	78
Average:	5.4765%	0.000150040	\$15,355,447,663.28	0.99986	42	73



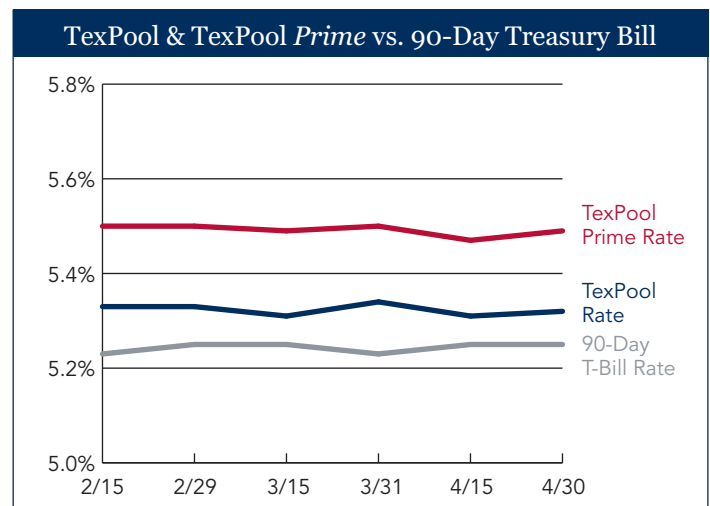
Participant Services
1001 Texas Ave. Suite 1150
Houston, TX 77002

first cut can lead to the same. We are sticking to our game plan of keeping our weighted average maturities long as we seek higher-yielding securities and paper further out the yield curve. This is no time to let up.

Tapering plans revealed

A game within the policy game has been the Fed's steady reduction of its balance sheet, which grew from huge to colossal during the pandemic. Since June of 2022, it has allowed \$60 billion of Treasuries and \$35 billion of mortgage-backed securities (MBS) to mature without replacing them. At its May 1 meeting, the FOMC announced it would taper this amount starting in June by lowering the monthly cap on Treasuries from \$60 billion to \$25 billion, while keeping the MBS cap at \$35 billion. The Fed is keen to get out of the mortgage sector, so the status quo there was expected. It was good to hear Powell say the Fed is tapering gradually to minimize the chance the money markets experience stress. We are all for that.

At the end of the month, yields on 1-, 3-, 6- and 12-month U.S. Treasuries were 5.36%, 5.39%, 5.38% and 5.24%, respectively.



90-Day Treasury Bill is a short-term debt instrument backed by the national government. These are used to collect immediate cash to meet outstanding obligations.

Any private investor can invest in a Treasury bill. The 90-Day Treasury Bill is a weighted average rate of the weekly auctions of 90-Day Treasury Bills.

Past performance is no guarantee of future results.

TEXPOOL REPORT

MONTH OF MAY 31, 2024

5.3161%

	BEGINNING BALANCE	TRANSFER IN/(OUT)	INT EARNED (Posted Apr)	ENDING BALANCE	PURPOSE OF FUND
GENERAL FUND - UNRESTRICTED	9,275,690.45	(511,320.03)	49,617.98	8,813,988.40	Working capital
GENERAL FUND - RESTRICTED	1,600,000.00	0.00	incl in above	1,600,000.00	
SEIZURE	52,495.37	0.00	237.02	52,732.39	Solely to purchase equipment for Law Enforcement
CHILD SAFETY PROGRAMS	2,110.19	0.00	9.53	2,119.72	Reserved for Child Safety/School Zones
DEBT SERVICE FUND	3,920,603.32	6,107.08	17,702.52	3,944,412.92	Restricted for General fund reserves & yearly debt service
FEDERAL SEIZURE	6,414.24	0.00	28.96	6,443.20	Criminal Investigation - Federal Funds
STEP FUND	48,663.61	0.00	219.72	48,883.33	
PUBLIC SAFETY	157,806.64	0.00	712.50	158,519.14	Public Safety Needs
HOTEL/MOTEL FUND	1,574,574.26	0.00	7,109.24	1,581,683.50	Restricted for promotion of tourism
CAPITAL IMPACT FEES	4,771,830.70	(34,000.00)	21,539.98	4,759,370.68	Water & sewer lines extensions & expansions
ENTERPRISE FUND - UNRESTRICT	2,102,807.53	14,609.09	10,040.88	2,127,457.50	Working capital
ENTERPRISE FUND - RESTRICTED	300,000.00	0.00	incl in above	300,000.00	Customer liability
GENERAL CAPITAL PROJECTS	3,493,065.11	(55,000.00)	15,763.25	3,453,828.36	General Fund CIP
CAPITAL PROJECT BONDS	2,376,581.87	550,000.00	10,810.60	2,937,392.47	2016A CO WW Plant, Clarifier & Todville 2016 Sewer
WTR/SWR BONDS	327,319.19	0.00	1,477.85	328,797.04	Funds transferred from Bond Mkt Acct to allow liquidity
IT BONDS	0.00	0.00	0.00	0.00	Fiber Optics
PD & GF BONDS	0.00	0.00	0.00	0.00	Public Works Facility
PD & GF BONDS (GEN FUND Reserve)	(0.00)	0.00	0.00	(0.00)	Public Works Facility funds provided by GF Reserve
FIRE BONDS	4,317,536.23	0.00	19,493.79	4,337,030.02	GO Series 2024
STREET BONDS	10,029,120.17	0.00	45,281.74	10,074,401.91	CO Series 2024
DRAINAGE BONDS	1,028,666.54	(18,000.00)	4,641.83	1,015,308.37	Drainage CO Funds 50/50 Split County Projects
CAROTHERS	250,402.50	(2,000.00)	1,130.28	249,532.78	Carother Facility & Park
PARK FEES	8,154.17	0.00	36.82	8,190.99	Reserved for acquisition & development of park land
ANIMAL	8,197.24	0.00	37.01	8,234.25	Animal Shelter Needs - Donation
CRIME DISTRICT	1,310,950.82	39,304.67	5,825.56	1,356,081.05	Funds transferred from Bond Mkt Acct to allow liquidity
SEDC II - UNRESTRICTED	3,932,673.07	69,351.63	18,707.49	4,020,732.19	Seabrook Economic Development Corporation II
SEDC II - RESTRICT FOR EMERGENCY	180,000.00	0.00	incl in above	180,000.00	Emergency Reserve
MUNI COURT - SECURITY FUND	19,656.79	0.00	88.75	19,745.54	Funds from fines to be used for security
COURT - TIME PAYMENT FEES	19,631.38	(1,000.00)	88.49	18,719.87	Funds from fines to be used to improve court
MUNI COURT - TECHNOLOGY FUND	1,089.40	0.00	4.92	1,094.32	Fund court on technology
PUBLIC SAFETY VERF	860,752.94	(49,304.67)	3,978.28	815,426.55	Public Safety Vehicle Equipment Replacement
PEG Fund	57,517.72	0.00	259.69	57,777.41	Public Education and Government Access
GE VERF	1,283,174.77	(8,747.77)	5,885.14	1,280,312.14	
STABILIZATION FUND	887,869.75	0.00	4,008.75	891,878.50	Highway 146 Project
WATER RATE STABILIZATION	0.00	0.00	0.00	0.00	
TOTAL TEXPOOL FUND	54,205,355.97	0.00	244,738.57	\$54,450,094.54	

The investment portfolio of the City of Seabrook is in compliance with the investment strategies expressed in the City's Investment Policy and relevant provisions of Chapter 2256 of the Local Government Code.

Michael Gibbs

Finance Director



Monthly Newsletter: June 2024

ANNOUNCEMENTS

We welcome the following entities who joined TexPool and TexPool Prime in May 2024:

City of Covington
Childress ISD
Falls County ESD 1
Bob Hope School
Hays County District Clerk
Benbrook Economic Development Corporation
Harris County MUD 238
Tomball Business Improvement District
Dimmit County
City of Malone
Odyssey 2020 Academy, Inc
Harris County MUD 555
Bexar County ESD 8 (Prime only)
City of Kermit (Prime only)
Harris County ESD 11 (Prime only)

Tips for Preventing Financial Fraud

With cyber-crime and other social engineering attacks on the rise, TexPool offers tips, resources, and other suggestions to help protect your participating entity from potential financial fraud. Please visit the Financial Fraud Prevention page on TexPool.com to learn more.

We also encourage you to complete the Phishing and Cybersecurity Awareness course that is available through TexPool Academy.

TexPool Advisory Board Members

Patrick Krishock	David Landeros
Belinda Weaver	Sharon Matthews
Deborah Laudermilk	David Garcia
Valarie Van Vlack	Dina Edgar

Overseen by the State of Texas Comptroller of Public Accounts Glenn Hegar

Operated under the supervision of the Texas Treasury Safekeeping Trust Company

Economic and Market Commentary: Filling the pool again

June 1, 2024

Summer doesn't officially start until June 21, but Memorial Day marks the opening of public pools. That means municipalities were filling them in May with the clear, shimmering water that beckons children from coast to coast.

Liquidity vehicles experienced their own flows in May. Many lost assets in March and April, but it was largely due to corporate and individual tax dates, not from the beginning of the end of cash's reign. After two years of its kingly status, some would like to see other asset classes be more attractive. But liquidity products are only growing in favor as they ride the Federal Reserve's reticence to cut rates, with most seeing at least modest inflows in May.

Keeping with the swimming pool metaphor, the U.S. Treasury Department is acting like a drain. On May 29, it began a program to buy back a set amount of government securities. Secretary Janet Yellen and company want to support the Treasury market by increasing liquidity via purchases on the secondary market. The focus now is on bonds and notes, but Treasury plans on targeting bills to lessen market volatility when it issues fewer short-term securities because it has a surfeit of cash. While it won't make a ton of difference if the buyback amount is modest, as it has been so far, it can only help cash managers.

(continued page 6)

Performance as of May 31, 2024

	TexPool	TexPool Prime
Current Invested Balance	\$34,048,746,311	\$14,492,953,389
Weighted Average Maturity**	40 Days	48 Days
Weighted Average Life**	94 Days	83 Days
Net Asset Value	0.99995	0.99998
Total Number of Participants	2,866	589
Management Fee on Invested Balance	0.0450%	0.0550%
Interest Distributed	\$156,363,086.37	\$69,759,408.34
Management Fee Collected	\$1,208,096.84	\$683,409.51
Current S&P Global Rating	AAAm	AAAm

Month Averages

Average Invested Balance	\$34,643,558,991	\$15,059,562,101
Average Monthly Rate*	5.32%	5.45%
Average Weighted Average Maturity**	40	46
Average Weighted Average Life**	92	83

*This average monthly rate for TexPool Prime for each date may reflect a waiver of some portion or all of each of the management fees.

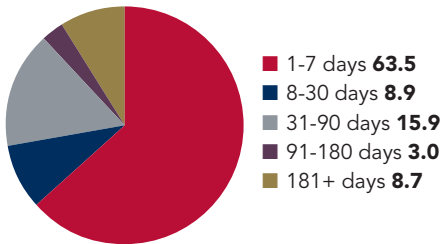
**See page 2 for definitions.

Past performance is no guarantee of future results.



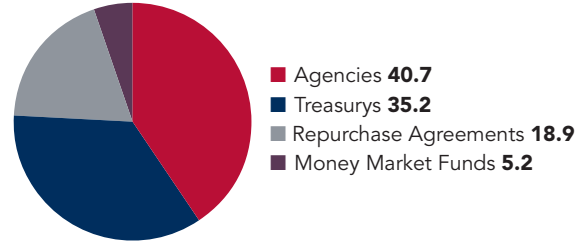
Portfolio by Maturity (%)

As of May 31, 2024



Portfolio by Type of Investment (%)

As of May 31, 2024



Portfolio Asset Summary as of May 31, 2024

	Book Value	Market Value
Uninvested Balance	-\$178.21	-\$178.21
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	119,838,425.94	119,838,425.94
Interest and Management Fees Payable	-156,364,152.55	-156,364,152.55
Payable for Investments Purchased	-1,615,895,309.40	-1,615,895,309.40
Accrued Expenses & Taxes	-38,238.91	-38,238.91
Repurchase Agreements	6,760,515,000.00	6,760,515,000.00
Mutual Fund Investments	1,867,085,200.00	1,867,085,200.00
Government Securities	14,521,160,654.43	14,516,078,637.52
US Treasury Bills	10,807,699,122.88	10,809,441,181.32
US Treasury Notes	1,744,745,786.88	1,746,355,287.15
Total	\$34,048,746,311.06	\$34,047,015,852.86

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool. The only source of payment to the Participants is the assets of TexPool. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services.

Participant Summary

	Number of Participants	Balance
School District	630	\$10,796,023,636.87
Higher Education	60	\$1,400,488,575.69
County	201	\$4,202,932,276.29
Healthcare	94	\$2,070,629,826.28
Utility District	932	\$5,437,052,976.06
City	507	\$8,121,762,530.97
Emergency Districts	109	\$473,207,532.11
Economic Development Districts	91	\$205,138,852.99
Other	242	\$1,341,469,507.22

**Definition of Weighted Average Maturity and Weighted Average Life

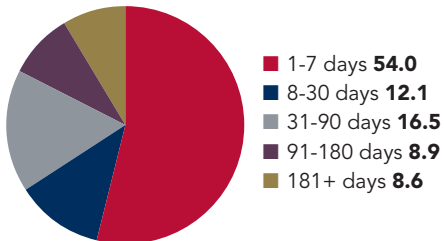
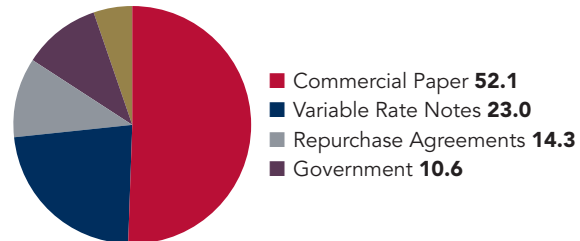
WAM is the mean average of the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid, (b) would be repaid upon a demand by TexPool, or (c) are scheduled to have their interest rate readjusted to reflect current market rates. Securities with adjustable rates payable upon demand are treated as maturing on the earlier of the two dates set forth in (b) and (c) if their scheduled maturity is 397 days or less; and the later of the two dates set forth in (b) and (c) if their scheduled maturity is more than 397 days. The mean is weighted based on the percentage of the amortized cost of the portfolio invested in each period.

WAL is calculated in the same manner as WAM, but is based solely on the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid or (b) would be repaid upon a demand by TexPool, without reference to when interest rates of securities within TexPool are scheduled to be readjusted.



Daily Summary

Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool Invested Balance	NAV	WAM Days	WAL Days
5/1	5.3173%	0.000145679	\$35,227,509,220.51	0.99988	40	96
5/2	5.3109%	0.000145504	\$35,220,474,967.62	0.99987	41	94
5/3	5.3172%	0.000145678	\$35,012,369,540.22	0.99988	41	95
5/4	5.3172%	0.000145678	\$35,012,369,540.22	0.99988	41	95
5/5	5.3172%	0.000145678	\$35,012,369,540.22	0.99988	41	95
5/6	5.3108%	0.000145502	\$34,903,282,560.69	0.99989	39	93
5/7	5.3109%	0.000145504	\$34,879,118,022.28	0.99989	40	95
5/8	5.3124%	0.000145545	\$34,763,864,549.55	0.99989	40	95
5/9	5.3126%	0.000145552	\$34,758,579,359.34	0.99989	40	93
5/10	5.3125%	0.000145547	\$34,908,727,320.94	0.99987	40	92
5/11	5.3125%	0.000145547	\$34,908,727,320.94	0.99987	40	92
5/12	5.3125%	0.000145547	\$34,908,727,320.94	0.99987	40	92
5/13	5.3129%	0.000145558	\$34,857,381,650.67	0.99990	38	90
5/14	5.3146%	0.000145605	\$34,798,107,119.08	0.99990	39	92
5/15	5.3147%	0.000145609	\$34,559,638,399.59	0.99991	39	92
5/16	5.3148%	0.000145611	\$34,577,307,497.20	0.99989	38	91
5/17	5.3151%	0.000145620	\$34,591,883,801.19	0.99987	40	92
5/18	5.3151%	0.000145620	\$34,591,883,801.19	0.99987	40	92
5/19	5.3151%	0.000145620	\$34,591,883,801.19	0.99987	40	92
5/20	5.3160%	0.000145643	\$34,448,530,672.71	0.99987	38	90
5/21	5.3167%	0.000145662	\$34,432,550,170.14	0.99988	38	90
5/22	5.3166%	0.000145661	\$34,357,207,645.61	0.99986	38	89
5/23	5.3166%	0.000145659	\$34,205,431,093.45	0.99984	41	90
5/24	5.3166%	0.000145659	\$34,415,751,564.70	0.99983	42	90
5/25	5.3166%	0.000145659	\$34,415,751,564.70	0.99983	42	90
5/26	5.3166%	0.000145659	\$34,415,751,564.70	0.99983	42	90
5/27	5.3166%	0.000145659	\$34,415,751,564.70	0.99983	42	90
5/28	5.3231%	0.000145838	\$34,232,954,993.19	0.99985	40	90
5/29	5.3233%	0.000145844	\$34,273,199,583.27	0.99983	40	90
5/30	5.3266%	0.000145934	\$34,204,496,667.26	0.99983	40	89
5/31	5.3270%	0.000145944	\$34,048,746,311.06	0.99995	40	94
Average:	5.3161%	0.000145646	\$34,643,558,991.26	0.99987	40	92

**TEXPOOL Prime****Portfolio by Maturity (%)***As of May 31, 2024***Portfolio by Type of Investment (%)***As of May 31, 2024***Portfolio Asset Summary as of May 31, 2024**

	Book Value	Market Value
Uninvested Balance	\$841.09	\$841.09
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	16,544,131.01	16,544,131.01
Interest and Management Fees Payable	-69,759,409.81	-69,759,409.81
Payable for Investments Purchased	0.00	0.00
Accrued Expenses & Taxes	-21,779.02	-21,779.02
Repurchase Agreements	2,077,235,000.00	2,077,235,000.00
Commercial Paper	9,758,181,807.38	9,756,187,273.88
Mutual Fund Investments	0.00	
Government Securities	1,545,772,798.00	1,546,230,392.50
Variable Rate Notes	1,165,000,000.00	1,165,409,134.60
Total	\$14,492,953,388.65	\$14,491,825,584.25

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool Prime. The assets of TexPool Prime are the only source of payments to the Participants. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services

Participant Summary

	Number of Participants	Balance
School District	162	\$4,937,877,861.85
Higher Education	19	\$883,563,730.80
County	54	\$1,262,104,669.21
Healthcare	23	\$606,668,296.57
Utility District	73	\$604,784,353.36
City	116	\$2,637,265,258.78
Emergency Districts	32	\$105,337,869.36
Economic Development Districts	21	\$58,618,411.41
Other	89	\$3,395,892,700.88



TexPool Prime

Daily Summary

Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool Prime Invested Balance	NAV	WAM Days	WAL Days
5/1	5.4641%	0.000149701	\$15,565,058,717.35	0.99986	43	78
5/2	5.4613%	0.000149625	\$15,555,206,895.01	0.99989	44	80
5/3	5.4677%	0.000149799	\$15,518,486,238.69	0.99977	44	81
5/4	5.4677%	0.000149799	\$15,518,486,238.69	0.99977	44	81
5/5	5.4677%	0.000149799	\$15,518,486,238.69	0.99977	44	81
5/6	5.4572%	0.000149511	\$15,549,909,808.81	0.99994	43	79
5/7	5.4568%	0.000149500	\$15,418,640,354.05	0.99992	44	81
5/8	5.4466%	0.000149221	\$15,383,886,577.91	0.99992	44	82
5/9	5.4424%	0.000149108	\$15,388,582,315.91	0.99992	44	83
5/10	5.4437%	0.000149142	\$15,381,404,488.61	0.99975	45	83
5/11	5.4437%	0.000149142	\$15,381,404,488.61	0.99975	45	83
5/12	5.4437%	0.000149142	\$15,381,404,488.61	0.99975	45	83
5/13	5.4472%	0.000149238	\$15,359,174,345.83	0.99990	45	82
5/14	5.4497%	0.000149308	\$15,210,399,221.28	0.99991	45	83
5/15	5.4502%	0.000149320	\$15,113,128,733.87	0.99994	45	83
5/16	5.4483%	0.000149268	\$15,090,129,277.14	0.99997	46	82
5/17	5.4515%	0.000149356	\$14,947,888,987.74	0.99979	48	84
5/18	5.4515%	0.000149356	\$14,947,888,987.74	0.99979	48	84
5/19	5.4515%	0.000149356	\$14,947,888,987.74	0.99979	48	84
5/20	5.4523%	0.000149379	\$14,973,798,498.12	0.99997	46	83
5/21	5.4565%	0.000149493	\$14,895,042,196.45	0.99997	48	86
5/22	5.4599%	0.000149587	\$14,777,414,376.15	0.99996	50	87
5/23	5.4593%	0.000149570	\$14,636,469,108.81	0.99995	50	88
5/24	5.4553%	0.000149460	\$14,599,774,222.55	0.99968	50	86
5/25	5.4553%	0.000149460	\$14,599,774,222.55	0.99968	50	86
5/26	5.4553%	0.000149460	\$14,599,774,222.55	0.99968	50	86
5/27	5.4553%	0.000149460	\$14,599,774,222.55	0.99968	50	86
5/28	5.4550%	0.000149451	\$14,626,072,729.76	0.99994	47	82
5/29	5.4607%	0.000149609	\$14,455,232,632.87	0.99993	48	85
5/30	5.4628%	0.000149667	\$14,412,889,932.28	0.99993	48	84
5/31	5.4621%	0.000149646	\$14,492,953,388.65	0.99998	48	83
Average:	5.4549%	0.000149449	\$15,059,562,101.47	0.99985	46	83



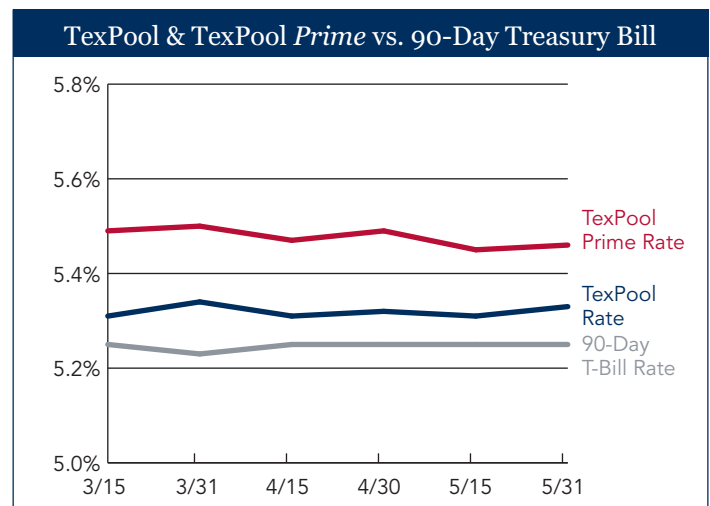
Participant Services
1001 Texas Ave. Suite 1150
Houston, TX 77002

Moving Target

It would be easier to name the Federal Reserve governors and branch presidents who didn't speak in May than those who did. One gets the feeling that dissent will be coming, especially as the minutes of the May Federal Open Market Committee meeting were more hawkish than the neutral-to-dovish spin Chair Jerome Powell gave in his press conference.

We already know that the three quarter-point cuts the Fed once penciled for the second half of this year have been postponed. We expect to get only one or two now. However, the specter of a rate hike raised its frightful head in the May meeting: "Various participants mentioned a willingness to tighten policy further should risks to inflation materialize in a way that such an action became appropriate." Despite this warning, we do not anticipate a hike. One thing to note is that the idea that the Fed will avoid cutting rates in September so as not to appear to interfere with the general election, forgoing rate action when warranted by the data might also look politically motivated. The argument cuts both ways, so to speak.

At the end of the month, yields on 1-, 3-, 6- and 12-month U.S. Treasuries were 5.39%, 5.39%, 5.36% and 5.17%, respectively.



90-Day Treasury Bill is a short-term debt instrument backed by the national government. These are used to collect immediate cash to meet outstanding obligations.

Any private investor can invest in a Treasury bill. The 90-Day Treasury Bill is a weighted average rate of the weekly auctions of 90-Day Treasury Bills.

Past performance is no guarantee of future results.

TEXPOOL REPORT

MONTH OF MAY 31, 2024

5.3161%

	BEGINNING BALANCE	TRANSFER IN/(OUT)	INT EARNED (Posted Apr)	ENDING BALANCE	PURPOSE OF FUND
GENERAL FUND - UNRESTRICTED	8,813,988.40	(509,414.50)	45,990.66	8,350,564.56	Working capital
GENERAL FUND - RESTRICTED	1,600,000.00	0.00	incl in above	1,600,000.00	
SEIZURE	52,732.39	0.00	230.23	52,962.62	Solely to purchase equipment for Law Enforcement
CHILD SAFETY PROGRAMS	2,119.72	0.00	9.25	2,128.97	Reserved for Child Safety/School Zones
DEBT SERVICE FUND	3,944,412.92	12,259.83	17,223.22	3,973,895.97	Restricted for General fund reserves & yearly debt service
FEDERAL SEIZURE	6,443.20	0.00	28.13	6,471.33	Criminal Investigation - Federal Funds
STEP FUND	48,883.33	0.00	213.43	49,096.76	
PUBLIC SAFETY	158,519.14	0.00	692.10	159,211.24	Public Safety Needs
HOTEL/MOTEL FUND	1,581,683.50	40,000.00	6,911.52	1,628,595.02	Restricted for promotion of tourism
CAPITAL IMPACT FEES	4,759,370.68	(40,000.00)	20,773.73	4,740,144.41	Water & sewer lines extensions & expansions
ENTERPRISE FUND - UNRESTRICT	2,127,457.50	266,609.09	9,854.88	2,403,921.47	Working capital
ENTERPRISE FUND - RESTRICTED	300,000.00	0.00	incl in above	300,000.00	Customer liability
GENERAL CAPITAL PROJECTS	3,453,828.36	0.00	15,079.52	3,468,907.88	General Fund CIP
CAPITAL PROJECT BONDS	2,937,392.47	200,000.00	12,853.93	3,150,246.40	2016A CO WW Plant, Clarifier & Todville 2016 Sewer
WTR/SWR BONDS	328,797.04	0.00	1,435.54	330,232.58	Funds transferred from Bond Mkt Acct to allow liquidity
IT BONDS	0.00	0.00	0.00	0.00	Fiber Optics
PD & GF BONDS	0.00	0.00	0.00	0.00	Public Works Facility
PD & GF BONDS (GEN FUND Reserve)	(0.00)	0.00	0.00	(0.00)	Public Works Facility funds provided by GF Reserve
FIRE BONDS	4,337,030.02	0.00	18,935.61	4,355,965.63	GO Series 2024
STREET BONDS	10,074,401.91	0.00	43,985.16	10,118,387.07	CO Series 2024
DRAINAGE BONDS	1,015,308.37	(50,000.00)	4,425.57	969,733.94	Drainage CO Funds 50/50 Split County Projects
CAROTHERS	249,532.78	0.00	1,089.47	250,622.25	Carother Facility & Park
PARK FEES	8,190.99	0.00	35.76	8,226.75	Reserved for acquisition & development of park land
ANIMAL	8,234.25	0.00	35.95	8,270.20	Animal Shelter Needs - Donation
CRIME DISTRICT	1,356,081.05	22,304.67	5,828.17	1,384,213.89	Funds transferred from Bond Mkt Acct to allow liquidity
SEDC II - UNRESTRICTED	4,020,732.19	61,293.35	18,444.99	4,100,470.53	Seabrook Economic Development Corporation II
SEDC II - RESTRICT FOR EMERGENCY	180,000.00	0.00	incl in above	180,000.00	Emergency Reserve
MUNI COURT - SECURITY FUND	19,745.54	0.00	86.21	19,831.75	Funds from fines to be used for security
COURT - TIME PAYMENT FEES	18,719.87	(2,000.00)	81.44	16,801.31	Funds from fines to be used to improve court
MUNI COURT - TECHNOLOGY FUND	1,094.32	0.00	4.78	1,099.10	Fund court on technology
PUBLIC SAFETY VERF	815,426.55	(22,304.67)	3,652.70	796,774.58	Public Safety Vehicle Equipment Replacement
PEG Fund	57,777.41	0.00	252.26	58,029.67	Public Education and Government Access
GE VERF	1,280,312.14	21,252.23	5,682.67	1,307,247.04	
STABILIZATION FUND	891,878.50	0.00	3,893.97	895,772.47	Highway 146 Project
WATER RATE STABILIZATION	0.00	0.00	0.00	0.00	
TOTAL TEXPOOL FUND	54,450,094.54	0.00	237,730.85	\$54,687,825.39	

The investment portfolio of the City of Seabrook is in compliance with the investment strategies expressed in the City's Investment Policy and relevant provisions of Chapter 2256 of the Local Government Code.

Michael Gibbs

Finance Director



Monthly Newsletter: July 2024

ANNOUNCEMENTS

We welcome the following entities who joined TexPool in June 2024:

TexPool

Sulphur River Basin Authority
East Hays County MUD 1
City of Alton
Caldwell County ESD No 5
Gruver ISD

TexPool Prime

Sulphur River Basin Authority
East Hays County MUD 1
City of Alton
Caldwell County ESD No 5
Gruver ISD
Andrews ISD

Upcoming Events

September 16 2024 - September 19 2024
76th Annual County Treasurers' Association of Texas Conference
Denton, TX

Tips for Preventing Financial Fraud

With cyber-crime and other social engineering attacks on the rise, TexPool offers tips, resources, and other suggestions to help protect your participating entity from potential financial fraud. Please visit the Financial Fraud Prevention page on TexPool.com to learn more.

We also encourage you to complete the Phishing and Cybersecurity Awareness course that is available through TexPool Academy.

TexPool Advisory Board Members

Patrick Krishock	David Landeros
Belinda Weaver	Sharon Matthews
Deborah Lauder milk	David Garcia
Valarie Van Vlack	Dina Edgar

Overseen by the State of Texas Comptroller of Public Accounts Glenn Hegar

Operated under the supervision of the Texas Treasury Safekeeping Trust Company

Economic and Market Commentary: Much to celebrate, much to discuss

July 1, 2024

If cash is king—and we certainly think so—it held court last month in Pittsburgh. The annual Crane Data Money Fund Symposium brought in more than 600 portfolio managers, salespeople and clients came to celebrate the broad liquidity industry's remarkable growth in assets over its more than five decades of existence and to discuss salient issues in the industry. Topics included the health of the liquidity space, the effects that could result from potential Federal Reserve policy decisions and the reinstatement of the debt ceiling in January. This was not a rah-rah gathering. The panels took a hard look at these and other issues. There's no question that liquidity products have had a heyday in the last two years, an opinion held by more than the admittedly biased group attending the conference. The liquidity industry has grown in size and sophistication over these years, and we believe continues to offer an attractive option for cash management.

The timing of the first Federal Reserve rate cut of this cycle is more uncertain than ever. Factors include the range-bound nature of inflation data, mixed bag of economic reports and, of course, the presidential election. By a slight margin, we anticipate two cuts to come in the fourth quarter, meaning after the election. The Federal Open Market Committee's projection for just one cut by year-end might be suspect as it appears that members cast

(continued page 6)

Performance as of June 30, 2024

	TexPool	TexPool Prime
Current Invested Balance	\$33,164,759,900	\$15,057,602,926
Weighted Average Maturity**	36 Days	41 Days
Weighted Average Life**	98 Days	77 Days
Net Asset Value	0.99992	0.99975
Total Number of Participants	2,871	594
Management Fee on Invested Balance	0.0450%	0.0550%
Interest Distributed	\$145,605,798.61	\$65,873,036.45
Management Fee Collected	\$1,144,012.87	\$661,405.43
Current S&P Global Rating	AAAm	AAAm

Month Averages

Average Invested Balance	\$33,939,787,956	\$14,673,993,246
Average Monthly Rate*	5.31%	5.46%
Average Weighted Average Maturity**	38	43
Average Weighted Average Life**	93	79

**This average monthly rate for TexPool Prime for each date may reflect a waiver of some portion or all of each of the management fees.*

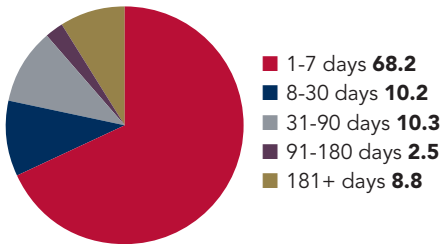
***See page 2 for definitions.*

Past performance is no guarantee of future results.



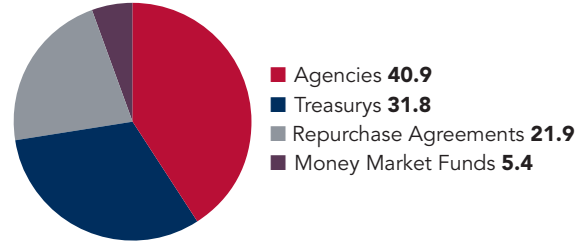
Portfolio by Maturity (%)

As of June 30, 2024



Portfolio by Type of Investment (%)

As of June 30, 2024



Portfolio Asset Summary as of June 30, 2024

	Book Value	Market Value
Uninvested Balance	\$683.32	\$683.32
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	140,281,491.25	140,281,491.25
Interest and Management Fees Payable	-147,632,656.54	-147,632,656.54
Payable for Investments Purchased	-1,074,997,134.40	-1,074,997,134.40
Accrued Expenses & Taxes	-111,477.03	-111,477.03
Repurchase Agreements	7,485,599,000.00	7,485,599,000.00
Mutual Fund Investments	1,867,085,200.00	1,867,085,200.00
Government Securities	13,997,651,358.61	13,994,154,744.40
US Treasury Bills	9,002,135,505.28	9,001,792,930.09
US Treasury Notes	1,894,747,929.76	1,895,944,661.30
Total	\$33,164,759,900.25	\$33,162,117,442.39

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool. The only source of payment to the Participants is the assets of TexPool. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services.

Participant Summary

	Number of Participants	Balance
School District	631	\$9,804,993,629.51
Higher Education	60	\$1,658,536,086.35
County	201	\$3,843,295,915.15
Healthcare	94	\$1,679,953,688.96
Utility District	933	\$5,517,604,933.86
City	508	\$8,536,966,795.52
Emergency Districts	110	\$462,815,619.96
Economic Development Districts	91	\$205,648,091.90
Other	243	\$1,451,904,461.04

**Definition of Weighted Average Maturity and Weighted Average Life

WAM is the mean average of the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid, (b) would be repaid upon a demand by TexPool, or (c) are scheduled to have their interest rate readjusted to reflect current market rates. Securities with adjustable rates payable upon demand are treated as maturing on the earlier of the two dates set forth in (b) and (c) if their scheduled maturity is 397 days or less; and the later of the two dates set forth in (b) and (c) if their scheduled maturity is more than 397 days. The mean is weighted based on the percentage of the amortized cost of the portfolio invested in each period.

WAL is calculated in the same manner as WAM, but is based solely on the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid or (b) would be repaid upon a demand by TexPool, without reference to when interest rates of securities within TexPool are scheduled to be readjusted.

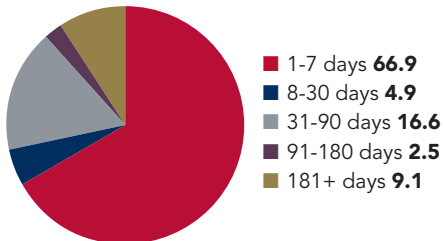


Daily Summary

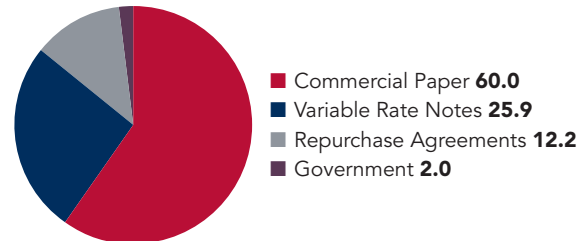
Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool Invested Balance	NAV	WAM Days	WAL Days
6/1	5.3270%	0.000145944	\$34,048,746,311.06	0.99995	40	94
6/2	5.3270%	0.000145944	\$34,048,746,311.06	0.99995	40	94
6/3	5.2930%	0.000145013	\$34,327,843,339.26	0.99989	38	92
6/4	5.3160%	0.000145644	\$34,310,968,034.95	0.99988	39	93
6/5	5.3093%	0.000145461	\$34,209,012,079.06	0.99990	39	95
6/6	5.3112%	0.000145511	\$34,411,745,236.06	0.99990	38	93
6/7	5.3193%	0.000145735	\$34,335,185,101.27	0.99983	39	93
6/8	5.3193%	0.000145735	\$34,335,185,101.27	0.99983	39	93
6/9	5.3193%	0.000145735	\$34,335,185,101.27	0.99983	39	93
6/10	5.2959%	0.000145092	\$34,297,679,548.69	0.99987	36	91
6/11	5.3087%	0.000145445	\$34,747,228,481.69	0.99988	37	90
6/12	5.2995%	0.000145191	\$34,425,657,086.77	0.99989	37	91
6/13	5.2968%	0.000145118	\$33,872,012,474.56	0.99991	38	90
6/14	5.2975%	0.000145136	\$34,020,457,783.32	0.99992	39	91
6/15	5.2975%	0.000145136	\$34,020,457,783.32	0.99992	39	91
6/16	5.2975%	0.000145136	\$34,020,457,783.32	0.99992	39	91
6/17	5.2987%	0.000145170	\$34,060,938,469.34	0.99991	36	88
6/18	5.3072%	0.000145404	\$34,006,018,659.47	0.99993	39	95
6/19	5.3072%	0.000145404	\$34,006,018,659.47	0.99993	39	95
6/20	5.3168%	0.000145665	\$33,882,092,736.95	0.99992	38	94
6/21	5.3162%	0.000145648	\$33,697,404,166.07	0.99991	39	95
6/22	5.3162%	0.000145648	\$33,697,404,166.07	0.99991	39	95
6/23	5.3162%	0.000145648	\$33,697,404,166.07	0.99991	39	95
6/24	5.3132%	0.000145567	\$33,661,368,833.92	0.99992	36	92
6/25	5.3139%	0.000145586	\$33,454,118,493.30	0.99992	37	92
6/26	5.3212%	0.000145786	\$33,314,284,100.22	0.99991	36	96
6/27	5.3241%	0.000145866	\$33,455,738,985.18	0.99994	35	96
6/28	5.3249%	0.000145888	\$33,164,759,900.25	0.99992	36	98
6/29	5.3249%	0.000145888	\$33,164,759,900.25	0.99992	36	98
6/30	5.3249%	0.000145888	\$33,164,759,900.25	0.99992	36	98
Average:	5.3120%	0.000145534	\$33,939,787,956.46	0.99990	38	93

**TEXPOOL Prime****Portfolio by Maturity (%)**

As of June 30, 2024

**Portfolio by Type of Investment (%)**

As of June 30, 2024

**Portfolio Asset Summary as of June 30, 2024**

	Book Value	Market Value
Uninvested Balance	\$2.77	\$2.77
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	16,410,550.14	16,410,550.14
Interest and Management Fees Payable	-65,873,032.51	-65,873,032.51
Payable for Investments Purchased	0.00	0.00
Accrued Expenses & Taxes	-67,882.65	-67,882.65
Repurchase Agreements	1,838,610,000.00	1,838,610,000.00
Commercial Paper	11,554,182,037.95	11,554,182,037.95
Mutual Fund Investments	0.00	0.00
Government Securities	299,341,249.80	299,343,126.00
Variable Rate Notes	1,415,000,000.00	1,415,496,876.15
Total	\$15,057,602,925.50	\$15,058,101,677.85

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool Prime. The assets of TexPool Prime are the only source of payments to the Participants. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services

Participant Summary

	Number of Participants	Balance
School District	164	\$5,282,374,575.29
Higher Education	19	\$1,057,112,614.22
County	54	\$1,233,796,925.76
Healthcare	23	\$554,378,643.17
Utility District	74	\$500,300,401.39
City	117	\$2,843,898,019.93
Emergency Districts	33	\$108,303,326.26
Economic Development Districts	21	\$58,671,694.07
Other	89	\$3,418,733,040.80



TEXPOOL Prime

Daily Summary

Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool Prime Invested Balance	NAV	WAM Days	WAL Days
6/1	5.4621%	0.000149646	\$14,492,953,388.65	0.99998	48	83
6/2	5.4621%	0.000149646	\$14,492,953,388.65	0.99998	48	83
6/3	5.4681%	0.000149811	\$14,449,429,030.48	0.99989	46	81
6/4	5.4432%	0.000149128	\$14,639,749,646.16	0.99990	45	80
6/5	5.4419%	0.000149092	\$14,622,080,092.32	0.99991	46	80
6/6	5.4456%	0.000149194	\$14,463,717,869.69	0.99992	46	83
6/7	5.4630%	0.000149672	\$14,262,196,389.50	0.99972	46	84
6/8	5.4630%	0.000149672	\$14,262,196,389.50	0.99972	46	84
6/9	5.4630%	0.000149672	\$14,262,196,389.50	0.99972	46	84
6/10	5.4644%	0.000149709	\$14,231,528,322.57	0.99989	44	81
6/11	5.4649%	0.000149722	\$14,126,472,372.03	0.99990	45	81
6/12	5.4536%	0.000149414	\$14,408,743,884.00	0.99992	44	81
6/13	5.4497%	0.000149307	\$14,797,252,490.48	0.99992	43	78
6/14	5.4492%	0.000149292	\$14,766,504,481.47	0.99976	43	78
6/15	5.4492%	0.000149292	\$14,766,504,481.47	0.99976	43	78
6/16	5.4492%	0.000149292	\$14,766,504,481.47	0.99976	43	78
6/17	5.4462%	0.000149212	\$14,860,531,620.48	0.99993	41	76
6/18	5.4494%	0.000149299	\$14,963,714,799.92	0.99983	40	76
6/19	5.4494%	0.000149299	\$14,963,714,799.92	0.99983	40	76
6/20	5.4636%	0.000149689	\$14,813,847,380.48	0.99991	40	77
6/21	5.4679%	0.000149805	\$14,736,277,292.33	0.99973	43	80
6/22	5.4679%	0.000149805	\$14,736,277,292.33	0.99973	43	80
6/23	5.4679%	0.000149805	\$14,736,277,292.33	0.99973	43	80
6/24	5.4662%	0.000149760	\$14,796,162,780.68	0.99991	41	76
6/25	5.4650%	0.000149727	\$14,911,499,907.97	0.99992	40	77
6/26	5.4705%	0.000149877	\$14,862,238,170.30	0.99991	42	79
6/27	5.4749%	0.000149997	\$14,855,464,170.79	0.99992	41	78
6/28	5.4731%	0.000149948	\$15,057,602,925.50	0.99975	41	77
6/29	5.4731%	0.000149948	\$15,057,602,925.50	0.99975	41	77
6/30	5.4731%	0.000149948	\$15,057,602,925.50	0.99975	41	77
Average:	5.4600%	0.000149589	\$14,673,993,246.07	0.99984	43	79

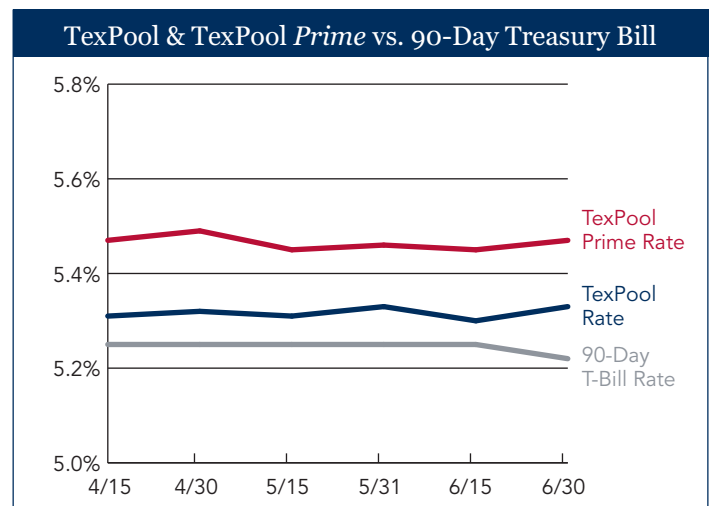


Participant Services
1001 Texas Ave. Suite 1150
Houston, TX 77002

their “dots” before the softer Consumer Price Index data was released. We think the median dot would have shown two cuts had the Committee had time to digest that information. Regardless, the Fed likely would have to see a plunge in the labor market and inflation to give it reason to move in September and risk looking politically motivated. In any case, the Fed seems biased to ease at a slow pace. That benefits the liquidity industry as it allows time for the front end of the Treasury yield curve to anticipate what will come next.

It’s too early to assess the two other major asset flow developments in June. The Fed’s tapering of its tapering, so to say, began in June with a lowered monthly number of Treasuries it is allowing to roll off its balance sheet from \$60 billion to \$25 billion (the mortgage-backed securities cap remains at \$35 billion). The other is the U.S. Treasury Department’s buyback program, in which it is buying “off-the-run” Treasuries that aren’t as liquid as the Department would like. This program eventually will include bills. Neither moved markets last month.

At the end of the month, yields on 1-, 3-, 6- and 12-month U.S. Treasuries were 5.35%, 5.37%, 5.33% and 5.12%, respectively.



90-Day Treasury Bill is a short-term debt instrument backed by the national government. These are used to collect immediate cash to meet outstanding obligations.

Any private investor can invest in a Treasury bill. The 90-Day Treasury Bill is a weighted average rate of the weekly auctions of 90-Day Treasury Bills.

Past performance is no guarantee of future results.



Application for Land Development Permit

****Incomplete applications cannot be processed****

- ☒ Zoning Change ☐ Text Change ☐ Zoning Variance ☐ Planned Unit Development
☐ Conditional Use Permit ☐ Subdivision Plat ☐ Preliminary ☐ Final ☐ Amending
☐ Master Sign Plan

APPLICANT INFORMATION Check appropriate box(es)

Name: Steady Capital, LLC E-Mail: jerryan@gpi-management.com
Address: 4622 Riverstone Blvd Fax #: _____
City: Missouri City
State: TX ZIP: 77459 Phone: 346-666-0900

Applicant is ☒ Owner of property ☐ Agent for Owner ☐ Agent for Purchaser ☐ Purchaser ☐ City of Seabrook

If Applicant is acting on behalf of Owner in this application, Owners signature below authorizes this application.

Owner(s): Steady Capital, LLC Signature: Steady Capital
Date: 3/28/2024 Signature: _____

Owner(s) Mailing address(es): Phone #: 346-666-0900
Name: Steady Capital, LLC Name: _____
Address: 4622 Riverstone Blvd Address: _____
City: Missouri City City: _____
State: TX Zip: 77459 State: _____ Zip: _____

PROPERTY INFORMATION

Property Address: 4017 Todville Rd. Seabrook TX, 77586
Legal Description: Lot _____ Block _____
Addition TR 22A 24 24A 1 24A-2 55 55A 56A & 56A-2 ABST 52 R MORRIS
(You may attached Metes & Bounds description from your Deed if available)

Current Zoning Classification: R1 (Available from Building Department)
Current Use of Property: Residential (Be specific)
Number of existing Driveways: N/A
General Dimensions of Property: Width: _____ Depth: _____ Land Area: _____ Sq. Feet: 717,825 Acres: 16.478
Adjoining Uses: North _____ South _____
East _____ West _____
Adjacent Streets: North N/A South N/A
East N/A West N/A

Is the property served with: City Water? ☒ Yes ☐ No City Sewer? ☒ Yes ☐ No

OWNER/AGENT AFFIDAVIT

I have read and understand this application. I have familiarized myself with the applicable regulations, ordinances, and procedures and submit this application and accompanying documentation for consideration by the Planning Commission, Board of Adjustment, or the City Council of the city. I certify that I am the legal owner or agent of the Owner and have written or other legal authority to make this application.

Signed: Steady Capital Date: 04/01/2024

**ALL FEES MUST BE PAID AT THE TIME APPLICATION IS SUBMITTED
FEES ARE NON-REFUNDABLE OR TRANSFERABLE**

ZONING CHANGE REQUEST

Zoning Change request From: R1 To: R2

We are submitting this request for a change in zoning from R1 to R2 in accordance with the Comprehensive Master Plan of Seabrook. Our proposed development aligns with the city's vision for sustainable growth and efficient land use.

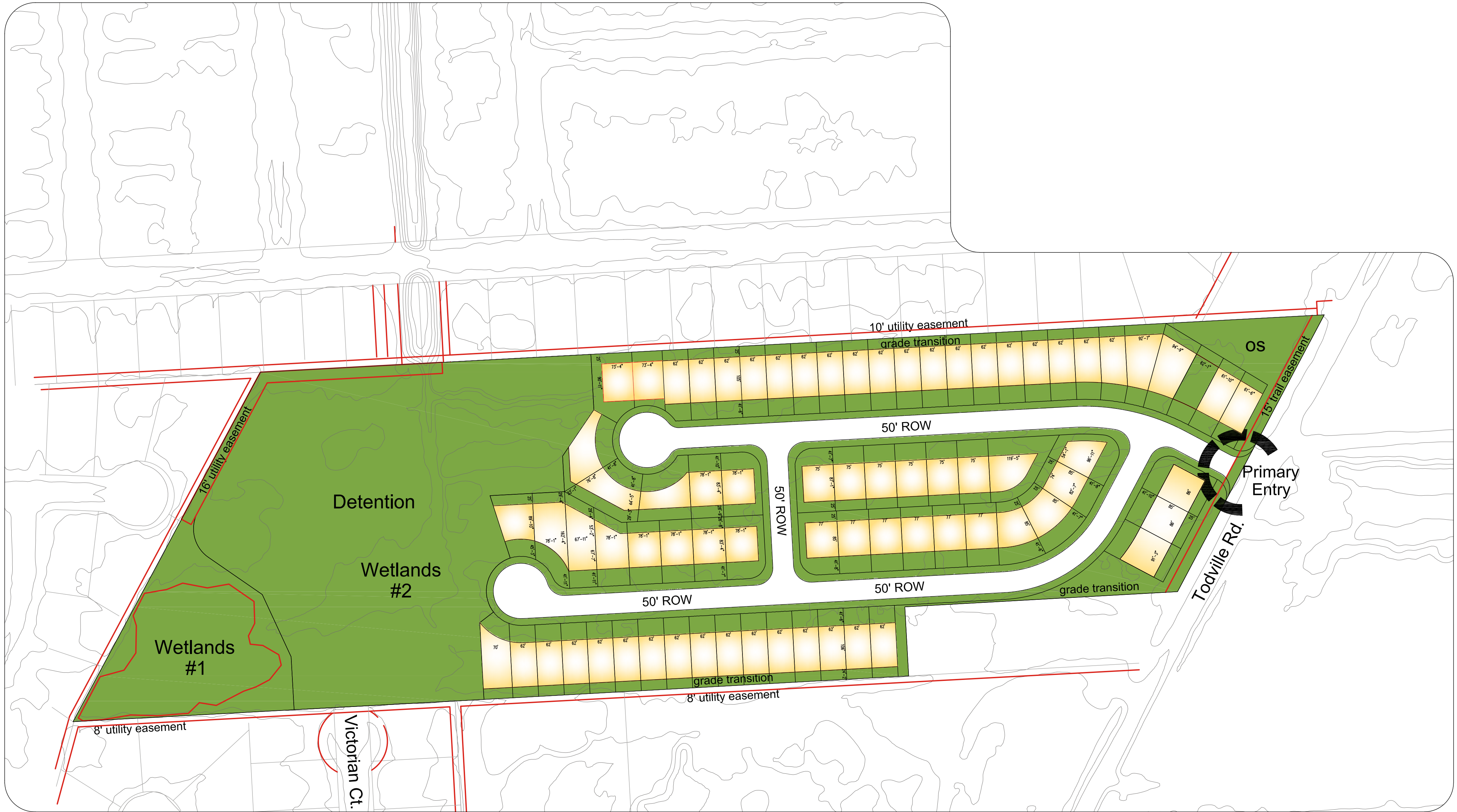
The intended use for the R2 zoning designation is to create a vibrant residential community that promotes diversity and affordability within the city. Our development plan includes the construction of a thoughtfully designed neighborhood with all single family with lot 6500 sqft. These housing options will cater to a range of demographics, from young professionals to growing families and retirees.

In accordance with the Comprehensive Master Plan, our development will prioritize smart growth principles, including efficient land use, walkability, and access to amenities. We will incorporate green spaces, parks, and pedestrian-friendly pathways throughout the community to enhance quality of life for residents.

Furthermore, our development plan adheres to the city's goals for sustainable development and environmental stewardship. We will implement energy-efficient building practices, utilize green infrastructure for stormwater management, and incorporate landscaping that enhances biodiversity and promotes native species.

By transitioning from R1 to R2 zoning, we aim to optimize land use while contributing to the city's long-term vision for a diverse and inclusive community. Our development will complement existing neighborhoods and enhance the overall livability of Seabrook.

Thank you for considering our request. We are committed to working collaboratively with city officials and committees to ensure that our proposed development aligns with the goals and objectives outlined in the Comprehensive Master Plan.







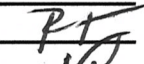
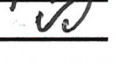
Planning & Zoning Commission OFFICIAL REPORT

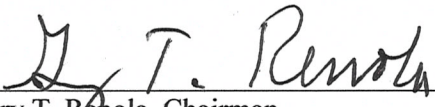
The Planning and Zoning Commission of the City of Seabrook met on JUNE 20, 2024 to hold a meeting to consider:

Conduct a public hearing to take all appropriate action on a request to change the zoning classification of land described below from the current classification of R-1 "Single-Family Detached Residential District" to R-2 "Single-Family Detached Residential District (Small Lots)".

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL ☒ APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW) ☐ DENIAL ☐
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on JUNE 20, 2024, as designated below and as certified by the signature of the Chairman.
This document is not valid unless signed by the Chairman/Presiding Commissioner.

<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Gary Renola					
Darrell Picha					
Scott Reynolds					
Ed Klein					
Guy Rogers					
Rhonda Thompson					
Jared Justus					


Gary T. Renola, Chairman
Planning & Zoning Commission

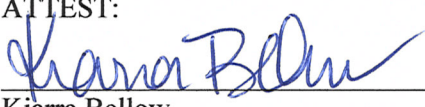
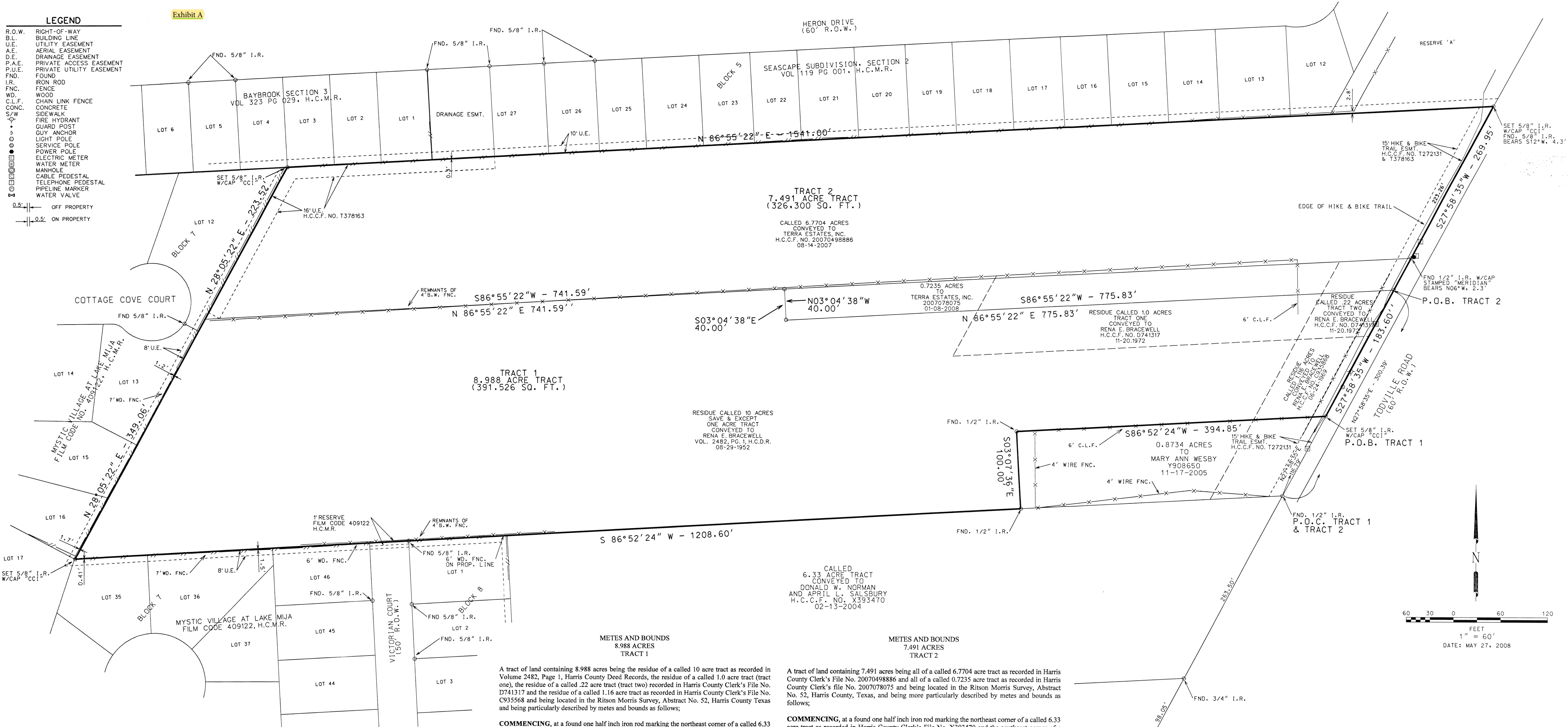
ATTEST:

Kiarra Bellow
Administrative Assistant

Exhibit A

R.O.W.	RIGHT-OF-WAY
B.L.	BUILDING LINE
U.E.	UTILITY EASEMENT
A.E.	AERIAL EASEMENT
D.E.	DRAINAGE EASEMENT
P.A.E.	PRIVATE ACCESS EASEMENT
P.U.E.	PRIVATE UTILITY EASEMENT
IND.	FOUND
I.R.	IRON ROD
FNC.	FENCE
WD.	WOOD
C.L.F.	CHAIN LINK FENCE
CONC.	CONCRETE
S.W.	SIDEWALK
○	FIRE HYDRANT
○	GUARD POST
○	GY ANCHOR
○	LIGHT POLE
○	SERVICE POLE
●	POWER POLE
○	ELECTRIC METER
○	WATER METER
○	MANHOLE
○	CABLE PEDESTAL
○	TELEPHONE PEDESTAL
○	PIPELINE MARKER
○	WATER VALVE

PROPERTY

PROPERTY



NOTES:

1. THE LOCATION OF THE SUBJECT TRACT ON THE FEMA FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO.485587-1085-L, DATED JUNE 18, 2007, LIES WITHIN ZONE "AE". BASE FLOOD ELEVATIONS DETERMINED. THIS STATEMENT IS BASED ON SCALING THE LOCATION OF SAID SURVEY ON THE ABOVE REFERENCE MAP. THIS INFORMATION IS TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS.

2. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD 83. ALL COORDINATES HEREON WERE CALCULATED USING HORIZONTAL SURFACE DISTANCES.

3A. TRACT 1
ALL EASEMENTS SHOWN ARE AS DESCRIBED IN A TITLE COMMITMENT
PREPARED BY LAWYERS TITLE INSURANCE COMPANY UNDER G.F. NO.
1033002580, HAVING AN EFFECTIVE DATE OF APRIL 20, 2008. NO FURTHER
RESEARCH OF THE HARRIS COUNTY DEED RECORDS WAS PERFORMED BY CIVIL
CONCEPTS, INC.

3. TRACT 2
ALL EASEMENTS SHOWN ARE AS DESCRIBED IN A TITLE COMMITMENT
PREPARED BY LAWYERS TITLE INSURANCE COMPANY UNDER G.F. NO.
1033002587, HAVING AN EFFECTIVE DATE OF APRIL 24, 2008. NO FURTHER
RESEARCH OF THE HARRIS COUNTY DEED RECORDS WAS PERFORMED BY CIVIL
CONCEPTS, INC.

4. FENCES SHOWN HEREON ARE GRAPHIC ONLY, WITH DIMENSIONAL TIES TO THE PROPERTY LINES SHOWN AT SPECIFIC LOCATIONS WHERE THEY WERE PHYSICALLY MEASURED. THE FENCE LINES MAY MEANDER BETWEEN SAID MEASURED LOCATIONS. THE DIMENSION SHOWING THE DISTANCES BETWEEN THE FENCE AND THE PROPERTY LINE ALSO INDICATES WHICH SIDE OF THE PROPERTY LINE THE FENCE IS ON.

A tract of land containing 8.988 acres being the residue of a called 10 acre tract as recorded in Volume 2482, Page 1, Harris County Deed Records, the residue of a called 1.0 acre tract (tract one), the residue of a called .22 acre tract (tract two) recorded in Harris County Clerk's File No. D741317 and the residue of a called 1.16 acre tract as recorded in Harris County Clerk's File No. C935568 and being located in the Ritson Morris Survey, Abstract No. 52, Harris County Texas and being particularly described by metes and bounds as follows;

COMMENCING, at a found one half inch iron rod marking the northeast corner of a called 6.33 acre tract as recorded in Harris County Clerk's File No. X393470 and the southeast corner of a called 0.8734 acre tract as recorded in Harris County Clerk's File No. Y908650 and being in the westerly line of Todville Road (60 foot wide);

THENCE, North 27 degrees 58 minutes 35 seconds East, along the easterly line of said called 6.33 acre tract and the westerly line of said Todville Road, for a distance of 116.79 feet to a set five eighth inch iron rod with cap stamped "CCI" for the **POINT OF BEGINNING**;

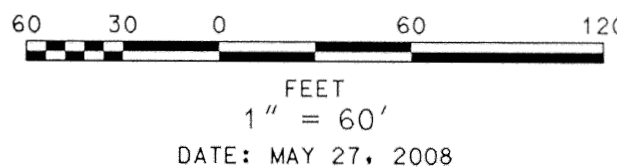
1. **THENCE**, South 86 degrees 52 minutes 24 seconds West, along the north line of said called 0.8734 acre tract, for a distance of 394.85 feet to a found one half inch iron rod;
2. **THENCE**, South 03 degrees 07 minutes 36 seconds East, along the west line of said called 0.8734 acre tract, for a distance of 100.00 feet to a found one half inch iron rod in the north line of said called 6.33 acre tract and the south line of said called 10.00 acre tract;
3. **THENCE**, South 86 degrees 52 minutes 24 seconds West, along the south line of said called 10.00 acre tract, for a distance of 1208.60 feet to a set five eighths inch iron rod with cap stamped "CCL", in the easterly line of Block 7, Mystic Village at Lake Mjia, recorded in Film Code No. 409122, Harris County Map Records;
4. **THENCE**, North 28 degrees 05 minutes 22 seconds East, along the easterly line of said Block 7 and the westerly line of said called 10 acre tract, for a distance of 349.06 feet to the northwest corner of said called 10 acre tract and the southwest corner of a called 6.7704 acre tract as recorded in Harris County Clerk's File No. 20070498886;
5. **THENCE**, North 86 degrees 55 minutes 22 seconds East, along the south line of said called 6.7704 acre tract and the north line of said called 10 acre tract, for a distance of 741.59 feet to the northwest corner of a called 0.7235 acre tract as recorded in Harris County Clerk's File No. 2007078075;
6. **THENCE**, South 03 degrees 04 minutes 38 seconds East, along the west line of said called 0.7235 acre tract, for a distance of 40.00 feet to the southwest corner of said called 0.7235 acre tract;
7. **THENCE**, North 86 degrees 55 minutes 22 seconds East, along the south line of said called 0.7235 acre tract to the southeast corner of said called 0.7235 acre tract, for a distance of 775.83 feet in the westerly line of said Todville Road;
8. **THENCE**, South 27 degrees 58 minutes 35 seconds West, along the westerly line of said Todville Road, for a distance of 183.60 feet to the **POINT OF BEGINNING**.

A tract of land containing 7.491 acres being all of a called 6.7704 acre tract as recorded in Harris County Clerk's File No. 20070498886 and all of a called 0.7235 acre tract as recorded in Harris County Clerk's file No. 2007078075 and being located in the Ritson Morris Survey, Abstract No. 52, Harris County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING, at a found one half inch iron rod marking the northeast corner of a called 6.33 acre tract as recorded in Harris County Clerk's File No. X393470 and the southeast corner of a called 0.8734 acre tract as recorded in Harris County Clerk's File No. Y908650 and being in the westerly line of Todville Road (60 foot wide);

THENCE, North 27 degrees 58 minutes 35 seconds East, along the westerly line of said Todville Road, passing at 116.79 feet the northeast corner of said called 0.8734 acre tract, for a total distance of 300.39 feet to the southeast corner of said called 0.7235 acre tract and being the **POINT OF BEGINNING**;

1. **THENCE**, South 86 degrees 55 minutes 22 seconds West, along the south line of said called 0.7235 acre tract, for a distance of 775.83 feet to the southwest corner of said called 0.7235 acre tract;
2. **THENCE**, North 03 degrees 04 minutes 38 seconds West, along the west line of said called 0.7235 acre tract, for a distance of 40.00 feet to the southwest corner of said called 0.7235 acre tract and being in the south line of said called 6.7704 acre tract and in the north line of a called 10 acre tract as recorded in Volume 2482, Page 1, Harris County Deed Records;
3. **THENCE**, South 86 degrees 55 minutes 22 seconds West, along the south line of said called 6.7704 acre tract and the north line of said called 10 acre tract, for a distance of 741.59 feet to the southwest corner of said called 6.7704 acre tract and being in the easterly line of Block 7, Mystic Village at Lake Mija, as recorded in Film Code 409122, Harris County Map Records;
4. **THENCE**, North 28 degrees 05 minutes 22 seconds East, along the easterly line of said Block 7, Mystic Village at Lake Mija, for a distance of 223.52 feet to a set five eighths inch iron rod with cap stamped "CCI" for the northwest corner of said called 6.7704 acre tract and being in the south line of Baybrook Village, Section 3, recorded in Volume 323, Page 29, Harris County Map Records;
5. **THENCE**, North 86 degrees 55 minutes 22 seconds East, along the north line of said called 6.7704 acre tract, for a distance of 1541.00 feet to a set five eighths inch iron rod with cap stamped "CCI" for the northeast corner of said called 6.7704 acre tract, from which a found five eighths inch iron rod bears South 12 degrees West, 4.3 feet and being in the westerly line of said Todville Road;
6. **THENCE**, South 27 degrees 58 minutes 35 seconds West, along the westerly line of said Todville road, passing at 223.26 feet the southeast corner of said called 6.7704 acre tract and the northeast corner of said called 0.7235 acre tract for a total distance of 269.95 feet to the **POINT OF BEGINNING**.



I, DAVID C. NEWELL, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.



DAVID C. NEWELL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4085

SURVEY

OF A 8.988 ACRE TRACT
AND A 7.491 ACRE TRACT
OUT OF THE
RITSON MORRIS SURVEY, ABSTRACT NO. 52
HARRIS COUNTY, TEXAS.



Civil Concepts, Inc.
SURVEY & MAPPING
CIVIL ENGINEERING

3425 FEDERAL STREET, PASADENA, TEXAS 77504
OFFICE: 713.947.6606 FAX: 713.947.6609

PROJECT 71-08

**PUBLIC HEARING NOTICE
SEABROOK CITY COUNCIL
TUESDAY, AUGUST 20, 2024 – 6:00 P.M.**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF SEABROOK WILL HOLD A PUBLIC HEARING ON TUESDAY, **AUGUST 20, 2024, AT 6:00 P.M.** IN SEABROOK CITY HALL, 1700 FIRST STREET, SEABROOK, TEXAS, TO DISCUSS THE AGENDA ITEM LISTED BELOW.

THIS HEARING IS OPEN TO THE PUBLIC AND EVERYONE ATTENDING WILL HAVE THE OPPORTUNITY TO SPEAK FOR OR AGAINST THIS REQUEST IN ACCORDANCE WITH THE PROCEDURES OF THE COUNCIL. ALL REQUIRED DOCUMENTS REGARDING THIS REQUEST ARE AVAILABLE FOR REVIEW AT CITY HALL IN THE COMMUNITY DEVELOPMENT DEPARTMENT WEEKDAYS FROM 8:00 A.M. TO 5:00 P.M. PLEASE CALL (281) 291-5705 IF YOU HAVE QUESTIONS.

SPECIFIC PUBLIC HEARINGS

Conduct a Public Hearing on a request to change the zoning classification of land described below from the current classification of R-1 “Single-Family Detached Residential District” to R-2 “Single-Family Detached Residential District (Small Lots)”.

Owner/Applicant: Jerry Yan, Steady Capital, 4622 Riverstone Blvd., Missouri City, TX 77459.

Legal Description: 4017 Todville Road, Seabrook, TX 77586. A tract of land containing 8.988 acres being the residue of a called 10 acre tract as recorded in Volume 2482, Page 1, Harris County Deed Records, the residue of a called 1.0 acre tract (tract one), the residue of a called .22 acre tract (tract two) recorded in Harris County Clerk's File No. D741317 and the residue of a called 1.16 acre tract as recorded in Harris County Clerk's File No. C935568 and being located in the Ritson Morris Survey, Abstract No. 52, Harris County Texas; and A tract of land containing 7.491 acres being all of a called 6.7704 acre tract as recorded in Harris County Clerk's File No. 20070498886 and all of a called 0.7235 acre tract as recorded in Harris County Clerk's file No. 2007078075 and being located in the Ritson Morris Survey, Abstract No. 52, Harris County, Texas.

Location: This property is addressed 4017 Todville Road, Seabrook, TX 77586, which is located immediately west of Todville Road, south of W. Flamingo Drive, and north of Mystic Village Lane.

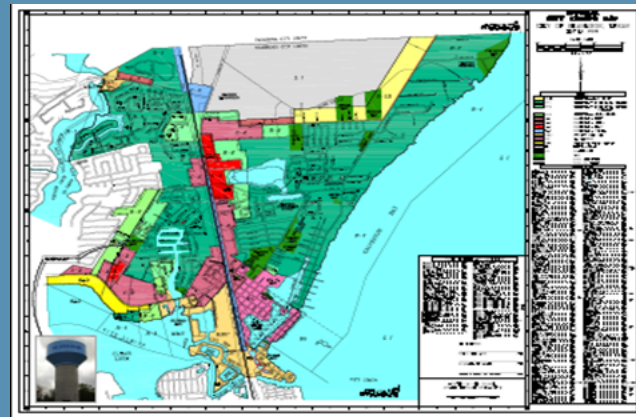
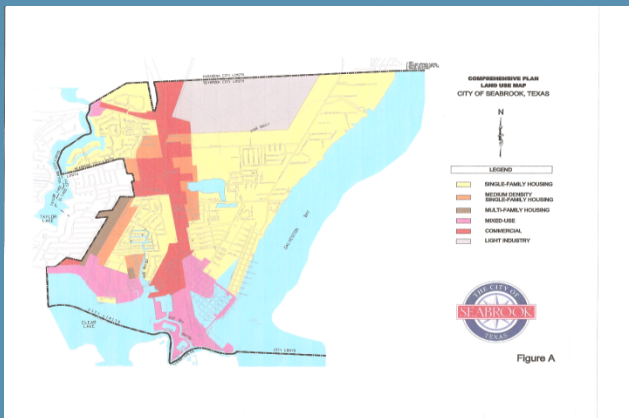
CERTIFICATE

I certify that this notice was posted on the bulletin board at Seabrook City Hall on Thursday, July 25, 2024, on or before 5:00 p.m. and that it will remain posted until after the completion of the hearing.

/s/ Rachel Lewis
City Secretary

City of Seabrook City Council

August 20, 2024



Planning and Zoning Commission Recommendation



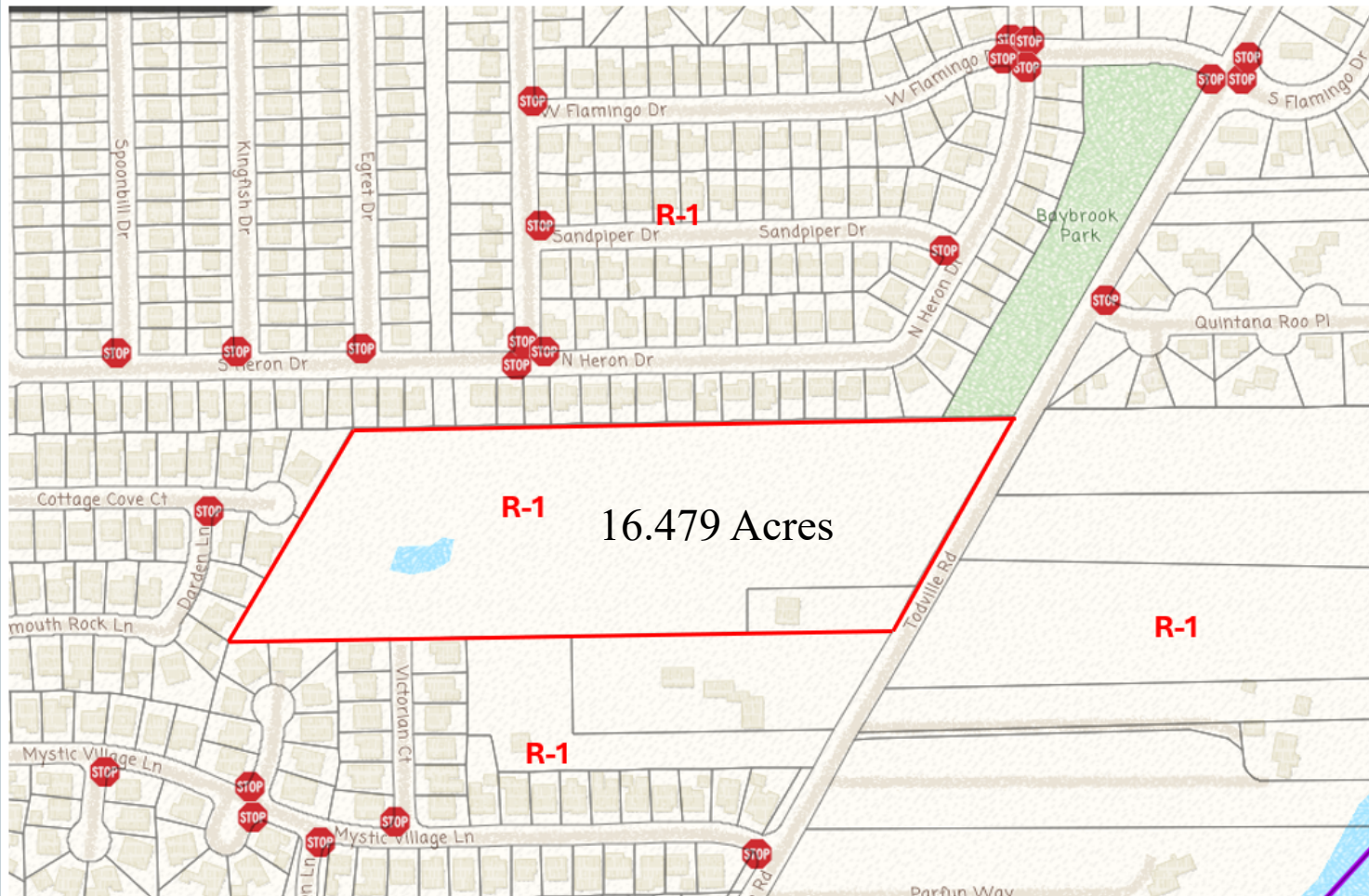
The Planning and Zoning Commission at their June 20th, 2024, regular meeting recommended approval of the request for the zoning change from R-1 Single-Family Residential District to R-2 Single-Family Residential (Small Lots) District.

Ayes: Renola, Picha, Klein, Thompson, and Justus.

Nays: Rodgers

Absent: Reynolds.

Proposed Rezoning: R-1 to R-2





R-1 Single-Family Detached Residential District



Description: This district is primarily intended for single-family detached residential dwellings and related religious, educational, and recreational facilities normally required to provide the basic elements of a balanced and attractive neighborhood. These areas are intended to be separated and protected from the encroachment of land use activities which do not perform a function necessary to sustain the residential environment. Internal stability, attractiveness, order, efficiency, security, and the maintenance of property values are encouraged by the provision of adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of these various elements. The regulatory provisions of this district are aimed at achieving the specific goals and objectives identified in the Comprehensive Master Plan 2040.

R-1 Regulations



- *Front yard:* All buildings shall be set back from the street right-of-way lines a minimum depth of 25 feet, except cul-de-sac bulbs may have a minimum front setback of 20 feet.
- *Rear yard:* A lot with a primary building located on it must have a rear yard of no less than 15 feet.
- *Side yard:* A total of 15 feet for both sides and no less than five feet on any one side. Corner lots shall have a side setback of not less than ten feet on the corner.
- *Side yards for older subdivisions:* For lots platted prior to July 19, 1970, which are nonconforming as to lot size only, side yard setbacks shall a minimum of five feet.
- *Lot size:* For each single-family dwelling there shall be a lot area of not less than 7,500 square feet. Only one principal building shall be permitted on any lot.
- *Lot width:* Except in the case of those dwellings located on a cul-de-sac terminus, each lot shall have a minimum width of not less than 50 feet at the front building line. Every lot shall abut on a street for a distance of not less than 20 feet.
- *Lot depth:* Each lot must have a minimum depth of not less than 90 feet.
- *Height:* No building or structure may exceed 40 feet in height.

R-2 Single-Family Detached Residential District (Small Lots)



Description: This district is primarily intended for detached single-family residential dwellings of a higher density than is permitted in R-1 and includes zero lot line. This zone also allows for related religious, educational and recreational facilities normally required to provide the basic elements of a balanced and attractive neighborhood. These areas are intended to be separated and protected from the encroachment of land use activities which do not perform a function necessary to sustain the residential environment. Internal stability, attractiveness, order, efficiency, security and the maintenance of property values are encouraged by the provision of adequate light, air and open space for dwellings and related facilities and through consideration of the proper function relationships of these various elements. The regulatory provisions of this district are aimed at achieving the specific goals and objectives identified in the Seabrook Comprehensive Plan 2040.

R-2 Regulations



Single-family detached houses:

1. *Density:* One dwelling unit per lot; no more than seven dwellings per acre.
2. *Front yard:* All buildings shall be set back from the street right-of-way lines a minimum depth of 25 feet, except that lots platted at the same time may have staggered front setback lines, provided that the average of all front setbacks is no less than 25 feet, with no house having less than a 20-foot front setback. Staggered setbacks shall be determined at the time of final plat approval.
3. *Rear yard:* Primary buildings shall be set back at least 15 feet from the rear property line.
4. *Side yard:* All buildings shall have a total of 15 feet for both sides and no less than five feet on any one side. Corner lots shall have a side setback of not less than ten feet on the corner.
5. *Lot size:* Six thousand sq. ft.
6. *Lot width:* Except in the case of those dwellings located on a cul-de-sac terminus, each lot shall have a minimum width of not less than 50 feet at the front building lines. Every lot shall abut on a street for a distance of not less than 20 feet.
7. *Lot depth:* Each lot shall have a minimum depth of not less than 90 feet.

R-2 Regulations



Zero lot line houses:

1. *Density*: No more than seven dwelling units per acre.
2. *Front yard*: All buildings shall be set back from the street right-of-way lines a minimum depth of 25 feet. This setback may be commonly owned or commonly maintained, but must be open, unoccupied land as is required for any setback.
3. *Rear yard*: Primary buildings must be set back at least 15 feet from the rear property line. This setback may be commonly owned and maintained, but must be open unoccupied land as is required for any setback.
4. *Side yard*: Zero on one side and not less than ten feet on the opposite side. Any side yard abutting properties outside of the zero-lot line development shall be at least ten feet. Any side yard abutting a street right-of-way shall be at least ten feet. Houses shall not be less than ten feet apart. This setback may be commonly owned and maintained, but must be open unoccupied land as is required for any setback.
5. *Lot size*: 6,000 sq. ft. per dwelling unit of which 1,000 square feet may be commonly owned or commonly maintained. The common area may contain patios but shall not include streets, drives or parking areas.
6. *Lot width*: Except in the case of those dwellings located on a cul-de-sac terminus, each lot shall have a minimum width of not less than 50 feet at the front building line. Every lot shall abut on a street for a distance of not less than 20 feet.
7. *Lot depth*: No minimum required.

R-2 Regulations



- a. There shall be a minimum of five lots held under the same ownership at the time of final plat approval.
- b. The zero-lot line shall not be a right-of-way line or a property line under different ownership at the time of final plat approval.
- c. The building wall at the zero-side yard shall be constructed according to the fire protection requirements of the building code adopted by the City of Seabrook.
- d. The building walls and garden walls or fences shall be finished with decorative masonry or decorative masonry veneer.

R-2 Regulations



- e. At the zero-lot line, a wall shall be extended from the building wall to the rear lot line and shall be limited to eight feet in height above the finished floor line nearest grade level. Should the zero-lot line home abut the waterfront, this wall shall not be permitted.
- f. Any garden wall crossing the side yard setback shall have a three-foot-wide gate. Such wall shall be no greater than eight feet in height, above the finished floor line nearest grade level.
- g. At the zero-lot line side, no portion of the dwelling or architectural treatment shall encroach on the adjacent property.
- h. Roofs pitched toward the adjoining property on the zero-lot line side shall be guttered and water shall not drain on adjacent property.
- i. A two-car or larger garage shall be required per each dwelling unit.



Questions?

**ORDINANCE NO. 2024-15
AMENDMENT TO THE OFFICIAL ZONING MAP
TO REZONE 16.479 ACRES OF LAND FROM THE CURRENT
CLASSIFICATION OF R-1 TO R-2**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING, 16.479 ACRES OF LAND SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT NO. 52, CITY OF SEABROOK, HARRIS COUNTY, TEXAS, LOCATED AT 4017 TODVILLE ROAD, WHICH IS LOCATED WEST OF TODVILLE ROAD, SOUTH OF W. FLAMINGO DRIVE, AND NORTH OF MYSTIC VILLAGE LANE; BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", FROM (R-1) "SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT" TO (R-2) "SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT (SMALL LOTS)" FOR THE DEVELOPMENT OF A SINGLE-FAMILY DETACHED RESIDENTIAL DEVELOPMENT; 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.

WHEREAS, the applicant, Jerry Yan, Steady Capital, 4622 Riverstone Blvd., Missouri City, Texas 77459, as owner, applied for a zoning change of two tracts of land totaling 16.479 acres, the first containing 8.988 acres being the residue of a called 10-acre tract as recorded in Volume 2482, Page 1, Harris County Deed Records, the residue of a called 1.0-acre tract (tract one), the residue of a called .22 acre tract (tract two) recorded in Harris County Clerk's File No. D741317 and the residue of a called 1.16-acre tract as recorded in Harris County Clerk's File No. C935568 and being located in the Ritson Morris Survey, Abstract No. 52, Harris County Texas; and the second tract of land containing 7.491 acres being all of a called 6.7704-acre tract as recorded in Harris County Clerk's File No. 20070498886 and all of a called 0.7235-acre tract as recorded in Harris County Clerk's File No. 2007078075 and being located in the Ritson Morris Survey, Abstract No. 52, Harris County, Texas, more specifically described in the attached Exhibit "A", which is incorporated by reference for all purposes; and

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

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, public hearings on such request, allowing all persons attending to be heard on the question of whether the changes of the uses being requested would affect the public health, safety, or general welfare of the citizens of Seabrook; and

WHEREAS, the Planning and Zoning Commission recommended approval of this zoning change at its meeting on June 20, 2024, and has made its final report prior to the City Council conducting its public hearing; and

50
51 **WHEREAS**, as a result of the said public hearings and the recommendation of the
52 Planning and Zoning Commission as contained in its final report, the City Council hereby finds
53 and determines that the proposed rezoning should be approved as in the best interest of the
54 community, its health and general welfare.

55
56 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
57 **SEABROOK, STATE OF TEXAS:**

58
59 **SECTION 1. FINDINGS.**

60
61 The facts and matters set forth in the preamble of this Ordinance are hereby found to be
62 true and correct.

63
64 **SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE AND TO THE**
65 **OFFICIAL ZONING MAP.**

66
67 The Seabrook City Code of Ordinances, Appendix A, “Comprehensive Zoning”, Article
68 2, “Administration”, Section 2.05, “Official Zoning Map” is hereby amended by rezoning two
69 tracts of land totaling 16.479 acres, the first containing 8.988 acres being the residue of a called
70 10-acre tract as recorded in Volume 2482, Page 1, Harris County Deed Records, the residue of a
71 called 1.0-acre tract (tract one), the residue of a called .22 acre tract (tract two) recorded in Harris
72 County Clerk's File No. D741317 and the residue of a called 1.16-acre tract as recorded in Harris
73 County Clerk's File No. C935568 and being located in the Ritson Morris Survey, Abstract No. 52,
74 Harris County Texas; and the second tract of land containing 7.491 acres being all of a called
75 6.7704-acre tract as recorded in Harris County Clerk's File No. 20070498886 and all of a called
76 0.7235-acre tract as recorded in Harris County Clerk's File No. 2007078075 and being located in
77 the Ritson Morris Survey, Abstract No. 52, Harris County, Texas, (more specifically described in
78 the attached Exhibit “A”, incorporated by reference).

79
80 Upon passage of this Ordinance, the official zoning map of the City of Seabrook shall
81 be amended to reflect this rezoning.

82
83 **SECTION 3. INCORPORATION INTO THE CODE; PENALTY CLAUSE.**

84
85 This ordinance is hereby incorporated and made a part of the Seabrook City Code.
86 Violation of this Ordinance is subject to the penalty section of said Code including, Section
87 11.06, “Criminal Enforcement” which provides that any person who shall violate any provision of
88 this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in
89 an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

90
91 **SECTION 4. REPEAL OF CONFLICTING ORDINANCES.**

92
93 All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are
94 hereby expressly repealed.

95
96
97
98 **SECTION 5. SEVERABILITY.**
99

100 In the event any phrase, provision, sentence, or part of this Ordinance or the application
101 of the same to any person or circumstances shall for any reason be adjudged invalid or held
102 unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this
103 Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or
104 unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have
105 passed every part of the same notwithstanding the omission of any such part thus declared to be
106 invalid or unconstitutional, whether there be one or more parts.
107

108
109 **SECTION 6. NOTICE.**
110

111 The City Secretary shall give notice of the enactment of this Ordinance by promptly
112 publishing it or its descriptive caption and penalty after final passage in the official newspaper of
113 the City; the Ordinance to take effect upon publication.
114

115 **PASSED, APPROVED, AND ADOPTED** on first reading with a quorum present, by an
116 affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City
117 Charter Section 2.10 on this 20th day of August 2024.
118

119 **PASSED, APPROVED, AND ADOPTED**, as revised on final reading with a quorum present,
120 by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook
121 City Charter Section 2.10 on this 3rd day of September 2024.
122

123
124 By: _____
125 Thomas G. Kolupski, Mayor
126

127 ATTEST:
128

129 By: _____
130 Rachel Lewis, City Secretary
131

132
133 APPROVED AS TO FORM:
134

135 _____
136 David Olson, City Attorney
137
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145

Exhibit “A” to Ordinance No. 2024-11

Planning & Zoning Commission OFFICIAL REPORT

The Planning and Zoning Commission of the City of Seabrook met on JUNE 20, 2024 to hold a meeting to consider:

Conduct a public hearing to take all appropriate action on a request for approval of a Final Planned Unit Development (PUD), to create, "5815 Old Hwy 146 Monroe Quiet Warehousing Project", comprising of two 23,980 square foot tilt wall constructed warehouses located on a 3.695-acre tract of land.

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL ☒ APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW) ☐ DENIAL ☐
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on JUNE 20, 2024, as designated below and as certified by the signature of the Chairman.
This document is not valid unless signed by the Chairman/Presiding Commissioner.

<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Gary Renola	<i>GR</i>				
Darrell Picha	<i>DP</i>				
Scott Reynolds				<i>✓</i>	
Ed Klein	<i>OK</i>				
Guy Rogers	<i>@</i>				
Rhonda Thompson	<i>RT</i>				
Jared Justus	<i>JJ</i>				

G. T. Renola

Gary T. Renola, Chairman
Planning & Zoning Commission

ATTEST:
Kiarra Bellow

Kiarra Bellow
Administrative Assistant

LEGAL DESCRIPTION:

A tract of land containing 3.695 acres (160,967 square feet), more or less, out of the Ritson Morris Survey, Abstract 52, in Harris County, Texas, and being a that same tract of land as described as four acres save and except 0.315 acres to the State of Texas in Harris County Clerk's File No. M513651 of the Deed Records, Harris County, Texas, said tract being more fully described by metes and bounds as follows:

BEGINNING at a "X" in a rock path at the Northwest corner of a called 8.822 acre tract as described in Deed recorded in RP-2017-104300, Deed Records, Harris County, Texas, with the Easterly right of way line of State Highway No. 146, and being the Southwest corner of the tract herein described;

THENCE with the North line of said 8.822 acre tract, South 89 deg. 34 min. 53 sec. East 1,209.79 feet to a found 3/8 inch iron rod, the Southeast corner of this tract, Southwest corner of a called 3.0410 acre tract described in Deed recorded in RP-2017-432-412, Deed Records, Harris County, Texas, from which the Northeast corner of the above mentioned 8.822 acre tract bears South 89 deg. 34 min. 53 sec. East, 173.14 feet;

THENCE North 00 deg. 38 min. 00 sec. East, along the East line of the herein described tract, same being the West line of said 4.00 acre tract, a distance of 139.81 feet (Called North 140.00 feet) feet to a found 3/4 inch iron rod, the Northeast corner of this tract, and along the South line of a called 4.294 acre tract as described in Deed recorded in Z426803, Deed Records, Harris County, Texas;

THENCE North 89 deg. 34 min. 17 sec. West, along the North line of the herein described tract, same being the South line of said 4.294 acre tract, a distance of 1,091.98 feet to a found 3/8 inch iron rod on the Easterly right of way line of State Highway No. 146, for the Northwest corner of this tract;

THENCE with the Easterly right of way line of said Highway No. 146, being a curve to the right with a radius of 1,102.14 feet, arc length of 70.32 feet (Chord Bears South 39 deg. 19 min. 48 sec. West 70.14 feet) to a found TXDOT Concrete Monument;

THENCE with the Easterly right of way line of said Highway No. 146, South 41 deg. 13 min. 33 sec. West, a distance of 112.88 feet to the POINT OF BEGINNING.

Exhibit "B"

"Quiet Warehousing" Planned Unit Development District Plan

Ordinance No. 2024-11

("LI / C2-PUD")

May 2024

3.695 Acres

Applicant:
Starship Texas City, LLC
925 Marina Bay Drive
Kemah, Texas 787565
281-334-6594

"Quite Warehousing" Planned Unit Development District Plan

Ordinance No. 2024-11

A. Contents

- General Provisions
- Permitted Land Use
- Proposed Land Use
- Development Regulations
- Building Regulations

B. General Provisions

1. The PUD approved herein must be constructed, developed, and maintained in compliance with this Ordinance. This district is intended to serve the needs of fabrication, assembling, warehousing and wholesaling businesses. Because of its proximity to residential environs, the land use activities and related operational characteristics of the district are regulated to a greater extent and rigid performance standards must be followed. The district is designed to accommodate land use activities that will meet the community goals and policies enumerated in Comprehensive Master Plan 2040.

2. Except as otherwise provided herein, the words used in this PUD have the meaning established by the Zoning ordinance. In this ordinance.

Accessory building means a building subordinate to the principal building and includes detached garages.

Open Space means the portion of all land contained within the PUD that is not covered by buildings, Parking lots, driveways, improved pedestrian areas, or other impermeable material.

PUD means the planned unit development district created by this ordinance.

Shared/Common Driveway means a privately owned and maintained vehicular access way that Provides access from a public street to residential or non-residential units.

3. The PUD shall be developed in accordance with the following exhibits that are attached to and made Part of this document.

Exhibit D-1:	Location Map
Exhibit D-2:	Aireal Plan
Exhibit D-3:	Site Plan
Exhibit D-4:	Parking Layout
Exhibit D-5:	Open Space & Landscape Plan
Exhibit D-6:	Sign and Solid Waste Enclosure Details
Exhibit D-7:	Existing Utilities, Proposed Utilities
Exhibit D-8:	Building Elevations
Exhibit D-9:	Development Schedule
Exhibit D-10:	Drainage Plan
Exhibit D-11:	Lighting Plan

4. As shown on Exhibit D-1, *Location Map*, the PUD encompasses approximately 3.695 acres of land along the East Right Of Way line of Old Highway 146, and North of Red Bluff Road.
5. Development of two (Tilt Wall Port Warehouses) each containing 24,000 square foot of floor space, office space, reception area, break rooms. Private concrete drive, landscaping, lighting, signage, parking, security fencing, open space requirements, detention/pond and utilities as shown on Exhibit D-3, *Site Plan*.
6. Separate refuse containers will serve each Warehouses and will not be visible from Old Hwy 146 or Red Bluff Road. Exhibit D-6, *Sign and Solid Waste Enclosure Details*.
7. All Signage shall meet the minimum standards of the City's requirements established in Article-6 Sign Standards, as shown on Exhibit D-6, *Sign and Solid Waste Enclosure Details*.

C. Permitted Land Uses

1. A Single tract of land containing approximately 3.695 acres, unded (LI – Light Industrial District) warehousing is a permitted use and falls under the Comprehensive Master Plan 2040. Per (LI – Light Industrial District) inorganic and/or organic compounds are prohibited: The manufacture, processing, distilling, refining, or storage of inorganic and/or organic compounds related to the chemical industry at the manufacturing location or site (this includes petrochemical and petroleum-based products, specialty chemicals, agricultural products, and pulp and paper products) other than those customarily found in normal day-to-day uses and applications (i.e., gasoline service station) is prohibited.

D. Proposed Land Use

1. This PUD development of two (Tilt Wall Port Warehouses) each containing 24,000 square foot of floor space, office space, reception area, break rooms. Warehousing Port related materials and products distributed through the U.S. Private concrete drive(s), landscaping, lighting, signage, parking, security fencing, open space requirements, detention/pond and utilities as shown on Exhibit D-2, *Site Plan*, contingent on the following conditions:

E. Development Regulations

1. Maximum height of buildings:
 - a. 40 feet maximum.
 - b. The height limitations specified in this subsection do not apply to church steeples, spires, belfries, cupolas, or other normal appurtenances usually required to be placed above the roof level and not intended for human occupancy.
2. Open Space Requirements:
 - a. Existing area 3.695 Acres totaling (160,954 square feet.) 20% open spaces required equaling 32,190 square feet, development Open Space Provided equaling 49,603 square feet.
 - b. Separate refuse containers will serve each Warehouses and will not be visible from Old Hwy 146 or Red Bluff Road. Exhibit D-6, *Sign and Solid Waste Enclosure Details*.
3. Security Fencing:
 - a. 6' foot high galvanized chain link fence with 3 rails of barbed wire, will be installed along the boundary of the site, including access man gates, automatic roll gate at the entrance.
4. Parking and Paving:
 - a. Parking shall be in accordance with article 5 of this ordinance. Please see the comprehensive off-street parking regulation matrix, found at the end of article 5. Except as provided for on Exhibit D-4.
 - b. All parking lots and vehicle use areas shall meet the City of Seabrook Code Ordinance and must be constructed of concrete, driveway will be constructed out of concrete, as shown on Exhibit D-4, *Parking Plan*.

5. Building Setback:

- a. A minimum front yard set back shall be 35' feet, as shown on Exhibit D-2, Site Plan.
- b. A minimum side yard set back shall be 15' feet, as shown on Exhibit D-2, Site Plan.
- c. A minimum rear yard set back shall be 15' feet, as shown on Exhibit D-2, Site Plan.

Building Area:

- a. Not more than 50% of total site area shall be covered by building mass.

7. Landscape & Lighting Regulations:

- a. Landscaping shall be in accordance with article 5 to 7 of the City code or ordinance.
- b. Lighting used to illuminate paving areas, parking areas, building facades, shall be arranged, located, screened to direct light away from existing single-family residential lots.

8. Prohibited Uses

- a. Inorganic and/or organic compounds prohibited: The manufacture, processing, distilling, refining, or storage of inorganic and/or organic compounds related to the chemical industry at the manufacturing location or site (this includes petrochemical and petroleum-based products, specialty chemicals, agricultural products, and pulp and paper products) other than those customarily found in normal day-to-day uses and applications (i.e., gasoline service station) is prohibited.
- b. Rail tracks, lines, spurs, yards, storage and marshaling areas and all other associated rail uses are prohibited.
- c. Shipping/storage containers whether used for outside storage, as an inhabited structure or for any other purpose are prohibited. Exception: A shipping container is permitted on site while on a trailer chassis.
- d. Industrial limits: No use shall cause, create, or allow the emission of air contaminants which at the emission point or within the bounds of the property are:

In violation of the standards, specified by the Texas Commission on Environmental Quality or the Texas Clean Air Act; or

Of such capacity as to obscure an observer's view to a degree equal to or greater than does smoke or contaminants.

No commercial or industrial use shall be located or operated within the city which emits odorous matter from a source of operation where the odorous matter exceeds the odor threshold at the boundary property line or any point beyond the tract on which such use or operation is located. The odor threshold as set forth shall be determined by the Texas Commission on Environmental Quality.

G. Building Regulations

- a. Color palette shall be uniformly for both warehouses.
- b. Primary exterior finishes shall be concrete tilt wall construction, store front glass.

Roof materials shall be limited to the following:

- a. Flat Roof – Shall meet the requirements as required by the IBC.

H. Density

- a. Two primary building per lot.

I. Buffering and screening

- a. Buffer yards shall be of such nature and density so as to screen activities, structures and uses on the property from view from the normal level of a first story window on an abutting lot and shall further

provide a year-round effective visual screen. Buffer yards are measured from the property line towards the building line and are divided in two parts: (1) a landscaping or free space buffer beginning at the property line and; (2) a secondary buffer that may be used for driveways and loading, provided that parking shall not be permitted in any portion of the minimum required buffer yard. Any property containing a use in this zoning district which adjoins or abuts any property classified in any other zone shall provide the following: as shown on Exhibit D-5, Open Space & Landscape plan.

- b. Front yard minimum Landscape setback shall be 20' feet, Side and Rear minimum setback requirement shall be 15' feet. The landscape buffer (the portion of the yard beginning at the property line) shall be reserved for landscaping only. Existing tree cover shall be maintained in accordance with section 30-211 et seq. "Tree Protection and Preservation" of the City Code of Ordinances. Other landscaping and supplemental plantings to create an adequate buffer may be added in accordance with the city's ordinances. The remaining buffer yard may be used for driveways and loading. However, parking shall not be permitted in any portion of the minimum required buffer yard.
- c. Minimum height of 6' foot galvanized chain link fence with 3 rails of barbed wire shall be constructed around the entire perimeter of the of the property, providing entrance and access gates.
- d. All exterior dumpster/garbage/waste containers or storage containers and dumpsters shall be placed no more than 15 feet from the primary building and shall be screened so that they are not visible from off the property. Each trash enclosure shall be constructed of masonry walls.
- e. Rooftop or ground level mechanical equipment shall be totally screened from view by using either parapet walls at the same height of the mechanical units for rooftop mounts or by providing screening for ground mounted units.

Exhibit "D-9"

"Quit Warehousing" Planned Unit Development District Plan

Quit Warehousing Development Schedule

The following is an estimated time line for Plans Designs, Plans Review and Plan Approvals:

Second Quarter 2024 – Plan Design; Civil, Architectural, Mechanical, Electrical, Plumbing, Sprinkler

Third Quarter 2024 - Completion of Plan Design, Submittal for Plan Review and Approvals

Fourth Quarter 2024 - Plan Review and Plan Approvals

The following is an estimated time line for Project Construction:

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Second Quarter 2025 - Commence Concrete Pavement, Building Foundations, Site Fencing

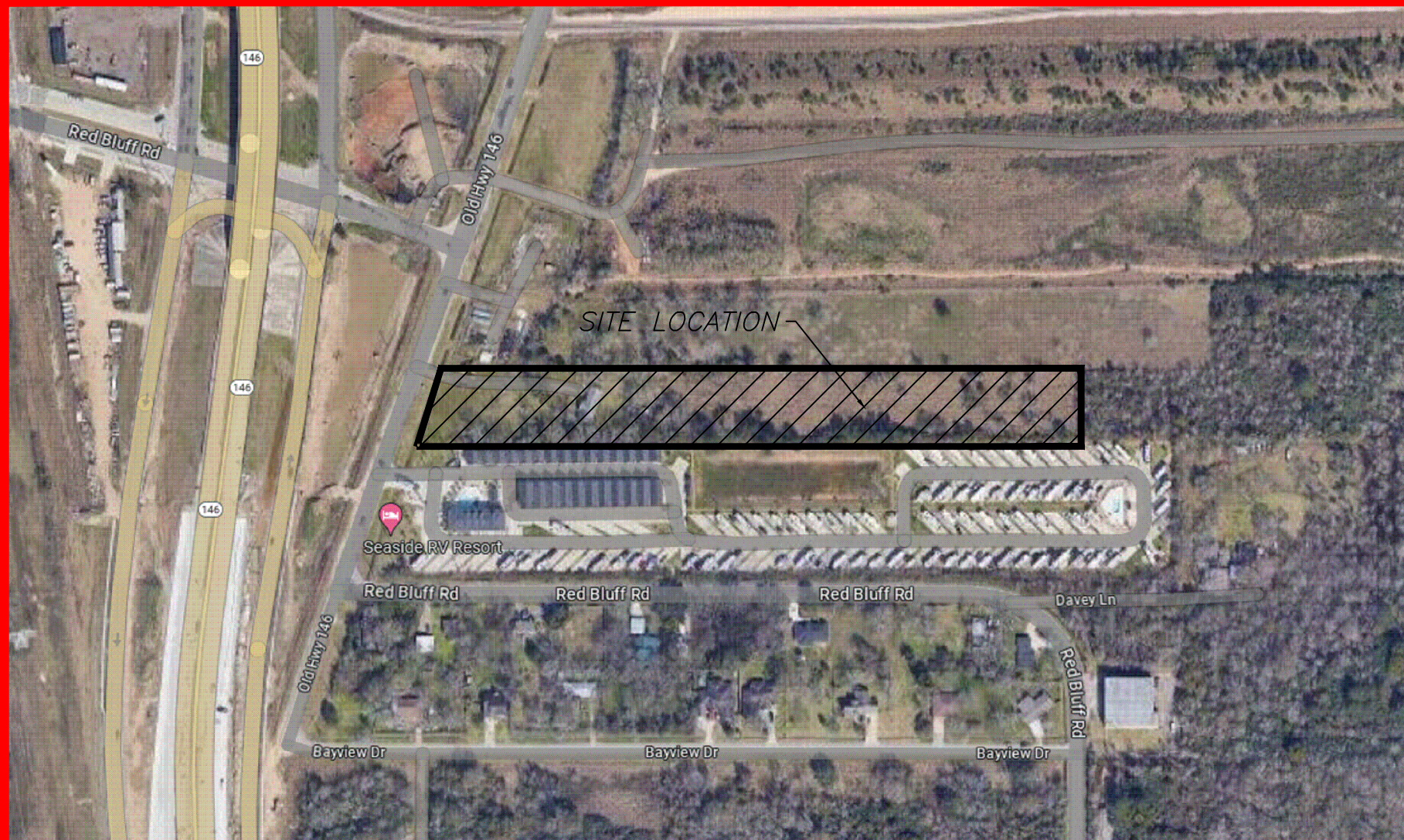
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Fourth Quarter 2025 - Commence Interior Conversion, Store Front Glass, Landscaping, Signage

The following is an estimated time line for Project Construction:

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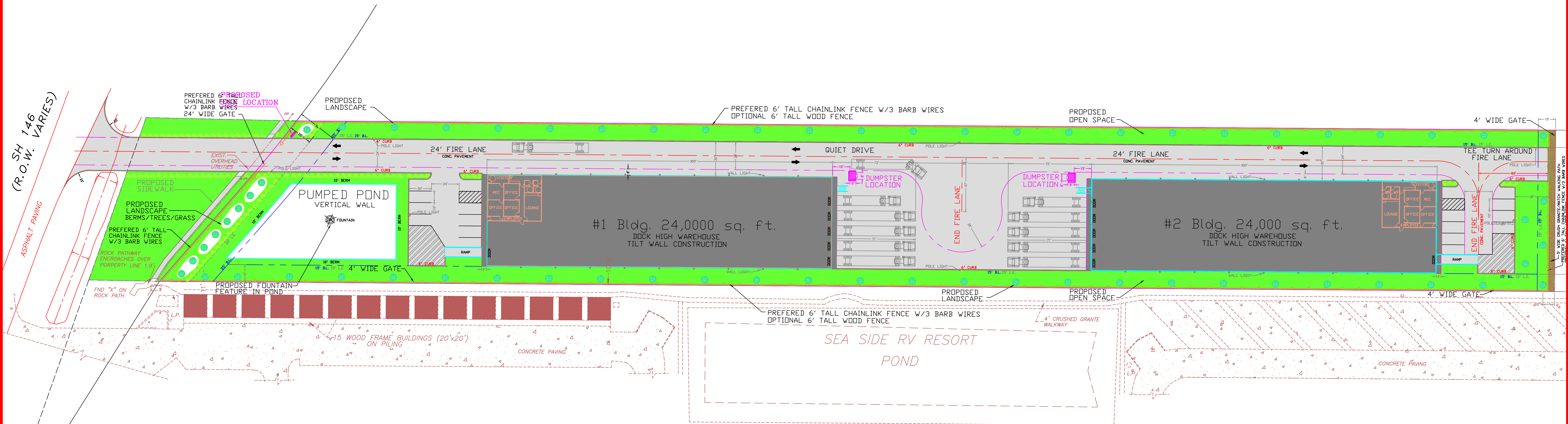
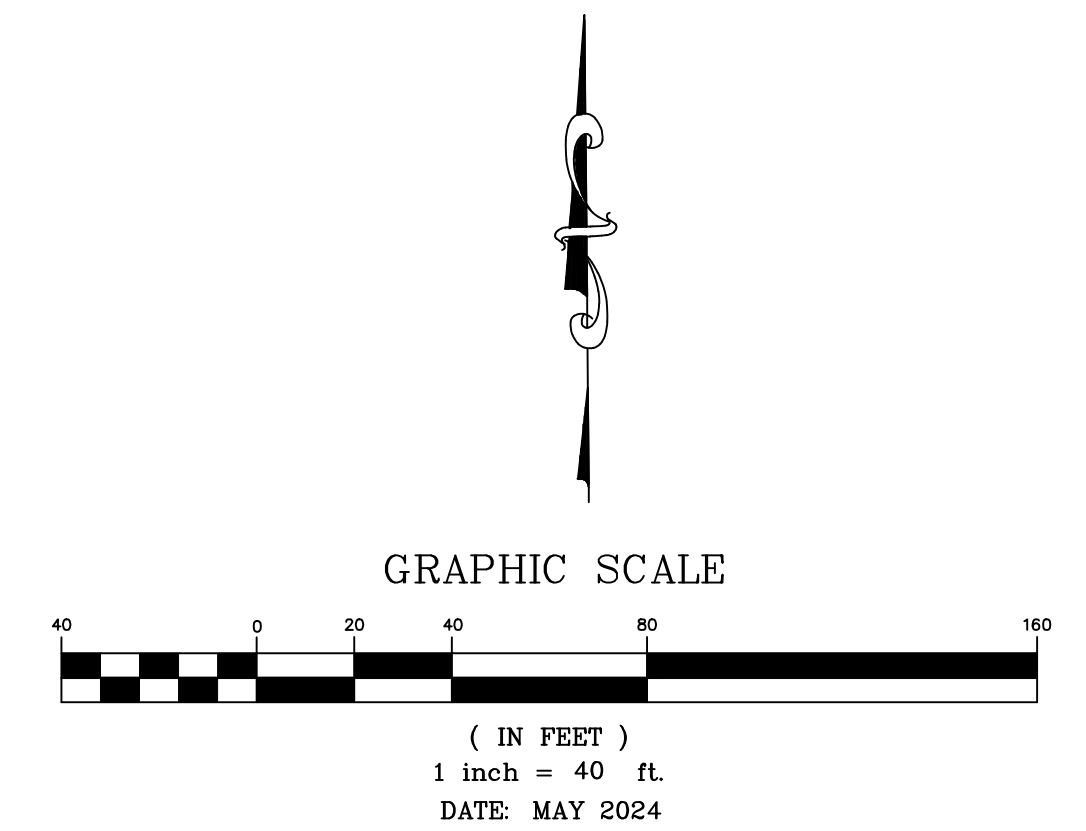


KEY MAP
N.T.S.

”QUIET WAREHOUSING”

”LI / C2-PUD”

DEVELOPED BY
STARSHIP TEXAS CITY, LLC

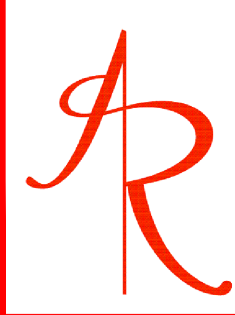


LOCATION PLAN

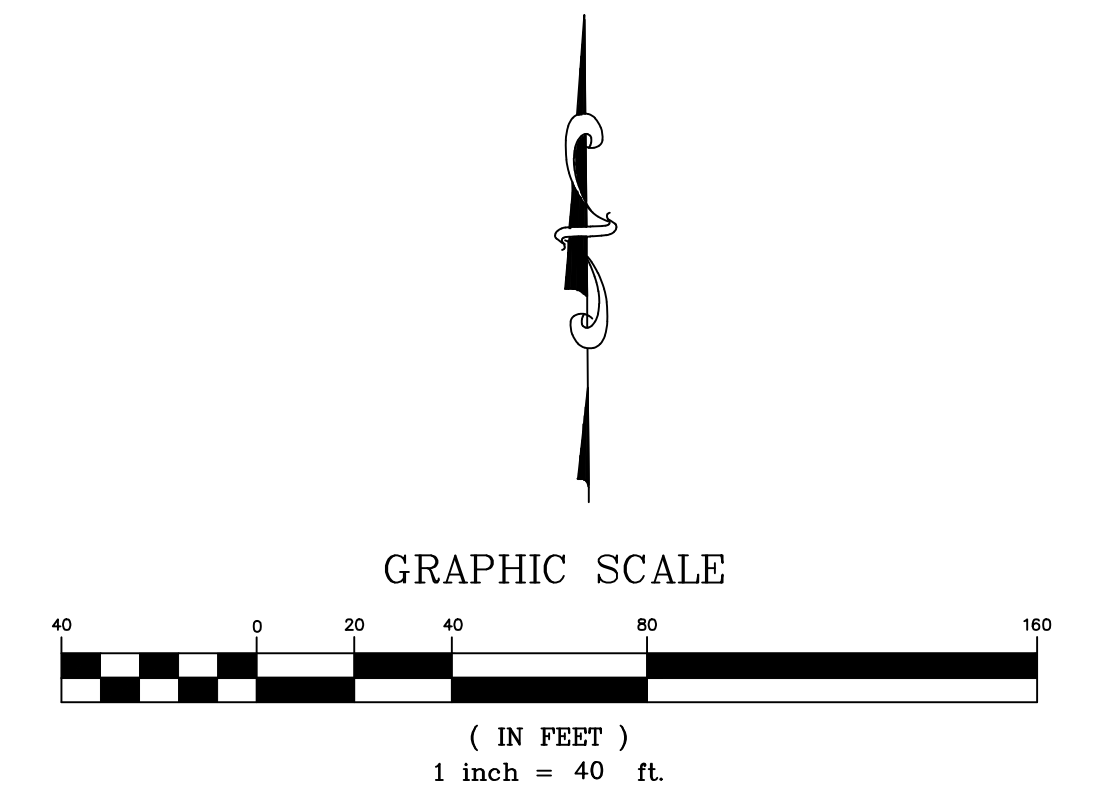
EXHIBIT D-1

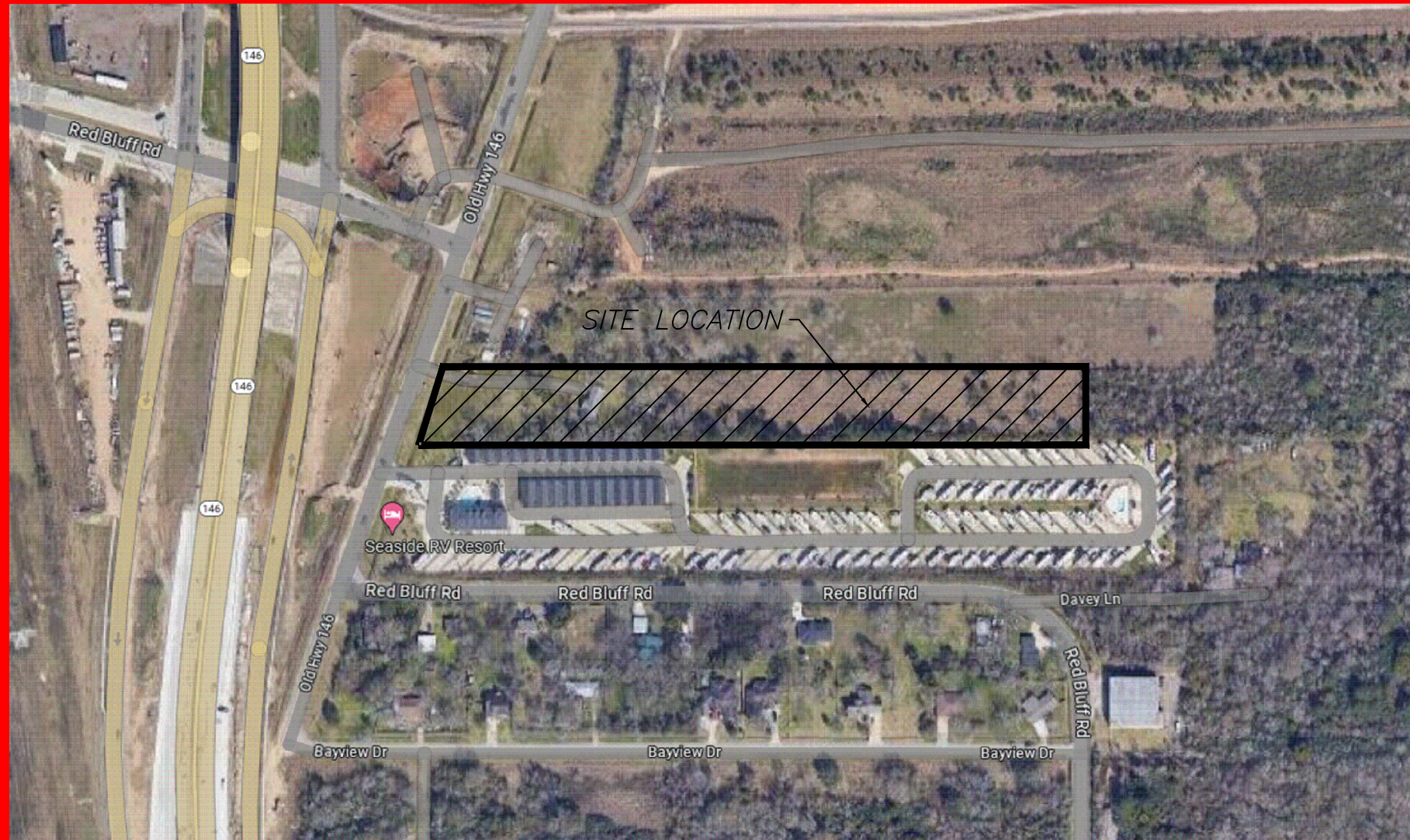
N 88°50'00" W 1287.48'

RED BLUFF ROAD (60' R.O.W.)

 AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

"LI / C2-PUD"
 DEVELOPED BY
 STARSHIP TEXAS CITY, LLC

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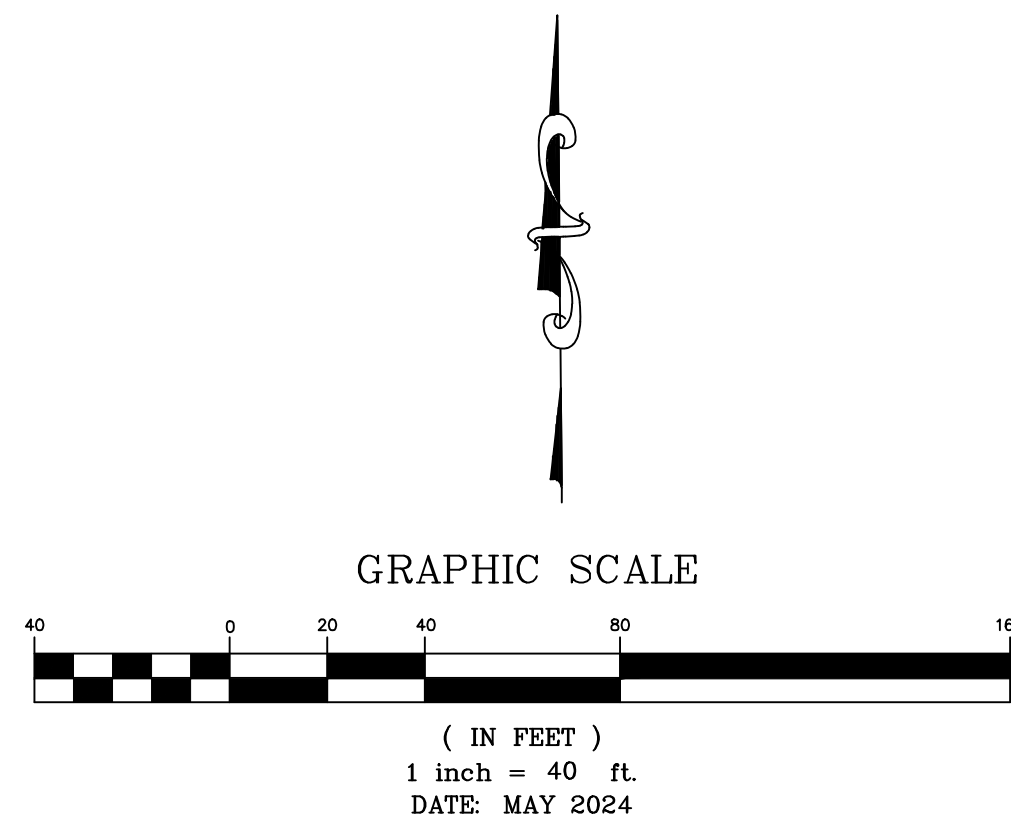


KEY MAP
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”QUIET WAREHOUSING”

”LI / C2-PUD”

DEVELOPED BY
STARSHIP TEXAS CITY, LLC



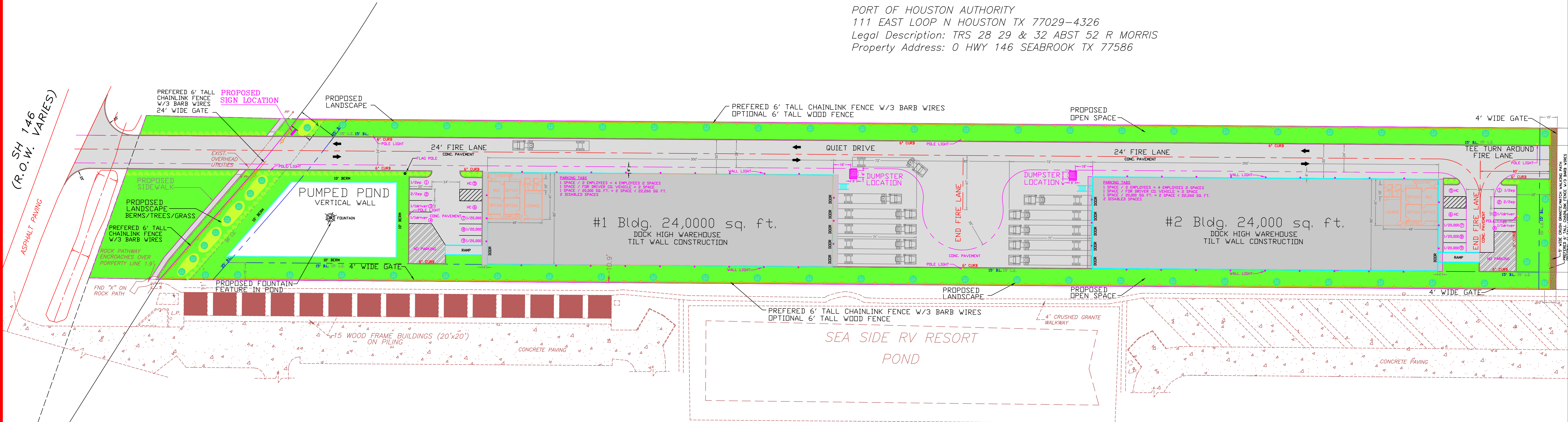
PROPERTY OWNERS 500 FEET NORTH

PORT OF HOUSTON AUTHORITY

111 EAST LOOP N HOUSTON TX 77029-4326

Legal Description: TRS 28 29 & 32 ABST 52 R MORRIS

Property Address: 0 HWY 146 SEABROOK TX 77586



PROPERTY OWNERS 500 FEET SOUTHG

STARSHIP SEASIDE SEABROOK RV RESORT LLC

925 MARINA BAY DR KEMAH TX 77565-2572

Legal Description: TR 31 ABST 52 R MORRIS

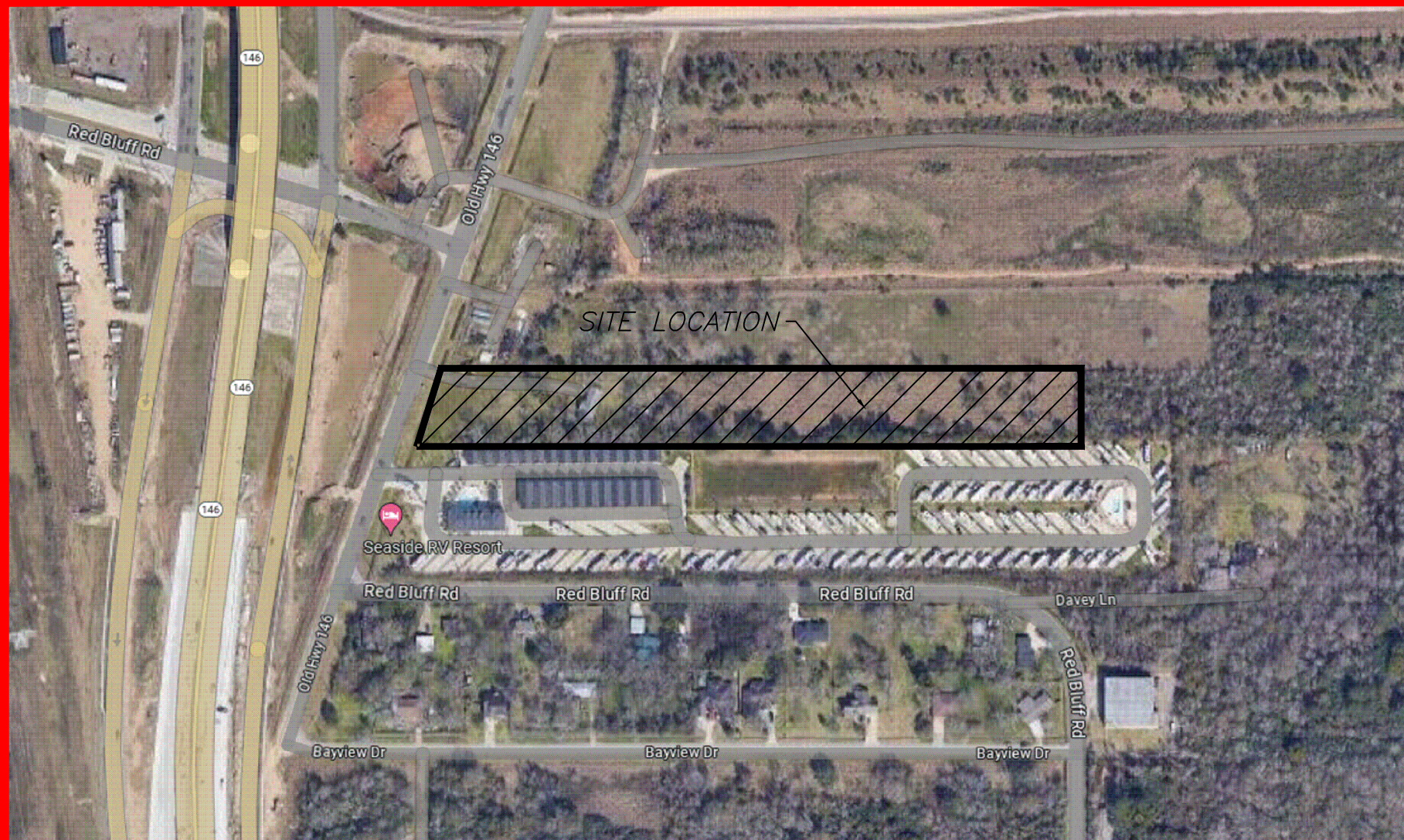
Property Address: 4001 OLD HWY 146 SEABROOK TX 77586

SITE PLAN
EXHIBIT D-3

N 88°50'00" W 1287.48'

RED BLUFF ROAD (60' R.O.W.)

AVERY RYAN & COMPANY
2419 DAVIS BLVD SUITE 302 DIMROD ST BACLIFF TX 77518-2037 Legal Description: LT 25 & W 1/2 OF LT 26 BAYSHORE ACRES Property Address: 0 RED BLUFF RD SEABROOK TX 77586
HIGHLANDS JOSE F OLIVERA 1921 RED BLUFF SEABROOK TX 77586-1609 Legal Description: LT 24 BAYSHORE ACRES Property Address: 1921 RED BLUFF RD SEABROOK TX 77586
713- SANCHEZ NORMA A 1307 GLENCREST DR PASADENA TX 77502-5127 Legal Description: LT 23 BAYSHORE ACRES Property Address: 0 RED BLUFF RD SEABROOK TX 77586
SANCHEZ ARTURO M & NORMA A 1307 GLENCREST DR PASADENA TX 77502-5127 Legal Description: LT 22 BAYSHORE ACRES Property Address: 0 RED BLUFF RD SEABROOK TX 77586
c_benjamin@averryryan.com AUSTIN SHERRY 1937 RED BLUFF RD SEABROOK TX 77586-1609 Legal Description: LTS 20 & 21 BAYSHORE ACRES Property Address: 1937 RED BLUFF RD SEABROOK TX 77586

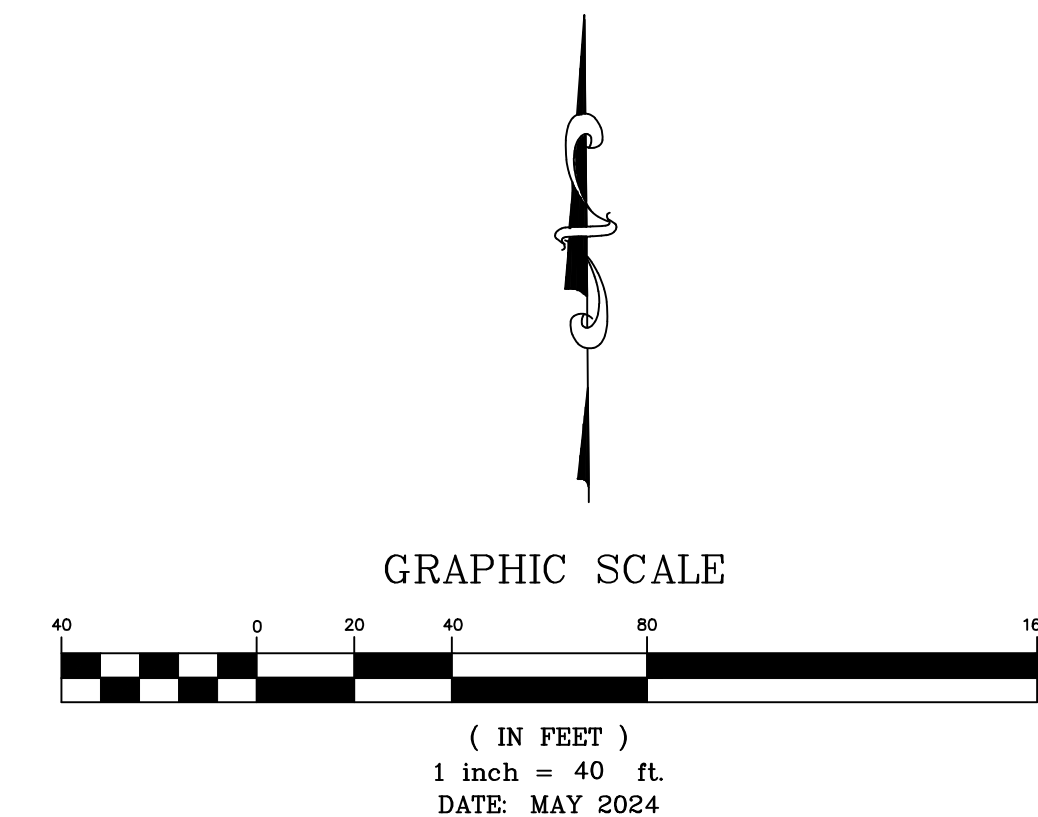


KEY MAP
N.T.S.

”QUIET WAREHOUSING”

”LI / C2-PUD”

DEVELOPED BY
STARSHIP TEXAS CITY, LLC

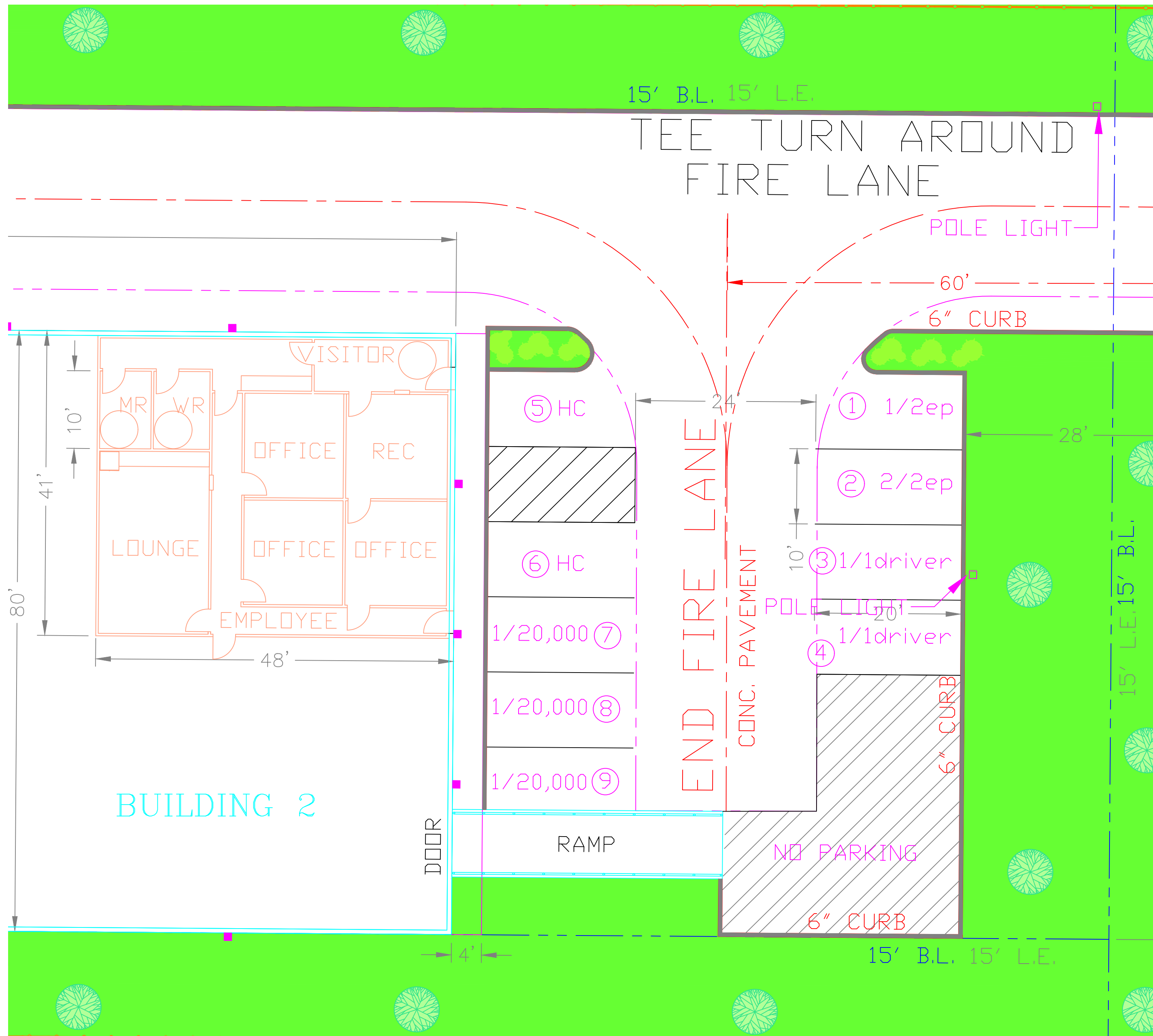
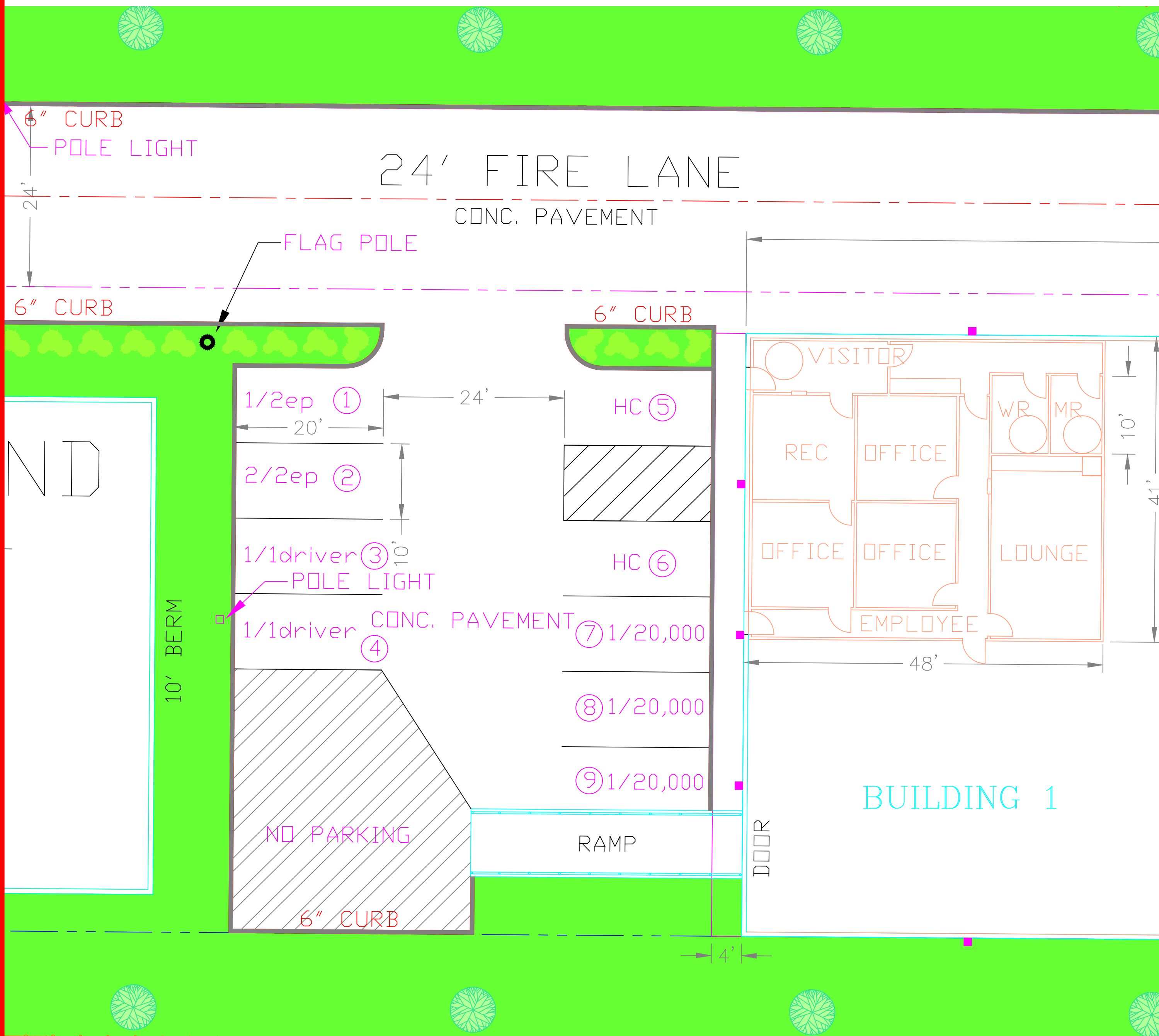


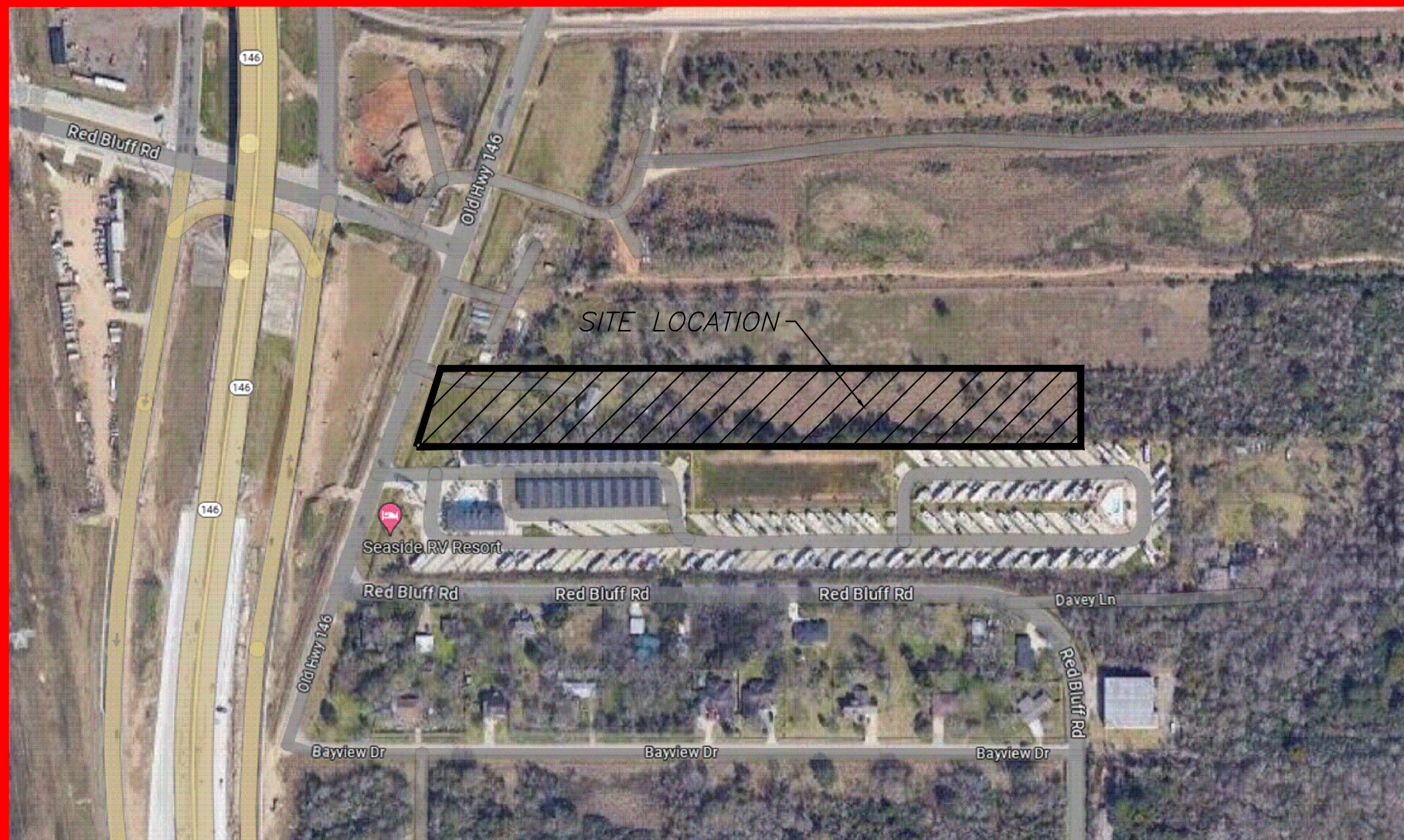
BUILDING #1 PARKING TABS

- 1 SPACE / 2 EMPLOYEES = 4 EMPLOYEES 2 SPACES
- 1 SPACE / FOR DRIVER CO. VEHICLE = 2 SPACE
- 1 SPACE / 20,000 SQ. FT. = 2 SPACE < 24,000 SQ. FT.
- 2 DISABLED SPACES

BUILDING #2 PARKING TABS

- 1 SPACE / 2 EMPLOYEES = 4 EMPLOYEES 2 SPACES
- 1 SPACE / FOR DRIVER CO. VEHICLE = 2 SPACE
- 1 SPACE / 20,000 SQ. FT. = 2 SPACE < 24,000 SQ. FT.
- 2 DISABLED SPACES



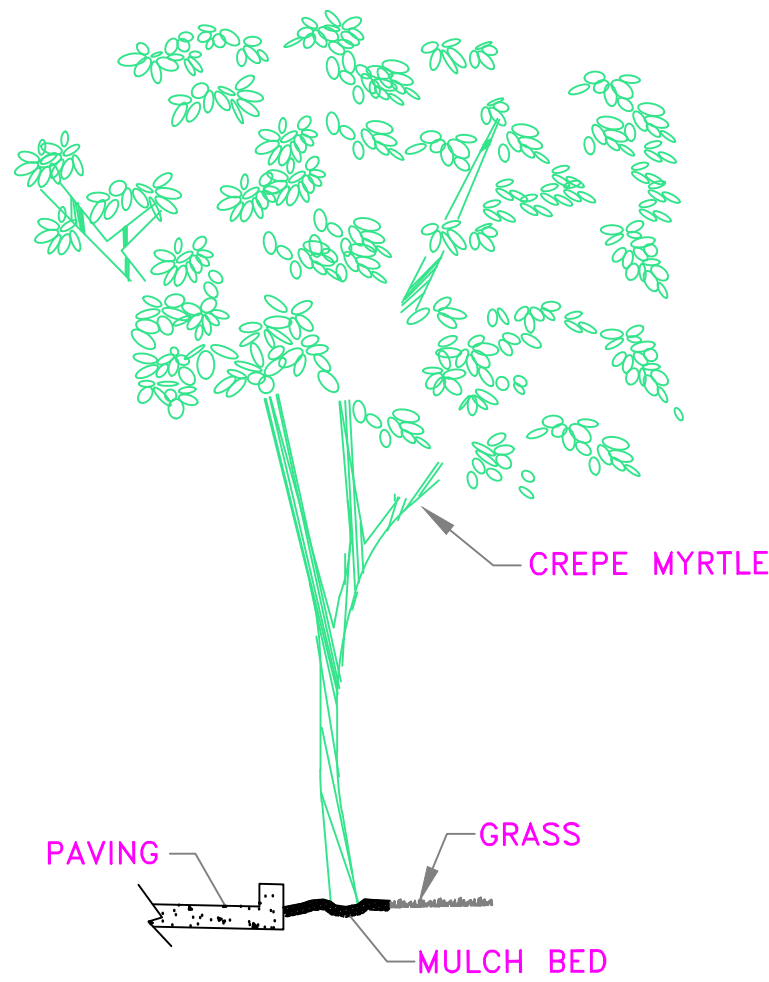


KEY MAP
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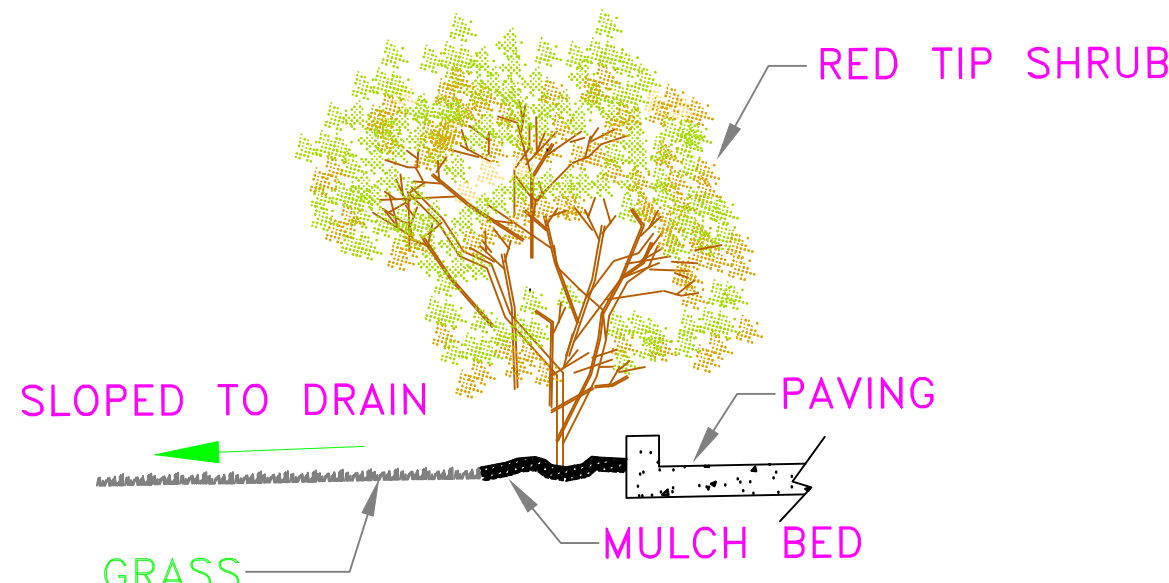
” QUIET WAREHOUSING ”

”LI / C2-PUD”

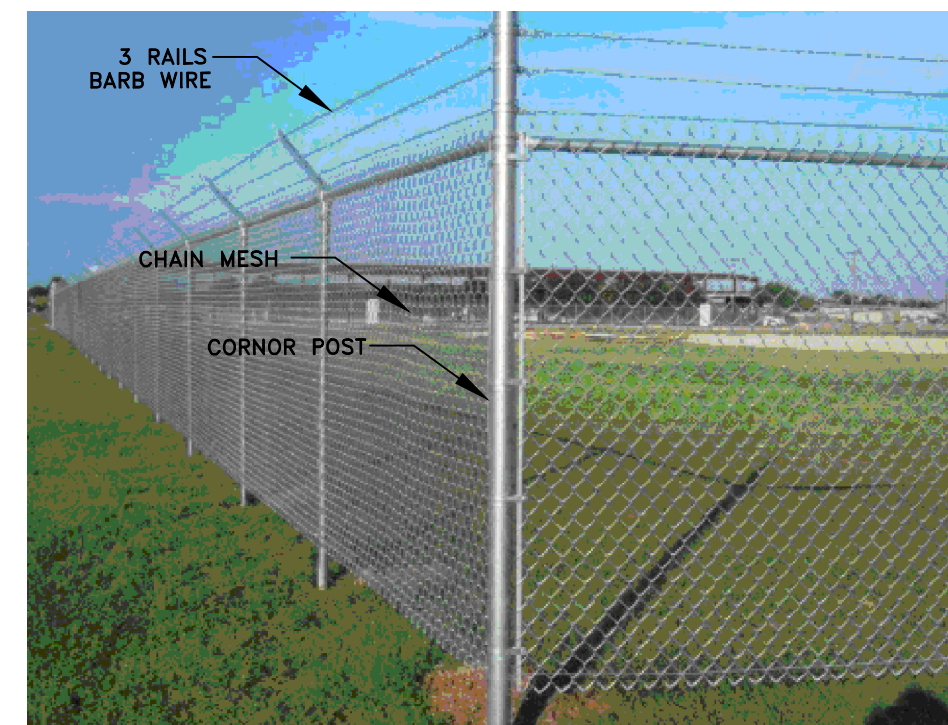
DEVELOPED BY
STARSHIP TEXAS CITY, LLC



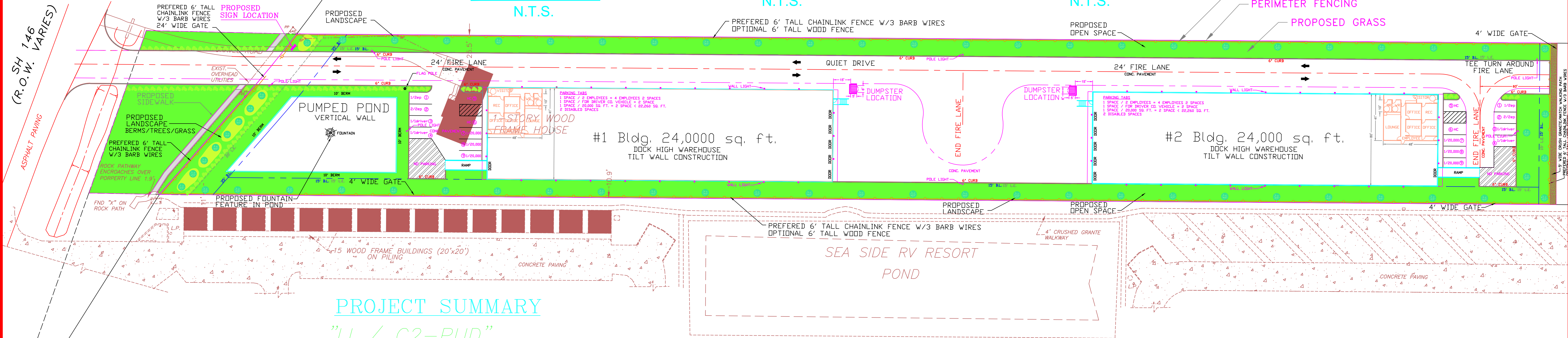
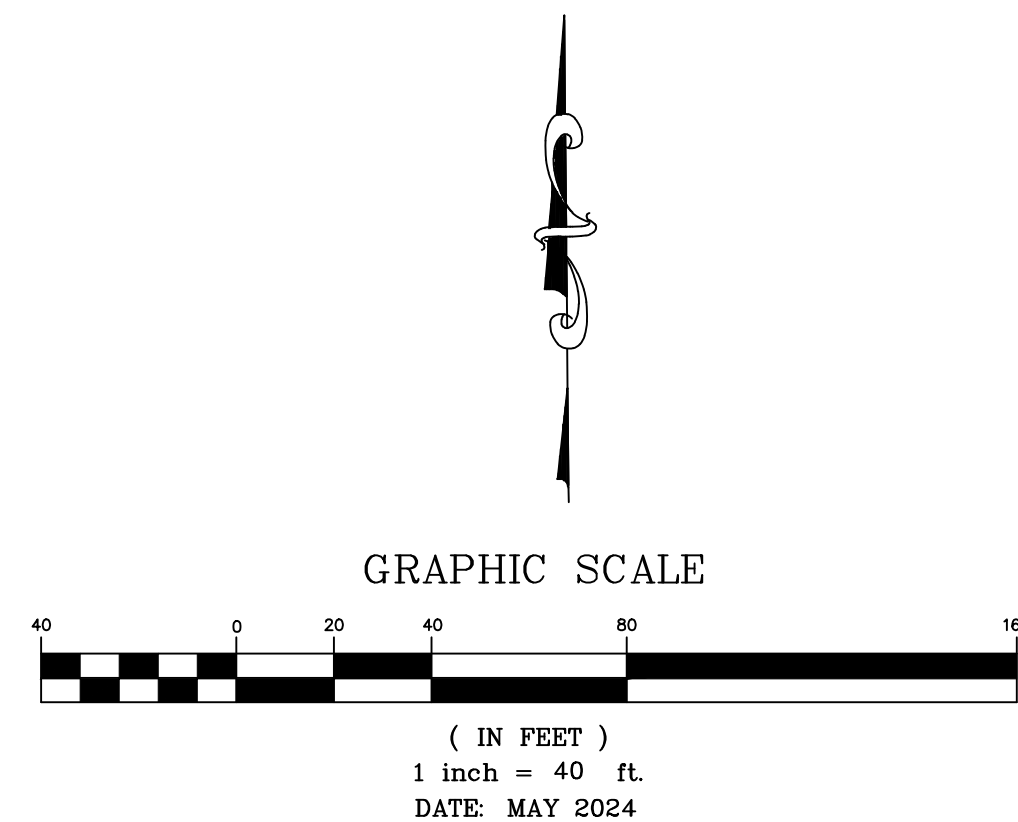
SECTION "B"
N.T.S.



SHRUBS
N.T.S.



PERIMETER FENCING
N.T.S.



PROJECT SUMMARY

”LI / C2-PUD”

2 - TILT WALL WAREHOUSE BUILDINGS = 24,000 SQ. FT. EACH
TOTAL AREA = 3.695 ACRES or 160,954 SQ. FT.

”OPEN SPACE TOTALS”

EXISTING= 3.695 ACRES TOTAL LAND (160,954 sq. ft.)

32,190 sq. ft. REQUIRED OPEN SPACE

49,603 sq. ft. POND & GREEN SPACES PROVIDED

”EXISTING UTILITIES” (CITY OF SEABROOK)

EXISTING= 12” WATER AND 12” SANITARY SEWER

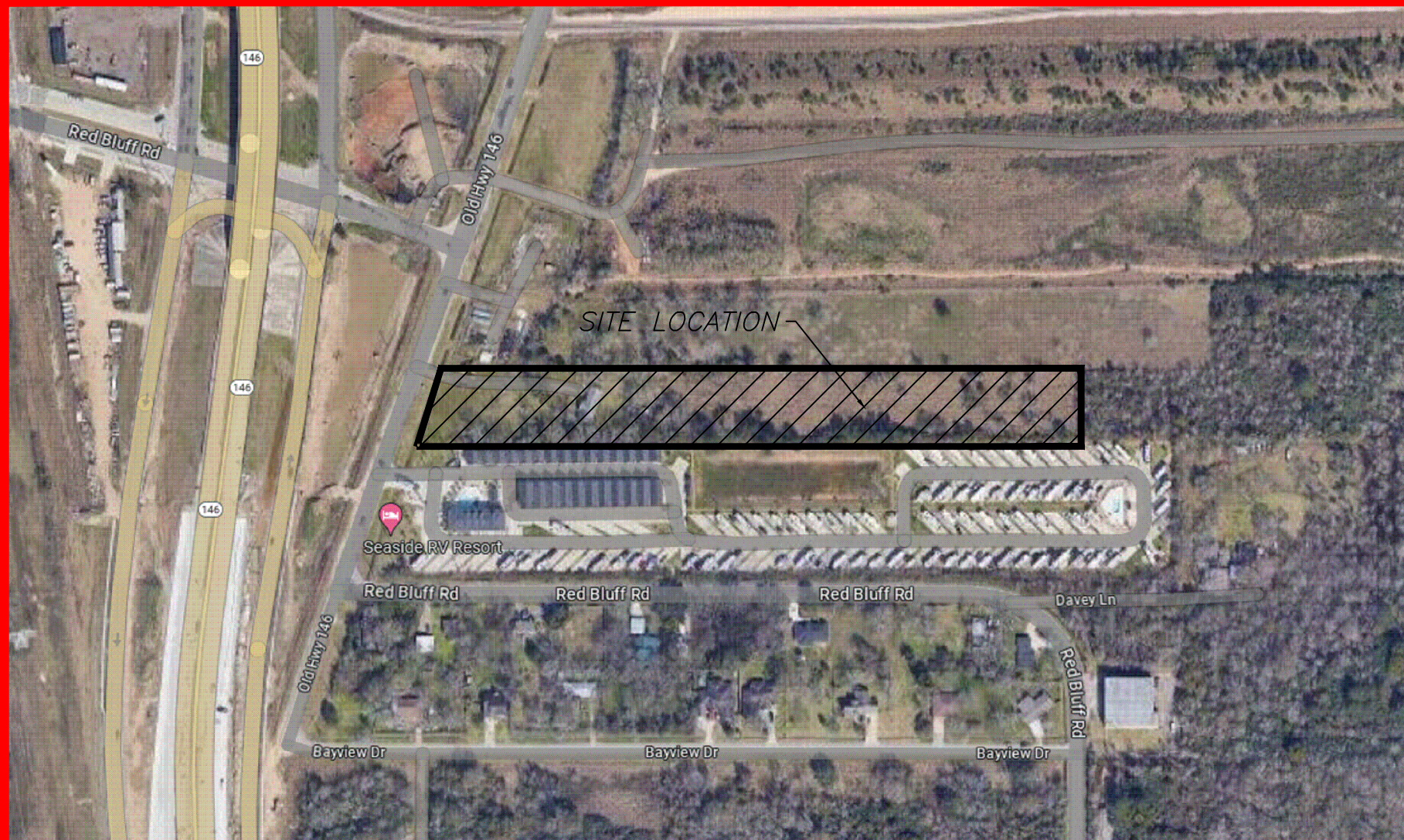
OPEN SPACE &
LANDSCAPE PLAN
EXHIBIT D-5

N 88°50'00” W 1287.48’

RED BLUFF ROAD (60’ R.O.W.)



AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

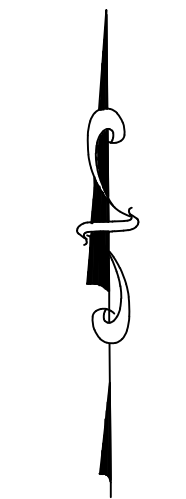


KEY MAP
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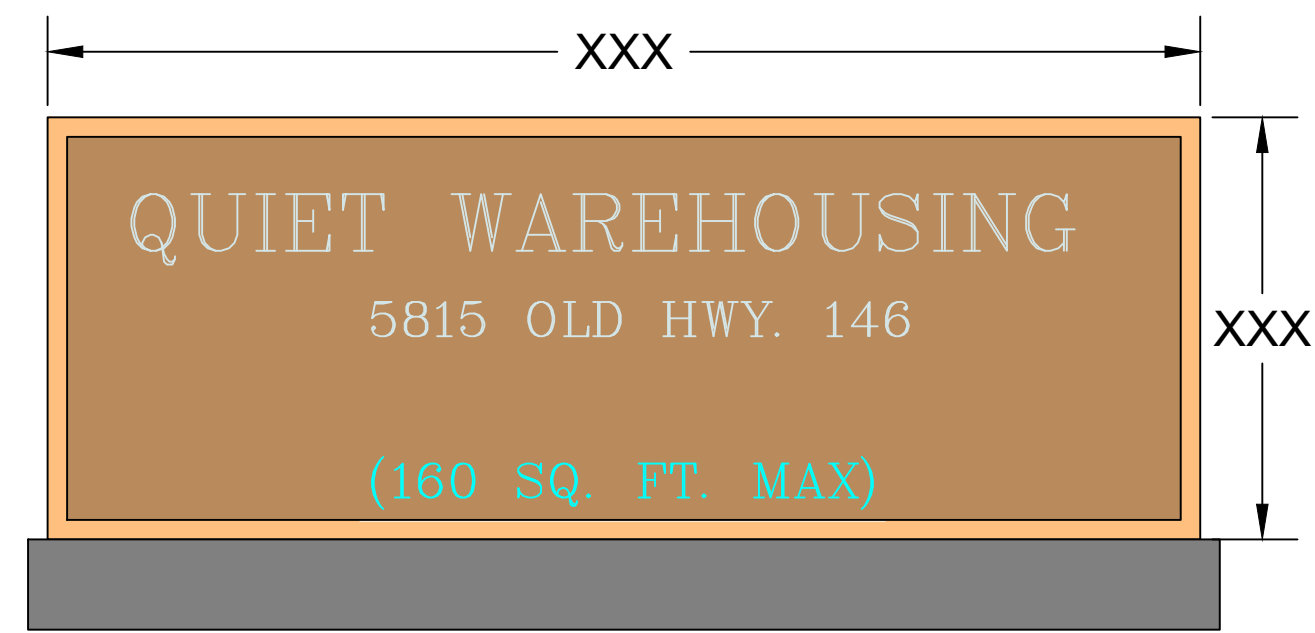
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”LI / C2-PUD”

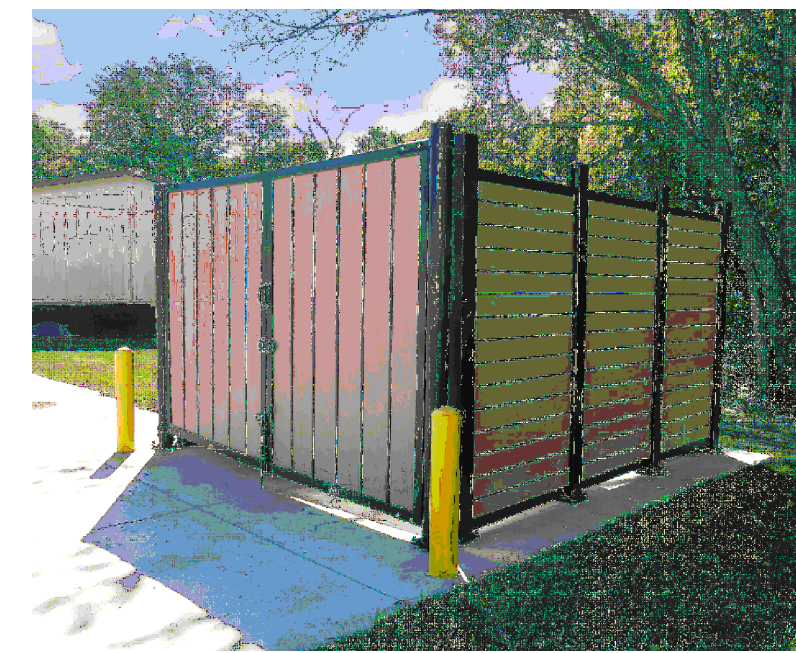
DEVELOPED BY
STARSHIP TEXAS CITY, LLC



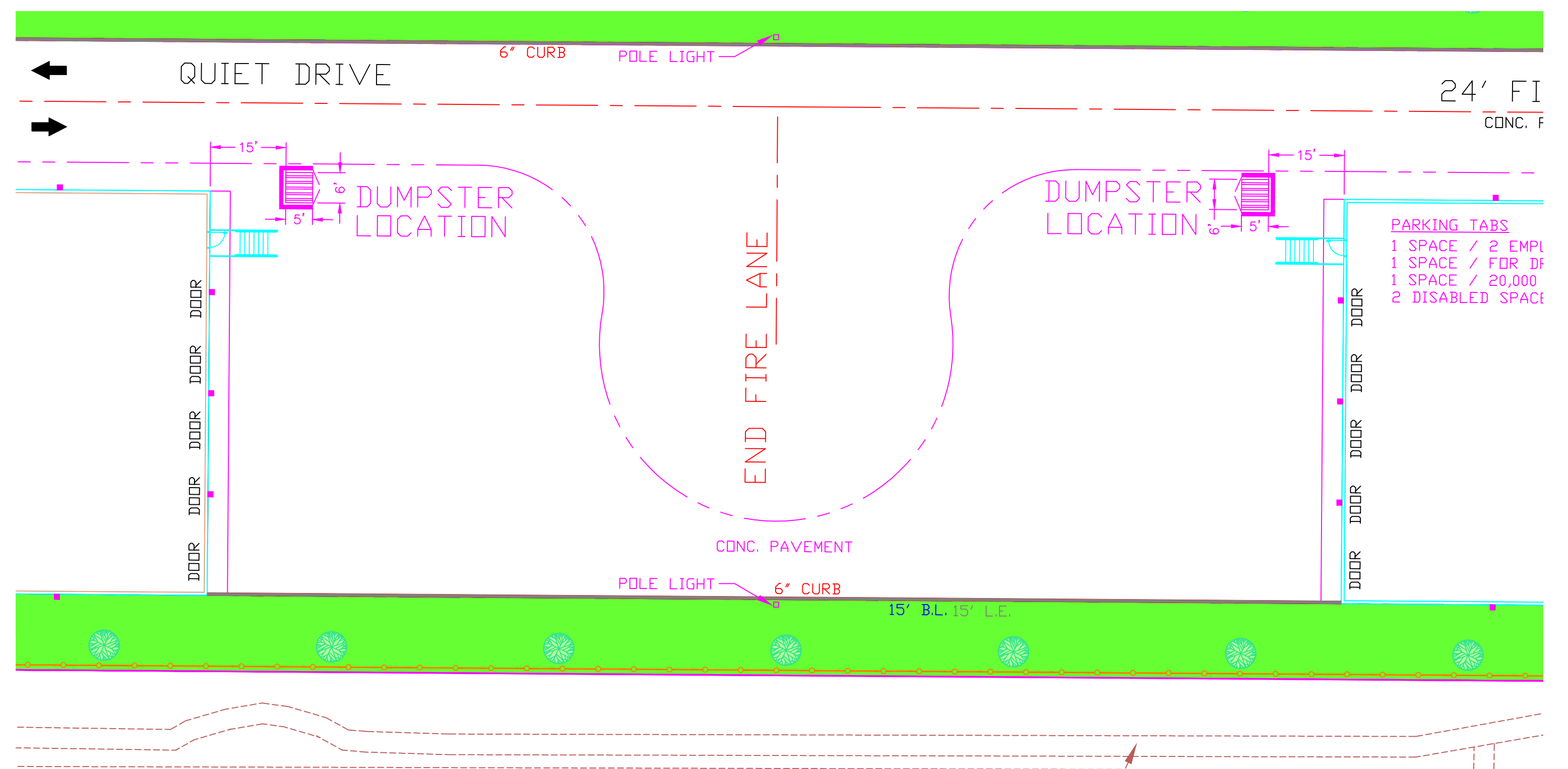
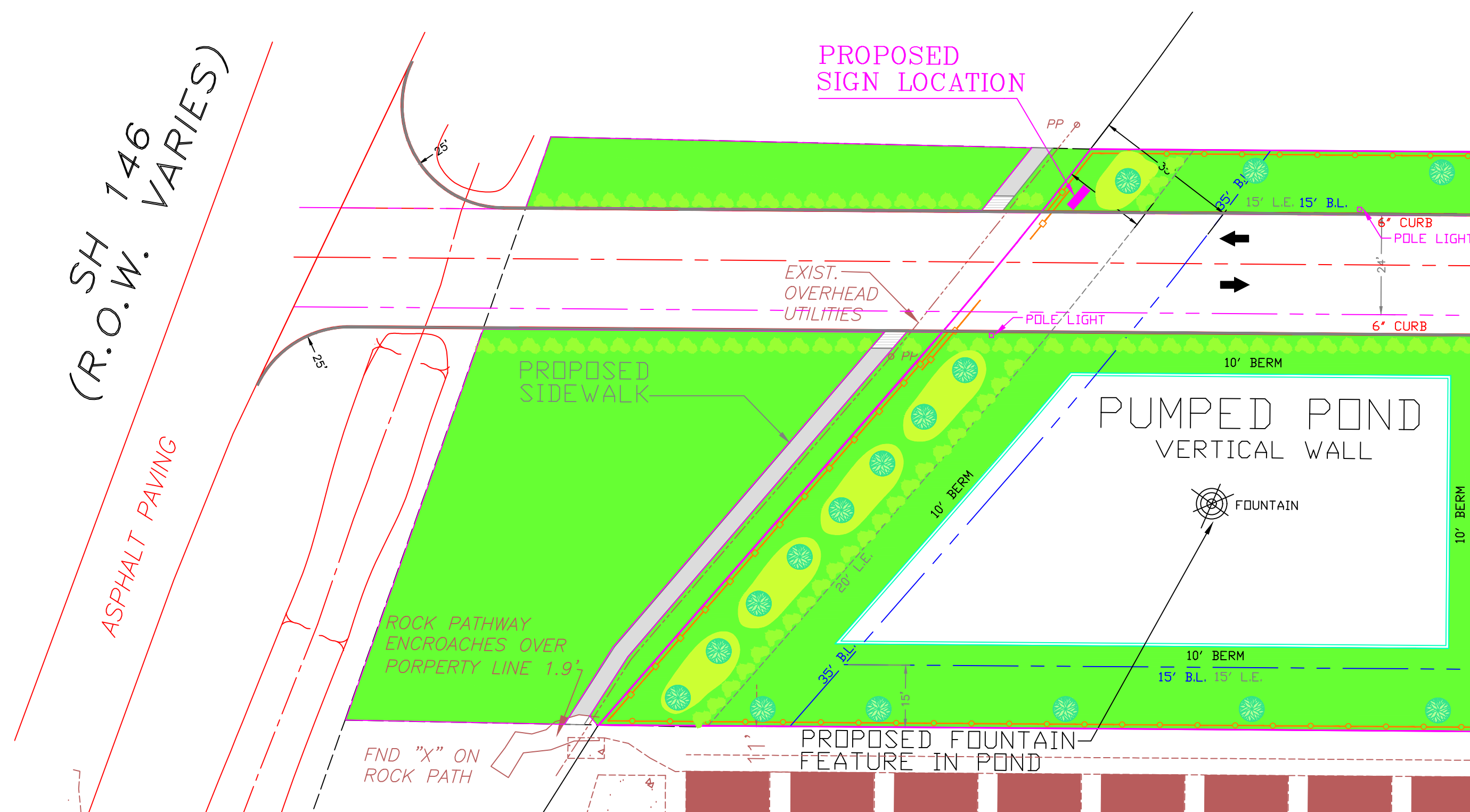
N.T.S.
DATE: MAY 2024



PROPOSED SIGNAGE

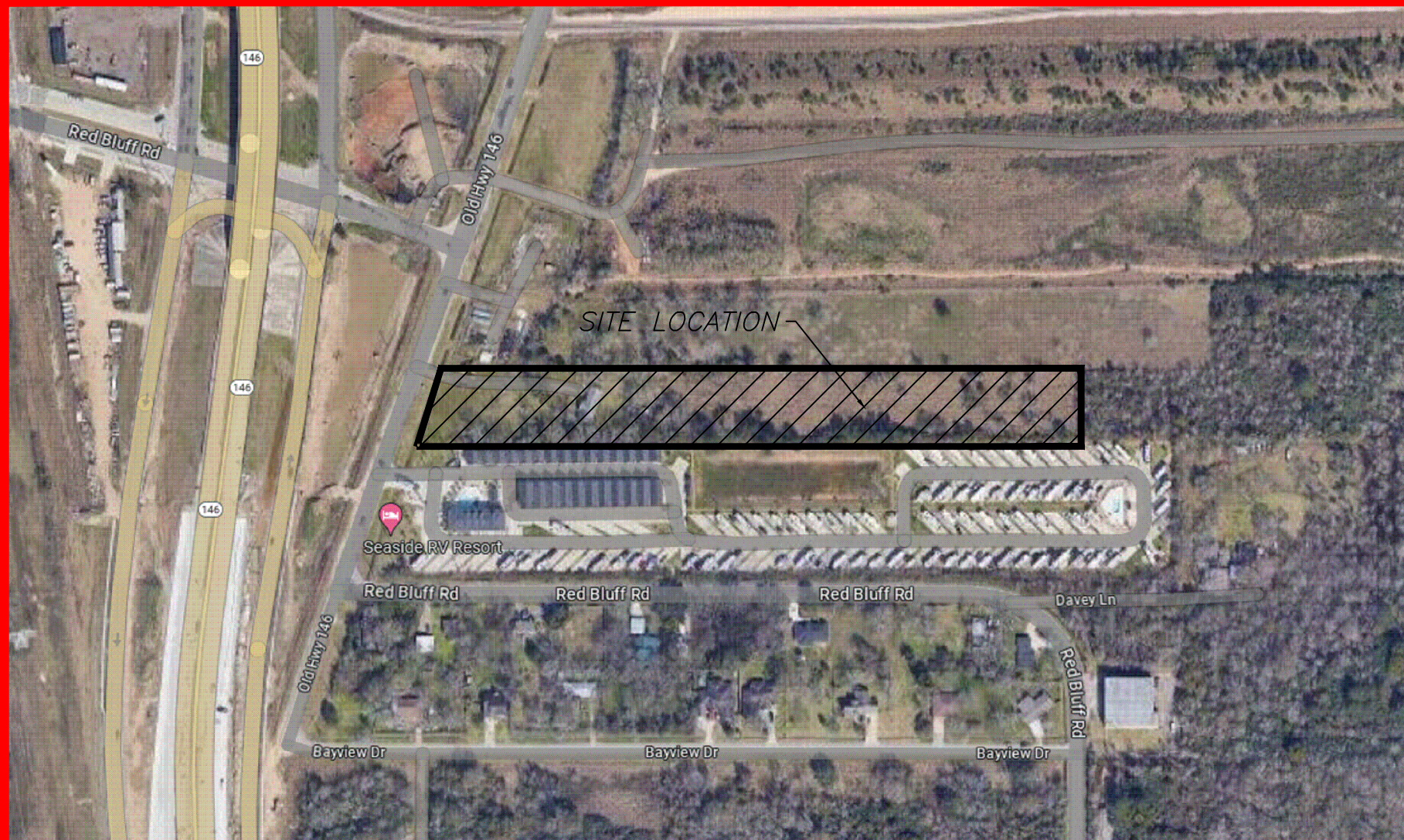


PROPOSED ENCLOSED DUMPSTER



 AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

SIGN & SOLID
WASTE PLAN
EXHIBIT D-6

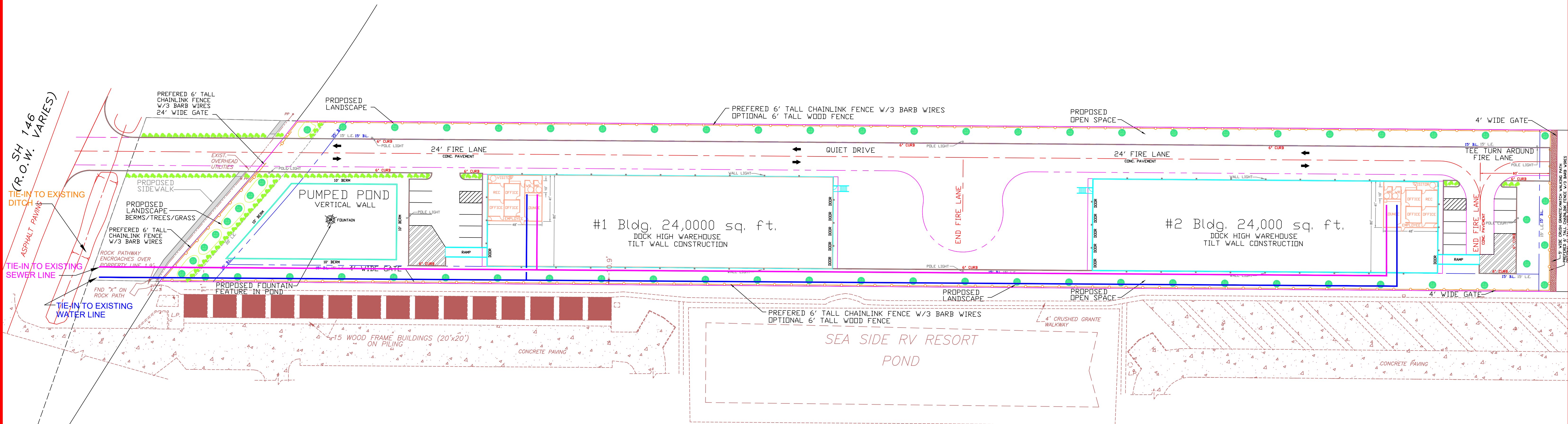
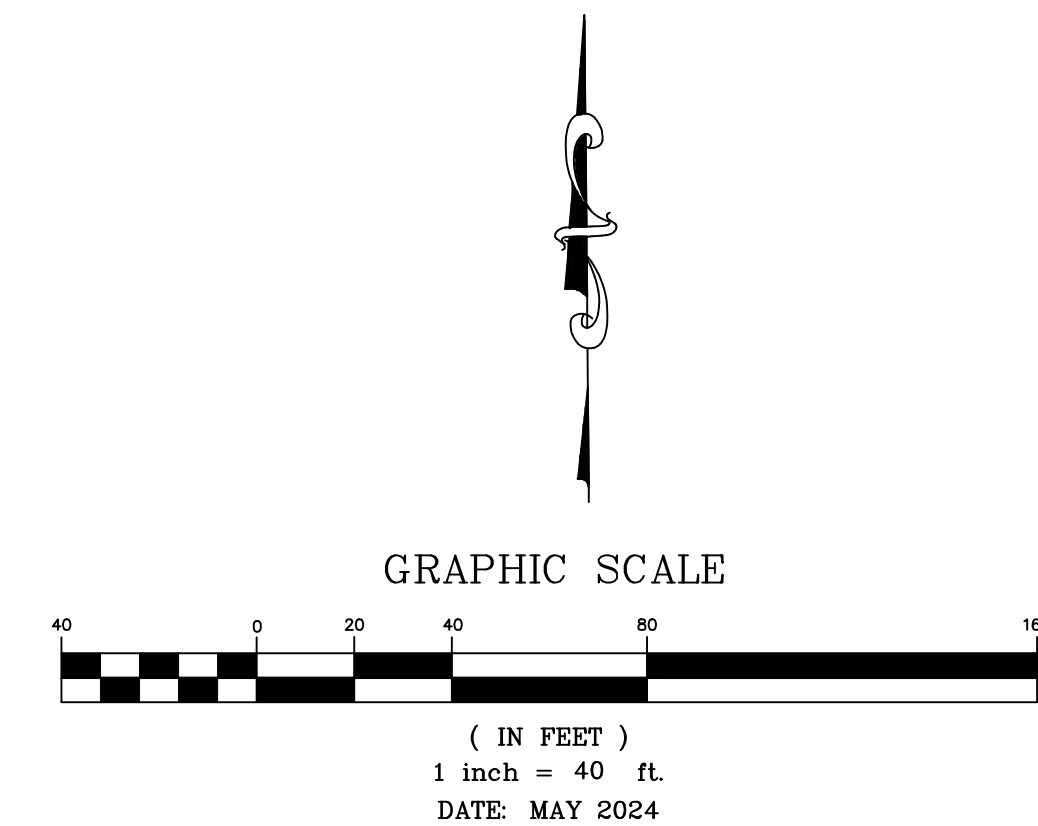


KEY MAP
N.T.S.

”QUIET WAREHOUSING”

”LI / C2-PUD”

DEVELOPED BY
STARSHIP TEXAS CITY, LLC



SANITARY SWR. AND WATER LEGEND

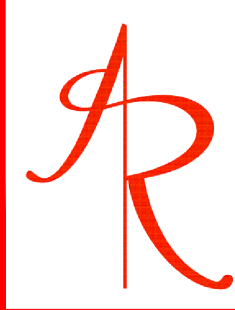
- SAN. SWR.
- WATER

EXISTING UTILITIES & PROPOSED UTILITIES

EXHIBIT D-7

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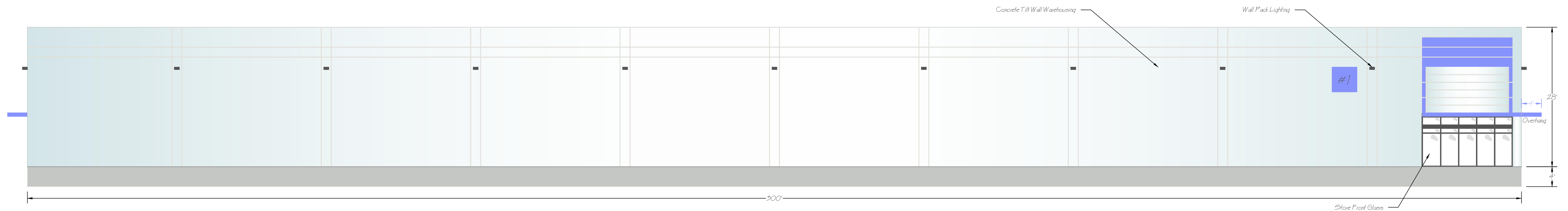
RED BLUFF ROAD (60' R.O.W.)

 AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

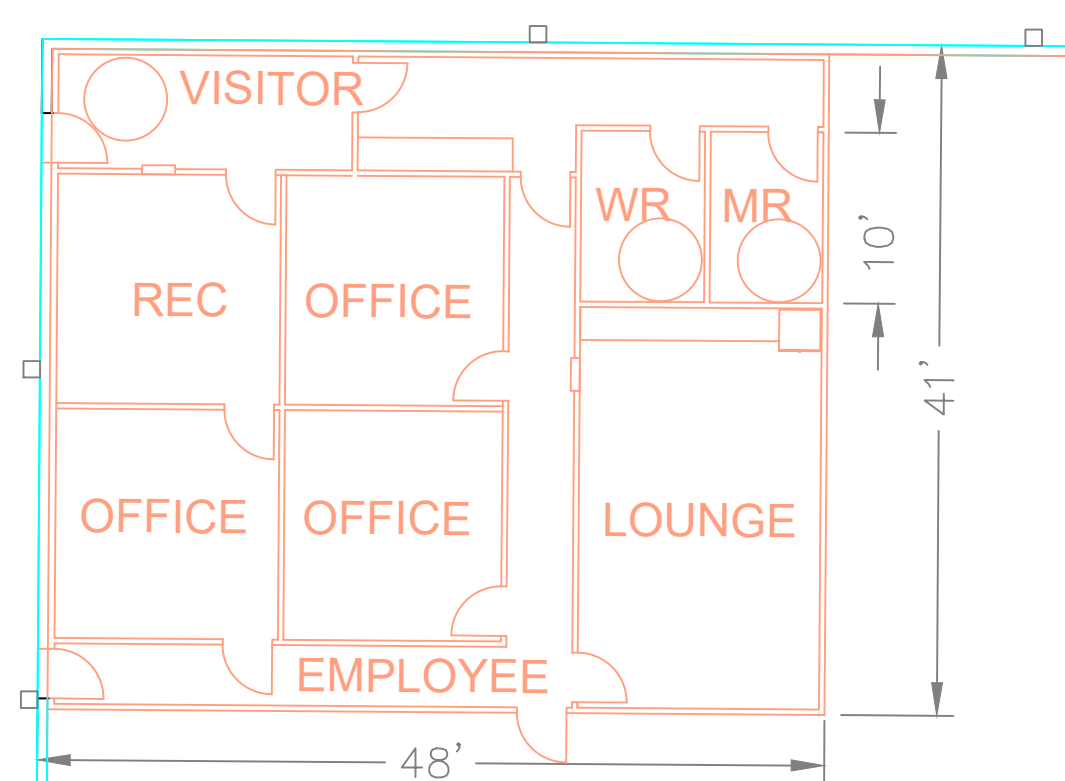
” QUIET WAREHOUSING ”

”LI / C2-PUD”

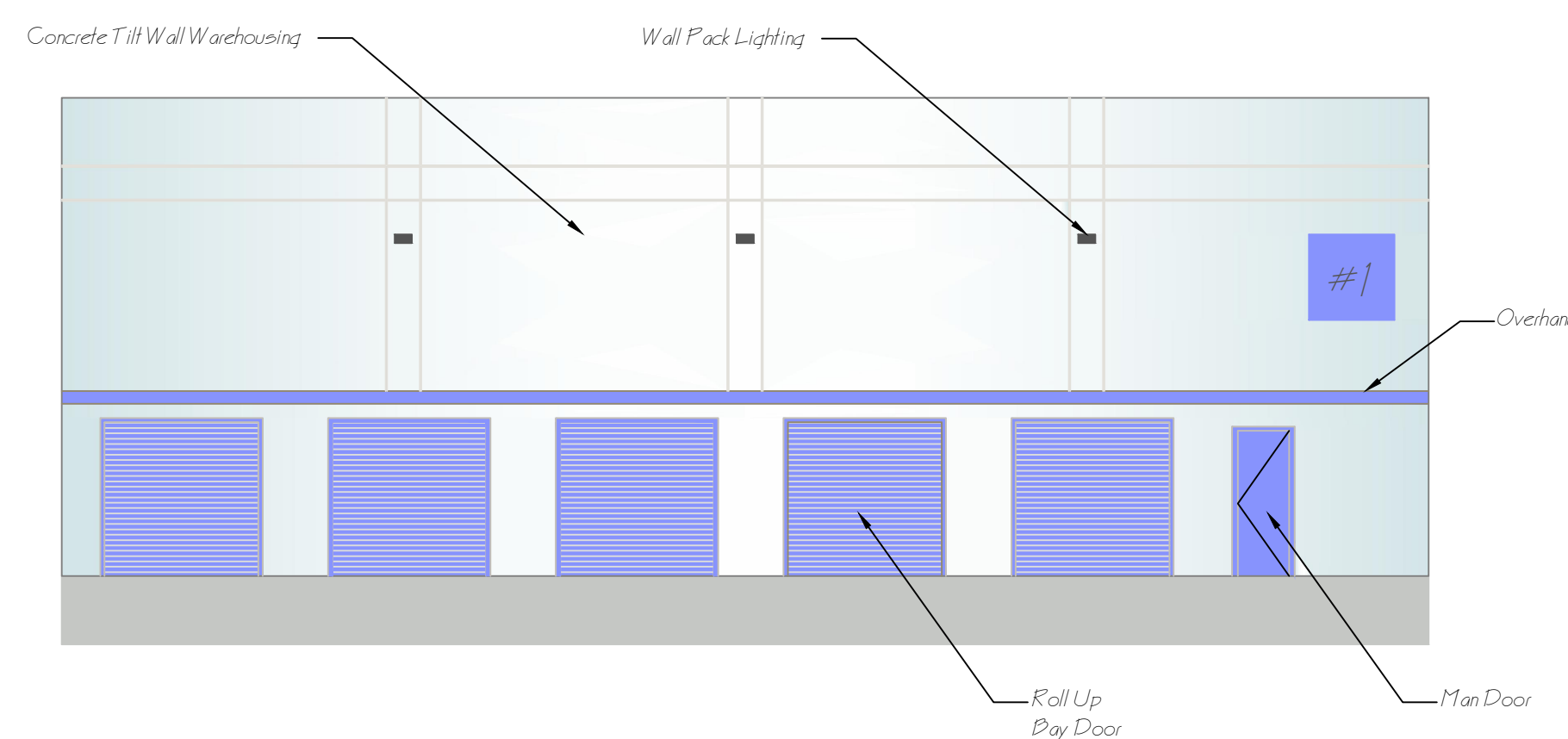
DEVELOPED BY
STARSHIP TEXAS CITY, LLC



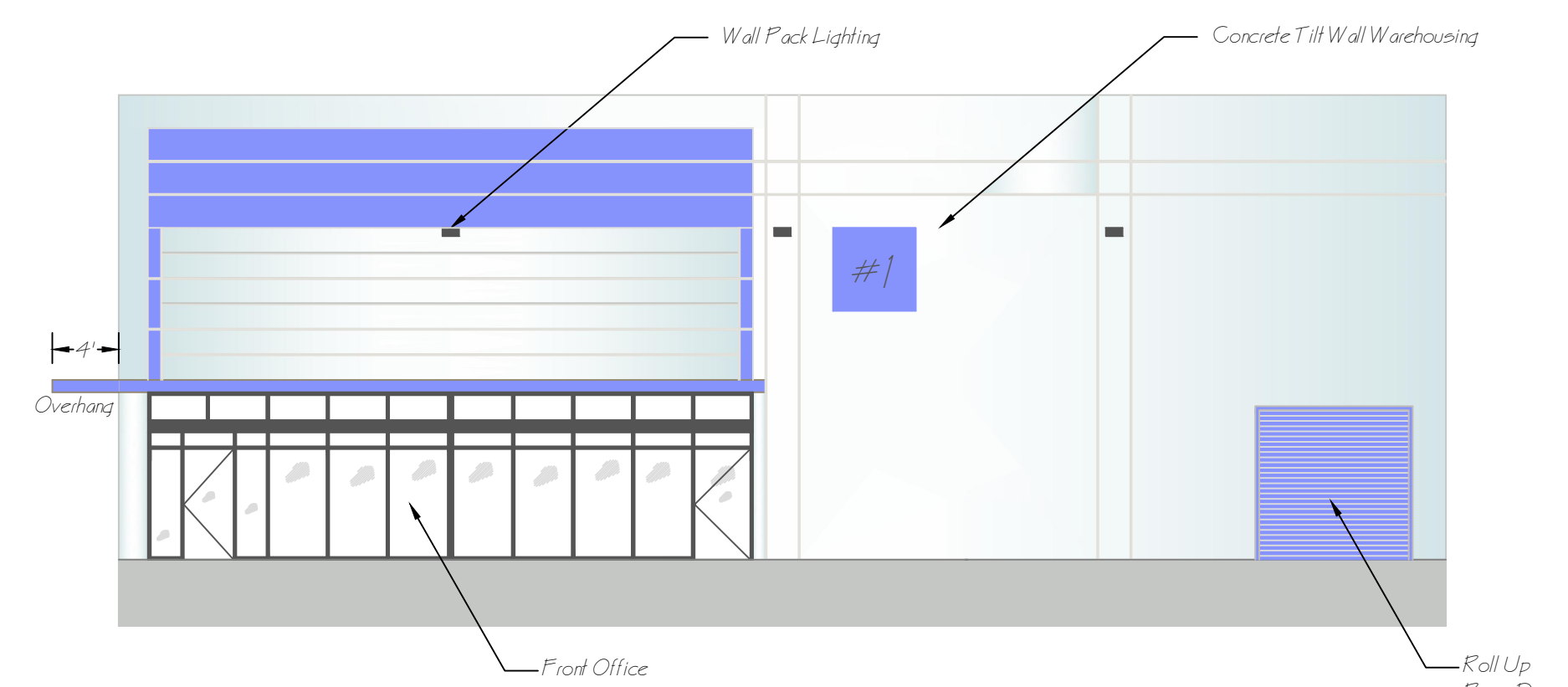
Bldg. #1 Side Wall Elevation
Looking South



Office Area
Floor Plan



Bldg. #1 Rear Elevation
Looking West



Bldg. #1 Front Elevation
Looking East

” QUIET WAREHOUSING ”

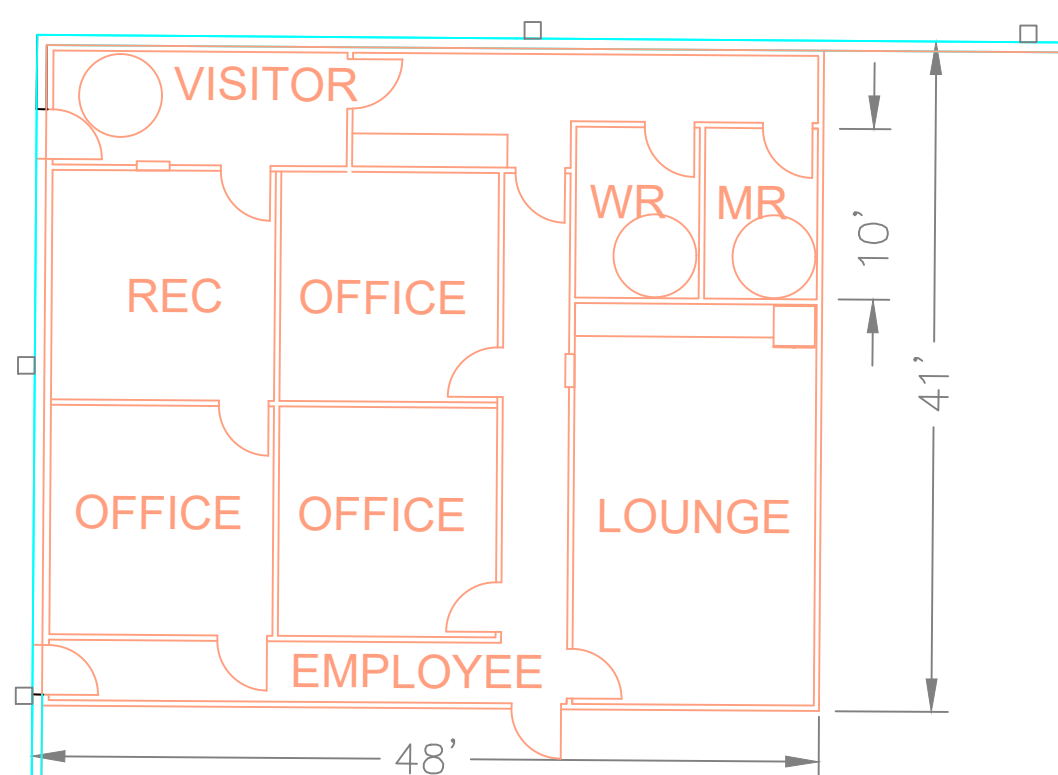
”LI / C2-PUD”

DEVELOPED BY
STARSHIP TEXAS CITY, LLC

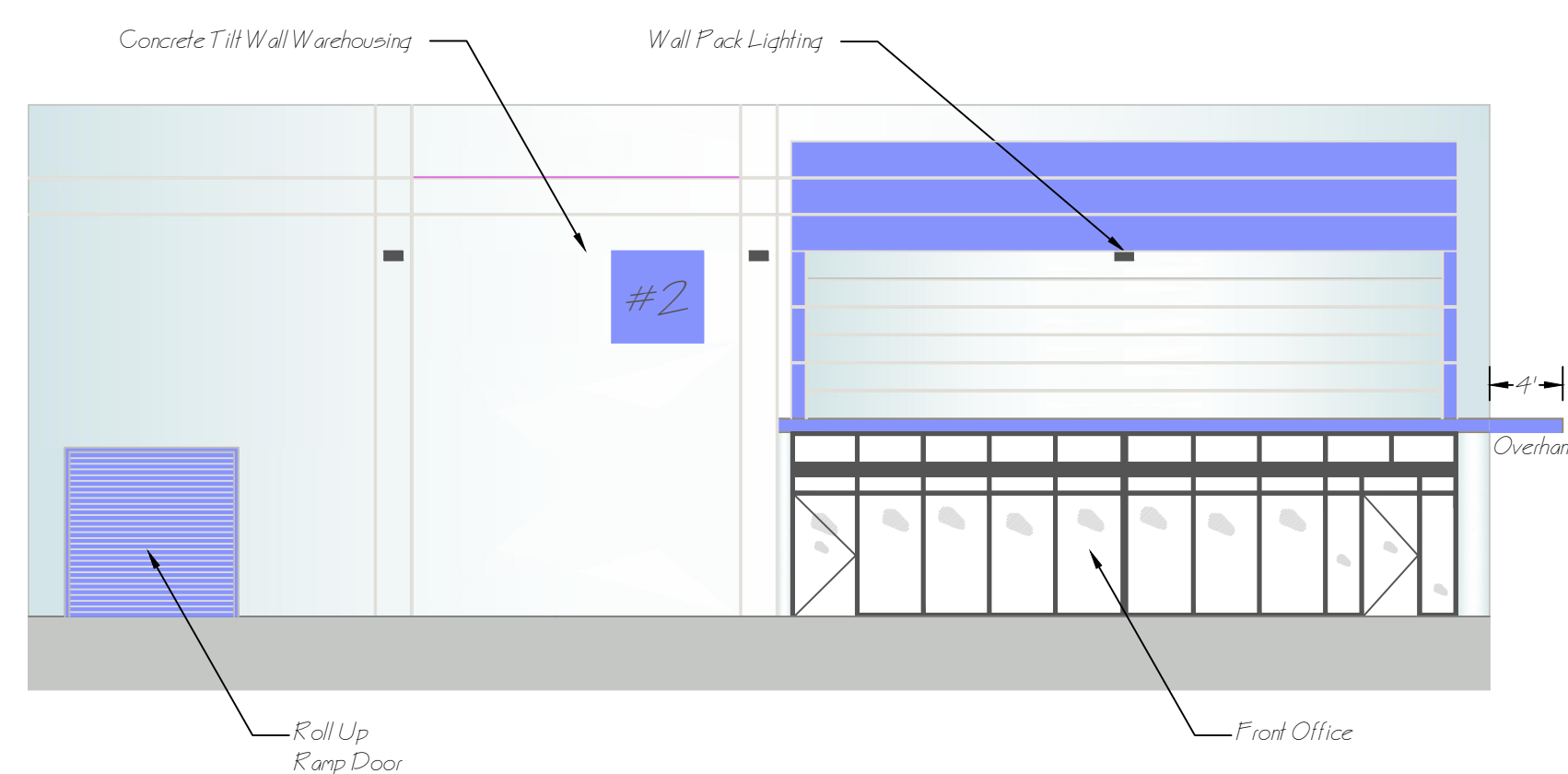


Bldg. #2 Side Wall Elevation

Looking South

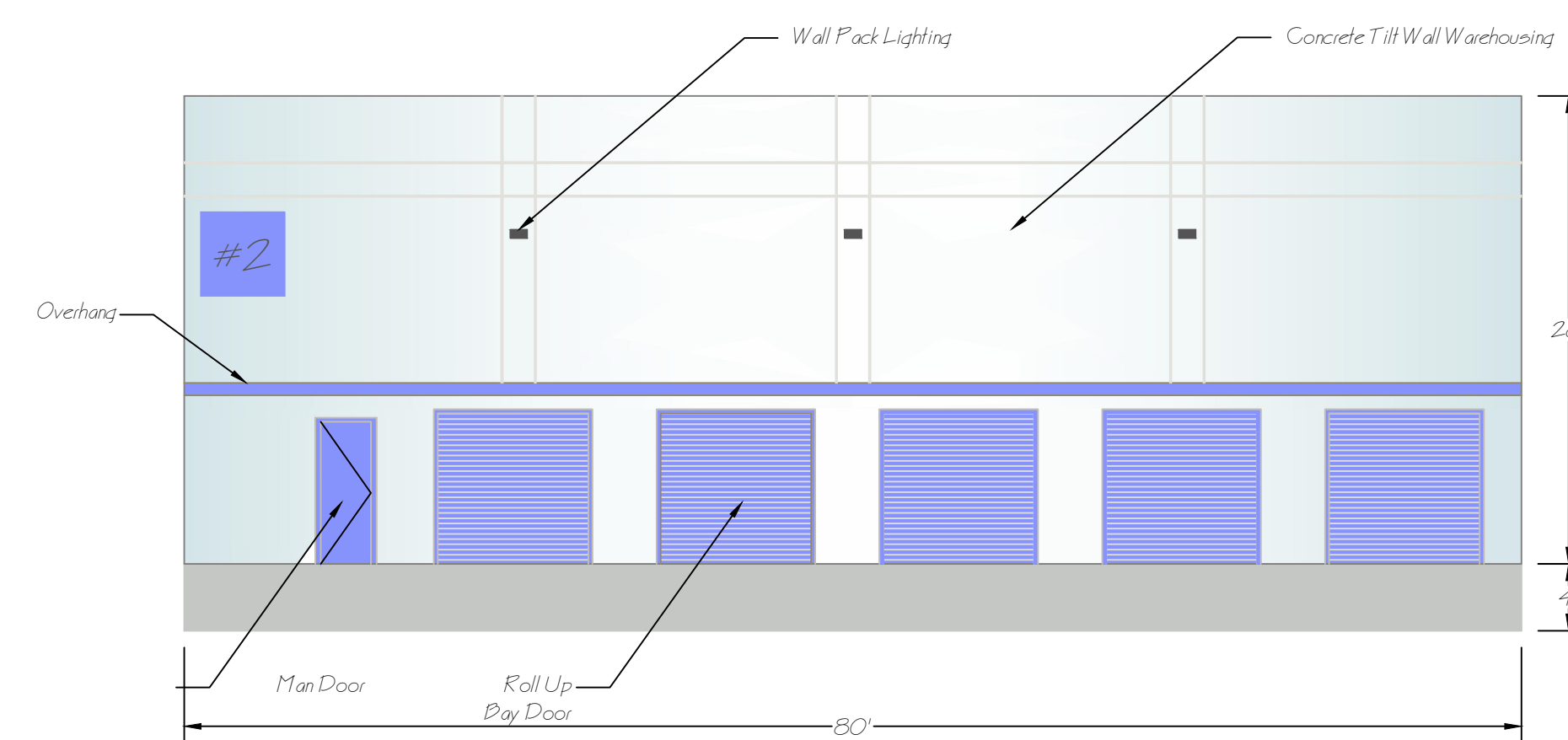


Office Area
Floor Plan



Bldg. #2 Front Elevation

Looking West



Bldg. #2 Rear Elevation

Looking East

Quit Warehousing Development Schedule

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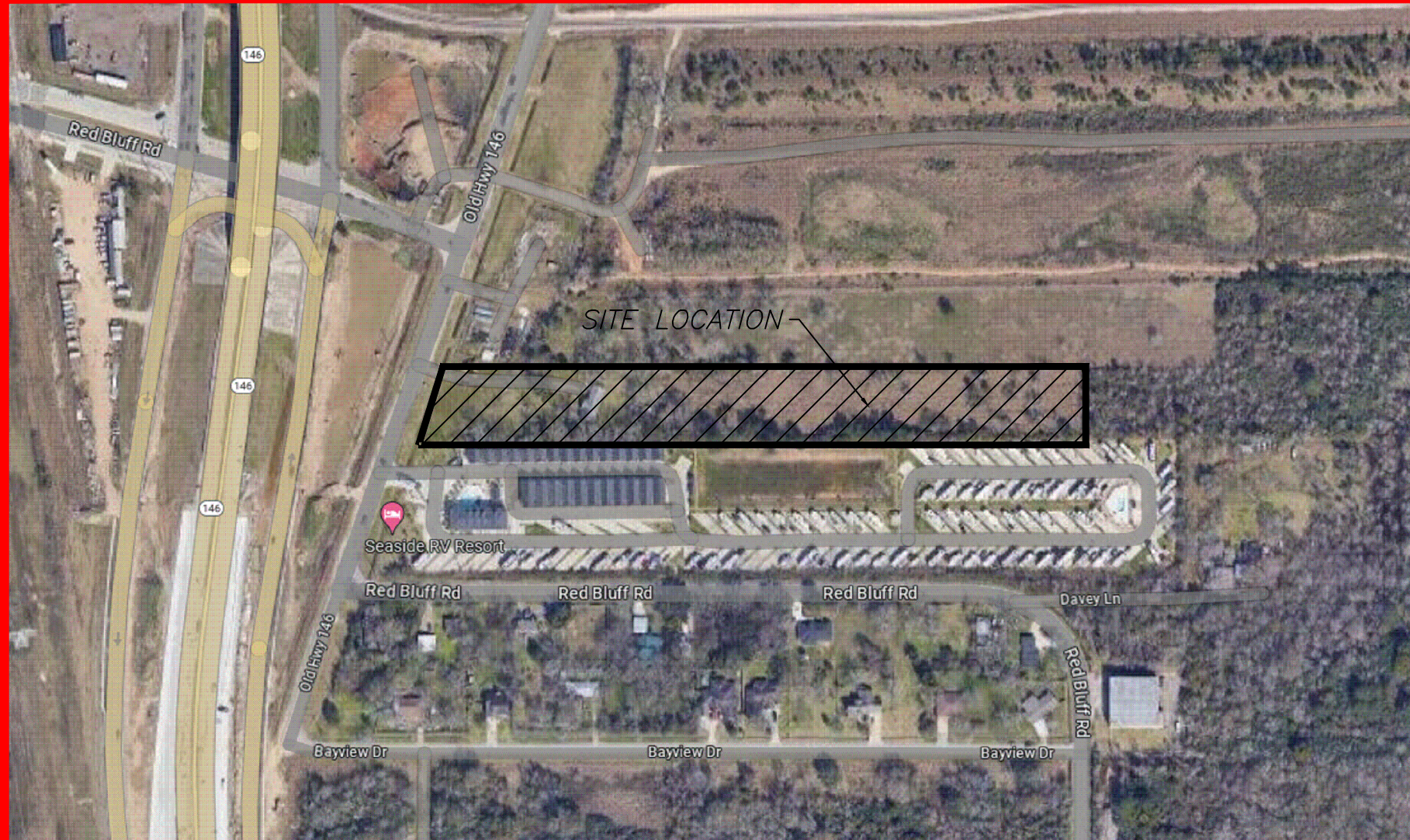
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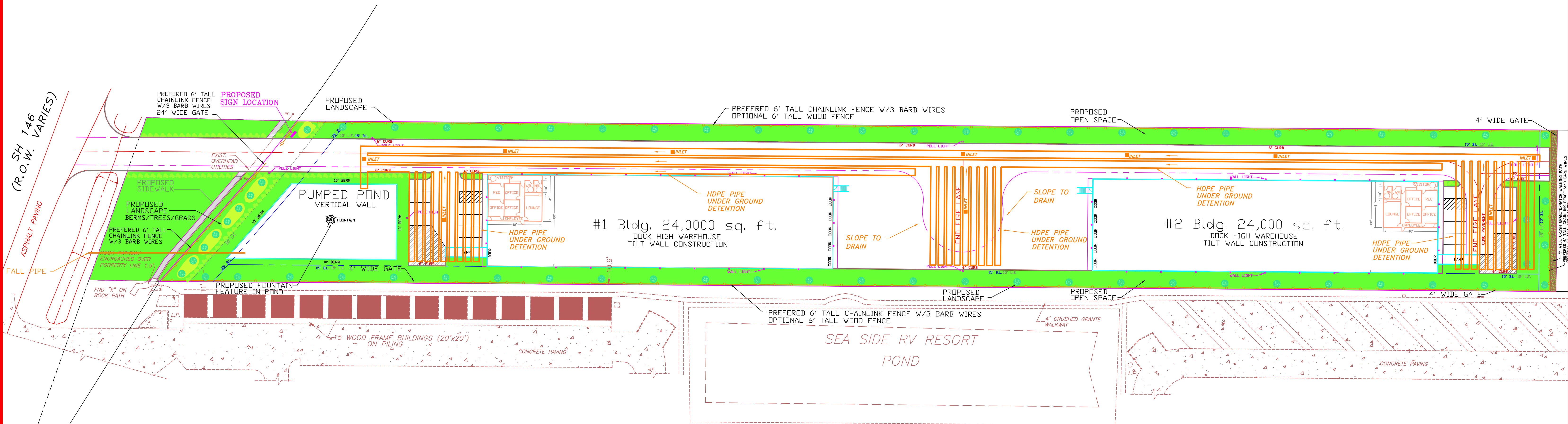
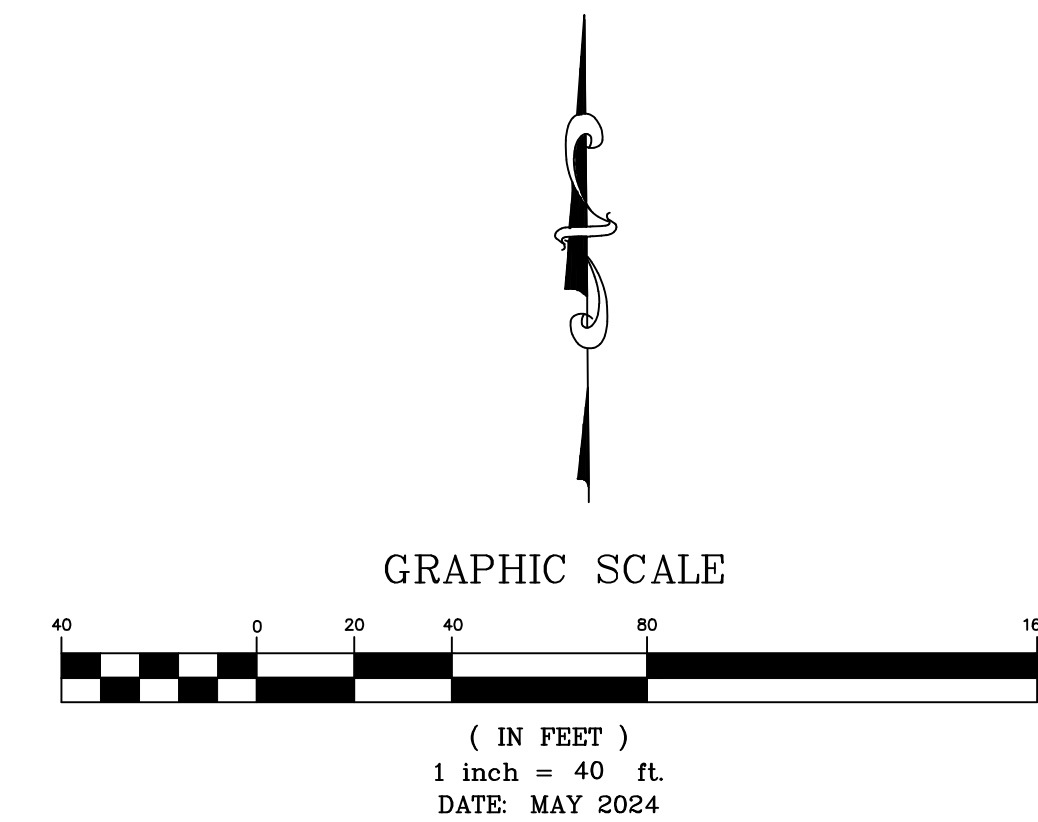


KEY MAP
N.T.S.

"QUIET WAREHOUSING"

"LI / C2-PUD"

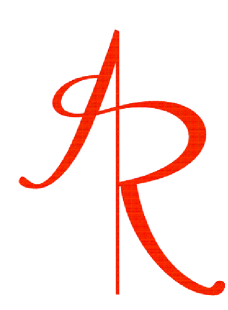
DEVELOPED BY
STARSHIP TEXAS CITY, LLC

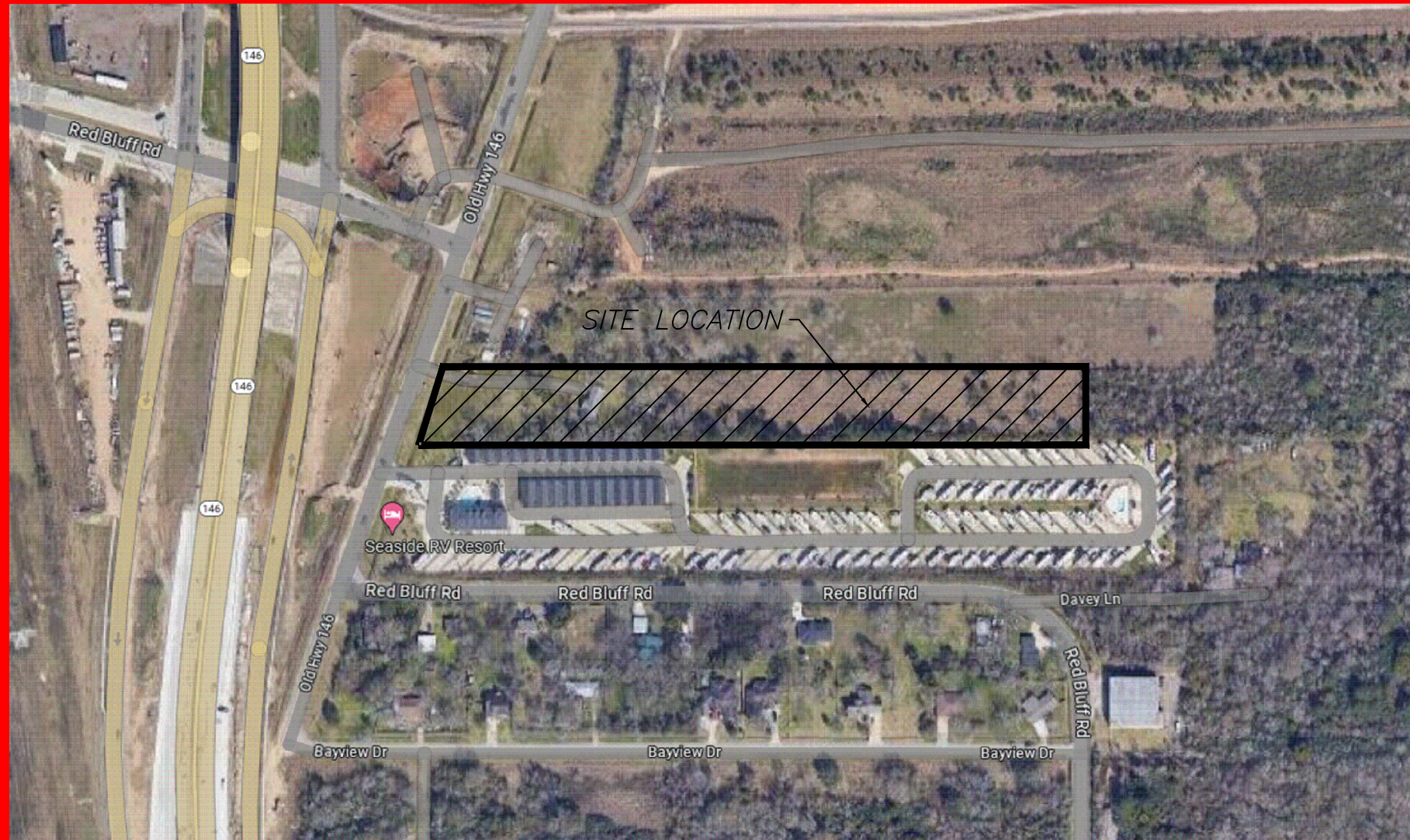


DRAINAGE PLAN EXHIBIT D-10

N 88°50'00" W 1287.48'

RED BLUFF ROAD (60' R.O.W.)

 AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

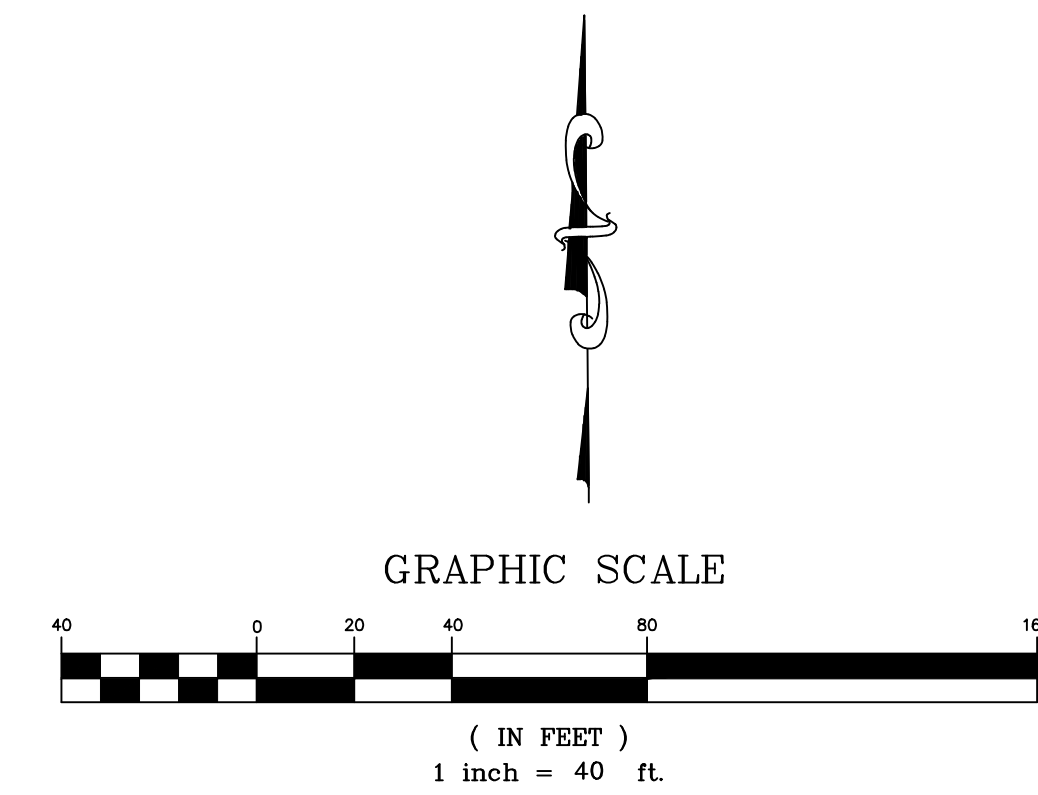


KEY MAP
N.T.S.

"QUIET WAREHOUSING"

"LI / C2-PUD"

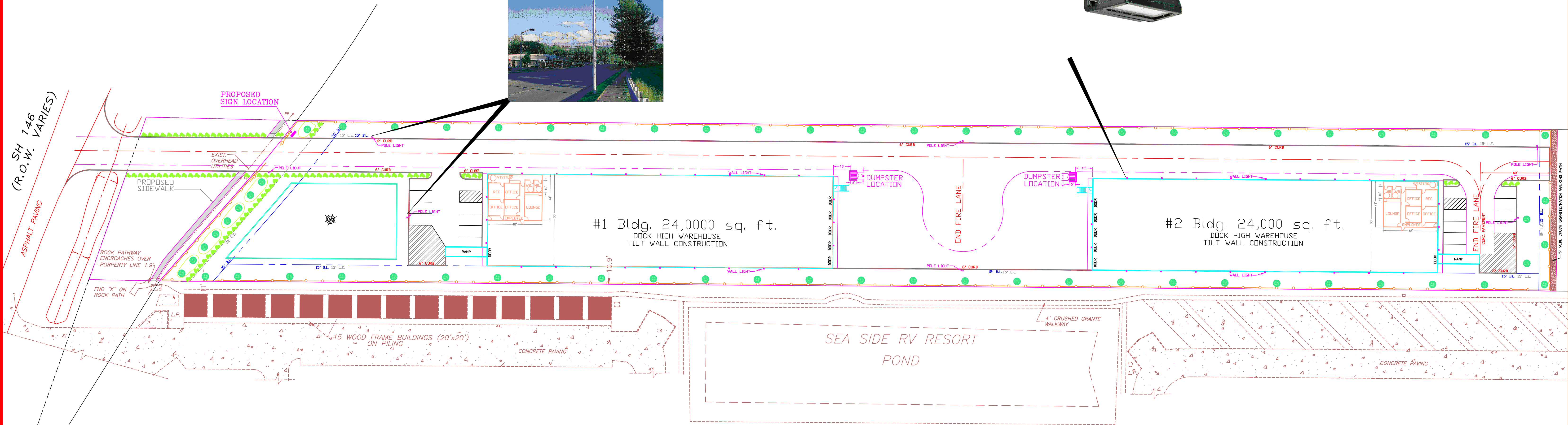
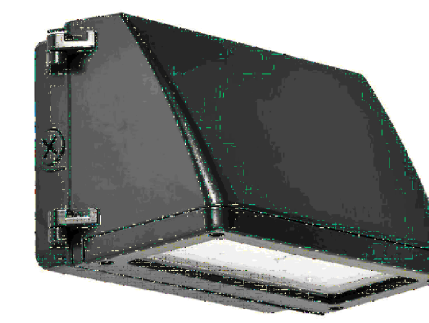
DEVELOPED BY
STARSHIP TEXAS CITY, LLC



TYPICAL
LIGHT POLE



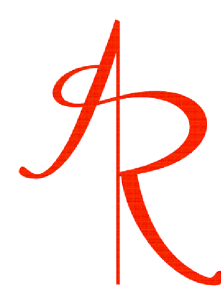
TYPICAL
WALL PACK LIGHTING



- LIGHTING LEGEND**
- WALL PACK
 - POLE LIGHT

LIGHTING PLAN

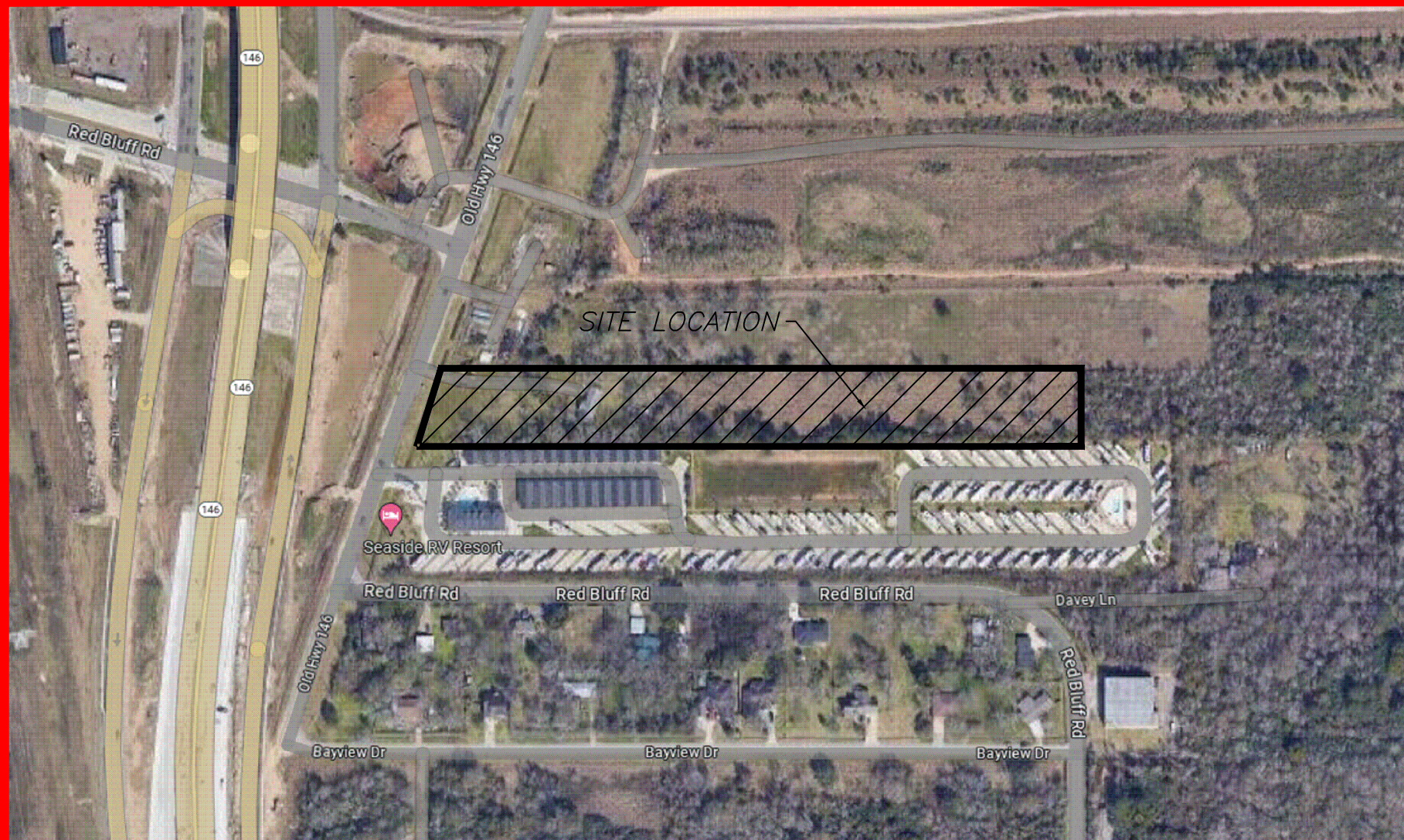
EXHIBIT D-11



AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

N 88°50'00" W 1287.48'

RED BLUFF ROAD (60' R.O.W.)

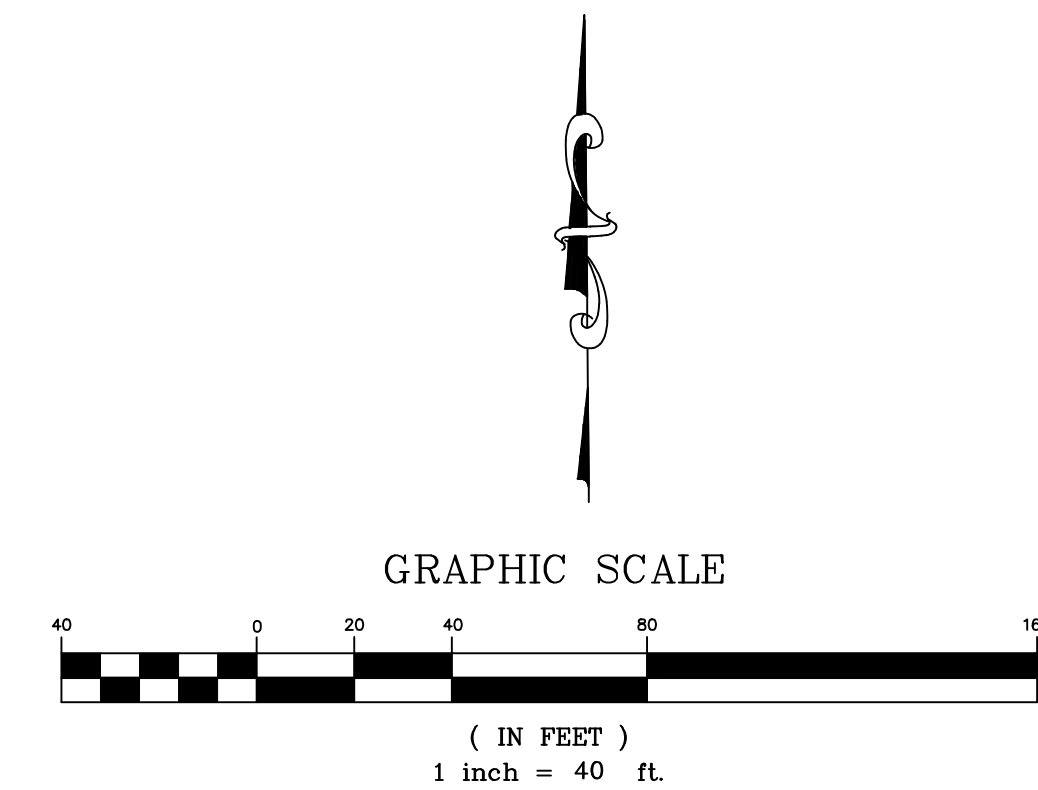


KEY MAP
N.T.S.

"QUIET WAREHOUSING"

"LI / C2-PUD"

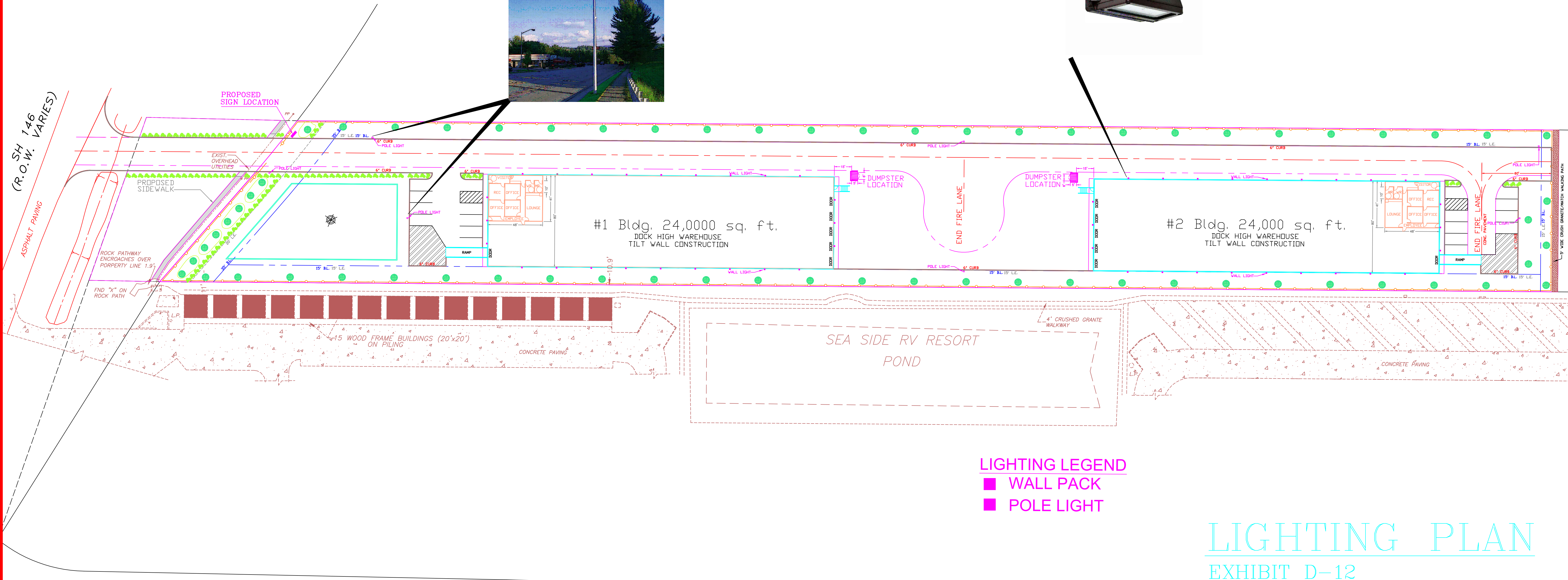
DEVELOPED BY
STARSHIP TEXAS CITY, LLC



TYPICAL
LIGHT POLE



TYPICAL
WALL PACK LIGHTING



AR
AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

N 88°50'00" W 1287.48'
RED BLUFF ROAD (60' R.O.W.)

LIGHTING PLAN
EXHIBIT D-12

**PUBLIC HEARING NOTICE
CITY OF SEABROOK CITY COUNCIL
TUESDAY, AUGUST 20, 2024 – 6:00 P.M.**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF SEABROOK WILL HOLD A PUBLIC HEARING ON **TUESDAY, AUGUST 20, 2024, AT 6:00 P.M.** IN SEABROOK CITY HALL, 1700 FIRST STREET, SEABROOK, TEXAS 77586, TO DISCUSS THE AGENDA ITEM LISTED BELOW.

THIS HEARING IS OPEN TO THE PUBLIC AND EVERYONE ATTENDING WILL HAVE THE OPPORTUNITY TO SPEAK FOR OR AGAINST THIS REQUEST IN ACCORDANCE WITH THE PROCEDURES OF THE COUNCIL. ALL REQUIRED DOCUMENTS REGARDING THIS REQUEST IS AVAILABLE FOR REVIEW AT CITY HALL IN THE COMMUNITY DEVELOPMENT DEPARTMENT WEEKDAYS FROM 8:00 A.M. TO 5:00 P.M. PLEASE CALL (281) 291-5705 IF YOU HAVE QUESTIONS.

SPECIFIC PUBLIC HEARINGS

- 1. Conduct a Public Hearing on a request for approval of a Final Planned Unit Development (PUD), to create, “5815 Old Hwy 146 Monroe Quiet Warehousing Project”, comprising of two 23,980 square feet tilt wall constructed warehouses located on a 3.695-acre tract of land.**

Applicant/Owner: Starship Texas City LP, 925 Marina Bay Drive, Kemah, Texas 77565.

Legal Description:

A tract of land containing 3.695 acres (160,967 square feet), more or less, out of the Ritson Morris Survey, Abstract 52, in Harris County, Texas, and being that same tract of land described as four acres save and except 0.315 acres to the State of Texas in Harris County Clerks File No. M513651 of the Deed Records, Harris County, Texas.

Location: This property is located at 5815 Old Hwy 146, Seabrook, TX 77586, which is located east of Old State Highway 146, north of Red Bluff Drive, and south of Port Road.

CERTIFICATE

I certify that this notice was posted on the bulletin board at Seabrook City Hall on Thursday, July 25, 2024, on or before 5:00 p.m. and that it will remain posted until after the completion of the hearing.

/s/ Rachel Lewis
City Secretary

Request for Approval of a Final PUD to Create 5815 Old Hwy 146 Monroe Quiet Warehouse Project

City Council Meeting
August 20, 2024



Preliminary PUD

The Planning and Zoning Commission at their December 21st, 2023, regular meeting recommended approval of the request for approval of the Preliminary PUD for the 5815 Old Hwy 146 Monroe Quiet Warehousing Project.

Ayes: Renola, Picha, Reynolds, Klein, Rodgers, Thompson.
Absent: Caradec.

Preliminary PUD

The Seabrook City Council at their February 20th, 2024, regular meeting approved the request for approval of the Preliminary PUD for the 5815 Old Hwy 146 Monroe Quiet Warehousing Project.

Ayes: Kolupski, Hammann, Giangrosso, Tollett, and Hefner.

Nays: Machol, and Rasco.

Final PUD

The Planning and Zoning Commission at their June 20th, 2024, regular meeting recommended approval of the request for approval of the Final PUD for the 5815 Old Hwy 146 Monroe Quiet Warehousing Project.

Ayes: Renola, Picha, Klein, Rodgers, Thompson and Justus.

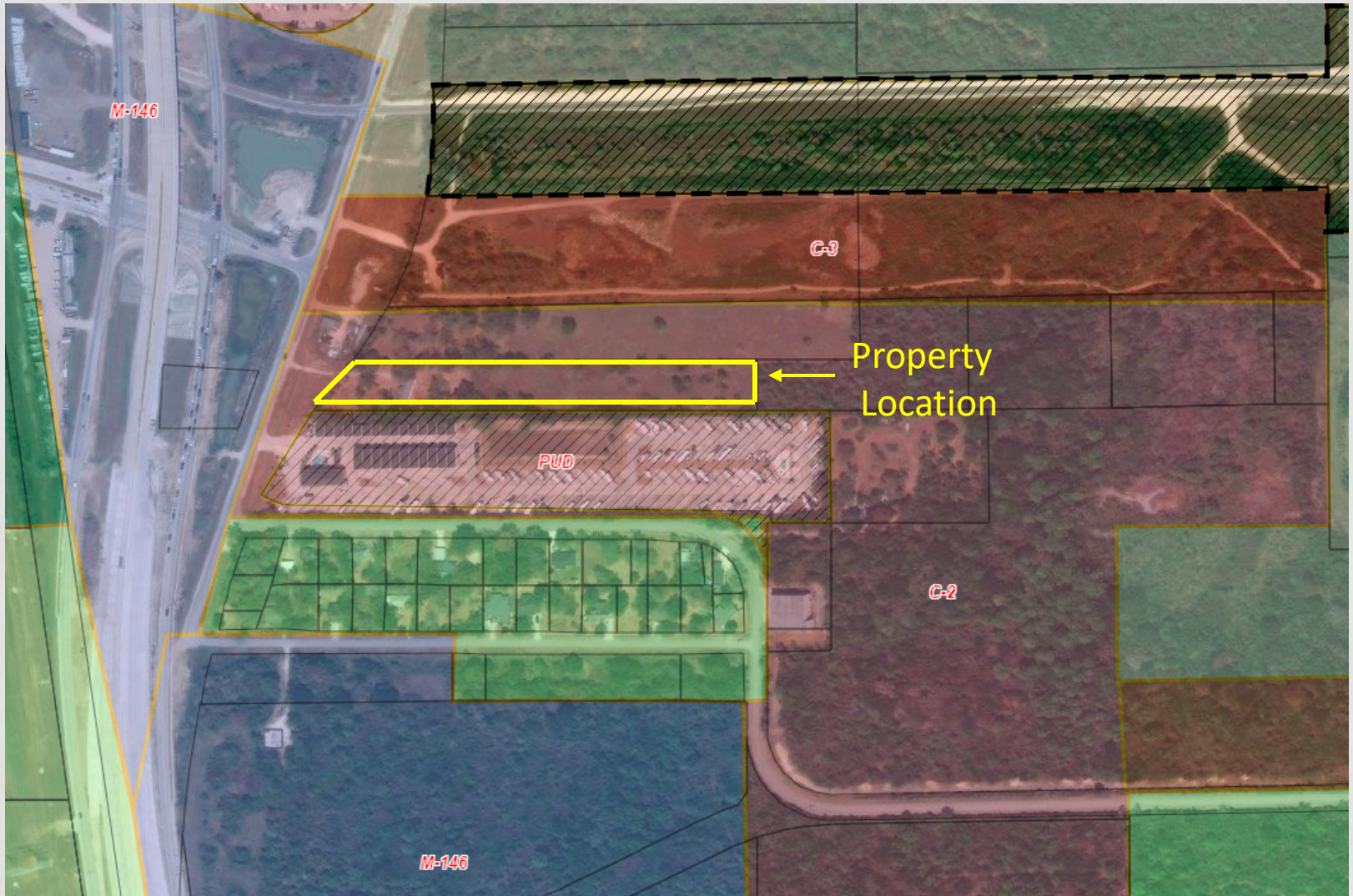
Absent: Reynolds.

Purpose of a (PUD) Planned Unit Development

The purpose of the Planned Unit Development (PUD) is to provide a flexible approach for development, allows a more flexible response to the market, encourage innovative mixed uses and site plan design.

Medium Commercial District (C-2)

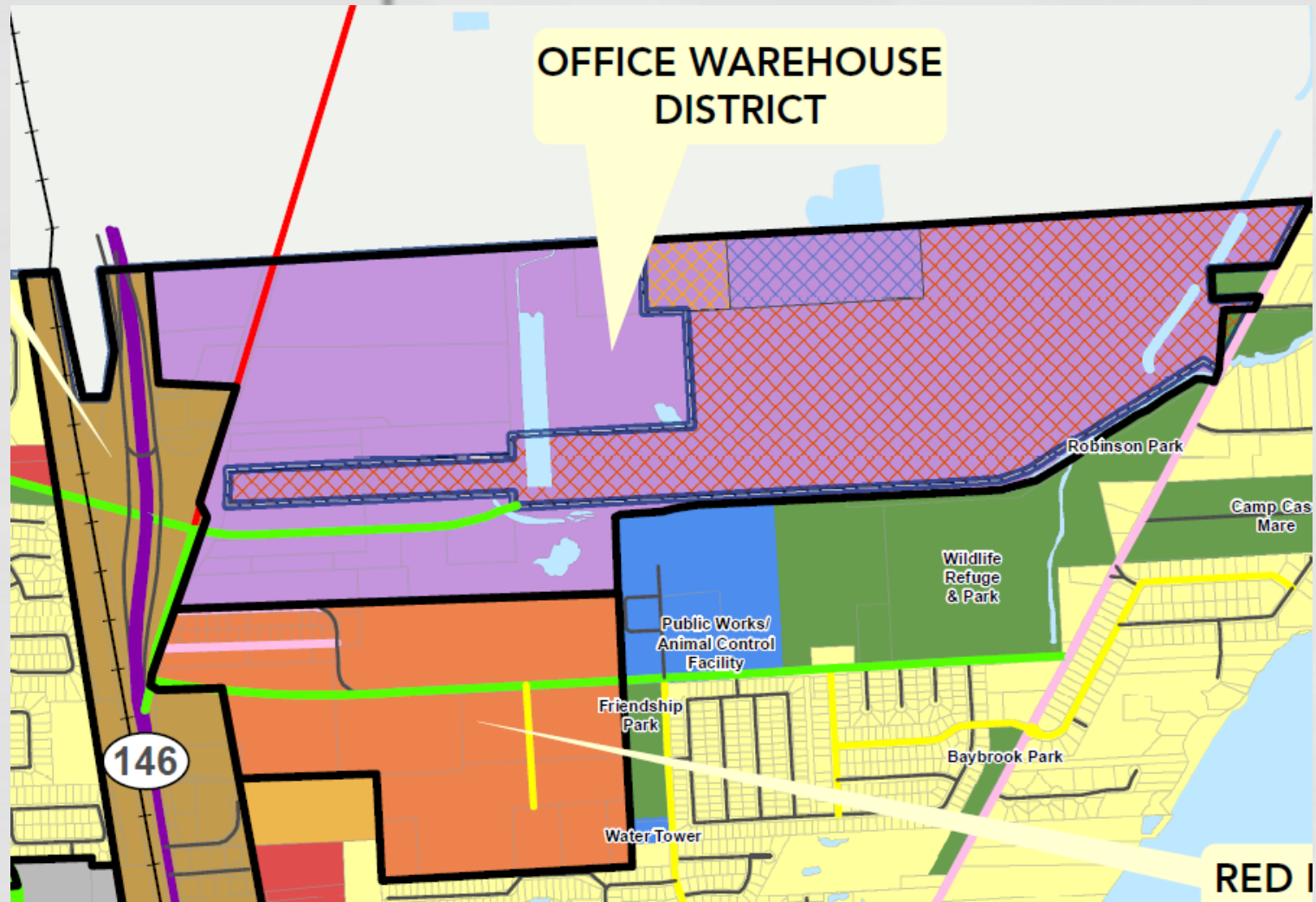
The C-2 medium commercial district is designed to facilitate centers which accommodate trade and personal services. These businesses are free (beyond their property lines) of pollution caused by noise, offensive odors, and the emission of airborne particles. Heavy arterial street traffic is characteristic of the district. The regulation provisions of this district are aimed at achieving the specific goals and objectives identified in Comprehensive Master Plan 2040.



Proposed Location



2040 Comprehensive Master Plan



Proposed Land Use

This PUD development of two (Tilt Wall Port Warehouses) each containing 24,000 square foot of floor space, office space, reception area, break rooms. Warehousing Port related materials and products distributed through the U.S. Private concrete drive(s), landscaping, lighting, signage, parking, security fencing, open space requirements, detention/pond and utilities.

Maximum Height of Buildings

1. Maximum height of buildings:

- a. 40 feet maximum.
- b. The height limitations specified in this subsection do not apply to church steeples, spires, belfries, cupolas, or other normal appurtenances usually required to be placed above the roof level and not intended for human occupancy.

Open Space Requirements

- a. Existing area 3.695 Acres totaling (160,954 square feet.) 20% open spaces required equaling 32,190 square feet, development Open Space Provided equaling 49,603 square feet.
- b. Separate refuse containers will serve each Warehouses and will not be visible from Old Hwy 146 or Red Bluff Road. Exhibit D-6, Sign and Solid Waste Enclosure Details.

Security Fencing

6' foot high galvanized chain link fence with 3 rails of barbed wire, will be installed along the boundary of the site, including access man gates, automatic roll gate at the entrance.

Parking and Paving

- a. Parking shall be in accordance with article 5 of this ordinance. Please see the comprehensive off-street parking regulation matrix, found at the end of article 5. Except as provided for on Exhibit D-4.
- b. All parking lots and vehicle use areas shall meet the City of Seabrook Code Ordinance and must be constructed of concrete, driveway will be constructed out of concrete, as shown on Exhibit D-4, Parking Plan.

Building Setbacks

- a. A minimum front yard set back shall be 35' feet, as shown on Exhibit D-2, Site Plan.
- b. A minimum side yard set back shall be 15' feet, as shown on Exhibit D-2, Site Plan.
- c. A minimum rear yard set back shall be 15' feet, as shown on Exhibit D-2, Site Plan.

Building Area

- a. Not more than 50% of total site area shall be covered by building mass.

Landscape & Lighting Regulations

- a. Landscaping shall be in accordance with article 5 to 7 of the City code or ordinance.
- b. Lighting used to illuminate paving areas, parking areas, building facades, shall be arranged, located, screened to direct light away from existing single-family residential lots.

Prohibited Uses

- a. Inorganic and/or organic compounds prohibited: The manufacture, processing, distilling, refining, or storage of inorganic and/or organic compounds related to the chemical industry at the manufacturing location or site (this includes petrochemical and petroleum-based products, specialty chemicals, agricultural products, and pulp and paper products) other than those customarily found in normal day-to-day uses and applications (i.e., gasoline service station) is prohibited.
- b. Rail tracks, lines, spurs, yards, storage and marshaling areas and all other associated rail uses are prohibited.
- c. Shipping/storage containers whether used for outside storage, as an inhabited structure or for any other purpose are prohibited. Exception: A shipping container is permitted on site while on a trailer chassis.

Prohibited Uses

- d. Industrial limits: No use shall cause, create, or allow the emission of air contaminants which at the emission point or within the bounds of the property are:

In violation of the standards, specified by the Texas Commission on Environmental Quality or the Texas Clean Air Act; or

Of such capacity as to obscure an observer's view to a degree equal to or greater than does smoke or contaminants.

No commercial or industrial use shall be located or operated within the city which emits odorous matter from a source of operation where the odorous matter exceeds the odor threshold at the boundary property line or any point beyond the tract on which such use or operation is located. The odor threshold as set forth shall be determined by the Texas Commission on Environmental Quality.

Building Regulations

- a. Color palette shall be uniformly for both warehouses.
- b. Primary exterior finishes shall be concrete tilt wall construction, store front glass.

Roof materials shall be limited to the following:

- a. Flat Roof – Shall meet the requirements as required by the IBC.

Density

- a. Two primary building per lot.

Buffering and Screening

- a. Buffer yards shall be of such nature and density so as to screen activities, structures and uses on the property from view from the normal level of a first story window on an abutting lot and shall further provide a year-round effective visual screen. Buffer yards are measured from the property line towards the building line and are divided in two parts: (1) a landscaping or free space buffer beginning at the property line and; (2) a secondary buffer that may be used for driveways and loading, provided that parking shall not be permitted in any portion of the minimum required buffer yard. Any property containing a use in this zoning district which adjoins or abuts any property classified in any other zone shall provide the following: as shown on Exhibit D-5, Open Space & Landscape plan.

Buffering and Screening

- b. Front yard minimum Landscape setback shall be 20' feet, Side and Rear minimum setback requirement shall be 15' feet. The landscape buffer (the portion of the yard beginning at the property line) shall be reserved for landscaping only. Existing tree cover shall be maintained in accordance with section 30-211 et seq. "Tree Protection and Preservation" of the City Code of Ordinances. Other landscaping and supplemental plantings to create an adequate buffer may be added in accordance with the city's ordinances. The remaining buffer yard may be used for driveways and loading. However, parking shall not be permitted in any portion of the minimum required buffer yard.

Buffering and Screening

- c. Minimum height of 6' foot galvanized chain link fence with 3 rails of barbed wire shall be constructed around the entire perimeter of the of the property, providing entrance and access gates.
- d. All exterior dumpster/garbage/waste containers or storage containers and dumpsters shall be placed no more than 15 feet from the primary building and shall be screened so that they are not visible from off the property. Each trash enclosure shall be constructed of masonry walls.
- e. Rooftop or ground level mechanical equipment shall be totally screened from view by using either parapet walls at the same height of the mechanical units for rooftop mounts or by providing screening for ground mounted units.

Questions?

**ORDINANCE NO. 2024-11
QUIET WAREHOUSING (PUD)
“PLANNED UNIT DEVELOPMENT”**

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 3.695 ACRES SITUATED IN ABSTRACT 52, OF THE RITSON MORRIS SURVEY, IN SEABROOK, HARRIS COUNTY, TEXAS, GENERALLY LOCATED EAST OF OLD STATE HIGHWAY 146, NORTH OF RED BLUFF ROAD, AND SOUTH OF PORT ROAD; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT “A”, FROM (C-2) “MEDIUM COMMERCIAL DISTRICT”, TO (PUD) “PLANNED UNIT DEVELOPMENT”, FOR THE DEVELOPMENT OF TWO (TILT WALL WAREHOUSES) EACH CONTAINING APPROXIMATELY 24,000 SQUARE FEET OF FLOOR SPACE; 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.

WHEREAS, the City of Seabrook (the “City”) has received an application for rezoning by Starship Texas City LP, (the “Applicant”), for certain real property of approximately 3.695 acres located at 5815 Old Hwy 146, Seabrook, TX 77586, which is generally located east of Old State Highway 146, north of Red Bluff Drive, and south of Port Road, being out of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas (the “Property”), with the Property being more particularly depicted and described in the attached “Exhibit A”, (the “Property”), which is incorporated by reference for all purposes; and

WHEREAS, in its application, the Applicant proposes to develop and use the Property as a tilt wall warehouse project each containing approximately 24,000 square feet of floor space for the warehousing of port-related materials and products distributed throughout the U.S; and

WHEREAS, in its application, the Applicant proposes to rezone the Property from “C-2” (Medium Commercial District) to “PUD” (Planned Unit Development) and has submitted a development plan providing for the depiction and description of the Quiet Warehousing Planned Unit Development (the “Plan”), with the Plan being attached as “Exhibit B”, and incorporated by reference for all purposes, and which is on file with the City Secretary; and

WHEREAS, the Seabrook Planning and Zoning Commission (the “P&Z”) and the City Council of the City (the “Council”) conducted a public hearing to consider approval of the preliminary plan for the PUD rezoning request submitted by the Applicant, and with the P&Z filing a report recommending approval of the rezoning request by the Applicant on February 20, 2024 which Council thereafter approved; and

47 **WHEREAS**, the P&Z and the Council conducted a public hearing to consider approval
48 of the final plan for the PUD rezoning request submitted by the Applicant, with the P&Z filing
49 a report recommending approval of the rezoning request by the Applicant on July 16, 2024;
50 and

51
52 **WHEREAS**, the subject hearings were duly called as provided by the laws of the State
53 of Texas and Appendix “A” of the City’s Code of Ordinances, that at such hearings all persons
54 attending were allowed to be heard on the question of whether or not to rezone the Property as
55 requested by the Applicant, and to determine whether such rezoning would promote the public
56 health, safety, convenience, or general welfare of the citizens and would be in conformance
57 with the Appendix “A” of the City’s Code of Ordinances and the City’s Comprehensive Plan;
58 and

59
60 **WHEREAS**, all public notices have been published, mailed, and provided in
61 accordance with the laws of the State of Texas and Appendix “A” of the City’s Code of
62 Ordinances; and

63
64 **WHEREAS**, as a result of the said public hearings and the recommendation of the
65 P&Z as contained in its final report, the Council deems it appropriate to grant the Applicant’s
66 request for rezoning of the Property, subject to certain regulations, restrictions, conditions, and
67 all applicable provisions of the City’s Code of Ordinances; and

68
69 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**
70 **SEABROOK, TEXAS:**

71
72 **SECTION 1. FINDINGS.**
73

74 The facts and matters set forth in the preamble of this Ordinance are hereby found to
75 be true and correct, it is hereby understood that the City Council (the “Council”) of the City of
76 Seabrook, Texas (the “City”) is relying upon the express representations of Starship Texas City
77 LP, (the “Applicant”) appearing in the documents submitted to the City for final approval,
78 including the rezoning application, oral representations made to the Planning and Zoning
79 Commission (the “P&Z”) and the Council to induce approval of the rezoning made the subject
80 of this Ordinance, the final report from the P&Z, the minutes of P&Z and the Council, the
81 identification of the property that is the subject of this Ordinance (the “Property”), and the
82 development plan for the Property (the “Plan”), all of which is attached to and incorporated
83 into this Ordinance as Exhibit “A” and Exhibit “B”.
84

85 **SECTION 2. AMENDMENT TO THE CITY’S CODE OF ORDINANCE AND**
86 **THE CITY’S OFFICIAL ZONING MAP.**
87

88 The City’s Code of Ordinances, Appendix A, “Comprehensive Zoning”, Article 2,
89 “Administration”, Section 2.05, “Official Zoning Map” is hereby amended by rezoning the
90 Property from C-2 to PUD *strictly conditioned upon full compliance with the approved Plan,*
91 *the regulations, restrictions, and conditions*, as set forth in the Plan attached as “Exhibit B”.
92 Additionally, the City’s Official Zoning Map shall be revised and amended to show the

93 designation of the Property as rezoned to PUD, with the appropriate reference thereon to the
94 number and effective date of this Ordinance, and a brief description of the nature of the change.
95
96
97

98 **SECTION 3. INCORPORATION INTO THE CITY'S CODE OF**
99 **ORDINANCES; PENALTY CLAUSE.**
100

101 This Ordinance is hereby incorporated and made a part of the City's Code of
102 Ordinances. Violation of this Ordinance is subject to the penalties of Section 11.06 of the City's
103 Code of Ordinances, "Criminal Enforcement", which provides that any person who shall
104 violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon
105 conviction, shall be fined in an amount not to exceed two thousand dollars (\$2,000.00). Each
106 day of violation shall constitute a separate offense. Additionally, should the subject PUD
107 project fail to meet the schedule as approved herein, or otherwise fail to comply with this
108 Ordinance or the PUD Plan, then the PUD classification and all related permits shall be
109 immediately terminated, and the rezoning of the Property shall be immediately repealed, and
110 the Property shall revert to C-2 zoning.
111

112 **SECTION 4. REPEAL OF CONFLICTING ORDINANCES.**
113

114 All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are
115 hereby expressly repealed. This Ordinance shall in no manner amend, change, supplement, or
116 revise any provision of any ordinance of the City, save and except the change in zoning
117 classification and specific uses/structures approved in the Plan, as provided herein.
118

119 **SECTION 5. SEVERABILITY.**
120

121 In the event any clause phrase, provision, sentence, or part of this Ordinance, or the
122 application of the same to any person or circumstances, shall for any reason be adjudged invalid
123 or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or
124 invalidate this Ordinance as a whole or any part of provision hereof other than the part declared
125 to be invalid or unconstitutional; and the Council declares that it would have passed each every
126 part of the same notwithstanding the omission of any such part thus declared to be invalid or
127 unconstitutional, whether there be one or more parts.
128

129 **SECTION 6. NOTICE; EFFECTIVE DATE.**
130

131 The City Secretary shall give notice of the enactment of this Ordinance by promptly
132 publishing it or its descriptive caption and penalty after final passage in the official newspaper
133 of the City, and this Ordinance shall become effective upon publication.
134

135 **PASSED AND APPROVED** on first reading with a quorum present, by an affirmative vote
136 of a majority of Councilmembers present, in accordance with Seabrook City Charter Section
137 2.10 on this 20th day of August 2024.
138

PASSED, APPROVED, AND ADOPTED on final reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 3rd day of September 2024.

FOR THE CITY OF SEABROOK:

By: _____
Thomas G. Kolupski, Mayor

ATTEST:

By: _____
Rachel Lewis, City Secretary

APPROVED AS TO FORM:

By: _____
David Olson, City Attorney

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Exhibit “A” to Ordinance No. 2024-11

Exhibit “B” to Ordinance No. 2024-11

1. Planned Unit Development Plan (on file with City Secretary)



Agenda Briefing

Date of Meeting: August 20, 2024

Responsible Department: Community Development

Presenter: Sean Landis, Deputy City Manager | Planning and Zoning Director

Briefing Prepared By: Sean Landis

Strategic Focus Area:

General Information:

Consider and take all appropriate action on the second 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.

Executive Summary / Background:

Camfield Partners, LLC. requests approval for a Final Planned Unit Development (Final PUD) to develop what they consider a world-class freezer facility on approximately 7.2 acres. The project will consist of a 134,632-square-foot freezer warehouse with a maximum height of 60 feet, 84 vehicle parking spaces, and 19 tractor-trailer loading spaces.

The proposed site is currently undeveloped land situated between a large warehouse facility (Gulf Winds International) to the north and a gas station/convenience store, along with a limited-service hotel, to the south. While the proposed site is currently zoned (C-2) Commercial Medium, the larger sites to the north and northeast are zoned (LI) Light Industrial, and the proposed use aligns with these industrial uses. A much larger industrial warehouse has recently been constructed across Old Highway 146 to the northeast (Transwestern), and additional warehouse developments are being proposed along Old Highway 146, which may in the future include a Port of Houston-developed warehouse project.

The proposed freezer facility Final PUD complies with the city’s Comprehensive Master Plan. The PUD aims to encourage high-quality development in the City of Seabrook by providing additional flexibility to leverage various site characteristics, constraints, locations, and land uses.

Funding / Fiscal Information:

Supporting Materials Attached:

1. Ordinance 2024-17
2. Ordinance 2024-17 Exhibit A
3. 2024-07-17 Exhibit B

Prior Action / Review by Council, Boards, Commissions:

The Planning and Zoning Commission, at its special meeting on July 2, 2024, recommended that the city council approve a request for a Preliminary Planned Unit Development (Preliminary PUD) to establish the "World Class Freezer Facility Planned Unit Development." This development would consist of a 134,632-square-foot freezer warehouse, 84 vehicle parking spaces, and 19 tractor-trailer loading spaces, situated on approximately 7.19 acres of land.

The recommendation includes the following condition: An 8'-0" tall masonry/concrete wall must be constructed along the entire property line adjacent to the commercial (hotel) parcel to provide proper screening from neighboring properties.

The City Council, at its special meeting on July 2, 2024, approved a request for a Preliminary Planned Unit Development (Preliminary PUD) to establish the "World Class Freezer Facility Planned Unit Development." This development will consist of a 134,632-square-foot freezer warehouse, 84 vehicle parking spaces, and 19 tractor trailer loading spaces, situated on approximately 7.19 acres of land. The approval includes the following condition: An 8'-0" tall masonry/concrete wall must be constructed along the entire property line adjacent to the commercial (hotel) parcel to provide proper screening from neighboring properties.

Staff Recommendation:

ORDINANCE NO. 2024-17
WORLD CLASS FREEZER FACILITY (PUD)
“PLANNED UNIT DEVELOPMENT”

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”, TOO (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.

WHEREAS, the City of Seabrook (the “City”) has received an application for rezoning by Camfield Partners, LLC., (the “Applicant”), for certain real property of approximately 7.19 acres located west of Old State Highway 146, east of State Highway 146, north of Red Bluff Road, and South of Port Road; and being out of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas (the “Property”), with the Property being more particularly depicted and described in the attached “Exhibit A”, (the “Property”), which is incorporated by reference for all purposes; and

WHEREAS, in its application, the Applicant proposes to develop and use the Property as a warehouse project containing approximately 134,632 square feet of floor space for the warehousing of frozen goods, materials, and products to be distributed throughout the local area and abroad; and

WHEREAS, in its application, the Applicant proposes to rezone the Property from “C-2” (Medium Commercial District) and “LI” (Light Industrial District) to “PUD” (Planned Unit Development) and has submitted a development plan providing for the depiction and description of the World Class Freezer Facility Planned Unit Development (the “Plan”), with the Plan being attached as “Exhibit B”, and incorporated by reference for all purposes, and which is on file with the City Secretary; and

WHEREAS, the Seabrook Planning and Zoning Commission (the “P&Z”) and the City Council of the City (the “Council”) conducted a public hearing to consider approval of the preliminary plan for the PUD rezoning request submitted by the Applicant, and with the P&Z filing a report recommending approval of the rezoning request by the Applicant on July 2, 2024 which Council thereafter approved; and

47
48
49
50 **WHEREAS**, the P&Z and the Council conducted a public hearing to consider approval
51 of the final plan for the PUD rezoning request submitted by the Applicant, with the P&Z filing
52 a report recommending approval of the rezoning request by the Applicant on August 6, 2024;
53 and
54

55 **WHEREAS**, the subject hearings were duly called as provided by the laws of the State
56 of Texas and Appendix “A” of the City’s Code of Ordinances, that at such hearings all persons
57 attending were allowed to be heard on the question of whether or not to rezone the Property as
58 requested by the Applicant, and to determine whether such rezoning would promote the public
59 health, safety, convenience, or general welfare of the citizens and would be in conformance
60 with the Appendix “A” of the City’s Code of Ordinances and the City’s Comprehensive Plan;
61 and
62

63 **WHEREAS**, all public notices have been published, mailed, and provided in
64 accordance with the laws of the State of Texas and Appendix “A” of the City’s Code of
65 Ordinances; and
66

67 **WHEREAS**, as a result of the said public hearings and the recommendation of the
68 P&Z as contained in its final report, the Council deems it appropriate to grant the Applicant’s
69 request for rezoning of the Property, subject to certain regulations, restrictions, conditions, and
70 all applicable provisions of the City’s Code of Ordinances; and
71

72 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**
73 **SEABROOK, TEXAS:**
74

75 **SECTION 1. FINDINGS.**
76

77 The facts and matters set forth in the preamble of this Ordinance are hereby found to
78 be true and correct, it is hereby understood that the City Council (the “Council”) of the City of
79 Seabrook, Texas (the “City”) is relying upon the express representations of Camfield Partners,
80 LLC., (the “Applicant”) appearing in the documents submitted to the City for final approval,
81 including the rezoning application, oral representations made to the Planning and Zoning
82 Commission (the “P&Z”) and the Council to induce approval of the rezoning made the subject
83 of this Ordinance, the final report from the P&Z, the minutes of P&Z and the Council, the
84 identification of the property that is the subject of this Ordinance (the “Property”), and the
85 development plan for the Property (the “Plan”), all of which is attached to and incorporated
86 into this Ordinance as Exhibit “A” and Exhibit “B”.
87

88 **SECTION 2. AMENDMENT TO THE CITY’S CODE OF ORDINANCE AND**
89 **THE CITY’S OFFICIAL ZONING MAP.**
90

91 The City’s Code of Ordinances, Appendix A, “Comprehensive Zoning”, Article 2,
92 “Administration”, Section 2.05, “Official Zoning Map” is hereby amended by rezoning the

Property from C-2 and LI to PUD *strictly conditioned upon full compliance with the approved Plan, the regulations, restrictions, and conditions*, as set forth in the Plan attached as “Exhibit B”. Additionally, the City’s Official Zoning Map shall be revised and amended to show the designation of the Property as rezoned to PUD, with the appropriate reference thereon to the number and effective date of this Ordinance, and a brief description of the nature of the change.

SECTION 3. INCORPORATION INTO THE CITY’S CODE OF ORDINANCES; PENALTY CLAUSE.

This Ordinance is hereby incorporated and made a part of the City’s Code of Ordinances. Violation of this Ordinance is subject to the penalties of Section 11.06 of the City’s Code of Ordinances, “Criminal Enforcement”, 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 two thousand dollars (\$2,000.00). Each day of violation shall constitute a separate offense. Additionally, should the subject PUD project fail to meet the schedule as approved herein, or otherwise fail to comply with this Ordinance or the PUD Plan, then the PUD classification and all related permits shall be immediately terminated, and the rezoning of the Property shall be immediately repealed, and the Property shall revert to C-2 zoning.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the change in zoning classification and specific uses/structures approved in the Plan, as provided herein.

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 Council 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.

SECTION 6. NOTICE; EFFECTIVE DATE.

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, and this Ordinance shall become effective upon publication.

PASSED AND APPROVED on first reading with a quorum present, by an affirmative vote

of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 6th day of August 2024

PASSED, APPROVED, AND ADOPTED on final reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 20th day of August 2024.

FOR THE CITY OF SEABROOK:

By: _____
Thomas G. Kolupski, Mayor

ATTEST:

By: _____
Rachel Lewis, City Secretary

APPROVED AS TO FORM:

By: _____
David Olson, City Attorney

185
186 **Exhibit “A” to Ordinance No. 2024-11**
187
188

189 **Legal Description:**
190

191 **Tract 1. Being Restrictive Reserve “A” (being 4.6900 acres) in Block One (1) of the**
192 **Bayport Logistics Center, Phase Two (2), an addition to the City of Seabrook, in the**
193 **Ritson Morris Survey, Abstract Number 52, in Harris County, Texas, according to the**
194 **map or plat thereof recorded at Film Code Number 662034 of the Map Records of Harris**
195 **County, Texas.**

196
197 **Tract 2. Being a tract or parcel of land containing 2.500 acres, in the Ritson Morris**
198 **Survey, Abstract 52, Harris County, Texas, said tract being out of and part of a certain**
199 **19.4174 acres tract of land, described in those certain Warranty Deed(s) from Vannie E.**
200 **Cook, Jr., to John B. Carter, Jr., recorded under Harris County Clerk’s File No(s). D-**
201 **486035 and D-486036.**

Exhibit “B” to Ordinance No. 2024-11

1. Planned Unit Development Plan (on file with City Secretary)

Legal Description**Tract 1:**

Restricted Reserve "A" (being 4.6900 acres) in Block One (1) of BAYPORT LOGISTICS CENTER, PHASE TWO (2), an addition to the City of Seabrook, in the Ritson Morris Survey, Abstract Number 52, in HARRIS County, Texas, according to the map or plat thereof recorded at Film Code Number 662034 of the Map Records of HARRIS County, Texas.

Tract 2:

A tract or parcel of land containing 2.500 acres (or 180,903 square feet), more or less, in the Ritson Morris Survey, Abstract 52, HARRIS County, Texas, said tract being out of and part of a certain 19.4174 acre tract of land, described in those certain Warranty Deed(s) from Vannie E. Cook, Jr., to John B. Carter, Jr., recorded under Harris County Clerk's File No(s). D-486035 and D-486036; the said 2.500 acre tract being more particularly described by metes and bounds as follows:

BEGINNING in the west line of Old State Highway 146 (variable right of way), at the northeast corner of Lot 1 in Block 1 of STATE HIGHWAY 146 BUSINESS PARK, according to the plat recorded at Film Code 618282 of the Map Records of Harris County, Texas, and the said corner, being the southeast corner of the herein described tract, from which a found 5/8-inch iron rod bears South 67° 28' 30" East, 0.28 feet;

THENCE South 86° 49' 00" West, along and with the north line of said Lot 1 in Block 1 of STATE HIGHWAY 146 BUSINESS PARK, a distance of 295.00 feet to the most southerly southeast corner of BAYPORT LOGISTICS CENTER PHASE Two FINAL PLAT, recorded at Film Code No. 662034, being the southwest corner of the herein described tract, from which a found 5/8-inch iron rod bears North 19° 27' 04" West, 0.21 feet;

THENCE North 17° 01' 00" East, along and with the easterly line of said BAYPORT LOGISTICS CENTER PHASE Two, a distance of 393.35 feet to a point for interior corner of said BAYPORT LOGISTICS CENTER PHASE Two tract, being the northwest corner of the herein described tract, from which a found 5/8-inch iron rod bears North 43° 19' 48" East, 0.30 feet;

THENCE North 86° 49' 00" East, along and with BAYPORT LOGISTICS CENTER PHASE TWO tract, a distance of 295.00 feet to a point for corner in said west line of Old State Highway 146 (variable right of way), being the most easterly southeast corner of said BAYPORT LOGISTICS CENTER PHASE Two tract, being the northwest corner of the herein described tract, from which a found 5/8-inch iron rod bears South 60° 40' 14" West, 0.63 feet;

THENCE South 17° 01' 00" West, along and with said west line of Old State Highway 146 (variable right of way), a distance of 393.35 feet to the PLACE OF BEGINNING.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

Tract 3:

Terms and provisions of that certain Access Easement Agreement by and between Pommel Meadows Hospitality LLC and WMF INVESTMENTS, INC., dated March 27, 2019, filed for record under Clerk's File Number RP-2019-121623 of the Official Public Records of Real Property of HARRIS County, Texas.

Exhibit “B”

Ordinance 2024-17

World Class Freezer Facility
Planned Unit Development
District Plan

August 2024

7.2 Acres

Applicant:

Camfield Partners, LLC

8895 Research Drive, Suite 200

Irvine, CA 92618

Exhibit “B”

World Class Freezer Planned Unit Development District Plan

Contents

- A. General Provisions
- B. Permitted Land Use
- C. Proposed Land Use
- D. Development Regulations
- E. Building Regulations
- F. Estimated Development Schedule

A. General Provisions

- a. The PUD approved herein must be designed, constructed, and maintained in compliance with this Ordinance. This District is intended to serve the operational needs of a frozen food storage facility. The district is designed to accommodate land use activities that meet the community goals and policies enumerated in the Comprehensive Master Plan 2040.
- b. Except as otherwise provided herein, the words used in the PUD have the meaning established by the Zoning Ordinance. In this Ordinance:
 - i. Open Space means the portion of all land contained within the PUD that is not covered by buildings, parking lots, and driveways.
 - ii. PUD means the planned unit development created by this ordinance.
 - iii. Shipping/storage containers whether used for outside storage, as an inhabited structure, or for any other purpose are prohibited: Exception: A shipping container is permitted on site while on a trailer chassis.

- c. The PUD shall be developed in accordance with the following exhibits that are attached to and made part of this document.
 - i. Exhibit D-1: Rendering from Old Hwy 146
 - ii. Exhibit D-2: Rendering from N. Hwy 146
 - iii. Exhibit D-3: Rendered Site Plan
 - iv. Exhibit D-4: Overall Floor Plan
 - v. Exhibit D-5: Rendered Elevations
 - vi. Exhibit D-6: Building Materials
 - vii. Exhibit D-7: Site Setback Plan
 - viii. Exhibit D-8: Site Signage Plan
 - ix. Exhibit D-9: Area Location Map 1"=1000'
 - x. Exhibit D-10: Area Location Map 1"=200'
 - xi. Exhibit D-11: Legal Description
 - xii. Exhibit D-12: Landscape Plan
 - xiii. Exhibit D-13: Utility Plan
 - xiv. Exhibit D-14: Topographic Survey L-1
 - xv. Exhibit D-15: Topographic Survey L-2
- d. As shown in Exhibits D-3 and D-10, the PUD encompasses approximately 7.2 acres of land along the West Right of Way line of Old Highway 146 north of Red Bluff Road in the City of Seabrook TX.
- e. Development of one Tilt-Up/Insulated Panel freezer facility containing approximately 134,632 sf of floor space inclusive of freezer, loading dock, office space, private driveways, landscaping, parking security wall/fencing, detention basins, and utilities as shown in attached Exhibits D-1 through D-15.
- f. All signage shall meet the minimum standards of the City's requirements established in Article 6-Sign Standards as shown on Exhibit D-8.

B. Permitted Land Uses

- a. Two tracts of land containing approximately 7.2 acres and zoned as C-2 Medium Commercial District and LI Light Industrial District.

C. Proposed Land Use

- a. This PUD development shall allow for industrial use on the currently zoned commercial land of a single freezer facility of approximately 134,632 square feet. The project shall be inclusive of a freezer, loading dock, office space, private driveways, landscaping, parking, security wall/fencing, detention basins, and utilities as shown in attached Exhibits D-1 through D-15.
- b. This PUD shall be contingent upon the following conditions:

D. Development Regulations

- a. Development standards.
 1. The development standards established by either the approved PUD or Seabrook Code of Ordinances shall be complied with as of the date of approval.
- b. Maximum height of building
 1. No building or structure may exceed 80 feet in height.
 2. This facility will not exceed 65' in height from the mean grade average.
- c. Building Setbacks
 1. Front Yard - All buildings shall be set back from street right-of-way lines minimum of 35 feet.
 2. Side Yard – All buildings shall have side yard setbacks of not less than 25 feet.
 3. Rear Yard – The setback at the rear of the property (west elevation) shall be 30'.
- d. Screening /Fencing/Wall
 1. All ground-level mechanical equipment shall be screened from view by using walls at the same height as the equipment.
 2. An 8'-0" tall masonry/concrete wall will be provided along the entire property line adjacent to the

commercial (hotel) parcel to accommodate a proper screening from properties.

3. All other property lines shall have 8' fencing.

e. Building Area

1. The building is proposed to be approximately 134,632 square feet.

f. Parking

1. Parking shall meet the requirements outlined in Article 5 of the city of Seabrook zoning by-law.

g. Landscaping

1. Shall meet or exceed the Seabrook Code of Ordinances found in Article 7 of the city's zoning by-law.

2. Exhibits show proposed designs of the facility as well as site planning for parking, stormwater detention, and trucking operations.

3. Two driveways from Old Highway 146 shall serve as the only ingress and egress for the facility. Existing easements with property owners to the south shall not be used by the facility.

h. Signage

1. Signage shall meet the Seabrook Code of Ordinances, as it is stated in Article 6 of the city's zoning by-law.

i. Architectural Standards: This building is a frozen food warehouse facility and is required to be constructed out of materials which will allow for energy efficiency and thermal isolation.

1. Exterior walls in the freezer will be constructed from specialized insulated architectural panels with a light textured finish to allow for maximum thermal isolation

and high insulation R-values to achieve freezer temperatures.

2. Exterior walls of the loading dock and mechanical areas will be constructed from concrete bearing wall panels with accents and reveals to add a decorative element. These walls will be lined on the inside with insulated architectural panels to allow for a cold (not freezing) environment.
3. Exterior walls at the office will be constructed with concrete bearing wall panels, with accents and reveals to add a decorative element, they will also have alum framing and glass to accent the area. Inside will be metal studs and drywall for the office environment.

E. Building Regulations

- a. The color palette shall be primarily white with black accent stripes.
- b. Exterior finishes shall be insulated metal panel and concrete tilt wall construction.
- c. All equipment except electrical transformers shall be screened.

F. Development Schedule

- a. Plan Design- Completion November 2024
- b. Plan Submittal- December 2024
- c. Plan Approval- February 2025
- d. Construction- March 2025-May 2026



CamfieldPartners
Building Corporate Homes for Successful Businesses



Exhibit D-1

Seabrook, TX

Building Rendering

View From Old Highway 146



CamfieldPartners
Building Corporate Homes for Successful Businesses



View From N Highway 146 to Galveston Bay

Exhibit D-2
Seabrook, TX
Building Rendering



Building Calculations

FREEZER	= 106,134 GROSS SF.
LOADING DOCK	= 18,568 GROSS SF.
MECH ROOM	= 1,750 GROSS SF.
OFFICE	= 3,215 GROSS SF.
TOTAL	= 129,667 GROSS SF.

Total Area = 129,667 g.s.f.

BUILDING FOOTPRINT

MECH MEZZANINE	= 1,750 GROSS SF.
OFFICE MEZZANINE	= 3,215 GROSS SF.

Total Building Area = 134,632 g.s.f.

INCLUDING OFFICE MEZZANINE

Pallet Calculations

FREEZER - A

72 PALLETS DN AISLE X 2 = 144 PALLETS
144 PALLETS PER AISLE X 20 = 2,880 PALLETS
2,880 PALLETS X 6 HIGH = 17,280 PALLETS

17,280 TOTAL PALLETS

84 CAR SPACES

19 TRAILER SPACES

Exhibit D-3

Seabrook, TX

Rendered Site Plan



CamfieldPartners
Building Corporate Homes for Successful Businesses

Building Calculations

FREEZER	= 106,134 GROSS SF.
LOADING DOCK	= 18,568 GROSS SF.
MECH ROOM	= 1,750 GROSS SF.
OFFICE	= 3,215 GROSS SF.
TOTAL	= 129,667 GROSS SF.

Total Area = 129,667 g.s.f.

BUILDING FOOTPRINT

MECH MEZZANINE	= 1,750 GROSS SF.
OFFICE MEZZANINE	= 3,215 GROSS SF.

Total Building Area = 134,632 g.s.f.

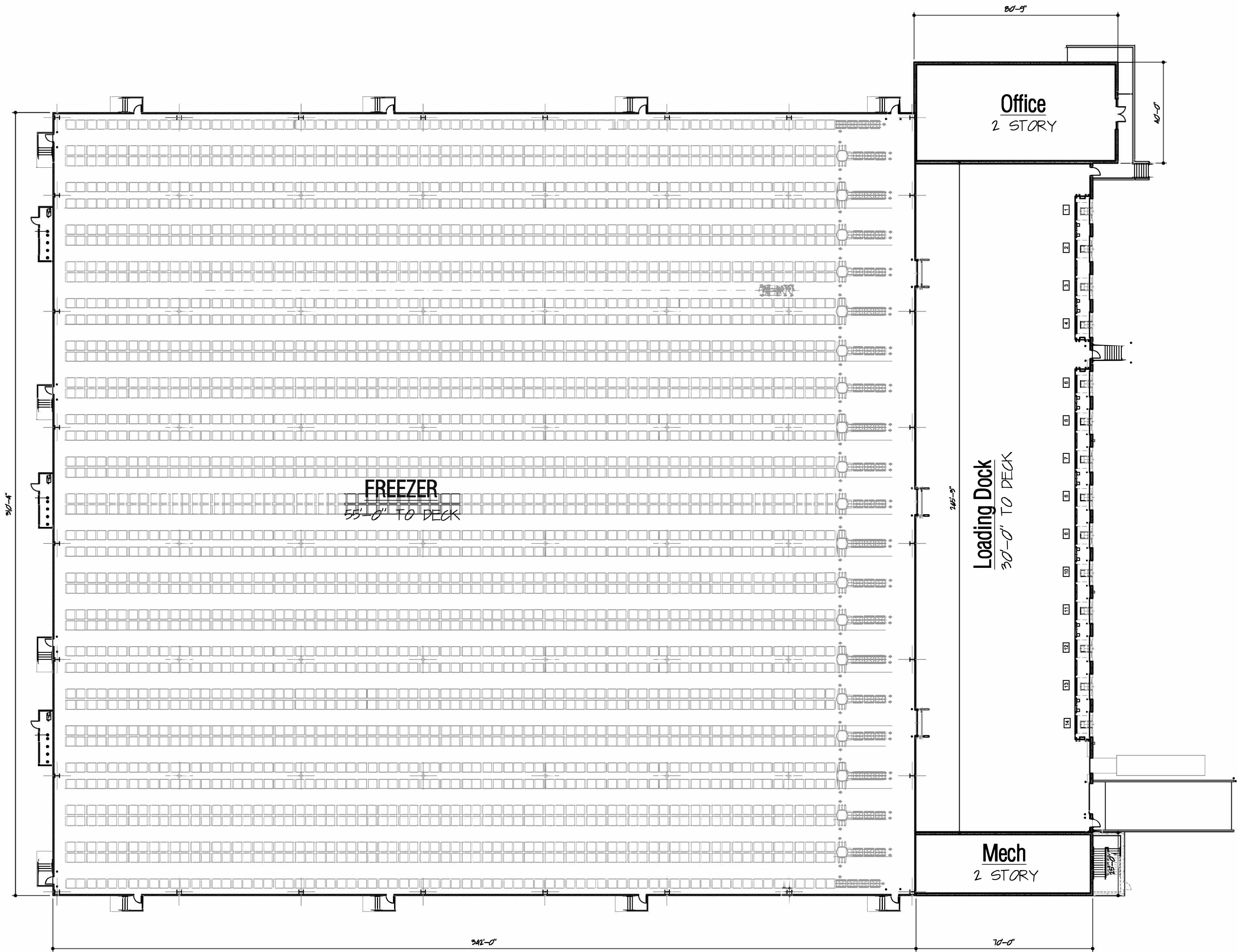
INCLUDING OFFICE MEZZANINE

Pallet Calculations

FREEZER - A

74 PALLETS DN AISLE X 2 = 148 PALLETS
148 PALLETS PER AISLE X 20 = 2,960 PALLETS
2,960 PALLETS X 6 HIGH = 17,760 PALLETS

17,760 TOTAL PALLETS



OVERALL FLOOR PLAN

SCALE: 1" = 10'-0"

Exhibit D-4

- Seabrook, TX

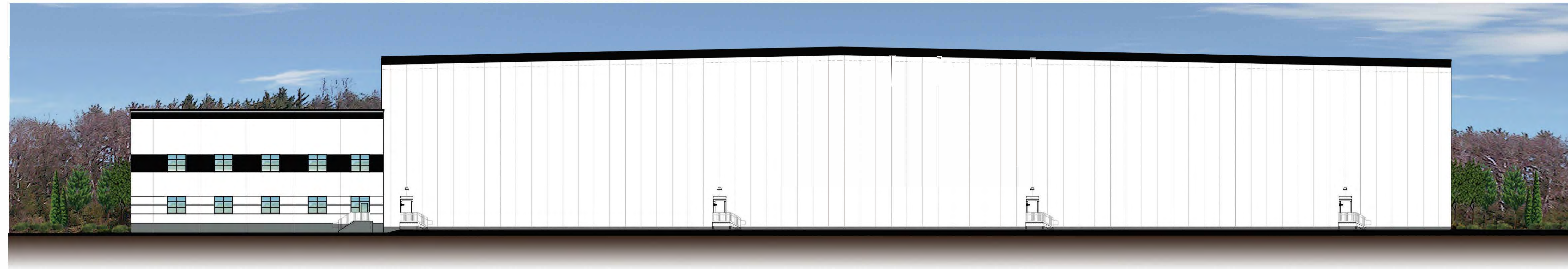
Overall Floor Plan



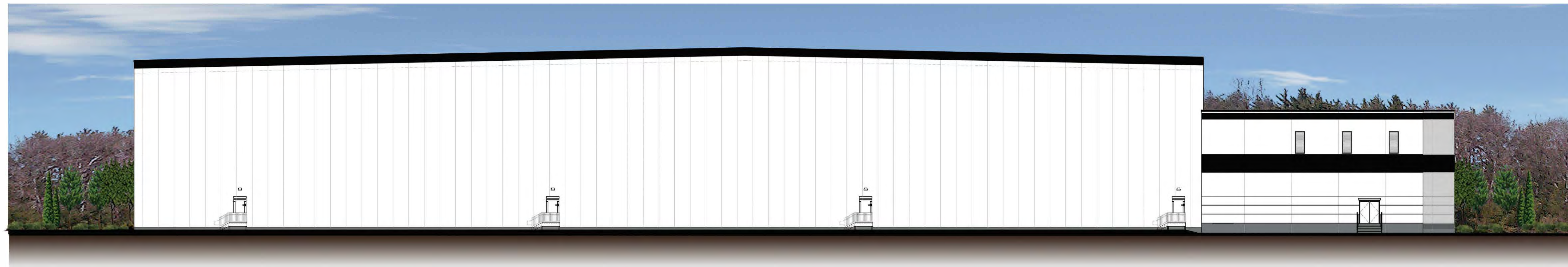
CamfieldPartners
Building Corporate Homes for Successful Businesses



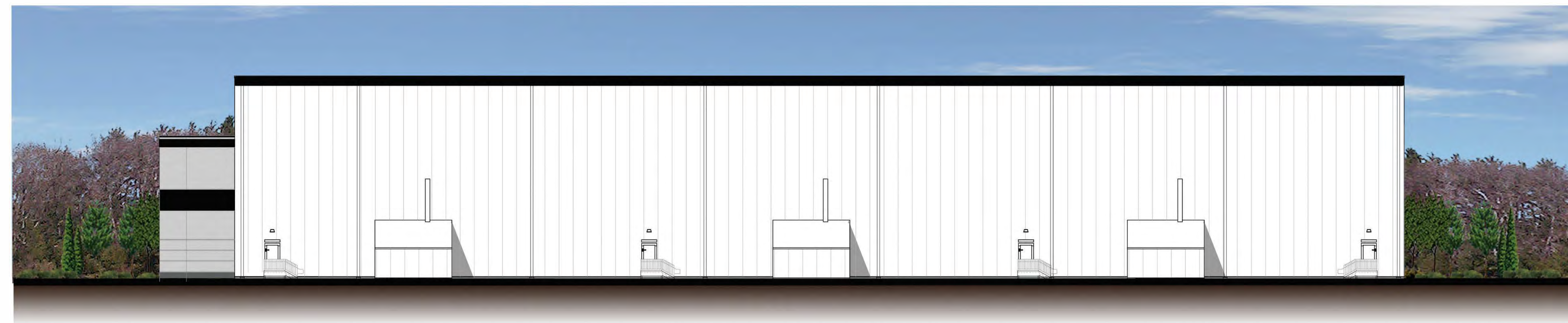
FRONT ELEVATION - View from Old 146



SIDE ELEVATION (Office) - View from existing warehouse



SIDE ELEVATION (Mech) - View from hotel



REAR ELEVATION - View from New 146

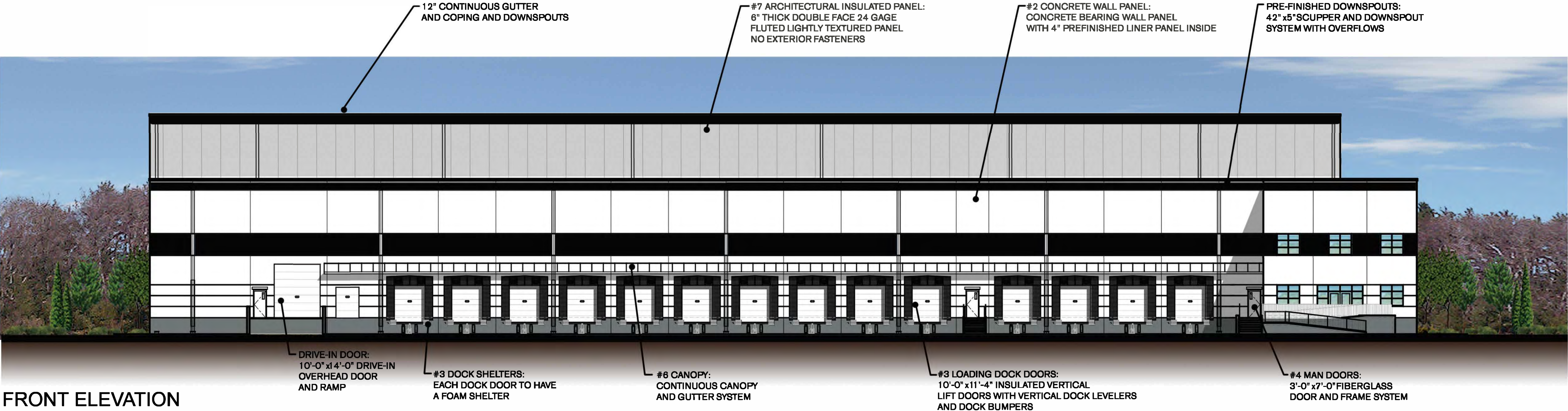
Exhibit D-5

Seabrook, TX

Rendered Elevations



CamfieldPartners
Building Corporate Homes for Successful Businesses



FRONT ELEVATION



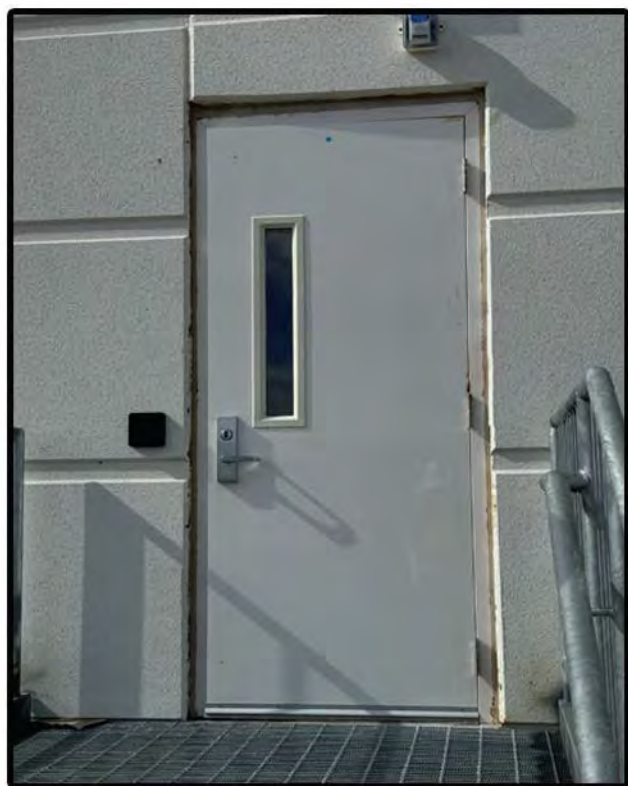
#1 ALUMINUM & GLASS
STOREFRONT SYSTEM - BLACK



#2 CONCRETE WALL PANEL
MAIN COLOR WHITE, ACCENT
COLORS BLACK



#3 INSULATED OVERHEAD
DOORS WITH DOCK SHELTERS



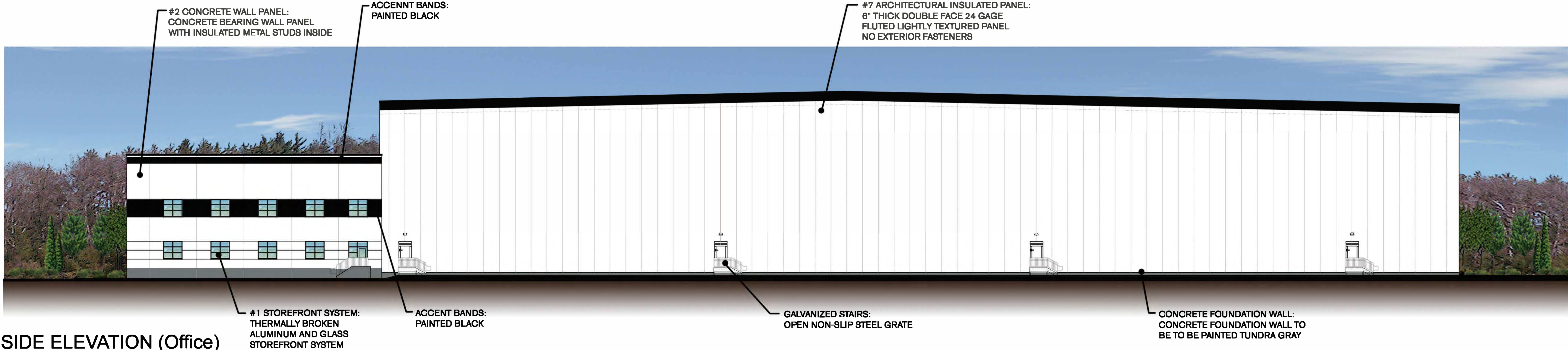
#4 FIBERGLASS MAN DOORS



#6 CONTINUOUS CANOPY



#7 LIGHT TEXTURED
ARCHITECTURAL
INSULATED PANELS



SIDE ELEVATION (Office)

Exhibit D-6

Seabrook, TX

Building Materials



CamfieldPartners
Building Corporate Homes for Successful Businesses

Legend

-  Property Line
-  Site Setback



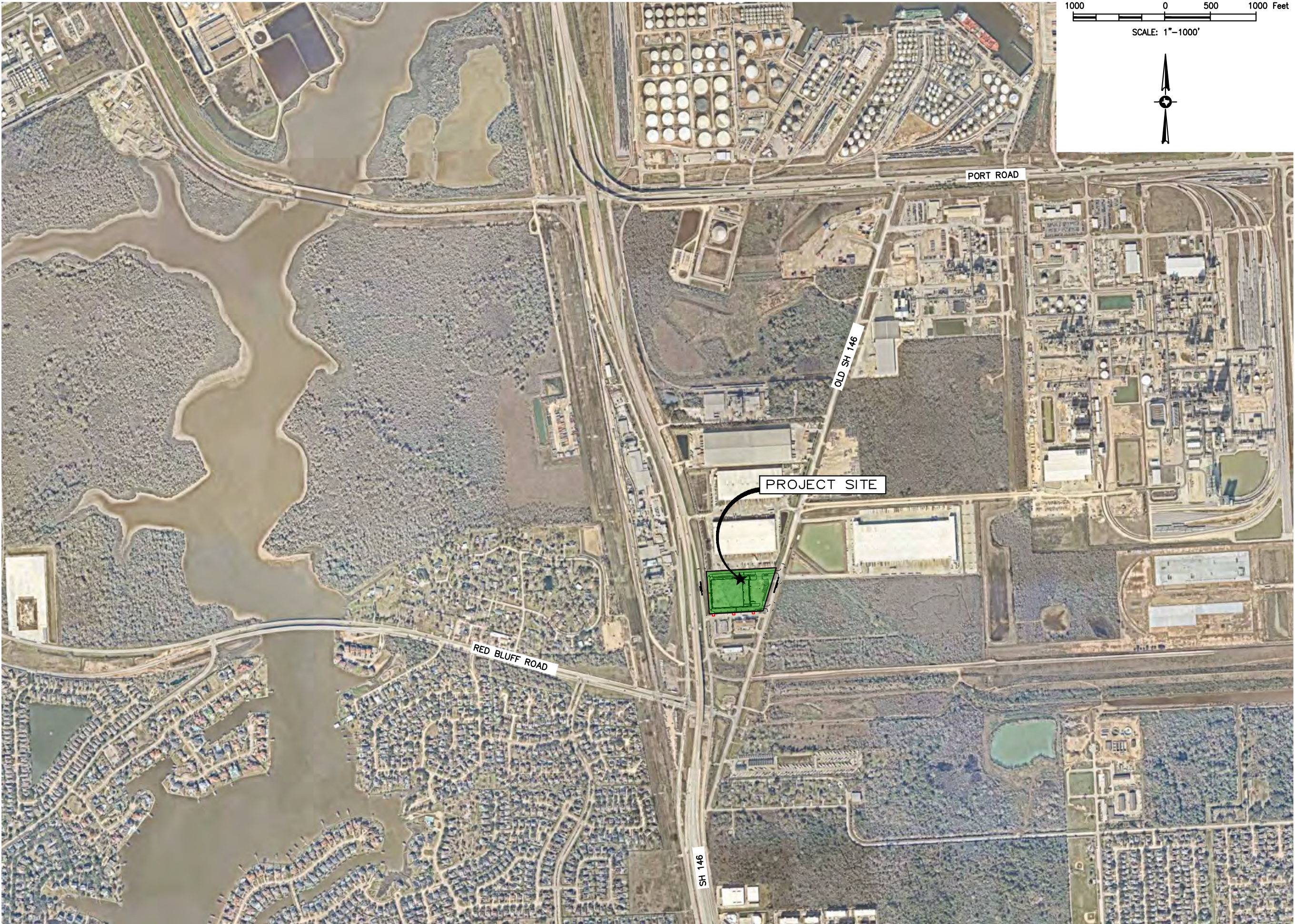
Exhibit D-7

Seabrook, TX

Site Setback Plan



INFORMATION AND DATA CONTAINED IN THIS DRAWING ARE STRICTLY CONFIDENTIAL AND ARE SUPPLIED ON THE UNDERSTANDING THAT THEY WILL BE HELD CONFIDENTIALLY AND NOT REPRODUCED, COPIED OR DISCLOSED TO THIRD PARTIES WITHOUT THE PRIOR WRITTEN CONSENT OF SHEL MARK ENGINEERING, LLC



**CAMFIELD PARTNERS
OLD FM 146
SEABROOK, TEXAS**

PROJECT:



ISSUED FOR	
 7/16/24	REVIEW

INTERIM SUBMITTAL
DOCUMENT INTENDED
FOR REVIEW ONLY.
NOT ISSUED
FOR CONSTRUCTION.

ENGINEER:
MARCUS J. MICHNA P.E.
REGISTRATION NO. 84739

DATE: 7/16/2024

SHEET:
AREA LOCATION MAP

SHEET NO:

Ex.D-9

SCALE: 1"=1000'	BY: SBK
JOB NO: 23-152	REV: A

INFORMATION AND DATA CONTAINED IN THIS DRAWING ARE STRICTLY CONFIDENTIAL AND ARE SUPPLIED ON THE UNDERSTANDING THAT THEY WILL BE HELD CONFIDENTIALLY AND NOT REPRODUCED, COPIED OR DISCLOSED TO THIRD PARTIES WITHOUT THE PRIOR WRITTEN CONSENT OF SHEL MARK ENGINEERING, LLC



CAMFIELD PARTNERS
OLD FM 146
SEABROOK, TEXAS



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A	7/16/24 REVIEW

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ENGINEER:
MARCUS J. MICHNA P.E.
REGISTRATION NO. 84739

DATE: 7/16/2024

SHEET:
AERIAL EXHIBIT

SHEET NO:
Ex. D-10

SCALE:	1"=200'	BY:	SBK
JOB NO:	23-152	REV:	A

INFORMATION AND DATA CONTAINED IN THIS DRAWING ARE STRICTLY CONFIDENTIAL AND ARE SUPPLIED ON THE UNDERSTANDING THAT THEY WILL BE HELD CONFIDENTIALLY AND NOT REPRODUCED, COPIED OR DISCLOSED TO THIRD PARTIES WITHOUT THE PRIOR WRITTEN CONSENT OF SHELMARK ENGINEERING, LLC

Camfield Partners, LLC - Seabrook, TX PUD
Legal Description

Exhibit A

Tract 1:
Restricted Reserve "A" (being 4.6900 acres) in Block One (1) of BAYPORT LOGISTICS CENTER, PHASE TWO (2), an addition to the City of Seabrook, in the Ritson Morris Survey, Abstract Number 52, in HARRIS County, Texas, according to the map or plat thereof recorded at Film Code Number 662034 of the Map Records of HARRIS County, Texas.

Tract 2:
A tract or parcel of land containing 2.500 acres (or 180,903 square feet), more or less, in the Ritson Morris Survey, Abstract 52, HARRIS County, Texas, said tract being out of and part of a certain 19.4174 acre tract of land, described in those certain Warranty Deed(s) from Vannie E. Cook, Jr., to John B. Carter, Jr., recorded under Harris County Clerk's File No(s). D-486035 and D-486036; the said 2.500 acre tract being more particularly described by metes and bounds as follows:

BEGINNING in the west line of Old State Highway 146 (variable right of way), at the northeast corner of Lot 1 in Block 1 of STATE HIGHWAY 146 BUSINESS PARK, according to the plat recorded at Film Code 618282 of the Map Records of Harris County, Texas, and the said corner, being the southeast corner of the herein described tract, from which a found 5/8-inch iron rod bears South 67° 28' 30" East, 0.28 feet;

THENCE South 86° 49' 00" West, along and with the north line of said Lot 1 in Block 1 of STATE HIGHWAY 146 BUSINESS PARK, a distance of 295.00 feet to the most southerly southeast corner of BAYPORT LOGISTICS CENTER PHASE Two FINAL PLAT, recorded at Film Code No. 662034, being the southwest corner of the herein described tract, from which a found 5/8-inch iron rod bears North 19° 27' 04" West, 0.21 feet;

THENCE North 17° 01' 00" East, along and with the easterly line of said BAYPORT LOGISTICS CENTER PHASE Two, a distance of 393.35 feet to a point for interior corner of said BAYPORT LOGISTICS CENTER PHASE Two tract, being the northwest corner of the herein described tract, from which a found 5/8-inch iron rod bears North 43° 19' 48" East, 0.30 feet;

THENCE North 86° 49' 00" East, along and with BAYPORT LOGISTICS CENTER PHASE TWO tract, a distance of 295.00 feet to a point for corner in said west line of Old State Highway 146 (variable right of way), being the most easterly southeast comer of said BAYPORT LOGISTICS CENTER PHASE Two tract, being the northwest corner of the herein described tract, from which a found 5/8-inch iron rod bears South 60° 40' 14" West, 0.63 feet;

THENCE South 17° 01' 00" West, along and with said west line of Old State Highway 146 (variable right of way), a distance of 393.35 feet to the PLACE OF BEGINNING.

Tract 3:
Terms and provisions of that certain Access Easement Agreement by and between Pommel Meadows Hospitality LLC and WMF INVESTMENTS, INC., dated March 27, 2019, filed for record RP-2019-121623 of the Official Public Records of Real Property of HARRIS County, Texas.

PROJECT:

CAMFIELD PARTNERS
OLD FM 146
SEABROOK, TEXAS



ISSUED FOR	
A	7/16/24 REVIEW

INTERIM SUBMITTAL
DOCUMENT INTENDED
FOR REVIEW ONLY.
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FOR CONSTRUCTION.

ENGINEER:
MARCUS J. MICHNA P.E.
REGISTRATION NO. 84739

DATE: 7/16/2024

SHEET:
Legal Description

SHEET NO:
Ex. D-11

SCALE:	N.T.S.	BY:	SBK
JOB NO:	23-152	REV:	A

INFORMATION AND DATA CONTAINED IN THIS DRAWING ARE STRICTLY CONFIDENTIAL AND ARE SUPPLIED ON THE UNDERSTANDING THAT THEY WILL BE HELD CONFIDENTIALLY AND NOT REPRODUCED, COPIED OR DISCLOSED TO THIRD PARTIES WITHOUT THE PRIOR WRITTEN CONSENT OF SHELMARK ENGINEERING, LLC

LANDSCAPE SUMMARY

SITE AREA = 313,178SF
LANDSCAPE REQUIRED (15% OF SITE) = 46,976SF
LANDSCAPE PROVIDED = 71,229SF

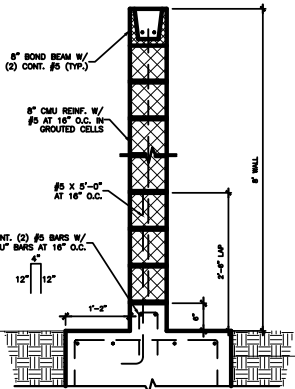
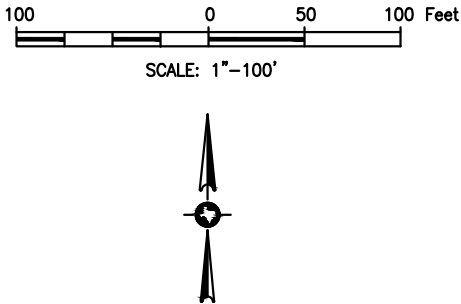
PARKING AREA = 18,394SF
LANDSCAPE REQUIRED (10% OF SITE) = 1,839SF
LANDSCAPE PROVIDED = 3,977SF

1. FRONTAGE TREE: 1 TREE PER 50 LF OF FRONTAGE. 1,548/50 = 31 EA
2. PARKING LOT ISLAND TREE: 1 TREE PER 12 PARKING SPACES = 4 EA

*** TREES MUST MEET LANDSCAPING REQUIREMENTS SET BY THE CITY OF SEABROOK CITY ORDINANCE. CHANGE IN LANDSCAPING MUST BE APPROVED BY URBAN FORESTER.

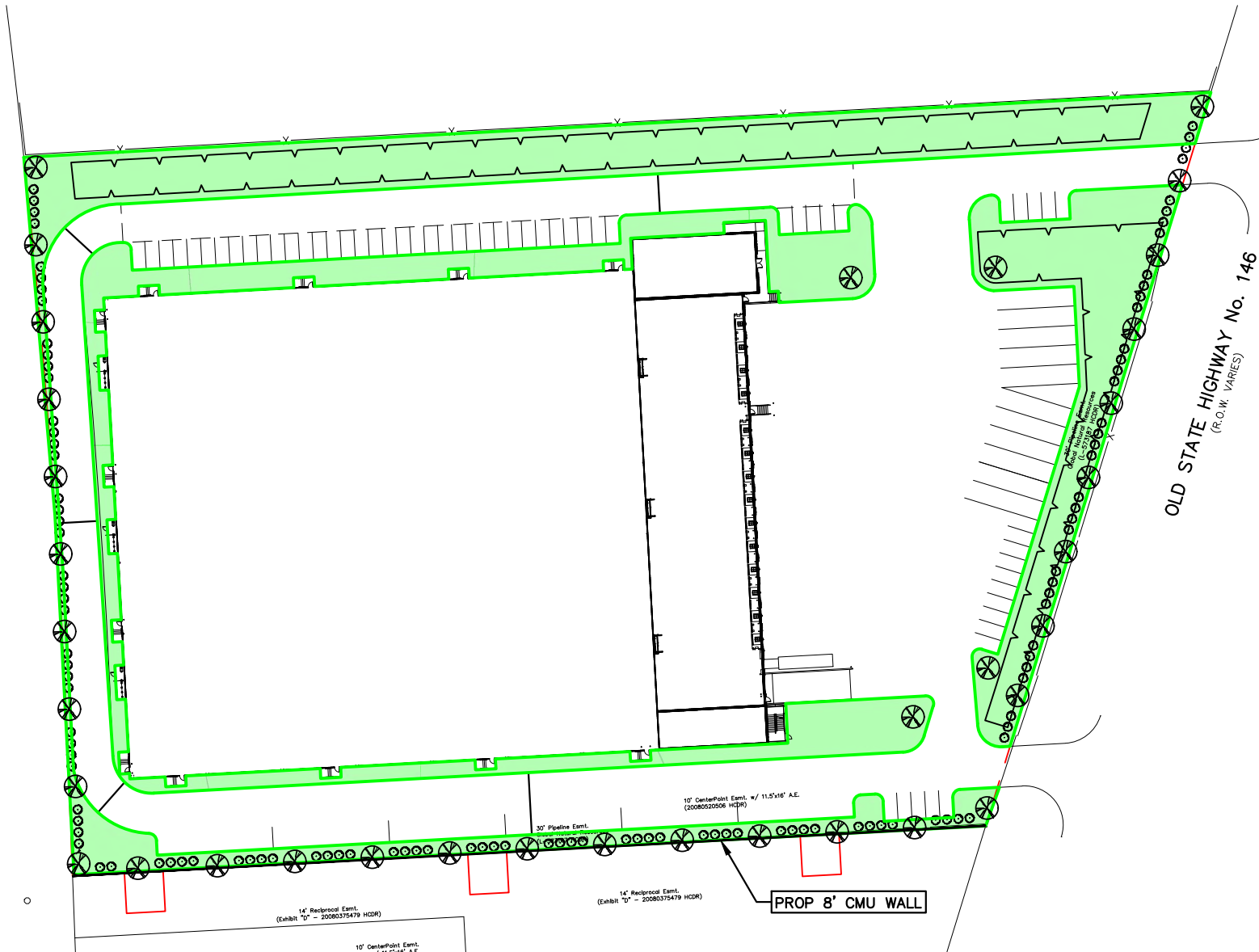
LANDSCAPE LEGEND

-  SITE PARKING SCREENING
24" TALL SHRUBS
-  SITE PERIMETER TREES
2" CALIPER MINIMUM
-  SITE GREEN SPACE



CMU WALL

N.T.S.



CAMFIELD PARTNERS
OLD FM 146
SEABROOK, TEXAS

PROJECT:



ISSUED FOR
7/16/24
REVIEW

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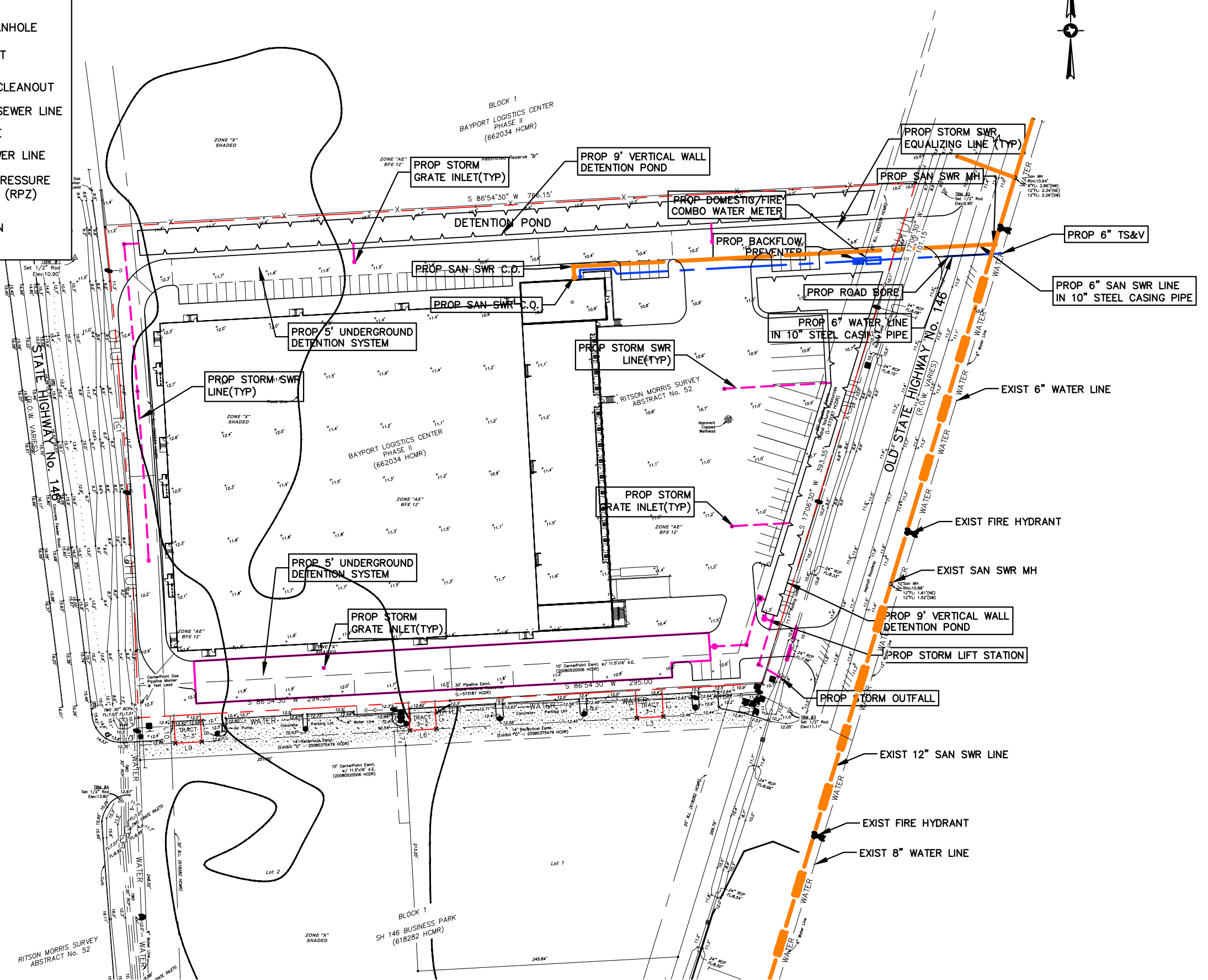
ENGINEER:
MARCUS J. MICHNA P.E.
REGISTRATION NO. 84739

DATE: 7/16/2024

SHEET:
LANDSCAPE PLAN

SHEET NO:
Ex. D-12

SCALE: 1"=100' BY: SBK
JOB NO: 23-152 REV: A



 SHELMARK ENGINEERING, LLC CIVIL MACHINE PLANNING STRUCTURAL 801 FM 517 ROAD EAST DICKSON, TEXAS 77539 TX PERM NO. F-2015	
ISSUED FOR _____ A 7/16/24 REVIEW _____ _____ _____ _____	
<u>INTERIM SUBMITTAL</u> DOCUMENT INTENDED FOR REVIEW ONLY. NOT ISSUED FOR CONSTRUCTION. ENGINEER: MARCUS J. MICHNA P.E. REGISTRATION NO. 84739 DATE: 7/16/2024	
SHEET: UTILITY PLAN	
SHEET NO: Ex. D-13	
SCALE: 1"=100'	BY: SBK
JOB NO: 23-152	REV: A

RITSON MORRIS SURVEY
ABSTRACT No. 52

STATE HIGHWAY No. 146
(R.O.W. VARIES)

EXHIBIT D-14

TOPOGRAPHIC SURVEY

TRACT 1
Being Restricted Reserve "A" (being 4.6900 acres) in Block One (1) of BAYPORT LOGISTICS CENTER, PHASE TWO (2), an addition to the City of Seabrook, in the Ritson Morris Survey, Abstract Number 52, in HARRIS County, Texas, according to the map or plat thereof recorded at Film Code Number 662034 of the Map Records of HARRIS County, Texas.

TRACT 2
Being a tract or parcel of land containing 2.500 acres, in the RITSON MORRIS SURVEY, Abstract 52, Harris County, Texas, said tract being out of and part of a certain 19.4174 acre tract of land, described in those certain Warranty Deed(s) from Vannie E. Cook, Jr., to John B. Carter, Jr., recorded under Harris County Clerk's File No(s). D-486035 and D-486036.

TRACT 3
Being Access Easement No. 1 (called Tract 3-1 hereon, Access Easement No. 2 (called Tract 3-2 hereon), and Access Easement No. 3 (called Tract 3-3 hereon), of that certain Access Easement Agreement by and between Pomme Meadows Hospitality LLC and WMF INVESTMENTS, INC., dated March 27, 2019, filed for record under Clerk's File Number RP-2019-121623 of the Official Public Records of Real Property of Harris County, Texas.

I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.



LEAGUE CITY OFFICE
Registration Number: 10193855
(281) 954-7730 www.hightidelandsurveying.com
200 HOUSTON AVE, SUITE 8 | LEAGUE CITY, TX 77573
Mailing | P.O. BOX 16142 | GALVESTON, TX 77552

SCALE: 1" = 30'

LINE	BEARING	DISTANCE
L1	N 02°09'30" W	62.91'
L2	S 03°05'30" E	26.00'
L3	S 86°54'30" W	25.00'
L4	N 03°05'30" W	26.00'
L5	S 03°05'30" E	26.00'
L6	S 86°54'30" W	25.00'
L7	N 03°05'30" W	26.00'
L8	S 03°05'30" E	26.00'
L9	S 86°54'30" W	25.00'
L10	N 03°05'30" W	26.00'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	5917.98'	401.32'	401.25'	N 04°06'04" W	3°53'08"

ABBREVIATIONS

- A.E. Aerial Easement
- B.L. Building Line
- CPP Corrugated Plastic Pipe
- Culv. Culvert
- Esmt. Easement
- FL Flow Line
- Fnd. Found
- HCDR Harris County Deed Records
- HCMR Harris County Map Records
- RCP Reinforced Concrete Pipe
- R.O.W. Right of Way
- San MH Sanitary Manhole
- TBM Temporary Benchmark
- + XX.X' Spot Elevation (Natural Grade, Ditch, Asphalt)
- + XX.XX' Spot Elevation (Concrete, Back of Curb, Gutter)

LEGEND

- ✕ Cut "X"
- ⊠ Electrical Box
- ⊠ Fire Department Control
- ⊠ Fire Hydrant
- ⊠ Grate Inlet
- ⊠ Guy Anchor
- ⊠ Light Pole
- ⊠ Power Pole
- ⊠ Sanitary Manhole
- ⊠ Set 1/2" Rod
- ⊠ San MH
- ⊠ Storm Drain Manhole
- ⊠ Vault
- ⊠ Water Meter
- ⊠ Water Valve
- Asphalt Center Line
- Asphalt Edge
- Chain Link Fence
- Concrete Center Line
- Ditch Flow Line
- Ditch High Bank
- Grade Break
- Overhead Utility Line
- Pipeline
- Toe of Slope

NOTES:
1) This property does lie within the 100 Year Flood Plain (apparent flood zones shown hereon) according to FIRM Panel No. 48201C1089M, dated January 6, 2017, as established by the Federal Emergency Management Agency.
2) This property is subject to any restrictions of record as established by the City, State, or Subdivision Covenants and Restrictions; may also be subject to easements and setbacks for utility services and power lines as individually recorded or established by OSHA (call your power company).
3) Bearings based on Monumentation of Bayport Logistics Center, Phase II recorded plat.
4) Elevations are shown in feet above Mean Sea Level NAD 83 Datum as tied to NGS Monument H0350 57 (AW489).
5) Fidelity National Title Insurance Company Insured. Certified Partners, LLC.
GF No: 1076682300028
Issue Date: March 14, 2023



EXHIBIT D-15

TOPOGRAPHIC SURVEY

TRACT 1

Being Restricted Reserve "A" (being 4.6900 acres) in Block One (1) of BAYPORT LOGISTICS CENTER, PHASE TWO (2), an addition to the City of Seabrook, in the Ritson Morris Survey, Abstract Number 52, in HARRIS County, Texas, according to the map or plot thereof recorded at Film Code Number 662034 of the Map Records of HARRIS County, Texas.

TRACT 2

Being a tract or parcel of land containing 2.500 acres, in the RITSON MORRIS SURVEY, Abstract 52, Harris County, Texas, said tract being out of and part of a certain 19.4174 acre tract of land, described in those certain Warranty Deed(s) from Vannie E. Cook, Jr., to John B. Carter, Jr., recorded under Harris County Clerk's File No(s). D-486035 and D-486036.

TRACT 3

Being Access Easement No. 1 (called Tract 3-1 hereon, Access Easement No. 2 (called Tract 3-2 hereon), and Access Easement No. 3 (called Tract 3-3 hereon), of that certain Access Easement Agreement by and between Pommel Meadows Hospitality LLC and WMF INVESTMENTS, INC., dated March 27, 2019, filed for record under Clerk's File Number RP-2019-121623 of the Official Public Records of Real Property of Harris County, Texas.

I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.



Stephen C. Blaskey
Registered Professional
Land Surveyor No. 5856



LEAGUE CITY OFFICE
Registration Number: 10188885
(281) 254-7730 www.hightidelandsurveying.com
200 HOUSTON AVE, SUITE B | LEAGUE CITY, TX 77573
Mailing | P.O. BOX 16142 | GALVESTON, TX 77552

ABBREVIATIONS

B.L.	Building Line
Esmt.	Easement
FL	Flow Line
Fnd.	Found
HCDR	Harris County Deed Records
HCMR	Harris County Map Records
RCP	Reinforced Concrete Pipe
R.O.W.	Right of Way
San MH	Sanitary Manhole
TBM	Temporary Benchmark
+ XX.X'	Spot Elevation (Natural Grade, Ditch, Asphalt)
+ XX.XX'	Spot Elevation (Concrete, Back of Curb, Gutter)

LEGEND

⊙	Communications Manhole	—	Asphalt Center Line
⊕	Fire Hydrant	—	Asphalt Edge
⊗	Gas Marker Pin Flag	—	Chain Link Fence
⊙	Guy Anchor	—	Ditch Flow Line
⊕	Power Pole	—	Ditch High Bank
⊙	Sanitary Manhole	—	Grade Break
⊕	Set 1/2" Rod	—	Overhead Utility Line
⊕	Storm Drain Manhole	—	Pipeline
⊕	Telecommunications Pedestal	—	Toe of Slope
⊕	Vault		
⊕	Water Meter		
⊕	Water Valve		
⊕	Well Head		

NOTES:
1) This property does lie within the 100 Year Flood Plain (apparent flood zones shown hereon) according to FIRM Panel No. 48201C109M, dated January 6, 2017, as established by the Federal Emergency Management Agency.
2) This property is subject to any restrictions of record as established by the City, Plat, or Subdivision Covenants and Restrictions; may also be subject to easements and setbacks for utility services and power lines as individually recorded or established by OSHA (call your power company).
3) Bearings based on Monumentation of Bayport Logistics Center, Phase II recorded plat.
4) Elevations are shown in feet above Mean Sea Level NAD 83 Datum as tied to NGS Monument H0300 57 (AW5499).
5) Fidelity National Title Insurance Company Insured: Cornfield Partners, LLC.
GF No.: 1076602300208
Issue Date: March 14, 2023

SCALE: 1" = 30'

LINE BEARING	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
L1 N 02°09'30" W 62.91'			
L2 S 03°05'30" E 26.00'			
L3 S 86°54'30" W 23.00'			
L4 N 03°05'30" E 26.00'			
L5 S 03°05'30" E 26.00'			
L6 S 86°54'30" W 25.00'			
L7 N 03°05'30" W 26.00'			
L8 S 03°05'30" E 26.00'			
L9 S 86°54'30" W 25.00'			
L10 N 03°05'30" W 26.00'			

CURVE/RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	5917.98'	401.25'	N 04°06'04" W	3°53'08"



Agenda Briefing

Date of Meeting: August 20, 2024

Responsible Department: Public Affairs

Presenter: Gayle Cook, City Manager

Briefing Prepared By: Mick Barnabo

Strategic Focus Area:

General Information:

Hear a presentation, consider, and take all appropriate action on extending video recording and livestreaming to all boards & commissions.

Executive Summary / Background:

At the last regular Council meeting, Councilmembers Rasco and Hammann requested to hear the financial impact on the City in personnel, equipment, and all other costs as well as the potential funding sources to expand recording and/or livestreaming to all city public meetings.

Funding / Fiscal Information:

PEG

General Fund

Supporting Materials Attached: None

Prior Action / Review by Council, Boards, Commissions:

August 2, 2022 - ITEM 5.9: Consider and take all appropriate action on a presentation by staff on recommendations for video streaming options for City Council and associated City board meetings including any authorization or direction on the expenditure and utilization of funds from the Public, Education, and Governmental (PEG) Special Fund for such purposes. MOTION MADE TO TABLE. MOTION FAILED BY A 5-2 VOTE. MOTION MADE TO DIRECT CITY STAFF TO PUBLISH NOTICE OF BID FOR THE COST OF UPGRADING THE CITY COUNCIL CHAMBER WITH THE NECESSARY EQUIPMENT TO RECORD, BROADCAST, AND STREAM PUBLIC MEETINGS; THIS INCLUDES BUT IS NOT LIMITED TO THE CAMERA(S), LIGHTING, SOUND EQUIPMENT, MICROPHONES, MONITORS, SCREENS AND FOR PERSONNEL COST TO OPERATE THE EQUIPMENT DURING PUBLIC MEETINGS AND POSTING THE VIDEO ON AN ONLINE PLATFORM LIVE

AND/OR AFTER PUBLIC MEETINGS.

The Invitation for Proposals (IFP) was issued to the Texas BuyBoard the week of December 19, 2022. Bids were due from vendors by February 17, 2023. All bids were reviewed and graded by the AV Advisory Committee on February 23, 2023. The results of this committee were presented to City Council during the March 7, 2023, meeting. March 7, 2023 - ITEM 6.1: Discuss, consider, and if necessary take all appropriate action on recording and broadcasting of City Council Meetings. MOTION TO PLACE ITEM ON NEXT AGENDA TO DISCUSS A COMPARISON BETWEEN THE STAFF RECOMMENDED FORD AV AND SWAGIT, WITH ALL OF THE PERTINENT INFORMATION INCLUDED. MOTION CARRIED BY UNANIMOUS CONSENT.

March 21, 2023 - ITEM 5.3: Discuss, consider, and take all appropriate action on Council Chamber Audio/Visual Project and any applicable phases and authorize City Manager to prepare any required agreements for approval, if needed. MOTION MADE TO APPROVE THE INSTALLATION OF INFRASTRUCTURE IN COUNCIL CHAMBER BY FORD AV TO UPDATE THE AUDIO/VISUAL EQUIPMENT, IN AN AMOUNT NOT TO EXCEED \$142,000.00. MOTION CARRIED UNANIMOUSLY.

March 23, 2023 - ITEM 5.1: Consider and take all appropriate action on a contract between the City of Seabrook and Ford AV for Installation of new Audio/Visual Equipment in Council Chamber, in an amount not to exceed \$141,392.00 from the Public, Educational, and Governmental (PEG) Funds. MOTION MADE TO APPROVE. MOTION CARRIED BY A 5-1 VOTE, WITH MAYOR KOLUPSKI VOTING IN OPPOSITION AND COUNCILMEMBER TOLLETT ABSTAINING.

September 5, 2023 - ITEM 4.4: Receive an update of the A/V Council Chambers Upgrade progress and consider and take all appropriate action on an internal policy for the AV Project Pilot Program. MOTION MADE TO APPROVE THE POLICY. MOTION CARRIED UNANIMOUSLY.

Pilot Program officially began with the January 23, 2024, regular City Council meeting and concluded at the end of July 23, 2024, Special Budget Workshop.

August 6, 2024 - ITEM 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. MOTION MADE TO APPROVE LIVE STREAM MEETINGS WITH COMMENTS. MOTION CARRIED UNANIMOUSLY.

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.

If approved, staff recommends off-site automation for council only or adding boards and commissions.



Application for Land Development Permit

****Incomplete applications cannot be processed****

- ☒ Zoning Change ☐ Text Change ☐ Zoning Variance ☐ Planned Unit Development
☐ Conditional Use Permit ☐ Subdivision Plat ☐ Preliminary ☐ Final ☐ Amending
☐ Master Sign Plan

APPLICANT INFORMATION

Check appropriate box(es)

Name: Steady Capital, LLC E-Mail: jerryan@gpi-management.com
Address: 4622 Riverstone Blvd Fax #: _____
City: Missouri City
State: TX ZIP 77459 Phone: 346-666-0900

Applicant is ☒ Owner of property ☐ Agent for Owner ☐ Agent for Purchaser ☐ Purchaser ☐ City of Seabrook

If Applicant is acting on behalf of Owner in this application, Owners signature below authorizes this application.

Owner(s): Steady Capital, LLC Signature: Steady Capital
Date: 3/28/2024 Signature: _____

Owner(s) Mailing address(es):
Name: Steady Capital, LLC Phone #: 346-666-0900
Address: 4622 Riverstone Blvd Name: _____
City: Missouri City Address: _____
State: TX Zip 77459 City: _____
State: _____ Zip _____

PROPERTY INFORMATION

Property Address: 4017 Todville Rd. Seabrook TX, 77586
Legal Description: Lot _____ Block _____
Addition TR 22A 24 24A 1 24A-2 55 55A 56A & 56A-2 ABST 52 R MORRIS
(You may attached Metes & Bounds description from your Deed if available)

Current Zoning Classification: R1 (Available from Building Department)
Current Use of Property: Residential (Be specific)
Number of existing Driveways: N/A
General Dimensions of Property: Width: _____ Depth: _____ Land Area: _____ Sq. Feet: 717,825 Acres: 16.478
Adjoining Uses: North _____ South _____
East _____ West _____
Adjacent Streets: North N/A South N/A
East N/A West N/A

Is the property served with: City Water? ☒ Yes ☐ No City Sewer? ☒ Yes ☐ No

OWNER/AGENT AFFIDAVIT

I have read and understand this application. I have familiarized myself with the applicable regulations, ordinances, and procedures and submit this application and accompanying documentation for consideration by the Planning Commission, Board of Adjustment, or the City Council of the city. I certify that I am the legal owner or agent of the Owner and have written or other legal authority to make this application.

Signed: Steady Capital Date: 04/01/2024

ALL FEES MUST BE PAID AT THE TIME APPLICATION IS SUBMITTED
FEES ARE NON-REFUNDABLE OR TRANSFERABLE

ZONING CHANGE REQUEST

Zoning Change request From: R1 To: R2

We are submitting this request for a change in zoning from R1 to R2 in accordance with the Comprehensive Master Plan of Seabrook. Our proposed development aligns with the city's vision for sustainable growth and efficient land use.

The intended use for the R2 zoning designation is to create a vibrant residential community that promotes diversity and affordability within the city. Our development plan includes the construction of a thoughtfully designed neighborhood with all single family with lot 6500 sqft. These housing options will cater to a range of demographics, from young professionals to growing families and retirees.

In accordance with the Comprehensive Master Plan, our development will prioritize smart growth principles, including efficient land use, walkability, and access to amenities. We will incorporate green spaces, parks, and pedestrian-friendly pathways throughout the community to enhance quality of life for residents.

Furthermore, our development plan adheres to the city's goals for sustainable development and environmental stewardship. We will implement energy-efficient building practices, utilize green infrastructure for stormwater management, and incorporate landscaping that enhances biodiversity and promotes native species.

By transitioning from R1 to R2 zoning, we aim to optimize land use while contributing to the city's long-term vision for a diverse and inclusive community. Our development will complement existing neighborhoods and enhance the overall livability of Seabrook.

Thank you for considering our request. We are committed to working collaboratively with city officials and committees to ensure that our proposed development aligns with the goals and objectives outlined in the Comprehensive Master Plan.





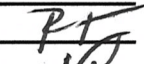
Planning & Zoning Commission OFFICIAL REPORT

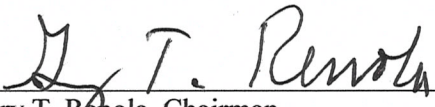
The Planning and Zoning Commission of the City of Seabrook met on JUNE 20, 2024 to hold a meeting to consider:

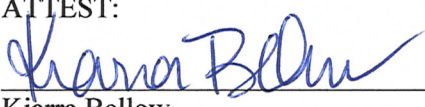
Conduct a public hearing to take all appropriate action on a request to change the zoning classification of land described below from the current classification of R-1 "Single-Family Detached Residential District" to R-2 "Single-Family Detached Residential District (Small Lots)".

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL ☒ APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW) ☐ DENIAL ☐
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on JUNE 20, 2024, as designated below and as certified by the signature of the Chairman.
This document is not valid unless signed by the Chairman/Presiding Commissioner.

<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Gary Renola					
Darrell Picha					
Scott Reynolds					
Ed Klein					
Guy Rogers					
Rhonda Thompson					
Jared Justus					


Gary T. Renola, Chairman
Planning & Zoning Commission

ATTEST:

Kiarra Bellow
Administrative Assistant

**PUBLIC HEARING NOTICE
SEABROOK CITY COUNCIL
TUESDAY, AUGUST 20, 2024 – 6:00 P.M.**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF SEABROOK WILL HOLD A PUBLIC HEARING ON TUESDAY, **AUGUST 20, 2024, AT 6:00 P.M.** IN SEABROOK CITY HALL, 1700 FIRST STREET, SEABROOK, TEXAS, TO DISCUSS THE AGENDA ITEM LISTED BELOW.

THIS HEARING IS OPEN TO THE PUBLIC AND EVERYONE ATTENDING WILL HAVE THE OPPORTUNITY TO SPEAK FOR OR AGAINST THIS REQUEST IN ACCORDANCE WITH THE PROCEDURES OF THE COUNCIL. ALL REQUIRED DOCUMENTS REGARDING THIS REQUEST ARE AVAILABLE FOR REVIEW AT CITY HALL IN THE COMMUNITY DEVELOPMENT DEPARTMENT WEEKDAYS FROM 8:00 A.M. TO 5:00 P.M. PLEASE CALL (281) 291-5705 IF YOU HAVE QUESTIONS.

SPECIFIC PUBLIC HEARINGS

Conduct a Public Hearing on a request to change the zoning classification of land described below from the current classification of R-1 “Single-Family Detached Residential District” to R-2 “Single-Family Detached Residential District (Small Lots)”.

Owner/Applicant: Jerry Yan, Steady Capital, 4622 Riverstone Blvd., Missouri City, TX 77459.

Legal Description: 4017 Todville Road, Seabrook, TX 77586. A tract of land containing 8.988 acres being the residue of a called 10 acre tract as recorded in Volume 2482, Page 1, Harris County Deed Records, the residue of a called 1.0 acre tract (tract one), the residue of a called .22 acre tract (tract two) recorded in Harris County Clerk's File No. D741317 and the residue of a called 1.16 acre tract as recorded in Harris County Clerk's File No. C935568 and being located in the Ritson Morris Survey, Abstract No. 52, Harris County Texas; and A tract of land containing 7.491 acres being all of a called 6.7704 acre tract as recorded in Harris County Clerk's File No. 20070498886 and all of a called 0.7235 acre tract as recorded in Harris County Clerk's file No. 2007078075 and being located in the Ritson Morris Survey, Abstract No. 52, Harris County, Texas.

Location: This property is addressed 4017 Todville Road, Seabrook, TX 77586, which is located immediately west of Todville Road, south of W. Flamingo Drive, and north of Mystic Village Lane.

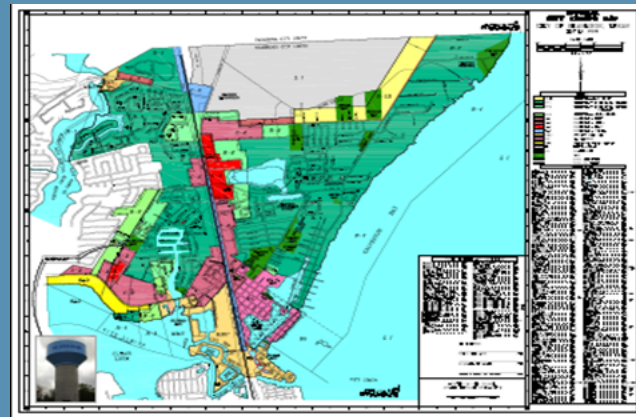
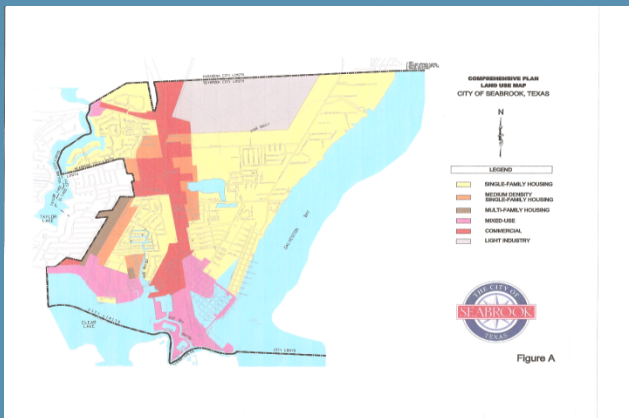
CERTIFICATE

I certify that this notice was posted on the bulletin board at Seabrook City Hall on Thursday, July 25, 2024, on or before 5:00 p.m. and that it will remain posted until after the completion of the hearing.

/s/ Rachel Lewis
City Secretary

City of Seabrook City Council

August 20, 2024



Planning and Zoning Commission Recommendation



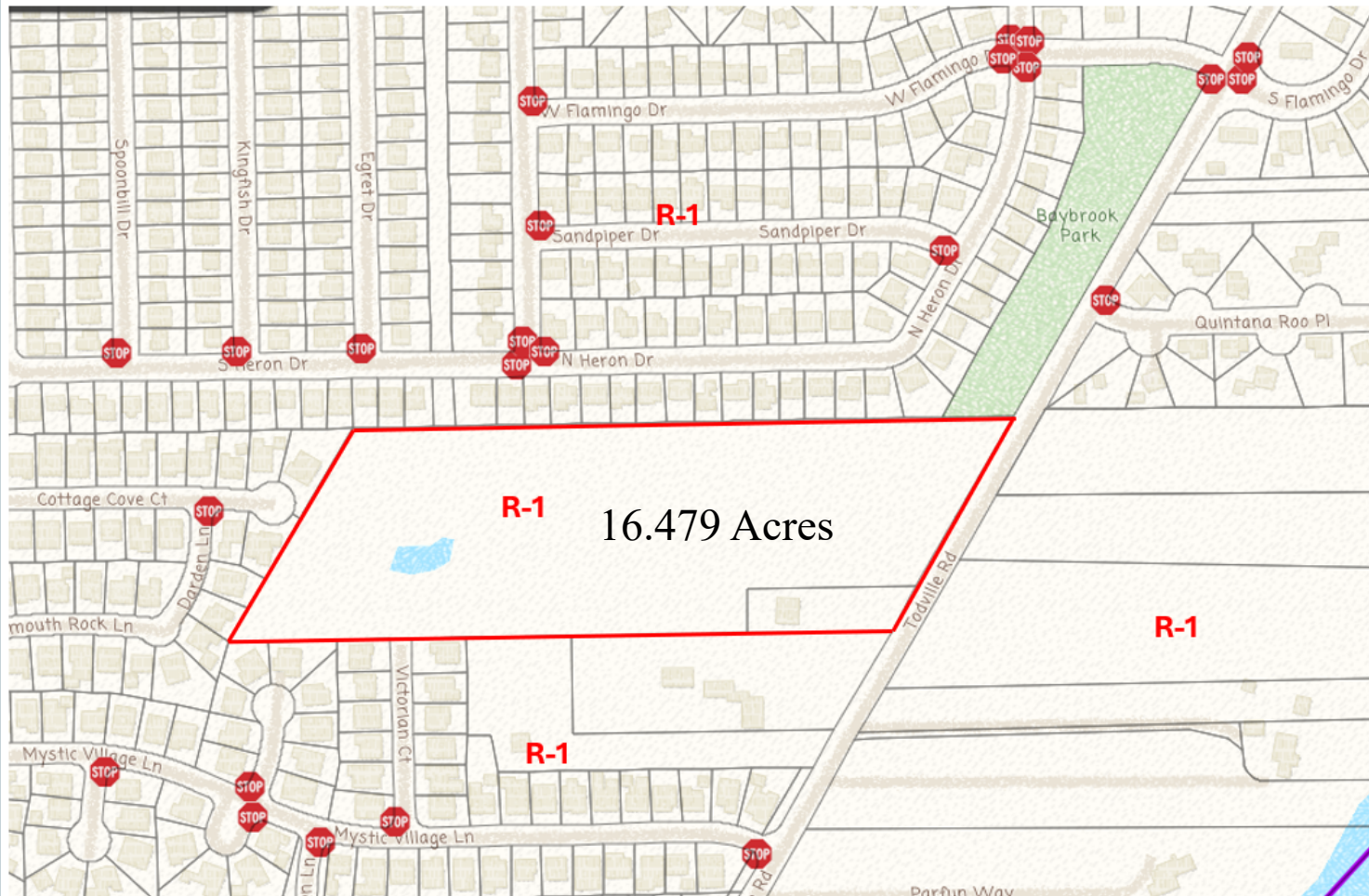
The Planning and Zoning Commission at their June 20th, 2024, regular meeting recommended approval of the request for the zoning change from R-1 Single-Family Residential District to R-2 Single-Family Residential (Small Lots) District.

Ayes: Renola, Picha, Klein, Thompson, and Justus.

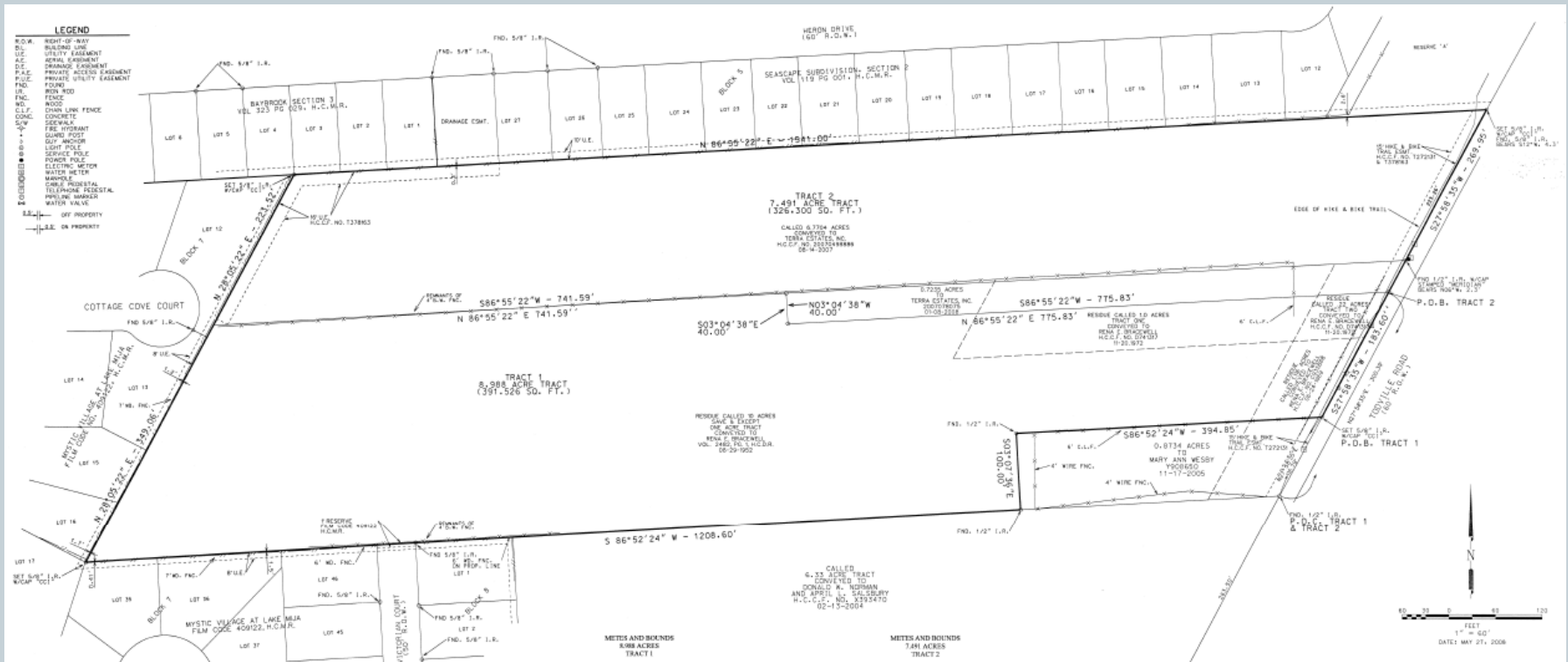
Nays: Rodgers

Absent: Reynolds.

Proposed Rezoning: R-1 to R-2



Survey Exhibit



R-1 Single-Family Detached Residential District



Description: This district is primarily intended for single-family detached residential dwellings and related religious, educational, and recreational facilities normally required to provide the basic elements of a balanced and attractive neighborhood. These areas are intended to be separated and protected from the encroachment of land use activities which do not perform a function necessary to sustain the residential environment. Internal stability, attractiveness, order, efficiency, security, and the maintenance of property values are encouraged by the provision of adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of these various elements. The regulatory provisions of this district are aimed at achieving the specific goals and objectives identified in the Comprehensive Master Plan 2040.

R-1 Regulations



- *Front yard:* All buildings shall be set back from the street right-of-way lines a minimum depth of 25 feet, except cul-de-sac bulbs may have a minimum front setback of 20 feet.
- *Rear yard:* A lot with a primary building located on it must have a rear yard of no less than 15 feet.
- *Side yard:* A total of 15 feet for both sides and no less than five feet on any one side. Corner lots shall have a side setback of not less than ten feet on the corner.
- *Side yards for older subdivisions:* For lots platted prior to July 19, 1970, which are nonconforming as to lot size only, side yard setbacks shall a minimum of five feet.
- *Lot size:* For each single-family dwelling there shall be a lot area of not less than 7,500 square feet. Only one principal building shall be permitted on any lot.
- *Lot width:* Except in the case of those dwellings located on a cul-de-sac terminus, each lot shall have a minimum width of not less than 50 feet at the front building line. Every lot shall abut on a street for a distance of not less than 20 feet.
- *Lot depth:* Each lot must have a minimum depth of not less than 90 feet.
- *Height:* No building or structure may exceed 40 feet in height.

R-2 Single-Family Detached Residential District (Small Lots)



Description: This district is primarily intended for detached single-family residential dwellings of a higher density than is permitted in R-1 and includes zero lot line. This zone also allows for related religious, educational and recreational facilities normally required to provide the basic elements of a balanced and attractive neighborhood. These areas are intended to be separated and protected from the encroachment of land use activities which do not perform a function necessary to sustain the residential environment. Internal stability, attractiveness, order, efficiency, security and the maintenance of property values are encouraged by the provision of adequate light, air and open space for dwellings and related facilities and through consideration of the proper function relationships of these various elements. The regulatory provisions of this district are aimed at achieving the specific goals and objectives identified in the Seabrook Comprehensive Plan 2040.

R-2 Regulations



Single-family detached houses:

1. *Density:* One dwelling unit per lot; no more than seven dwellings per acre.
2. *Front yard:* All buildings shall be set back from the street right-of-way lines a minimum depth of 25 feet, except that lots platted at the same time may have staggered front setback lines, provided that the average of all front setbacks is no less than 25 feet, with no house having less than a 20-foot front setback. Staggered setbacks shall be determined at the time of final plat approval.
3. *Rear yard:* Primary buildings shall be set back at least 15 feet from the rear property line.
4. *Side yard:* All buildings shall have a total of 15 feet for both sides and no less than five feet on any one side. Corner lots shall have a side setback of not less than ten feet on the corner.
5. *Lot size:* Six thousand sq. ft.
6. *Lot width:* Except in the case of those dwellings located on a cul-de-sac terminus, each lot shall have a minimum width of not less than 50 feet at the front building lines. Every lot shall abut on a street for a distance of not less than 20 feet.
7. *Lot depth:* Each lot shall have a minimum depth of not less than 90 feet.

R-2 Regulations



Zero lot line houses:

1. *Density*: No more than seven dwelling units per acre.
2. *Front yard*: All buildings shall be set back from the street right-of-way lines a minimum depth of 25 feet. This setback may be commonly owned or commonly maintained, but must be open, unoccupied land as is required for any setback.
3. *Rear yard*: Primary buildings must be set back at least 15 feet from the rear property line. This setback may be commonly owned and maintained, but must be open unoccupied land as is required for any setback.
4. *Side yard*: Zero on one side and not less than ten feet on the opposite side. Any side yard abutting properties outside of the zero-lot line development shall be at least ten feet. Any side yard abutting a street right-of-way shall be at least ten feet. Houses shall not be less than ten feet apart. This setback may be commonly owned and maintained, but must be open unoccupied land as is required for any setback.
5. *Lot size*: 6,000 sq. ft. per dwelling unit of which 1,000 square feet may be commonly owned or commonly maintained. The common area may contain patios but shall not include streets, drives or parking areas.
6. *Lot width*: Except in the case of those dwellings located on a cul-de-sac terminus, each lot shall have a minimum width of not less than 50 feet at the front building line. Every lot shall abut on a street for a distance of not less than 20 feet.
7. *Lot depth*: No minimum required.

R-2 Regulations



- a. There shall be a minimum of five lots held under the same ownership at the time of final plat approval.
- b. The zero-lot line shall not be a right-of-way line or a property line under different ownership at the time of final plat approval.
- c. The building wall at the zero-side yard shall be constructed according to the fire protection requirements of the building code adopted by the City of Seabrook.
- d. The building walls and garden walls or fences shall be finished with decorative masonry or decorative masonry veneer.

R-2 Regulations



- e. At the zero-lot line, a wall shall be extended from the building wall to the rear lot line and shall be limited to eight feet in height above the finished floor line nearest grade level. Should the zero-lot line home abut the waterfront, this wall shall not be permitted.
- f. Any garden wall crossing the side yard setback shall have a three-foot-wide gate. Such wall shall be no greater than eight feet in height, above the finished floor line nearest grade level.
- g. At the zero-lot line side, no portion of the dwelling or architectural treatment shall encroach on the adjacent property.
- h. Roofs pitched toward the adjoining property on the zero-lot line side shall be guttered and water shall not drain on adjacent property.
- i. A two-car or larger garage shall be required per each dwelling unit.



Questions?

**ORDINANCE NO. 2024-15
AMENDMENT TO THE OFFICIAL ZONING MAP
TO REZONE 16.479 ACRES OF LAND FROM THE CURRENT
CLASSIFICATION OF R-1 TO R-2**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING, 16.479 ACRES OF LAND SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT NO. 52, CITY OF SEABROOK, HARRIS COUNTY, TEXAS, LOCATED AT 4017 TODVILLE ROAD, WHICH IS LOCATED WEST OF TODVILLE ROAD, SOUTH OF W. FLAMINGO DRIVE, AND NORTH OF MYSTIC VILLAGE LANE; BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", FROM (R-1) "SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT" TO (R-2) "SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT (SMALL LOTS)" FOR THE DEVELOPMENT OF A SINGLE-FAMILY DETACHED RESIDENTIAL DEVELOPMENT; 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.

WHEREAS, the applicant, Jerry Yan, Steady Capital, 4622 Riverstone Blvd., Missouri City, Texas 77459, as owner, applied for a zoning change of two tracts of land totaling 16.479 acres, the first containing 8.988 acres being the residue of a called 10-acre tract as recorded in Volume 2482, Page 1, Harris County Deed Records, the residue of a called 1.0-acre tract (tract one), the residue of a called .22 acre tract (tract two) recorded in Harris County Clerk's File No. D741317 and the residue of a called 1.16-acre tract as recorded in Harris County Clerk's File No. C935568 and being located in the Ritson Morris Survey, Abstract No. 52, Harris County Texas; and the second tract of land containing 7.491 acres being all of a called 6.7704-acre tract as recorded in Harris County Clerk's File No. 20070498886 and all of a called 0.7235-acre tract as recorded in Harris County Clerk's File No. 2007078075 and being located in the Ritson Morris Survey, Abstract No. 52, Harris County, Texas, more specifically described in the attached Exhibit "A", which is incorporated by reference for all purposes; and

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

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, public hearings on such request, allowing all persons attending to be heard on the question of whether the changes of the uses being requested would affect the public health, safety, or general welfare of the citizens of Seabrook; and

WHEREAS, the Planning and Zoning Commission recommended approval of this zoning change at its meeting on June 20, 2024, and has made its final report prior to the City Council conducting its public hearing; and

50
51 **WHEREAS**, as a result of the said public hearings and the recommendation of the
52 Planning and Zoning Commission as contained in its final report, the City Council hereby finds
53 and determines that the proposed rezoning should be approved as in the best interest of the
54 community, its health and general welfare.

55
56 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
57 **SEABROOK, STATE OF TEXAS:**

58
59 **SECTION 1. FINDINGS.**

60
61 The facts and matters set forth in the preamble of this Ordinance are hereby found to be
62 true and correct.

63
64 **SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE AND TO THE**
65 **OFFICIAL ZONING MAP.**

66
67 The Seabrook City Code of Ordinances, Appendix A, “Comprehensive Zoning”, Article
68 2, “Administration”, Section 2.05, “Official Zoning Map” is hereby amended by rezoning two
69 tracts of land totaling 16.479 acres, the first containing 8.988 acres being the residue of a called
70 10-acre tract as recorded in Volume 2482, Page 1, Harris County Deed Records, the residue of a
71 called 1.0-acre tract (tract one), the residue of a called .22 acre tract (tract two) recorded in Harris
72 County Clerk's File No. D741317 and the residue of a called 1.16-acre tract as recorded in Harris
73 County Clerk's File No. C935568 and being located in the Ritson Morris Survey, Abstract No. 52,
74 Harris County Texas; and the second tract of land containing 7.491 acres being all of a called
75 6.7704-acre tract as recorded in Harris County Clerk's File No. 20070498886 and all of a called
76 0.7235-acre tract as recorded in Harris County Clerk's File No. 2007078075 and being located in
77 the Ritson Morris Survey, Abstract No. 52, Harris County, Texas, (more specifically described in
78 the attached Exhibit “A”, incorporated by reference).

79
80 Upon passage of this Ordinance, the official zoning map of the City of Seabrook shall
81 be amended to reflect this rezoning.

82
83 **SECTION 3. INCORPORATION INTO THE CODE; PENALTY CLAUSE.**

84
85 This ordinance is hereby incorporated and made a part of the Seabrook City Code.
86 Violation of this Ordinance is subject to the penalty section of said Code including, Section
87 11.06, “Criminal Enforcement” which provides that any person who shall violate any provision of
88 this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in
89 an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

90
91 **SECTION 4. REPEAL OF CONFLICTING ORDINANCES.**

92
93 All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are
94 hereby expressly repealed.

95
96
97
98 **SECTION 5. SEVERABILITY.**
99

100 In the event any phrase, provision, sentence, or part of this Ordinance or the application
101 of the same to any person or circumstances shall for any reason be adjudged invalid or held
102 unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this
103 Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or
104 unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have
105 passed every part of the same notwithstanding the omission of any such part thus declared to be
106 invalid or unconstitutional, whether there be one or more parts.
107

108
109 **SECTION 6. NOTICE.**
110

111 The City Secretary shall give notice of the enactment of this Ordinance by promptly
112 publishing it or its descriptive caption and penalty after final passage in the official newspaper of
113 the City; the Ordinance to take effect upon publication.
114

115 **PASSED, APPROVED, AND ADOPTED** on first reading with a quorum present, by an
116 affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City
117 Charter Section 2.10 on this 20th day of August 2024.
118

119 **PASSED, APPROVED, AND ADOPTED**, as revised on final reading with a quorum present,
120 by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook
121 City Charter Section 2.10 on this 3rd day of September 2024.
122

123
124 By: _____
125 Thomas G. Kolupski, Mayor
126

127 ATTEST:
128

129 By: _____
130 Rachel Lewis, City Secretary
131

132
133 APPROVED AS TO FORM:
134

135 _____
136 David Olson, City Attorney
137
138
139
140
141
142
143

144
145

Exhibit “A” to Ordinance No. 2024-11

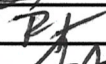
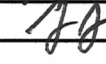
Planning & Zoning Commission OFFICIAL REPORT

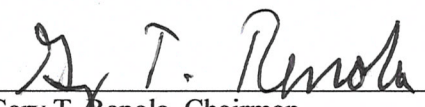
The Planning and Zoning Commission of the City of Seabrook met on JUNE 20, 2024 to hold a meeting to consider:

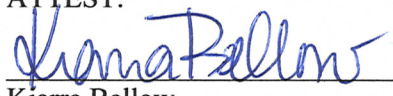
Conduct a public hearing to take all appropriate action on a request for approval of a Final Planned Unit Development (PUD), to create, "5815 Old Hwy 146 Monroe Quiet Warehousing Project", comprising of two 23,980 square foot tilt wall constructed warehouses located on a 3.695-acre tract of land.

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL ☒ APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW) ☐ DENIAL ☐
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on JUNE 20, 2024, as designated below and as certified by the signature of the Chairman.
This document is not valid unless signed by the Chairman/Presiding Commissioner.

<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Gary Renola					
Darrell Picha					
Scott Reynolds					
Ed Klein					
Guy Rogers					
Rhonda Thompson					
Jared Justus					


Gary T. Renola, Chairman
Planning & Zoning Commission

ATTEST:

Kiarra Bellow
Administrative Assistant

LEGAL DESCRIPTION:

A tract of land containing 3.695 acres (160,967 square feet), more or less, out of the Ritson Morris Survey, Abstract 52, in Harris County, Texas, and being a that same tract of land as described as four acres save and except 0.315 acres to the State of Texas in Harris County Clerk's File No. M513651 of the Deed Records, Harris County, Texas, said tract being more fully described by metes and bounds as follows:

BEGINNING at a "X" in a rock path at the Northwest corner of a called 8.822 acre tract as described in Deed recorded in RP-2017-104300, Deed Records, Harris County, Texas, with the Easterly right of way line of State Highway No. 146, and being the Southwest corner of the tract herein described;

THENCE with the North line of said 8.822 acre tract, South 89 deg. 34 min. 53 sec. East 1,209.79 feet to a found 3/8 inch iron rod, the Southeast corner of this tract, Southwest corner of a called 3.0410 acre tract described in Deed recorded in RP-2017-432-412, Deed Records, Harris County, Texas, from which the Northeast corner of the above mentioned 8.822 acre tract bears South 89 deg. 34 min. 53 sec. East, 173.14 feet;

THENCE North 00 deg. 38 min. 00 sec. East, along the East line of the herein described tract, same being the West line of said 4.00 acre tract, a distance of 139.81 feet (Called North 140.00 feet) feet to a found 3/4 inch iron rod, the Northeast corner of this tract, and along the South line of a called 4.294 acre tract as described in Deed recorded in Z426803, Deed Records, Harris County, Texas;

THENCE North 89 deg. 34 min. 17 sec. West, along the North line of the herein described tract, same being the South line of said 4.294 acre tract, a distance of 1,091.98 feet to a found 3/8 inch iron rod on the Easterly right of way line of State Highway No. 146, for the Northwest corner of this tract;

THENCE with the Easterly right of way line of said Highway No. 146, being a curve to the right with a radius of 1,102.14 feet, arc length of 70.32 feet (Chord Bears South 39 deg. 19 min. 48 sec. West 70.14 feet) to a found TXDOT Concrete Monument;

THENCE with the Easterly right of way line of said Highway No. 146, South 41 deg. 13 min. 33 sec. West, a distance of 112.88 feet to the POINT OF BEGINNING.

Exhibit "B"

"Quiet Warehousing" Planned Unit Development District Plan

Ordinance No. 2024-11

("LI / C2-PUD")

May 2024

3.695 Acres

Applicant:
Starship Texas City, LLC
925 Marina Bay Drive
Kemah, Texas 787565
281-334-6594

"Quite Warehousing" Planned Unit Development District Plan

Ordinance No. 2024-11

A. Contents

- General Provisions
- Permitted Land Use
- Proposed Land Use
- Development Regulations
- Building Regulations

B. General Provisions

1. The PUD approved herein must be constructed, developed, and maintained in compliance with this Ordinance. This district is intended to serve the needs of fabrication, assembling, warehousing and wholesaling businesses. Because of its proximity to residential environs, the land use activities and related operational characteristics of the district are regulated to a greater extent and rigid performance standards must be followed. The district is designed to accommodate land use activities that will meet the community goals and policies enumerated in Comprehensive Master Plan 2040.

2. Except as otherwise provided herein, the words used in this PUD have the meaning established by the Zoning ordinance. In this ordinance.

Accessory building means a building subordinate to the principal building and includes detached garages.

Open Space means the portion of all land contained within the PUD that is not covered by buildings, Parking lots, driveways, improved pedestrian areas, or other impermeable material.

PUD means the planned unit development district created by this ordinance.

Shared/Common Driveway means a privately owned and maintained vehicular access way that Provides access from a public street to residential or non-residential units.

3. The PUD shall be developed in accordance with the following exhibits that are attached to and made Part of this document.

Exhibit D-1:	Location Map
Exhibit D-2:	Aireal Plan
Exhibit D-3:	Site Plan
Exhibit D-4:	Parking Layout
Exhibit D-5:	Open Space & Landscape Plan
Exhibit D-6:	Sign and Solid Waste Enclosure Details
Exhibit D-7:	Existing Utilities, Proposed Utilities
Exhibit D-8:	Building Elevations
Exhibit D-9:	Development Schedule
Exhibit D-10:	Drainage Plan
Exhibit D-11:	Lighting Plan

4. As shown on Exhibit D-1, *Location Map*, the PUD encompasses approximately 3.695 acres of land along the East Right Of Way line of Old Highway 146, and North of Red Bluff Road.
5. Development of two (Tilt Wall Port Warehouses) each containing 24,000 square foot of floor space, office space, reception area, break rooms. Private concrete drive, landscaping, lighting, signage, parking, security fencing, open space requirements, detention/pond and utilities as shown on Exhibit D-3, *Site Plan*.
6. Separate refuse containers will serve each Warehouses and will not be visible from Old Hwy 146 or Red Bluff Road. Exhibit D-6, *Sign and Solid Waste Enclosure Details*.
7. All Signage shall meet the minimum standards of the City's requirements established in Article-6 Sign Standards, as shown on Exhibit D-6, *Sign and Solid Waste Enclosure Details*.

C. Permitted Land Uses

1. A Single tract of land containing approximately 3.695 acres, unded (LI – Light Industrial District) warehousing is a permitted use and falls under the Comprehensive Master Plan 2040. Per (LI – Light Industrial District) inorganic and/or organic compounds are prohibited: The manufacture, processing, distilling, refining, or storage of inorganic and/or organic compounds related to the chemical industry at the manufacturing location or site (this includes petrochemical and petroleum-based products, specialty chemicals, agricultural products, and pulp and paper products) other than those customarily found in normal day-to-day uses and applications (i.e., gasoline service station) is prohibited.

D. Proposed Land Use

1. This PUD development of two (Tilt Wall Port Warehouses) each containing 24,000 square foot of floor space, office space, reception area, break rooms. Warehousing Port related materials and products distributed through the U.S. Private concrete drive(s), landscaping, lighting, signage, parking, security fencing, open space requirements, detention/pond and utilities as shown on Exhibit D-2, *Site Plan*, contingent on the following conditions:

E. Development Regulations

1. Maximum height of buildings:
 - a. 40 feet maximum.
 - b. The height limitations specified in this subsection do not apply to church steeples, spires, belfries, cupolas, or other normal appurtenances usually required to be placed above the roof level and not intended for human occupancy.
2. Open Space Requirements:
 - a. Existing area 3.695 Acres totaling (160,954 square feet.) 20% open spaces required equaling 32,190 square feet, development Open Space Provided equaling 49,603 square feet.
 - b. Separate refuse containers will serve each Warehouses and will not be visible from Old Hwy 146 or Red Bluff Road. Exhibit D-6, *Sign and Solid Waste Enclosure Details*.
3. Security Fencing:
 - a. 6' foot high galvanized chain link fence with 3 rails of barbed wire, will be installed along the boundary of the site, including access man gates, automatic roll gate at the entrance.
4. Parking and Paving:
 - a. Parking shall be in accordance with article 5 of this ordinance. Please see the comprehensive off-street parking regulation matrix, found at the end of article 5. Except as provided for on Exhibit D-4.
 - b. All parking lots and vehicle use areas shall meet the City of Seabrook Code Ordinance and must be constructed of concrete, driveway will be constructed out of concrete, as shown on Exhibit D-4, *Parking Plan*.

5. Building Setback:

- a. A minimum front yard set back shall be 35' feet, as shown on Exhibit D-2, Site Plan.
- b. A minimum side yard set back shall be 15' feet, as shown on Exhibit D-2, Site Plan.
- c. A minimum rear yard set back shall be 15' feet, as shown on Exhibit D-2, Site Plan.

Building Area:

- a. Not more than 50% of total site area shall be covered by building mass.

7. Landscape & Lighting Regulations:

- a. Landscaping shall be in accordance with article 5 to 7 of the City code or ordinance.
- b. Lighting used to illuminate paving areas, parking areas, building facades, shall be arranged, located, screened to direct light away from existing single-family residential lots.

8. Prohibited Uses

- a. Inorganic and/or organic compounds prohibited: The manufacture, processing, distilling, refining, or storage of inorganic and/or organic compounds related to the chemical industry at the manufacturing location or site (this includes petrochemical and petroleum-based products, specialty chemicals, agricultural products, and pulp and paper products) other than those customarily found in normal day-to-day uses and applications (i.e., gasoline service station) is prohibited.
- b. Rail tracks, lines, spurs, yards, storage and marshaling areas and all other associated rail uses are prohibited.
- c. Shipping/storage containers whether used for outside storage, as an inhabited structure or for any other purpose are prohibited. Exception: A shipping container is permitted on site while on a trailer chassis.
- d. Industrial limits: No use shall cause, create, or allow the emission of air contaminants which at the emission point or within the bounds of the property are:

In violation of the standards, specified by the Texas Commission on Environmental Quality or the Texas Clean Air Act; or

Of such capacity as to obscure an observer's view to a degree equal to or greater than does smoke or contaminants.

No commercial or industrial use shall be located or operated within the city which emits odorous matter from a source of operation where the odorous matter exceeds the odor threshold at the boundary property line or any point beyond the tract on which such use or operation is located. The odor threshold as set forth shall be determined by the Texas Commission on Environmental Quality.

G. Building Regulations

- a. Color palette shall be uniformly for both warehouses.
- b. Primary exterior finishes shall be concrete tilt wall construction, store front glass.

Roof materials shall be limited to the following:

- a. Flat Roof – Shall meet the requirements as required by the IBC.

H. Density

- a. Two primary building per lot.

I. Buffering and screening

- a. Buffer yards shall be of such nature and density so as to screen activities, structures and uses on the property from view from the normal level of a first story window on an abutting lot and shall further

provide a year-round effective visual screen. Buffer yards are measured from the property line towards the building line and are divided in two parts: (1) a landscaping or free space buffer beginning at the property line and; (2) a secondary buffer that may be used for driveways and loading, provided that parking shall not be permitted in any portion of the minimum required buffer yard. Any property containing a use in this zoning district which adjoins or abuts any property classified in any other zone shall provide the following: as shown on Exhibit D-5, Open Space & Landscape plan.

- b. Front yard minimum Landscape setback shall be 20' feet, Side and Rear minimum setback requirement shall be 15' feet. The landscape buffer (the portion of the yard beginning at the property line) shall be reserved for landscaping only. Existing tree cover shall be maintained in accordance with section 30-211 et seq. "Tree Protection and Preservation" of the City Code of Ordinances. Other landscaping and supplemental plantings to create an adequate buffer may be added in accordance with the city's ordinances. The remaining buffer yard may be used for driveways and loading. However, parking shall not be permitted in any portion of the minimum required buffer yard.
- c. Minimum height of 6' foot galvanized chain link fence with 3 rails of barbed wire shall be constructed around the entire perimeter of the of the property, providing entrance and access gates.
- d. All exterior dumpster/garbage/waste containers or storage containers and dumpsters shall be placed no more than 15 feet from the primary building and shall be screened so that they are not visible from off the property. Each trash enclosure shall be constructed of masonry walls.
- e. Rooftop or ground level mechanical equipment shall be totally screened from view by using either parapet walls at the same height of the mechanical units for rooftop mounts or by providing screening for ground mounted units.

Exhibit "D-9"

"Quit Warehousing" Planned Unit Development District Plan

Quit Warehousing Development Schedule

The following is an estimated time line for Plans Designs, Plans Review and Plan Approvals:

Second Quarter 2024 – Plan Design; Civil, Architectural, Mechanical, Electrical, Plumbing, Sprinkler

Third Quarter 2024 - Completion of Plan Design, Submittal for Plan Review and Approvals

Fourth Quarter 2024 - Plan Review and Plan Approvals

The following is an estimated time line for Project Construction:

First Quarter 2025 – Commence Underground utilities, Detention Pond, Site Grading

Second Quarter 2025 - Commence Concrete Pavement, Building Foundations, Site Fencing

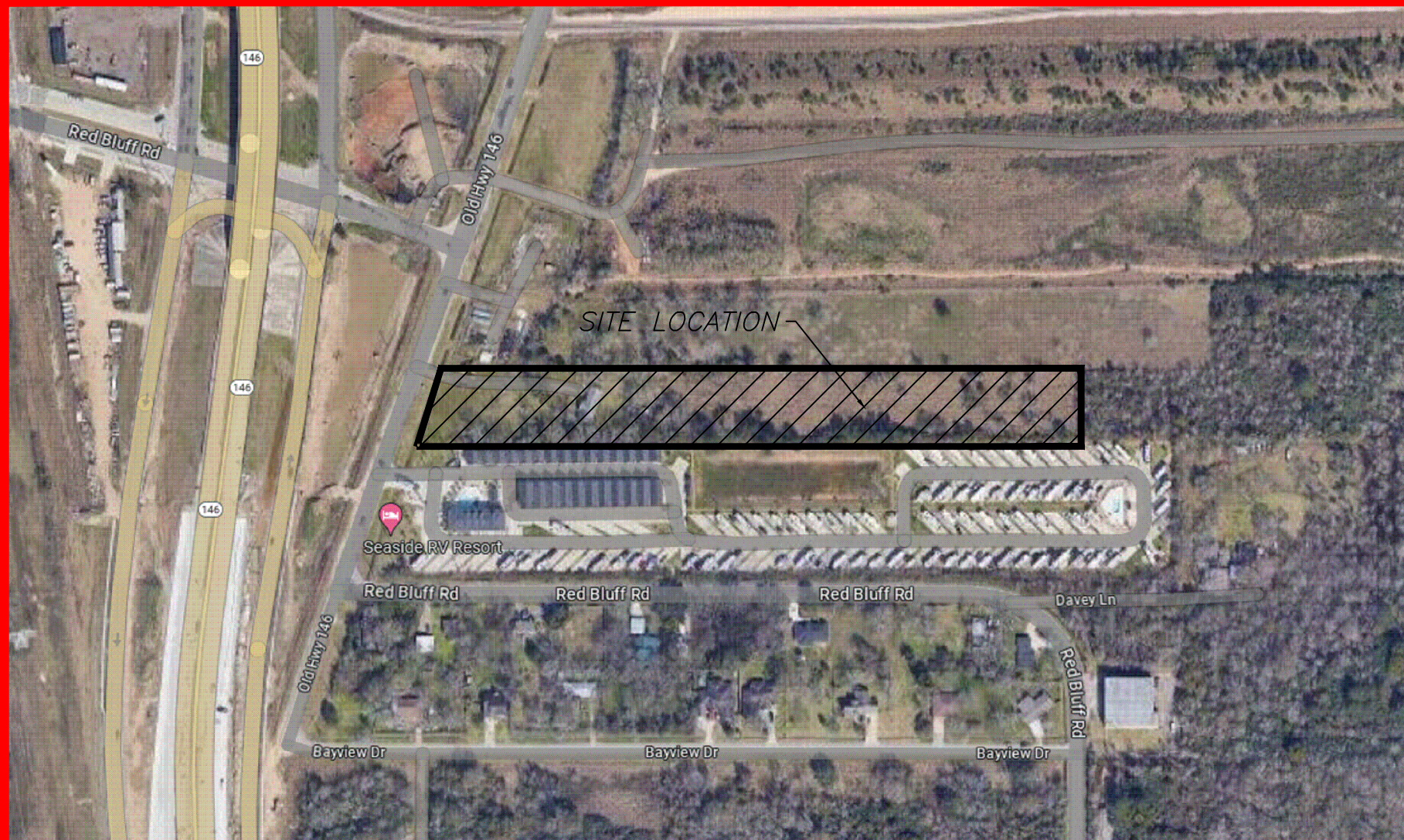
Third Quarter 2025 - Commence Tilt Wall Buildings, Roof System, Sprinkler Installation, Exterior Painting

Fourth Quarter 2025 - Commence Interior Conversion, Store Front Glass, Landscaping, Signage

The following is an estimated time line for Project Construction:

First Quarter 2026 – Finalize Miscellaneous Items, Clean Up, Hand Over Buildings

Dissolution of the PUD: Should the PUD project fail to meet the schedule as approved by the city council the PUD classification and related permits may be at the discretion of the City Council be terminated and, the land shall return to the zoning that existed immediately prior to the PUD conditional approval.

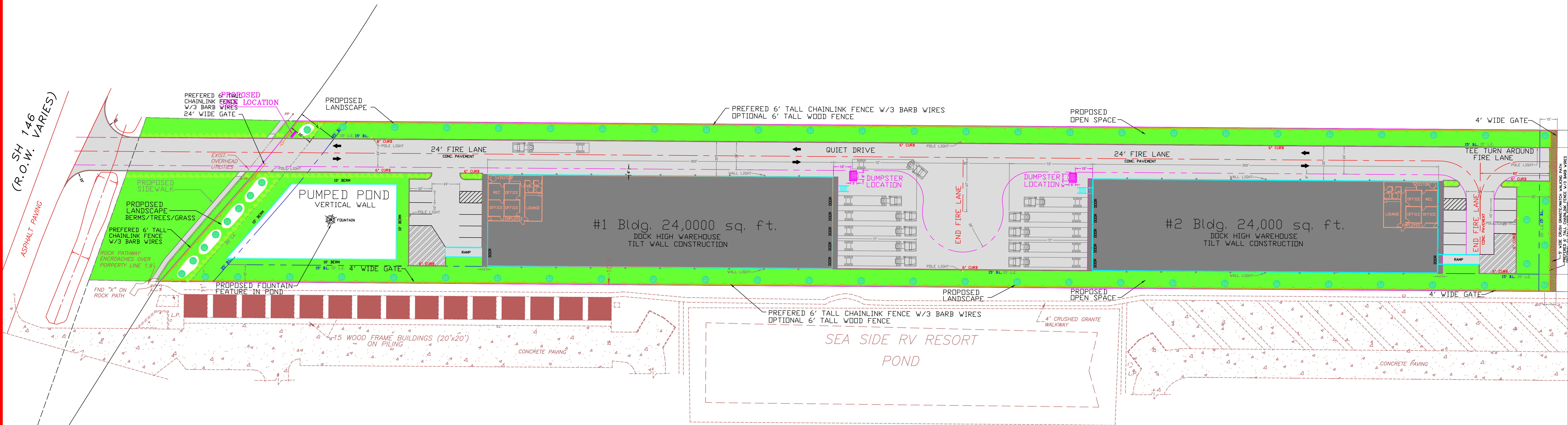
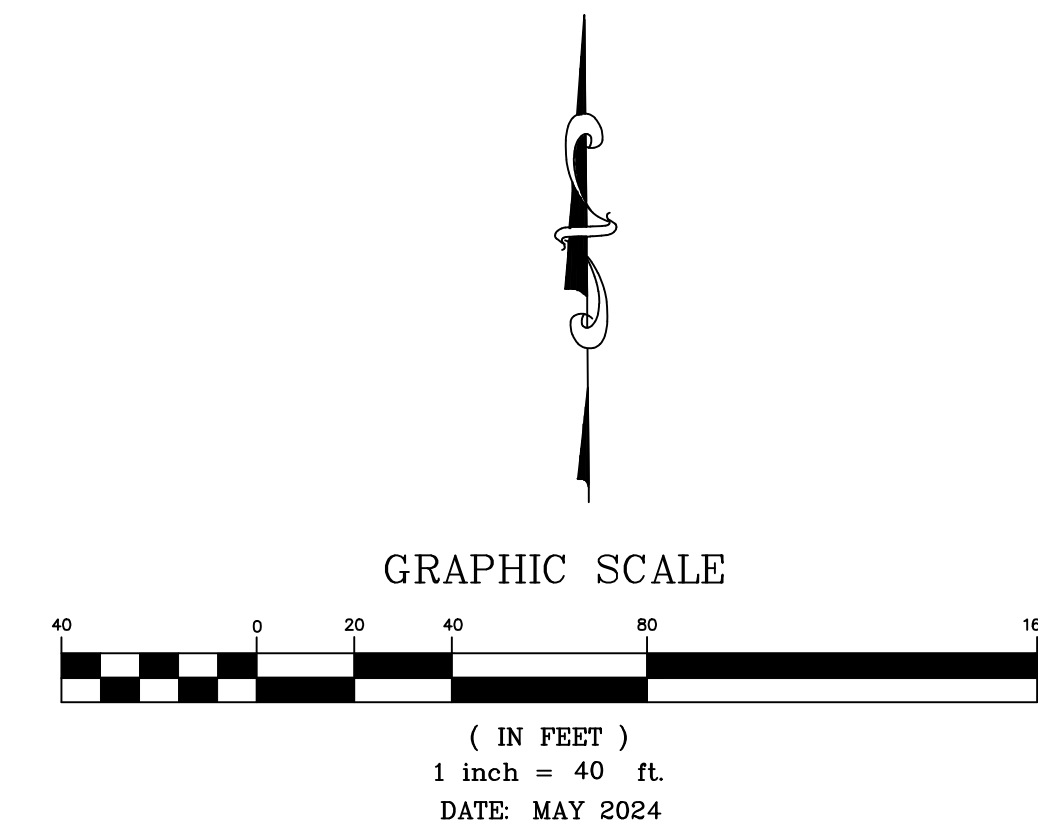


KEY MAP
N.T.S.

”QUIET WAREHOUSING”

”LI / C2-PUD”

DEVELOPED BY
STARSHIP TEXAS CITY, LLC

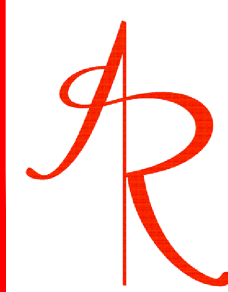


LOCATION PLAN

EXHIBIT D-1

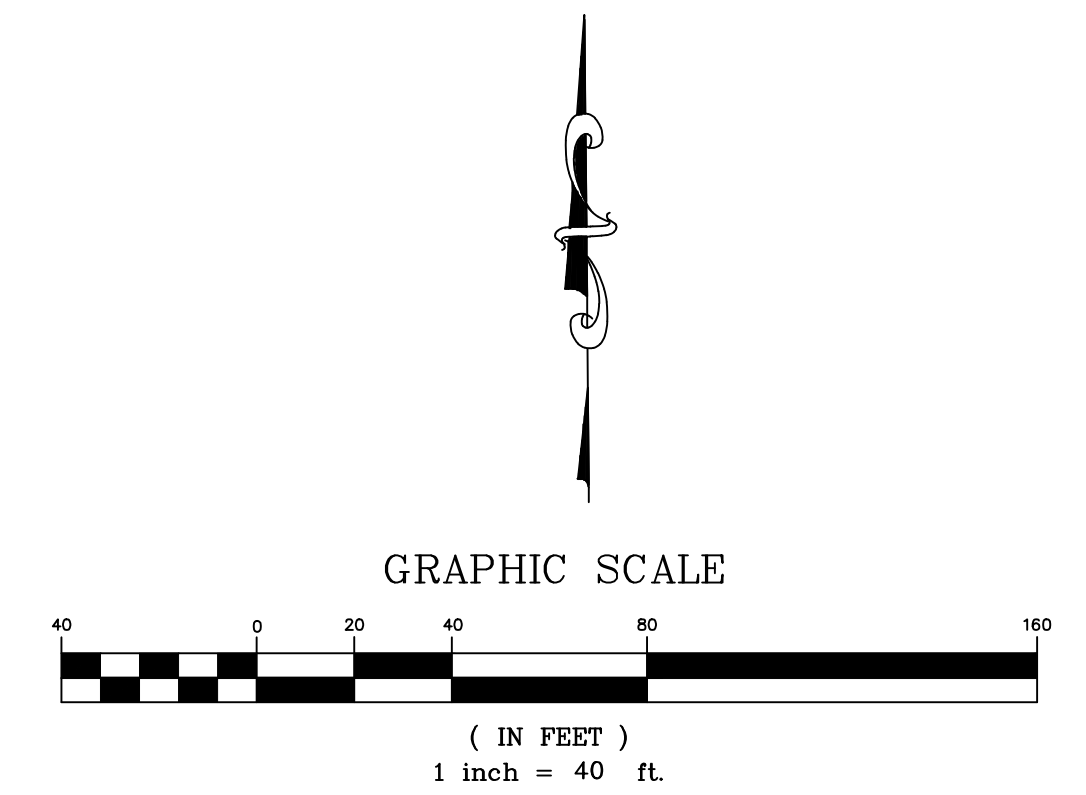
N 88°50'00" W 1287.48'

RED BLUFF ROAD (60' R.O.W.)



AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

"LI / C2-PUD"
 DEVELOPED BY
 STARSHIP TEXAS CITY, LLC



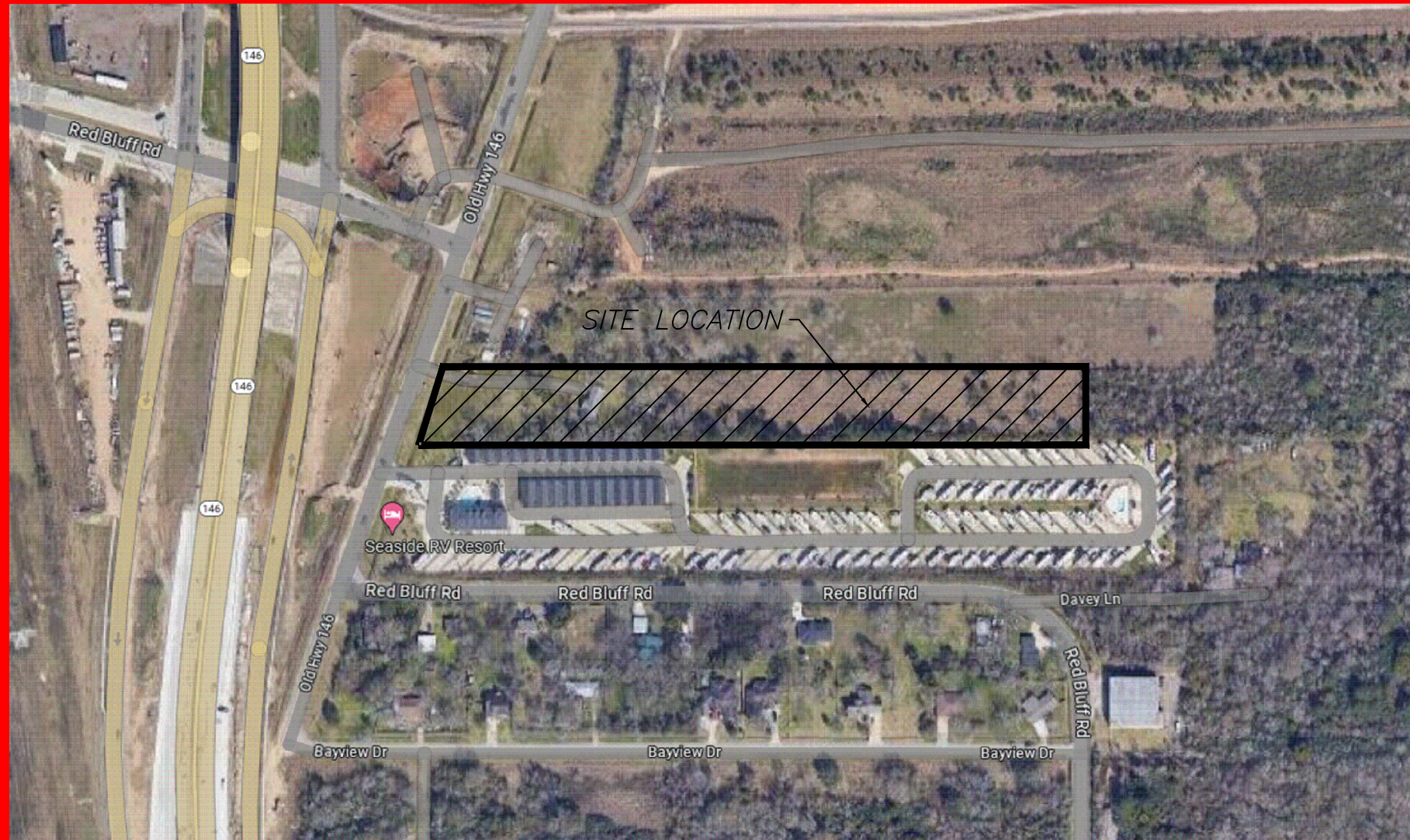
AERIAL PLAN
EXHIBIT D-2

Red Bluff Rd

SEA SIDE RV RESORT POND

RED BLUFF ROAD (60' R.O.W.)

AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

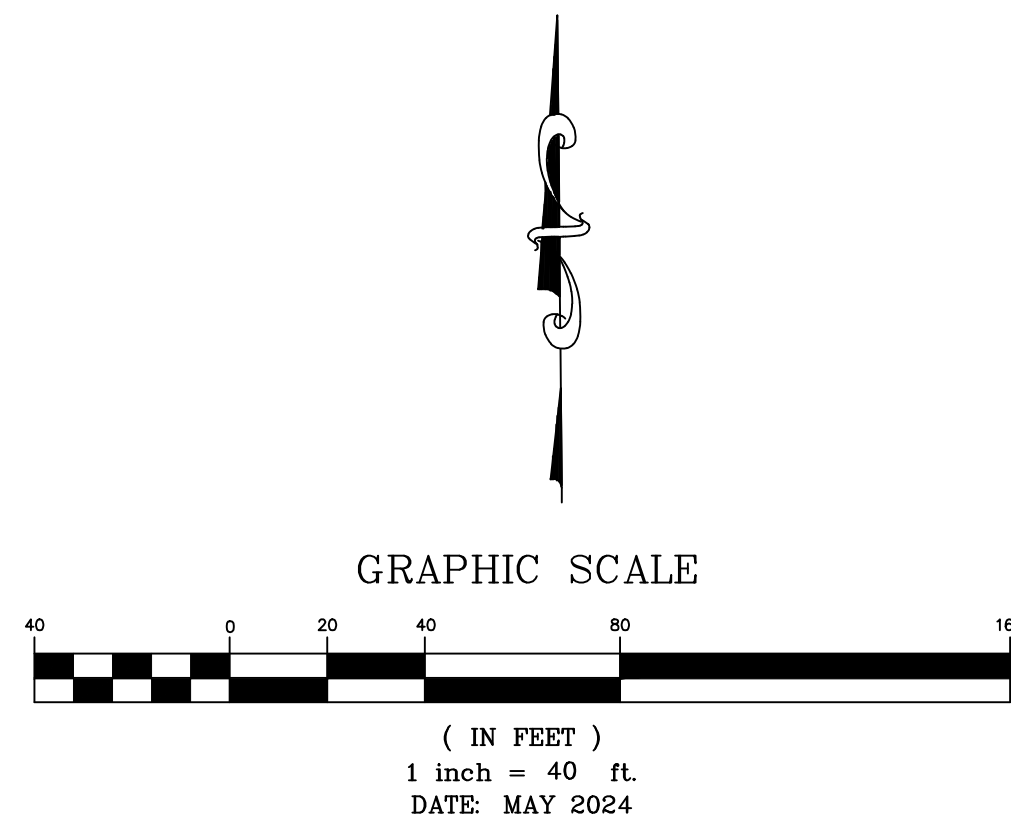


KEY MAP
N.T.S.

”QUIET WAREHOUSING”

”LI / C2-PUD”

DEVELOPED BY
STARSHIP TEXAS CITY, LLC



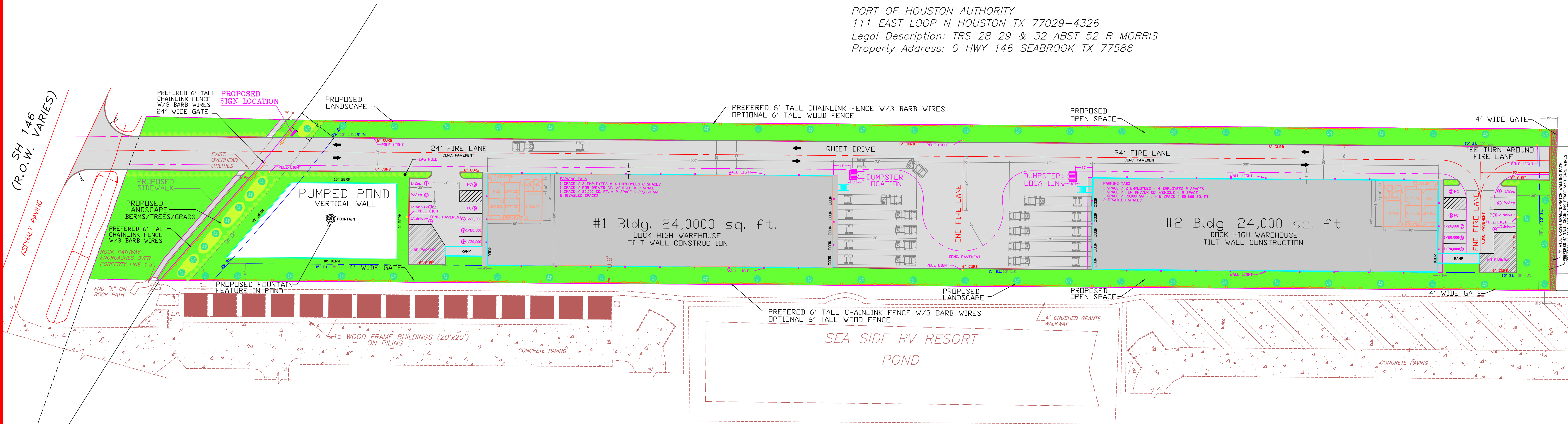
PROPERTY OWNERS 500 FEET NORTH

PORT OF HOUSTON AUTHORITY

111 EAST LOOP N HOUSTON TX 77029-4326

Legal Description: TRS 28 29 & 32 ABST 52 R MORRIS

Property Address: 0 HWY 146 SEABROOK TX 77586



PROPERTY OWNERS 500 FEET SOUTHG

STARSHIP SEASIDE SEABROOK RV RESORT LLC

925 MARINA BAY DR KEMAH TX 77565-2572

Legal Description: TR 31 ABST 52 R MORRIS

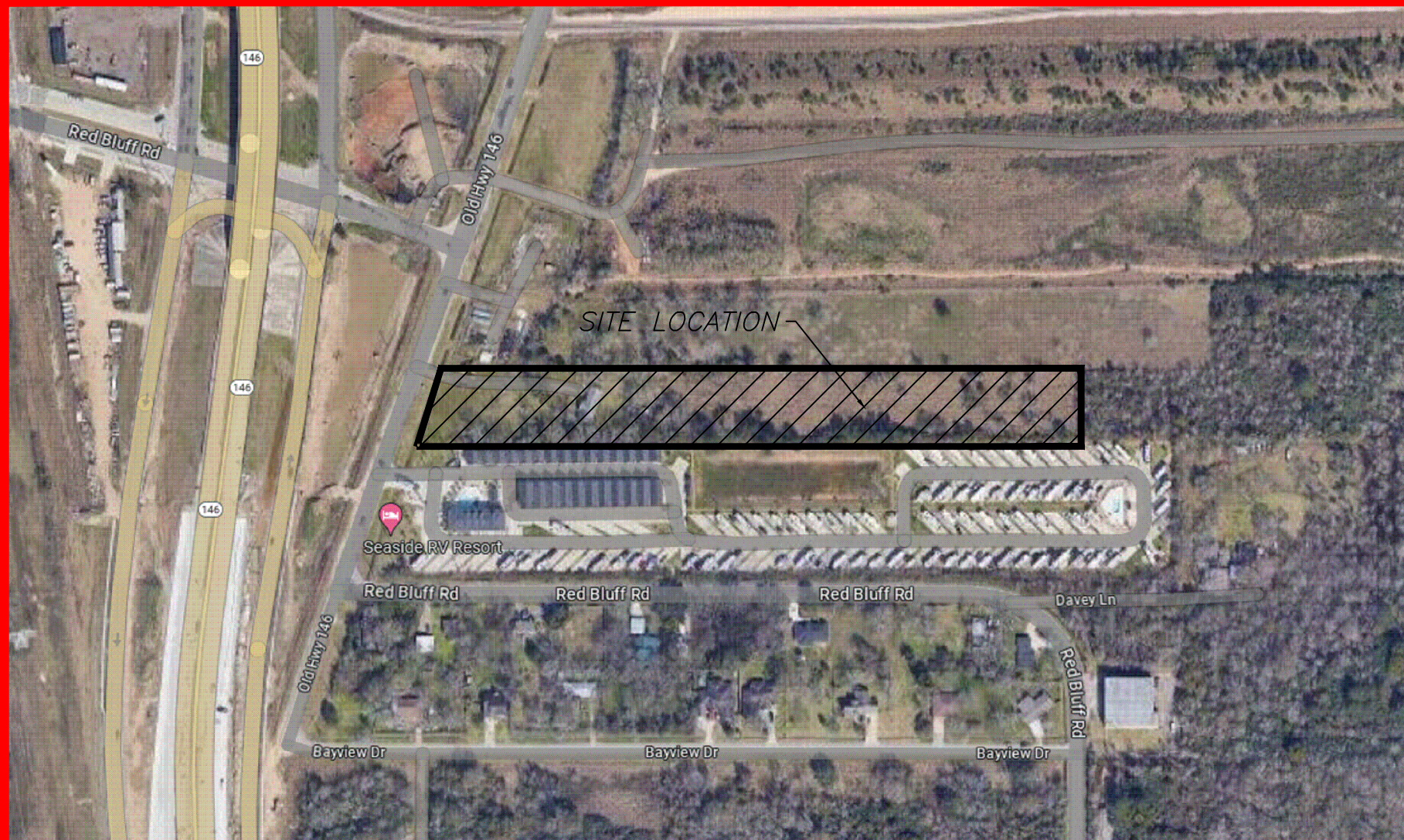
Property Address: 4001 OLD HWY 146 SEABROOK TX 77586

SITE PLAN
EXHIBIT D-3

N 88°50'00" W 1287.48'

RED BLUFF ROAD (60' R.O.W.)

AVERY RYAN & COMPANY
2419 DAVIS BLVD SUITE 302 DIMROD ST BACLIF TX 77518-2037 Legal Description: LT 25 & W 1/2 OF LT 26 BAYSHORE ACRES Property Address: 0 RED BLUFF RD SEABROOK TX 77586
HIGHLANDS JOSE F OLIVERA 1921 RED BLUFF SEABROOK TX 77586-1609 Legal Description: LT 24 BAYSHORE ACRES Property Address: 1921 RED BLUFF RD SEABROOK TX 77586
713- SANCHEZ NORMA A 1307 GLENCREST DR PASADENA TX 77502-5127 Legal Description: LT 23 BAYSHORE ACRES Property Address: 0 RED BLUFF RD SEABROOK TX 77586
SANCHEZ ARTURO M & NORMA A 1307 GLENCREST DR PASADENA TX 77502-5127 Legal Description: LT 22 BAYSHORE ACRES Property Address: 0 RED BLUFF RD SEABROOK TX 77586
c_benjamin austin sherry 1937 RED BLUFF RD SEABROOK TX 77586-1609 Legal Description: LTS 20 & 21 BAYSHORE ACRES Property Address: 1937 RED BLUFF RD SEABROOK TX 77586

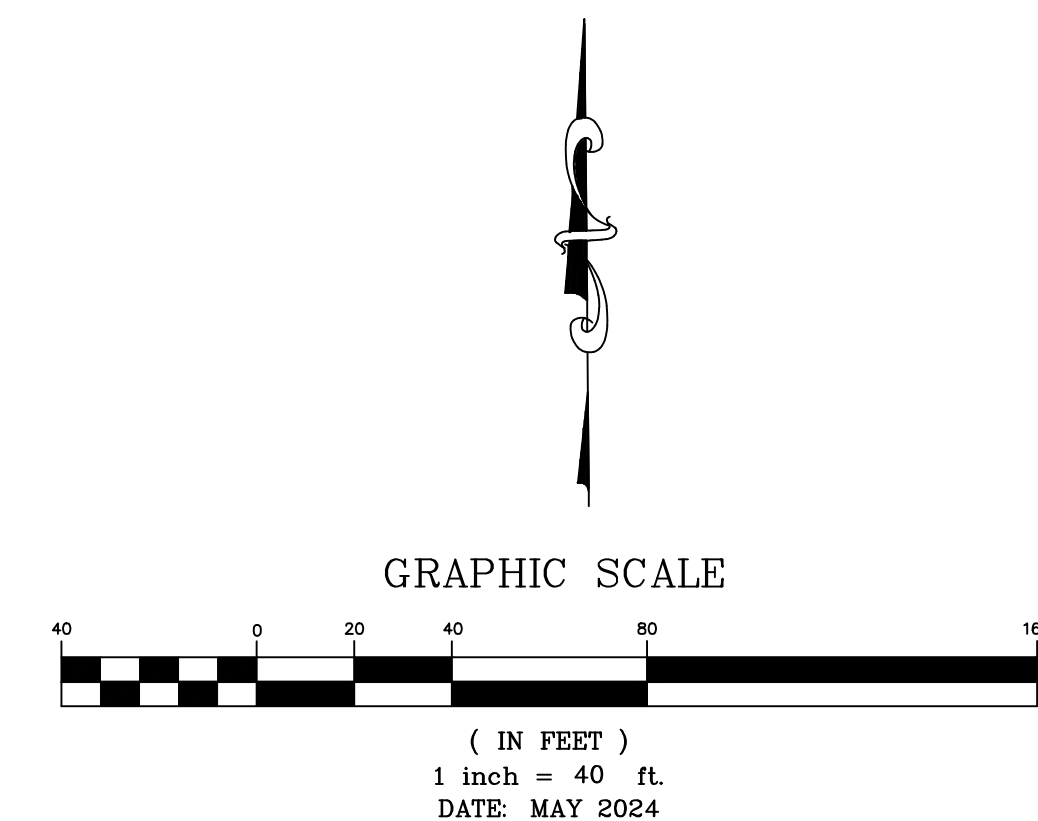


KEY MAP
N.T.S.

”QUIET WAREHOUSING”

”LI / C2-PUD”

DEVELOPED BY
STARSHIP TEXAS CITY, LLC

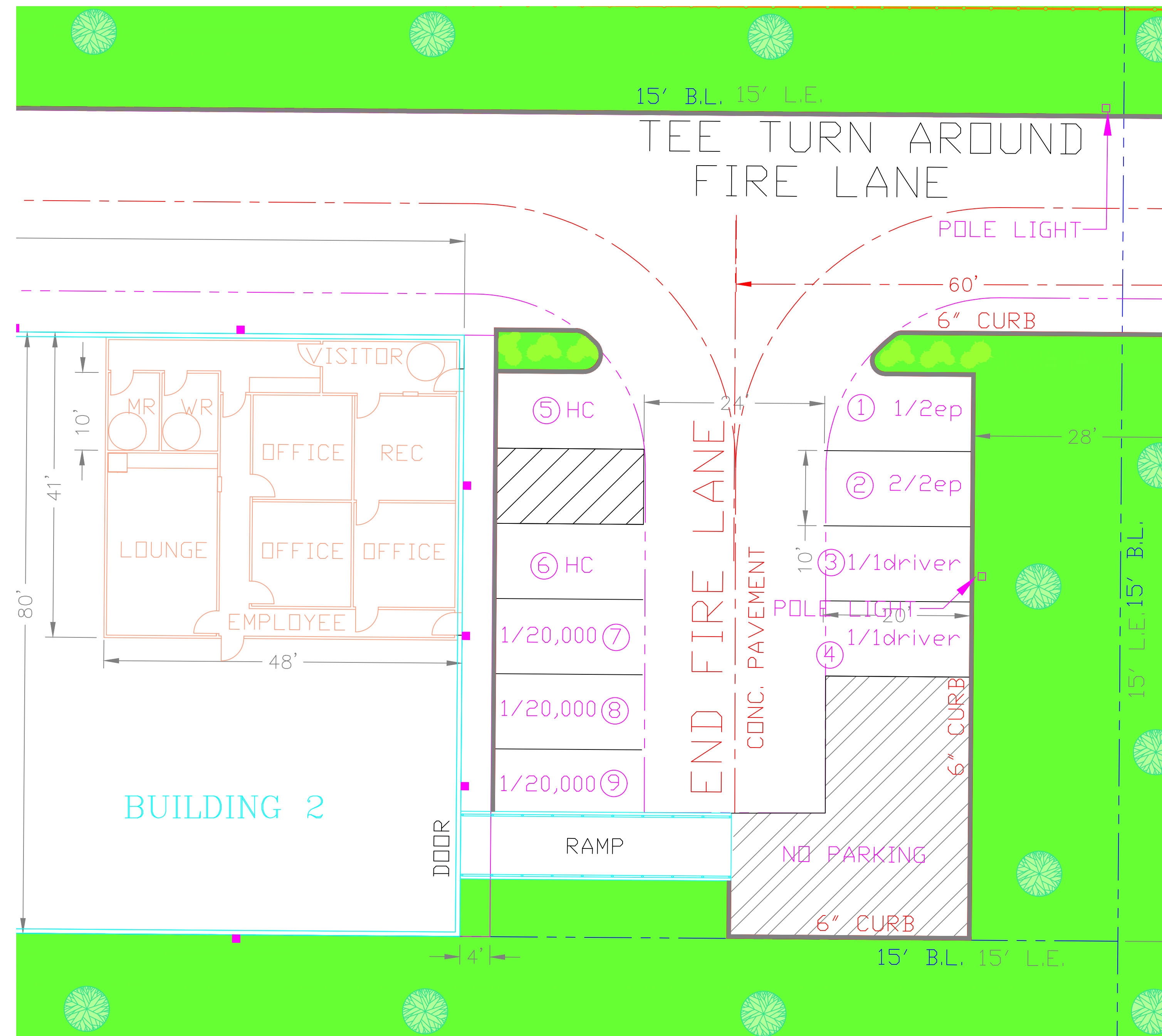
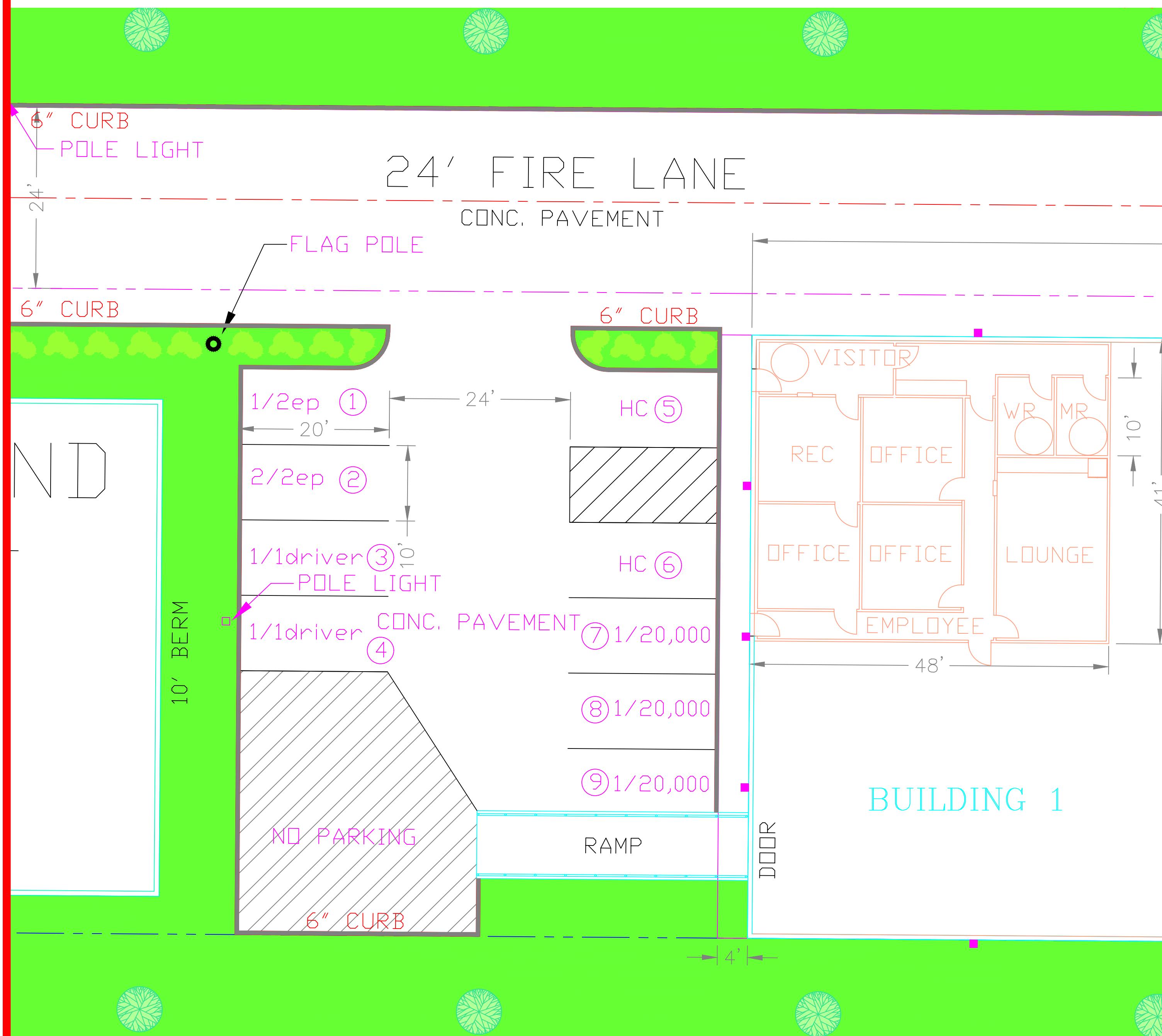


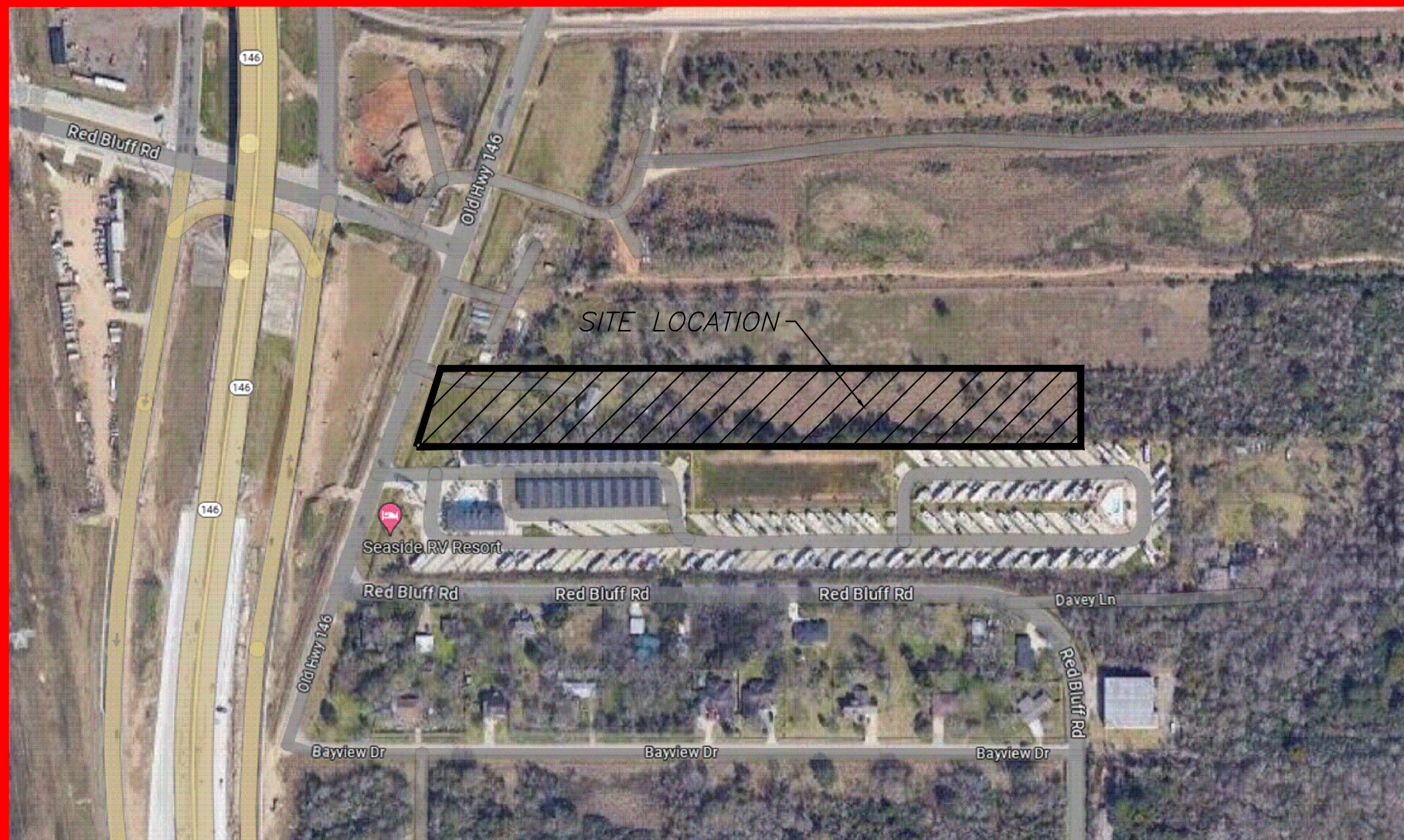
BUILDING #1 PARKING TABS

- 1 SPACE / 2 EMPLOYEES = 4 EMPLOYEES 2 SPACES
- 1 SPACE / FOR DRIVER CO. VEHICLE = 2 SPACE
- 1 SPACE / 20,000 SQ. FT. = 2 SPACE < 24,000 SQ. FT.
- 2 DISABLED SPACES

BUILDING #2 PARKING TABS

- 1 SPACE / 2 EMPLOYEES = 4 EMPLOYEES 2 SPACES
- 1 SPACE / FOR DRIVER CO. VEHICLE = 2 SPACE
- 1 SPACE / 20,000 SQ. FT. = 2 SPACE < 24,000 SQ. FT.
- 2 DISABLED SPACES



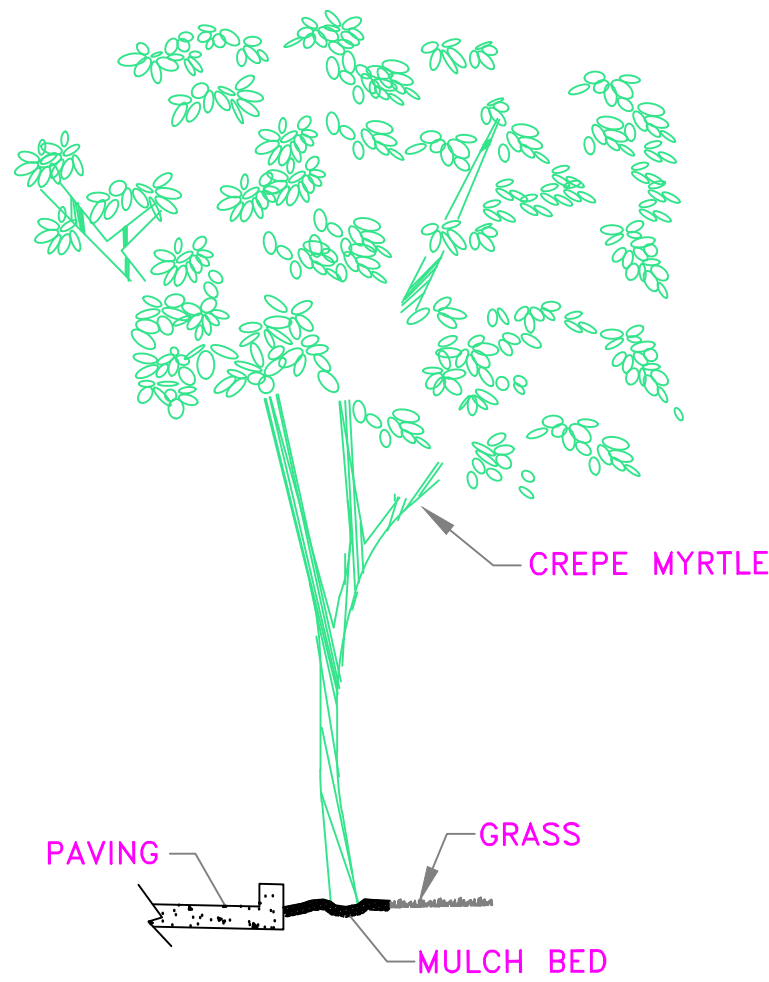


KEY MAP
N.T.S.

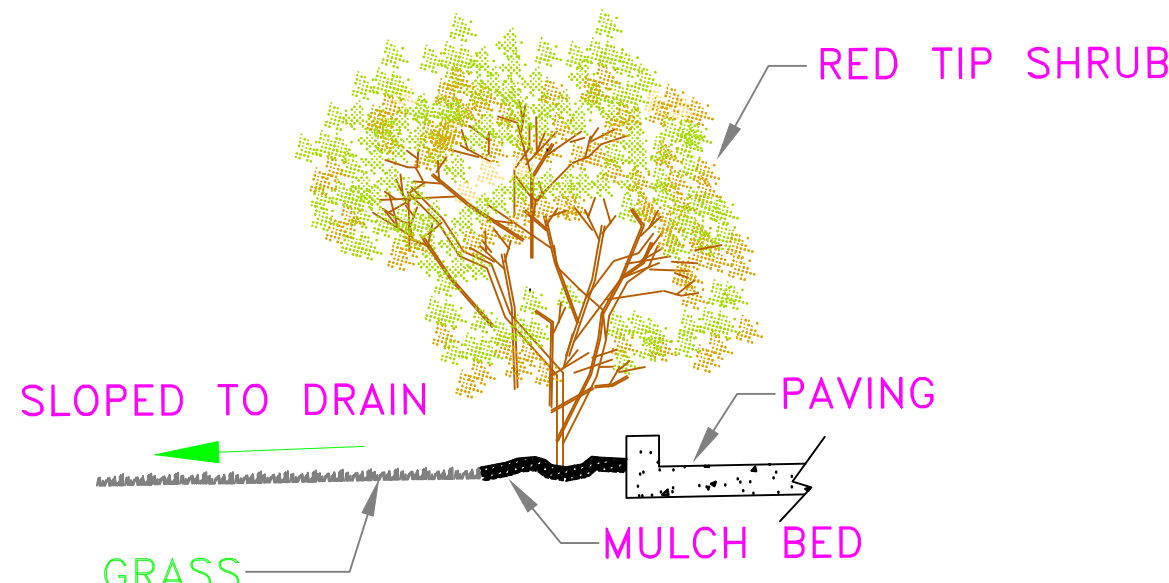
” QUIET WAREHOUSING ”

”LI / C2-PUD”

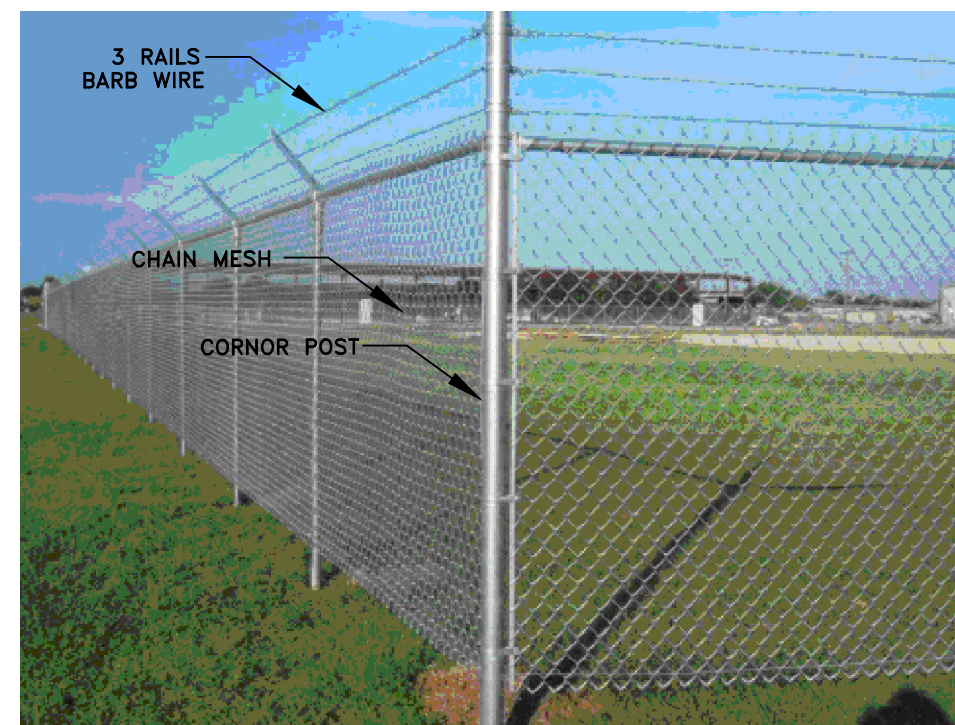
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STARSHIP TEXAS CITY, LLC



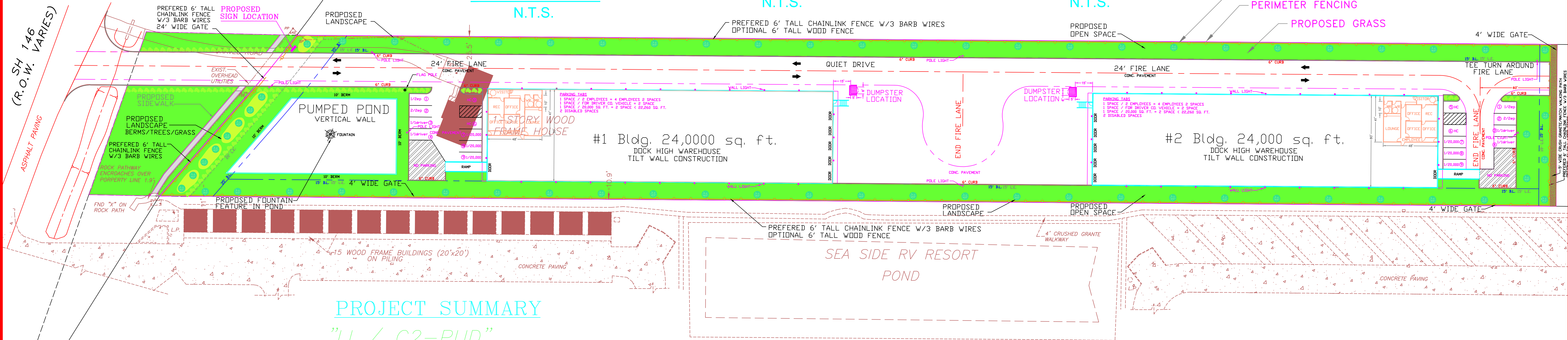
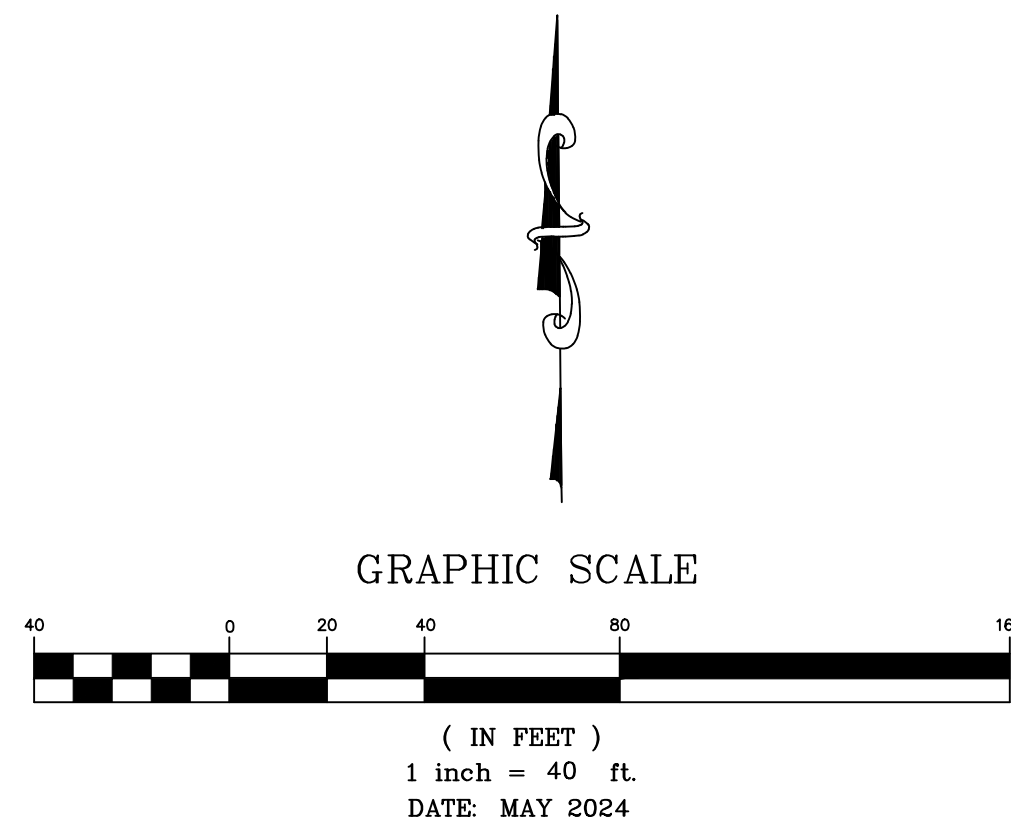
SECTION "B"
N.T.S.



SHRUBS
N.T.S.



PERIMETER FENCING
N.T.S.



PROJECT SUMMARY

”LI / C2-PUD”

2 - TILT WALL WAREHOUSE BUILDINGS = 24,000 SQ. FT. EACH
TOTAL AREA = 3.695 ACRES or 160,954 SQ. FT.

”OPEN SPACE TOTALS”

EXISTING= 3.695 ACRES TOTAL LAND (160,954 sq. ft.)

32,190 sq. ft. REQUIRED OPEN SPACE

49,603 sq. ft. POND & GREEN SPACES PROVIDED

”EXISTING UTILITIES” (CITY OF SEABROOK)

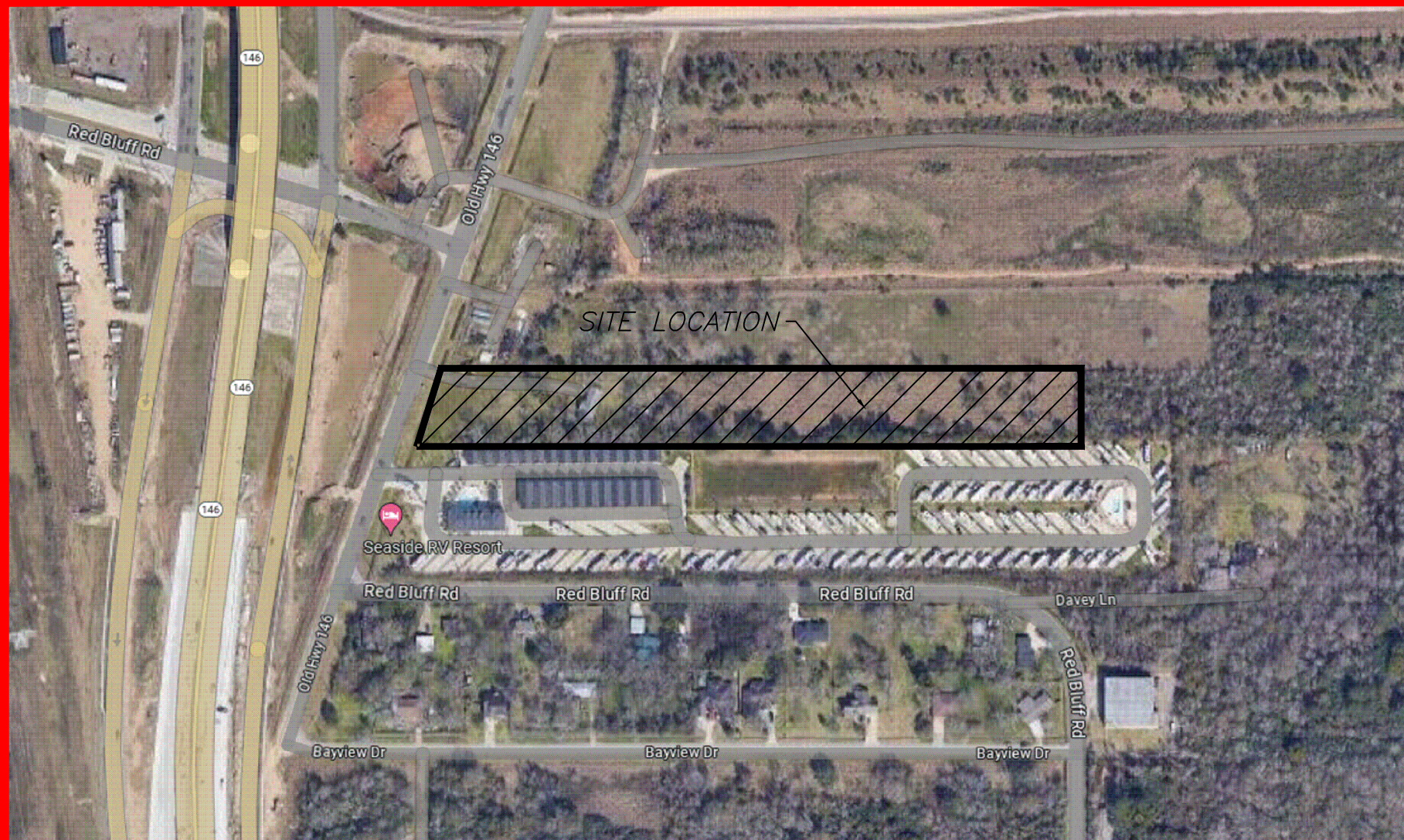
EXISTING= 12” WATER AND 12” SANITARY SEWER

OPEN SPACE &
LANDSCAPE PLAN
EXHIBIT D-5

N 88°50'00” W 1287.48’

RED BLUFF ROAD (60’ R.O.W.)

 AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

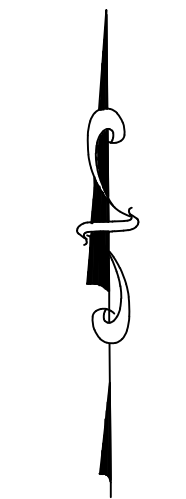


KEY MAP
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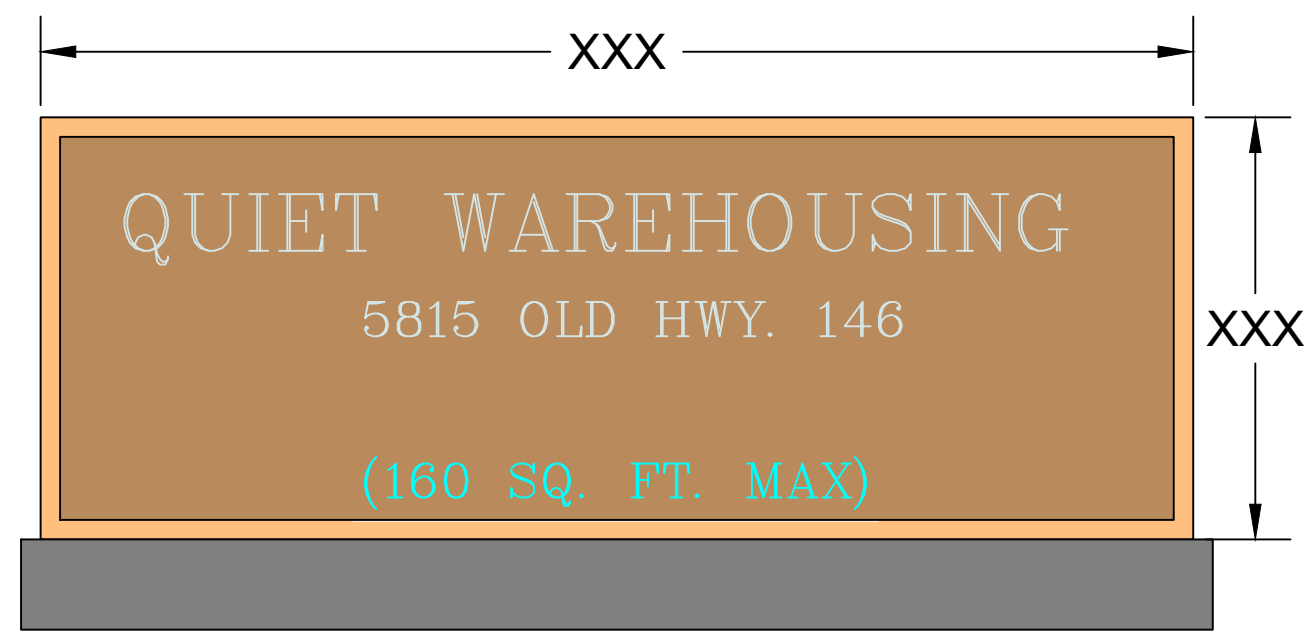
”QUIET WAREHOUSING”

”LI / C2-PUD”

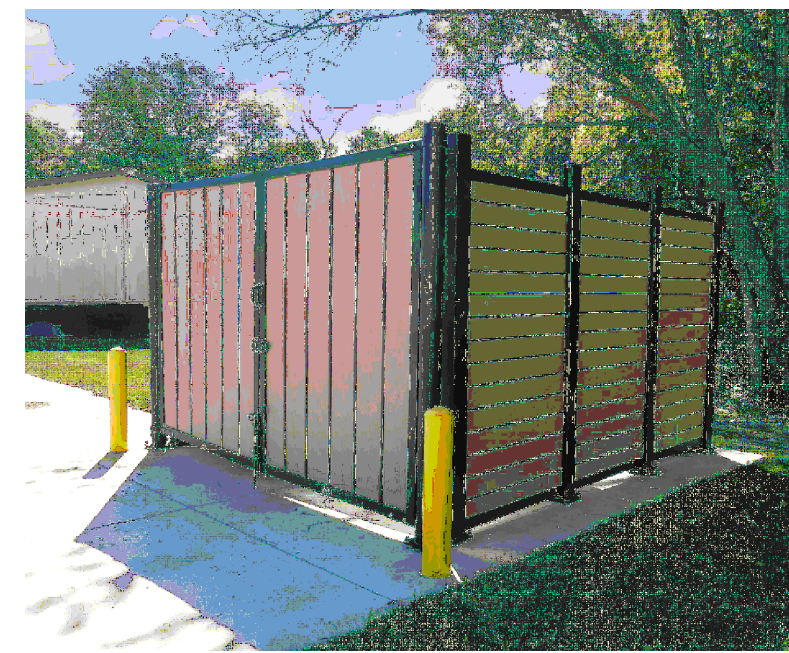
DEVELOPED BY
STARSHIP TEXAS CITY, LLC



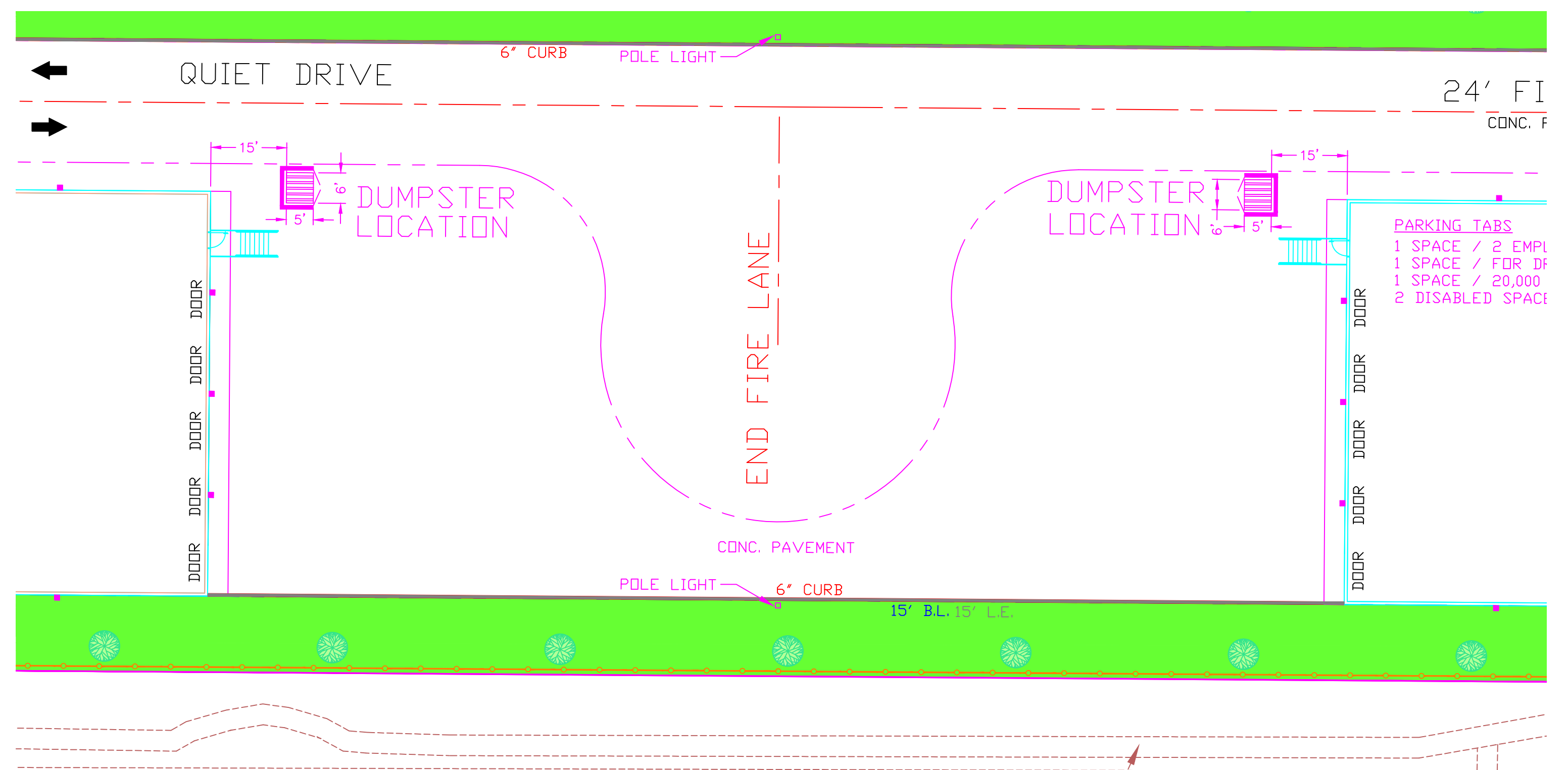
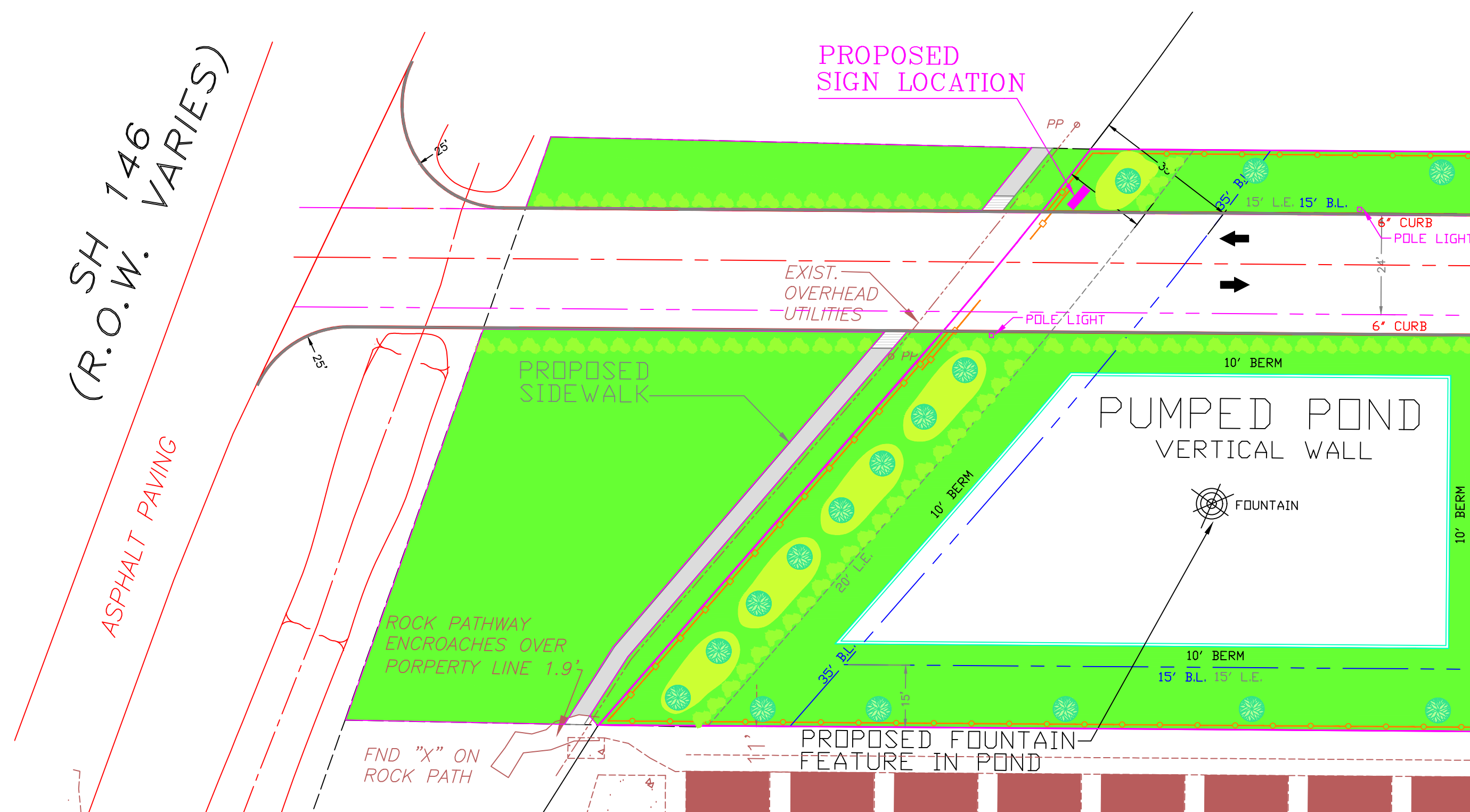
N.T.S.
DATE: MAY 2024



PROPOSED SIGNAGE

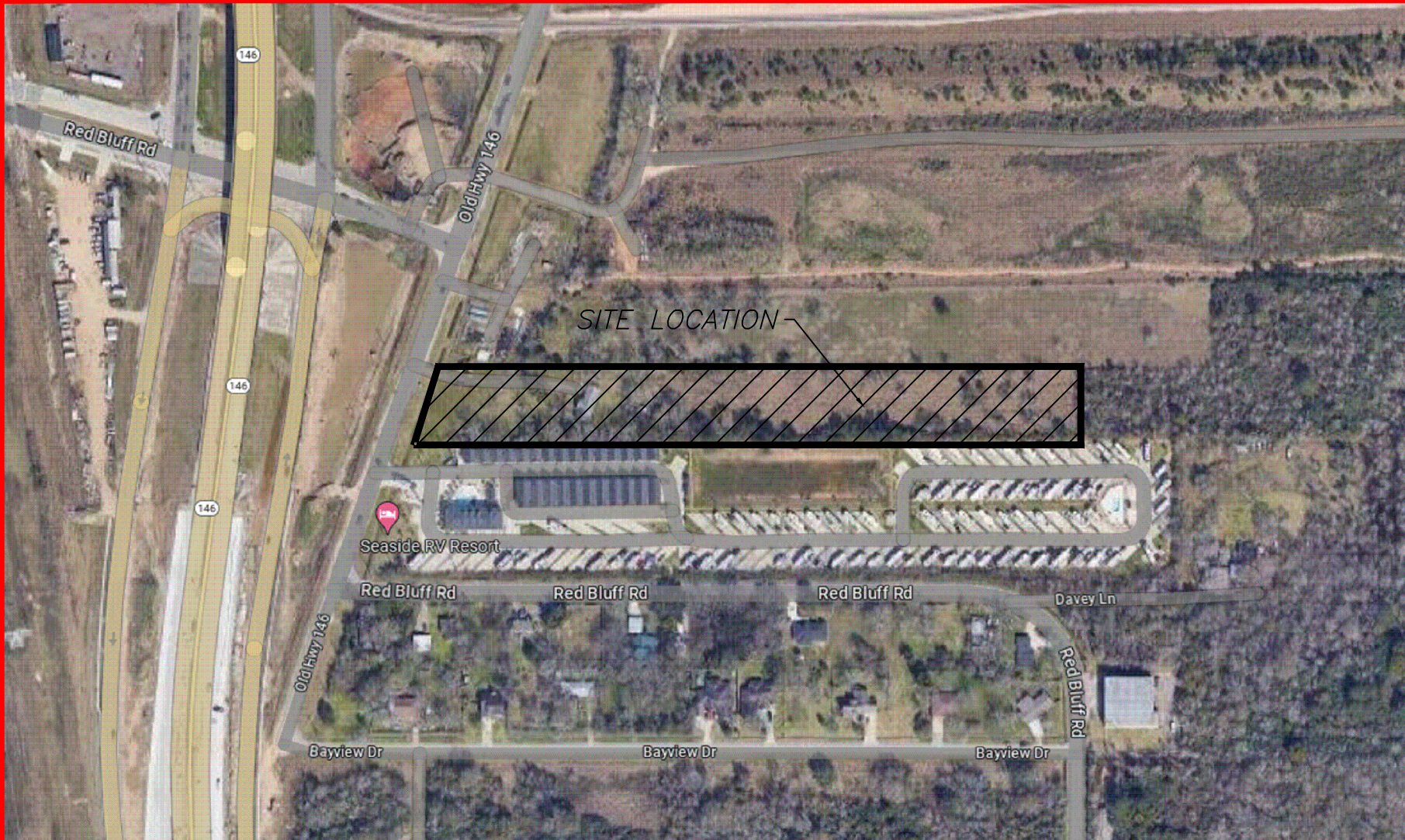


PROPOSED ENCLOSED DUMPSTER



 AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

SIGN & SOLID
WASTE PLAN
EXHIBIT D-6

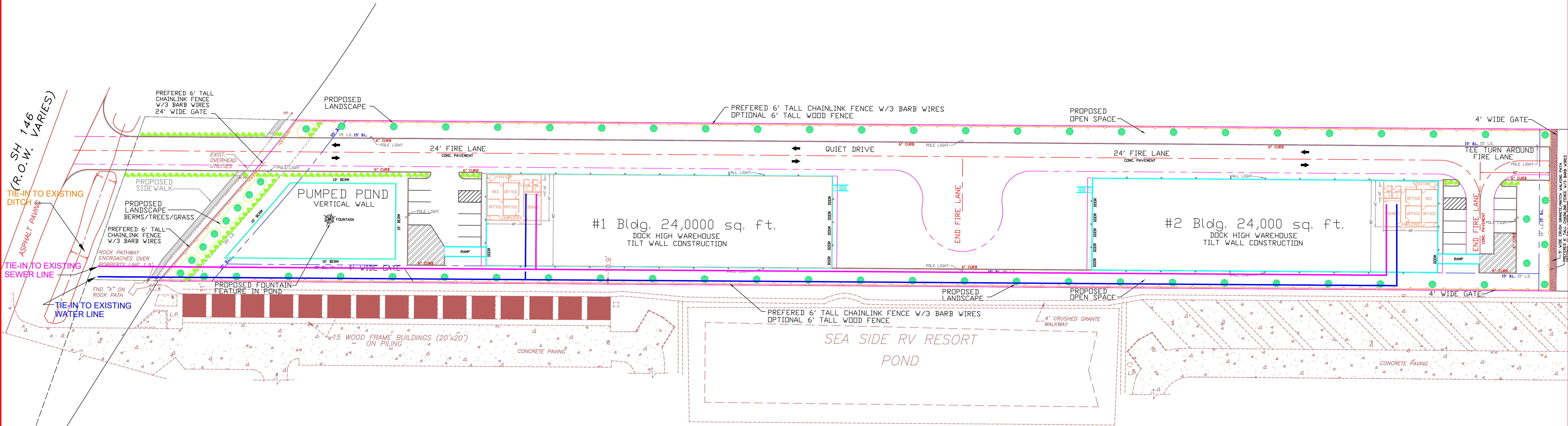
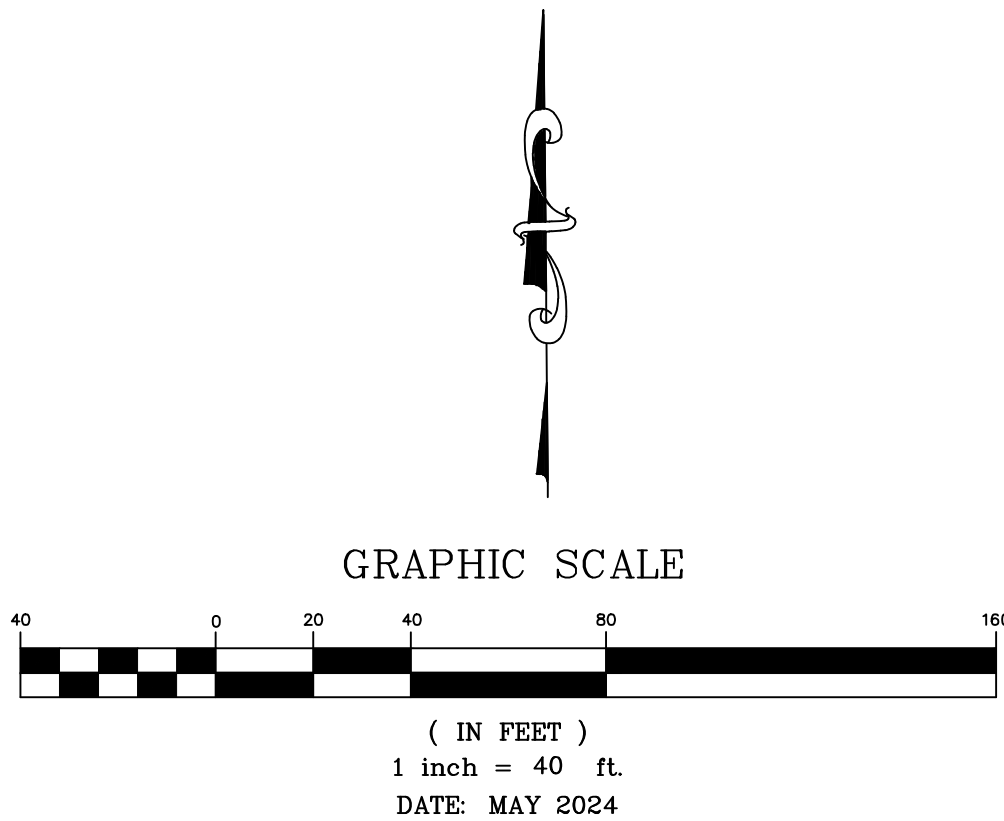


KEY MAP
N.T.S.

”QUIET WAREHOUSING”

”LI / C2-PUD”

DEVELOPED BY
STARSHIP TEXAS CITY, LLC



SANITARY SWR. AND WATER LEGEND
■ SAN. SWR.
■ WATER

EXISTING UTILITIES &
PROPOSED UTILITIES
EXHIBIT D-7

N 88°50'00" W 1287.48'

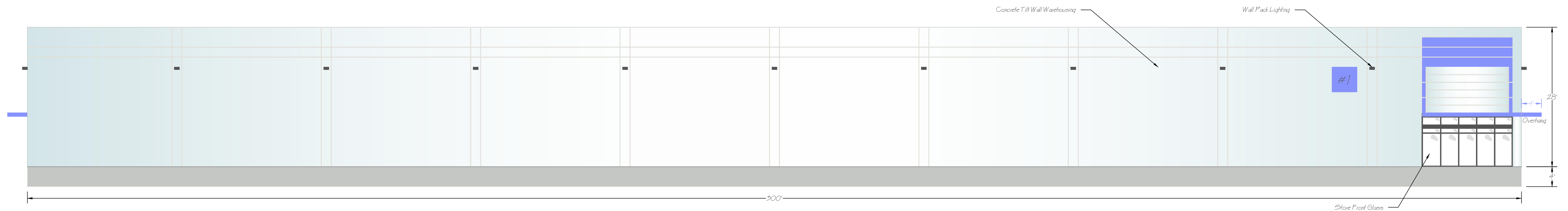
RED BLUFF ROAD (60' R.O.W.)

 AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

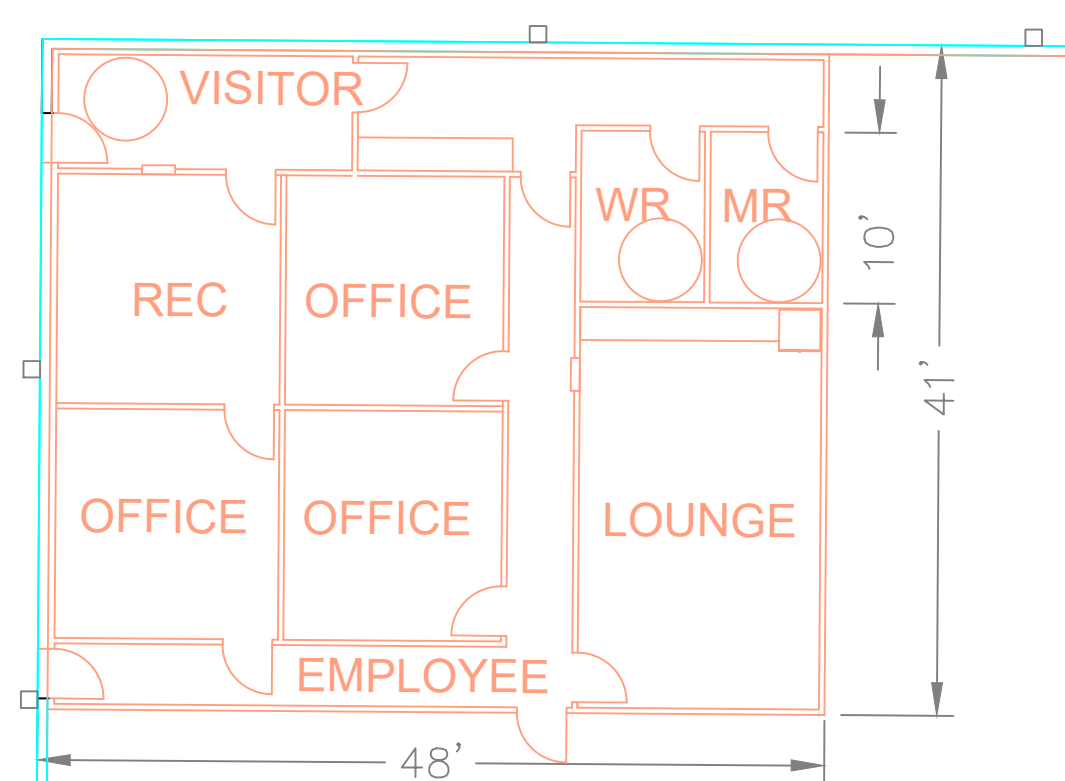
” QUIET WAREHOUSING ”

”LI / C2-PUD”

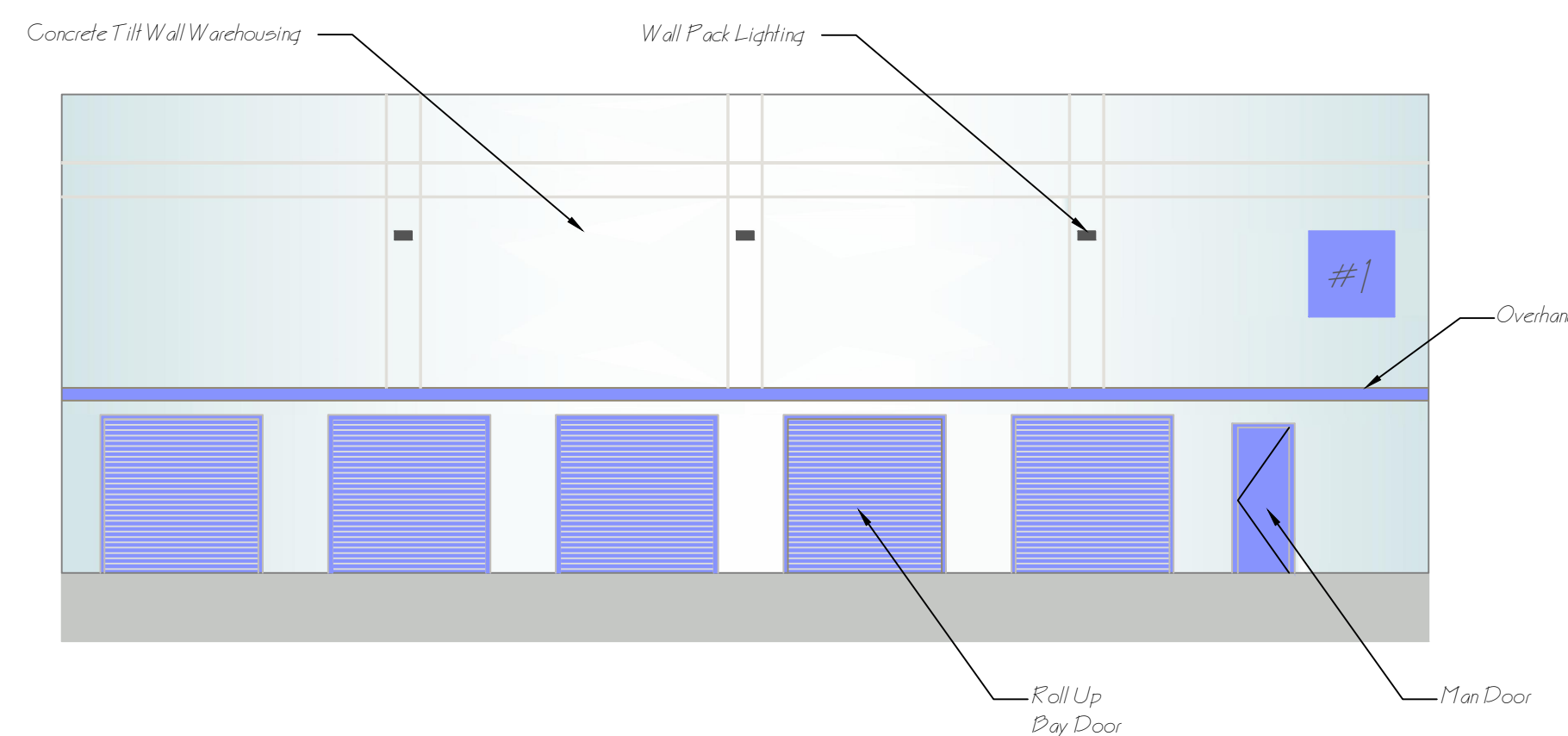
DEVELOPED BY
STARSHIP TEXAS CITY, LLC



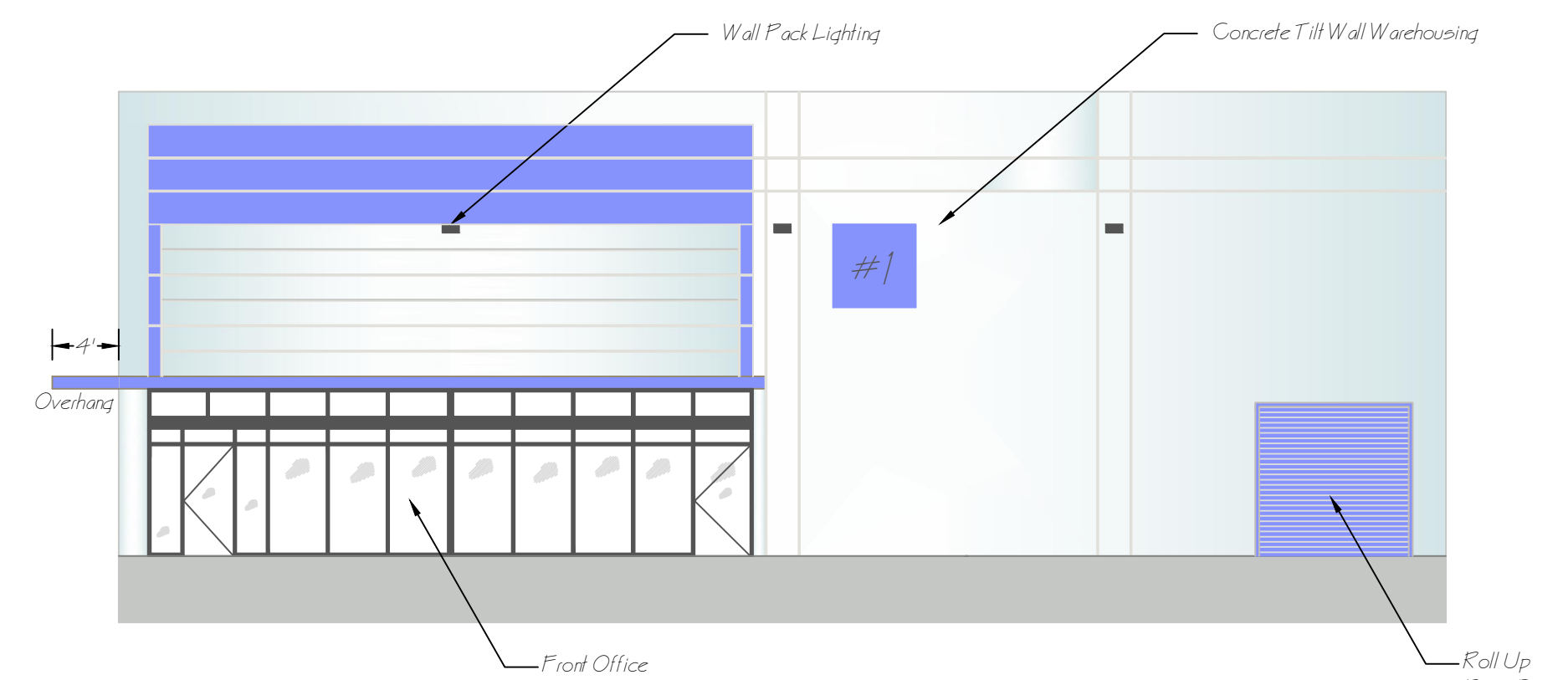
Bldg. #1 Side Wall Elevation
Looking South



Office Area
Floor Plan



Bldg. #1 Rear Elevation
Looking West

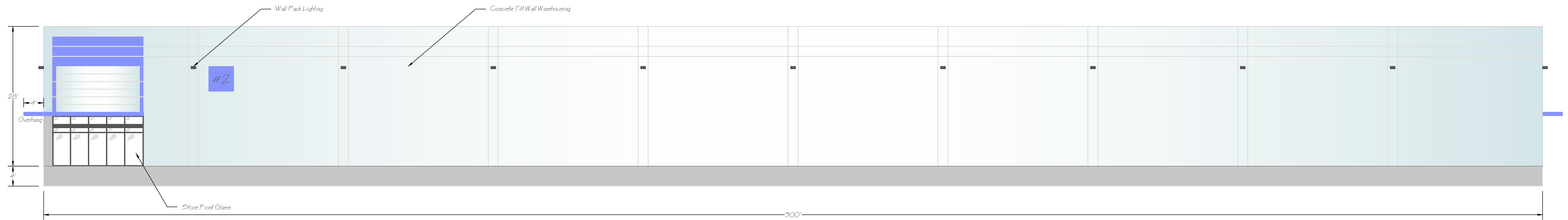


Bldg. #1 Front Elevation
Looking East

” QUIET WAREHOUSING ”

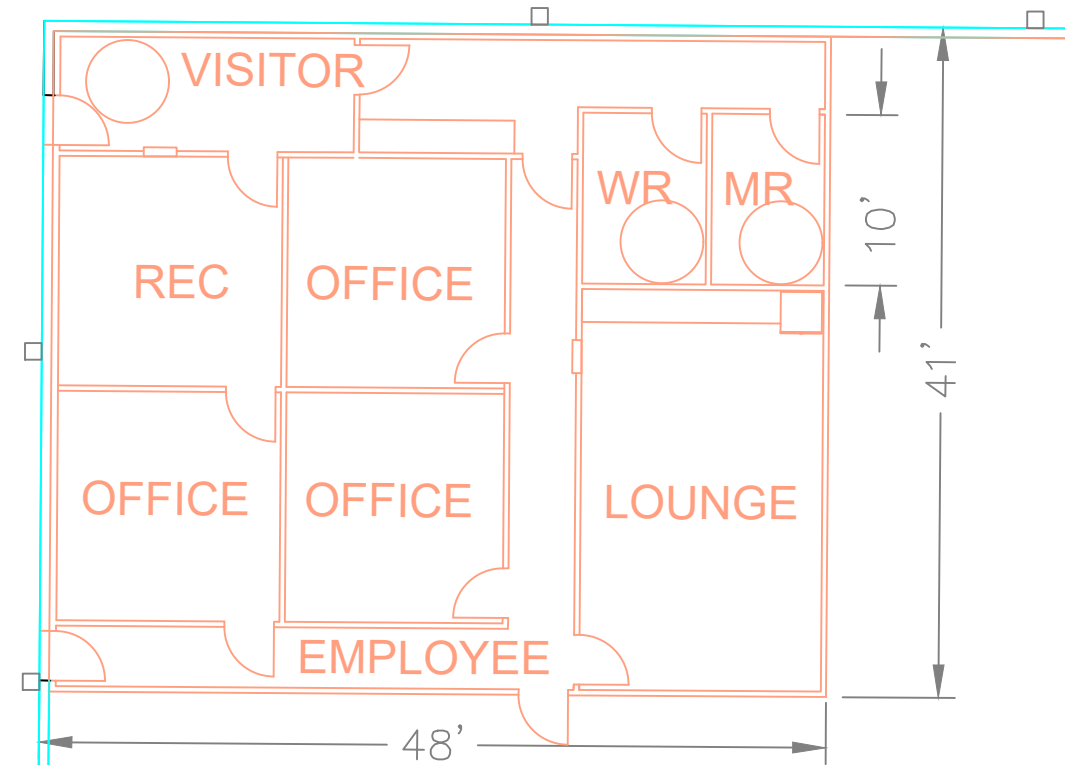
”LI / C2-PUD”

DEVELOPED BY
STARSHIP TEXAS CITY, LLC

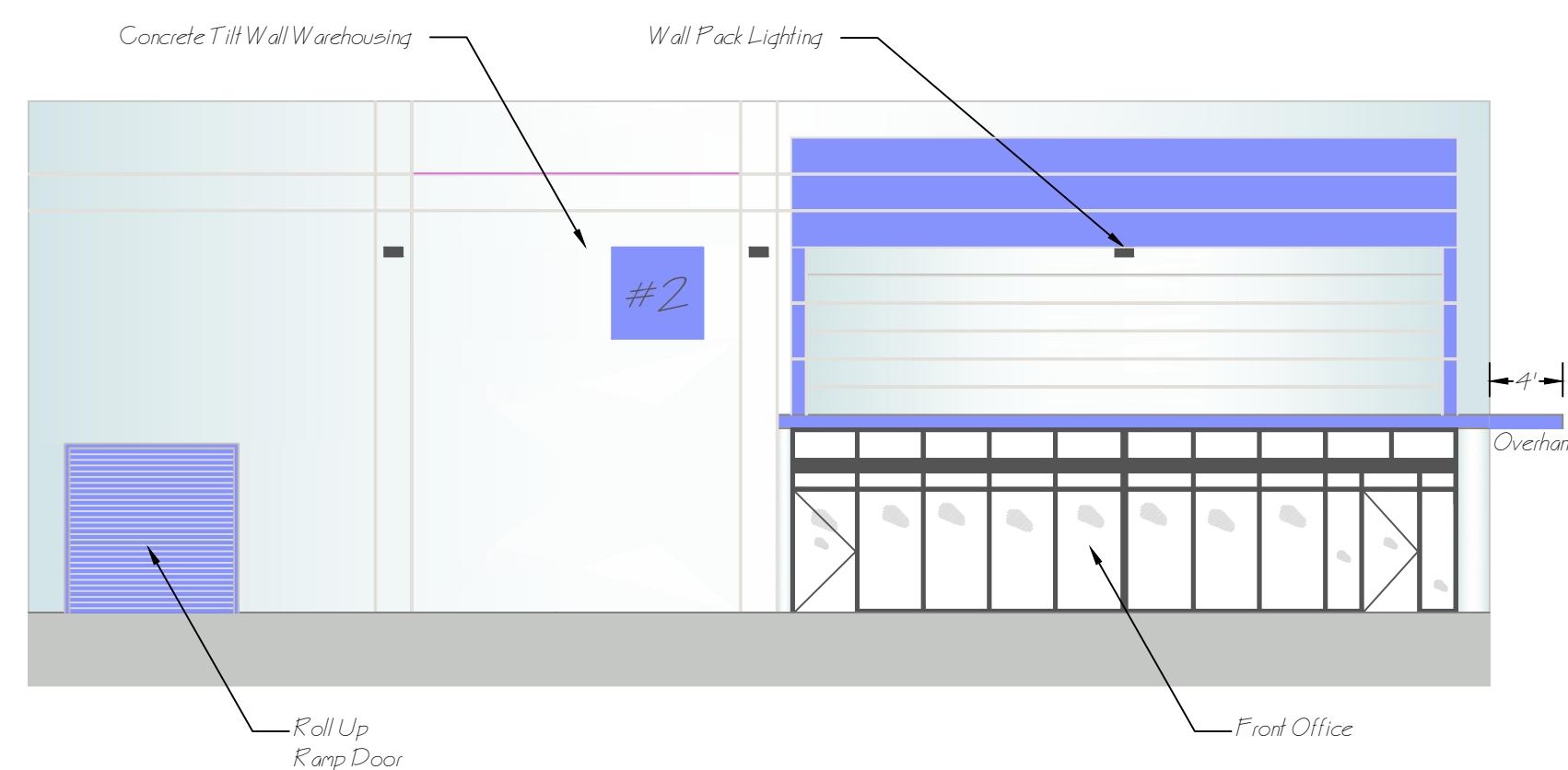


Bldg. #2 Side Wall Elevation

Looking South

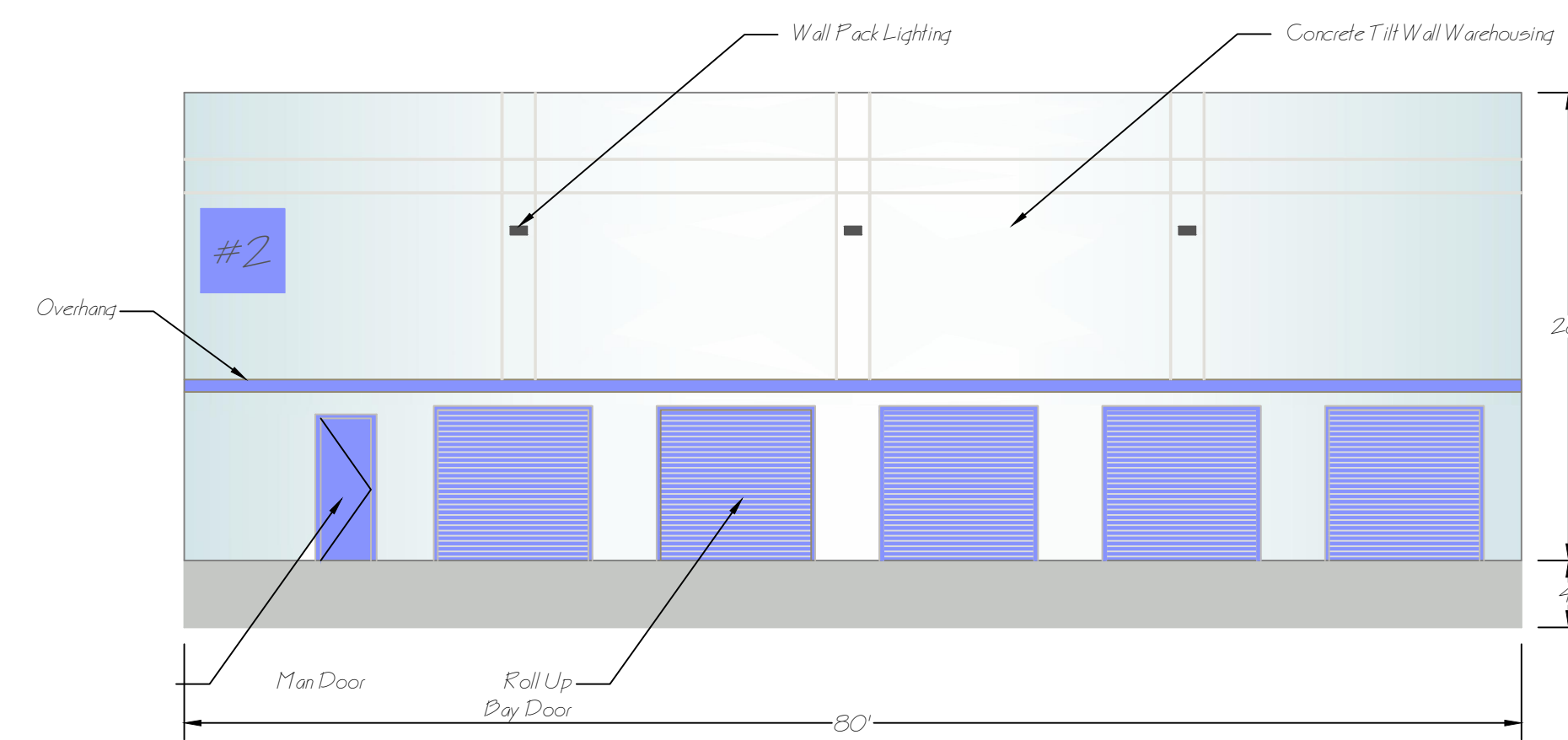


Office Area
Floor Plan



Bldg. #2 Front Elevation

Looking West



Bldg. #2 Rear Elevation

Looking East

Quit Warehousing Development Schedule

The following is an estimated time line for Plans Designs, Plans Review and Plan Approvals:

Second Quarter 2024 – Plan Design; Civil, Architectural, Mechanical, Electrical, Plumbing, Sprinkler

Third Quarter 2024 - Completion of Plan Design, Submittal for Plan Review and Approvals

Fourth Quarter 2024 - Plan Review and Plan Approvals

The following is an estimated time line for Project Construction:

First Quarter 2025 – Commence Underground utilities, Detention Pond, Site Grading

Second Quarter 2025 - Commence Concrete Pavement, Building Foundations, Site Fencing

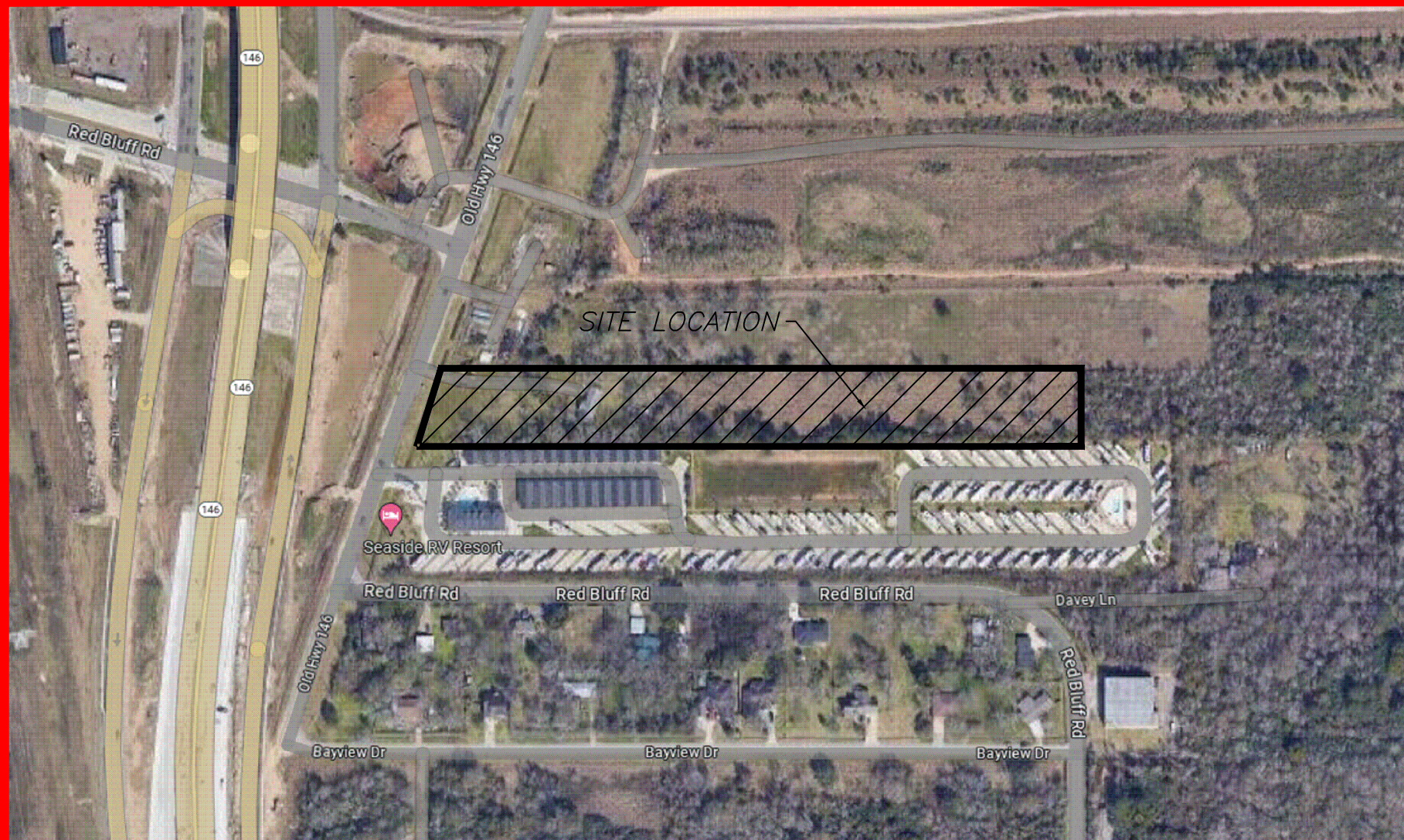
Third Quarter 2025 - Commence Tilt Wall Buildings, Roof System, Sprinkler Installation, Exterior Painting

Fourth Quarter 2025 - Commence Interior Conversion, Store Front Glass, Landscaping, Signage

The following is an estimated time line for Project Construction:

First Quarter 2026 – Finalize Miscellaneous Items, Clean Up, Hand Over Buildings

Dissolution of the PUD: Should the PUD project fail to meet the schedule as approved by the city council the PUD classification and related permits may be at the discretion of the City Council be terminated and, the land shall return to the zoning that existed immediately prior to the PUD conditional approval.

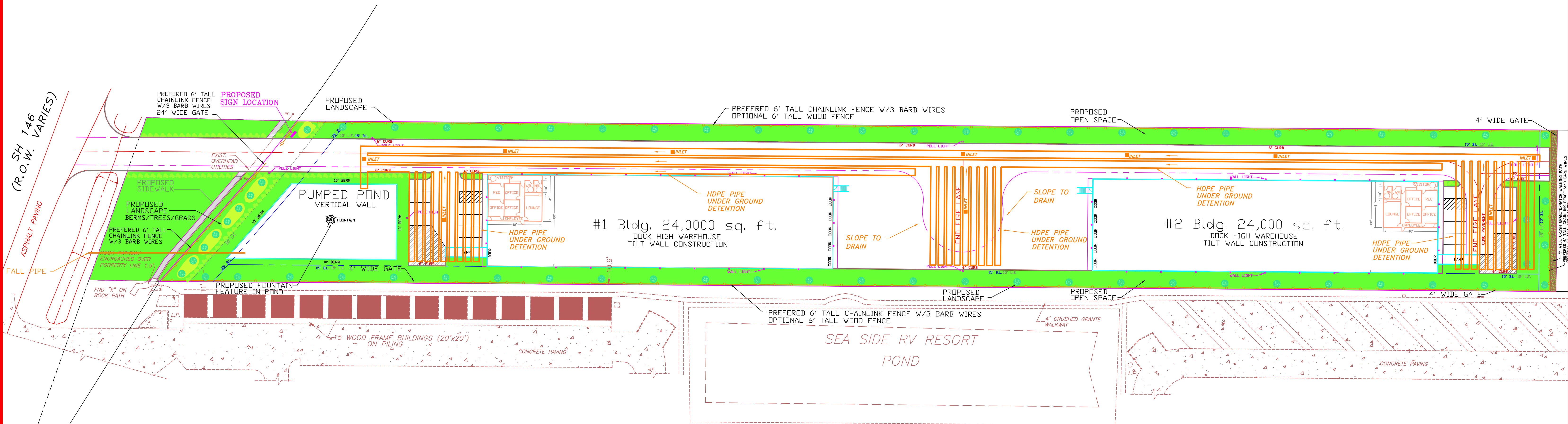
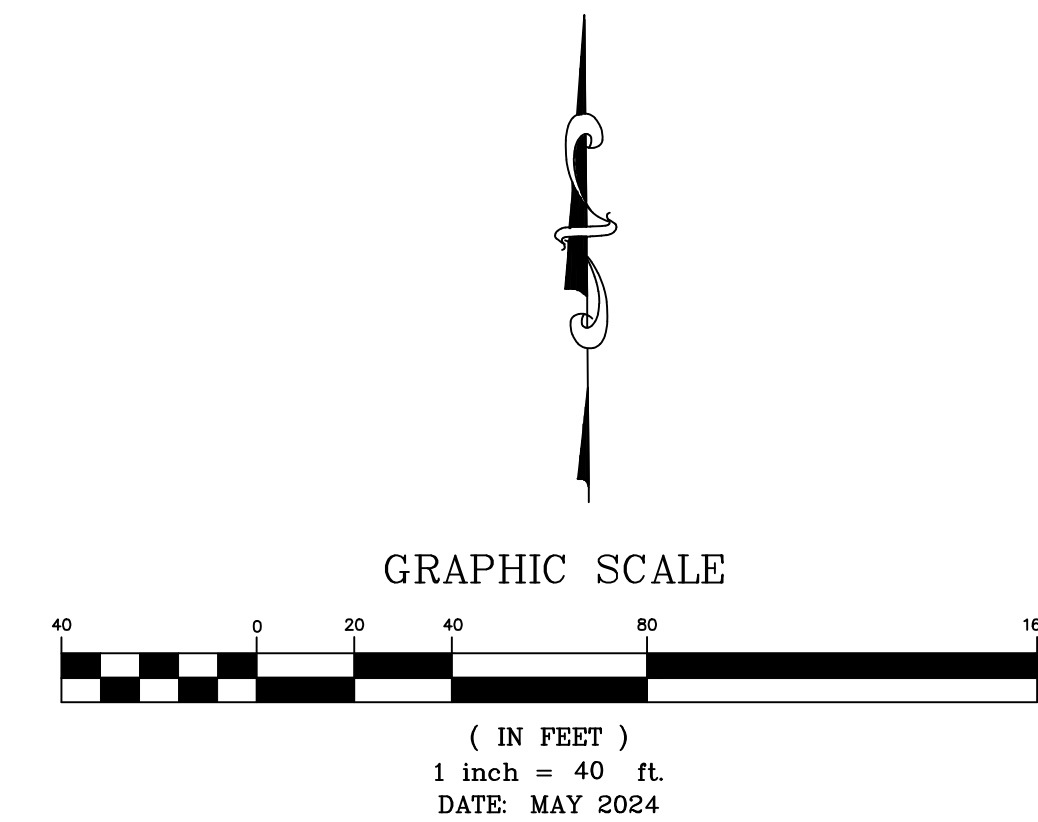


KEY MAP
N.T.S.

"QUIET WAREHOUSING"

"LI / C2-PUD"

DEVELOPED BY
STARSHIP TEXAS CITY, LLC



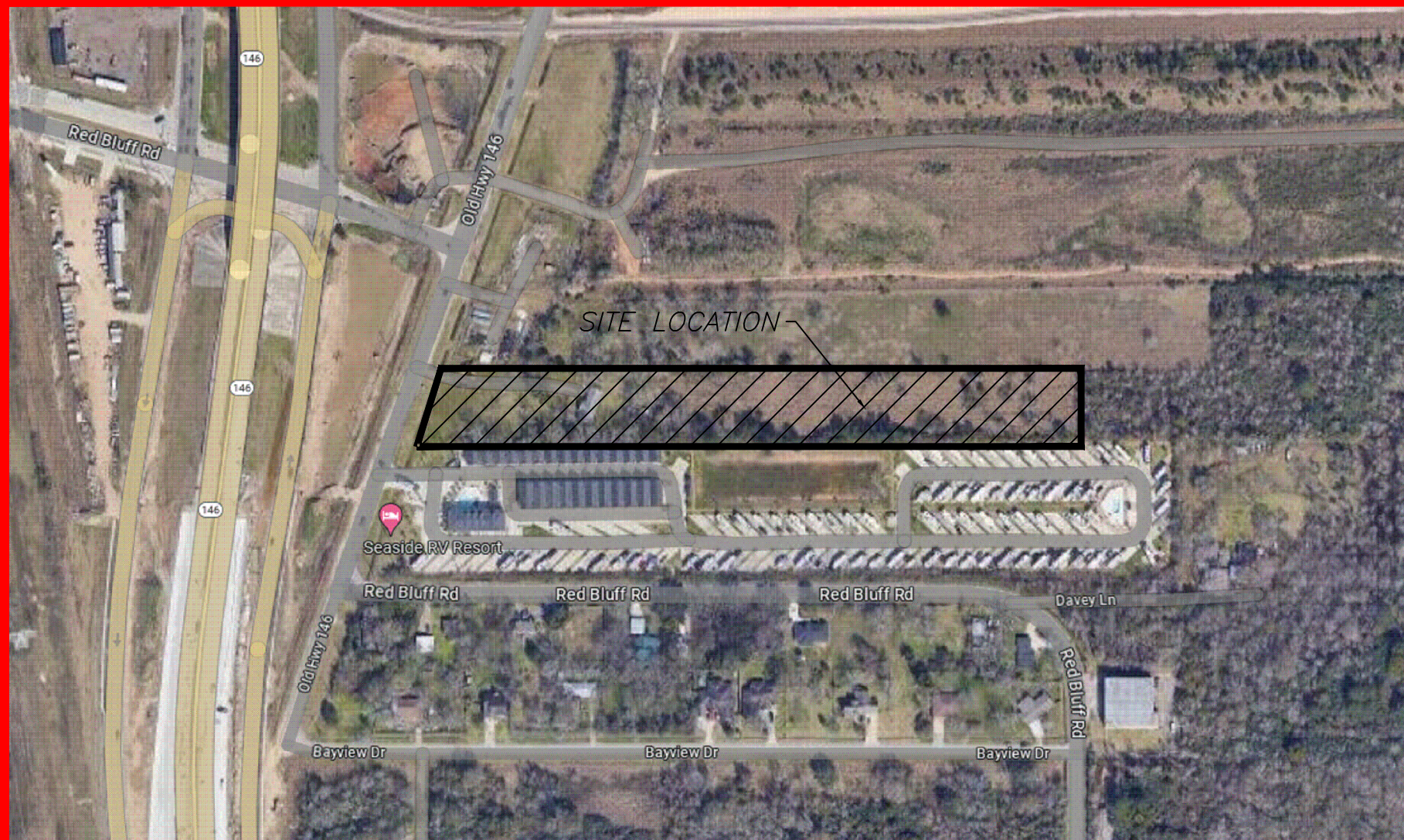
DRAINAGE PLAN

EXHIBIT D-10

N 88°50'00" W 1287.48'

RED BLUFF ROAD (60' R.O.W.)

 AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

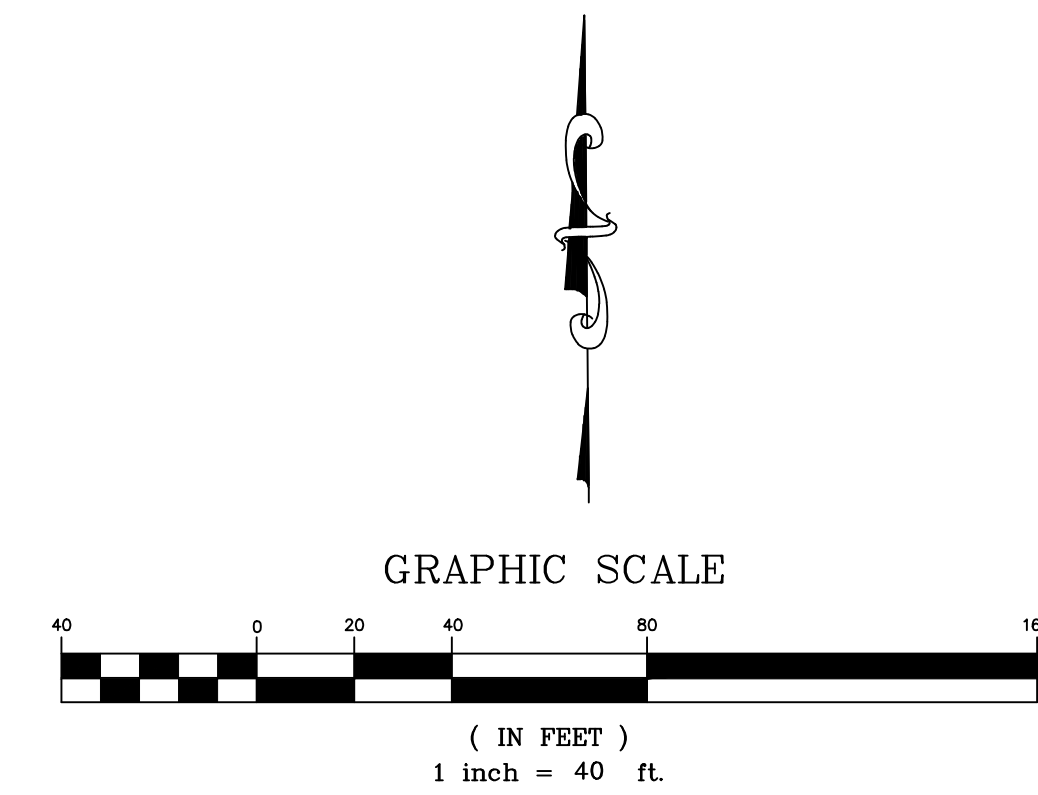


KEY MAP
N.T.S.

"QUIET WAREHOUSING"

"LI / C2-PUD"

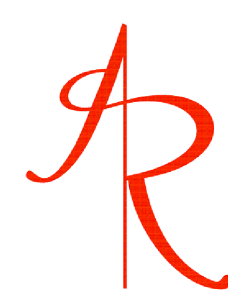
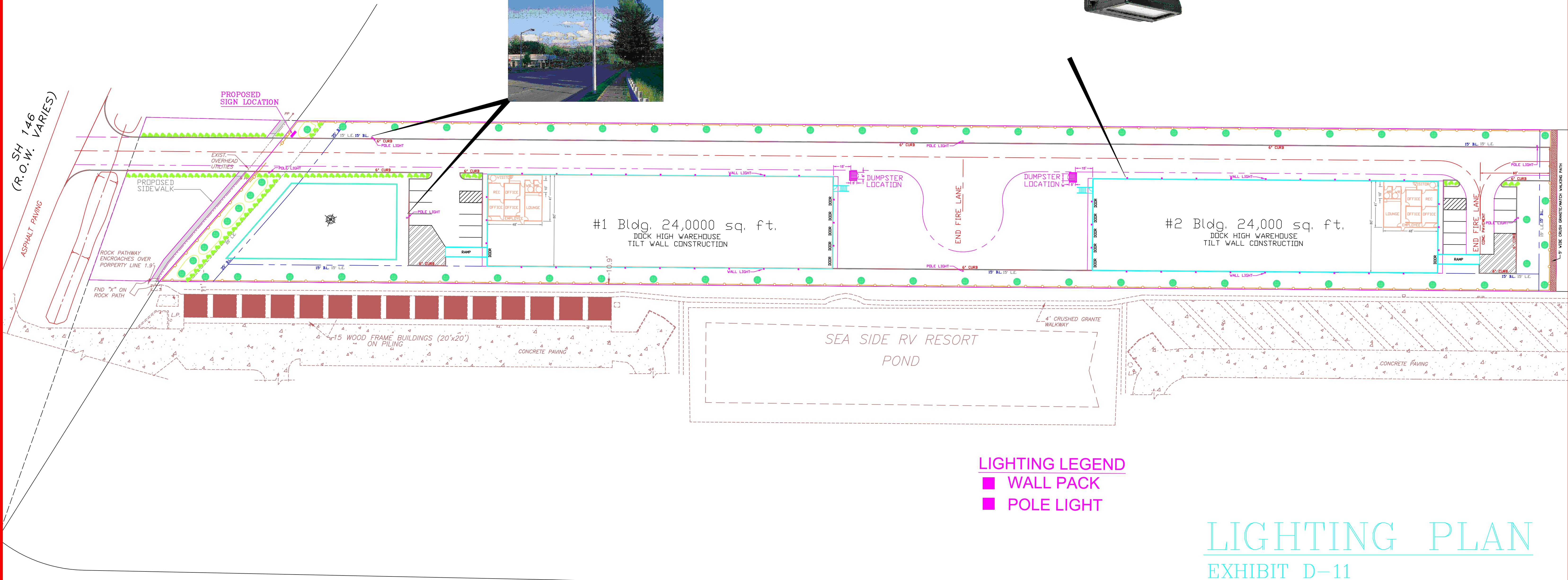
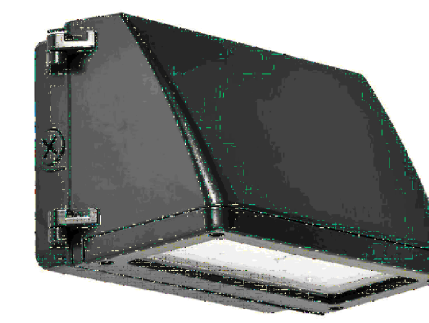
DEVELOPED BY
STARSHIP TEXAS CITY, LLC



TYPICAL
LIGHT POLE



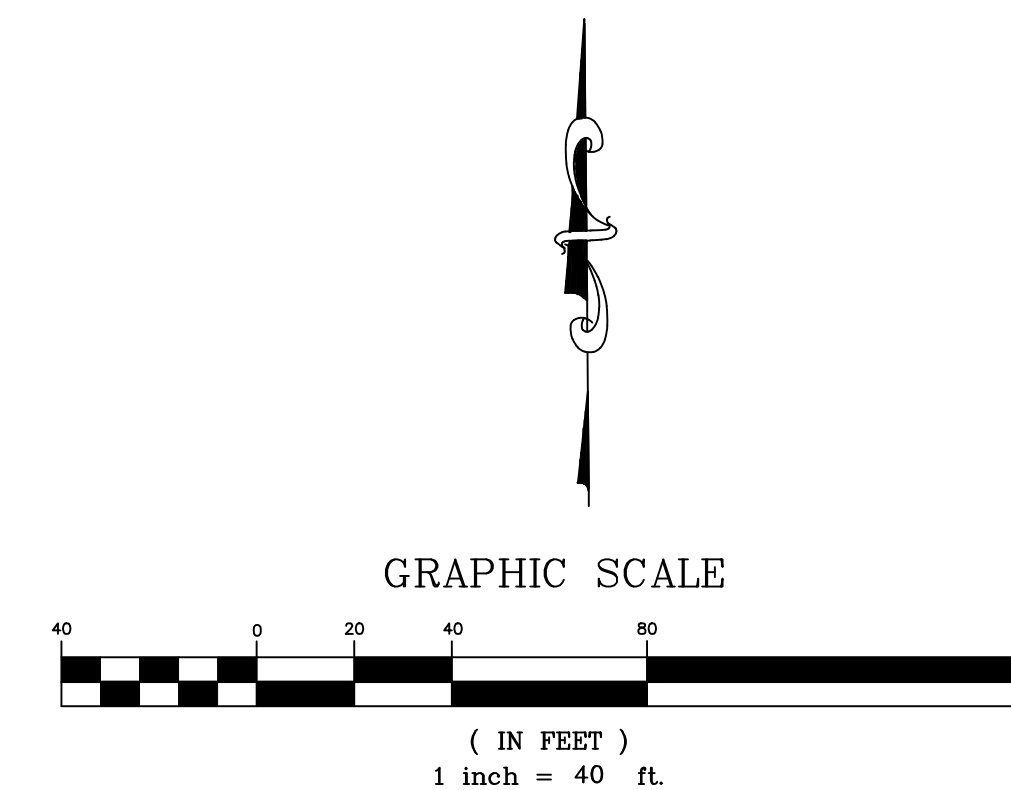
TYPICAL
WALL PACK LIGHTING



AVERY RYAN & COMPANY
2419 DAFFODIL ST.
HIGHLANDS, TX. 77562
713-725-7302
c_bennett1@comcast.net

N 88°50'00" W 1287.48'

RED BLUFF ROAD (60' R.O.W.)



RED BLUFF ROAD (60' R.O.W.)

**PUBLIC HEARING NOTICE
CITY OF SEABROOK CITY COUNCIL
TUESDAY, AUGUST 20, 2024 – 6:00 P.M.**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF SEABROOK WILL HOLD A PUBLIC HEARING ON **TUESDAY, AUGUST 20, 2024, AT 6:00 P.M.** IN SEABROOK CITY HALL, 1700 FIRST STREET, SEABROOK, TEXAS 77586, TO DISCUSS THE AGENDA ITEM LISTED BELOW.

THIS HEARING IS OPEN TO THE PUBLIC AND EVERYONE ATTENDING WILL HAVE THE OPPORTUNITY TO SPEAK FOR OR AGAINST THIS REQUEST IN ACCORDANCE WITH THE PROCEDURES OF THE COUNCIL. ALL REQUIRED DOCUMENTS REGARDING THIS REQUEST IS AVAILABLE FOR REVIEW AT CITY HALL IN THE COMMUNITY DEVELOPMENT DEPARTMENT WEEKDAYS FROM 8:00 A.M. TO 5:00 P.M. PLEASE CALL (281) 291-5705 IF YOU HAVE QUESTIONS.

SPECIFIC PUBLIC HEARINGS

- 1. Conduct a Public Hearing on a request for approval of a Final Planned Unit Development (PUD), to create, “5815 Old Hwy 146 Monroe Quiet Warehousing Project”, comprising of two 23,980 square feet tilt wall constructed warehouses located on a 3.695-acre tract of land.**

Applicant/Owner: Starship Texas City LP, 925 Marina Bay Drive, Kemah, Texas 77565.

Legal Description:

A tract of land containing 3.695 acres (160,967 square feet), more or less, out of the Ritson Morris Survey, Abstract 52, in Harris County, Texas, and being that same tract of land described as four acres save and except 0.315 acres to the State of Texas in Harris County Clerks File No. M513651 of the Deed Records, Harris County, Texas.

Location: This property is located at 5815 Old Hwy 146, Seabrook, TX 77586, which is located east of Old State Highway 146, north of Red Bluff Drive, and south of Port Road.

CERTIFICATE

I certify that this notice was posted on the bulletin board at Seabrook City Hall on Thursday, July 25, 2024, on or before 5:00 p.m. and that it will remain posted until after the completion of the hearing.

/s/ Rachel Lewis
City Secretary

Request for Approval of a Final PUD to Create 5815 Old Hwy 146 Monroe Quiet Warehouse Project

City Council Meeting
August 20, 2024



Preliminary PUD

The Planning and Zoning Commission at their December 21st, 2023, regular meeting recommended approval of the request for approval of the Preliminary PUD for the 5815 Old Hwy 146 Monroe Quiet Warehousing Project.

Ayes: Renola, Picha, Reynolds, Klein, Rodgers, Thompson.
Absent: Caradec.

Preliminary PUD

The Seabrook City Council at their February 20th, 2024, regular meeting approved the request for approval of the Preliminary PUD for the 5815 Old Hwy 146 Monroe Quiet Warehousing Project.

Ayes: Kolupski, Hammann, Giangrosso, Tollett, and Hefner.

Nays: Machol, and Rasco.

Final PUD

The Planning and Zoning Commission at their June 20th, 2024, regular meeting recommended approval of the request for approval of the Final PUD for the 5815 Old Hwy 146 Monroe Quiet Warehousing Project.

Ayes: Renola, Picha, Klein, Rodgers, Thompson and Justus.

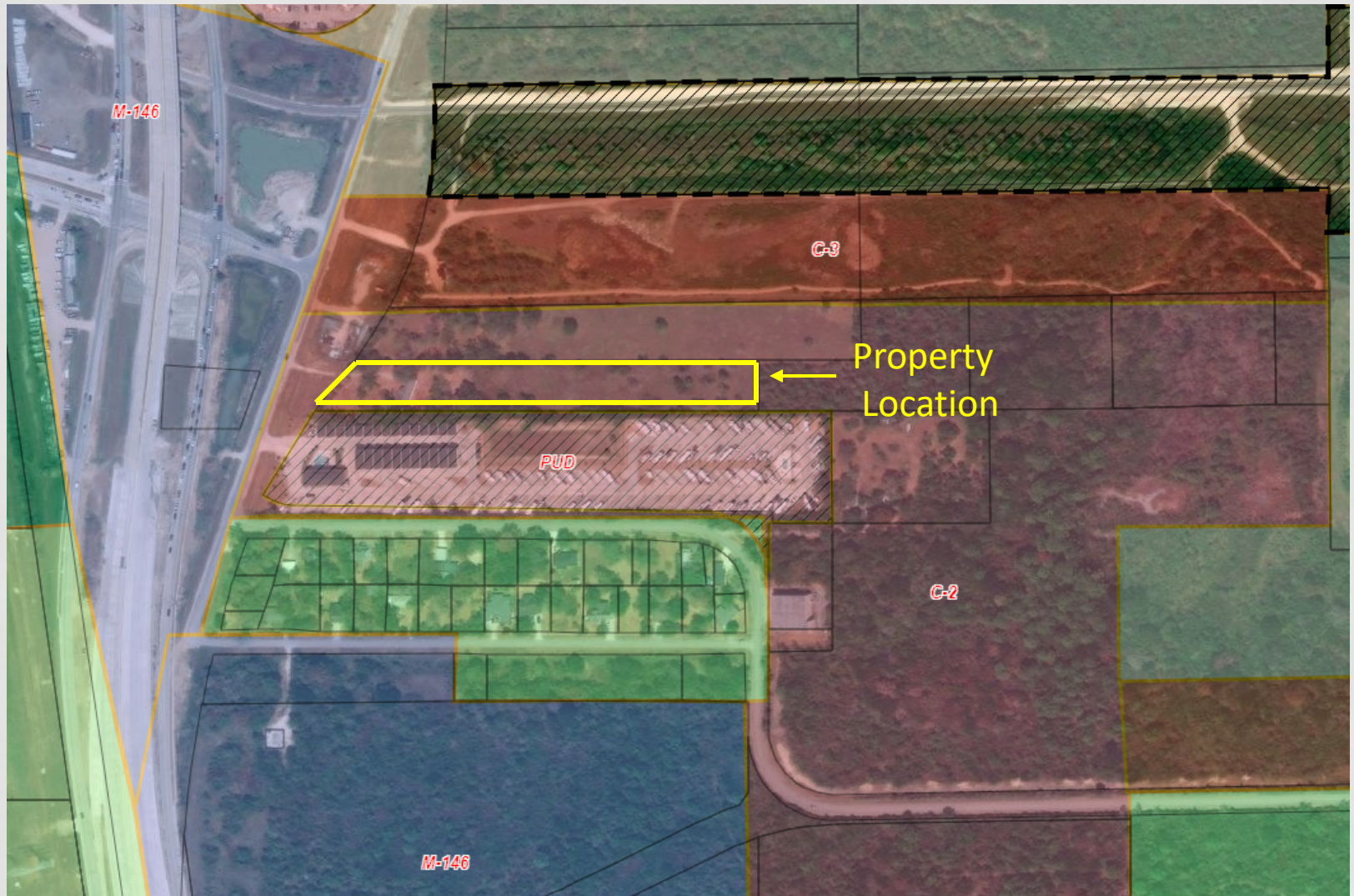
Absent: Reynolds.

Purpose of a (PUD) Planned Unit Development

The purpose of the Planned Unit Development (PUD) is to provide a flexible approach for development, allows a more flexible response to the market, encourage innovative mixed uses and site plan design.

Medium Commercial District (C-2)

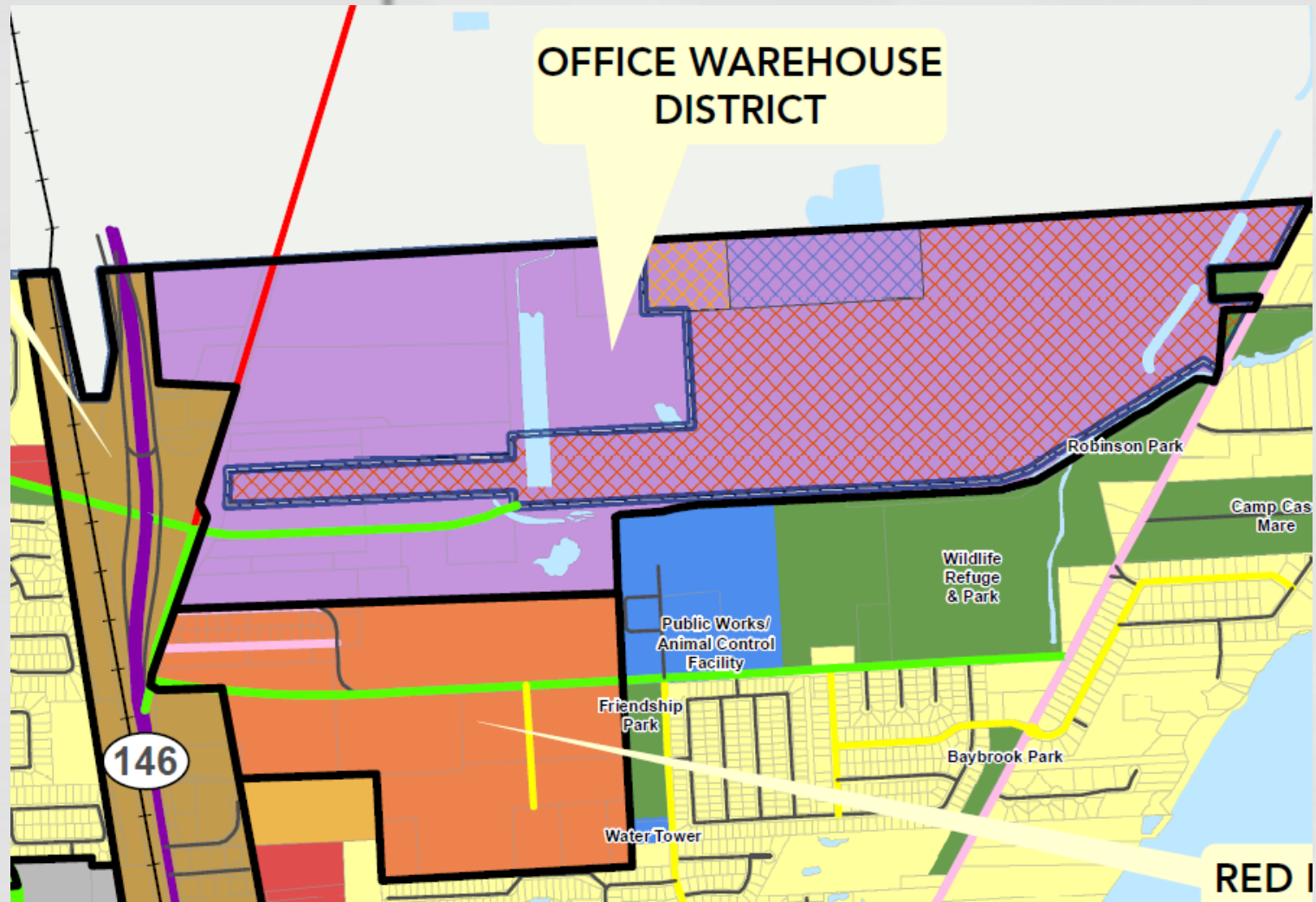
The C-2 medium commercial district is designed to facilitate centers which accommodate trade and personal services. These businesses are free (beyond their property lines) of pollution caused by noise, offensive odors, and the emission of airborne particles. Heavy arterial street traffic is characteristic of the district. The regulation provisions of this district are aimed at achieving the specific goals and objectives identified in Comprehensive Master Plan 2040.



Proposed Location



2040 Comprehensive Master Plan



Proposed Land Use

This PUD development of two (Tilt Wall Port Warehouses) each containing 24,000 square foot of floor space, office space, reception area, break rooms. Warehousing Port related materials and products distributed through the U.S. Private concrete drive(s), landscaping, lighting, signage, parking, security fencing, open space requirements, detention/pond and utilities.

Maximum Height of Buildings

1. Maximum height of buildings:

- a. 40 feet maximum.
- b. The height limitations specified in this subsection do not apply to church steeples, spires, belfries, cupolas, or other normal appurtenances usually required to be placed above the roof level and not intended for human occupancy.

Open Space Requirements

- a. Existing area 3.695 Acres totaling (160,954 square feet.) 20% open spaces required equaling 32,190 square feet, development Open Space Provided equaling 49,603 square feet.
- b. Separate refuse containers will serve each Warehouses and will not be visible from Old Hwy 146 or Red Bluff Road. Exhibit D-6, Sign and Solid Waste Enclosure Details.

Security Fencing

6' foot high galvanized chain link fence with 3 rails of barbed wire, will be installed along the boundary of the site, including access man gates, automatic roll gate at the entrance.

Parking and Paving

- a. Parking shall be in accordance with article 5 of this ordinance. Please see the comprehensive off-street parking regulation matrix, found at the end of article 5. Except as provided for on Exhibit D-4.
- b. All parking lots and vehicle use areas shall meet the City of Seabrook Code Ordinance and must be constructed of concrete, driveway will be constructed out of concrete, as shown on Exhibit D-4, Parking Plan.

Building Setbacks

- a. A minimum front yard set back shall be 35' feet, as shown on Exhibit D-2, Site Plan.
- b. A minimum side yard set back shall be 15' feet, as shown on Exhibit D-2, Site Plan.
- c. A minimum rear yard set back shall be 15' feet, as shown on Exhibit D-2, Site Plan.

Building Area

- a. Not more than 50% of total site area shall be covered by building mass.

Landscape & Lighting Regulations

- a. Landscaping shall be in accordance with article 5 to 7 of the City code or ordinance.
- b. Lighting used to illuminate paving areas, parking areas, building facades, shall be arranged, located, screened to direct light away from existing single-family residential lots.

Prohibited Uses

- a. Inorganic and/or organic compounds prohibited: The manufacture, processing, distilling, refining, or storage of inorganic and/or organic compounds related to the chemical industry at the manufacturing location or site (this includes petrochemical and petroleum-based products, specialty chemicals, agricultural products, and pulp and paper products) other than those customarily found in normal day-to-day uses and applications (i.e., gasoline service station) is prohibited.
- b. Rail tracks, lines, spurs, yards, storage and marshaling areas and all other associated rail uses are prohibited.
- c. Shipping/storage containers whether used for outside storage, as an inhabited structure or for any other purpose are prohibited. Exception: A shipping container is permitted on site while on a trailer chassis.

Prohibited Uses

- d. Industrial limits: No use shall cause, create, or allow the emission of air contaminants which at the emission point or within the bounds of the property are:

In violation of the standards, specified by the Texas Commission on Environmental Quality or the Texas Clean Air Act; or

Of such capacity as to obscure an observer's view to a degree equal to or greater than does smoke or contaminants.

No commercial or industrial use shall be located or operated within the city which emits odorous matter from a source of operation where the odorous matter exceeds the odor threshold at the boundary property line or any point beyond the tract on which such use or operation is located. The odor threshold as set forth shall be determined by the Texas Commission on Environmental Quality.

Building Regulations

- a. Color palette shall be uniformly for both warehouses.
- b. Primary exterior finishes shall be concrete tilt wall construction, store front glass.

Roof materials shall be limited to the following:

- a. Flat Roof – Shall meet the requirements as required by the IBC.

Density

- a. Two primary building per lot.

Buffering and Screening

- a. Buffer yards shall be of such nature and density so as to screen activities, structures and uses on the property from view from the normal level of a first story window on an abutting lot and shall further provide a year-round effective visual screen. Buffer yards are measured from the property line towards the building line and are divided in two parts: (1) a landscaping or free space buffer beginning at the property line and; (2) a secondary buffer that may be used for driveways and loading, provided that parking shall not be permitted in any portion of the minimum required buffer yard. Any property containing a use in this zoning district which adjoins or abuts any property classified in any other zone shall provide the following: as shown on Exhibit D-5, Open Space & Landscape plan.

Buffering and Screening

- b. Front yard minimum Landscape setback shall be 20' feet, Side and Rear minimum setback requirement shall be 15' feet. The landscape buffer (the portion of the yard beginning at the property line) shall be reserved for landscaping only. Existing tree cover shall be maintained in accordance with section 30-211 et seq. "Tree Protection and Preservation" of the City Code of Ordinances. Other landscaping and supplemental plantings to create an adequate buffer may be added in accordance with the city's ordinances. The remaining buffer yard may be used for driveways and loading. However, parking shall not be permitted in any portion of the minimum required buffer yard.

Buffering and Screening

- c. Minimum height of 6' foot galvanized chain link fence with 3 rails of barbed wire shall be constructed around the entire perimeter of the of the property, providing entrance and access gates.
- d. All exterior dumpster/garbage/waste containers or storage containers and dumpsters shall be placed no more than 15 feet from the primary building and shall be screened so that they are not visible from off the property. Each trash enclosure shall be constructed of masonry walls.
- e. Rooftop or ground level mechanical equipment shall be totally screened from view by using either parapet walls at the same height of the mechanical units for rooftop mounts or by providing screening for ground mounted units.

Questions?

**ORDINANCE NO. 2024-11
QUIET WAREHOUSING (PUD)
“PLANNED UNIT DEVELOPMENT”**

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 3.695 ACRES SITUATED IN ABSTRACT 52, OF THE RITSON MORRIS SURVEY, IN SEABROOK, HARRIS COUNTY, TEXAS, GENERALLY LOCATED EAST OF OLD STATE HIGHWAY 146, NORTH OF RED BLUFF ROAD, AND SOUTH OF PORT ROAD; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT “A”, FROM (C-2) “MEDIUM COMMERCIAL DISTRICT”, TO (PUD) “PLANNED UNIT DEVELOPMENT”, FOR THE DEVELOPMENT OF TWO (TILT WALL WAREHOUSES) EACH CONTAINING APPROXIMATELY 24,000 SQUARE FEET OF FLOOR SPACE; 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.

WHEREAS, the City of Seabrook (the “City”) has received an application for rezoning by Starship Texas City LP, (the “Applicant”), for certain real property of approximately 3.695 acres located at 5815 Old Hwy 146, Seabrook, TX 77586, which is generally located east of Old State Highway 146, north of Red Bluff Drive, and south of Port Road, being out of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas (the “Property”), with the Property being more particularly depicted and described in the attached “Exhibit A”, (the “Property”), which is incorporated by reference for all purposes; and

WHEREAS, in its application, the Applicant proposes to develop and use the Property as a tilt wall warehouse project each containing approximately 24,000 square feet of floor space for the warehousing of port-related materials and products distributed throughout the U.S; and

WHEREAS, in its application, the Applicant proposes to rezone the Property from “C-2” (Medium Commercial District) to “PUD” (Planned Unit Development) and has submitted a development plan providing for the depiction and description of the Quiet Warehousing Planned Unit Development (the “Plan”), with the Plan being attached as “Exhibit B”, and incorporated by reference for all purposes, and which is on file with the City Secretary; and

WHEREAS, the Seabrook Planning and Zoning Commission (the “P&Z”) and the City Council of the City (the “Council”) conducted a public hearing to consider approval of the preliminary plan for the PUD rezoning request submitted by the Applicant, and with the P&Z filing a report recommending approval of the rezoning request by the Applicant on February 20, 2024 which Council thereafter approved; and

47 **WHEREAS**, the P&Z and the Council conducted a public hearing to consider approval
48 of the final plan for the PUD rezoning request submitted by the Applicant, with the P&Z filing
49 a report recommending approval of the rezoning request by the Applicant on July 16, 2024;
50 and

51
52 **WHEREAS**, the subject hearings were duly called as provided by the laws of the State
53 of Texas and Appendix “A” of the City’s Code of Ordinances, that at such hearings all persons
54 attending were allowed to be heard on the question of whether or not to rezone the Property as
55 requested by the Applicant, and to determine whether such rezoning would promote the public
56 health, safety, convenience, or general welfare of the citizens and would be in conformance
57 with the Appendix “A” of the City’s Code of Ordinances and the City’s Comprehensive Plan;
58 and

59
60 **WHEREAS**, all public notices have been published, mailed, and provided in
61 accordance with the laws of the State of Texas and Appendix “A” of the City’s Code of
62 Ordinances; and

63
64 **WHEREAS**, as a result of the said public hearings and the recommendation of the
65 P&Z as contained in its final report, the Council deems it appropriate to grant the Applicant’s
66 request for rezoning of the Property, subject to certain regulations, restrictions, conditions, and
67 all applicable provisions of the City’s Code of Ordinances; and

68
69 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**
70 **SEABROOK, TEXAS:**

71
72 **SECTION 1. FINDINGS.**
73

74 The facts and matters set forth in the preamble of this Ordinance are hereby found to
75 be true and correct, it is hereby understood that the City Council (the “Council”) of the City of
76 Seabrook, Texas (the “City”) is relying upon the express representations of Starship Texas City
77 LP, (the “Applicant”) appearing in the documents submitted to the City for final approval,
78 including the rezoning application, oral representations made to the Planning and Zoning
79 Commission (the “P&Z”) and the Council to induce approval of the rezoning made the subject
80 of this Ordinance, the final report from the P&Z, the minutes of P&Z and the Council, the
81 identification of the property that is the subject of this Ordinance (the “Property”), and the
82 development plan for the Property (the “Plan”), all of which is attached to and incorporated
83 into this Ordinance as Exhibit “A” and Exhibit “B”.
84

85 **SECTION 2. AMENDMENT TO THE CITY’S CODE OF ORDINANCE AND**
86 **THE CITY’S OFFICIAL ZONING MAP.**
87

88 The City’s Code of Ordinances, Appendix A, “Comprehensive Zoning”, Article 2,
89 “Administration”, Section 2.05, “Official Zoning Map” is hereby amended by rezoning the
90 Property from C-2 to PUD *strictly conditioned upon full compliance with the approved Plan,*
91 *the regulations, restrictions, and conditions*, as set forth in the Plan attached as “Exhibit B”.
92 Additionally, the City’s Official Zoning Map shall be revised and amended to show the

93 designation of the Property as rezoned to PUD, with the appropriate reference thereon to the
94 number and effective date of this Ordinance, and a brief description of the nature of the change.
95
96
97

98 **SECTION 3. INCORPORATION INTO THE CITY'S CODE OF**
99 **ORDINANCES; PENALTY CLAUSE.**
100

101 This Ordinance is hereby incorporated and made a part of the City's Code of
102 Ordinances. Violation of this Ordinance is subject to the penalties of Section 11.06 of the City's
103 Code of Ordinances, "Criminal Enforcement", which provides that any person who shall
104 violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon
105 conviction, shall be fined in an amount not to exceed two thousand dollars (\$2,000.00). Each
106 day of violation shall constitute a separate offense. Additionally, should the subject PUD
107 project fail to meet the schedule as approved herein, or otherwise fail to comply with this
108 Ordinance or the PUD Plan, then the PUD classification and all related permits shall be
109 immediately terminated, and the rezoning of the Property shall be immediately repealed, and
110 the Property shall revert to C-2 zoning.
111

112 **SECTION 4. REPEAL OF CONFLICTING ORDINANCES.**
113

114 All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are
115 hereby expressly repealed. This Ordinance shall in no manner amend, change, supplement, or
116 revise any provision of any ordinance of the City, save and except the change in zoning
117 classification and specific uses/structures approved in the Plan, as provided herein.
118

119 **SECTION 5. SEVERABILITY.**
120

121 In the event any clause phrase, provision, sentence, or part of this Ordinance, or the
122 application of the same to any person or circumstances, shall for any reason be adjudged invalid
123 or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or
124 invalidate this Ordinance as a whole or any part of provision hereof other than the part declared
125 to be invalid or unconstitutional; and the Council declares that it would have passed each every
126 part of the same notwithstanding the omission of any such part thus declared to be invalid or
127 unconstitutional, whether there be one or more parts.
128

129 **SECTION 6. NOTICE; EFFECTIVE DATE.**
130

131 The City Secretary shall give notice of the enactment of this Ordinance by promptly
132 publishing it or its descriptive caption and penalty after final passage in the official newspaper
133 of the City, and this Ordinance shall become effective upon publication.
134

135 **PASSED AND APPROVED** on first reading with a quorum present, by an affirmative vote
136 of a majority of Councilmembers present, in accordance with Seabrook City Charter Section
137 2.10 on this 20th day of August 2024.
138

PASSED, APPROVED, AND ADOPTED on final reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 3rd day of September 2024.

FOR THE CITY OF SEABROOK:

By: _____
Thomas G. Kolupski, Mayor

ATTEST:

By: _____
Rachel Lewis, City Secretary

APPROVED AS TO FORM:

By: _____
David Olson, City Attorney

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Exhibit “A” to Ordinance No. 2024-11

Exhibit “B” to Ordinance No. 2024-11

1. Planned Unit Development Plan (on file with City Secretary)



Agenda Briefing

Date of Meeting: August 20, 2024

Responsible Department: City Manager's Office

Presenter: Gayle Cook, City Manager

Briefing Prepared By: Gayle Cook

Strategic Focus Area:

General Information:

Consider and take all appropriate action on the approval of Resolution 2024-19, Seabrook Economic Development Bylaws Amendment, amending the term and allowing for staggered terms of directors.

Executive Summary / Background:

At the last council action on these bylaws, the intended amendment was set to stagger the terms of the board. Due to lack of applications and interest to the board, the City Council reappointed existing directors while adding two new members setting an expiration date for all directors at January 2025. To ensure continuity and provide for a more orderly transition on the board, it is necessary to amend the bylaws again to reestablish the staggered terms providing for new dates.

This change is to assist in helping to maintain institutional knowledge and prevent complete turnover of the board at one time.

The proposed bylaw change has been heard by the Seabrook EDC on August 8, 2024, after a 10 day review period and previous discussion in July, 2024. The proposed amendment will be as follows:

1. Staggered Terms:

January 2025-January 2027 City Council will appoint or reappoint 4 Directors to serve full two-year term

DIRECTOR #1

DIRECTOR #2

DIRECTOR #3

COUNCIL MEMBER #1/DIRECTOR #4 THOM KOLUPSKI (MAYOR/CITY
COUNCIL TERM EXPIRING IN MAY 2025)

January 2025-January 2026 City Council will appoint or reappoint 3 Directors to serve one-year term

DIRECTOR #5

DIRECTOR #6

COUNCIL MEMBER #2/DIRECTOR #7 BUDDY HAMMANN (CITY COUNCIL TERM 4 YEARS EXPIRING IN MAY 2026)

2. Future Appointments:

Following the initial staggered appointments, all future appointments will revert to the standard two-year term, ensuring that the board maintains staggered terms going forward.

By reestablishing staggered terms, the board will be better positioned to retain experienced members and integrate new appointees in a structured manner. The amendment also aligns the terms of the City Council members on the EDC board with their council terms providing consistency and coherence in leadership.

Funding / Fiscal Information:

Supporting Materials Attached:

1. 2024-19 EDC Bylaws Update

Prior Action / Review by Council, Boards, Commissions:

Seabrook EDC met July 18, 2024 and August 8, 2024 to discuss and approve this amendment.

Staff Recommendation:

**CITY OF SEABROOK
RESOLUTION 2024-19**

SEABROOK EDC BYLAW MENDMENT

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK,
TEXAS, ADOPTING REVISIONS AND AMENDMENTS TO THE BYLAWS
FOR THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION**

WHEREAS, on January 18, 1992, the voters of the City of Seabrook authorized the City of Seabrook to adopt a one-half cent sales and use tax to pay the costs of "projects" authorized by Section 48 of Article 5190.6, V.T.C.S. *as* amended (now Chapters 501,502, and 505, Texas Local Government Code, and to pay for the principal and interest of bonds or other obligations issued to pay the costs of such "projects"; and

WHEREAS , the Seabrook Economic Development Corporation (EDC) was established to oversee the expenditures of these tax monies and bylaws were established for the operation of the EDC.

WHEREAS, the adopted bylaws provide for the amendment of such bylaws; and

WHEREAS, these bylaws have been amended in the past by Resolution, most recently by Resolution 2019-03, adopted by City Council on February 19, 2019, and Resolution 2022-01, adopted by City Council on January 4, 2022; and

WHEREAS, the Board of Directors of the EDC has determined that it is in the best interest of the City of Seabrook to again update and amend these bylaws; and

WHEREAS, all required procedures have been followed to amend such bylaws and the amendments were approved unanimously by the Board of Directors at their meeting of August 8, 2024; and

WHEREAS, all amendments to the EDC bylaws must be approved by the Seabrook City Council.

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

THAT, the Bylaws of the Seabrook Economic Development Corporation are hereby amended as shown in Exhibit "A" and as recommended by the Board of Directors of the Seabrook Economic Development Corporation.

PASSED, APPROVED, AND RESOLVED this 20th day of August, 2024.

CITY OF SEABROOK

Thomas G. Kolupski
Mayor

ATTEST:

Rachel Lewis, TRMC
City Secretary

EXHIBIT A

BYLAWS OF THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION

ARTICLE ONE

OFFICE AND AGENT

The principal office and agent of the Seabrook Economic Development Corporation (hereinafter referred to as the "Corporation") in the State of Texas shall be located at 1700 First Street, Seabrook, Texas or other location as may be determined by the Board of Directors, approved by City Council of the City of Seabrook, and recorded with the Secretary of State.

ARTICLE TWO

PURPOSE

2.01 The Corporation is a non-profit corporation specifically governed by Section 4B of the Texas Development Corporation Act of 1979, (Chapters 501-502, 505, Texas Local Government Code (hereinafter referred to the "Act.")). The Corporation shall have all of the powers enumerated in the Act, except as limited by these Bylaws, its Articles of Incorporation, or determination of the City Council.

2.02 The purpose of the Corporation is to use economic development resources to encourage and promote the general economic welfare of the City, its residents and businesses as authorized by the Act, as it may be amended.

ARTICLE THREE

MEMBERS

The Corporation shall have no members and is a non-stock corporation. The word "member" may be used in these Bylaws in reference to those appointed to serve as Directors or on committees, but does not imply or confer any corporate membership or ownership status.

ARTICLE FOUR

BOARD OF DIRECTORS

Management of the Corporation

4.01 The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors (the "Board"), appointed by the governing body of the City of Seabrook, and subject to applicable limitations imposed by the Texas Non-Profit Corporation Act, the Texas Business Corporation Act, the Texas Development Corporation Act, its Articles of Incorporation, or these Bylaws. The Board may, by contract, resolution, or otherwise, provide general or limited special power and authority to the officers and employees of the Corporation to transact the general business or any special business of the Corporation, and may give powers of attorney to agents of the Corporation to transact any special business requiring such authorization.

Number, Qualifications, and Tenure of Directors

4.02 The authorized number of Directors of this Board shall be seven (7). The City Council shall appoint the Directors of the Corporation in accordance with the Act and the City's Home Rule Charter, as each may be amended. The membership of the Board of Directors shall include the Mayor and one additional member of City Council. At least five (5) Directors of the Board shall not be officers or employees of the City of Seabrook or members of its City Council, and these five (5) Directors shall be referred to as "Public Members" and/or as "Public Directors" of the Board of Directors.

The terms of office for the Directors of the Board are as follows: (a) The term of Directors who are also members of the City Council, shall be two (2) years; such two (2) year[s] term to run concurrently with the respective Council member's term of elected office; (b) ~~The terms of Public Members shall be by appointment by City Council for staggered two (2) year terms to begin in January 2023 for 3 members to be appointed at that time, and 2 members to be appointed in January 2024, and thereafter every 2 years in even-numbered years~~

(b) The terms of Public Members shall be by appointment by the City Council for staggered two (2) year terms. Beginning in January 2025, three (3) members will be appointed for two-year terms. In January 2026, two (2) members will be appointed for two-year terms. Thereafter, appointments will continue every two years in even-numbered years.

Any Director who is a member of the governing body of the City shall cease to be a Director at the time he or she ceases to be a member of the City Council. A director may be removed by the City Council at any time without cause. Each director shall be a resident of the City of Seabrook.

Vacancies

4.03 Any vacancy occurring on the Board of Directors shall be filled by appointment by the City Council of the City. All interviews by the City Council to fill vacancies for directors shall be conducted in open meetings. A director appointed to fill a vacancy shall be appointed for the unexpired term of his or her predecessor in office.

Ex Officio Representatives of the Board

4.04 The City Manager shall serve as an ex officio representative of the Board and may attend all meetings of the Board or its Committees including executive sessions, if allowed by law. He or she shall not have the power to vote. In addition, the Board of Directors may appoint representatives from area organizations to serve as ex officio, non-voting members of the Board.

General Duties of the Board

4.05 The Board is hereby required to perform the following duties:

- a. The Board shall develop or cause to be developed, an overall economic development plan for the City, which shall include and set short-term goals and long-term goals that the Board deems necessary to accomplish its purpose as stated in Section 2.01 hereof.

This plan shall require approval by the City Council of the City and may include the following elements:

1. An economic development strategy to bolster the business climate throughout the City.
2. Strategies to fully utilize the assets of the City that enhance economic development.
3. Identification of strategies to coordinate public, private, and academic resources to develop and enhance business opportunities.
4. Assurance of accountability of all tax monies expended by the Corporation for implementation of the overall economic development plan.
5. Identification and implementation of strategies for economic development.

6. An annual work plan outlining the anticipated activities, tasks, projects, and programs to be undertaken by the Board during the upcoming fiscal year. The annual work plan shall be submitted with the Corporation's annual budget, as outlined in Section 7.02 of these Bylaws.
- b. The Board shall review the overall economic development plan at least once each year to ensure that said plan is up-to-date with the current economic climate.
 - c. The Board shall expend, in accordance with State law, any tax funds received by it on economic development as allowed by law, to:
 1. Pay the costs of projects found by the Board to be required or suitable for use for professional and amateur (including children's) sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, learning centers, parks and park facilities, and related space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvement that enhance any of those items; or
 2. Pay the principal of, interest on, and other costs relating to bonds or other obligations issued by the Corporation to pay the costs of the projects or to refund bonds or other obligations.
 3. Fund any other Project(s) authorized by law.
 - d. The Board may contract with the City of Seabrook, or with another entity, for administrative services. The Board may plan and direct its work through a designated employee of the City of Seabrook, or other contractual entity, who will be charged with the responsibility of carrying out the Corporation's plan and program as adopted by the Board.
 - e. The Board shall make a detailed annual report to the City Council once each year. This report shall include, but not be limited to, the following:

1. A review of all expenditures made by the Board in connection with their activities involving direct economic development as defined in this Section together with a report of all other expenditures made by the Board.
 2. A review of the accomplishments of the Board in the area of direct economic development.
 3. The policies and strategy followed by the Board in relation to direct economic development, together with any new or proposed changes in said policies and strategy.
 4. The activities of the Board for the budget year addressed in said annual report, together with any proposed change in said activity or activities as they relate to direct economic development.
 5. A review of the activities of the Board in areas of endeavors other than direct economic development, together with any proposed changes in these activities.
 6. An annual report for consideration for review and acceptance by the City Council.
- f. The Board shall be accountable to the City Council for all activities undertaken by them or on their behalf, and shall report on all activities of the Board, whether discharged directly by the Board or by any person, firm, corporation, agency, association or other entity on behalf of the Board. A mid-year report, shall be made by the Board to the City Council, and shall include, but not be limited to the following:
1. Accomplishments to date as compared with the overall plan or strategy for direct economic development.
 2. Anticipated short-term challenges during the next six-month reporting period, together with recommendations to meet short-term challenges.
 3. Long-term issues to be addressed over the succeeding twelvemonth period or longer period of time, together with recommendations to meet such issues with emphasis to be placed on direct economic development.
 4. A recap of all budgeted expenditures for the first six (6) months of the fiscal year, together with a recap of unused budgeted funds and any commitment made on said unused funds.

Implied Duties

4.06 The Corporation is authorized to do that which the Board deems desirable to accomplish any of the purposes or duties set out in Sections 2.01 and 4.05 of these Bylaws and in accordance with State law.

Meetings

4.07 The Board shall hold regular meetings, generally, once a month. The Chairperson may call special meetings when, in his/her judgment, such meetings are necessary. All meetings of the Corporation shall be held at City Hall or another facility within the city. If there is no business to discuss, the Chair shall notify the Directors. All meetings of the Board shall provide notice and be conducted as provided for and in accordance with the requirements of the Texas Open Meetings Act, Texas Government Code Chapter 551, as amended.

4.08 No meetings of the Board of Directors shall be held outside the boundaries of the City.

Attendance

4.09 Regular attendance at the Board meetings is required of each Director and the attendance record of each Director shall be submitted to the Council prior to any reappointment to the Board. The following number of absences may constitute the need for replacement of a Director: three (3) consecutive absences or attendance reflecting unexcused absences; or absences constituting fifty percent (50%) of the regularly scheduled meetings over any twelve (12) month period. In the event replacement for unexcused absences is indicated, the Chair will counsel the Director, and **if there are recurring absences** subsequently, the Chairperson shall submit, in writing to the City Secretary, to be forwarded to the City Council, a request to consider replacing the Director in question.

Quorum

4.10 For the purposes of convening a meeting and transacting the business of the Corporation at any meeting, a majority of the appointed members of the Board shall constitute a quorum. If there is an insufficient number of Directors present to convene a meeting and transact business, the presiding officer shall adjourn the meeting.

Compensation

4.11 The Directors shall serve without compensation, but shall be reimbursed as allowed by State law and approved by the Board, for actual or commensurate costs of travel, lodging, and/or incidental expenses incurred while performing official business of the Board.

Voting; Action of the Board of Directors

4.12 Directors must be present in order to vote at any meeting. Unless otherwise provided in these Bylaws, the Corporation's Articles of Incorporation, or State law, the act of a simple majority of the Directors present at any meeting is sufficient to constitute action of the Board and authorize the Chair of the Board to take further action. For any vote or item presented for action to the Board, for which a Director is aware of a conflict of interest or potential conflict of interest, with regard to any particular vote, the Director shall bring the same to the attention of the Board, file any affidavit required to be filed by state law, and shall abstain from discussion and voting. Any Director may bring any apparent conflict of interest to the attention of the Board before any vote shall be taken regarding that particular matter. In absence of a conflict of interest, each Director present at the meeting shall vote for or against each question brought before the Board.

Board's Relationship with City Council

4.13 In accordance with State law, the City Council shall require the Corporation to be responsible for the proper discharge of the duties assigned in this Article. All policies for program administration shall be submitted for City Council approval, and the Board shall administer said programs accordingly. The Board shall determine its policies and direction within the limitations of the duties herein imposed, by applicable laws, the Corporation's Articles of Incorporation, these Bylaws, contracts entered into with the City, and budget and fiduciary responsibilities.

Administration of Economic Development Programs

4.14 The Corporation may, with approval of the City Council, contract with the City of Seabrook, or with another entity or individual, for full or part-time employees as needed to carry out the programs of the Corporation. These employees shall perform those duties outlined in state law, and any employees may be included within the City's retirement and insurance plans, provided the Corporation reimburses the City for these costs.

4.15 The Corporation and the City may agree in writing for the provision of required administrative services necessary for the operation of the Corporation, whether in addition to or in place of any Corporation employees. The Corporation shall reimburse the City for the City's actual costs. The Board shall make any request for services of the City in writing to the City Manager. The City Manager may approve any request for assistance when he/she finds the requested services are available within the administrative departments of the City, and that the Board has agreed to reimburse the administrative department's budget for the costs of the services provided.

4.16 The Board is authorized to hire its own legal counsel.

4.17 The Corporation may, with approval of the City Council, contract with any qualified and appropriate person, association, corporation, or governmental entity to perform and discharge designated tasks which will aid or assist the Board in the performance of its duties. However, no contract shall ever be approved or entered into which seeks or attempts to divest the Board of Directors of its discretion and policy-making functions in discharging the duties hereinabove set forth.

ARTICLE FIVE

OFFICERS

Officers of the Corporation

5.01 The elected officers of the Corporation shall be Chairperson (Chair), Vice Chairperson (Vice-Chair), Secretary, and Treasurer. The Board may resolve to elect one or more Assistant Secretaries or one or more Assistant Treasurers as it may consider desirable. Officers shall have the authority and perform the duties of their office as the Board may prescribe or as the Secretary or Treasurer may delegate to his or her respective Assistant. No Director shall hold more than one office at any time.

Selection of Officers

5.02 The officers shall be elected by the Board and shall serve for a term of one (1) year. The term of office of each officer shall always be for a period of one (1) year; provided, however, each officer shall continue to serve until the election of his or her successor unless the Director has been replaced. The Mayor shall not serve as an officer. Elections shall be held at the annual meeting of the Board.

Vacancies

5.03 A vacancy in any office, which occur by reason of death, resignation, disqualification, removal, or otherwise, may be filled by appointment by the Board of Directors for the unexpired portion of the term of that office, in the same manner as other officers are elected by the Board.

Chair

5.04 The Chair shall be the presiding officer of the Board. In general, the Chair shall perform all duties incident to the office, and other duties as shall be prescribed by the Board of Directors. The Chair shall also have the following specific authority:

- a. To preside over all meetings of the Board;
- b. To vote on all matters coming before the Board;
- c. To call a special meeting of the Board, upon notice to all Board members when, in his judgment, a meeting is necessary;
- d. To cancel any regularly scheduled meeting of the Board when there is no business to discuss, provided s/he gives notice to the Board and to the public of the cancellation, as provided in Section 4.07 hereof.

In addition to the above-mentioned duties and authority, the Chair shall sign, with the Secretary of the Board, any resolutions, policies, deeds, mortgages, bonds, contracts, or other instruments, which the Board of Directors has approved and unless execution of said document has been expressly delegated to some other officer or agent of the Corporation by appropriate Board resolution, by a specific provision of these Bylaws. All instruments are subject to the approval of the City Council, which approval shall be noted thereon. In general, the Chair shall perform all duties incident to the office, and other duties as prescribed by the Board.

Vice Chair

5.05 In the absence of the Chair, or in the event of his or her inability to act, the Vice Chair shall perform the duties of the Chair. When so acting, the Vice Chair shall have all powers of shall perform the duties of the Chair. When so acting, the Vice Chair shall have all powers of and be subject to all the same restrictions as the Chair. The Vice Chair shall also perform other duties as may be assigned to him or her by the Chair as provided by law.

Secretary

5.06 The Secretary shall be the custodian of the records and seal of the Corporation, and shall keep a register of the current mailing address and street address, if different, of each Director. The Secretary shall cause to be kept, a record of the minutes of all meetings of the Board, of any committee of the Board, and all records of the Corporation, with the City Secretary in accordance with State law.

Treasurer

5.07 The Treasurer shall cause to be kept, at the Corporation's registered office, a record of all receipts and expenditures of the funds of the Corporation. The Treasurer shall perform all the duties incident to that office and other duties as may be assigned by the Chair of the Board.

Assistant Secretaries and Assistant Treasurers

5.08 The Assistant Secretaries and Assistant Treasurers, shall perform the duties assigned by the Chair or the Board.

ARTICLE SIX

COMMITTEES

Standing Committees

6.01 The Board of Directors may appoint standing committees with duties and powers as the Board deems appropriate.

Special Committees

6.02 The Board of Directors may determine that other committees are necessary or appropriate to assist the Board of Directors, and shall designate, subject to Board approval, the Directors of the respective committees.

Limitation on Committee Authority

6.03 No committee shall have the independent authority to act for or in place of the Board of Directors or to expend any funds, but shall act only in an advisory capacity, and shall report back to the Board as directed.

6.04 The designation and appointment of any committee, and delegation to that committee of any authority, shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed upon it or upon him or her by law.

Term of Office of Committee Members

6.05 Each member of a committee shall serve until the next annual appointment of the Board of Directors and until his or her successor is appointed, unless the committee is terminated sooner, the member has ceased to serve on the Board of Directors, or is removed from the committee.

6.06 Any committee member may be removed from a committee by the Board whenever in its judgment the best interests of the Corporation would be served by removal.

Vacancies on Committees

6.07 Vacancies in the membership of any committee may be filled in the same manner as the original appointments.

ARTICLE SEVEN

FINANCIAL ADMINISTRATION

The Corporation's financial administration shall be conducted as follows:

Fiscal Year

7.01 The fiscal year of the Corporation shall begin on October 1 and end on September 30 of the following year.

Budget

7.02 A budget for the forthcoming fiscal year shall be submitted to, and approved by, the Board of Directors and the City Council of the City of Seabrook. Once a budget is approved, this constitutes approval for the Corporation to expend Corporation funds in accordance with the budget. The budget may be amended, subject to the same approval requirements, to allow for changes in economic development priorities or to respond to an economic development opportunity.

Contracts

7.03 As provided in Article Five above, the Chair and Secretary shall execute any contracts or other instruments, which the Board has approved and authorized to be executed; provided, however, the Board may, by appropriate resolution, authorize any other officer or officers or any other agent or agents, to enter into contracts or execute and deliver any instrument in the name and on behalf of the Corporation. Such authority may be confined to specific instances or defined in general terms.

When appropriate, the Board may grant a specific or general power of attorney to carry out some action on behalf of the Board; provided, however, no power of attorney may be granted unless an appropriate resolution of the Board authorizes the same to be performed, subject to approval by City Council.

Checks and Drafts

7.04 No check, draft, order for the payment of money or evidence of indebtedness shall be prepared or signed unless same is in accordance with the approved Corporation budget, or an approved budget amendment. All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be approved by the Board and signed by two officers of the Corporation or their designees.

Deposits

7.05 All funds of the Corporation shall be deposited, on a regular basis, to the credit of the Corporation in a local bank, which shall be federally insured and shall be selected following the procedures and requirements for selecting a depository as set forth in Chapter 105 of the Texas Local Government Code.

Gifts

7.06 The Corporation may accept any contribution, gift, bequest, or device for the general purpose or for any special purpose of the Corporation.

Purchasing

7.07 All purchases made and contracts executed by the Corporation shall be made in accordance with the requirements of the Texas Constitution and laws of the State of Texas.

Investments

7.08 Temporary and idle funds, which are not needed for immediate obligations of the Corporation, may be invested in any legal manner as provided in Chapter 2256 of the Texas Government Code, (the Public Funds Investment Act).

Bonds

7.09 The Corporation is authorized to issue bonds for appropriate projects, provided they are issued in accordance with all applicable state laws, and with the approval of the Seabrook City Council, after review and comment by the City's bond counsel and financial advisor.

Uncommitted Funds

7.10 Any funds of the Corporation that are uncommitted at the end of the fiscal year shall be considered a part of the Fund Balance of the Corporation. The undesignated Fund Balance may be designated for any legal purpose, provided both the Corporation's Board of Directors and the

City Council approve the commitment. This designation may include the establishment of a Permanent Reserve Fund, which shall be accumulated for the purpose of using the interest earnings of the Fund to finance operation of the Corporation.

Monthly Reports

7.11 The City financial office will provide to the Board of Directors a monthly report of all matters required, permitted, or done pursuant to this Article or any contract.

Annual Audit; Bonding Requirements for Third Party Audits

7.12 An annual audit of the Corporation's books and funds shall be prepared by a competent independent audit firm as soon as practical following the end of each fiscal year. The Corporation audit shall generally be completed in conjunction with the City's audit. Provided, however, that the Corporation may contract with a third party to perform the Corporation's financial and accounting requirements, including the annual audited financial statement, with the approval and consent of the City Council. The City of Seabrook, or any other contractual entity providing financial services to the Corporation, shall provide to the Board of Directors an annual audited financial statement of all funds.

7.13 If the Corporation independently contracts with an entity other than the City for financial accounting and auditing services, the entity shall be required to provide an official bond in the sum of not less than One hundred Thousand Dollars (\$100,000.00). Such bond shall be procured from a regularly accredited surety company authorized to do business in the state. A copy of the bond shall be filed with the Corporation and with the City Secretary.

7.14 If the Corporation's audit is not completed with the City's, and the Corporation does not elect to contract for financial services, the Chair, Vice Chair, and Treasurer of the Board shall each give an official bond in the sum on not less than One Hundred Thousand Dollars (\$100,000.00). The bonds referred to in this section shall be considered for the faithful accounting of all monies and things of value coming into the hands of such officers. The bonds shall be procured from some regularly accredited surety company authorized to do business in the state. The premiums shall be paid by the Corporation. A copy of each officer's bond shall be filed with the City Secretary.

ARTICLE EIGHT

BOOKS AND RECORDS

The Corporation shall keep correct and complete books and records of all actions of the Corporation, including books and records of accounts and the minutes of meetings of the Board of

Directors and of any committee having any authority of the Board and to the City Council. Members of the City Council and Directors of the Corporation may inspect the books of the Corporation, and any information that may be designated by law as public information shall be open to public inspection at any reasonable time. The Texas Public Information Act, Chapter 552, Texas Government Code, shall apply to any disclosure of the Corporation's records.

ARTICLE NINE

SEAL

The Board of Directors shall obtain a corporate seal which shall bear the words "Corporate Seal of Seabrook Economic Development Corporation"; thereafter, the Board may use the corporate seal and may later alter said seal as necessary, without changing the corporate name; however, these Bylaws shall not be construed to require the use of the corporate seal.

ARTICLE TEN

AMENDMENTS TO BYLAWS

10.01 These Bylaws may be amended or repealed, or new Bylaws may be adopted by an affirmative vote of not less than five (5) of the authorized Directors serving on the Board; provided however, that at least ten (10) days prior to the meeting at which action is taken, written notice setting forth the proposed action shall have been given to all Directors, and public notice regarding the action has been given according to the requirements of State law.

10.02 No amendment or new Bylaw shall become effective until approved by the City Council.

ARTICLE ELEVEN

DISSOLUTION

Dissolution of the Corporation may be effected as provided for in the Act.

ARTICLE TWELVE

INDEMNITY

12.01 The Corporation hereby agrees to indemnify and hold harmless each current or former Director or Officer of the Corporation from and against any costs, expenses (including attorney's fees), fines, settlements, judgments, liabilities, and other amounts, actually and reasonably incurred in any action, suit, or proceeding to which he or she is made a party by reason of holding

this position in accordance with the limitations imposed by law; provided, however, an Officer or Director shall not be eligible for indemnification if he/she is finally adjudicated to be liable for gross negligence or intentional/willful misconduct with respect to the matter for which indemnity is sought. The indemnification herein provided shall also extend to good faith expenditures incurred in anticipation or, or preparation for, threatened or proposed litigation. The Board of Directors may, in proper case, extend this indemnification to cover the good faith settlement of any action, suit, or proceedings, whether formally instituted or not.

12.02 The Corporation is authorized to secure independent insurance or to participate in and be included in the coverage provided by the City of Seabrook through the Texas Municipal League Insurance Risk Pool, or other insurance program.

12.03 Furthermore, to the extent allowed by law, the Corporation agrees to indemnify and hold harmless and defend the City of Seabrook, its officers, agents, and its employees, from and against liability for any and all claims, liens, suits, demands, and/or actions for damages, injuries to persons (including death), property damage (including loss of use), and expenses, including court costs and attorneys' fees and other reasonable costs arising out of or resulting from the Corporation's activities, and from any liability arising out of or resulting from the intentional acts or negligence, including all causes of action based upon common, constitutional, or statutory law, or based in whole or in part upon the negligent or intentional acts or omissions of the Corporation, including but not limited to its officers, agents, employees , licensees, invitees, and other persons.

12.04 With respect to the above indemnity, the City of Seabrook and the Corporation will provide each other with prompt and timely notice of any event covered that in any way, directly or indirectly, contingently or otherwise, affects or might affect the Corporation or the City of Seabrook, and the City shall have the right to compromise and defend the same to the extent of its own interests. It is further agreed that this indemnity clause shall be an additional remedy to the City of Seabrook and not an exclusive remedy.

12.05 Furthermore, as set out in the Act, the Corporation, a Director of the Corporation, the City creating the Corporation, a member of the governing body of the City, or an employee of the Corporation or City is not liable for damages arising from the performance of a governmental function of the Corporation or City. For the purposes of Chapter 101, Civil Practice and Remedies Code, the Corporation is a governmental unit and its actions are governmental functions.

ARTICLE THIRTEEN

MISCELLANEOUS

Relation to Articles of Incorporation

These Bylaws are subject to, and governed by, the Corporation's Articles of Incorporation, and applicable State statutes under which the Corporation is organized

CERTIFICATE

This is to certify that the foregoing is a true and correct copy of the amended Bylaws of the Corporation and that these Bylaws were duly amended and adopted by the Board of Directors of the Corporation on the date set forth below.

Adopted as amended, by an affirmative vote of the Board of Directors, as reflected in the minutes of this meeting, on the 8th day of August, 2024.

Terry Chapman, Vice Chair

ATTEST:

Ann Wacker, Secretary



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Independent Member Crowe Global

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August 5, 2024

The Honorable Thom Kolupski, Mayor
City of Seabrook, Texas
1700 First Street
Seabrook, Texas 77586-3540

This letter confirms the arrangements for Crowe LLP ("Crowe" or "us" or "we" or "our") to provide the professional services discussed in this letter to City of Seabrook, Texas ("you", "your" or "Client"). The attached Crowe Engagement Terms, and any other attachments thereto, are integral parts of this letter, and such terms are incorporated herein.

AUDIT SERVICES

Our Responsibilities

We will audit and report on the financial statements of the Client for the year ending September 30, 2024.

We will audit and report on the financial statements of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information, and the disclosures, including the related notes to the financial statements, which collectively comprise the basic financial statements of the Client for the period indicated.

In addition to our report on the financial statements, we plan to evaluate the presentation of the following supplementary information in relation to the financial statements as a whole, and to report on whether this supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole.

- Schedule of Expenditures of Federal Awards
- Combining Statement(s) and Schedule(s)
- Budgetary Comparison Schedule(s)

In addition to our report on the financial statements, we also plan to perform specified procedures in order to describe in our report whether the following required supplementary information is presented in accordance with applicable guidelines. However, we will not express an opinion or provide any assurance on this information due to our limited procedures.

- Management's Discussion and Analysis
- Budgetary Comparison Schedules
- Pension Schedule(s), as appropriate
- OPEB Schedule(s), as appropriate

The document will also include the following additional information that will not be subjected to the auditing procedures applied in our audit of the financial statements, and for which our auditor's report will disclaim an opinion:

- Introductory Section
- Statistical Section

The objective of the audit is the expression of an opinion on the financial statements. We will plan and perform the audit in accordance with auditing standards generally accepted in the United States of America, the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards require that we obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement whether caused by error or fraud, and that we report on the Schedule of Expenditures of Federal Awards (as noted above), and on your compliance with laws and regulations and on its internal controls as required for a Single Audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the entity's compliance with the requirements of the federal programs as a whole. Because of inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with applicable standards. An audit is not designed to detect error or fraud that is immaterial to the financial statements.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment including the assessment of the risks that the financial statements could be misstated by an amount that we believe would influence the judgment made by a reasonable user of these financial statements. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. As required by the standards, we will maintain professional skepticism throughout the audit.

In making our risk assessments, we obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the Client's internal control. However, we will communicate in writing to those charged with governance and management concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit. We will communicate to management other deficiencies in internal control identified during the audit that have not been communicated to management by other parties and that, in our professional judgment, are of sufficient importance to merit management's attention. We will also communicate certain matters related to the conduct of the audit to those charged with governance, including (1) fraud involving senior management, and fraud (whether caused by senior management or other employees) that causes a material misstatement of the financial statements, (2) illegal acts that come to our attention (unless they are clearly inconsequential) (3) disagreements with management and other significant difficulties encountered in performing the audit and (4) various matters related to the Client's accounting policies and financial statements. Our engagement is not designed to address legal or regulatory matters, which matters should be discussed by you with your legal counsel.

As part of our audit, we will conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Client's ability to continue as a going concern for a reasonable period of time.

We expect to issue a written report upon completion of our audit of the Client's financial statements. Our report will be addressed to those charged with governance of the Client. Circumstances may arise in which it is necessary for us to modify our opinion, add an emphasis of matter or other matter paragraph or a separate section in the auditor's report, or withdraw from the engagement.

In addition to our report on the financial statements and supplemental information, we plan to issue the following reports:

- Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards* — The purpose of this report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Client's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.
- Independent Auditor's Report on Compliance for Each Major Federal Program and Report on Internal Control Over Compliance -- The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

We will also perform tests of controls including testing underlying transactions, as required by the Uniform Guidance, to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each of your major federal awards programs. We will determine major programs in accordance with the Uniform Guidance. Our tests will be less in scope than would be necessary to render an opinion on these controls and, accordingly, no opinion will be expressed. We will inform you of any non-reportable conditions or other matters involving internal control, if any, as required by the Uniform Guidance.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will also perform tests of your compliance with applicable laws, regulations, contracts and grants. However, because of the concept of reasonable assurance and because we will not perform a detailed examination of all transactions, there is a risk that material errors, irregularities, or illegal acts, including fraud or defalcations, may exist and not be detected by us. However, the objective of our audit of compliance relative to the financial statements will not be to provide an opinion on overall compliance with such provisions, and we will not express such an opinion. We will advise you, however, of any matters of that nature that come to our attention, unless they are clearly inconsequential.

The Uniform Guidance requires that we plan and perform the audit to obtain reasonable assurance about whether you have complied with certain provisions of laws, regulations, contracts and grants. Our procedures will consist of the applicable procedures described in the United States Office of Management and Budget (OMB) Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of your major programs. The purpose of our audit will be to express an opinion on your compliance with requirements applicable to major Federal award programs. Because an audit is designed to provide reasonable assurance, but not absolute assurance, the audit is not designed to detect immaterial violations or instances of noncompliance.

Our audit and work product are intended for the benefit and use of the Client only. The audit will not be planned or conducted in contemplation of reliance by any other party or with respect to any specific

transaction and is not intended to benefit or influence any other party. Therefore, items of possible interest to a third party may not be specifically addressed or matters may exist that could be assessed differently by a third party.

The working papers for this engagement are the property of Crowe and constitute confidential information.

However, we may be requested to make certain working papers available to your oversight agency or grantors pursuant to authority given to them by law, regulation, or contract. If requested, access to such working papers will be provided under the supervision of our personnel. Furthermore, upon request, we may provide photocopies of selected working papers to your oversight agency or grantors. The working papers for this engagement will be retained for a minimum of three years after the date our report is issued or for any additional period requested by the oversight agency or pass-through entity. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party contesting the audit finding for guidance prior to destroying the working papers.

Government Auditing Standards require that we provide you with a copy of our most recent peer review report, which accompanies this letter.

The Client's Responsibilities

The Client's management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America. Management is also responsible for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to error or fraud.

The Client's management is also responsible for complying with applicable laws, regulations, contracts and grants and such responsibility extends to identifying the requirements and designing internal control policies and procedures to provide reasonable assurance that compliance is achieved. Management has the responsibility to make Crowe aware of significant contractor relationships in which the contractor is responsible for program compliance. Client's management is responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that the auditor reports. Additionally, it is management's responsibility to follow up and take corrective action on reported audit findings, to establish and maintain a process for tracking the status of findings and recommendations, and to prepare a summary schedule of prior audit findings, which should be available for our review, and a corrective action plan.

Management has the responsibility to adopt sound accounting policies, maintain an adequate and efficient accounting system, to safeguard assets, and to design and implement programs and controls to prevent and detect fraud. Management's judgments are typically based on its knowledge and experience about past and current events and its expected courses of action. Management's responsibility for financial reporting includes establishing a process to prepare the accounting estimates included in the financial statements and to devise policies to ensure that the Client complies with applicable laws and regulations.

Management is responsible for providing to us, on a timely basis, all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters. Management is also responsible for providing such other additional information we may request for the purpose of the audit, and unrestricted access to persons within the Client from whom we determine it necessary to obtain audit evidence. Additionally, those charged with governance are responsible for informing us of their views about the risks of fraud within the Client, and their knowledge of any fraud or suspected fraud affecting the Client.

Management is responsible for adjusting the financial statements to correct material misstatements related to accounts or disclosures. As part of our audit process, we will request from management written

confirmation concerning representations made to us in connection with the audit, including that the effects of any uncorrected misstatements aggregated by us during the audit are immaterial, both individually and in the aggregate, to the financial statements, and to the Client's compliance with the requirements of its Federal programs. Management acknowledges the importance of management's representations and responses to our inquiries, and that they will be utilized as part of the evidential matter we will rely on in forming our opinion. Because of the importance of such information to our engagement, you agree to waive any claim against Crowe and its personnel for any liability and costs relating to or arising from any inaccuracy or incompleteness of information provided to us for purposes of this engagement.

Management is responsible for the preparation of the supplementary information identified above in accordance with the applicable criteria. As part of our audit process, we will request from management certain written representations regarding management's responsibilities in relation to the supplementary information presented, including but not limited to its fair presentation in accordance with the applicable criteria, the method of measurement and presentation and any significant assumptions or interpretations underlying the supplementary information. In addition, it is management's responsibility to include the auditor's report on supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information. It is also management's responsibility to present the supplementary information with the audited financial statements or, if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by Client of the supplementary information and the auditor's report thereon.

Management is responsible for the preparation of the required supplementary information identified above in accordance with the applicable guidelines. We will request from management certain written representations regarding management's responsibilities in relation to the required supplementary information presented, including but not limited to whether it has been measured and presented in accordance with prescribed guidelines, the method of measurement and presentation and any significant assumptions or interpretations underlying the supplementary information.

At the conclusion of the engagement, it is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the designated federal clearinghouse and, if appropriate, to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of thirty days after receipt of the auditor's reports or nine months after the end of the audit period.

Management is responsible for report distribution responsibilities, including determining which officials or organizations will receive the report and making the report available to the public as applicable when the audit organization is responsible for report distribution.

OTHER SERVICES

Financial Statement Preparation

The Client will provide us with the necessary information to assist in the preparation of the draft financial statements including the notes thereto. We are relying on the Client to provide us with the detailed trial balance, note disclosure information and any other relevant report information in a timely fashion and ensure the data is complete and accurate. Management is solely responsible for the presentation of the financial statements.

Preparation of the Schedule of Expenditure of Federal Awards

The Client will provide us with the necessary information to prepare the draft schedule of expenditure of federal awards including the notes thereto. We are relying on the Client to provide us with all information

required by the Uniform Guidance for the schedule, notes and other relevant reporting information in a timely fashion and ensure the data is complete and accurate. Management is solely responsible for the presentation of the schedule of expenditures of federal awards.

Data Collection Form Input Services

We will provide assistance in completing sections of the Data Collection Form (DCF) relative to its federal award programs pursuant to the requirements of Section §200.512 of the Uniform Guidance that are promulgated to be completed by the Client. While we may provide this data entry service and assist you in satisfying your electronic data communication requirements to the Federal Audit Clearinghouse, the completeness and accuracy of this information remains the responsibility of your management.

With respect to the above other services, we will perform the services in accordance with applicable professional standards. We, in our sole professional judgment, reserve the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities. In connection with performing the above other services, you agree to: assume all management responsibilities including making all management decisions; oversee the service by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, and/or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services.

In delivering services to Client, Crowe may use subsidiaries owned and controlled by Crowe. Crowe subsidiaries are subject to the same information security policies and requirements as Crowe LLP and will meet the requirements set forth in the confidentiality and data protection provisions of this Agreement.

FEES

Our fees are outlined below.

Description of Services	Fee Amount
Financial Statement Audit – ACFR	\$49,050
Single Audit – Base Fee	\$4,120
Single Audit – Per Major Program	\$5,215

We will invoice you as our services are rendered. Generally, 40 percent will be billed and payable upon completion of interim audit procedures (normally one to four months before year end) and 60 percent after a draft of the Financial Statements are issued. Accordingly, the fee will be split 40/60 between budget years.

Our invoices are due and payable upon receipt. Invoices that are not paid within 30 days of receipt are subject to a monthly interest charge of one percent per month or the highest interest rate allowed by law, whichever is less, which we may elect to waive at our sole discretion, plus costs of collection including reasonable attorneys' fees. If any amounts invoiced remain unpaid 30 days after the invoice date, you agree that Crowe may, in its sole discretion, cease work until all such amounts are paid or terminate this engagement.

The fees outlined above are based on certain assumptions. Those assumptions may be incorrect due to incomplete or inaccurate information provided, or circumstances may arise under which we must perform additional work, which in either case will require additional billings for our services. Examples of such circumstances include, but are not limited to:

- Changing service requirements
- New professional standards or regulatory requirements
- New financial statement disclosures

- Work caused due to the identification of, and management's correction of, inappropriate application of accounting pronouncements
- Erroneous or incomplete accounting records
- Evidence of material weakness or significant deficiencies in internal controls
- Substantial increases in the number of significant deficiencies in internal controls
- Regulatory examination matters
- Change in your organizational structure or size due to merger and acquisition activity or other events
- Change in your controls
- New or unusual transactions
- Agreed-upon level of preparation and assistance from your personnel not provided
- Numerous revisions to your information
- Lack of availability of appropriate Client personnel during fieldwork.

A federal single audit is required by the OMB's Uniform Guidance when federal funds over \$750,000 are expended. Federal single audit fees vary based on the number of major programs as defined by OMB. Accordingly, the federal single audit fee consists of a 'Federal Single Audit-Base Fee' to cover basic fixed amounts and the 'Federal Single Audit-Per Major Program Fee', which is the scalable portion dependent on the actual number of major programs. The number of major programs is established by OMB criteria. If a federal single audit is required, there will be at least one major program. Prior year federal single audit reports will help plan for the number of major programs, but they will vary from year to year based on the level of federal funding. Should you not exceed OMB's federal single audit threshold, a federal single audit will not be required. If you anticipate exceeding the federal single audit threshold, please contact us as far in advance as possible so that we can begin doing preliminary federal single audit work.

A state single audit is required when grant funds that originated from the State of Texas (this does not include federal monies passed through the State) over \$750,000 are expended. State single audit fees vary based on the number of major programs as defined by the *State of Texas Single Audit Circular*. The additional technical verbiage that is necessary when a state single audit is required is not included within this engagement letter, nor does the proposed engagement fee(s) include additional fees related to a state single audit. Should you exceed the state single audit thresholds, a new engagement letter will be required.

Additionally, to accommodate requests to reschedule fieldwork without reasonable notice, additional billings for our services could be required, and our assigned staffing and ability to meet agreed upon deadlines could be impacted.

Due to such potential changes in circumstance, we reserve the right to revise our fees. However, if such a change in circumstances arises or if some other significant change occurs that causes our fees to exceed our estimate, we will advise management.

Our fees are exclusive of taxes or similar charges, as well as customs, duties or tariffs, imposed in respect of the Services, any work product or any license, all of which Client agrees to pay if applicable or if they become applicable (other than taxes imposed on Crowe's income generally), without deduction from any fees or expenses invoiced to Client by Crowe.

The Client and Crowe agree that the Client may periodically request Crowe to provide additional services for accounting and reporting advice regarding completed transactions and potential or proposed transactions. The fees for such additional services will be based on Crowe's hourly billing rates plus expenses or as mutually agreed upon between the Client and Crowe.

To facilitate Crowe's presence at Client's premises, Client will provide Crowe with internet access while on Client's premises. Crowe will access the internet using a secure virtual private network. Crowe will be responsible for all internet activity performed by its personnel while on Client's premises. In the event

Client does not provide Crowe with internet access while on Client's premises, Client will reimburse Crowe for the cost of internet access through other means while on Client's site.

FOREIGN TERRORISTS ORGANIZATIONS

Pursuant to Chapter 2252, Texas Government Code, Crowe represents and certifies that, at the time of execution of this Agreement, neither Crowe nor any wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same (i) engages in business with Iran, Sudan, or any foreign terrorist organization as described in Chapters 806 or 807 of the Texas Government Code or Subchapter F of Chapter 2252 of the Texas Government Code or (ii) is a company listed by the Texas Comptroller of Public Accounts under Sections 806.051, 807.051, or 2252.153 of the Texas Government Code. The term 'foreign terrorist organization' in this paragraph has the meaning assigned to such term in Section 2252.151 of the Texas Government Code.

REPRESENTATION REGARDING ISRAEL

Pursuant to Chapter 2271, Texas Government Code, Crowe represents that it does not boycott Israel and will not boycott Israel during the term of the Agreement. The term 'boycott Israel' shall have the meaning ascribed to this term in Section 808.001 of the Texas Government Code.

REQUIRED NON-APPROPRIATION CLAUSE

Notwithstanding anything contained in this Agreement to the contrary, in the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable in any fiscal period for fees due under this Agreement, Client will immediately notify Crowe in writing of such occurrence and this Agreement shall terminate on the last day of the fiscal period for which appropriations have been received or made.

AUTHORIZATION OF CPA'S DISCLOSURE

Any Client certified public accountant involved with assisting Crowe shall not be prohibited from disclosure of information required to be made available by the standards of the public accounting profession in reporting on the examination of financial statements. Management understands and provides permission to staff certificate or registration holders as required under the Rules of Professional Conduct, Texas Administrative Code, Title 22, Part 22, Chapter 501, Subchapter C, Section 501.75.

IMMIGRATION

Crowe represents and warrants that it shall comply with the requirements of the Immigration and Nationality Act (8 U.S.C. § 1101 et seq.) and all subsequent immigration laws and amendments.

ENERGY COMPANY BOYCOTTS

If Crowe is required to make a verification pursuant to Section 2276.002 of the Texas Government Code, Crowe verifies that Crowe does not boycott energy companies and will not boycott energy companies during the term of the Agreement. If Crowe does not make that verification, Crowe must so indicate in its response and state why the verification is not required.

PUBLIC INFORMATION ACT

Information, documentation, and other material in connection with this Agreement may be subject to public disclosure pursuant to Chapter 552 of the Texas Government Code (the "Public Information Act"). In accordance with Section 2252.907 of the Texas Government Code, Crowe is required to make any information created or exchanged with the Client pursuant to the Agreement, and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the Client.

CROWE NOT A SUCCESSOR TO BELT HARRIS PECHACEK, LLLP

Prior to May 2024, Belt Harris Pechacek, LLLP ("BHP") provided services or work product to Client similar to the services or other work product provided to Client by Crowe. Following the purchase by Crowe of certain limited assets of BHP, certain personnel of BHP joined Crowe in May 2024. However, Crowe did not buy BHP or any of BHP's obligations to BHP customers, and Crowe is not the successor to BHP. Client agrees that (a) Crowe is not a successor to BHP, (b) that BHP is solely responsible for any services or work product provided by BHP, and (c) Crowe is not responsible for any services or work product provided by BHP. Client agrees Crowe does not assume, and nothing in this Agreement will be construed to mean Crowe assumes, any liabilities or obligations of BHP arising from or relating to any services, deliverables, or work product provided by BHP prior to the effective date of this Agreement.

CONSENT

Prior to May 2024, Belt Harris Pechacek, LLLP ("BHP") provided services or work product to Client similar to the services or other work product provided to Client by Crowe. To facilitate Crowe providing services to Client, Client hereby consents to Crowe accessing Client's information and records within BHP's working papers and other BHP files to allow Crowe to provide services or work product to Client.

MISCELLANEOUS

For purposes of this Miscellaneous section, the Acceptance section below, and all of the Crowe Engagement Terms, "Client" will mean the entity(ies) defined in the first paragraph of this letter and will also include all related parents, subsidiaries, and affiliates of Client who may receive or claim reliance upon any Crowe deliverable.

Crowe will provide the services to Client under this Agreement as an independent contractor and not as Client's partner, agent, employee, or joint venturer under this Agreement. Neither Crowe nor Client will have any right, power or authority to bind the other party.

This engagement letter agreement (the "Agreement") reflects the entire agreement between the parties relating to the services (or any reports, deliverables or other work product) covered by this Agreement. The engagement letter and any attachments (including without limitation the attached Crowe Engagement Terms) are to be construed as a single document, with the provisions of each section applicable throughout. This Agreement may not be amended or varied except by a written document signed by each party. No provision of this Agreement will be deemed waived, unless such waiver will be in writing and signed by the party against which the waiver is sought to be enforced. It replaces and supersedes any other proposals, correspondence, agreements and understandings, whether written or oral, relating to the services covered by this letter, and each party agrees that in entering this Agreement, it has not relied on any oral or written representations, statements or other information not contained in or incorporated into this Agreement. Any non-disclosure or other confidentiality agreement is replaced and superseded by this Agreement. Each party shall remain obligated to the other party under all provisions of this Agreement that expressly or by their nature extend beyond and survive the expiration or termination of this Agreement. If any provision (in whole or in part) of this Agreement is found unenforceable or invalid, this will not affect the remainder of the provision or any other provisions in this Agreement, all of which will continue in effect as if the stricken portion had not been included. This Agreement may be executed in two or more actual, scanned, emailed, or electronically copied counterparts, each and all of which together are one and the same instrument. Accurate transmitted copies (transmitted copies are reproduced documents that are sent via mail, delivery, scanning, email, photocopy, facsimile or other process) of the executed Agreement or signature pages only (whether handwritten or electronic signature), will be considered and accepted by each party as documents equivalent to original documents and will be deemed valid, binding and enforceable by and against all parties. This Agreement, including any dispute arising out of or related to this Agreement and the parties' relationship generally, will be governed and construed in accordance with the laws of the State of Texas applicable to agreements made and wholly performed in that state, without giving effect to its conflict of laws rules to the extent those rules would require applying another jurisdiction's laws.

* * * * *

We are pleased to have this opportunity to serve you, and we look forward to a continuing relationship. If the terms of this letter and the attached Crowe Engagement Terms are acceptable to you, please sign below and return one copy of this letter at your earliest convenience. Please contact us with any questions or concerns.

(Signature Page Follows)

ACCEPTANCE

I have reviewed the arrangements outlined above and in the attached "Crowe Engagement Terms," and I accept on behalf of the Client the terms and conditions as stated. By signing below, I represent and warrant that I am authorized by Client to accept the terms and conditions as stated.

IN WITNESS WHEREOF, Client and Crowe have duly executed this engagement letter effective the date first written above.

City of Seabrook, Texas

Crowe LLP

Signature

Signature

Stephanie Harris

Printed Name

Printed Name

Partner

Title

Title

Date

Date

Crowe Engagement Terms

Crowe wants Client to understand the terms under which Crowe provides its services to Client and the basis under which Crowe determines its fees. These terms are part of the Agreement and apply to all services described in the Agreement as well as all other services provided to Client (collectively, the "Services"), unless and until a separate written agreement is executed by the parties for separate services. Any advice provided by Crowe is not intended to be, and is not, investment advice.

CLIENT'S ASSISTANCE – For Crowe to provide Services effectively and efficiently, Client agrees to provide Crowe timely with information requested and to make available to Crowe any personnel, systems, premises, records, or other information as reasonably requested by Crowe to perform the Services. Access to such personnel and information are key elements for Crowe's successful completion of Services and determination of fees. If for any reason this does not occur, a revised fee to reflect additional time or resources required by Crowe will be mutually agreed. Client agrees Crowe will have no responsibility for any delays related to a delay in providing such information to Crowe. Such information will be accurate and complete, and Client will inform Crowe of all significant tax, accounting and financial reporting matters of which Client is aware.

PROFESSIONAL STANDARDS – As a regulated professional services firm, Crowe must follow professional standards when applicable, including the Code of Professional Conduct of the American Institute of Certified Public Accountants ("AICPA"). Thus, if circumstances arise that, in Crowe's professional judgment, prevent it from completing the engagement, Crowe retains the right to take any course of action permitted by professional standards, including declining to express an opinion or issue other work product or terminating the engagement.

REPORTS – Any information, advice, recommendations or other content of any memoranda, reports, deliverables, work product, presentations, or other communications Crowe provides under this Agreement ("Reports"), other than Client's original information, are for Client's internal use only, consistent with the purpose of the Services. Client will not rely on any draft Report. Unless required by an audit or other attestation professional standard, Crowe will not be required to update any final Report for circumstances of which we become aware or events occurring after delivery.

CONFIDENTIALITY – Except as otherwise permitted by this Agreement or as agreed in writing, neither Crowe nor Client may disclose to third parties the contents of this Agreement or any information provided by or on behalf of the other that ought reasonably to be treated as confidential and/or proprietary. Client use of any Crowe work product will be limited to its stated purpose and to Client business use only. However, Client and Crowe each agree that either party may disclose such information to the extent that it: (i) is or becomes public other than through a breach of this Agreement, (ii) is subsequently received by the recipient from a third party who, to the recipient's knowledge, owes no obligation of confidentiality to the disclosing party with respect to that information, (iii) was known to the recipient at the time of disclosure or is thereafter created independently, (iv) is disclosed as necessary to enforce the recipient's rights under this Agreement, or (v) must be disclosed under applicable law, regulations, legal process or professional standards.

CLIENT-REQUIRED CLOUD USAGE – If Client requests that Crowe access files, documents or other information in a cloud-based or web-accessed hosting service or other third-party system accessed via the internet, including, without limitation iCloud, Dropbox, Google Docs, Google Drive, a data room hosted by a third party, or a similar service or website (collectively, "Cloud Storage"), Client will confirm with any third parties assisting with or hosting the Cloud Storage that either such third party or Client (and not Crowe) is responsible for complying with all applicable laws relating to the Cloud Storage and any information contained in the Cloud Storage, providing Crowe access to the information in the Cloud Storage, and protecting the information in the Cloud Storage from any unauthorized access, including without limitation unauthorized access to the information when in transit to or from the Cloud Storage. Client represents that it has authority to provide Crowe access to information in the Cloud Storage and that providing Crowe with such access complies with all applicable laws, regulations, and duties owed to third parties.

DATA PROTECTION – If Crowe holds or uses Client information that can be linked to specific individuals who are Client's customers ("Personal Data"), Crowe will treat it as confidential as described above and comply with applicable US state and federal law and professional regulations (including, for financial institution clients, the objectives of the Interagency Guidelines Establishing Information Security Standards) in disclosing or using such information to carry out the Services. The parties acknowledge and understand that while Crowe is a service provider as defined by the California Consumer Privacy Act of 2018 and processes information on behalf of Client and pursuant to this Agreement, Crowe retains its independence as required by applicable law and professional standards for purposes of providing attest services and other related professional services. Crowe will not (1) sell Personal Data to a third party, or (2) retain, use or disclose Personal Data for any purpose other than for (a) performing the Services and its obligations on this Agreement, (b) as otherwise set forth in this Agreement, (c) to detect security incidents and protect against fraud or illegal activity, (d) to enhance and develop our products and services, including through machine learning and other similar methods and (e) as necessary to comply with applicable law or professional standards. Crowe has implemented and will maintain physical, electronic and procedural safeguards reasonably designed to (i) protect the security, confidentiality and integrity of the Personal Data, (ii) prevent unauthorized access to or use of the Personal Data, and (iii) provide proper disposal of the Personal Data (collectively, the "Safeguards"). Client warrants (i) that it has the authority to provide the Personal Data to Crowe in connection with the Services, (ii) that Client has processed and provided the Personal Data to Crowe in accordance with applicable law, and (iii) will limit the Personal Data provided to Crowe to Personal Data necessary to perform the Services. To provide the Services, Client may also need to provide Crowe with access to Personal Data consisting of protected health information, financial account numbers, Social Security or other government-issued identification numbers, or other data that, if disclosed without authorization, would trigger notification requirements under applicable law ("Restricted Personal Data"). In the event Client provides Crowe access to Restricted Personal Data, Client will consult with Crowe on appropriate measures (consistent with legal requirements and professional standards applicable to Crowe) to protect the Restricted Personal Data, such as: deleting or masking unnecessary information before making it available to Crowe, using encryption when transferring it to Crowe, or providing it to Crowe only during on-site review on Client's site. Client will provide Crowe with Restricted Personal Data only in accordance with mutually agreed protective measures. Crowe and Client will each allow opportunistic TLS encryption to provide for secure email communication, and each party will notify the other in writing if it deactivates opportunistic TLS encryption. If Client fails to allow opportunistic TLS encryption, Client agrees that each party may use unencrypted electronic media to correspond or transmit information, and Client further agrees that such use of unencrypted media will not in itself constitute a breach of any confidentiality or other obligation relating to this Agreement. Otherwise, Client and Crowe agree each may use unencrypted electronic media to correspond or transmit information and such use will not in itself constitute a breach of any confidentiality obligations under this Agreement. Crowe will reasonably cooperate with Client in responding to or addressing any request from a consumer or data subject, a data privacy authority with jurisdiction, or the Client, as necessary to enable Client to comply with its obligations under applicable data protection laws and to the extent related to Personal Data processed by Crowe. Client will promptly reimburse Crowe for any out-of-pocket expenses and professional time (at Crowe's then-current hourly rates) incurred in connection with providing such cooperation. Client will provide prompt written notice to Crowe (with sufficient detailed instructions) of any request or other act that is required to be performed by Crowe. As appropriate, Crowe shall promptly delete or procure the deletion of the Personal Data, after the cessation of any Services involving the processing of Client's Personal Data, or otherwise aggregate or de-identify the Personal Data in such a way as to reasonably prevent reidentification. Notwithstanding the foregoing, Crowe may retain a copy of the Personal Data as permitted by applicable law or professional standards, provided that such Personal Data remain subject to the terms of this Agreement. If Crowe uses a third-party provider, Crowe will include terms substantially similar to those set forth in this Data Protection Paragraph into an agreement with the provider.

GENERAL DATA PROTECTION REGULATION COMPLIANCE – If and to the extent that Client provides personal data to Crowe subject to the European Union General Data Protection Regulation ("GDPR"), then in addition to the requirements of the above Data Protection section, this section will apply to such personal data ("EU Personal Data"). The parties agree that for purposes of processing the EU Personal Data, (a) Client will be the "Data Controller" as defined by the GDPR, meaning the organization that

determines the purposes and means of processing the EU Personal Data; (b) Crowe will be the “Data Processor” as defined by GDPR, meaning the organization that processes the EU Personal Data on behalf of and under the instructions of the Data Controller; or (c) the parties will be classified as otherwise designated by a supervisory authority with jurisdiction. Client and Crowe each agree to comply with the GDPR requirements applicable to its respective role. Crowe has implemented and will maintain technical and organizational security safeguards reasonably designed to protect the security, confidentiality and integrity of the EU Personal Data. Client represents it has secured all required rights and authority, including consents and notices, to provide such EU Personal Data to Crowe, including without limitation authority to transfer such EU Personal Data to the U.S. or other applicable Country or otherwise make the EU Personal Data available to Crowe, for the duration of and purpose of Crowe providing the Services. The types of EU Personal Data to be processed include name, contact information, title, and other EU Personal Data that is transferred to Crowe in connection with the Services. The EU Personal Data relates to the data subject categories of individuals connected to Client, Client customers, Client vendors, and Client affiliates or subsidiaries (“Data Subjects”). Crowe will process the EU Personal Data for the following purpose: (x) to provide the Services in accordance with this Agreement, (y) to comply with other documented reasonable instructions provided by Client, and (z) to comply with applicable law. In the event of a Crowe breach incident in connection with EU Personal Data in the custody or control of Crowe, Crowe will promptly notify Client upon knowledge that a breach incident has occurred. Client has instructed Crowe not to contact any Data Subjects directly, unless required by applicable law. In the event that a supervisory authority with jurisdiction makes the determination that Crowe is a data controller, Client will reasonably cooperate with Crowe to enable Crowe to comply with its obligations under GDPR.

INTELLECTUAL PROPERTY – Any deliverables, works, inventions, working papers, or other work product conceived, made or created by Crowe in rendering the Services under this Agreement (“Work Product”), and all intellectual property rights in such Work Product will be owned exclusively by Crowe. Upon full payment by Client, Crowe grants to Client a license to use for its business purposes any deliverables, including any other Work Product incorporated in such deliverables. Crowe will retain exclusive ownership or control of all intellectual property rights in any ideas, concepts, methodologies, data, software, designs, utilities, tools, models, techniques, systems, Reports, or other know-how that it develops, owns or licenses in connection with this Agreement as well as any enhancements to any of the above (“Materials”). The foregoing ownership will be without any duty of accounting.

CLIENT DATA USAGE – Client shall retain full ownership of all data provided to Crowe by or on behalf of Client in connection with this Agreement, and Crowe will maintain the confidentiality and protection of Client data as set forth in this Agreement. Client agrees that Crowe may, in its discretion, use any Client information or data provided to Crowe for the purpose of (a) performing the Services and its obligations under this Agreement; (b) as otherwise agreed upon in writing; (c) to further improve or develop our products and services; or (d) as necessary to comply with applicable law or professional standards.

DATA AGGREGATION & BENCHMARKING – Client agrees that Crowe may, in its discretion, aggregate Client content and data with content and data from other clients, other sources, or third parties (“Data Aggregations”) for purposes including, without limitation, product and service development, commercialization, industry benchmarking, or quality improvement initiatives. Prior to, and as a precondition for, disclosing Data Aggregations to other Crowe customers or prospects, Crowe will anonymize any Client data or information in a manner sufficient to prevent such other customer or prospect from identifying Client or individuals who are Client customers. All Data Aggregations will be the sole and exclusive property of Crowe.

USE OF THIRD PARTIES IN CROWE OPERATIONS – Crowe may also utilize third-party providers used in the ordinary course of Crowe’s business operations, including without limitation, providers such as Microsoft, Rackspace, Crowe Horwath IT Services LLP (a subsidiary owned and controlled by Crowe), information security providers, and other ordinary-course third-party providers.

USE OF SUBCONTRACTORS FOR SERVICE DELIVERY – Crowe may engage third-party subcontractors in delivering Services to Client. Third-party subcontractors are not owned or controlled by Crowe (including without limitation Crowe Global member firms). If Crowe engages such a subcontractor

to deliver Services to Client, Crowe will execute an agreement for the protection of Client's confidential information consistent with the provisions of this Agreement. Crowe will be solely responsible for the provision of Services (including those provided by subcontractors) and for the protection of Client's confidential information. The limitations in this Agreement on Client's remedies will also apply to any subcontractors.

LEGAL AND REGULATORY CHANGE – Crowe may periodically communicate to Client changes in laws, rules or regulations. However, Client has not engaged Crowe, and Crowe does not undertake an obligation, to advise Client of changes in (a) laws, rules, regulations, industry or market conditions, or (b) Client's own business practices or other circumstances (except to the extent required by professional standards). The scope of Services and the fees for Services are based on current laws and regulations. If changes in laws or regulations change Client's requirements or the scope of the Services, Crowe's fees will be modified to a mutually agreed amount to reflect the changed level of Crowe's effort.

PUBLICATION – Client agrees to obtain Crowe's specific permission before using any Report or Crowe work product or Crowe's firm's name in a published document, and Client agrees to submit to Crowe copies of such documents to obtain Crowe's permission before they are filed or published.

CLIENT REFERENCE – From time to time Crowe is requested by prospective clients to provide references for Crowe service offerings. Client agrees that Crowe may use Client's name and generally describe the nature of Crowe's engagement(s) with Client in marketing to prospects, and Crowe may also provide prospects with contact information for Client personnel familiar with Crowe's Services.

NO PUNITIVE OR CONSEQUENTIAL DAMAGES – Any liability of Crowe will not include any consequential, special, incidental, indirect, punitive, or exemplary damages or loss, nor any lost profits, goodwill, savings, or business opportunity, even if Crowe had reason to know of the possibility of such damages.

LIMIT OF LIABILITY – Except where it is judicially determined that Crowe performed its Services with recklessness or willful misconduct, Crowe's liability will not exceed fees paid by Client to Crowe for the portion of the work giving rise to liability. A claim for a return of fees paid is the exclusive remedy for any damages. This limit of liability will apply to the full extent allowed by law, regardless of the grounds or nature of any claim asserted, including, without limitation, to claims based on principles of contract, negligence or other tort, fiduciary duty, warranty, indemnity, statute or common law. This limit of liability will also apply after this Agreement.

NO TRANSFER OR ASSIGNMENT OF CLAIMS – No claim against Crowe, or any recovery from or against Crowe, may be sold, assigned or otherwise transferred, in whole or in part.

TIME LIMIT ON CLAIMS – In no event will any action against Crowe, arising from or relating to this Agreement or the Services provided by Crowe relating to this engagement, be brought after the earlier of 1) two (2) years after the date on which occurred the act or omission alleged to have been the cause of the injury alleged; or 2) the expiration of the applicable statute of limitations or repose.

RESPONSE TO LEGAL PROCESS – If Crowe is requested by subpoena, request for information, or through some other legal process to produce documents or testimony pertaining to Client or Crowe's Services, and Crowe is not named as a party in the applicable proceeding, then Client will reimburse Crowe for its professional time, plus out-of-pocket expenses, as well as reasonable attorney fees, Crowe incurs in responding to such request.

MEDIATION – If a dispute arises, in whole or in part, out of or related to this engagement, or after the date of this agreement, between Client or any of Client's affiliates or principals and Crowe, and if the dispute cannot be settled through negotiation, Client and Crowe agree first to try, in good faith, to settle the dispute by mediation administered by the American Arbitration Association, under its mediation rules for professional accounting and related services disputes, before resorting to litigation or any other dispute-resolution procedure. The results of mediation will be binding only upon agreement of each party

to be bound. Costs of any mediation will be shared equally by both parties. Any mediation will be held in Houston, Texas.

ARBITRATION – Any dispute between the parties relating to or arising from this Agreement or the parties' relationship generally will be settled by binding arbitration in Houston, Texas (or a location agreed in writing by the parties). Any issues concerning the extent to which any dispute is subject to arbitration, or concerning the applicability, interpretation, or enforceability of any of this Section, will be governed by the Federal Arbitration Act and resolved by the arbitrator(s). The arbitration will be governed by the Federal Arbitration Act and resolved by the arbitrator(s). Regardless of the amount in controversy, the arbitration will be administered by JAMS, Inc. ("JAMS"), pursuant to its Streamlined Arbitration Rules & Procedures or such other rules or procedures as the parties may agree in writing. In the event of a conflict between those rules and this Agreement, this Agreement will control. The parties may alter each of these rules by written agreement. If a party has a basis for injunctive relief, this paragraph will not preclude a party seeking and obtaining injunctive relief in a court of proper jurisdiction. The parties will agree within a reasonable period of time after notice is made of initiating the arbitration process whether to use one or three arbitrators, and if the parties cannot agree within fifteen (15) business days, the parties will use a single arbitrator. In any event the arbitrator(s) must be retired federal judges or attorneys with at least 15 years commercial law experience and no arbitrator may be appointed unless he or she has agreed to these procedures. If the parties cannot agree upon arbitrator(s) within an additional fifteen (15) business days, the arbitrator(s) will be selected by JAMS. Discovery will be permitted only as authorized by the arbitrator(s), and as a rule, the arbitrator(s) will not permit discovery except upon a showing of substantial need by a party. To the extent the arbitrator(s) permit discovery as to liability, the arbitrator(s) will also permit discovery as to causation, reliance, and damages. The arbitrator(s) will not permit a party to take more than six depositions, and no depositions may exceed five hours. The arbitrator(s) will have no power to make an award inconsistent with this Agreement. The arbitrator(s) will rule on a summary basis where possible, including without limitation on a motion to dismiss basis or on a summary judgment basis. The arbitrator(s) may enter such prehearing orders as may be appropriate to ensure a fair hearing. The hearing will be held within one year of the initiation of arbitration, or less, and the hearing must be held on continuous business days until concluded. The hearing must be concluded within ten (10) business days absent written agreement by the parties to the contrary. The time limits in this section are not jurisdictional. The arbitrator(s) will apply substantive law and may award injunctive relief or any other remedy available from a judge. The arbitrator(s) may award attorney fees and costs to the prevailing party, and in the event of a split or partial award, the arbitrator(s) may award costs or attorney fees in an equitable manner. Any award by the arbitrator(s) will be accompanied by a reasoned opinion describing the basis of the award. Any prior agreement regarding arbitration entered by the parties is replaced and superseded by this agreement. The arbitration will be governed by the Federal Arbitration Act, 9 U.S.C. §§ 1 et seq., and judgment upon the award rendered by the arbitrator(s) may be entered by any court having jurisdiction thereof. All aspects of the arbitration will be treated by the parties and the arbitrator(s) as confidential.

NON-SOLICITATION – Each party acknowledges that it has invested substantially in recruiting, training and developing the personnel who render services with respect to the material aspects of the engagement ("Key Personnel"). The parties acknowledge that Key Personnel have knowledge of trade secrets or confidential information of their employers that may be of substantial benefit to the other party. The parties acknowledge that each business would be materially harmed if the other party was able to directly employ Key Personnel. Therefore, the parties agree that during the period of this Agreement and for one (1) year after its expiration or termination, neither party will solicit Key Personnel of the other party for employment or hire the Key Personnel of the other party without that party's written consent unless the hiring or engaging party pays to the other party a fee equal to the hired or engaged Key Personnel's compensation for the prior twelve-month period with the other party.

CROWE AND EQUAL OPPORTUNITY – Crowe abides by the principles of equal employment opportunity, including without limitation the requirements of 41 CFR 60-741.5(a) and 41 CFR 60-300.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, or national origin. Moreover, these regulations require that covered prime

contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, national origin, protected veteran status or disability. Crowe also abides by 29 CFR Part 471, Appendix A to Subpart A. The parties agree that the notice in this paragraph does not create any enforceable rights for any firm, organization, or individual.

CROWE GLOBAL NETWORK – Crowe LLP and its subsidiaries are independent members of Crowe Global, a Swiss organization. “Crowe” is the brand used by the Crowe Global network and its member firms, but it is not a worldwide partnership. Crowe Global and each of its members are separate and independent legal entities and do not obligate each other. Crowe LLP and its subsidiaries are not responsible or liable for any acts or omissions of Crowe Global or any other Crowe Global members, and Crowe LLP and its subsidiaries specifically disclaim any and all responsibility or liability for acts or omissions of Crowe Global or any other Crowe Global member. Crowe Global does not render any professional services and does not have an ownership or partnership interest in Crowe LLP or any other member. Crowe Global and its other members are not responsible or liable for any acts or omissions of Crowe LLP and its subsidiaries and specifically disclaim any and all responsibility or liability for acts or omissions of Crowe LLP and its subsidiaries. Visit www.crowe.com/disclosure for more information about Crowe LLP, its subsidiaries, and Crowe Global.



Report on the Firm's System of Quality Control

To the Partners of Crowe LLP
and the National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of Crowe LLP (the "Firm") applicable to engagements not subject to Public Company Accounting Oversight Board ("PCAOB") permanent inspection in effect for the year ended March 31, 2022. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants ("Standards").

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a system review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported on in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The Firm is responsible for designing and complying with a system of quality control to provide the Firm with reasonable assurance of performing and reporting in conformity with the requirements of applicable professional standards in all material respects. The Firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported on in conformity with the requirements of applicable professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of and compliance with the Firm's system of quality control based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act; audits of employee benefit plans; audits performed under Federal Deposit Insurance Corporation Improvement Act of 1991 (FDICIA); and examinations of service organizations (SOC 1[®] and SOC 2[®] engagements).

As a part of our peer review, we considered reviews by regulatory entities as communicated by the Firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Crowe LLP applicable to engagements not subject to PCAOB permanent inspection in effect for the year ended March 31, 2022, has been suitably designed and complied with to provide the Firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)*, or *fail*. Crowe LLP has received a peer review rating of *pass*.

Cherry Bekaert LLP
September 29, 2022



National Peer
Review Committee

October 20, 2022

Mark Baer
Crowe LLP
225 W Wacker DR Ste 2600
Chicago, IL 60606-1228

Dear Mark Baer:

It is my pleasure to notify you that on October 13, 2022, the National Peer Review Committee accepted the report on the most recent System Review of your firm. The due date for your next review is September 30, 2025. This is the date by which all review documents should be completed and submitted to the administering entity.

As you know, the report had a peer review rating of pass. The Committee asked me to convey its congratulations to the firm.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Wagner".

Michael Wagner
Chair, National PRC

+1.919.402.4502

cc: Jeffrey Sabetta, Jennifer Allen

Firm Number: 900010014904

Review Number: 592839

220 Leigh Farm Road, Durham, NC 27707-8110
T: +1.919.402.4502 F: +1.919.419.4713
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Agenda Briefing

Date of Meeting: August 20, 2024

Responsible Department: City Manager's Office

Presenter: Gayle Cook, City Manager

Briefing Prepared By: Gayle Cook

Strategic Focus Area:

General Information:

Consider and take all appropriate action on the approval of a three (3) year Interlocal Governmental Agreement from 2024-2027 for School Crossing Guards between the City of Seabrook and Clear Creek Independent School District (CCISD) for Crossing Guard services for a flat fee of \$12,500.00 a year for two (2) guards.

Executive Summary / Background:

This agreement represents a renewal agreement between the City of Seabrook and CCISD. The 2023-2024 agreement expired July 31, 2024. As a quality of life enhancement to our schools and students at crossing areas near White Elementary and Seabrook Intermediate schools. CCISD has presented a revised cost share match with this agreement that will reduce the City of Seabrook's portion, making it more in line with the revenues that are received into the special fund, Child Safety Fund. The new flat fee per the agreement will be set for the 3 school years for 2 crossing guards for a total of \$12,500.00 a year. If other guards are desired, this will be an additional cost.

Funding / Fiscal Information:

-Child Safety Fund - 07-701-5470 \$12,500 FY 2025

Supporting Materials Attached:

1. ILA for Seabrook Crossing Guards -

Prior Action / Review by Council, Boards, Commissions:

Staff Recommendation:

Approve agreement with CCISD as presented

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.

Interlocal Governmental Agreement for School Crossing Guard Program

This Interlocal Governmental Agreement for School Crossing Guards is entered into between the City of Seabrook (the City), a political subdivision acting by and through its City Council, and the Clear Creek Independent School District, a political subdivision acting by and through its Board of Trustees. Both parties acknowledge that a School Crossing Guard Program is necessary to provide for the safety of students and citizens.

Term of Agreement

This Agreement begins August 1, 2024, and, unless extended by written agreement of both parties, ends July 31, 2027. Before the beginning of each school year, the need for crossing guards at particular locations throughout the City will be evaluated and revisions to the number and/or location may be made as the parties determine necessary. Any amendment shall be in writing and signed by both parties.

General Description of Services

Crossing Guards will be employed by CCISD and assigned to campuses within the City of Seabrook as determined by the parties. For the 2025-2027 school years, CCISD will employ and assign a total of **two (2) Crossing Guards, to campuses in the City of Seabrook**. The Crossing Guards will work in shifts ranging from two hours to four hours each day for 183 work days. A list of initial locations reflecting the number of Crossing Guards assigned to each location is attached as Exhibit A and incorporated by reference.

Consideration

The City agrees to pay CCISD a flat fee of \$12,500 per school year paid in July. This amount is subject to annual adjustment by the parties as necessitated by an increase or decrease in the number and locations of Crossing Guards. Any adjustment will be reflected in a written amendment to this Agreement executed by both parties. Exhibit A will be modified accordingly if and when adjustments are made.

Responsibilities

Each party assumes full responsibility for the actions of their own employees and each shall remain solely responsible for their own employees' subdivision, daily direction and control and payment of salary and benefits. At all times and for all purposes, the Crossing Guards employed and assigned under this program are considered employees of CCISD. The City shall have no duty of supervision or level of control over the details of their work and the Crossing Guards shall not be deemed to have any employment relationship with the City of Seabrook.

Neither party waives or relinquishes any immunities or defenses on behalf of themselves, their trustees, officers, employees, and agents, as a result of the execution of this Agreement and performance of the functions or obligations described herein.

Miscellaneous

This Agreement shall be constructed in accordance with the laws of the State of Texas. In no event shall any dispute arising hereunder be submitted to arbitration. Venue for any dispute arising out of the performance of the Agreement shall be in Galveston County, Texas.

Any notice required under this Agreement shall be sent to the following representatives for the parties.

For Clear Creek ISD:

Cameron Munson
Emergency Management Coordinator
2425 E Main St.
League City, Texas 77573
Email: cmunson@ccisd.net

For the City:

Rolf Nelson
Chief of Police
1400 Cook Ave.
Seabrook, Texas 77586
Email: rnelson@seabrooktx.gov

Kimberly Hill
Support Services Officer
1400 Cook Ave.
Seabrook, Texas 77586
Email: kboniface@seabrooktx.gov

To indicate your acceptance of this agreement, please sign, date and return the enclosed copy of this agreement. Once accepted, this agreement will represent the complete agreement between the Clear Creek Independent School District and the City of Seabrook for the School Crossing Guard Program.

DATE: _____

City of Seabrook

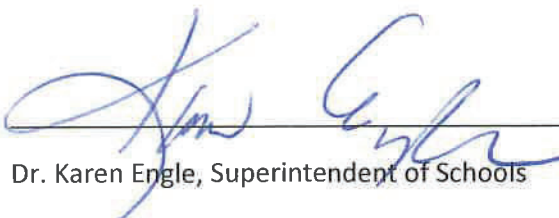
 _____
DATE: 8-12-2024
Dr. Karen Engle, Superintendent of Schools

Exhibit A

SCHOOLS	CROSSING GUARD ASSIGNMENTS	TOTAL HOURS PER DAY	NUMBER of CROSSING GUARDS	CONTRACT DAYS
SEABROOK INT	N. MEYER RD @ EL MAR	2.5	1	183
WHITE ELEM	LAKESIDE DR. @ WILD OAK FOREST LN.	2.5	1	183

Interlocal Governmental Agreement for School Crossing Guard Program

This Interlocal Governmental Agreement for School Crossing Guards is entered into between the City of Seabrook (the City), a political subdivision acting by and through its City Council, and the Clear Creek Independent School District, a political subdivision acting by and through its Board of Trustees. Both parties acknowledge that a School Crossing Guard Program is necessary to provide for the safety of students and citizens.

Term of Agreement

This Agreement begins August 1, 2024, and, unless extended by written agreement of both parties, ends July 31, 2027. Before the beginning of each school year, the need for crossing guards at particular locations throughout the City will be evaluated and revisions to the number and/or location may be made as the parties determine necessary. Any amendment shall be in writing and signed by both parties.

General Description of Services

Crossing Guards will be employed by CCISD and assigned to campuses within the City of Seabrook as determined by the parties. For the 2025-2027 school years, CCISD will employ and assign a total of **two (2) Crossing Guards, to campuses in the City of Seabrook**. The Crossing Guards will work in shifts ranging from two hours to four hours each day for 183 work days. A list of initial locations reflecting the number of Crossing Guards assigned to each location is attached as Exhibit A and incorporated by reference.

Consideration

The City agrees to pay CCISD a flat fee of \$12,500 per school year paid in July. This amount is subject to annual adjustment by the parties as necessitated by an increase or decrease in the number and locations of Crossing Guards. Any adjustment will be reflected in a written amendment to this Agreement executed by both parties. Exhibit A will be modified accordingly if and when adjustments are made.

Responsibilities

Each party assumes full responsibility for the actions of their own employees and each shall remain solely responsible for their own employees' subdivision, daily direction and control and payment of salary and benefits. At all times and for all purposes, the Crossing Guards employed and assigned under this program are considered employees of CCISD. The City shall have no duty of supervision or level of control over the details of their work and the Crossing Guards shall not be deemed to have any employment relationship with the City of Seabrook.

Neither party waives or relinquishes any immunities or defenses on behalf of themselves, their trustees, officers, employees, and agents, as a result of the execution of this Agreement and performance of the functions or obligations described herein.

Miscellaneous

This Agreement shall be constructed in accordance with the laws of the State of Texas. In no event shall any dispute arising hereunder be submitted to arbitration. Venue for any dispute arising out of the performance of the Agreement shall be in Galveston County, Texas.

Any notice required under this Agreement shall be sent to the following representatives for the parties.

For Clear Creek ISD:

Cameron Munson
Emergency Management Coordinator
2425 E Main St.
League City, Texas 77573
Email: cmunson@ccisd.net

For the City:

Rolf Nelson
Chief of Police
1400 Cook Ave.
Seabrook, Texas 77586
Email: rnelson@seabrooktx.gov

Kimberly Hill
Support Services Officer
1400 Cook Ave.
Seabrook, Texas 77586
Email: kboniface@seabrooktx.gov

To indicate your acceptance of this agreement, please sign, date and return the enclosed copy of this agreement. Once accepted, this agreement will represent the complete agreement between the Clear Creek Independent School District and the City of Seabrook for the School Crossing Guard Program.

DATE: _____

City of Seabrook

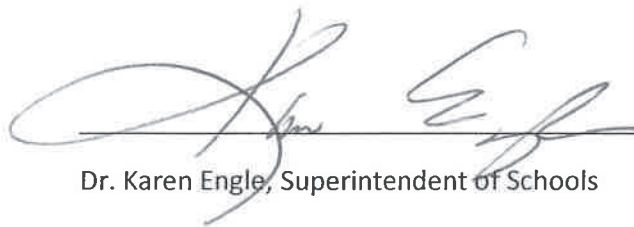
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DATE: 8-12-2024
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Exhibit A

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SEABROOK INT	N. MEYER RD @ EL MAR	2.5	1	183
WHITE ELEM	LAKESIDE DR. @ WILD OAK FOREST LN.	2.5	1	183



Agenda Briefing

Date of Meeting: August 20, 2024

Responsible Department: City Secretary's Office

Presenter: Rachel Lewis, City Secretary

Briefing Prepared By: Rachel Lewis

Strategic Focus Area:

General Information:

Discussion of rules of procedure and/or a code of conduct for City Council and all boards and commissions for the City of Seabrook.

Executive Summary / Background:

A request for rules of procedure and a code of conduct for both City Council, as well as all boards and commissions, has been requested by a couple members of Council.

Examples of both are attached. Staff requests direction as to how Council would like to proceed with developing either rules of procedure, a code of conduct, or both.

Funding / Fiscal Information:

Supporting Materials Attached:

1. Seabrook Rules of Procedure
2. Seabrook Code of Ethics
3. Example Procedures Manual
4. Example Code of Conduct

Prior Action / Review by Council, Boards, Commissions:

Staff Recommendation:

DIVISION 2. - RULES OF PROCEDURE

Footnotes:

--- (1) ---

Editor's note— Section 1 of Ord. No. 2010-16, adopted July 20, 2010, amended div. 2 in its entirety to read as herein set out. Former div. 2, §§ 2-46—2-54, pertained to similar subject matter, and derived from Ord. No. 2008-18, adopted Sept. 16, 2008.

Sec. 2-46. - Meetings.

- (a) *Regular meetings.* Unless otherwise rescheduled by timely notice compliant with the Texas Open Meetings Law, regular meetings will be held on the first and third Tuesday nights of each month at City Hall in the council chambers ordinarily commencing at 6:00 p.m. City council by resolution, may determine to cancel or reschedule a regular meeting or its time of commencement, as determined expedient.
- (b) *Special meetings.* All meetings that are not regular meetings are considered to be special meetings. Special meetings are called as provided in the Charter, section 2.10. Except in unusual circumstances these meetings will be held at the city hall, at a stated time. The purpose of such meetings may be to act upon matters of an expedient nature which should not be delayed until the next regular meeting.
 - (1) *A workshop or work session meeting is a type of special council meeting.* Workshop meetings are subject to call by the mayor, city manager or any councilmember at the majority will. The time, place and purpose will be stated at each instance. The purpose of such meetings shall be to discuss in depth or explore matters of interest to the city, a meeting with one of the city's appointed committees, or the council alone may wish to explore a matter in detail. Normally, no official council action will be taken at such meetings. The general public can, of course, attend such meetings if they wish, but they may not participate in the proceedings unless invited to do so. Occasionally, public hearings may be held at workshop meetings for the convenience of the public.
 - (2) *Emergency meetings.* An emergency meeting is also a type of special meeting which may be announced up to two hours before the meeting in accordance with law. All emergency meetings shall be called as provided in the City Charter, section 2.10.

(Ord. No. 2010-16, § 1, 7-20-2010; Ord. No. 2021-10, § 2, [adoption date requested])

Sec. 2-47. - Agenda; establishing.

Placing items on the agenda. Placing items on the agenda shall be accomplished as follows:

- (1) All agenda items, including proposed ordinances, and all accompanying backup material must be provided to the city secretary by 12:00 noon on the Monday of the week before the regular Tuesday council meeting. All agenda items for special meetings must be provided to the city secretary by noon of the Wednesday of the week before the special meeting. Agenda deadlines may be adjusted by the city secretary or city manager due to holiday or special scheduling issues provided that notice by e-mail is given to the mayor and council, department heads and the city attorney at least 72 hours in advance of the revised deadline. Agenda items and backup material submitted by city staff are to be submitted in the approved electronic format.
- (2) An item may be placed on the agenda in any of the following ways:
 - a. At the request of one councilmember. Agenda items submitted by a councilmember do not require approval by any other person.
 - b. Where council approval is required as a result of a charter requirement, code requirement or council action, such as approval of minutes, bid awards, parade permits, street closing applications, zoning change requests.
 - c. At the request of the city manager, city secretary, city attorney or municipal court judge within the scope of their duties.
 - d. At the request of a department head with the approval of the city manager.
 - e. At the request of a city board or commission with the approval of the city manager or mayor or sponsorship of a council member.
- (3) After the agenda deadline for regular meetings, the city manager or designee will hold an agenda meeting with the city secretary and department heads to review the draft agenda to ensure that all agenda items have been placed on the agenda and to review agenda attachments. Following this meeting, the city secretary shall send an electronic copy of the draft agenda to the city manager, city attorney, city manager and mayor. Agenda meetings are not customarily held before special meetings.
- (4) Following the staff agenda meeting, the city manager, mayor, city attorney and city secretary will hold an agenda meeting to review and finalize the agenda for the regular meeting. The mayor may change the order of items within each agenda category at this time. The city attorney may suggest alternate wording of an agenda item to assure compliance with law. The city secretary shall send the draft agenda to the city attorney to review any new language for special council meetings.
- (5) The electronic agenda packets for all council meetings will be available on the Friday afternoon preceding the meetings. This will afford ample time for all councilmembers to inquire into the nature of each matter to be discussed or to personally investigate the matter so as to be better informed before a council meeting.

- (6) Emergency items may be added if it is posted for at least two hours before the meeting is convened. Emergency items are defined as those items which constitute an emergency or an urgent public necessity for which immediate action is required because of an imminent threat to public health or safety or a reasonably unforeseen situation, as provided by law. Conditions for adding emergency ordinances are specifically defined in the Charter, section 2.12 and V.T.C.A., Government Code §§ 551.045 and 551.047.
- (7) Limited effect. Failure to comply with this division shall not affect the validity of any action subsequently taken.

(Ord. No. 2010-16, § 1, 7-20-2010; Ord. No. 2016-15, § 1, 6-21-2016)

Sec. 2-48. - Order of business.

The agenda for meetings of the city council shall be divided into the following categories of business. Absent direction from city council, the city secretary shall prepare the agenda in the order listed below. The council may by majority vote establish alternative order of business categories for future council meetings. The city secretary shall then prepare an amending ordinance reflecting the amended agenda order. The mayor with a majority consensus of council may suspend the rules and change the order of business at any meeting of the city council for the accommodation of citizens, visitors and guests. In addition, the city council, by majority vote shall have the right to change the order of the agenda at any meeting. The mayor shall have the right to change the order of individual agenda items within each category of business during the draft agenda review process detailed in subsection 2-47(4) above.

- (1) *Interview candidates for various boards and commissions.* This time shall be used to interview applicants who apply for vacant positions on the city's boards, committees and commissions.
- (2) *Presentations.* Ceremonial matters such as awards, presentations and proclamations are included in this part of the meeting.
- (3) *Public comments and announcements.* This time shall be used to hear public comment and any announcements of interest to the public or to the council. Comments shall be limited to city business or city-related business or matters of general public interest and shall not include any personal attacks. Persons or organizations who want to make comments or presentations to the council are required to register with the city secretary, up to the time the council meeting convenes, stating name, address and subject of presentation or comment. A registration form will remain in the lobby of city hall for this purpose. Each speaker shall clearly state his or her name and address to facilitate accurate recording, of which shall become part of the written minutes. The category of "Public Comments and Announcements" shall be included on every regular and special council agenda, in accordance with the City Charter, section 2.10 which provides that the public shall be given the opportunity to speak at every council meeting in accordance with procedures established by city council.

The item titled "Mayor, City Council and/or members of city staff may make announcements about city/community events" shall be a standing item under Public Comments and Announcements.

- (4) *Specific public hearings.* Specific public hearings are held on all ordinances which amend the comprehensive zoning ordinance, some preliminary re-plats and such other items as are dictated by the Code or law. Each item must have been published pursuant to section 2.04 of appendix A, the comprehensive zoning ordinance, and V.T.C.A., Local Government Code § 211.007. The public shall have the opportunity to speak on each item during this portion of the meeting only. Any person or organization who wishes to speak should follow the procedures listed in subsection (3) of this section.
- (5) *Bid awards.* All awards for purchase and/or service after there has been opportunity for competitive bidding as provided for by law or ordinance are made during this portion of the meeting.
- (6) *Consent agenda.* The consent agenda may consist of items about which no controversy or need for discussion is anticipated. All consent agenda items are considered to be routine by the city council and will be enacted by one motion. There will be no separate discussion of these items unless a councilmember, city manager, city attorney or city secretary so requests, in which event the item will be removed from the consent agenda and considered immediately following the Consent Agenda. Complete written explanations and documentation must be submitted to the city secretary before any item will be placed on the consent agenda by the time established for placing items on the regular agenda as stated in subsection 2-47(1). Items which may be placed in the consent agenda are as follows:
 - a. Approve minutes of regular and special council meetings.
 - b. Receive written reports from individual councilmembers, city manager, city engineer, auditor or other professionals hired by the city and/or city directors. City boards/commissions may also submit minutes and written reports.
 - c. Establish specific dates for future meetings and public hearings. Alternatively, this item may be placed under "Routine Business."
 - d. Consider and approve second readings of proposed ordinances. Ordinance readings can be no closer than two weeks apart in accordance with the City Charter, article II, subsection 2.11(b) the reading aloud of the title and caption of the ordinance at each reading shall suffice as the reading of the entire ordinance, subject to the requirements of the Charter, subsection 2.11(d).
 - e. Consider and approve proposed resolutions.
 - f. Consider and approve specifications.

- g. Consider and approve expenditures and budget amendments.
 - h. Authorize mayor, city manager and city secretary to execute contracts.
 - i. Approve special permits.
 - j. Approve excused absences for councilmembers.
 - k. Approve the action items checklist. Alternatively, this item may be placed under "Routine Business."
 - l. Routine appointments for which no discussion is necessary may be placed under this category. Appointments where there are several candidates for one position, or where discussion is anticipated shall be placed under "New Business."
- (7) *New business.* The business under this category shall be written action items considered for the first time which have not been listed under the consent agenda or have been deferred without discussion from the immediate prior new business agenda. The first reading of any ordinance shall always be placed under this item.
- (8) *Old business.* All business under this category may be those written action items which have not been listed under the consent agenda or which have been tabled or deferred from the immediate prior agenda after having been discussed.
- (9) *Discussion items.* Items for discussion, not requiring formal action by council, are placed in this portion of the agenda.
- (10) *Routine business.* Items under this category consist of items of a routine nature, not placed under any of the above categories. The item "Establish future meeting dates and agenda items" shall be a standing item under routine business. Approval of the "Action Items Checklist" and "Establishing specific meeting dates" may be placed in "Routine Business" if not considered as part of the "Consent Agenda."
- (11) *Executive sessions.* The executive session shall consider items as authorized by V.T.C.A., Government Code § 551.071 et seq.

(Ord. No. 2010-16, § 1, 7-20-2010; Ord. No. 2011-21, § 1, 11-15-2011; Ord. No. 2016-15, § 1, 6-21-2016)

Sec. 2-49. - Council procedures.

These procedures shall apply to all meetings of the city council. Pursuant to the City Charter, Section 2.04, the mayor shall be the presiding officer at all meetings of the city council and shall have a voice in all of its proceedings. Councilmembers shall speak only upon being recognized by the presiding officer whose recognition shall not be unreasonably withheld. In the event of the absence of the mayor and mayor pro tem, the mayor shall designate the presiding officer. If the mayor has failed to designate the presiding officer, the councilmember with the most seniority shall serve as presiding officer. In the event of equal seniority, the councilmember with the lowest numbered place shall preside.

(Ord. No. 2010-16, § 1, 7-20-2010)

Sec. 2-50. - Parliamentary procedure.

In regular and special meetings, Robert's Rules of Order, Newly Revised, will be followed unless otherwise noted in this section. The following commonly used procedures shall be followed:

(1) Parliamentary questions, motions and their precedence shall be executed as follows:

		Debatable	Amendable	A majority vote (of those present)	Two-thirds
a.	To adjourn	No	No	Yes	No
b.	To take a recess	No	Yes	Yes	No
c.	For previous question	No	No	Yes	No
d.	Continue to time certain	Yes	Yes	Yes	No
e.	Commit, refer or recommit	Yes	Yes	Yes	No
f.	To amend	Yes	Yes	Yes	No
g.	To amend amendment	Yes	No	Yes	No
h.	To offer substitute amendment	Yes	Yes	Yes	No
i.	To amend a substitute amendment	Yes	No	Yes	No
j.	Postpone indefinitely	Yes	No	Yes	No

k.	Take under indefinitely	Yes	No	Yes	No
l.	For the original motion	No	No	Yes	No
m.	To table	No	No	Yes	No

(2) Any councilmember may call for the question on any issue, and upon seconding by another councilmember; the issue shall immediately be put to vote. This shall be done by the member calling for the previous question. Passage of the motion to address the previous question shall terminate debate on the motion, amendment or amend motion, and the matter shall move on immediately.

(3) The council may agree to limit debate on any business before it. That agreement may be formalized by a majority of the council on roll call vote.

(4) Any member may request a roll call vote at any time.

(5) The presiding officer shall not entertain any dilatory motions.

(Ord. No. 2010-16, § 1, 7-20-2010)

Sec. 2-51. - Decorum and debate.

- (a) When a measure is presented for consideration to the council, the presiding officer shall recognize the appropriate individual to present the case. When two or more members wish to speak, the presiding officer shall name the member who is to speak first. No member of the council shall interrupt another while speaking except to make a point of order or to make a point of personal privilege. No member shall speak more than five minutes on any amendment to the question except as further provided in this rule.
- (b) No member shall speak more than the time limits provided in subsection (a) of this section on any subject or amendment, and such member may use his or her time in any combination, in separate speech or comments totaling the number of minutes permitted. The mayor shall not be obligated to recognize any councilmember for a second comment on the subject or amendment until every councilmember wishing to speak has been allowed a first comment. Councilmembers shall also have the right to yield a portion of time to another member.
- (c) Any member deciding to speak more than five minutes on any question or more than five minutes on any amendment to the question shall be accorded the privilege without objection or with objection and upon motion supported by two-thirds of the council.

- (d) No councilmember shall be permitted to indulge in personalities, use language personally offensive, arraign motives of members, charge deliberate misrepresentation, or use language tending to hold a member of the city council up to contempt.
- (e) If a member is speaking or otherwise transgressing the rules of the council, the presiding officer shall, or any councilmember may, call him or her to order in which case he or she shall immediately be quiet unless permitted to explain. The council shall, if appealed to, decide the case without debate. If the decision is in favor of the member called to order, he or she shall be at liberty to proceed, but not otherwise.

(Ord. No. 2010-16, § 1, 7-20-2010)

Sec. 2-52. - Citizen participation at meetings.

- (a) All citizens attending any regular or special council meeting may be asked to sign the roster provided. Any citizen wishing to speak at a meeting shall be required to sign the roster as provided in section 2-48 above.
- (b) To maintain decorum, the mayor, at any meeting will ask the citizens present if they wish to speak for or against any item on the agenda. If so, they will be given an opportunity to do so at the proper time, when recognized by the chair.
- (c) Citizens who wish to bring up a matter not on the agenda at a meeting may do so, but only under "public comments." Comments shall be limited to city business or city-related business or matters of general public interest and shall not include any personal attacks.
- (d) Except for comments under "public comments," as a general rule, citizens may not participate in the discussions of the council at council meetings unless the agenda provides for a public hearing.
- (e) In order to maintain decorum, no person shall be permitted to enter the public portions of city hall facilities or speak for or against any item on any agenda unless that person is appropriately attired. "Appropriately attired," as used in this subsection, shall include, but not be limited to, wearing pants and a shirt or a dress or some equivalent clothing, and shoes or sandals.
- (f) Jeering, booing, cheering, clapping or otherwise vocally or audibly expressing agreement or disagreement with council or a speaker in a council meeting shall not be tolerated and if necessary, the sergeant at arms (chief of police or his or her designee) shall be asked to clear the room of the offending boisterous parties.
- (g) All cell phones and pagers are to be turned off in the council chambers or in any other room or building in which an official city meeting is held when the council or any other official body of the city is in session. Notice of this rule shall be posted at the entrance of the council chambers and at any other official meeting place. If necessary, the sergeant at arms (chief of police or his or her designee) shall be asked to clear the room of the offending parties.

(Ord. No. 2010-16, § 1, 7-20-2010)

Sec. 2-53. - Publication and posting of official city notices and items of interest.

All notices of city council meetings and of any city board or commission and all bid notices shall be posted in accordance with state law. All notices required to be published in the city's official newspaper shall also be posted and published in accordance with state law. Council may direct that additional items of public interest shall also be posted on the city's bulletin board and/or in the official newspaper. Every notice, agenda, bid proposal or other item of information advertised on the city's bulletin board and/or in the city's official newspaper shall also be published on the city's homepage (on the internet) and the city's communication TV channel when operable. The city's internet homepage and TV channel shall be used for publication purposes when operable; however, such publication shall not be legally binding unless otherwise required by state law.

(Ord. No. 2010-16, § 1, 7-20-2010)

Sec. 2-54. - Conformance with the city Charter.

Rules of procedure concerning agendas and meetings are also included in the Seabrook Charter, particularly in article II, sections 2.10—2.13. Conformance with these rules and procedures must be maintained. If the rules in this division conflict with the Charter, the Charter shall prevail.

(Ord. No. 2010-16, § 1, 7-20-2010; Ord. No. 2016-15, § 1, 6-21-2016)

Secs. 2-55—2-70. - Reserved.

ARTICLE VI. - CODE OF ETHICS

Footnotes:

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State Law reference— *Conflicts of interest, V.T.C.A., Local Government Code § 171.001 et seq.; disclosure of conflicts of interest, V.T.C.A., Local Government Code § 176.001 et seq.*

DIVISION 1. - GENERALLY

Sec. 2-176. - Policy.

It is hereby declared to be the policy of the city that the proper operation of democratic government requires that local public officials, appointees, and employees be independent, impartial and responsible only to the people of the city; that no officer, employee or member of any standing committee or board shall permit any interest, financial or otherwise, direct or indirect, or engagement in any business, transaction or professional activity to conflict with the proper discharge of his or her duties in the public interest; that public office not be used for personal gain. To implement such a policy, the city council deems it advisable to enact a code of ethics for all officials and employees of the city as a guide, the overriding interest being that officers, appointees and employees of the city shall at all times strive to avoid even the appearance of impropriety.

(Code 1976, § 2-81; Code 1996, § 2-176; Ord. No. 96-15, 9-3-1996; Ord. No. 2008-16, § 2, 8-5-2008)

Sec. 2-177. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Appointee means any appointed member of a board, commission, or committee set up by ordinance, charter, state law or otherwise, on a temporary or permanent basis. Municipal court judges, including substitute judges, are considered appointees.

Business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, trust or any other entity recognized by law.

City council means the legislative and governing body of the city consisting of the mayor and councilmembers.

Employee means any person employed by the city, including those individuals on a part time basis, but shall not mean any independent contractor hired by the city.

Local public official means a member of the governing body or another officer, whether elected, appointed, paid, or unpaid, who exercises responsibilities beyond those that are advisory in nature. This includes members of the Seabrook Planning and Zoning Commission, Board of Adjustment and Economic Development Corporation.

Relative means any person related to an officer or employee within the first degree by consanguinity or affinity and shall include a spouse, father, mother, son, daughter, brother or sister.

Substantial interest means the degree of interest defined in V.T.C.A., Local Government Code § 171.002, entitled "Substantial interest or business entity, except as provided to the contrary under the Seabrook City Charter."

(Code 1976, § 2-82; Code 1996, § 2-177; Ord. No. 96-15, 9-3-1996; Ord. No. 2008-16, § 2, 8-5-2008)

Secs. 2-178—2-205. - Reserved.

DIVISION 2. - ETHICS REVIEW COMMISSION

Sec. 2-206. - Creation; duties and powers generally.

There shall be created an ethics review commission. It shall have the duty and power to make recommendations to the city council regarding the appropriate disposition of allegations of violations of this article by local public officials and appointees of the city.

(Code 1976, § 2-83; Code 1996, § 2-206; Ord. No. 2008-16, § 2, 8-5-2008)

Sec. 2-207. - Members; composition; terms; removal; vacancies.

- (a) The ethics review commission shall consist of five regular members and up to two alternate members who shall vote in the absence of regular members.
- (b) The mayor and members of the city council shall nominate a member to the commission. The nominations shall be confirmed by a majority vote of the entire city council.
- (c) Commission members shall be appointed to two-year staggered terms with the terms of two members to expire October 31 of even numbered years with successive two-year terms, and the terms of three members to expire October 31 of odd numbered years with successive two-year terms. Alternate members shall also be appointed to two-year terms with the term of one alternate member expiring October 31 of even numbered years and the term of the other alternate member expiring October 31 of odd-numbered years.
- (d) All members shall be residents of the city. No member shall hold any city elected or appointed office or be a candidate for any such office.

- (e) Members of the commission may be removed by a majority of the city council for a violation of this article or as otherwise determined by city council. In considering a complaint filed with the city secretary against a member of the commission, the council may follow the procedures set forth in section 2-236 regarding the disposition of alleged violations of this article.
- (f) All vacancies shall be filled for the unexpired terms. A member shall hold office until his or her successor has been appointed by the city council, and shall continue to hold office after his or her successor has been appointed by the city council for the limited purpose of the disposition of all complaints filed during that member's term, unless determined otherwise by city council. No member may participate in a decision regarding a complaint initiated prior to the expiration of the previous member's term, but new members shall assume the duties of office with respect to all complaints initiated after the previous member's term. A commission member shall recuse himself or herself from complaints involving the member of council who nominated him.

(Code 1976, § 2-83(1); Code 1996, § 2-207; Ord. No. 2008-16, § 2, 8-5-2008; Ord. No. 2012-11, § 1, 5-1-2012; Ord. No. 2013-04, § 1, 3-5-2013)

Sec. 2-208. - Chairperson; quorum.

The commission shall elect a chairperson and a vice-chairperson to one-year terms. The vice-chairperson shall act as chairperson in the absence of the chairperson or in the event of a vacancy in that position. Three members of the commission shall constitute a quorum for routine items. Four or more members of the commission shall constitute a quorum for all ethics complaint hearings or related matters. No action of the commission concerning any ethics complaint shall be of any force or effect unless it is adopted by the favorable votes of four or more of the members.

(Code 1976, § 2-83(2); Code 1996, § 2-208; Ord. No. 2008-16, § 2, 8-5-2008; Ord. No. 2012-11, § 2, 5-1-2012; Ord. No. 2013-04, § 1, 3-5-2013)

Sec. 2-209. - Meetings.

The commission shall have meetings as may be necessary to fulfill its responsibilities. The chairperson or any three members of the commission may call a meeting, in compliance with the Open Meetings Act, provided that reasonable notice is given to each member and to any person who requests notice of such meetings.

(Code 1976, § 2-83(3); Code 1996, § 2-209; Ord. No. 2008-16, § 2, 8-5-2008; Ord. No. 2013-04, § 1, 3-5-2013; Ord. No. 2013-24, § 1, 11-19-2013; Ord. No. 2016-13, § 1, 4-19-2016)

Secs. 2-210—2-230. - Reserved.

DIVISION 3. - CONFLICTS OF INTEREST

Sec. 2-231. - Standards of conduct—Local public officials, appointees and employees.

- (a) Pursuant to the city Charter, section 11.09, no local public official, appointee, or employee shall have a financial interest, direct or indirect, (including any interest by reason of ownership of stock in any corporation or other entity) in any contract with the city, or be financially interested, directly or indirectly, in the sale by the city of any land, or rights or interest in any land, materials, supplies, or services, except on behalf of the city as a local public official, appointee or employee. The financial interest contemplated under this subsection means that the local public official, appointee, or employee receives an actual financial benefit from the transaction with the city. An actual financial benefit from the transaction shall not include a financial benefit received through ownership in a corporation or other entity transacting with the city where the ownership interest is less than one percent of the total capital stock of the corporation.
- (b) It shall be a violation of this section for a local public official, appointee or employee to engage in any of the conduct prohibited under the city Charter, section 11.29.
- (c) No local public official, appointee, or employee shall accept or solicit any gift or favor that might reasonably tend to influence him or her in the discharge of his or her official duties. The acceptance of a gift or benefit, the value of which is \$50.00 or less, and for which the acceptance of the gift is not a violation of V.T.C.A., Penal Code § 36.01 et seq., shall not be a violation of this subsection.
- (d) It shall be a violation of this section for an appointee to represent that he/she has authority to bind the city, by contract or otherwise, unless expressly authorized by appropriate action of the city council or Charter.

(Code 1976, § 2-84; Code 1996, § 2-231; Ord. No. 96-15, 9-3-1996; Ord. No. 2008-16, § 2, 8-5-2008)

Sec. 2-232. - Same—Additional for local public officers.

- (a) If a local public official has a substantial interest in a business entity or in real estate, and a matter involving the business entity or real estate, is pending before such official or the body of which the official is a member, the official shall not vote on, attempt to influence or otherwise participate in the consideration of the matter, and shall file an affidavit with the city secretary prior to the meeting at which the matter is scheduled, stating the nature and extent of the interest, if:
 - (1) In the case of an interest in a business entity, the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public, or
 - (2)

In the case of an interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

If the local public official is required to file and does file an affidavit under this article, that official shall not be required to abstain from further participation in the matter requiring such affidavit, if a majority of the members of the city entity of which the local public official is a member is composed of persons who are likewise required to file and who do file affidavits of similar interest on the same official action. Upon introduction of the agenda items, the councilmember with the conflict of interest should announce that he or she has a conflict of interest and will not participate in discussion or consideration of the agenda item. It is not necessary that the councilmember leave the meeting room. The city council must take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a member of the council has a substantial interest, and the affected councilmember must abstain from that separate vote. The councilmember who has complied in abstaining in such vote under procedures set forth in this subsection may vote on a final budget only after the matter in which he or she is concerned has been resolved.

- (b) The portion of the state statutes that regulates conflicts of interest by local public officials of municipalities is V.T.C.A., Local Government Code § 171.001 et seq. It is hereby adopted as the standard of conduct for local public officials under the city code of ethics, except in the case of conflict, wherein the stricter provision shall be deemed to control.

(Code 1976, §§ 2-66, 2-85; Code 1996, § 2-232; Ord. No. 96-15, 9-3-1996; Ord. No. 2008-16, § 2, 8-5-2008)

Sec. 2-233. - Conflict of interest concerning ownership, employment by or membership in any business entity.

Local public officials and appointees shall recuse themselves from discussion and voting in all matters involving any item on an agenda that may benefit any business entity to which the local public official or appointee has a substantial interest as defined herein or by city Charter.

Failure to comply with this section shall be cause for forfeiture of the elected or appointed position with the resultant vacancy on the council, board, commission or committee.

(Code 1996, § 2-233; Ord. No. 2003-05, § 1, 6-3-2003; Ord. No. 2008-16, § 2, 8-5-2008)

Sec. 2-234. - Compliance; procedures.

Any local public official shall adhere to the following procedures regarding conflicts of interest.

- (1) *Filing of affidavit.* Any person required to file a conflict of interest affidavit, as set forth in this division, shall file same with the city secretary prior to any meeting at which the subject matter of the conflict is an agenda item. If it is determined by the presiding officer that a required conflict of interest affidavit has not been filed, and the meeting at which the subject

matter of the conflict has been convened, a temporary recess may be taken to afford the affected person a reasonable opportunity to do so. If the person fails or refuses to file the required affidavit, he or she shall be disqualified from further participation at such meeting.

- (2) *Removal from proceedings.* Any person declaring the existence of a conflict of interest shall immediately remove himself or herself from the table, dais, or other seating place of the council, board, commission or committee, as applicable, prior to and during any deliberation or voting on the matter that is the subject of the conflict. For the purposes thereof, removal shall mean the physical act of moving one's person to the public seating area of the applicable meeting place. Notwithstanding the foregoing, if a majority of the members of the council, board, commission or committee are required to file conflict of interest affidavits, participation by all members shall be permitted as set forth in section 2-232.

(Ord. No. 2005-03, § 1, 2-15-2005; Ord. No. 2008-16, § 2, 8-5-2008)

Sec. 2-235. - Reserved.

Editor's note— Ordinance No. 96-15, adopted Sept. 3, 1996, repealed former §§ 2-233—2-235 in their entirety. Formerly, said sections pertained to disclosure of real property interests, contracts with the city and affidavits, and appearance by past officers or employees and derived from §§ 2-86—2-88 of the 1976 Code. Ordinance No. 2003-05, adopted June 3, 2003, added a new § 2-233 to read as herein set out. Ordinance No. 2005-03, adopted Feb. 15, 2005, added a new § 2-234 to read as herein set out.

State Law reference— Similar provisions, V.T.C.A., Local Government Code § 176.001 et seq.

Sec. 2-236. - Procedures regarding complaints.

- (a) *Employees.* In the case of any employee of the city, disciplinary action and appeals therefrom shall be in conformance with procedures established by the city Charter and personnel rules and regulations.
- (b) *Local public officials and appointees.* Procedures for local public officials and appointees shall be as follows:
- (1) *Complaints.* Complaints shall be lodged as follows:
- a. All complaints or allegations of a violation of this code of ethics shall be made in writing, sworn to before a notary public and filed of record with the city secretary. Such complaint shall describe in detail the act complained of and the specific sections of this code of ethics alleged to have been violated.
 - b. Any complaint alleging a violation of this article by an appointee of the city or local public official must be filed with the city secretary within 90 days from the commission of the action alleged as a violation.

- c. Not later than three working days after the city secretary receives a sworn complaint, the city secretary shall acknowledge the receipt of the complaint to the complainant, and provide a copy of the complaint to the city attorney, the commission and the person complained against. Not later than ten working days after receipt of a complaint, the commission shall notify in writing the person who made the complaint and the person complained against of a date for a preliminary hearing. If the commission does not hold a preliminary hearing within 20 working days of receipt of the complaint, it shall notify the person who made the complaint of the reasons for the delay and shall subsequently give him or her the appropriate notification.
- (2) *Ex parte communications.* After a complaint has been filed and during the pendency of a complaint before the commission, a member of the commission may not communicate directly or indirectly with any party or person about any issue of fact or law regarding the complaint, except at a meeting of the commission.
- (3) *Preliminary hearing.* Proceedings for preliminary hearings shall be as follows:
 - a. At the preliminary hearing, members of the commission may question the complainant and the person named in the complaint. The respondent shall have the opportunity to respond, but he or she shall not be required to attend or make any statement. The complainant and the respondent named in the complaint shall have the right of representation by counsel.
 - b. At the conclusion of the preliminary hearing, the commission shall decide whether there are reasonable grounds to believe that a violation of this article has occurred, and if so it shall schedule a final hearing. If the commission does not determine that there are reasonable grounds to believe that a violation of this article has occurred, the complaint shall be automatically dismissed.
 - c. The complainant, legal counsel for the commission, and the respondent named in the complaint may ask the commission at a preliminary hearing to request certain persons and evidence for a final hearing, if one is scheduled.
- (4) *Final hearing.* Final hearings shall be held as follows:
 - a. The final hearing shall be held as expeditiously as possible following the determination by the commission that there are reasonable grounds to believe that a violation of this article has occurred. At the final hearing the complainant (which may be the commission) and the respondent shall have an opportunity to present witnesses and evidence.
 - b. If the commission determines that a violation has occurred, it shall state its findings in writing, shall identify the particular sections of this article which have been violated, and within 15 working days shall deliver a copy of the findings to the complainant, if any, the

person named in the complaint, the city attorney and the city council. Along with its findings, the commission shall recommend prosecution or if appropriate, set forth requirements to be complied with in order that voluntary compliance may be had.

- (5) *Oaths and requests for information.* Oaths and requests for information shall be made as follows:
 - a. If a complaint proceeds to a final hearing, the commission shall have the power to compel witnesses to attend and testify, administer oaths and affirmations, take evidence and request the production of books, papers, records, or other evidence needed for the performance of the commission's duties or exercise of its powers.
 - b. Statements made by all witnesses at hearings held by the commission shall be made under oath.
- (6) *Defenses.* It shall be a defense to a complaint if the conduct complained of was made in reliance on a public or written opinion of the city attorney. In such case, the commission may advise the respondent in writing of the steps to be taken to avoid possible future violations.
- (7) *Separate complaints.* A complaint shall name only one person as respondent. If more than one person is alleged to have committed the same offense, separate complaints shall be filed and considered by the commission.

(Code 1976, § 2-89; Code 1996, § 2-236; Ord. No. 2008-16, § 2, 8-5-2008)

Sec. 2-237. - Action by the city council.

Upon receipt of the report of findings and recommendations from the ethics review commission, the eligible city councilmembers shall consider such report and shall determine what sanctions, if any, shall be imposed on the respondent in accordance with the following:

- (1) The failure of any city councilmember to comply with or who violates one or more of the standards of conduct in this article which apply to him or her shall constitute grounds for reprimand. Such reprimand shall require a two-thirds vote of the councilmembers; provided, however, that a councilmember who is the subject of the complaint under consideration shall not vote. Offenses committed in violation of the city Charter shall also be subject to additional penalties as set forth in the city Charter.
- (2) The failure of any other local public official (other than a city councilmember) or appointee to comply with or who violates one or more of the standards of conduct in this code of ethics shall constitute grounds for expulsion, reprimand or removal from office. Offenses committed in violation of the city Charter shall also be subject to additional penalties as set forth in the city Charter.
- (3)

Notwithstanding anything herein to the contrary, the city council specifically reserves unto itself, the power to remove any appointee, with or without cause, in accordance with the Charter and law.

(Code 1976, § 2-90; Code 1996, § 2-237; Ord. No. 2008-16, § 2, 8-5-2008)

Sec. 2-238. - Reserved.

Editor's note— Ordinance No. 96-15, adopted Sept. 3, 1996, repealed § 2-238 in its entirety. Formerly, said section pertained to adoption of state statutes and derived from § 2-91 of the 1976 Code.

Sec. 2-239. - Disclosure.

The city manager, economic development director, all members of the city's council, planning and zoning commission, board of adjustment, economic development corporations, and any and all other members of the economic development committees and subcommittees shall, within ten working days of election, appointment or membership, complete a disclosure statement listing all interests in real property located within the city limits or the extraterritorial jurisdiction of the city, whether owned outright or under a mortgage, leased, held in trust, or that are owned, leased, or held in trust by the employee's or committee member's spouse or dependent children. This list shall include the location (street address and/or legal description), size (general dimensions), and current use of the property. Additionally, each member or employee shall disclose any of his or her ownership of stock in any company under contract to the city, when such stock ownership comprises greater than one percent of such company's total capital stock. This section shall become effective for the current city manager, economic development director, and all current members of applicable city boards within 30 days of final approval of this section by the city council. All members and employees shall file an amended statement within 30 days of the acquisition of any additional real property interests or stock as defined above. In addition, all members, officials and employees, as referenced herein, shall review their filed disclosure statements at least once each year and after review, shall either file an amended statement with any changes or submit a written statement attesting that no changes have occurred since the last filing. This requirement shall apply during the term of any election, appointment or employment. Any willful violation of this section shall constitute malfeasance in office and any official or employee guilty thereof shall thereby forfeit the office or position.

(Code 1996, § 2-239; Ord. No. 2001-30, § 1, 12-18-2001; Ord. No. 2008-16, § 2, 8-5-2008; Ord. No. 2014-15, Art. 1, 7-1-2014)

Secs. 2-240—2-265. - Reserved.



CITY COUNCIL RULES OF PROCEDURE AND ETHICS POLICY

**Amended February 13, 2023, by Ord. 2023-3918
First Adopted July 28, 2003**

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39 **Section 1 – GENERAL**

40
41 Parliamentary law and the rules of procedure derived from such law are essential to all deliberative
42 organizations so that they may consider all matters before them in an effective and efficient manner
43 and produce results that are legal and binding. Moreover, such procedural safeguards ensure due
44 process during deliberations among members of the organization while at the same time protecting
45 the rights of both the group and each member. Accordingly, these rules of procedure establish
46 guidelines to be followed by all persons attending City Council meetings, including members of the
47 City Council, administrative staff, news media, citizens, and visitors.

48
49 **Section 2 – AUTHORITY**

50
51 The City Charter of La Porte, Texas, provides in Article II. City Council, Section 2.07 that the
52 Council “shall meet regularly at such times as may be prescribed by its rules but not less frequently
53 than once each month.” and that the Council “shall determine its own rules and order of business.”
54 Thus, these rules of procedure are established. In the event of any conflict between the City Charter
55 and these rules of procedure, the City Charter shall prevail.

56
57 The parliamentary reference for the City Council is the most recent edition of *Robert’s Rules of*
58 *Order Newly Revised* (RONR). When any issue concerning procedure arises that is not covered by
59 the Rules of Procedure, the City Charter, or state law, the Council will refer to RONR, which shall
60 determine such procedural issue.

61
62 **Section 3 – MEETINGS**

63
64 The City Council shall follow both the letter and the spirit of Chapter 551 of the Texas Government
65 Code (the Texas Open Meetings Act).

66
67 **3.01. Regular Meetings.**

68
69 (A) Time. The City Council will generally hold regular meetings on the second and fourth
70 Monday of each month, at 6:00 p.m.

71
72 (B) Place. All regular, special, and workshop meetings of the City Council shall be held in the
73 Council Chambers, City Hall, 604 West Fairmont Parkway, in the City of La Porte, Texas,
74 unless otherwise directed by City Council, or required by law.

75
76 **3.02. Special Meetings.** The Mayor on his/her own motion or at the request of the City Manager
77 shall call special meetings of the City Council whenever in their opinion the public business may
78 require it, or at the express written request of any three (3) members of the City Council. Such
79 written request shall be filed with the City Secretary and shall contain the agenda item requested for
80 the special meeting. Whenever a special meeting shall be called, notice shall be given.

81
82 **3.03. Agenda.** The Mayor, the City Manager, the City Secretary, or the City Attorney, or any three
83 (3) members of the City Council by written request, may place an item on a City Council agenda,
84 with the exception of an item that has previously been approved or denied, by City Council
85 vote, during a meeting which occurred within the 30-day period immediately before the date
86 of the proposed agenda. The written request shall include a clear description of the proposed action
87 by the Council (in the form of a proposed motion) or shall clearly state the item is for discussion

purposes only, shall be of sufficient detail to allow staff to contribute background information on the topic, and shall be filed with the City Secretary by 5:00 p.m., Thursday, two weeks prior to the Monday night City Council meeting (and a commensurate period for special meetings). Deviations from the deadlines, or the submission of additional items either past the established deadlines or once the agenda has been posted, should be exceedingly rare and of a clearly significant nature. All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council shall also be delivered to the City Secretary on the same schedule.

The City Secretary will coordinate the placement and content of items on the agenda with the City Manager, who will resolve any conflicts with Mayor and Councilpersons. Agenda items may be removed only by the person(s) who initially placed that item on the agenda.

Drafts of contracts, ordinances, resolutions, or other items requiring review should be submitted to the City Attorney in a manner timely enough to allow for their review prior to this submittal deadline above.

Section 4 - STANDARDS OF CONDUCT

4.01. City Councilpersons.

It is important that Councilpersons demonstrate civility to one another as individuals, for the validity of different opinions, for the democratic process, and for the community and citizens being served. Elected officials should exhibit appropriate behavior. All members of the City Council have equal votes and all Councilpersons speak only for themselves.

4.02. Council Relations with the Media.

All City press releases, media advisories, story suggestions, or similar items should go through the City Secretary's office for distribution, with exception of factual police department bulletins which designated officers may send directly, with copy to the City Secretary.

Section 5 – DUTIES AND PRIVILEGES OF COUNCILPERSONS

5.01. Seating Arrangement.

The Mayor shall determine seating of the Council and Charter Officers.

5.02. Conflict of Interest.

A City Councilperson prevented from voting by a conflict of interest, shall step down from the dais and leave the room (per Sec. 3(c)(4) of the City's adopted Ethics Policy, attached as Appendix A), shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, shall not attend executive sessions regarding the matter, and shall otherwise comply with the state law and city ordinances concerning conflicts of interest including Chapter 171 of the Local Government Code.

5.03. Voting.

(A) When a vote is called, every member present shall vote either "Aye" or "No" or shall abstain.

(B) Any vote to which there is an objection shall be taken by counted vote; except that, on the demand of a single Councilperson, a roll call vote shall be taken. After the result of a vote is announced, a member may not change a vote unless, before the adjournment of that meeting, permission is given to change the vote by a majority vote of the members present.

5.04 Rules for Attendance at Regular Meetings of the City Council

Section 2.04 (b)(4) of the City Charter provides that a member of City Council shall forfeit his or her office by failing *“to attend three consecutive regular Council meetings without being excused by the Council”*.

A member of City Council who will not be able to attend a regular Council meeting shall make a reasonable effort to notify the Mayor, the City Manager’s Office, or the City Secretary’s Office prior to the meeting, and shall indicate the reason for his or her inability to attend.

Absences shall be considered excused if for personal illness, family illness, emergencies, funerals, military service, family events including vacations, weddings, and graduations, business obligations, official city business such as attendance at a conference for municipal officers, or for other good cause as determined by the Council. At the next regular meeting following the meeting at which the member was absent, the City Council shall consider a vote to determine whether the member’s absence is deemed excused or unexcused.

Absence from a regular meeting shall be considered unexcused if the member fails to convey the reason for his or her absence to the Mayor, City Manager or City Secretary or otherwise fails to give sufficient information to the City Council to enable it to determine the reason for the absence. Furthermore, absence due solely to the refusal of the member to participate in a meeting through telephonic or video conference call, when such measures are legally available to the member in accordance with state law, shall be considered unexcused when the member fails to show good cause why the member could not participate through such methods.

If a member is absent for more than fifty (50) percent of a meeting without being excused by the City Council in accordance with rules and procedures established herein, the member shall be considered absent from such meeting.

Section 6 - CHAIR AND DUTIES

6.01. The Presiding Officer - Duties. The presiding officer of the Council shall be the Mayor. The Presiding Officer shall preserve strict order and decorum at all regular and special meetings of the Council. He/She shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He/She shall be entitled to vote on all questions. He/She shall sign all ordinances and resolutions adopted by the Council during his/her presence. In the event of the absence of the Mayor, the Mayor Pro Tem shall sign ordinances or resolutions as then adopted.

6.02. Call to Order - Presiding Officer. The Mayor, or in his/her absence, the Mayor Pro Tem, shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Council to order. In the absence of the Mayor and the Mayor Pro Tem, the City Secretary, or his/her Assistant, shall call the Council to order, whereupon a temporary chairman shall be elected by

members of the Council present. Upon arrival of the Mayor or the Mayor Pro Tem, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Council.

6.03. Roll Call. Before proceeding with the business of the Council, the City Secretary, or his/her deputy shall note in the minutes the names of those present. Late arrivals or departures of Council members shall be noted by the Presiding Officer and recorded by the City Secretary in the minutes.

6.04. Quorum. A majority of all of the members of City Council shall constitute a quorum at any regular or special meeting of the Council, except where provided otherwise under state law. In the absence of a quorum, the Presiding Officer shall, at the request of any three (3) members present, compel the attendance of absent members.

6.05. Order of Business. All meetings of the Council shall be open to the public, in accordance with the Texas Open Meetings Act. Promptly at the hour set on the day of each regular meeting as posted as required by law, the members of the Council, the City Secretary, the City Attorney, the Mayor, and the City Manager, shall take their regular stations in the Council Chambers, and the business of the Council shall generally be taken up for consideration and disposition in the following order:

1. Call to Order
2. Invocation and Pledges of Allegiance
3. Proclamations and Presentations
4. Citizen Comment
5. Consent Agenda (Any member of the Council may remove any item from the Consent Agenda for discussion.) These items are typically routine in nature.
6. Statutory Agenda
7. Reports of City Officers and Staff
8. Administrative Reports
9. Items of Community Interest (in accordance with state law)
10. Executive and/or workshop sessions (as appropriate)
11. Reconvene in public session (as needed following executive sessions)
12. Adjournment

6.06. Rules of Debate.

- (A) Presiding Officer May Debate and Vote, Etc. The Mayor or Mayor Pro Tem, or such other member of the Council as may be presiding may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Councilperson by reason of his/her acting as the Presiding Officer.
- (B) Getting the Floor - Improper References to be Avoided. Every member desiring to speak shall address the Chair, and, upon recognition by the Presiding Officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- (C) Interruptions. A member, once recognized, shall not be interrupted when speaking unless it be to call him to order, or as herein otherwise provided. If a member, while speaking, be called to order, he shall cease speaking until the question of order be determined, and, if in

order, he shall be permitted to proceed.

- (D) Remarks of Councilperson-When Entered in Minutes. A Councilperson may request, through the Presiding Officer, the privilege of having an abstract of his/her statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.

- (E) Synopsis of Debate - When Entered in Minutes. The City Secretary may be directed by the Presiding Officer, with consent of the Council, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Council.

- (F) Length of Speeches. Speeches in debate are limited to five minutes in length, unless otherwise permitted in accordance with the Council's adopted parliamentary authority.

6.07. Addressing the Council.

- (A) Citizen Comment - Before each meeting of City Council the City Secretary shall make Citizen Comment forms available, on which any taxpayer or resident, or his/her authorized representative, or any member of the public, may sign his/her name and address, and indicate the subject matter on which he wishes to speak.

Individuals may address the Council by oral communication by completing all requested information on the Citizen Comment form and placing it at the City Secretary's desk on the dais, not later than five (5) minutes before commencement of the meeting.

Each person addressing the Council shall step up to the podium, shall give his/her name and address for the record, and, unless further time is granted by the Council, shall limit his/her address to five (5) minutes. All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer. No question shall be asked to a Councilperson except through the Presiding Officer. Any such question shall be referred by City Council to the City Manager, for further handling.

Persons wishing to address the Council on more than one agenda item or topic in a single meeting must speak on all such agenda items or topics during their presentation. Additional time is not given for additional items (however, emailing, writing, calling, or visiting with Councilpersons outside of meetings is, of course, unlimited). This requirement does not restrict anyone from also speaking at any public hearing (see additional information below). Subject to the foregoing, the City Council shall not place limits on discussion of specific subject matter as it relates to any constitutionally guaranteed right of freedom of speech, or otherwise discriminate against a particular point of view.

- (B) Public Hearings - Public hearings provide municipal residents and affected parties an opportunity to be heard, typically on certain land use items or the annual adoption of the municipal budget and tax rate.

There is not a form or sign up requirement for public hearings at City Council meetings. Each person addressing the Council shall step up to the podium and shall give his/her name

and address for the record. All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer. No question shall be asked to a Councilperson except through the Presiding Officer. Any such question shall be referred by City Council to the City Manager for further handling.

6.08. Silence Constitutes Affirmative Vote. Unless a member of the Council states that he is not voting, his/her silence shall be recorded as an affirmative vote.

6.09. Decorum.

(A) By Councilpersons. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer, except as otherwise herein provided.

(B) By Persons. Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Council shall be forthwith, by the Presiding Officer, subject to loss of speaking privileges unless permission to continue be granted by a majority vote of the Council.

Reactions from the audience following the recognition and rewarding of citizens and special guests is considered appropriate and encouraged. Disruptive verbal and/or non-verbal reactions from the audience during staff presentations to the Council and during debate between Councilpersons are inappropriate and are not permitted. The presiding officer will ensure that the decorum of the meeting is maintained and is appropriate.

No offensive, vulgar, or distracting placards, banners, signs, or apparel shall be permitted to be erected or displayed by persons in attendance in the City Council chamber or in any other room in which the City Council is holding a meeting. Exhibits, displays, and visual aids used in connection with presentations to the City Council are permitted.

6.10. Enforcement of Decorum. The Chief of Police, or such member or members of the Police Department as he may designate, shall be Sergeant-at-Arms of the Council meetings. He, or they, shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at the Council meeting. Upon instructions of the Presiding Officer unless otherwise directed by a majority vote of the Council, it shall be the duty of the designated Sergeant(s)-at-Arms to remove any person who violates the order and decorum of the meeting.

6.11. Special Committees. The establishment of and appointment of members to all special committees shall be decided by a majority vote of the Council, unless otherwise prescribed by the City Charter or other action of the Council.

6.12. Ordinances, Resolutions, and Contracts.

(A) All ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or his/her authorized representative, and shall have been examined and approved for administration by the City Manager or his/her authorized representative, where there are substantive matters of

administration involved.

(1) Ordinances, resolutions, and other matters or subjects requiring action by the Council must initially be produced/written, introduced, and sponsored per the guidelines of 3.03 Agenda, above.

(2) No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed, and when practical all ordinances shall be introduced as amendments to existing ordinances or sections thereof.

6.13. Reports and Resolutions to be Filed with the City Secretary. All reports and resolutions shall be filed with the City Secretary and entered on the minutes.

Section 7 – CITY COUNCIL COMMITTEES

7.01. Council Committees Established.

(A) The following standing committees of the City Council are established:

(1) Fiscal Affairs Committee

(2) Drainage and Flooding Committee

(B) Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council or the City Manager. A standing committee may, by majority vote, recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a meeting of the Council.

7.02. Appointment. Appointment to and composition of the committees has been established through prior Council action and may be amended by such.

7.03. Council Committee Meetings.

(A) Council standing committees shall meet as necessary. The quorum of Council committees will be a majority of the members serving. Except when serving during a meeting for an absent member, an alternate to the committee should not be seated at the dais, nor participate in discussion or vote.

(B) The committee chair shall develop committee meeting agendas through coordination with fellow committee members and appropriate supporting staff members. The committee chair will coordinate with the City Secretary to ensure that the committee meeting agenda is posted as appropriate.

7.04. Council Ad Hoc Committees. The Mayor may appoint ad hoc committees from time to time to study and review specific issues. The Mayor shall determine the number of members and appoint a chair of ad hoc committees. The ad hoc committees shall be established for a designated period of time, which may be extended by the Mayor and shall meet as needed. The Mayor shall formally

382 announce the establishment of any ad hoc committee along with his/her appointments to that
383 committee in a session of Council prior to the committee convening to conduct business.

384 385 **Section 8 – RULES SUSPENSION**

386
387 Any provision of these rules not governed by the City Charter, City Code, or state law may be
388 temporarily suspended by a two-thirds vote of the members of the City Council present.

389 390 391 **ADOPTIONS AND AMENDMENTS**

- 392
393 - February 13, 2023, by Ord. 2023-3918 – bringing back 2008 prohibition of decided items
394 to an agenda for 30 days
- 395 - July 26, 2021, by Ord. 2021-3841 – rules for approving Council attendance
- 396 - June 14, 2021, by Ord. 2021-3832 – amend length of speeches
- 397 - May 24, 2021, by Ord. 2021-3830 – remove face covering requirement from 6.09.
398 Decorum
- 399 - March 8, 2021, by Ord. 2021-3820 – add face covering requirement to 6.09. Decorum
- 400 - January 13, 2020, by Ord. 2019-3758 – update to Rules and incorporation of Ethics
401 Policy
- 402 - July 22, 2013, Ord. 2013-3489 establishes ethics and conflict of interest policy, which
403 was amended/readopted on October 9, 2017
- 404 - June 11, 2012 – Council considered an agenda policy for Council meetings
- 405 - September 13, 2010, by Ord. 2010-3274
- 406 - May 19, 2008, by Ord. 2003-2646-A
- 407 - July 23, 2003, by Ord. 2003-2646
- 408 - February 4, 1985, by Ord. 1435
- 409 - April 29, 1985, by Ord. 1435-A

APPENDIX A

ETHICS POLICY

Section 1. Policy and purposes.

- (A) *General policy statement.* It is the policy of the city that all city officials and employees shall conduct themselves both inside and outside the city's service so as to give no occasion for distrust of their integrity, impartiality, or devotion to the best interest of the city and the public trust which the city holds.
- (B) *Appearance of impropriety.* Public service is a public trust. All city officials and employees are stewards of the public trust. They have a responsibility to the citizens of the city to administer and enforce the City Charter and city ordinances. To ensure and enhance public confidence in city government, each city official and employee must strive not only to maintain technical compliance with the principles of ethical conduct set forth in this article and in state law, but also to avoid the appearance of impropriety at all times.
- (C) This code of ethics has three purposes:
- (1) To encourage ethical conduct on the part of city officials and employees;
 - (2) To encourage public service with the city;
 - (3) To establish standards for ethical conduct for city officials and employees by defining and prohibiting conduct that is incompatible with the interests of the city;
- (D) This code of ethics is not intended to be used as a political weapon or to intimidate or embarrass affected persons. The officials charged with administration of this code of ethics shall administer it in a manner that avoids any such use of this code of ethics.

Section 2. Definitions.

In this policy:

Benefit means anything reasonably regarded as pecuniary gain or pecuniary advantage, including any money, real or personal property, purchase, sale, lease, contract, option, credit, loan, discount, service or other tangible or intangible thing of value. *Benefit* includes a pecuniary gain or pecuniary advantage to any other person in whose welfare the beneficiary has a direct and substantial interest.

Business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law, including a nonprofit organization or governmental entity.

Economic interest includes a legal or equitable interest in real property, personal property, or intangible property, or a contractual right, including but not limited to receipt of compensation and/or benefits. Service by a city official or employee as an officer, director, advisor, or other active participant in a nonprofit educational, religious, charitable, fraternal, or civic organization does not create for that city official or employee

an *economic interest* in the property of the organization. Ownership of an interest in a mutual or common investment fund that holds securities or other assets is not an *economic interest* in the securities or other assets unless the person in question participates in the management of the fund.

Employee means any person employed by the city, whether under civil service regulations or not, including those individuals on a part-time basis, but not including any independent contractor.

Immediate family members means the spouse, children, brothers, sisters, and parents (including any such step- or half- relations) of an officer or employee.

Officer or official means the mayor or any member of the city council and any appointive member of a city board, commission or committee established by ordinance, charter or state law.

Section 3. Prohibition against involvement in actions affecting economic interests.

(A) *General rule.* It shall be a violation of this policy for a city official or employee to participate in any proceedings or take any official action that he or she knows is likely to:

(1) Affect an economic interest of:

(a) The official or employee;

(b) His or her immediate family member;

(c) A member of his or her household;

(d) An outside employer of the official or employee or of his or her immediate family member;

(e) A business entity in which the official or employee or his or her immediate family member holds an economic interest;

(f) A business entity for which the city official or employee serves as an employee, officer or director, or otherwise functions in any policy making position; or

(g) A person or business entity from whom the official or employee, or his or her immediate family member, has solicited, received and not rejected, or accepted an offer of employment within the past twelve months; or

(2) Confer a benefit on the official or employee, or deprive the official or employee of a benefit, where the effect of the action on the official or employee is distinguishable from the effect of the action on other employees or officials, members of the public in general or a substantial segment of the public.

(B) *Meaning of "affect".*

(1) In subsection (a)(1) above, an action is likely to affect an official's or employee's economic interest if it meets all of the following:

(a) The action is likely to have an effect on that interest, either positive or negative, that is distinguishable from its effect on other employees or officials, members of the public in general or a substantial segment of the public.

(b) The effect of the action on that interest is direct, and not secondary or indirect.

- 504 However, the action need not be the only producing cause of the effect in order
505 for the effect to be direct.
- 506 (c) The effect on the interest must be more than insignificant or de minimis in
507 nature or value.
- 508 (2) In determining whether a person, entity or property is or was affected by an official's
509 or employee's participation in proceedings, vote or decision, it will not be necessary
510 to prove the actual existence or occurrence of an economic effect or consequence if
511 the effect or consequence would be reasonably expected to exist or occur.
- 512
- 513 (C) *Recusal and disclosure.* A city official or employee whose conduct would otherwise
514 violate subsection (a), or state law if he/she participated in proceedings or took an
515 action, must abstain from participation in the action in accordance with the following:
- 516 (1) Immediately refrain from further participation in the matter, including discussions
517 with any persons likely to consider the matter, from the time he or she discovers
518 or reasonably should have discovered the matter triggering the recusal;
- 519 (2) Promptly file necessary documentation disclosing the nature and extent of the
520 interest triggering the recusal with the city clerk, if the person is an official, or with
521 the person's supervisor, if the person is an employee;
- 522 (3) Promptly notify the person's supervisor of the nature and extent of the interest
523 triggering the recusal, if the person is a city employee, so that the supervisor can
524 reassign responsibility for handling the matter to another person; and
- 525 (4) Promptly disclose the interest triggering the recusal, if the person is a member of
526 the city council, a city board or commission, to other members of the city council,
527 board or commission, and leave the room in which the city council, board or
528 commission is meeting during the board or commission's discussion of or voting
529 on, the matter.
- 530
- 531 (D) No prohibition established in this section shall be construed to prevent members of city
532 council, or the appointees to any board or commission of the city, or a city employee,
533 from voting on or participating in a matter relating to the adoption of laws, rules and/or
534 policies that apply generally to all employees, officials and/or members of the public
535 and the effect of which does not confer a benefit on the official or employee that is
536 distinguishable from the effect on other employees, officials or members of the public
537 or a substantial segment of the public.
- 538

539 **Section 4. Standards of conduct.**

540

- 541 (A) *Standards for immediate family members.* A city official or employee commits a
542 violation of this policy if an immediate family member, with the official's or employee's
543 knowledge, intentionally or knowingly:
- 544 (1) Solicits, accepts or agrees to accept from another person any benefit that the
545 member's immediate family member, who is a city officer or employee, is
546 prohibited from soliciting, accepting or agreeing to accept under state law;
- 547 (2) Misuses any official information obtained from the member's immediate family
548 member, who is a city officer or employee, to which the immediate family member
549 has access by virtue of the immediate family member's office or employment and
550 that has not been made public, in a manner prohibited as to the immediate family
551 member under state law; or

- 552 (3) Misuses, as the term “misuse” is defined in Texas Penal Code §39.01, any city
553 property, services, personnel or any other thing of value belonging to the city that
554 has come into the member's custody or possession by virtue of the office or
555 employment of the member's immediate family member who is a city officer or
556 employee.

557
558 (B) *Representation and appearance at meetings.* No city official or employee shall
559 knowingly:

- 560 (1) Appear before the body of which the officer or employee is a member, or otherwise
561 participate in any proceedings, as a representative for any private person, including
562 the officer or employee or any immediate family member, except that an official
563 or employee may represent their interests in their own property before a board,
564 agency, commission or department of the city.
565 (2) Participate in any proceedings, directly or indirectly, wherein the official or
566 employee represents the interests of any outside employer, business entity, group
567 or interest in any matter, action or proceeding against the interests of the city or in
568 any litigation in which the city or any department, agency, commission or board
569 thereof is a party;
570 (3) Accept other employment or engage in outside activities incompatible with the full
571 and proper discharge of city duties or that might impair independent judgment in
572 the performance of city duties; or
573 (4) Make a false statement of material fact at a public meeting. This subsection shall
574 not be construed to deprive an officer or employee of the right to due process under
575 the law, including the right to represent himself/herself in a court proceeding.
576

577 (C) *Representation by council members.* No city council member shall knowingly represent
578 any private person, including the city council member or any immediate family
579 member, or any outside employer, business entity, group or interest in any matter
580 before any department, agency, commission or board of the city, except that city
581 council members may represent their interests in their own property before a board,
582 agency, commission or department of the city.
583

584 (D) *Representation in municipal court.* In any action or proceeding in the municipal court
585 which is instituted by a city officer or employee in the course of official duties:

- 586 (1) No city council member shall knowingly represent any private person other than
587 himself or herself. If a city council member elects to have a trial in municipal court,
588 the city council, without the participation of the affected city council member, will
589 appoint a special judge to preside over the trial.
590 (2) No city officer or employee shall knowingly represent any private person other
591 than himself or herself, including any immediate family member, or any group or
592 interest.
593

594 (E) *Representation in land use and development matters.* A member of the planning and
595 zoning commission shall not knowingly represent the member or any other person,
596 group or interest in any matter before the zoning board of adjustments involving land
597 use or development, and a member of the zoning board of adjustments shall not
598 knowingly represent the member or any other person, group or interest in any matter

before the planning and zoning commission involving land use or development. This subsection does not apply to members representing their interests in their own property.

- (F) *Prohibited use of city position.* A city official or employee shall not use his or her position to unfairly advance or impede private interests, or to grant or secure, or attempt to grant or secure, for any person (including himself or herself) any form of special consideration, treatment, exemption, or advantage beyond that which is lawfully available to other persons. A city official or employee who represents to a person that the official or employee may provide an advantage or impediment to the person based on the official's or employee's office or position violates this rule.

Section 5. Contracts with city; eligibility for appointment or election to office.

- (A) No member of the city council and no city employee shall have a financial interest in the sale to the city of any land, materials, supplies or service, outside of the person's position with the city. Any person having an interest shall be ineligible for election as a city council member or appointment as a city employee, and any city council member or city employee who acquires an interest shall forfeit the office or employment. Any violation of this subsection with the actual or constructive knowledge of the city council member or employee shall render the contract voidable by the city manager or the city council.
- (B) In subsection (a) of this section and in subsection 2.425(c), the term "sale to the city" includes a sale to city-sponsored entities and organizations subject to substantial control by the city in one or more of the following respects:
- (1) All or a majority of the governing body of the entity or organization is appointed by the city council;
 - (2) The city provides more than one-half of the operating funds of the entity or organization;
 - (3) The city has approval authority over purchasing decisions made by the entity or organization;
 - (4) The city has approval authority over bonds or other indebtedness issued by the entity or organization; or
 - (5) The city has approval authority over the budget of the organization.
- (C) This section does not apply to acquisition of property by the city as a result of eminent domain proceedings or the threat of eminent domain proceedings.

V. CODE OF ETHICS FOR COUNCILMEMBERS

- A. Intent and Purpose. To assure public confidence in the integrity of local government and its effective and fair operation, this Code of Ethics provides a framework for day-to-day actions and decision-making by Councilmembers and represents a commitment to uphold a standard of integrity beyond that required by law. The citizens and businesses of Big Bear Lake are entitled to a fair, ethical, and accountable local government that has earned the public's full confidence for integrity. To ensure the effective functioning of democratic government, the City Council requires each of the following:
1. Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government.
 2. Public officials be independent, impartial, and fair in their judgment and actions.
 3. Public office be used for the public good, not for personal gain.
 4. Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.
- B. Principles and Standards. The principles and standards of ethical conduct for Big Bear Lake City Councilmembers are hereby established as set forth below.
1. **Act in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, Councilmembers will work for the common good of the people of Big Bear Lake and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Big Bear Lake City Council.
 2. **Comply with the Law.** Councilmembers shall comply with the laws of the nation, the State of California, and the City of Big Bear Lake in the performance of their public duties. These laws include, but are not limited to: the United States and California Constitutions, the Big Bear Lake City Charter, the Big Bear Lake Municipal Code, laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, open government, and City ordinances and policies.
 3. **Councilmember Conduct.** The professional and personal conduct of Councilmembers must be above reproach and avoid the appearance of impropriety. While it is understood that Councilmembers enjoy First Amendment rights, they shall practice civility and decorum in discussions and debate, and refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of the Council, boards, commissions, staff, or the public that is intended to disrupt and not further the City's business.
 4. **Respect for Process.** Councilmembers shall perform their duties in accordance with the processes and Rules of Order established by the Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Council by City staff.

5. **Decisions Based on Merit.** Councilmembers shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
6. **Conflict of Interest.** In order to assure their independence and impartiality in the City's best interest, Councilmembers shall not use their official positions to influence decisions in which they have a conflict of interest.
7. **Gifts and Favors.** Councilmembers shall follow the laws that apply to the acceptance of gifts or favors as a public official.
8. **Use of Title.** Councilmembers may use their title only when conducting official City business, for informational purposes, or as an indication of background and expertise. Individual Councilmembers must be careful not to: 1) exceed or appear to exceed his/her authority, 2) use his/her position to influence others unduly or, 3) use his/her title to improperly gain leverage or preferential treatment.
9. **Confidential Information.** Councilmembers shall respect the confidentiality of information concerning the property, personnel, or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.
10. **Use of Public Resources.** Councilmembers shall not use public resources, such as City staff time, equipment, supplies, or facilities, for private gain or personal purposes.
11. **Advocacy.** Councilmembers shall represent the official policies or positions of the Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, Councilmembers shall explicitly state they do not represent the opinion of the entire Council.
12. **Positive Workplace Environment.** Councilmembers shall support the maintenance of a positive and constructive workplace environment for City employees, private citizens, and businesses dealing with the City. Councilmembers shall recognize their role in individual dealings with City employees. Councilmembers shall not be immune to potential liability and/or legal proceedings by City employees when the rights of such employees who are acting within the scope of their employment have been infringed upon or violated by Councilmembers.
13. **Policy Role of Councilmembers.** Councilmembers shall respect and adhere to the Council-Manager structure of Big Bear Lake City government. In this structure, the City Council determines the policies of the City with the advice, information, and analysis provided by the public, boards, commissions, and City staff. Councilmembers shall not interfere with the administrative functions of the City or the professional duties of City staff, nor shall they impair the ability of staff to implement Council policy decisions.
14. **Enforcement.** Councilmembers have the primary responsibility to ensure that this Code of Ethics is followed so the public may have full confidence in the integrity of government. Although this Code of Ethics and Conduct is intended to "be self-enforcing" and will be

most effective when Councilmembers are thoroughly familiar with and embrace its provisions, City Councilmembers who intentionally and/or repeatedly do not follow proper conduct may be subject to an informal reprimand (a statement of disapproval) or formal censure as set forth in Chapter 10 of this Manual.

C. Norms and Protocols.

- | | |
|--|---|
| <p>1) We conduct ourselves in a professional manner.</p> <p>2) We respect open government.</p> <p>3) We value civil, intelligent public discourse.</p> <p>4) We seek to be efficient in our meetings.</p> <p>5) We treat all members of the public with respect.</p> <p>6) We understand our role in contributing to a positive workplace environment.</p> <p>7) We respect the Council-Manager form of government, and Councilmembers do not interfere with the role of the City Manager or any professional duties of City staff.</p> <p>8) We keep confidential matters confidential.</p> | <p>9) We know that a good working relationship between Councilmembers and with staff fosters good goal setting, policy making and service delivery.</p> <p>10) We understand that the Council acts as a body, all members are equal, and policy direction is only given by a majority vote of the Council.</p> <p>11) We understand that staff is obligated to implement decisions made by the Council, even if one of us doesn't agree with the Council's decision.</p> <p>12) We are prepared for Council meetings and ask our questions of staff in advance so we can avoid surprising staff at the meetings. We know this is good teamwork.</p> <p>13) We act with high integrity in all matters and follow our code of ethics.</p> |
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CHAPTER 5 - MEETING RULES OF CONDUCT AND DECORUM

I. PARLIAMENTARY RULES AND GENERAL AGENDA ITEM PROCESS

- A. Rosenberg's Rules. Except as otherwise provided in this Manual, the proceedings of the Council at meetings shall be generally guided by the latest revised edition of Rosenberg's Rules of Order ("Rosenberg's Rules"). However, no ordinance, resolution, proceeding, or other action of the City Council shall be invalidated, or the legality thereof otherwise affected, by the failure or omission to observe or follow said rules. In the event of a conflict or ambiguity between Rosenberg's Rules and the rules set forth in this Chapter, the rules in this Chapter shall prevail over Rosenberg's Rules.

- B. Parliamentary. The City Attorney shall act as the Parliamentarian and shall decide all questions of order. In the absence of the City Attorney, the City Manager shall act as the Parliamentarian.

- C. General Process for Handling Agenda Items. The following process is the normal order of business for agenda items, except for public hearings, which are discussed in more detail in Section VI of Chapter 3.
 - 1. The Presiding Officer announces the current agenda item. Note: to the extent members of the public wish to provide comments on an agenda item, such comments may be taken into consideration by Councilmembers when discussing the particular agenda item.
 - 2. The City Manager, City staff, or submitter of the agenda item briefly introduces the item.
 - 3. Staff presents its report (as needed), either by way of a written staff report or by an in- person oral presentation.
 - 4. Councilmembers may ask questions of the City Manager and/or such City staff as the City Manager may designate, although Councilmembers are encouraged to seek clarification by asking or providing such questions prior to the meeting. Councilmember questions on an item may not exceed two (2) minutes unless an extension of time is granted by the Presiding Officer. Extensions granted may be appealed or overruled by a majority vote of the Council.
 - 5. The Presiding Officer invites a motion.
 - 6. Following a valid motion and second, the Council discusses, deliberates, and takes action as described in this Chapter.
 - 7. An affirmative vote of the Council carries the motion, as described herein.

II. RULES OF DISCUSSION AND DEBATE FOR REGULAR MEETINGS

- A. Discussion Procedure. While discussing any question under consideration by the Council, it shall be the duty of the members thereof to remain seated and address their remarks to the Presiding Officer and their fellow members. Any remarks or orders to the audience shall be addressed by the Presiding Officer, or with his/her permission, by members of the Council.
- B. Presiding Officer. The Presiding Officer shall have the authority to prevent the misuse of the legitimate form of motions, the abuse of privilege of renewing certain motions, or the obstruction of the business of the City Council. The Presiding Officer may preserve orderly business by ruling such motions out of order. In so ruling, the Presiding Officer shall be courteous and fair and shall presume that the moving party is making the motion in good faith. The Presiding Officer may move, second, debate, and vote from the chair. The Presiding Officer may also adjourn a meeting by a simple declaration thereof in the absence of a protest by any Councilmember.
- C. Councilmembers to Address Presiding Officer. Every Councilmember desiring to speak shall first address the chair, gain recognition by the Presiding Officer, and confine himself/herself to the subject matter, item, or motion being currently considered by the Council, avoiding personalities and crude language.
- D. Questions to Staff. Every Councilmember desiring to ask questions of City staff shall, after recognition by the Presiding Officer, address his/her question to the City Attorney or the City Manager, who shall be entitled either to answer the inquiry himself/herself or designate a member of the staff for that purpose. On the assumption that Councilmembers have already sought clarification of agenda materials in advance of the meeting pursuant to Chapter 2, Section IV. A of this Manual, Councilmember questions to City staff shall be subject to a two (2) minute time limit per agenda item, not including the time taken for staff response(s). Statements masquerading as questions may be ruled out of order by the Presiding Officer.
- E. Germane Comments/Time Limit for Council. Councilmembers shall limit their comments to the subject matter, item, or motion being currently considered by the Council. A determination of relevance shall be made by the Presiding Officer but may be appealed to the full Council. Councilmembers shall govern themselves as to the length of their comments but generally shall not exceed a total of five (5) minutes per agenda item (not including the two (2) minute period for Questions to Staff referenced in Section D, above), unless additional time is approved by a majority vote of the Council. The Presiding Officer or the City Clerk, as may be designated by the Presiding Officer, has the responsibility to assist Councilmembers by signaling when the Councilmember has spoken for five (5) minutes. The five (5) minute time limit may be extended by a majority vote of City Council. No Councilmember shall be allowed to speak more than once on any particular item until every other Councilmember desiring to do so shall have spoken.
- F. Interruptions. A Councilmember, once recognized, shall not be interrupted when speaking unless: 1) called to order by the Presiding Officer, 2) a point of order or point of privilege is raised by another Councilmember, 3) the speaker chooses to yield to a question by another Councilmember, or (4) for such other reasons as set forth in Rosenberg's Rules or this Manual, including, but not limited to, a Councilmember's right to call the question in order to

terminate debate. If a Councilmember while speaking is called to order, he/she shall cease speaking until the question of order is determined; and if interpreted to be in order, may proceed. Members of the City staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.

- G. Point of Order. When a Councilmember believes a breach of the Council's parliamentary procedural rules is occurring, he/she may raise a Point of Order to call upon the Presiding Officer to make a determination and enforce the rules of the Council. The Point of Order shall be ruled upon by the Presiding Officer, subject to the right of any Councilmember to appeal the ruling to the City Council through a valid motion. If a motion to appeal the ruling is seconded, the question shall be, "Shall the decision of the Presiding Officer be sustained?" A majority vote shall conclusively determine the question of order. The motion is debatable, and the Presiding Officer may participate in the debate.
- H. Point of Privilege. Any Councilmember can raise a Point of General or Personal Privilege.
 - 1. **Point of General Privilege**. Appropriate points of general privilege relate to anything that would interfere with the normal comfort of the meeting, such as the temperature of the room or a malfunctioning microphone. If raised, the Presiding Officer would then ask the interrupter to "state your point."
 - 2. **Point of Personal Privilege**. The right of a Councilmember to address the council on a question of personal privilege shall be limited to cases in which his/her integrity, character, or motives are questioned or where the welfare of the council is concerned. A Councilmember raising a point of personal privilege may interrupt another Councilmember who has the floor only if the Presiding Officer recognizes the privilege.
- I. Move or Call the Question. Any Councilmember may move to immediately bring the motion/question being debated to a vote, suspending any further debate. Such motion shall not be made in a manner that prevents a Councilmember from voicing an opinion or providing brief, concise, and relevant information with respect to the item being considered. To close off debate pursuant to a Motion to Move or Call the Question, said motion must be seconded and passed by a two-thirds (2/3) vote of those present and voting. The motion is not debatable. If the motion to Move or Call the Question passes, a vote on the motion/question on the floor is taken. If the motion to Move or Call the Question fails, discussion on the motion/question on the floor continues.
- J. Motion to Reconsider. A motion to reconsider may be made only by a member who voted in the majority on the original motion. Such a motion may only be made at the same meeting as the original item, and then only to correct inadvertent errors or to consider new information not available at the time of the vote. If the motion to reconsider passes, then the original matter is back before the Council, and the matter may be discussed and debated as if it were on the floor for the first time. After the reconsideration of the item has been acted upon, no other motion for reconsideration thereof will be made without the unanimous consent of the Councilmembers present. Matters that are quasi-judicial in nature or matters that require a noticed public hearing cannot be reconsidered.

- K. Failed Motions. Failed motions shall not be brought up at a subsequent meeting unless the Council suspends the rules as provided for in Section II. M, below. However, the effect of such action will not operate to adversely affect individual rights that may have been vested in the interim without notice and an opportunity to be heard having been given to the affected party or parties.
- L. Remarks of Councilmembers and Synopsis of Debate. A Councilmember may request through the Presiding Officer the privilege of having an abstract of his/her statements on any subject under consideration by the council entered into the minutes. If the council consents thereto, such statements shall be entered into the minutes.
- M. Suspend the Rules. Any of the rules related to parliamentary procedures in this Manual (to the extent not governed by State law, such as Government Code section 36936, the provisions of the Political Reform Act, or the FPPC conflicts of interest regulations) may be suspended by a two-thirds (2/3) majority vote. Such suspension may be moved at any time by a Councilmember.
- N. Protest Against Council Action. Any Councilmember dissenting from or stating his/her protest against any action of the council may request to have such dissent or protest entered into the minutes. Such dissent or protest to be entered into the minutes shall be in the following manner: "I would like the minutes to show that I am opposed to this action for the following reasons . . ."
- O. Seconding of Motions Required. A motion by any Councilmember, including the Presiding Officer, may not be considered by the Council without receiving a second.
- P. Other Time Limitations. A time limit of three (3) minutes shall be imposed on Councilmembers when speaking during the "Reports from Councilmembers" portion of the agenda.
- Q. Reading of Ordinances. Except when the title of an ordinance has been read and further reading is waived by a regular motion adopted by a majority vote of the Council, all ordinances shall be read in full either at the time of introduction or passage.
- R. Voting Rules.
 - 1. **Vote Unless Disqualified**. All Councilmembers present at a meeting when a question comes up for a vote should vote either for or against the question unless he/she is disqualified from voting by reason of a conflict of interest and abstains because of such disqualification.
 - (a) A Councilmember stating disqualification will not be counted as a part of a quorum and will be considered absent for the purpose of determining the outcome of a vote on the matter. See Section S, below, for other rules relating to conflicts of interest.
 - (b) Any Councilmember who abstains for reasons other than disqualification, in effect consents that a majority of the quorum may decide the question being voted upon. Any councilmember so abstaining will be counted as present for purposes of establishing a quorum. Such an abstention will be counted 1) as neither an affirmative

vote nor a dissenting vote and 2) as if it did not exist. The “present and voting” rule as described in Rosenberg’s Rules applies.

2. **Silence During the Vote.** Unless a Councilmember states that he/she is abstaining, silence shall be recorded as an affirmative vote.
3. **Call for the Vote.** The Presiding Officer or the City Clerk shall call for the vote. All votes of the City Council shall be by roll call. The City Clerk shall randomly call the names of each member of the Council, except that the name of the Presiding Officer shall be called last. According to Government Code section 36936, a recorded majority vote of the total membership of the City Council is required for resolutions, orders for the payment of money, and all ordinances. In addition, some types of resolutions and ordinances may require a supermajority vote. Absent other specific State law requirements, a motion carries with a majority vote of a quorum of the City Council.
4. **Quorum.** Three members of the Council shall constitute a quorum for the transaction of business. When there is no quorum, the Mayor, Mayor Pro Tem, or any member of the Council shall adjourn such meeting, or if no member of the Council is present, the City Clerk shall adjourn the meeting. For the purpose of considering any item subject to vote of the Council, when a member of the Council disqualifies him/herself due to a conflict of interest, his/her presence shall not be counted toward a quorum and that person shall not be permitted to vote unless required pursuant to the rule of necessity. The rule of necessity shall not be applied where any member of the Council is absent. If the Council loses a quorum due to a disqualification and the rule of necessity does not apply, the remaining Council members may continue to discuss the item as a committee of the whole, but they shall not take action on the item.

Unless otherwise provided for in the Municipal Code, a majority of the Council shall be sufficient to do business and motions may be passed 2 to 1, if only 3 members of the Council attend. The following matters, however, require three (3) affirmative votes: adoption of ordinances, resolutions granting franchises, orders for payment of money, and selection of presiding officers.

If a majority of the Council shall be disqualified to vote on a matter by reason of actual or apparent conflict of interest, the Council shall select by lot or other means of random selection that number of its disqualified members which, when added to the members eligible to vote shall constitute a quorum.

5. **Tie Votes.** Tie votes are failed motions but may be reconsidered at a subsequent meeting upon a motion passed by the Council to reconsider the item at a future meeting. If the matter involves an appeal and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.
6. **Changing a Vote.** A Councilmember may change his/her vote only if he/she makes a timely request to do so immediately following the announcement of the vote by the City Clerk and prior to the time that the next item in the order of business is taken up. Prior to the time that the next item in the order of business is taken up, a Councilmember who

publicly announced that he/she will abstain from voting on a particular matter shall not subsequently be allowed to withdraw his/her abstention.

- S. Conflict of Interest. Any Councilmember who has a conflict of interest regarding any matter being considered by the Council shall, in compliance with the provisions of the Political Reform Act and other applicable laws, declare the conflict, state the reason for the conflict, and leave the room during the discussion of and vote upon that particular agenda item, unless it is a Consent Calendar item (or the Councilmember is exercising a right to speak as a member of the public regarding an applicable personal interest under the conditions specified in Sections 18707(a)(3)(C) and 18704(d)(2) of the FPPC regulations). If the conflict involves a matter on the Consent Calendar, the Councilmember must announce the nature of the conflict and refrain from participating in the item, but he/she may remain present at the dais.
- T. Leaving the Dais. To the extent a Councilmember decides to speak on an item by leaving the dais and speaking from the public podium, such Councilmember will relinquish his/her ability to speak on the same item upon his/her return to the dais.
- U. Rules Not Exclusive. The rules set forth in this Chapter are not exclusive and do not limit the inherent power and general legal authority of the Council, or of its Presiding Officer, to govern the conduct of City Council meetings as may be considered appropriate from time to time or in particular circumstances for purposes of orderly and effective conduct of the affairs of the City.

III. PUBLIC PARTICIPATION AND RULES OF DECORUM FOR COUNCIL, PUBLIC, AND STAFF.

- A. Public Participation.
 - 1. **Manner of Addressing the Council**. To facilitate the orderly conduct of meetings, persons wishing to speak during the Public Comment period and at public hearings are requested, but not required, to fill out speaker cards and provide them to the City Clerk prior to the start of the meeting or before a public hearing item is announced.
 - (a) During Public Comment periods, each person after receiving permission from the Presiding Officer to address the Council shall step up to the microphone at the podium and state his/her name and city of residence for the record. The speaker shall then specify the agenda item(s) on which he/she wishes to comment; state whether his/her comments pertain to a non-agenda item within the City Council's subject matter jurisdiction; state whom he/she is representing; and whether he/she is representing an organization or other persons. All remarks shall be addressed to the City Council as a body only. No person other than a member of the Council and the person having the floor shall enter into any discussion without permission of the Presiding Officer. Public comment is permitted on items not on the agenda that are within the subject matter jurisdiction of the City, and on agenda items. Subject to reduction in the maximum time limit in the discretion of the Presiding Officer, there is a three (3) minute maximum time limit when addressing a respective board (City Council, Fire Protection District or Successor Agency). Any qualified and interested person following this procedure shall have the right to be heard.

- (b) Members of the public may also submit written or email communications to the City Council at any time prior to or during the City Council meeting, and all Council members will make every effort to read and consider such communications prior to consideration of the specific agenda item. However, in order to ensure receipt by Council members and allow for thoughtful consideration of the comments, members of the public are encouraged to submit written or email communications no later than 10 hours prior to the start of the meeting.
 - (c) During Public Hearing items, each person desiring to address the Council shall step up to the microphone at the podium, state his/her name (and address if desired) for the record, state whom he/she is representing, and whether he/she is representing an organization or other persons. Each speaker shall be allotted three (3) minutes in which to comment, unless the Presiding Officer determines that based on the significant nature of a public hearing item, that additional public comment time should be allowed. In such event, the Presiding Officer may grant an extension of public comment time, not to exceed two (2) minutes per speaker. Extensions granted may be appealed through a valid motion and overruled by a majority vote of the Council.
 - (d) During both Public Comment periods and during Public Hearing items, speakers should not approach the dais unless authorized to do so by the Presiding Officer. All remarks shall be addressed to the Council as a whole and not to any member thereof. No questions shall be asked of a Councilmember, a member of the City staff, or member of the audience without permission of the Presiding Officer. No person shall address the Council without first being recognized by the Presiding Officer.
 - (e) During Public Comment periods members of the public may ask questions related to agenda items. However, in order to ensure compliance with the Brown Act the City Council is not required to answer such questions since depending on the nature of the questions, the issues raised may be beyond the scope of the subject matter of the agenda items. Nevertheless, in accordance with Government Code Section 54954.2 (a)3, the Presiding Officer may briefly respond or have staff respond to statements made or questions asked or may request that staff report back to the Council at a subsequent meeting concerning any matter raised by the public, or arrange to discuss the request individually with the member of the public at an alternate time.
 - (f) During public comment periods and irrespective of the subject or viewpoint to be expressed, no speaker shall be permitted to show a video, make a PowerPoint presentation, or otherwise utilize any other form of electronic visual display technology requiring advanced set up and/or the use of projectors or other specialized equipment. Such controls are intended to help all speakers maximize their time when addressing the City Council, instead of dealing with potentially time-consuming setup or technical difficulties.
2. **Spokesperson for Group of Persons.** To expedite matters and avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject matter or item, it shall be proper for the Presiding Officer to request that a spokesperson be chosen by the group to address the Council; and in case additional

matters are to be presented by any other member of said group, to limit the number of such persons addressing the Council. In situations where more than ten (10) people wish to speak on an item, the Presiding Officer may place reasonable limits on the Public Comment period, including reducing the time allotted to each speaker to one (1) or two (2) minutes and/or a specific time limit for the total presentation (typically not to exceed twenty (20) minutes). Such time limits shall allow for full discussion of the item by interested parties or their representative(s). The purpose for any limitation described in this section is to ensure the Council can address its agenda, avoid repetitive comments and presentations, and conduct business in an orderly and efficient fashion.

3. **After a Motion.** After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first getting permission to do so by a majority vote of the City Council.

B. Rules of Decorum for Council, Public, and Staff. Meetings of the City Council shall be conducted in an orderly manner to ensure that the public has a full opportunity to be heard and that the deliberative process of the Council is preserved at all times. The Presiding Officer of the Council shall be responsible for maintaining the order and decorum of meetings. While any meeting of the City Council is in session, the following rules of order and decorum shall be observed:

1. **Councilmembers.** While the Council is in session, Councilmembers must lend themselves to order and decorum. They shall neither by conversation or otherwise 1) delay or interrupt the proceedings or the peace of the Council, 2) disturb any Councilmember while he/she is speaking or, 3) refuse to obey the orders of the Presiding Officer. The Presiding Officer and Council as a whole shall address disruptions in a consistent, transparent, and viewpoint-neutral manner.

(a) *English Language.* The business of the City Council shall be conducted in English except to the extent such that a Councilmember wishes to speak as a member of the public, either in the Public Comment period or on an item listed in the Appeal and/or Public Hearings sections of the agenda.

(b) *E-Communication Prohibited.* Except as specified in subdivision (b), below, Councilmembers shall not use E-Communication at any time during any meeting, including, but not limited to, Open and Closed Sessions of the City Council. The use of E-communication is prohibited during Council meetings so that Councilmembers may remain attentive to members of the public, staff, or others as they are speaking to the City Council, should take care to prevent the perception of a Brown Act violation, ensure the integrity of quasi-judicial proceedings and to prevent the perception that other unknown parties are influencing Council decisions during the meeting. E-Communication, which includes blogging, is defined as “electronic text, audio or visual communication, and attachments distributed via e- mail, telephonic service, websites, instant messaging, text messaging, Twitter, Facebook, Snapchat, Instagram, or comparable services”. Outside of City Council meetings, Councilmembers should not communicate via E-Communications with more than one other member of the City Council on any issue regarding City business.

- (c) *Exceptions for Emergencies.* The limitation specified in subdivision (a), above, shall not apply to the receipt of telephone calls or text messages from family members in the event of an urgent family matter. Councilmembers wishing to respond to such a message during the meeting shall do so in a manner that does not disrupt the meeting. Responses to urgent matters may occur during a recess or after having been excused from the meeting by the Presiding Officer.
 - (d) *Recording or Live Streaming.* Councilmembers shall not video record or live stream meetings while sitting at or standing behind the dais in such a manner that obstructs the view of or results in a persistent disruption of other Councilmembers' ability to participate in the meeting. To the extent a Councilmember wishes to record or live stream a meeting while sitting at or standing behind the dais, such Councilmember shall further ensure that he/she is not recording in a manner that intrudes into the personal space of other Councilmembers or City staff (within twenty-four inches of the person); in a manner that records notes made by Councilmembers during meetings (which necessarily invades the Mental Processes and/or Legislative Privileges protecting legislators' uncommunicated motivations for making a policy or decision); or in a manner that displays the protected work product of the City Attorney.
 - (e) *Leaving Seats.* Councilmembers shall not leave their seats during a meeting without first obtaining the permission of the Presiding Officer.
 - (f) *Packing of Audience.* It is inappropriate for a Councilmember to pack the audience for a specific agenda item.
2. **City Staff Members.** City staff members and employees shall observe the same rules of order and decorum as are applicable to the City Council, with the exception that City staff members and employees may leave their seats during a meeting without first obtaining the permission of the Presiding Officer.
 3. **Persons Addressing the Council.** The primary purpose of Public Comment periods at City Council meetings is to allow citizens the opportunity to formally communicate with the City Council as a whole, but these comment periods should not be utilized as a substitute for handling any matter during the normal working hours of the city government. Each person who addresses the Council shall do so in an orderly manner and shall not make personal, impertinent, slanderous, or profane remarks to any member of the Council, City staff, or the general public. Any person who makes such remarks or who utters loud, threatening, personal, or abusive language, or who engages in any other disorderly conduct that disturbs, disrupts, or otherwise impedes the orderly conduct of any Council meeting shall, at the discretion of the Presiding Officer or a majority of the Council, be barred from further audience before the Council during that meeting. The Presiding Officer and Council as a whole shall address disruptions in a consistent, transparent, and viewpoint-neutral manner.
 4. **Members of the Audience.** No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or

abusive language; whistling; stamping of feet; excessive clapping; or other acts that disturb, disrupt, or otherwise impede the orderly conduct of any Council meeting. Any person who conducts himself/herself in the aforementioned manner shall, at the discretion of the Presiding Officer or a majority of the Council, be barred from further audience before the Council during that meeting. The Presiding Officer and Council as a whole shall address disruptions in a consistent, transparent, and viewpoint-neutral manner.

C. Enforcement of Decorum. The rules of decorum set forth above shall be enforced in the following manner:

1. **Warning.** The Presiding Officer shall request that a person who is breaching the rules of decorum be orderly and silent. If, after receiving a warning from the Presiding Officer, a person persists in disrupting the meeting, the Presiding Officer shall order such person to leave the Council meeting. If such person does not remove himself or herself, the Presiding Officer may order any law enforcement officer who is on duty at the meeting as sergeant-at-arms of the Council to remove that person from the Council chambers.
2. **Removal.** Any law enforcement officer who is serving as sergeant-at-arms of the Council shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the Presiding Officer, it shall be the duty of the sergeant-at-arms to remove from the Council meeting any person who is disrupting the proceedings of the Council.
3. **Motion to Enforce.** If the Presiding Officer of the Council fails to enforce the rules set forth above, any member of the Council may move to require him or her to do so, and an affirmative vote of a majority of the Council shall require him or her to do so. If the Presiding Officer of the Council fails to carry out the will of a majority of the Council, the majority may designate another member of the Council to act as Presiding Officer for the limited purpose of enforcing any rule of this section it wishes to enforce.
4. **Adjournment or Recess.** If a meeting of the Council is disturbed or disrupted in such a manner as to make infeasible or improbable the restoration of order, the meeting may be temporarily recessed, adjourned, or continued by the Presiding Officer or a majority of the Council, and any remaining Council business may be considered after the recess or at the adjourned or next meeting.

CHAPTER 6 - ADMINISTRATIVE MATTERS

I. ADMINISTRATIVE SUPPORT

General staff and administrative support to members of the City Council is provided through the City Manager's Office. Administrative services, including the scheduling of appointments, receipt of telephone messages, and word processing, are available as needed. Sensitivity to the workload of support staff members in the City Manager's Office is appreciated. Please note that individuals may have other work assigned with high priority. Councilmembers shall not make demands of the City Manager, City Attorney, or City Employees that communicate a desire for or an expectation of special treatment. In no event shall Councilmembers request administrative support to further personal or campaign/political purposes

II. MAIL, DELIVERIES, AND E-MAIL

- A. Correspondence from the Public. The City encourages the public to send correspondence to the entire City Council, either by traditional post or by e-mail. Correspondence addressed to the City Council that is received by the City Clerk or by any other officer or employee of the City shall be deemed a public record upon receipt, except as set forth in the Public Records Act (California Government Code § 6250 *et seq.*) or other applicable law.
 1. **Authority of City Clerk.** The City Clerk is authorized to open and examine all mail or other written communications addressed to the City Council and give it immediate attention to the end that all administrative business referred to in said communication not necessarily requiring Council action may be acted upon between Council meetings.
 - (a) Members of the City Council receive mail and other materials from the public and staff. The City Clerk maintains a mailbox for each member into which written correspondence shall be placed. Councilmembers should check their mailbox frequently.
 - (b) The City Clerk may provide for a city courier to deliver materials to the homes of Councilmembers when materials are time sensitive.
 2. **Councilmember Responsibilities.** If correspondence is received directly by a Councilmember without the City Clerk having opened and examined same, the Councilmember shall be responsible for providing to the City Clerk the correspondence that is required to be included with agenda materials, as set forth in the Brown Act. All such communications shall be deemed a public record upon receipt, except as set forth in the Public Records Act or other applicable law.
- B. City-Issued E-mail Address. Each Council member will be issued a City email address (i.e. @citybigbearlake.com), and this email shall be used for all City Council related email correspondence. The City email account will include an official email signature that identifies City Council members in their official designations (i.e. Mayor, Council Member) and includes an important public disclaimer informing all recipients that their email correspondence with

the elected official may be subject to a Public Records Act request.

1. **Status as Public Record.** Pursuant to the Public Records Act, any e-mail sent or received by Councilmembers using the City-issued domain e-mail address may constitute a public record and be disclosable upon the City's receipt of a Public Records Act request.
 2. **Privacy Limited.** Councilmembers have no reasonable expectation of privacy in any E-mail correspondence received by them at their City of Big Bear Lake domain e-mail address.
- C. Communications Using Non-City Accounts/Devices. Messages or communications received by Councilmembers on their personal electronic devices or personal e-mail accounts concerning City business may also be subject to disclosure under the Public Records Act. Additional rules are set forth in Section III, below.
- D. Other Rules Relating to Correspondence. Any written correspondence or other materials, when distributed to all, or a majority of all of the members of the City Council by any person in connection with a matter subject to discussion or consideration at a public meeting, are disclosable public records under the California Public Records Act and shall be made available upon request without delay. Writings that are public records and that are distributed during a public meeting shall be made available for public inspection at the time of the meeting if prepared by City staff or a member of the City Council, or after the meeting if prepared by some other person. All writings referenced herein shall be provided to and documented with a received/filed date by the City Clerk. In addition, Council members need to be aware that their email correspondence is subject to the requirements of the Brown Act. While the Brown Act does not prohibit the use of email to make individual contacts between members of the Council, public or staff, great care should be taken to avoid the use of email to contact a majority of the Council which may unintentionally result in conducting a serial meeting.

III. USE OF PERSONAL ACCOUNTS AND PERSONAL ELECTRONIC DEVICES FOR CITY BUSINESS

- A. Status as Public Records. Text messages, emails, and other electronic communications that deal in some substantive manner with the conduct of City business created on, stored on, and/or transmitted by personal accounts or personal electronic devices may be subject to disclosure under the Public Records Act. In complying with any Public Records Act request, a Councilmember shall be required to sign a statement that he / she is providing all communications from personal accounts or personal electronic devices, in the following form:
- "I hereby declare or affirm under penalty of perjury that I am providing all requested communications from personal accounts or personal electronic devices."
- B. Limitations and Rules on Use. To the extent feasible, City-issued email accounts and electronic devices shall be used to conduct City business. Limited use of a private device or account for public business by Councilmembers is permissible but discouraged. The following rules must be observed.
1. **Urge Use of City Electronic Devices/Accounts.** Councilmembers shall request persons sending electronic communications regarding City business to a personal account or device to instead utilize the City of Big Bear Lake domain e-mail address or other official

City electronic messaging account provided to the Councilmember.

2. **When Communications Received on Personal Accounts/Devices.** If Councilmembers receive electronic messages regarding City business on their personal electronic messaging account or device, or circumstances require them to conduct City business on a personal account or device, Councilmembers should either.
 - (a) copy ("cc") any communication on his/her personal electronic messaging account or device to his/her City electronic messaging account, or
 - (b) forward the electronic communication to his/her City account as soon as feasible after the original creation or transmission of the electronic communication.
- C. Use of Social Media. Although social media has become an effective communication tool used by local government to provide direct communications with the community, elected officials need to be mindful to not use social media in a manner that could harm the City's interest. In addition, Council members should be cautious with their social media postings in an effort to avoid inadvertently conducting serial meetings that would violate the notice and public meeting requirements. When Council members are making decisions about how to engage on social media, they should take a number of legal considerations into account such as; the Brown Act, the Public Records Act, due process, and First Amendment Considerations. If a City Council member is unsure about how their particular uses of social media may or may not conflict with the current governmental regulations, it is advisable that they consult with the City Attorney.
- D. Compliance and Additional Policies. The City Council shall comply with the above provisions and any additional administrative policies the Council adopts for City-wide application regarding procedures to be followed with respect to communications received on personal accounts and devices when Public Records Act requests are made.

CHAPTER 7 - RELATIONSHIP AND CONDUCT

I. RELATIONSHIP AND CONDUCT WITH CITY MANAGER

- A. Council-Manager Form of Government. The City has adopted a Council-manager form of government. This structure reflects the City Council's role to establish City policy and priorities. The Council appoints a City Manager to implement this policy and undertake the administration of the organization. The City Council must work through the City Manager in making any requests requiring City staff's involvement (with the exclusion of the City Attorney and City Clerk).

- B. The City Council and City Manager Work as a Team. The City Council establishes policies for the overall operation of the City. The City Manager is appointed by the City Council to enforce its laws, to direct the daily operations of City government, to prepare and monitor the municipal budget, and to implement the policies and programs initiated by the City Council. The City Manager is expected to adhere to the International City/County Management Association (ICMA) Code of Ethics, and the City Council must recognize said Code of Ethics when dealing with the City Manager. The City Manager is responsible to the City Council rather than to individual Councilmembers and directs and coordinates the various departments.

- C. Productive Relationship Requirements. The employment relationship between the City Council and the City Manager honors the fact that the City Manager is the chief executive officer of the City. To facilitate a productive work relationship with the City Manager, the City Council and/or individual members shall do each of the following:
 - 1. Neither the City Council nor any member shall give orders to, command the services of, or assign work to any subordinates of the City Manager, either publicly or privately.
 - 2. Direct the City Manager to implement the Council's policy decisions through the administrative functions of the City.
 - 3. Treat City staff professionally, and refrain from publicly criticizing or belittling individual employees. Personnel issues are managed through established channels and procedures.
 - 4. Avoid involvement in personnel issues related to City-Council-appointed staff, i.e., the City Manager, City Attorney and City Clerk, except during City Council Closed Sessions, when issues of hiring, firing, promoting, disciplining, etc., may be addressed appropriately.
 - 5. Discuss directly with the City Manager any displeasure with a department or staff member.
 - 6. Refer complaints to the City Manager for further processing. Staff shall be given adequate time to investigate and respond to such complaints.

7. Receive from the City Manager timely information regarding unusual events that the public would be concerned about; e.g., an emergency situation, significant road closure, an area cordoned off by police or fire, a significant event, etc.
8. Avoid communicating with persons or parties in litigation with the City (or any of the entities for which the City Council sits ex-officio as the governing board as noted in Chapter 2, Section IV.D.2 of this Manual) in a manner that compromises the City's or other entity's position in such litigation.
9. Include the City Manager in follow-up meetings where a Councilmember has first met with an individual or company representative regarding official business of the City.

II. RELATIONSHIP AND CONDUCT WITH CITY ATTORNEY

- A. Legal Advisor to the City. In all matters, the City Attorney represents the City and is the legal advisor to the City Council, the City Manager, the City Clerk, and department directors. The general legal responsibilities of the City Attorney are to provide legal assistance necessary for formulation and implementation of legislative policies and projects; to represent the City's interest, as determined by the City Council, in litigation, Administrative hearings, negotiations, and similar proceeding to prepare and/or review and approve ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes for which they are prepared; and to keep the City Council and staff apprised of court rulings and legislation affecting the legal interest of the City.
- B. Does Not Represent Individual Councilmembers or Staff. It is of the utmost importance to understand that the City Attorney does not represent individual members of Council, but the City and the City Council as a whole.

III. RELATIONSHIP AND CONDUCT WITH CITY CLERK

- A. The City Clerk performs statutorily mandated duties and such tasks as may be assigned by the City Council and/or the City Manager. The general responsibilities of the City Clerk are:
 1. to serve as the Elections Official of the City;
 2. to protect and preserve the legislative record of the City Council and other various records;
 3. to facilitate delivery of records consistent with the provisions of the Public Records Act;
 4. to receive filings on behalf of the City;
 5. to facilitate the preparation, duplication, preservation, and delivery of Council agenda materials; and
 6. to advise City departments about best practices for records management.

IV. RELATIONSHIP AND CONDUCT WITH STAFF

- A. General considerations. Governance of a city relies on the cooperative efforts of elected officials, who set policy and priorities, and City staff, who analyze problems and issues; make

recommendations; and implement and administer the City Council's policies. To ensure the proper functioning of these cooperative efforts, Councilmembers must avoid intrusion into those areas that are the responsibility of staff. This is necessary to protect staff from undue influence and pressure from individual Councilmembers and to allow staff to execute priorities given by management and the Council as a whole.

Any concerns by a member of Council over the behavior or work of a City employee should be directed to the City Manager privately to ensure that the concern is resolved.

- B. Issues of Pressure or Influence. Individual City Councilmembers shall not make attempts to pressure or influence staff decisions, recommendations, workloads, schedules, and department priorities without the prior knowledge and approval of the Council as a whole.
 - 1. If a Councilmember wishes to influence the actions, decisions, recommendations, workloads, work schedule, and priorities of staff, that member must prevail upon a majority of the Council at an open meeting to do so as a matter of Council policy.
 - 2. The City Council recognizes the primary functions of staff are in executing Council policy and actions taken by the Council as a body and in keeping the Council informed.
 - 3. Staff is directed to reject any attempt by individual members of the Council to unduly direct or otherwise pressure them into making, changing, or influencing recommendations or business decisions in any manner.

V. REQUESTS FOR RESEARCH OR INFORMATION

- A. General Considerations. Individual Councilmembers shall not direct staff to initiate any action or prepare any report, project or study. All such requests shall be made to the City Manager and/or the City Council. Councilmembers may ask the City Manager directly for information requiring limited resources and information, without first seeking concurrence from the majority of City Council. This information will be distributed to all City Council members.
- B. Responses to Requests. Requests made by individual Councilmembers for information or assistance shall be for the sole purpose of fulfilling his/her responsibilities as delineated throughout this Manual and not for any private or personal interest. Requests will be addressed as quickly as possible under the circumstances at the time, providing that in the judgment of the City Manager (or the City Attorney depending on the nature of the request) the request is not of a magnitude, either in terms of workload or policy, that would require more than twenty (20) minutes of time in which to respond or is of such a nature that it would be more appropriately assigned to staff through the collective direction of the City Council. If the individual Councilmember request goes beyond these parameters, or in the judgment of the City Manager, is not within the scope of City policies or business, the City Manager will bring the request to the full Council for consideration. The method by which responses are delivered to Councilmembers shall comport with the City's routine business practice.
- C. Policy-Related Requests. All Council requests dealing with policy and such other requests that may be construed as direction shall be directed to the City Manager. Councilmembers may also contact the City Attorney or City Clerk.

- D. Funding Requests. Any request from City Council requiring funding must be addressed with the City Manager. The City Manager shall respond in a timely manner.
- E. Written Requests Preferable. To assist the City Manager, requests for information are best tracked if submitted in writing, either in memorandum form or through e-mail to ensure proper responsiveness.
- F. Access to Certain Information Restricted. There are certain restrictions when information cannot be provided. Draft documents (e.g., staff reports in progress, administrative draft EIRs) under review are not available for release until complete and after review by City management. In addition, there are legal restrictions on the City's ability to release certain personnel information even to members of the City Council.
- G. Dissemination of Information. In cases when a staff response to an individual Councilmember request involves written materials that may be of interest to other Councilmembers, the City Manager will provide copies of the material to all other Councilmembers. In making this judgment, the City Manager will consider whether the information is significant, new, otherwise not available to the Council, or of interest to the Council.
- H. Disclosure of Information. No Councilmember may, without prior formal authorization of the City Council, disclose any confidential information concerning any other official or employee, or any other person, or any property, or governmental affairs of the City. Whether or not such information is allowed to be disclosed, no Councilmember may use or permit the use of any such confidential information to advance the financial or personal interest of himself/herself or any other person. For the purposes hereof, "confidential information" shall mean information that is not generally known in the public and/or is not subject to disclosure under the California Public Records Act or other applicable law. Some examples of confidential information include attorney-client privileged communication, attorney-client work product, personnel, medical, or similar information—the disclosure of which would constitute an unwarranted invasion of privacy. (Govt. Code § 6250 *et seq.*)

CHAPTER 8 - COMMUNICATION AND REPRESENTATION

I. REPRESENTING MAJORITY VS. INDIVIDUAL OPINION

- A. Dual Roles of Councilmembers. A person elected to the City Council plays two roles: a member of a body elected to represent the City in its entirety and a private resident of the City. The second role is not relinquished when the first role is assumed. It is important to distinguish between the two roles at all times and to conduct business in one role separately from the other. The elected Councilmember retains the right to speak as an individual, not as a member of the City Council, but must make this distinction very clear when he/she does speak on his/her own behalf and not as a member of the City Council. This is because when the Council acts, it acts as a whole, not as a group of individuals.
- B. General Policy Considerations. An important role of a Councilmember is communication—communication with the public to assess community opinions and needs, communication with staff to provide policy direction, and communication to gain an understanding of the implications of various policy alternatives. Because the City Council acts as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the Council. Equally important, when members express personal views and not those of the Council, the public must be so advised.

II. CORRESPONDENCE FROM COUNCILMEMBERS/USE OF CITY FACILITIES

- A. Stationery Use and Related Guidelines.
 1. **Use of City Letterhead**. Individual City Councilmembers will be provided with official City stationery. City letterhead shall be used by the Mayor, Mayor Pro Tem, and City Council only for official City business, communication of adopted City policies and positions, and any related communications. All Councilmembers should be copied on correspondence signed by the Mayor or other Councilmember. Use of City letterhead and/or title on personal matters (those not related to official city business) is not permitted.

The City will also maintain official City stationery that will include all five current Council members' names within the letterhead. Staff will use this stationery when preparing official City Council correspondence that will be signed by the Mayor in his/her official capacity as the Council representative.
 2. **Personal Stationery**. Personal stationery without a City Logo shall be used by any member of the City Council to communicate individual positions, conduct personal correspondence, or communicate positions that may be in opposition to established City Council positions or decisions. Personal stationery shall be printed at the expense of the individual Councilmember, and the aforementioned types of communications shall be mailed at the individual Councilmember's expense.
 3. **Correspondence Public Record**. All Councilmember correspondence created using City

resources, including, but not limited to, City letterhead are public records and shall be copied to the full Council, the City Manager, the City Attorney, and the City Clerk. The City Clerk's Office shall retain this correspondence in accordance with applicable records retention regulations.

4. **Permission Required.** Whenever a Councilmember other than the Mayor wishes to write a letter on City letterhead, he/she should inform the Council (in writing or verbally at an open meeting) what the letter is about and seek Council approval that the letter may be written on City letterhead. Such letters shall only pertain to official City business.
- B. Regulations related to Use of Public Resources for Official City Business/ Personal or /Campaign Purposes.
1. **Letterhead and Staff.** City letterhead and staff support cannot be utilized for personal or political purposes. Any use of the City's official seal and logo shall be subject to the provisions of Chapter 1.06.040 of the Big Bear Lake Municipal Code and applicable State laws. The use of the City seal, logo, or other insignia on personal matters and correspondence is not permitted.
 2. **Council Chambers and Staff Photos.** The City Council Chamber cannot be used as a location for taking campaign photos or engaging in any form of campaign activity. Any violations of this prohibition may be reported to the Fair Political Practice Commission and any other enforcement agencies, and may further result in reprimand or censure, as provided in Chapter 10. The use of photos with current City staff and City Council candidates in election materials is prohibited.
 3. **Use of Titling, Labeling or Branding of Individual Council Member Events.** When an individual Council member is hosting a special meeting or event that is widely advertised and open to the general public, they are required to include a standard disclaimer message on all promotional materials associated with the event to ensure the participants are aware it is not an official City of Big Bear Lake meeting or event. In addition, all Council members will be required to follow the City's Ordinance related to the use of the official city seal and logo.
 4. **Use of City Office & Conference Rooms.** The City Council will be provided with the use of one office to be shared by all five members of the Council. This office will be equipped with a shared computer and each individual Councilmember will be provided with their own secure login. In addition, all Council members can use any available conference rooms located at City Hall. To ensure availability of the Council's shared office and/or meeting rooms, please contact the City Clerk Department's staff to schedule the use of these City facilities during normal City Hall business hours. Then the City's staff will ensure these rooms are unlocked and set up appropriately per the requested needs (i.e. the heater is turned on, ensure the presentation computer is logged into, set up the appropriate number of tables and chairs, etc.) of the meeting.
 5. **Use of City Facilities by Individual Council Members.** Individual Council members are permitted to utilize available offices, conference rooms, and/or meeting spaces at City Hall and other City facilities as necessary or desired to meet with small groups of constituents and/or other parties for the purpose of conducting individual Council

member business, and should reserve appropriate meeting space with City staff. Individual Council members hosting a special meeting or event that is widely advertised and open to the general public, with the exception of campaign or election/re-election events which shall not be allowed, may host such events, at City facilities, so long as any required permits are first obtained and all applicable fees are paid by the City Council member, as would be required of any other member of the community or organization.

III. SPEAKING FOR “THE CITY”

- A. Issue Position Statements. When members are requested to speak to groups or are asked the Council’s position on an issue, the response should reflect the position of the Council as a whole taken in open session. It is permissible, however, for a Councilmember to clarify his/her vote on a matter by stating: “While I voted against ‘X,’ the City Council voted in support of it.” When representing the City at meetings or other venues, it is essential that those in attendance gain an understanding of the City Council’s position rather than that of an individual member.
- B. Communication of Council Policy. The Mayor and individual Councilmembers are not authorized to speak on behalf of the City or the City Council with regard to City or City Council policy or positions, except when such policy or position has been clearly established or when the Mayor or Councilmember has been designated by the City Council as a spokesperson on a given subject.
- C. Supporting State or Federal Legislation. The City Council and/or City staff may receive requests to adopt supporting resolutions and/or to provide letters of support relating to issues that have a potential to impact our community. Many of these requests are of an urgent nature and require a prompt response. When a request isn’t time sensitive, the City Manager will include these items on the next City Council meeting agenda to seek approval from the entire City Council. When time is of the essence, the City Council provides authority to the Mayor and/or City Manager to use their judgement to determine if the City should offer their formal support to the requester.
- D. Representation at Ceremonial Functions.
 1. **City Sponsored Events.** The Mayor, or Mayor Pro Tem in his/her absence, shall represent the Council at ceremonial functions organized by the City. The Mayor or Mayor Pro Tem may, at his/her own discretion, ask another Councilmember to represent the Council at that function when neither is available. Staff shall also include any Councilmember who has promoted a project or event in any program or agenda in such a function.
 2. **Non-City Sponsored Events.** As a general rule, the Mayor, or the Mayor Pro Tem in his/her absence, shall represent the Council at ceremonial functions not organized by the City upon receipt of an invitation from the sponsor of such event. If neither the Mayor nor the Mayor Pro Tem is available to attend a non-City sponsored event, he/she may designate a replacement. Nothing in this provision is meant to preclude a Councilmember from representing the Council at a ceremonial function where the event organizer has requested that a specific Councilmember attend the function.

- E. Appearances before Agencies and Organizations. If a member of the City Council appears before another governmental agency or organization to give a statement on an issue affecting the City, the Councilmember should first indicate the majority position and opinion of the Council. Personal opinions and comments may be expressed only if the Councilmember clarifies that these statements do not represent the position of the City Council.
- F. Participation in Community Activities. From time to time, Councilmembers may choose to participate in community activities, committees, events, and task forces. When a Councilmember participates in these types of activities, the Councilmember is acting as an interested party rather than acting on behalf of the City Council. Acting or participating on behalf of the City Council is limited to those instances when the Council has formally designated the Councilmember as its representative for the matter.
- G. Business Cards. City Councilmembers will be provided with City Manager approved business cards in increments of 500. No more than one order will be processed within a 12-month period unless approved in advance by the City Manager. City business cards may not be used for personal or financial gain, for obtaining privileges not otherwise available to a Councilmember, or for soliciting political contributions. Councilmembers are prohibited from using any other form of non-approved business cards that contain the City logo or the City seal.
- H. City Council Mileage Reimbursement. Council members are not provided access to operate a City owned vehicle. Instead, the City provides each Council member with a monthly “Vehicle Allowance” per an adopted resolution. The current resolution (Resolution No. 88-09), provides a \$50 monthly stipend be paid to each Council member and a \$100 monthly stipend be paid to the Mayor. This resolution indicates the monthly stipend is intended to reimburse a Council member for their personal vehicle expenses incurred while engaging in official City business. In addition, the City will reimburse Council members for their personal travel expenses (including mileage) incurred while attending City related conferences and training events. The Elected and Appointed Officials Expense Reimbursement Policy (Resolution No. 2006-10) should be referenced to determine all allowable travel reimbursements.

In the event a Councilmember is using their personal vehicle to attend various meetings/trainings related to their individual Agency/Board/Committee (i.e. BBARWA, SCAG, MARTA) assignments, they should seek mileage/travel reimbursement from those organizations.

IV. GUIDELINES AND PROCEDURES FOR CEREMONIAL RECOGNITION ITEMS

- A. The City Council has a practice of recognizing people, organizations, events and dignitaries that are related to our local community. The City Council will issue proclamations and other recognition items to honor an individual, an organization, recognize a special event or a special day, month or year. City Councilmembers, citizens, or bonafide organizations may request a proclamation and other recognition items. All recognition requests relevant to the City of Big Bear Lake will be considered except those related to political, religious, or lifestyle ideology. The City Manager shall determine if the recognition item will be issued by presentation during a City Council meeting, at an event, or mailed to the requester.

CHAPTER 9 - COMMISSIONS, COMMITTEES, AND BOARDS

I. PURPOSE AND GENERAL CONSIDERATIONS

- A. Establishment of Ad Hoc Committees. The City Council and/or the Mayor can establish an ad hoc committee. The Mayor shall be responsible for appointing all members of any City ad hoc committee.
- B. Role of City Commissions, Committees, Subcommittees, and Boards. Most commissions, committees, subcommittees, and boards established by the City Council are advisory to the City Council. The role of all such commission, committee, subcommittee, or board is to make recommendations to the City Council on matters affecting the City of Big Bear Lake. Except as otherwise provided in State law, the City Charter, or City ordinances, commissions, committees, subcommittees, and boards have no independent role separate and apart from their role as advisory to the City Council. Commissions, committees, subcommittees, and boards have no authority to appropriate funds or make policy except as otherwise approved by the City Council.
- C. Instruction and Training. The Council shall ensure that all members of City committees and commissions are properly instructed on their responsibilities, direction, and performance expectations.
- D. Planning Commission. The membership, powers, and responsibilities of the Planning Commission are set forth in the Big Bear Lake Municipal Code and various provisions of State law. In accordance therewith, the Planning Commission has adopted rules for transacting Planning Commission business.
- E. Conflict of Interest. All members of commissions, committees, and boards shall abide by the provisions of the Political Reform Act, FPPC regulations, and provisions of the common law relating to conflicts of interest.

II. CITY COUNCIL SUBCOMMITTEES

- A. Purpose. The City Council from time to time forms committees composed solely of a portion of its own membership. These committees, often referred to as subcommittees, are formed to study, investigate, and make recommendations to the full Council regarding specific topics and may be designated as either Standing or Ad Hoc.
 - 1. **Standing Subcommittees.** These subcommittees have a continuing subject matter jurisdiction or meeting schedules that are fixed by the Council. Regardless of the number of members, Standing subcommittees are required to comply with the Brown Act.
 - 2. **Ad Hoc Subcommittees.** These subcommittees have a specific purpose and limited duration, no continuing subject matter jurisdiction, and no meeting schedule fixed by the Council. Ad Hoc Subcommittees composed solely of less than a quorum of the City Council membership (2 members maximum) are generally exempt from the Brown Act and thus are not required to schedule regular meetings or post meeting dates and agendas.

B. Subcommittee Formation and Appointment.

1. **Standing Subcommittees.** The Council may create or dissolve Standing subcommittees at any time by the affirmative vote of a majority of the Council. The Mayor has the discretion to make appointments to such Standing subcommittees himself/herself or to allow a majority of the Council to vote on such appointments.
2. **Ad Hoc Subcommittees.** The Council or the Mayor may create Ad Hoc subcommittees. The Mayor has the discretion to make appointments to such Ad Hoc subcommittees himself/herself or to allow a majority of the Council to vote on such appointments.

- C. Subcommittee Responsibilities. The responsibilities of subcommittees include making and submitting recommendations and information to the Council for consideration and/or a vote (once properly agendized as noted in Section III.C, below, to ensure compliance with the Brown Act). Staff will work with and support Council subcommittees as required and in accordance with the provisions of Section II of this Chapter.

III. ADMINISTRATIVE SUPPORT FOR CITY COMMISSIONS, COMMITTEES, AND SUBCOMMITTEES.

- A. Staff to Provide Support. City staff will provide assistance and support to City commissions, committees, and subcommittees; however, such commissions, committees, subcommittees, and boards do not have supervisory authority over City employees. While staff may work closely with these entities (particularly the Planning Commission), City staff members remain responsible to their immediate supervisors and ultimately to the City Manager. The members of City commissions, committees, and subcommittees are responsible to perform the functions (as set forth in Big Bear Lake Municipal Code or other City Council directive) of their respective committees/commissions.
- B. Examples. Staff support includes preparation of an agenda and preparation of reports providing a brief background of the issue, a list of alternatives, recommendations, and appropriate back-up materials, if necessary. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues.
- C. Procedure for Recommendations to Council. Advisory City commissions, committees, and subcommittees wishing to communicate progress, status, and/or recommendations to the City Council must do so through approved Council agenda procedures. In addition, if such commissions, committees, and subcommittees wish to correspond with an outside agency, such correspondence will be prepared by staff for review by the City Manager and possible approval by the City Council. Individual members of City commissions, committees, and subcommittees who would like City staff to perform research or review a particular issue must gain the approval for such a request from the City Manager before any work is planned or done.

IV. BOARDS, COMMISSIONS, AND COMMITTEES ON WHICH COUNCILMEMBERS SERVE AS CITY REPRESENTATIVES

- A. Outside Agencies. City Councilmembers are appointed to and serve as City representatives on the boards of commissions and/or committees of outside agencies in the region, such as the San Bernardino County Transportation Authority ("SBCTA"), Big Bear Area Regional Wastewater Authority ("BBARWA"), Mountain Transit, and others.
- B. Mayor to Make Appointments. Annually, after the first meeting in December, the newly seated Mayor shall make, and publically announce, the Council member appointments to regional Boards, Commissions, and Committees.
- C. Absence. Whenever a member of the City Council is unable to attend a regional board or commission to which he or she is designated as the City's representative, he or she shall notify his/her alternate.
- D. Duties. Councilmembers serving as City representatives on such outside agencies shall comply with the rules of procedure adopted by such agencies when participating in meetings of such agencies and shall provide updates or reports to the City Council on the activities of such agencies as required.

City of Seabrook, Texas

July Monthly Financial Report

Fiscal Year Ending September 30, 2024

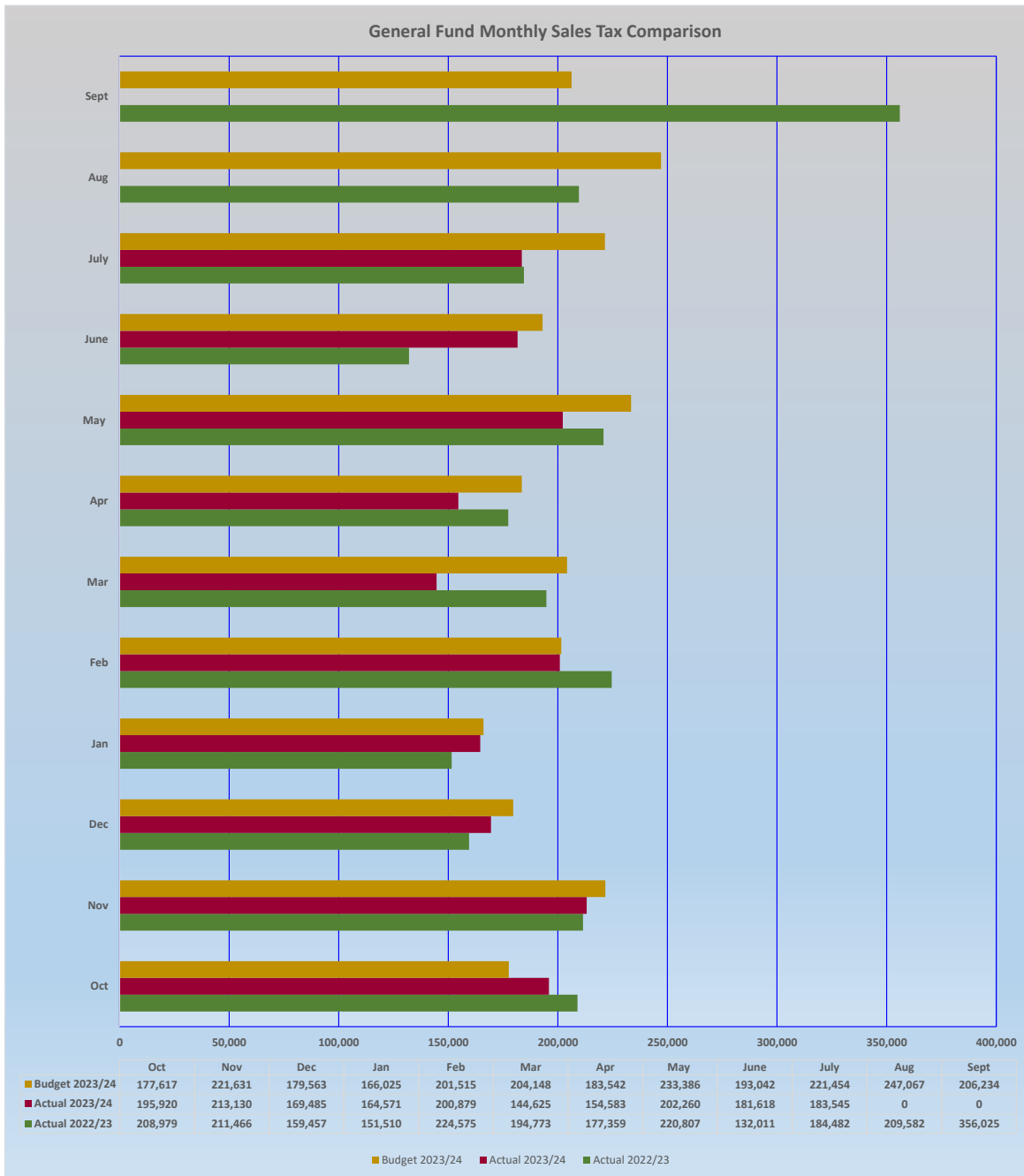


"The City of Seabrook is responsive, innovative and fiscally sound in delivering services that preserve, protect and enhance quality of life."

CITY OF SEABROOK
GENERAL FUND - MONTHLY REPORT
July 31, 2024

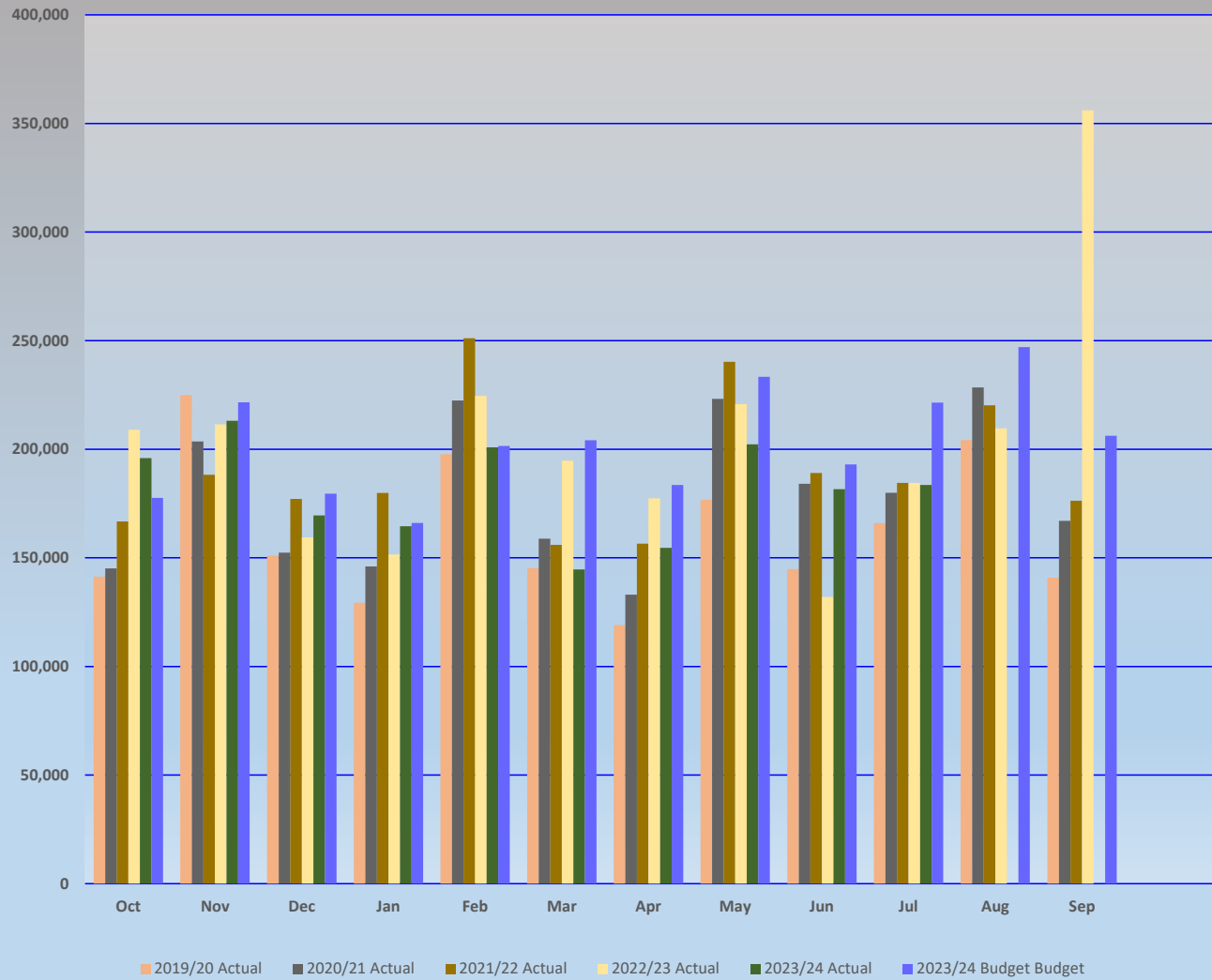
ANNUAL				FISCAL YEAR-TO-DATE		
<u>FORECAST</u>	<u>BUDGET</u>	FORE VS BUD	<u>GENERAL FUND</u>	<u>ACTUAL</u>	<u>BUDGET</u>	ACT VS BUD
		FAV/(UNFAV)				FAV/(UNFAV)
		<u>VARIANCE</u>				<u>VARIANCE</u>
REVENUES						
6,610,004	6,957,067	(347,062)	AD Valorem Taxes	6,554,629	6,901,692	(347,062)
2,393,716	2,585,725	(192,009)	Sales Tax	1,917,883	2,109,892	(192,009)
701,356	730,013	(28,657)	Franchise Tax	568,968	597,625	(28,657)
152,240	112,937	39,303	Intergovernmental	133,417	94,114	39,303
289,321	500,000	(210,679)	Licenses & Permits	248,705	427,836	(179,131)
419,571	429,917	(10,346)	Charges for Services	343,399	353,745	(10,346)
489,178	450,998	38,180	Fines & Forfeitures	411,730	373,550	38,180
374,085	329,377	44,708	Interest Revenue	330,912	286,204	44,708
123,594	125,000	(1,406)	Industrial District Payment	123,594	125,000	(1,406)
485,797	475,710	10,087	Other Revenue	428,274	373,188	55,087
2,383,642	2,383,642	(0)	Transfers In	1,986,368	1,986,368	(0)
256,637	256,637	0	Use of Prior Year Funds	256,637	256,637	0
14,679,140	15,337,021	(657,883)	Total Revenues	13,304,516	13,885,851	(581,335)
EXPENDITURES*						
10,262,290	10,687,891	425,601	Personnel Services	8,423,419	8,805,236	381,816
316,922	371,139	54,217	Materials & Supplies	235,565	280,768	45,202
3,430,425	3,657,976	227,551	Services	2,814,773	3,121,140	306,367
287,767	288,441	673	Capital Outlay	251,347	252,017	670
663,156	331,578	(331,578)	Transfers Out	0	331,578	331,578
14,960,561	15,337,021	708,043	Total Expenditures	11,725,105	12,790,739	734,056
FUND BALANCE						
9,568,206	9,568,206	0	Beginning Balance Estimate	9,568,206	9,568,206	0
(281,421)	0	(281,421)	Change in Fund Balance	1,579,412	1,095,112	484,299
9,286,785	9,568,206	(281,421)	Ending Balance	11,147,618	10,663,319	484,299

	Current Year Actual July	Current Year Budget July	Change Budget to Actual	% Change Budget to Actual	Prior Year Actual July	Change Actual to Actual	% Change Actual to Actual
TAXES - CURRENT	6,512,928	6,843,064	(330,135)	-4.82%	5,981,817	531,111	8.88%
PRIOR YEAR CUR TAX	-	-	-	0.00%	0	-	0.00%
TAXES - DELINQUENT	(3,701)	26,486	(30,187)	-113.97%	7,898	(11,599)	-146.86%
PRIOR YEAR DEL TAX	-	-	-	0.00%	0	-	0.00%
PENALTY & INTEREST/TAXES	45,402	32,142	13,260	41.25%	49,824	(4,422)	-8.87%
AD VALOREM	6,554,629	6,901,692	(347,062)	-5.03%	6,039,539	515,090	8.53%
SALES TAX	1,807,750	1,981,923	(174,174)	-8.79%	1,865,418	(57,669)	-3.09%
MIXED BEVERAGE TAX	110,133	127,968	(17,835)	-13.94%	120,555	(10,421)	-8.64%
SALES TAX	1,917,883	2,109,892	(192,009)	-9.10%	1,985,973	(68,090)	-3.43%
FRANCHISE TAX - PRIVATE	568,968	597,625	(28,657)	-4.80%	609,976	(41,008)	-6.72%
FRANCHISE-PUBLIC ENTERPRISE	-	-	-	0.00%	0	-	0.00%
FRANCHISE TAX	568,968	597,625	(28,657)	-4.80%	609,976	(41,008)	-6.72%
EMERGENCY MGT GRANT	-	-	-	0.00%	0	-	0.00%
FED/STATE DISASTER REIMBURSEMENT	-	-	-	0.00%	130,128	(130,128)	-100.00%
TPWD WILDLIFE GRANT	-	-	-	0.00%	0	-	0.00%
GRANT	-	-	-	0.00%	18,240	(18,240)	-100.00%
REIMBURSEMENT FROM EDC	91,667	94,114	(2,448)	-2.60%	240,785	(149,118)	-61.93%
INTERGOVERNMENTAL	41,751	-	41,751	0.00%	389,153	(347,402)	-89.27%
LICENSES & PERMITS	248,705	427,836	(179,131)	-41.87%	218,074	30,630	14.05%
LICENSES & PERMITS	248,705	427,836	(179,131)	-41.87%	218,074	30,630	14.05%
AMBULANCE REVENUE	256,655	243,115	13,540	5.57%	171,624	85,031	49.54%
DISPATCH & ANIMAL CONTROL	57,939	36,545	21,394	58.54%	30,555	27,384	89.62%
PARK FEES	20,055	37,064	(17,009)	-45.89%	18,235	1,820	9.98%
POOL RECEIPTS	-	20,351	(20,351)	-100.00%	18,358	(18,358)	-100.00%
PLAT FEES	4,500	16,670	(12,170)	-73.01%	11,560	(7,060)	-61.07%
CHARGES FOR SERVICES	343,399	353,745	(10,346)	-2.92%	257,832	85,567	33.19%
DOT FINES	3,129	21,986	(18,857)	-85.77%	3,099	30	0.96%
OMNI FEES	681	890	(209)	-23.53%	766	(85)	-11.14%
COURT FINES	407,597	348,120	59,477	17.09%	220,952	186,645	84.47%
MUN COURT-TIME PAYMENT FEE	323	2,554	(2,231)	-87.34%	827	(504)	-60.89%
FINES & FORFEITURES	411,730	373,550	38,180	10.22%	225,644	186,086	82.47%
INTEREST EARNINGS	330,912	286,204	44,708	15.62%	302,775	28,136	9.29%
INTEREST REVENUE	330,912	286,204	44,708	15.62%	302,775	28,136	9.29%
INDUSTRIAL DISTRICT PAYMENT	123,594	125,000	(1,406)	-1.12%	128,662	(5,068)	-3.94%
INDUSTRIAL DISTRICT PAYMENT	123,594	125,000	(1,406)	-1.12%	128,662	(5,068)	-3.94%
LEASE OF FIRE STATION	246,458	273,842	(27,384)	-10.00%	273,842	(27,384)	-10.00%
OTHER REVENUE	91,412	36,285	55,127	151.93%	80,439	10,973	13.64%
CITY EVENTS REVENUE	90,405	63,000	27,405	43.50%	0	90,405	0.00%
OTHER REVENUE	428,274	373,188	55,087	14.76%	354,281	73,994	20.89%
TRANSFER TO OTHER FUNDS	-	-	-	0.00%	0	-	0.00%
SANITATION FRANCHISE TRANSFER	359,648	359,648	0	0.00%	310,524	49,124	15.82%
REIMBURSEMENT FROM ENTERPRISE	1,626,720	1,626,720	(0)	0.00%	1,695,128	(68,408)	-4.04%
TRANSFERS IN	1,986,368	1,986,368	(0)	0.00%	2,005,652	(19,283)	-0.96%
TRANSFER (TO)	-	-	-	0.00%	0	-	0.00%
TRANSFER FROM/(TO) CAPITAL PROJECTS	(663,156)	(331,578)	(331,578)	100.00%	-372,629	(290,527)	77.97%
TRANSFERS OUT	(663,156)	(331,578)	(331,578)	100.00%	-372,629	(290,527)	77.97%
USE OF PRIOR YEAR FUNDS	256,637	256,637	-	0.00%	1,264,643	(1,008,006)	-79.71%
USE OF PRIOR YEAR FUNDS	256,637	256,637	-	0.00%	1,264,643	(1,008,006)	-79.71%



	Sales Tax			Actual to Prior Year	% Actual to Prior Year	Current Year Actual to Budget	% Current Year to Budget
	2022/23	2023/24	2023/24				
	Actual	Actual	Budget				
October	208,979	195,920	177,617	(13,059)	-6.25%	18,303	10.30%
November	211,466	213,130	221,631	1,664	0.79%	(8,501)	-3.84%
December	159,457	169,485	179,563	10,029	6.29%	(10,078)	-5.61%
January	151,510	164,571	166,025	13,061	8.62%	(1,454)	-0.88%
February	224,575	200,879	200,515	(23,695)	-10.55%	364	0.18%
March	194,773	144,625	204,148	(50,148)	-25.75%	(59,524)	-29.16%
April	177,359	154,583	184,542	(22,776)	-12.84%	(29,959)	-16.23%
May	220,807	202,260	233,386	(18,546)	-8.40%	(31,125)	-13.34%
June	132,011	181,618	183,042	49,607	37.58%	(1,424)	-0.78%
July	184,482	183,545	221,454	(937)	-0.51%	(37,909)	-17.12%
August	209,582		247,067	-	0.00%	-	0.00%
September	356,025		206,234	-	0.00%	-	0.00%
Totals	1,865,418	1,810,618	1,971,923	(54,800)	-2.94%	(161,306)	-8.18%

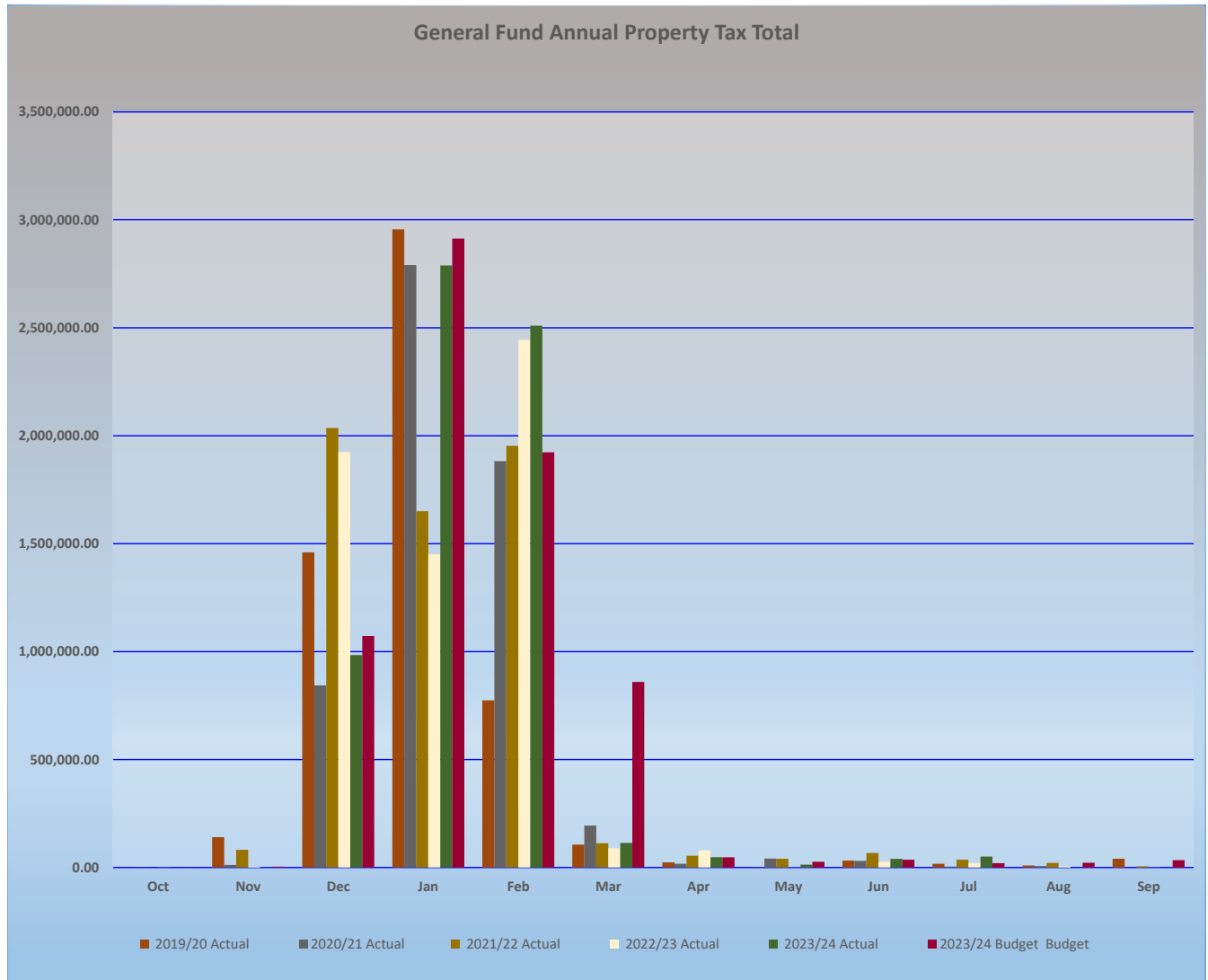
General Fund Annual Sales Tax Total



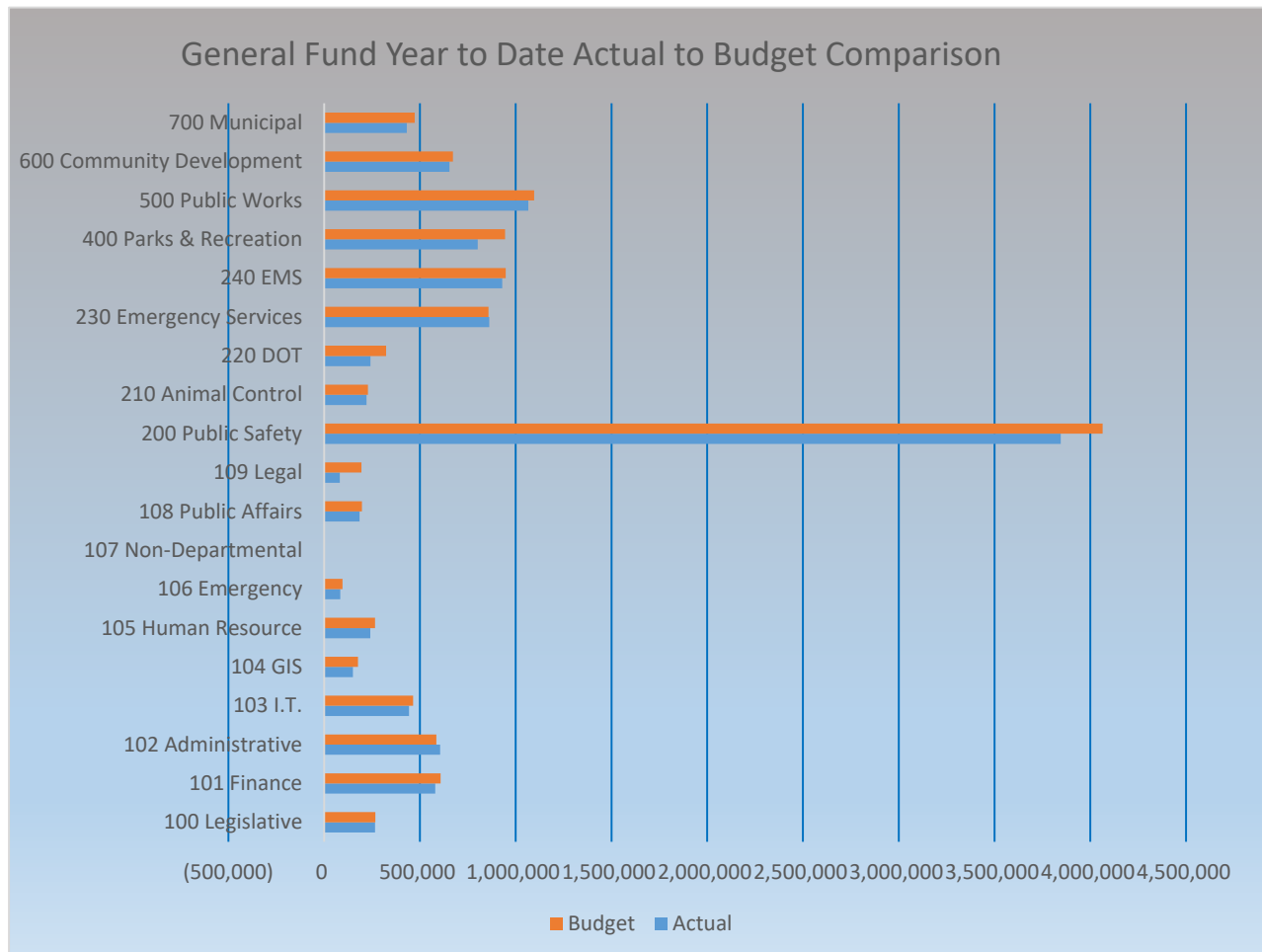
Annual Sales Tax Comparison					
	2019/20	2020/21	2021/22	2022/23	2023/24
	Actual	Actual	Actual	Actual	Actual
October	141,341	145,108	166,770	208,979	195,920
November	224,972	203,552	188,209	211,466	213,130
December	151,016	152,368	177,351	159,457	169,485
January	129,278	146,031	179,869	151,510	164,571
February	197,726	222,449	251,364	224,575	200,879
March	145,275	158,810	155,958	194,773	144,625
April	119,047	133,014	156,548	177,359	154,583
May	176,708	223,227	240,286	220,807	202,260
June	144,852	184,071	189,052	132,011	181,618
July	165,975	179,978	184,494	184,482	183,545
August	204,224	228,456	220,228	209,582	-
September	140,848	167,046	176,273	356,025	-
Totals	1,941,262	2,144,110	2,286,402	2,431,025	1,810,618

Property Tax

	2023/24 Budget	2023/24 Actual	YTD Actual to Budget	YTD % Actual to Budget	2022/23 Actual	Actual to Prior Year	% Actual to Actual
October	33	-	(33)	-100.00%	21	(21)	-100.00%
November	3,980	8	(3,971)	-99.79%	2,981	(2,973)	-99.72%
December	1,071,859	983,949	(87,910)	-8.20%	1,924,676	(940,727)	-48.88%
January	2,913,026	2,788,445	(124,581)	-4.28%	1,450,789	1,337,656	92.20%
February	1,923,637	2,509,975	586,338	30.48%	2,444,312	65,663	2.69%
March	859,807	113,678	(746,129)	-86.78%	89,412	24,265	27.14%
April	47,014	47,666	652	1.39%	79,851	(32,185)	-40.31%
May	26,606	13,526	(13,080)	-49.16%	15	13,511	88364.29%
June	36,059	39,703	3,644	10.11%	26,586	13,117	49.34%
July	19,670	50,673	31,002	157.61%	20,895	29,777	142.51%
August	21,739	-	-	0.00%	5,199	-	0.00%
September	33,636	-	-	0.00%	790	-	0.00%
Totals	6,901,692	6,547,624	-354,068	-5.13%	6,039,539	508,085	8.41%



EXPENDITURES*	Actual	Budget	Variance	
100 Legislative	265,508	266,711	1,204	0.45%
101 Finance	579,992	608,227	28,235	4.64%
102 Administrative	605,379	585,428	(19,951)	-3.41%
103 I.T.	442,547	464,358	21,811	4.70%
104 GIS	149,361	175,854	26,493	15.07%
105 Human Resource	240,602	265,368	24,766	9.33%
106 Emergency	83,880	94,873	10,993	11.59%
107 Non-Departmental	(0)	0	0	#DIV/0!
108 Public Affairs	184,372	196,865	12,493	6.35%
109 Legal	81,455	194,318	112,864	58.08%
200 Public Safety	3,845,836	4,064,556	218,720	5.38%
210 Animal Control	220,449	227,994	7,544	3.31%
220 DOT	241,456	322,790	81,334	25.20%
230 Emergency Services	862,051	858,298	(3,752)	-0.44%
240 EMS	929,849	948,156	18,307	1.93%
400 Parks & Recreation	801,683	944,928	143,245	15.16%
500 Public Works	1,066,412	1,096,192	29,781	2.72%
600 Community Development	653,889	671,904	18,015	2.68%
700 Municipal	431,459	472,341	40,882	8.66%
900 Disaster	38,926	0	0	0
Total	11,725,107	12,459,163	772,982	6.20%



CITY OF SEABROOK
GENERAL FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE		
<u>FORECAST</u>	<u>BUDGET</u>	FORE VS BUD	<u>GENERAL FUND</u>	<u>ACTUAL</u>	<u>BUDGET</u>	ACT VS BUD
		FAV/(UNFAV)				FAV/(UNFAV)
		<u>VARIANCE</u>				<u>VARIANCE</u>
PERSONNEL SERVICES						
233,309	234,433	1,124	100 Legislative	193,182	192,773	(409)
450,351	470,891	20,540	101 Finance	367,450	392,990	25,540
334,179	344,901	10,722	102 Administrative	280,221	283,508	3,287
350,053	361,887	11,834	103 I.T.	284,322	300,656	16,334
146,821	159,349	12,528	104 GIS	120,175	129,917	9,742
254,559	280,759	26,200	105 Human Resource	207,254	233,454	26,200
73,675	77,605	3,930	106 Emergency	60,371	63,345	2,974
(0)	0	0	107 Non-Departmental	(0)	0	0
92,296	107,750	15,454	108 Public Affairs	71,869	86,993	15,124
42,082	44,475	2,393	109 Legal	33,919	25,501	(8,418)
4,041,369	4,183,356	141,987	200 Public Safety	3,346,502	3,468,912	122,410
228,667	233,607	4,940	210 Animal Control	188,847	191,532	2,685
299,845	375,936	76,091	220 DOT	230,777	306,867	76,091
73,717	74,330	613	230 Emergency Services	60,372	63,498	3,126
914,962	915,114	152	240 EMS	740,148	745,537	5,389
725,274	801,386	76,112	400 Parks & Recreation	588,930	647,078	58,148
799,283	815,322	16,039	500 Public Works	658,116	674,156	16,039
668,088	672,389	4,301	600 Community Development	551,705	558,860	7,155
495,145	534,405	39,260	700 Municipal	400,643	439,659	39,016
38,617	0	(38,617)	900 Hurricane	38,617	0	(38,617)
10,262,290	10,687,891	425,601	Total Expenditures	8,423,419	8,805,236	381,816

CITY OF SEABROOK
GENERAL FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE		
		FORE VS BUD	GENERAL FUND			ACT VS BUD
FORECAST	BUDGET	FAV/(UNFAV)		ACTUAL	BUDGET	FAV/(UNFAV)
		VARIANCE				VARIANCE
MATERIALS & SUPPLIES						
1,651	2,300	649	100 Legislative	1,549	1,757	208
18,180	24,710	6,530	101 Finance	12,121	18,650	6,530
1,920	1,550	(370)	102 Administrative	1,293	923	(370)
2,208	3,000	792	103 I.T.	1,576	2,368	792
9,987	16,279	6,292	104 GIS	5,731	11,853	6,123
1,074	2,450	1,376	105 Human Resource	820	2,196	1,376
324	625	301	106 Emergency	264	501	237
0	0	0	107 Non-Departmental	0	0	0
4,398	4,400	2	108 Public Affairs	4,398	4,398	0
0	0	0	109 Legal	0	0	0
96,623	103,768	7,145	200 Public Safety	77,647	79,292	1,645
5,902	8,610	2,708	210 Animal Control	4,232	6,382	2,150
8,988	11,940	2,952	220 DOT	5,915	7,519	1,604
3,376	3,314	(62)	230 Emergency Services	2,153	3,090	938
29,154	41,681	12,528	240 EMS	38,592	53,843	15,251
42,500	71,228	28,728	400 Parks & Recreation	27,305	53,539	26,234
56,177	46,134	(10,043)	500 Public Works	38,523	24,254	(14,269)
10,434	10,001	(433)	600 Community Development	9,746	7,979	(1,767)
5,594	4,000	(1,594)	700 Municipal	3,390	2,221	(1,169)
0	0	0	900 Hurricane	309	0	(309)
298,491	355,989	57,499	Total Expenditures	235,565	280,768	45,202

CITY OF SEABROOK
GENERAL FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE		
		FORE VS BUD FAV/(UNFAV)				ACT VS BUD FAV/(UNFAV)
<u>FORECAST</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>GENERAL FUND</u>	<u>ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>
SERVICES						
77,143	87,679	10,536	100 Legislative	70,776	72,181	1,405
253,098	235,565	(17,533)	101 Finance	200,422	196,587	(3,835)
355,216	338,583	(16,633)	102 Administrative	323,865	300,997	(22,868)
159,165	185,956	26,791	103 I.T.	156,649	161,334	4,685
29,791	41,792	12,001	104 GIS	20,803	31,431	10,628
36,868	34,059	(2,809)	105 Human Resource	32,527	29,718	(2,809)
27,058	36,972	9,914	106 Emergency	23,245	31,028	7,782
0	0	0	107 Non-Departmental	0	0	0
108,258	106,666	(1,592)	108 Public Affairs	108,105	105,474	(2,631)
76,719	184,925	108,206	109 Legal	47,536	168,817	121,281
595,567	580,425	(15,142)	200 Public Safety	421,687	516,352	94,665
28,265	31,301	3,036	210 Animal Control	22,010	24,720	2,710
7,178	13,500	6,322	220 DOT	4,764	8,403	3,639
889,789	890,063	274	230 Emergency Services	746,535	738,719	(7,816)
94,982	96,490	1,508	240 EMS	86,818	84,485	(2,333)
186,829	233,110	46,281	400 Parks & Recreation	133,123	191,314	58,191
413,479	462,871	49,392	500 Public Works	344,154	372,165	28,011
60,708	64,229	3,521	600 Community Development	44,327	56,955	12,628
30,314	33,790	3,476	700 Municipal	27,426	30,461	3,035
0	0	0	900 Hurricane	0	0	0
3,430,425	3,657,976	227,551	Total Expenditures	2,814,773	3,121,140	306,367

CITY OF SEABROOK
GENERAL FUND - MONTHLY REPORT
July 31, 2024

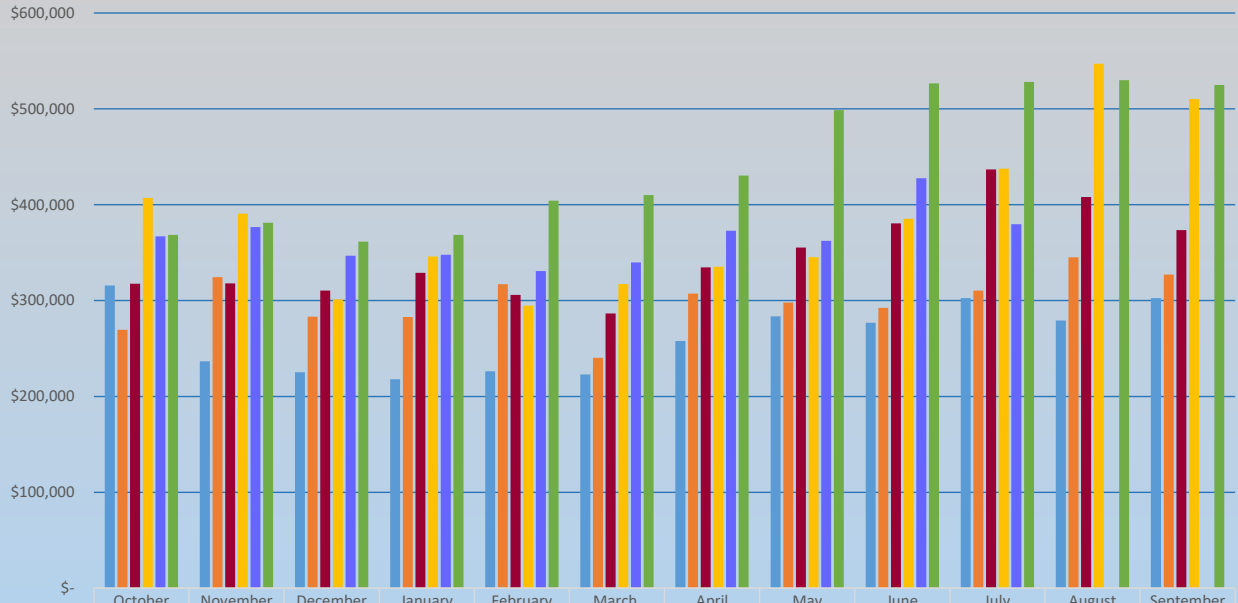
ANNUAL				FISCAL YEAR-TO-DATE		
FORECAST	BUDGET	FORE VS BUD	GENERAL FUND	ACTUAL	BUDGET	ACT VS BUD
		FAV/(UNFAV)				FAV/(UNFAV)
		VARIANCE				VARIANCE
CAPITAL						
0	0	0	100 Legislative	0	0	0
0	0	0	101 Finance	0	0	0
0	0	0	102 Administrative	0	0	0
0	0	0	103 I.T.	0	0	0
3,184	3,184	(0)	104 GIS	2,653	2,652	(0)
0	0	0	105 Human Resource	0	0	0
0	0	0	106 Emergency	0	0	0
0	0	0	107 Non-Departmental	0	0	0
0	0	0	108 Public Affairs	0	0	0
0	0	0	109 Legal	0	0	0
0	0	0	200 Public Safety	0	0	0
6,432	6,432	0	210 Animal Control	5,361	5,361	(0)
0	0	0	220 DOT	0	0	0
63,589	63,589	0	230 Emergency Services	52,991	52,991	0
77,149	77,149	(0)	240 EMS	64,291	64,291	(0)
56,924	57,599	675	400 Parks & Recreation	52,325	52,997	672
30,741	30,741	0	500 Public Works	25,618	25,618	0
49,750	49,749	(1)	600 Community Development	48,111	48,110	(1)
0	0	0	700 Municipal	0	0	0
0	0	0	900 Hurricane	0	0	0
287,767	288,441	673	Total Expenditures	251,349	252,019	670

CITY OF SEABROOK
ENTERPRISE FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE		
FORECAST	BUDGET	FORE VS BUD	ENTERPRISE FUND	ACTUAL	BUDGET	ACT VS BUD
		FAV/(UNFAV)				FAV/(UNFAV)
		VARIANCE				VARIANCE
REVENUES						
5,536,883	5,754,401	(217,518)	Water Sales	3,992,837	4,621,217	(628,381)
3,871,558	4,041,222	(169,664)	Sewer Service Charge	3,052,757	3,309,421	(256,664)
3,038,660	3,151,250	(112,590)	Sanitation Service Charge	2,509,050	2,621,640	(112,590)
3,164	6,000	(2,836)	Permits & Fees	1,225	4,061	(2,836)
94,374	86,036	8,338	Interest Income	82,290	73,953	8,338
250,422	270,983	(20,561)	Other Revenue	203,198	223,758	(20,561)
195,459	195,460	(1)	Transfers In	162,883	162,883	(1)
261,200	261,200	0	Prior Year Funds	261,200	261,200	0
13,251,721	13,766,552	(514,831)	Total Revenues	10,265,439	11,278,134	(1,012,694)
EXPENDITURES						
1,487,579	1,617,722	130,143	Personnel Services	1,233,119	1,333,235	100,116
71,470	78,290	6,820	Materials & Supplies	50,882	56,842	5,960
6,795,446	7,091,480	296,034	Services	5,138,987	5,623,689	484,702
589,592	749,581	159,989	Infrastructure Maintenance	475,601	593,164	117,564
160,676	171,509	10,833	Capital Outlay	143,983	93,455	(50,528)
1,559,650	1,559,650	(0)	Debt Payments	1,299,708	1,299,708	0
2,383,642	2,383,642	(0)	Transfers Out	1,986,368	1,986,368	(0)
22,965	0	(22,965)	Hurricane	23,304	0	(23,304)
13,071,019	13,651,874	580,855	Total Expenditures	10,351,951	10,986,462	634,510
FUND BALANCE						
2,687,972	2,687,972	0	Beginning Balance Estimate	2,687,972	2,687,972	0
180,702	114,678	66,024	Change in Fund Balance	(86,512)	291,672	(378,184)
2,868,674	2,802,650	66,024	Ending Balance	2,601,460	2,979,644	(378,184)

	Current Year Actual July	Current Year Budget July	Change Budget to Actual	% Change Budget to Actual	Prior Year Actual July	Change Actual to Actual	% Change Actual to Actual
WATER SERVICE	3,640,975	4,277,501	-636,526	-14.88%	3,548,169	92,806	2.62%
WATER SERVICE-EL JARDIN	0	-	0	0.00%	-	-	0.00%
WATER SERVICE-EL LAGO	279,192	296,390	-17,198	-5.80%	285,361	(6,169)	-2.16%
WATER TAP FEES	37,726	16,162	21,564	133.42%	16,015	21,711	135.57%
PENALTIES-UTILITIES	34,943	31,164	3,779	12.13%	36,088	(1,145)	-3.17%
WATER SALES	3,992,837	4,668,543	-675,707	-14.47%	3,885,633	107,203.20	2.76%
LICENSES & PERMITS	1,225	4,061	-2,836	-69.84%	975	250	25.64%
PERMITS & FEES	1,225	4,061	-2,836	-69.84%	975	250	25.64%
INTEREST EARNINGS	41,135	37,532	3,603	9.60%	33,347	7,788	23.35%
INTEREST INCOME	41,135	37,532	3,603	9.60%	33,347	7,788	23.35%
OTHER REVENUE	16,276	15,881	394	2.48%	22,403	(6,127)	-27.35%
GAIN IN SALE ON FIXED ASSETS	0	-	0	0.00%	-	-	0.00%
OTHER REVENUE	16,276	15,881	394	2.48%	22,403	(6,127)	-27.35%
TRANS FRM/(TO) OTHER FUNDS	81,441	81,442	0	0.00%	80,778	663	0.82%
TRANSFERS IN	81,441	81,442	0	0.00%	80,778	663	0.82%
USE OF PRIOR YEAR FUNDS	0	-	0	0.00%	-	-	0.00%
USE OF PRIOR YEAR FUNDS	0	-	0	0.00%	-	-	0.00%
SEWER SERVICE	3,010,524	3,258,675	-248,151	-7.62%	3,076,147	(65,623)	-2.13%
SEWER SERVICE	13,268	27,568	-14,300	-51.87%	12,308	959	7.79%
PENALTIES - UTILITIES	28,965	23,178	5,787	24.97%	31,563	(2,598)	-8.23%
SEWER SERVICE CHARGE	3,052,757	3,309,421	-256,664	-7.76%	3,120,018	(67,261)	-2.16%
INTEREST EARNINGS	34,124	29,954	4,171	13.92%	27,773	6,352	22.87%
INTEREST INCOME	34,124	29,954	4,171	13.92%	27,773	6,352	22.87%
OTHER REVENUE	0	-	0	0.00%	-	-	0.00%
OTHER REVENUE	0	-	0	0.00%	-	-	0.00%
TRANSFER FROM EDC	81,441	81,442	0	0.00%	80,778	663	0.82%
TRANSFERS IN	81,441	81,442	0	0.00%	80,778	663.34	0.82%
FRANCHISE FEES	350,479	358,260	-7,782	-2.17%	349,193	1,285	0.37%
COMMERCIAL SANITATION	1,108,016	1,212,606	-104,590	-8.63%	1,157,973	(49,956)	-4.31%
RESIDENTIAL SANITATION	1,040,571	1,041,290	-719	-0.07%	1,001,926	38,646	3.86%
PENALTIES-UTILITIES	9,983	9,483	500	5.27%	10,316	(333)	-3.23%
SANITATION SERVICE CHARGES	2,509,050	2,621,640	-112,590	-4.29%	2,519,408	(10,357.92)	-0.41%
INTEREST EARNINGS	7,031	6,467	564	8.72%	5,574	1,457	26.15%
INTEREST INCOME	7,031	6,467	564	8.72%	5,574	1,457	26.15%
SALE OF BAGS	0	390	-390	-100.00%	-	-	0.00%
SANITATION BILLING FEES	186,922	195,224	-8,302	-4.25%	186,237	685	0.37%
OTHER REVENUE	186,922	195,614	-8,692	-4.44%	186,237	685	0.37%

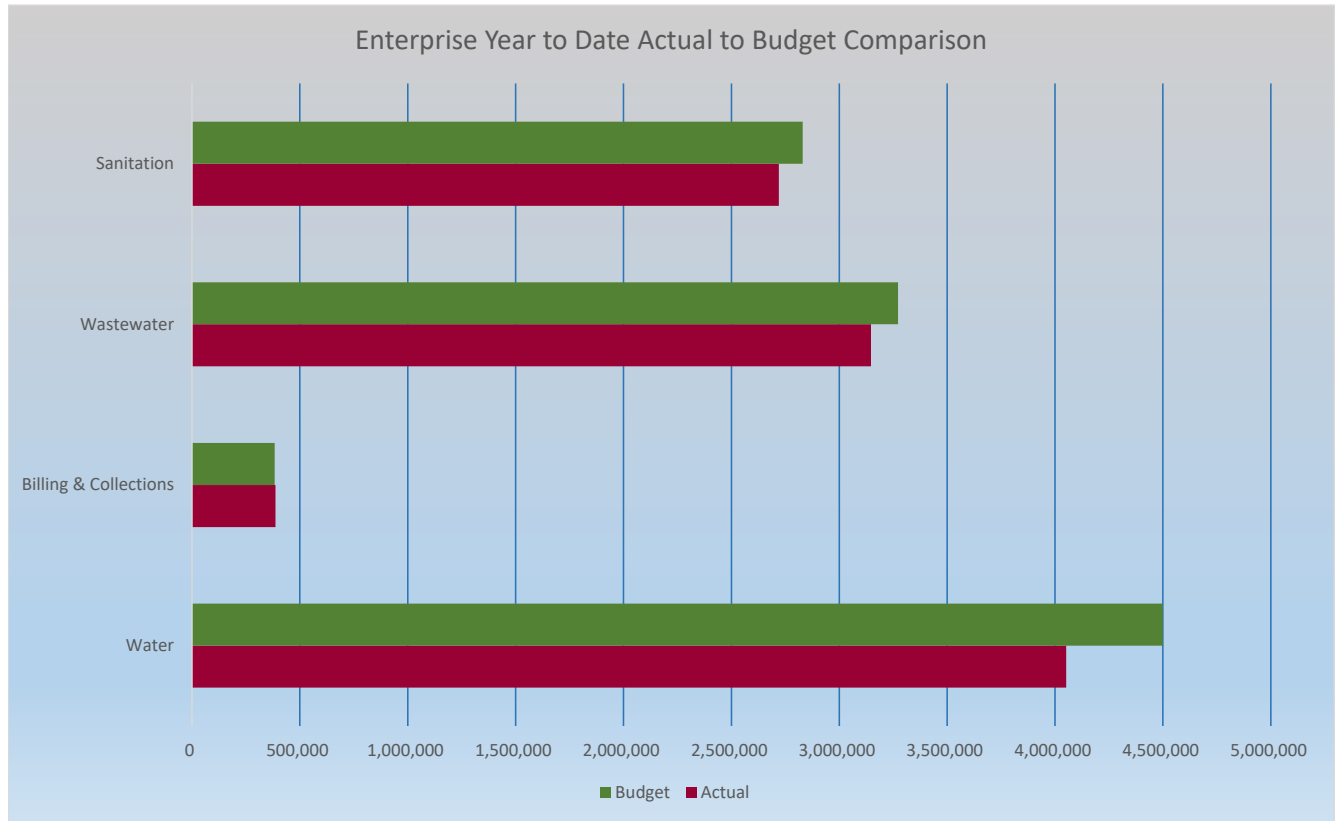
Monthly Water Billing



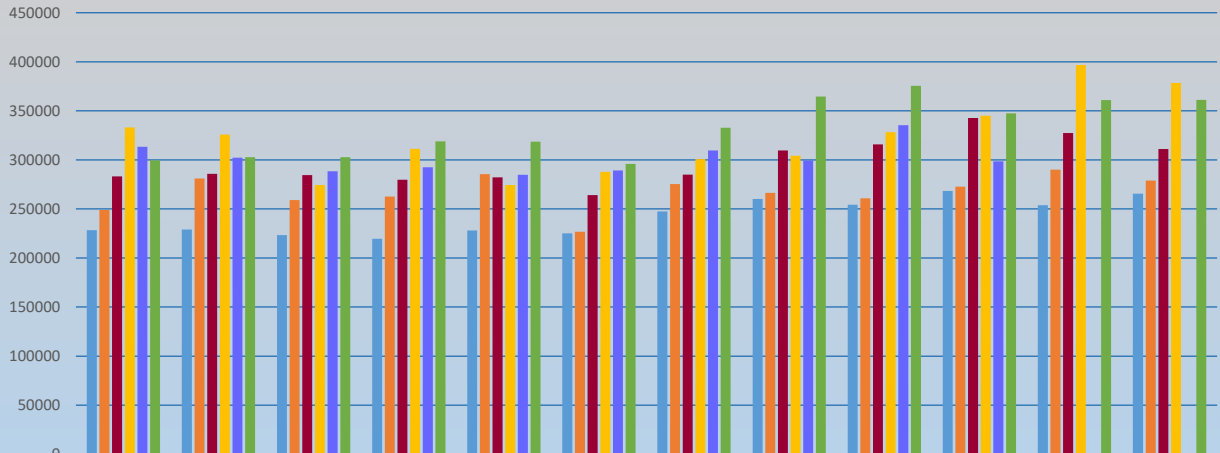
	October	November	December	January	February	March	April	May	June	July	August	September
2019/20 Actual	\$315,720	\$236,628	\$225,409	\$218,041	\$226,296	\$223,083	\$257,819	\$283,636	\$276,900	\$302,459	\$279,257	\$302,551
2020/21 Actual	\$269,576	\$324,399	\$283,240	\$282,913	\$316,990	\$240,409	\$307,245	\$297,755	\$292,384	\$310,361	\$345,076	\$326,986
2021/22 Actual	\$317,516	\$317,858	\$310,357	\$328,841	\$305,878	\$286,653	\$334,601	\$355,190	\$380,400	\$436,735	\$408,066	\$373,415
2022/23 Actual	\$407,050	\$390,703	\$301,109	\$345,877	\$294,694	\$317,122	\$335,139	\$345,298	\$385,272	\$437,601	\$547,152	\$510,183
2023/24 Actual	\$366,908	\$376,595	\$346,792	\$347,694	\$330,790	\$339,714	\$372,790	\$362,263	\$427,609	\$379,615	\$-	\$-
2023/24 Budget	\$368,446	\$381,203	\$361,400	\$368,474	\$404,222	\$409,971	\$430,385	\$498,684	\$526,587	\$528,129	\$529,868	\$524,885

■ 2019/20 Actual
 ■ 2020/21 Actual
 ■ 2021/22 Actual
 ■ 2022/23 Actual
 ■ 2023/24 Actual
 ■ 2023/24 Budget

EXPENDITURES*	Actual	Budget	Variance	
Water	4,051,227	4,499,585	448,358	9.96%
Billing & Collections	387,444	383,700	(3,744)	-0.98%
Wastewater	3,146,839	3,272,398	125,560	3.84%
Sanitation	2,719,835	2,830,777	110,942	3.92%
Total	10,305,344	10,986,461	681,116	6.20%



Monthly Sewer Billing



	October	November	December	January	February	March	April	May	June	July	August	September
2019/20 Actual	\$228,384	\$228,950	\$223,291	\$219,583	\$228,077	\$225,138	\$247,471	\$260,116	\$254,262	\$268,383	\$253,771	\$265,621
2020/21 Actual	\$248,895	\$281,061	\$258,966	\$262,683	\$285,522	\$226,747	\$275,341	\$266,407	\$260,840	\$272,650	\$289,946	\$278,907
2021/22 Actual	\$283,135	\$285,860	\$284,449	\$279,739	\$282,145	\$264,066	\$284,934	\$309,636	\$315,818	\$342,694	\$327,328	\$311,140
2022/23 Actual	\$333,135	\$325,764	\$274,335	\$311,253	\$274,392	\$287,801	\$300,797	\$304,181	\$328,137	\$345,057	\$396,705	\$378,418
2023/24 Actual	\$313,411	\$302,228	\$288,471	\$292,510	\$284,795	\$289,165	\$309,676	\$299,372	\$335,351	\$298,542	\$-	\$-
2023/24 Budget	\$299,493	\$302,769	\$302,792	\$318,856	\$318,640	\$295,888	\$332,693	\$364,613	\$375,480	\$347,451	\$361,016	\$361,085

2019/20 Actual 2020/21 Actual 2021/22 Actual 2022/23 Actual 2023/24 Actual 2023/24 Budget

CITY OF SEABROOK
ENTERPRISE FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE		
<u>FORECAST</u>	<u>BUDGET</u>	FORE VS BUD	<u>ENTERPRISE FUND</u>	<u>ACTUAL</u>	<u>BUDGET</u>	ACT VS BUD
		FAV/(UNFAV)				FAV/(UNFAV)
		<u>VARIANCE</u>				<u>VARIANCE</u>
PERSONNEL SERVICES						
22,627	0	(22,627)	900 Hurricane	22,627	0	(22,627)
722,279	760,867	38,588	902 Water	587,946	623,533	35,588
244,675	252,179	7,504	905 Billing	201,836	208,341	6,504
520,624	604,676	84,052	912 Sewer	420,710	501,362	80,652
0	0	0	922 Sanitation	0	0	0
1,510,206	1,617,722	107,516	Total Expenditures	1,233,119	1,333,235	100,116

CITY OF SEABROOK
ENTERPRISE FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE			
		FORE VS BUD				ACT VS BUD	
		FAV/(UNFAV)				FAV/(UNFAV)	
<u>FORECAST</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>ENTERPRISE FUND</u>	<u>ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	
SUPPLIES							
338	0	(338)	900 Hurricane	338	0	(338)	
18,387	20,965	2,578	902 Water	12,933	14,819	1,886	
34,471	38,015	3,544	905 Billing	23,917	27,461	3,544	
18,611	19,310	699	912 Sewer	13,693	14,562	869	
0	0	0	922 Sanitation	0	0	0	
71,808	78,290	6,482	Total Expenditures	50,882	56,842	5,960	

CITY OF SEABROOK
ENTERPRISE FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE		
<u>FORECAST</u>	<u>BUDGET</u>	FORE VS BUD	<u>ENTERPRISE FUND</u>	<u>ACTUAL</u>	<u>BUDGET</u>	ACT VS BUD
		FAV/(UNFAV)				FAV/(UNFAV)
		<u>VARIANCE</u>				<u>VARIANCE</u>
SERVICES						
0	0	0	900 Hurricane	338	0	(338)
2,712,498	2,879,033	166,536	902 Water	1,778,300	2,144,207	365,907
196,421	165,930	(30,491)	905 Billing	161,690	147,899	(13,791)
1,040,135	1,093,183	53,048	912 Sewer	858,977	880,960	21,983
2,846,392	2,953,334	106,942	922 Sanitation	2,339,681	2,450,623	110,942
6,795,446	7,091,480	296,034	Total Expenditures	5,138,987	5,623,689	484,702

CITY OF SEABROOK
ENTERPRISE FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE		
		FORE VS BUD				ACT VS BUD
		FAV/(UNFAV)				FAV/(UNFAV)
<u>FORECAST</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>ENTERPRISE FUND</u>	<u>ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>
INFRASTRUCTURE MAINTENANCE						
0	0	0	900 Hurricane	0	0	0
167,781	294,240	126,459	902 Water	159,449	243,483	84,034
0	0	0	905 Billing	0	0	0
421,811	455,341	33,530	912 Sewer	316,151	349,681	33,530
0	0	0	922 Sanitation	0	0	0
589,592	749,581	159,989	Total Expenditures	475,601	593,164	117,564

CITY OF SEABROOK
ENTERPRISE FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE			
		FORE VS BUD				ACT VS BUD	
		FAV/(UNFAV)				FAV/(UNFAV)	
<u>FORECAST</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>ENTERPRISE FUND</u>	<u>ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	
CAPITAL							
0	0	0	900 Hurricane	0	0	0	
94,503	101,415	6,912	902 Water	91,762	52,706	(39,055)	
0	0	0	905 Billing	0	0	0	
66,173	70,095	3,922	912 Sewer	52,222	40,749	(11,473)	
0	0	0	922 Sanitation	0	0	0	
160,676	171,509	10,833	Total Expenditures	143,983	93,455	(50,528)	

CITY OF SEABROOK
ENTERPRISE FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE			
		FORE VS BUD	ENTERPRISE FUND			ACT VS BUD	
FORECAST	BUDGET	FAV/(UNFAV)		ACTUAL	BUDGET	FAV/(UNFAV)	
		VARIANCE				VARIANCE	
DEBT PAYMENTS							
0	0	0	900 Hurricane	0	0	0	
779,825	779,825	(0)	902 Water	649,854	649,854	(0)	
0	0	0	905 Billing	0	0	0	
779,825	779,825	(0)	912 Sewer	649,854	649,854	(0)	
0	0	0	922 Sanitation	0	0	0	
1,559,650	1,559,650	(1)	Total Expenditures	1,299,708	1,299,708	(0)	

CITY OF SEABROOK
ENTERPRISE FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE		
		FORE VS BUD	ENTERPRISE FUND			ACT VS BUD
FORECAST	BUDGET	FAV/(UNFAV)		ACTUAL	BUDGET	FAV/(UNFAV)
		VARIANCE				VARIANCE
TRANSFERS OUT						
0	0	0	900 Hurricane	0	0	0
925,179	925,179	0	902 Water	770,983	770,983	0
0	0	0	905 Billing	0	0	0
1,002,278	1,002,278	0	912 Sewer	835,232	835,232	0
456,185	456,185	(0)	922 Sanitation	380,154	380,154	(0)
2,383,642	2,383,642	(0)	Total Expenditures	1,986,368	1,986,368	(0)

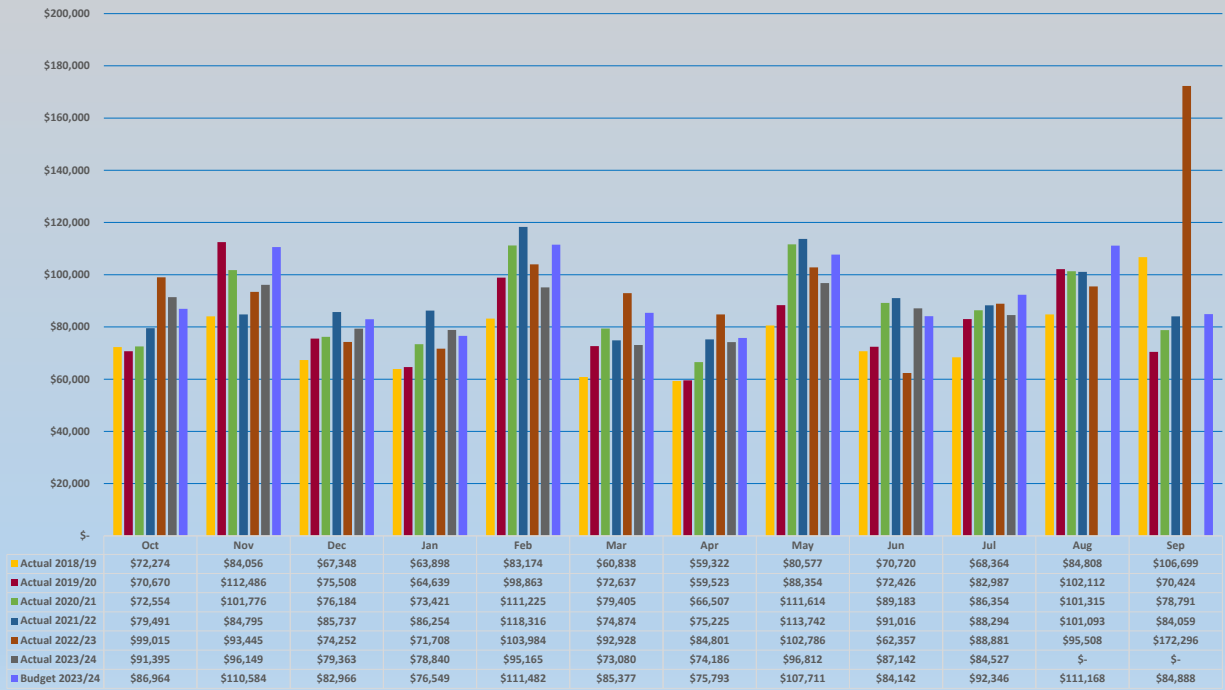
CITY OF SEABROOK
HOTEL/MOTEL FUND - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE		
FORECAST	BUDGET	FORE VS BUD	HOTEL/MOTEL FUND	ACTUAL	BUDGET	ACT VS BUD
		FAV/(UNFAV)				FAV/(UNFAV)
		VARIANCE				VARIANCE
REVENUES						
543,842	534,058	9,784	Hotel Occupancy Tax	483,077	473,293	9,784
58,001	27,515	30,486	Interest Income	54,071	23,584	30,486
8	0	8	Seabrook Festival Revenue	8	0	8
3,848	8,175	(4,327)	Pelican Revenue	0	4,327	(4,327)
0	0	0	Other Revenue	0	0	0
0	0	0	Use of Prior Funds	0	0	0
605,699	569,748	35,951	Total Revenues	537,156	501,205	35,951
EXPENDITURES						
153,780	183,531	29,751	Personnel Services	120,275	150,026	29,751
1,112	1,500	388	Materials & Supplies	274	662	388
259,797	375,553	115,756	Services	224,303	325,251	100,949
0	0	0	Capital Outlay	0	0	0
414,688	560,584	145,896	Total Expenditures	344,852	475,940	131,088
FUND BALANCE						
1,420,941	1,420,941	0	Beginning Unreserved Fund Bal	1,420,941	1,420,941	0
191,011	9,164	181,847	Change in Fund Balance	192,304	25,265	167,040
1,611,952	1,430,105	181,847	Ending Unreserved Fund Bal	1,613,245	1,446,205	167,040

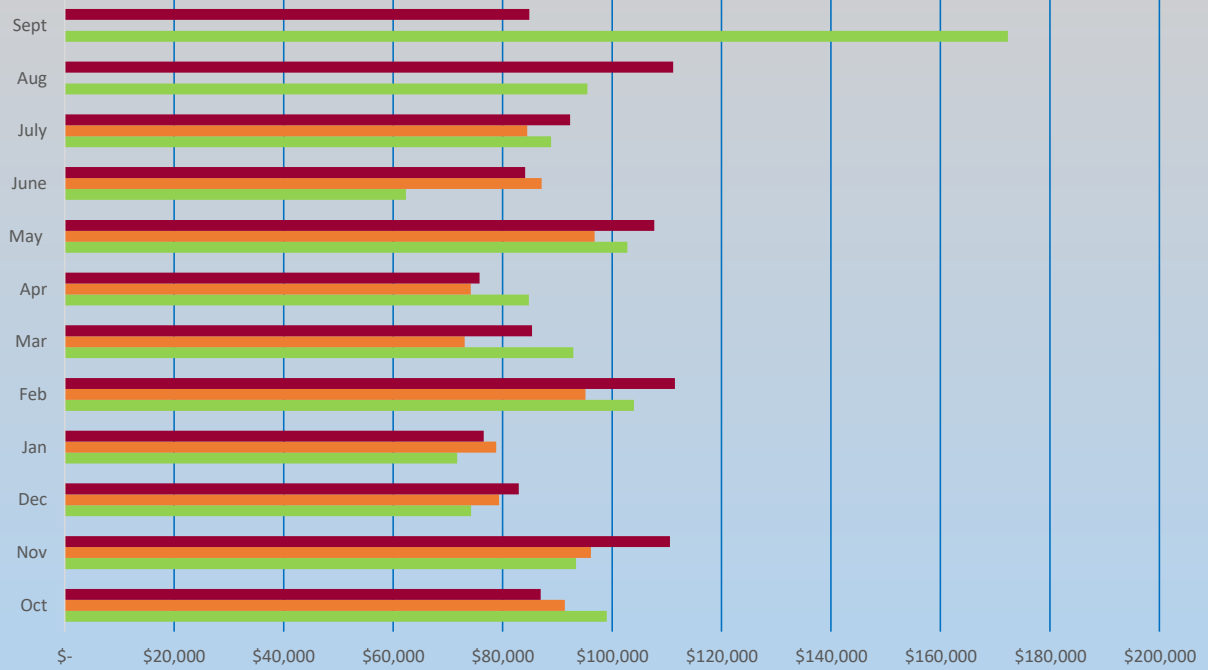
CITY OF SEABROOK
SEDC - MONTHLY REPORT
July 31, 2024

ANNUAL			FISCAL YEAR-TO-DATE		
<u>FORECAST</u>	<u>BUDGET</u>	FORE VS BUD	<u>SEDC</u>	<u>ACTUAL</u>	<u>BUDGET</u>
		FAV/(UNFAV) <u>VARIANCE</u>			
					ACT VS BUD FAV/(UNFAV) <u>VARIANCE</u>
			REVENUES		
1,052,715	1,109,972	(57,257)	Sales Tax	856,659	913,917
0	0	0	Grant Proceeds	0	0
162,737	158,519	4,218	Interest Income	141,304	137,086
3,322	1,200	2,122	Other Revenue	2,135	13
0	0	0	Loan Repayment	0	0
1,218,774	1,269,691	(50,917)	Total Revenues	1,000,099	1,051,016
			EXPENDITURES		
0	0	0	Personnel Services	0	0
563	150	(413)	Materials & Supplies	557	145
388,570	703,351	314,781	Services	160,677	497,523
305,459	305,459	0	Transfers Out	254,549	254,549
694,591	1,008,960	314,368	Total Expenditures	415,783	752,217
			FUND BALANCE		
3,152,409	3,152,409	0	Beginning Balance Estimate	3,152,409	3,152,409
524,183	260,731	263,451	Change in Fund Balance	584,316	298,799
3,676,591	3,413,140	263,451	Ending Balance	3,736,724	3,451,207

EDC Annual Sales Tax Comparison by Month



EDC Monthly Sales Tax Comparison



	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept
■ Budget 2023/24	\$86,964	\$110,584	\$82,966	\$76,549	\$111,482	\$85,377	\$75,793	\$107,711	\$84,142	\$92,346	\$111,168	\$84,888
■ Actual 2023/24	\$91,395	\$96,149	\$79,363	\$78,840	\$95,165	\$73,080	\$74,186	\$96,812	\$87,142	\$84,527	\$-	\$-
■ Actual 2022/23	\$99,015	\$93,445	\$74,252	\$71,708	\$103,984	\$92,928	\$84,801	\$102,786	\$62,357	\$88,881	\$95,508	\$172,296

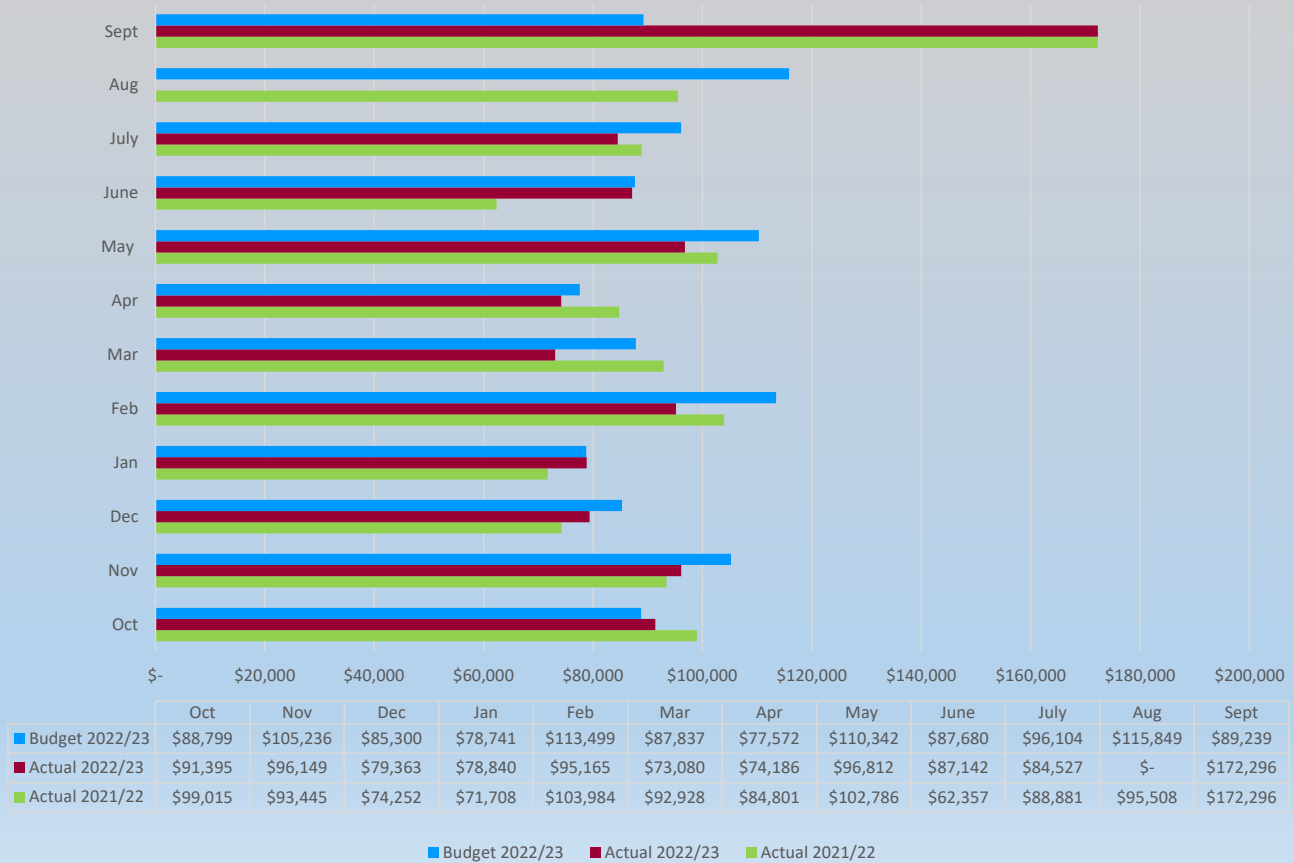
■ Budget 2023/24 ■ Actual 2023/24 ■ Actual 2022/23

EDC Sales Tax				Actual to Prior Year	% Actual to Prior Year	Current Year Actual to Budget	% Current Year to Budget
	2022/23 Actual	2023/24 Actual	2023/24 Budget				
October	99,015	91,395	95,161	(7,620)	-7.70%	(3,766)	-3.96%
November	93,445	96,149	92,214	2,704	2.89%	3,935	4.27%
December	74,252	79,363	73,268	5,112	6.88%	6,095	8.32%
January	71,708	78,840	71,339	7,132	9.95%	7,501	10.51%
February	103,984	95,165	119,809	(8,819)	-8.48%	(24,644)	-20.57%
March	92,928	73,080	79,655	(19,848)	-21.36%	(6,575)	-8.25%
April	84,801	74,186	80,804	(10,614)	-12.52%	(6,617)	-8.19%
May	102,786	96,812	111,980	(5,973)	-5.81%	(15,168)	-13.54%
June	62,357	87,142	88,351	24,785	39.75%	(1,209)	-1.37%
July	88,881	84,527	90,614	(4,354)	-4.90%	(6,087)	-6.72%
August	95,508	-	108,614	-	0.00%	-	0.00%
September	172,296	-	84,511	-	0.00%	-	0.00%
Totals	874,155	856,659	903,195	(17,496)	-2.00%	(46,536)	-5.15%

CITY OF SEABROOK
CRIME DISTRICT - MONTHLY REPORT
July 31, 2024

ANNUAL				FISCAL YEAR-TO-DATE		
FORECAST	BUDGET	FORE VS BUD	CRIME DISTRICT	ACTUAL	BUDGET	ACT VS BUD
		FAV/(UNFAV)				FAV/(UNFAV)
		VARIANCE				VARIANCE
REVENUES						
1,061,747	1,136,199	(74,452)	Sales Tax	856,659	931,111	(74,452)
53,959	25,537	28,422	Interest Income	43,319	21,439	21,880
2,475	0		Other Revenue	2,475	0	
1,118,181	1,161,736	(46,030)	Total Revenues	902,453	952,549	(52,572)
EXPENDITURES						
588,452	656,878	68,426	Personnel Services	475,548	541,974	66,426
9,413	13,623	4,210	Materials & Supplies	6,330	10,540	4,210
184,516	188,874	4,358	Services	165,465	157,973	(7,492)
0	0	0	Capital	0	0	0
272,162	272,344	182	Transfers Out	226,953	227,135	182
1,054,543	1,131,719	77,176	Total Expenditures	874,296	937,622	63,326
FUND BALANCE						
1,140,307	1,140,307	0	Beginning Balance Estimate	1,140,307	1,140,307	0
63,638	30,017	33,621	Change in Fund Balance	28,157	14,928	13,229
1,203,944	1,170,324	33,621	Ending Balance	1,168,463	1,155,234	13,229

Crime District Monthly Sales Tax Comparison



Crime District Sales Tax				Actual to Prior Year	% Actual to Prior Year	Current Year Actual to Budget	% Current Year to Budget
	2022/23	2023/24	2023/24				
	Actual	Actual	Budget				
October	99,015	91,395	95,043	(7,620)	-7.70%	(3,648)	-3.84%
November	93,445	96,149	93,429	2,704	2.89%	2,720	2.91%
December	74,252	79,363	73,257	5,112	6.88%	6,107	8.34%
January	71,708	78,840	71,413	7,132	9.95%	7,428	10.40%
February	103,984	95,165	119,759	(8,819)	-8.48%	(24,594)	-20.54%
March	92,928	73,080	80,354	(19,848)	-21.36%	(7,275)	-9.05%
April	84,801	74,186	79,928	(10,614)	-12.52%	(5,741)	-7.18%
May	102,786	96,812	106,529	(5,973)	-5.81%	(9,716)	-9.12%
June	62,357	87,142	90,589	24,785	39.75%	(3,447)	-3.80%
July	88,881	84,527	92,891	(4,354)	-4.90%	(8,364)	-9.00%
August	95,508	-	110,588	-	0.00%	-	0.00%
September	172,296	-	87,759	-	0.00%	-	0.00%
Totals	874,155	856,659	903,190	(17,496)	-2.00%	(46,531)	-5.15%

Crime District Annual Sales Tax Comparison by Month



TEXPOOL REPORT

MONTH OF JULY 31, 2024

5.3173%

	BEGINNING BALANCE	TRANSFER IN/(OUT)	INT EARNED (Posted July)	ENDING BALANCE	PURPOSE OF FUND
GENERAL FUND - UNRESTRICTED	8,350,564.56	(2,300,301.38)	44,831.18	6,095,094.36	Working capital
GENERAL FUND - RESTRICTED	1,600,000.00	0.00	incl in above	1,600,000.00	
SEIZURE	52,962.62	0.00	239.18	53,201.80	Solely to purchase equipment for Law Enforcement
CHILD SAFETY PROGRAMS	2,128.97	(6,000.00)	8.74	(3,862.29)	Reserved for Child Safety/School Zones
DEBT SERVICE FUND	3,973,895.97	17,113.27	17,948.81	4,008,958.05	Restricted for General fund reserves & yearly debt service
FEDERAL SEIZURE	6,471.33	0.00	29.22	6,500.55	Criminal Investigation - Federal Funds
STEP FUND	49,096.76	0.00	221.72	49,318.48	
PUBLIC SAFETY	159,211.24	0.00	719.02	159,930.26	Public Safety Needs
HOTEL/MOTEL FUND	1,628,595.02	0.00	7,354.82	1,635,949.84	Restricted for promotion of tourism
CAPITAL IMPACT FEES	4,740,144.41	(105,000.00)	21,391.39	4,656,535.80	Water & sewer lines extensions & expansions
ENTERPRISE FUND - UNRESTRICT	2,403,921.47	(185,390.91)	11,373.80	2,229,904.36	Working capital
ENTERPRISE FUND - RESTRICTED	300,000.00	0.00	incl in above	300,000.00	Customer liability
GENERAL CAPITAL PROJECTS	3,468,907.88	0.00	15,665.76	3,484,573.64	General Fund CIP
CAPITAL PROJECT BONDS	3,150,246.40	0.00	14,226.67	3,164,473.07	2016A CO WW Plant, Clarifier & Todville 2016 Sewer
WTR/SWR BONDS	330,232.58	0.00	1,491.35	331,723.93	Funds transferred from Bond Mkt Acct to allow liquidity
IT BONDS	0.00	0.00	0.00	0.00	Fiber Optics
PD & GF BONDS	0.00	0.00	0.00	0.00	Public Works Facility
PD & GF BONDS (GEN FUND Reserve)	(0.00)	0.00	0.00	(0.00)	Public Works Facility funds provided by GF Reserve
FIRE BONDS	4,355,965.63	0.00	19,671.76	4,375,637.39	GO Series 2024
STREET BONDS	10,118,387.07	0.00	45,695.13	10,164,082.20	CO Series 2024
DRAINAGE BONDS	969,733.94	0.00	4,379.37	974,113.31	Drainage CO Funds 50/50 Split County Projects
CAROTHERS	250,622.25	0.00	1,131.82	251,754.07	Carother Facility & Park
PARK FEES	8,226.75	0.00	37.15	8,263.90	Reserved for acquisition & development of park land
ANIMAL	8,270.20	0.00	37.35	8,307.55	Animal Shelter Needs - Donation
CRIME DISTRICT	1,384,213.89	(22,695.33)	6,148.68	1,367,667.24	Funds transferred from Bond Mkt Acct to allow liquidity
SEDC II - UNRESTRICTED	4,100,470.53	58,326.79	19,462.23	4,178,259.55	Seabrook Economic Development Corporation II
SEDC II - RESTRICT FOR EMERGENCY	180,000.00	0.00	incl in above	180,000.00	Emergency Reserve
MUNI COURT - SECURITY FUND	19,831.75	0.00	89.56	19,921.31	Funds from fines to be used for security
COURT - TIME PAYMENT FEES	16,801.31	0.00	75.88	16,877.19	Funds from fines to be used to improve court
MUNI COURT - TECHNOLOGY FUND	1,099.10	0.00	4.96	1,104.06	Fund court on technology
PUBLIC SAFETY VERF	796,774.58	22,695.33	3,700.77	823,170.68	Public Safety Vehicle Equipment Replacement
PEG Fund	58,029.67	0.00	262.06	58,291.73	Public Education and Government Access
GE VERF	1,307,247.04	21,252.23	5,999.57	1,334,498.84	
STABILIZATION FUND	895,772.47	0.00	4,045.35	899,817.82	Highway 146 Project
WATER RATE STABILIZATION	0.00	0.00	0.00	0.00	
TOTAL TEXPOOL FUND	54,687,825.39	(2,500,000.00)	246,243.30	\$52,434,068.69	

The investment portfolio of the City of Seabrook is in compliance with the investment strategies expressed in the City's Investment Policy and relevant provisions of Chapter 2256 of the Local Government Code.

Michael Gibbs

Finance Director



Monthly Newsletter: August 2024

ANNOUNCEMENTS

We welcome the following entities who joined TexPool in July 2024:

TexPool

Comal County ESD 1
Union Hill ISD
Housing Authority of the City of Odessa
Refugio Groundwater Conservation District
Permian Basin Underground Water Conservation District
La Salle MUD 1
Village of Bonney
West Travis County Public Utility Agency

TexPool Prime

Comal County ESD 1
Union Hill ISD
Housing Authority of the City of Odessa
Refugio Groundwater Conservation District
Permian Basin Underground Water Conservation District
La Salle MUD 1
City of Alvarado
Denton ISD Food Service
Village of Bonney
West Travis County Public Utility Agency

Upcoming Events

September 16, 2024 - September 19, 2024
76th Annual County Treasurers' Association of Texas Conference
Denton, TX

TexPool Advisory Board Members

Patrick Krishock	David Landeros
Belinda Weaver	Sharon Matthews
Deborah Lauder milk	David Garcia
Valarie Van Vlack	Dina Edgar

Overseen by the State of Texas Comptroller of Public Accounts Glenn Hegar

Operated under the supervision of the Texas Treasury Safekeeping Trust Company

Economic and Market Commentary: The Fed's balancing act

August 1, 2024

One way Federal Reserve leaders stay on message is to repeat words. Chair Jerome Powell certainly does, though sometimes the soundbites come back to haunt him—remember “transitory”? In the last few Federal Open Market Committee meetings, he struck a cadence with “confidence”; at the late July post-meeting press conference, it was “balance.”

The reference was twofold, and amounted to the main news because the Fed, as expected, did not cut rates. The first, related to the Fed's dual mandate, came in his opening remarks: “As the labor market has cooled and inflation has declined, the risks to achieving our employment and inflation goals continue to move into better balance.” In other words, further weakening in U.S. employment is now as important to policy decisions as inflation, which has long been the reason for the tightening cycle.

But Powell also invoked the concept of balance to explain the importance of timing, saying the risks of easing too soon or too late are now essentially symmetrical. Either misstep could damage the economy, respectively sending it into a recession or into a trap in which inflation reaccelerates.

The stakes are high, enough so that it appears the Fed isn't going to conform to the conventional wisdom that it doesn't make major policy decisions close to a presidential election to avoid the appearance of political motivation. Powell basically said that if economic reports call for a

(continued page 6)

Performance as of July 31, 2024

	TexPool	TexPool Prime
Current Invested Balance	\$32,328,036,121	\$15,310,379,260
Weighted Average Maturity**	35 Days	35 Days
Weighted Average Life**	98 Days	71 Days
Net Asset Value	1.00001	1.00009
Total Number of Participants	2,879	605
Management Fee on Invested Balance	0.0450%	0.0550%
Interest Distributed	\$148,512,414.46	\$70,543,939.89
Management Fee Collected	\$1,141,749.80	\$708,740.39
Current S&P Global Rating	AAAm	AAAm

Month Averages

Average Invested Balance	\$32,898,541,318	\$15,214,016,457
Average Monthly Rate*	5.32%	5.46%
Average Weighted Average Maturity**	34	39
Average Weighted Average Life**	98	78

**This average monthly rate for TexPool Prime for each date may reflect a waiver of some portion or all of each of the management fees.*

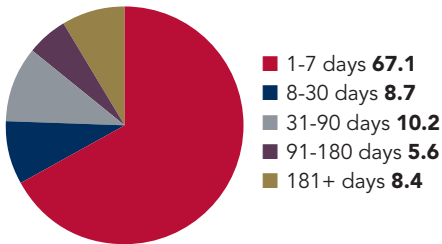
***See page 2 for definitions.*

Past performance is no guarantee of future results.



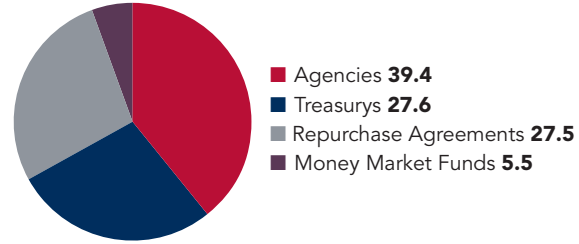
Portfolio by Maturity (%)

As of July 31, 2024



Portfolio by Type of Investment (%)

As of July 31, 2024



Portfolio Asset Summary as of July 31, 2024

	Book Value	Market Value
Uninvested Balance	\$1,176.45	\$1,176.45
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	122,169,680.21	122,169,680.21
Interest and Management Fees Payable	-148,516,409.87	-148,516,409.87
Payable for Investments Purchased	-1,545,966,720.74	-1,545,966,720.74
Accrued Expenses & Taxes	-36,130.22	-36,130.22
Repurchase Agreements	9,335,743,000.00	9,335,743,000.00
Mutual Fund Investments	1,867,085,200.00	1,867,085,200.00
Government Securities	13,339,346,708.80	13,338,061,153.32
US Treasury Bills	7,683,438,401.15	7,684,686,238.98
US Treasury Notes	1,674,771,215.04	1,675,212,387.45
Total	\$32,328,036,120.82	\$32,328,439,575.58

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool. The only source of payment to the Participants is the assets of TexPool. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services.

Participant Summary

	Number of Participants	Balance
School District	632	\$9,675,434,756.21
Higher Education	60	\$1,516,812,755.98
County	201	\$3,654,878,939.81
Healthcare	94	\$1,630,024,369.48
Utility District	935	\$5,407,753,378.53
City	509	\$8,308,374,745.29
Emergency Districts	111	\$459,455,711.32
Economic Development Districts	91	\$209,158,357.15
Other	246	\$1,466,095,517.70

**Definition of Weighted Average Maturity and Weighted Average Life

WAM is the mean average of the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid, (b) would be repaid upon a demand by TexPool, or (c) are scheduled to have their interest rate readjusted to reflect current market rates. Securities with adjustable rates payable upon demand are treated as maturing on the earlier of the two dates set forth in (b) and (c) if their scheduled maturity is 397 days or less; and the later of the two dates set forth in (b) and (c) if their scheduled maturity is more than 397 days. The mean is weighted based on the percentage of the amortized cost of the portfolio invested in each period.

WAL is calculated in the same manner as WAM, but is based solely on the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid or (b) would be repaid upon a demand by TexPool, without reference to when interest rates of securities within TexPool are scheduled to be readjusted.



Daily Summary

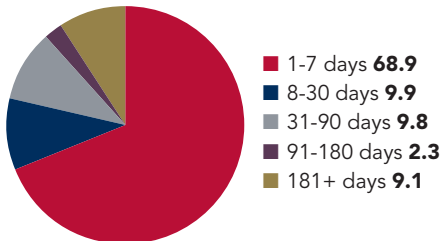
Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool Invested Balance	NAV	WAM Days	WAL Days
7/1	5.3001%	0.000145209	\$33,308,246,764.14	0.99996	34	97
7/2	5.3229%	0.000145834	\$33,294,851,853.76	0.99996	35	98
7/3	5.3212%	0.000145786	\$33,105,634,327.99	0.99993	35	98
7/4	5.3212%	0.000145786	\$33,105,634,327.99	0.99993	35	98
7/5	5.3024%	0.000145272	\$33,014,311,135.74	0.99996	35	97
7/6	5.3024%	0.000145272	\$33,014,311,135.74	0.99996	35	97
7/7	5.3024%	0.000145272	\$33,014,311,135.74	0.99996	35	97
7/8	5.3000%	0.000145206	\$32,975,837,658.13	0.99998	33	95
7/9	5.3055%	0.000145355	\$32,958,647,188.29	0.99997	34	101
7/10	5.3117%	0.000145526	\$32,862,653,511.61	0.99998	34	100
7/11	5.3122%	0.000145540	\$32,849,454,917.22	1.00002	34	99
7/12	5.3130%	0.000145562	\$32,922,535,837.88	1.00002	35	100
7/13	5.3130%	0.000145562	\$32,922,535,837.88	1.00002	35	100
7/14	5.3130%	0.000145562	\$32,922,535,837.88	1.00002	35	100
7/15	5.3153%	0.000145626	\$32,873,391,383.65	1.00003	33	97
7/16	5.3176%	0.000145688	\$32,920,748,128.16	1.00001	33	99
7/17	5.3207%	0.000145773	\$32,861,037,210.09	1.00001	33	99
7/18	5.3218%	0.000145804	\$32,895,577,145.54	1.00000	33	97
7/19	5.3186%	0.000145716	\$32,809,215,120.97	0.99996	34	97
7/20	5.3186%	0.000145716	\$32,809,215,120.97	0.99996	34	97
7/21	5.3186%	0.000145716	\$32,809,215,120.97	0.99996	34	97
7/22	5.3192%	0.000145731	\$32,746,871,765.66	0.99998	33	95
7/23	5.3196%	0.000145742	\$32,737,347,675.53	0.99998	34	98
7/24	5.3240%	0.000145864	\$32,503,281,712.73	0.99999	34	98
7/25	5.3275%	0.000145959	\$33,003,874,071.59	0.99998	33	98
7/26	5.3305%	0.000146040	\$32,904,007,290.84	0.99999	34	98
7/27	5.3305%	0.000146040	\$32,904,007,290.84	0.99999	34	98
7/28	5.3305%	0.000146040	\$32,904,007,290.84	0.99999	34	98
7/29	5.3294%	0.000146010	\$32,876,873,390.72	1.00000	33	96
7/30	5.3227%	0.000145827	\$32,696,573,543.67	1.00001	34	97
7/31	5.3297%	0.000146018	\$32,328,036,120.82	1.00001	35	98
Average:	5.3173%	0.000145679	\$32,898,541,317.86	0.99998	34	98



TEXPOOL Prime

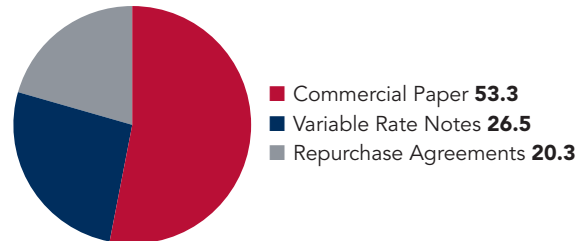
Portfolio by Maturity (%)

As of July 31, 2024



Portfolio by Type of Investment (%)

As of July 31, 2024



Portfolio Asset Summary as of July 31, 2024

	Book Value	Market Value
Uninvested Balance	\$1,127.90	\$1,127.90
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	21,709,526.24	21,709,526.24
Interest and Management Fees Payable	-70,544,015.36	-70,544,015.36
Payable for Investments Purchased	0.00	0.00
Accrued Expenses & Taxes	-23,007.40	-23,007.40
Repurchase Agreements	3,117,251,000.00	3,117,251,000.00
Commercial Paper	10,821,984,628.30	10,822,952,748.96
Mutual Fund Investments	0.00	0.00
Government Securities	0.00	0.00
Variable Rate Notes	1,420,000,000.00	1,420,492,868.30
Total	\$15,310,379,259.68	\$15,311,840,248.64

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool Prime. The assets of TexPool Prime are the only source of payments to the Participants. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services

Participant Summary

	Number of Participants	Balance
School District	166	\$5,373,740,991.38
Higher Education	19	\$1,083,605,366.60
County	54	\$1,197,229,046.45
Healthcare	23	\$524,259,789.04
Utility District	76	\$562,600,988.75
City	119	\$2,750,186,605.20
Emergency Districts	34	\$110,807,554.97
Economic Development Districts	21	\$52,626,127.60
Other	92	\$3,654,765,486.02



TEXPOOL Prime

Daily Summary

Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool Prime Invested Balance	NAV	WAM Days	WAL Days
7/1	5.4470%	0.000149232	\$15,185,900,313.20	0.99992	41	76
7/2	5.4562%	0.000149484	\$15,232,661,719.19	0.99992	41	76
7/3	5.4569%	0.000149503	\$15,226,463,914.94	0.99984	43	79
7/4	5.4569%	0.000149503	\$15,226,463,914.94	0.99984	43	79
7/5	5.4501%	0.000149319	\$15,115,970,275.83	0.99978	43	80
7/6	5.4501%	0.000149319	\$15,115,970,275.83	0.99978	43	80
7/7	5.4501%	0.000149319	\$15,115,970,275.83	0.99978	43	80
7/8	5.4498%	0.000149309	\$15,096,628,542.29	0.99997	42	80
7/9	5.4511%	0.000149346	\$15,060,039,602.20	0.99998	41	82
7/10	5.4576%	0.000149522	\$15,003,583,966.05	0.99998	41	84
7/11	5.4598%	0.000149584	\$14,992,915,782.56	1.00004	41	83
7/12	5.4589%	0.000149559	\$15,000,571,303.96	0.99987	41	83
7/13	5.4589%	0.000149559	\$15,000,571,303.96	0.99987	41	83
7/14	5.4589%	0.000149559	\$15,000,571,303.96	0.99987	41	83
7/15	5.4570%	0.000149507	\$15,350,293,796.54	1.00006	39	79
7/16	5.4612%	0.000149621	\$15,353,711,726.59	1.00006	38	76
7/17	5.4616%	0.000149634	\$15,526,476,705.73	1.00004	38	77
7/18	5.4637%	0.000149690	\$15,453,812,228.94	1.00004	38	77
7/19	5.4637%	0.000149691	\$15,295,814,300.39	0.99986	39	77
7/20	5.4637%	0.000149691	\$15,295,814,300.39	0.99986	39	77
7/21	5.4637%	0.000149691	\$15,295,814,300.39	0.99986	39	77
7/22	5.4637%	0.000149691	\$15,283,716,638.02	1.00003	37	76
7/23	5.4617%	0.000149636	\$15,307,017,883.52	1.00002	37	75
7/24	5.4618%	0.000149637	\$15,364,325,704.78	1.00005	37	75
7/25	5.4646%	0.000149716	\$15,310,712,093.80	1.00009	37	74
7/26	5.4669%	0.000149777	\$15,243,626,253.90	0.99992	37	74
7/27	5.4669%	0.000149777	\$15,243,626,253.90	0.99992	37	74
7/28	5.4669%	0.000149777	\$15,243,626,253.90	0.99992	37	74
7/29	5.4674%	0.000149793	\$15,245,262,255.74	1.00009	35	72
7/30	5.4633%	0.000149680	\$15,136,197,726.14	1.00009	36	72
7/31	5.4621%	0.000149647	\$15,310,379,259.68	1.00009	35	71
Average:	5.4594%	0.000149573	\$15,214,016,457.33	0.99995	39	78



Participant Services
1001 Texas Ave. Suite 1150
Houston, TX 77002

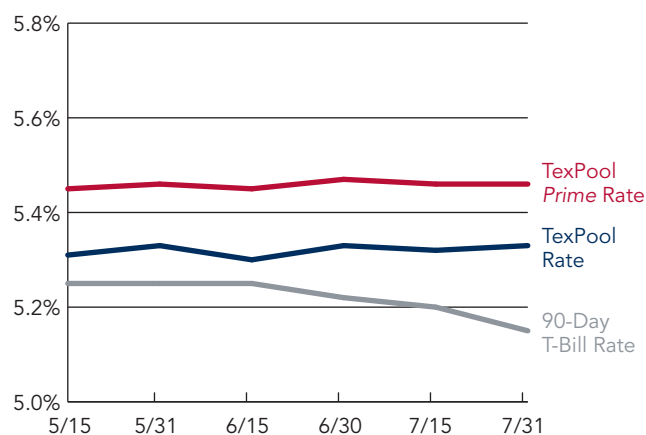
rate cut in September, they will enact one. In fact, not moving might seem politically motivated. This puts a great deal of weight on his keynote address at the Fed's annual monetary policy symposium in Jackson Hole, Wyo., later this month.

Not that the fed funds futures market will care. After more-or-less aligning themselves with the Fed's rate projections over the last several months, traders are now expecting cuts in each of the three remaining meetings this year. They have again become so dovish we should call them by the bird's scientific name, Columbidae Streptopelia risoria. In contrast, we are sticking to our call of only two quarter-point eases this year, with the first likely to come in September.

While monetary policy invites debate and bets, U.S. Treasury Department market action usually doesn't—it comes down to issuance. Its quarterly refunding announcement in May included an estimate of third-quarter borrowing needs. But in late July, it revised that number down by more than \$100 billion, reflecting the slower pace of Treasuries rolling off the Fed's balance sheet. In other news, the Department's recently initiated "buyback" program seems to be going well. The announced plans to engage in "cash-management" buybacks are in addition to the liquidity support ones already underway. These cash-management buybacks may help to smooth Treasury bill issuance over the September corporate tax date.

At the end of the month, yields on 1-, 3-, 6- and 12-month U.S. Treasuries were 5.37%, 5.27%, 5.09% and 4.75%, respectively.

TexPool & TexPool Prime vs. 90-Day Treasury Bill



90-Day Treasury Bill is a short-term debt instrument backed by the national government. These are used to collect immediate cash to meet outstanding obligations.

Any private investor can invest in a Treasury bill. The 90-Day Treasury Bill is a weighted average rate of the weekly auctions of 90-Day Treasury Bills.

Past performance is no guarantee of future results.

Tips for Preventing Financial Fraud

With cyber-crime and other social engineering attacks on the rise, TexPool offers tips, resources, and other suggestions to help protect your participating entity from potential financial fraud. Please visit the Financial Fraud Prevention page on TexPool.com to learn more.

We also encourage you to complete the Phishing and Cybersecurity Awareness course that is available through TexPool Academy.

August 2024

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

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jul 28	29	30	31	Aug 1 6:00pm Open Space and Trails Committee Meeting (Public Works Facility)	2	3
4	5	5:00pm Special Joint Meeting 5:30pm City Council Meeting	6:00pm Volunteer Appreciation Dinner (Community House)	8 6:00pm Seabrook Economic Development Board of Directors Meeting (Council Chamber)	9	10
11	12	13	14	15 6:00pm Seabrook Planning & Zoning Commission Meeting 6:30pm HCMCA Meeting (Great Wolf Lodge)	16	17
18	19	5:00pm Regular City Council Meeting (City Council Chamber) 6:00pm Regular City Council Meeting (Council Chambers)	21	22	23	24
25	26	27	28	29	30	31

September 2024

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

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

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Sep 1	2	3 6:00pm Regular City Council Meeting (City Council Chambers)	4	5 6:00pm Open Space and Trails Committee Meeting (Public Works Facility)	6	7
8	9	10	11	12 6:00pm Seabrook Economic Development Board of Directors Meeting (Council Chamber)	13	14 9:00am Kids' Fish
15	16	17 6:00pm Regular City Council Meeting (City Council Chamber)	18	19 6:00pm Seabrook Planning & Zoning Commission Meeting (Council Chamber)	20	21
22	23	24	25	26	27	28
29	30	Oct 1	2	3	4	5