The City Council of the City of Seabrook met in regular session on Tuesday, June 4, 2013 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

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

Mayor Royal called the meeting to order at 7:00 p.m. He asked Girl Scout Jessica Rydlund to lead the audience in the United States and Texas Pledges of Allegiance. With the consent of Council, Mayor Royal took Agenda Item 2.0 out of order.

2.0 PRESENTATIONS

2.1 Present a Certificate of Appreciation to outgoing EDC Member, Natalie Picha. (Council)

Ms. Picha was unable to attend the meeting.

2.2 Present a Certificate of Appreciation to Jessica Rydlund for arranging the May 11 Hurricane Seminar as her Girl Scout Gold Star Project. (Council)

Mayor Royal presented the certificate and thanked Jessica Rydlund for her hard work on the hurricane workshop project.

1.0 INTERVIEW CANDIDATES FOR VARIOUS BOARDS & COMMISSIONS

1.1 Interview candidates for vacancies on various boards and commissions. (Council)

Council interviewed Gary Bell, Robert Duncan, Jr., Joseph Farella, Christian Frandsen, Kim Morrell, Todd Payton and Richard Tomlinson for the EDC vacancy and Monica Comeaux and David Popkin for the Open Space and Trails Committee vacancy.

3.0 PUBLIC COMMENTS AND ANNOUNCEMENTS - None

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

Council members announced several upcoming events.

4.0 SPECIFIC PUBLIC HEARING(S)

4.1 Consider proposed Ordinance No. 2013-08, "Standards for Planned Unit Developments." (P&Z/Landis)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING," ARTICLE 4 "SPECIAL USE REGULATIONS", SECTION 4.10, "PLANNED UNIT DEVELOPMENTS," BY REVISING SUBSECTION, 4.10.02 "PUD LOCATIONS", PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

Sean Landis, Director of Community Development, stated that it had come to the attention of staff that a developer was prohibited from applying for a Planned Unit Development (PUD) in an R-1 or OS zone. The Planning and Zoning Commission voted unanimously to recommend a zoning ordinance change to allow PUD's in all zones within the city, as each individual PUD must be approved by Council.

From the audience, Mark Caldwell, DeFour Trace, spoke in favor of this ordinance, as he owns property that would be affected by this change.

5.0 CONSENT AGENDA

5.1 Approve the investment report for 2nd quarter 2012/2013. (Lab)

5.2 Approve the minutes of the special city council meeting on April 30, 2013. (Glaser)

5.3 Approve the minutes of the regular city council meeting on May 7, 2013. (Glaser)

5.4 Approve the April 2013 Public Safety Report. (Holomon)

5.5 This item was removed from the Consent Agenda.

5.6 This item was removed from the Consent Agenda.

5.7 This item was removed from the Consent Agenda.

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso To approve the Consent Agenda with the exception of Items 5.5, 5.6 and 5.7.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.5 Ratify the city manager's appointment of Natalie Picha to the Civil Service Commission for three years with a term ending June 2016. (Templin)

Motion was made by Councilor Davis and seconded by Councilor Holbrook

To ratify the city manager's appointment as recommended.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.6 Approve a Parade/Special Events Permit to Outloud Productions for a Bike Race on Saturday, August 24, 2013 from 7:30 a.m. - 9:30 a.m. (Applicant)

Motion was made by Councilor Kolupski and seconded by Councilor Giangrosso

To approve the special events permit as requested.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.7 Approve a request from the Texas Commission on Environmental Quality (TCEQ) for the installation of special equipment at the air monitoring station located at Friendship Park for an approximate two month period August 15- October 15 in order to conduct a special study.

Motion was made by Councilor Llorente and seconded by Councilor Johnson

To approve the request.

Jim Thomas, UT at Austin, Center for Environmental Energy Resources explained that the request is for minor improvements to facilitate a NASA study. He stated that it will include the temporary installation of a 9-10 foot scaffold, to be anchored to the ground, on which the equipment is mounted. All equipment will remain inside the fenced area. Mr. Templin stated that staff has no objection to the request.

MOTION CARRIED BY UNANIMOUS CONSENT.

END OF CONSENT AGENDA

6.0 NEW BUSINESS

6.1 Consider approval of first reading of proposed Resolution No. 2013-13, "Economic Incentives Agreement for the Asparagus Group, L.L.C." State law requires two readings of this Resolution. (EDC)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, MAKING FINDINGS AND APPROVING AGREEMENT BETWEEN CITY OF SEABROOK, SEABROOK ECONOMIC DEVELOPMENT CORPORATION, AND

ASPARAGUS GROUP, L.L.C. PROVIDING FOR ECONOMIC INCENTIVES IN THE NEIGHBORHOOD EMPOWERMENT ZONE DESIGNATED AS "THE NEIGHBORHOOD EMPOWERMENT ZONE #1" AS ESTABLISHED BY RESOLUTION 2013-09.

Motion was made by Councilor Llorente and seconded by Councilor Davis

To approve proposed Resolution No. 2013-13 on first reading with the reading of the caption serving as the reading of the resolution.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.2 Consider approval of first reading of proposed Ordinance No. 2013-08, "Standards for Planned Unit Developments." (P&Z/Landis)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING," ARTICLE 4 "SPECIAL USE REGULATIONS", SECTION 4.10, "PLANNED UNIT DEVELOPMENTS," BY REVISING SUBSECTION, 4.10.02 "PUD LOCATIONS", PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

Motion was made by Councilor Giangrosso and seconded by Councilor Holbrook

To approve proposed Ordinance No. 2013-08 on first reading with the reading of the caption serving as the reading of the ordinance.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.3 Consider approval of proposed Resolution No. 2013-12, "Dissolving the Public Safety Committee Created by City Council and Directing the City Manager to Establish a Public Safety Task Force." (Davis/Templin)

A RESOLUTION DISSOLVING THE PUBLIC SAFETY COMMITTEE CREATED BY CITY COUNCIL AND DIRECTING THE CITY MANAGER TO ESTABLISH A PUBLIC SAFETY TASK FORCE. THIS RESOLUTION REPLACES RESOLUTION NO. 2006-17 AND NO. 2007-11.

Motion was made by Councilor Davis and seconded by Councilor Holbrook

To approve proposed Resolution No. 2013-12, with the reading of the caption serving as the reading of the resolution.

Councilor Davis stated that this resolution was in response to Council's directive as the membership of the current committee (who are not all Seabrook citizens) is in conflict with the Charter. She stated that it was the committee's recommendation to dissolve the current committee and transition it to a staff led Task Force with members appointed by the city manager. Councilor Davis also stated that the current contract with the Seabrook Volunteer Fire Department (SVFD) requires that the city have a public safety committee. Fire Chief Ray Cook stated that he presented this issue to the SVFD Executive Board who agreed to the change from a council appointed committee to a city manager appointed task force. Therefore, an addendum will be added to the fire services contract to be signed by both parties agreeing to the change. Both Chief Cook and Police Captain Sean Wright emphasized the importance of the Task Force.

Council members discussed whether to have council members on the new Task Force. Mr. Weathered stated that this resolution gives the city manager complete discretion as to the membership of the committee, as any committee with council appointed members must adhere to the charter which requires all members to be citizens of Seabrook.

While Concurrently any committee Created By Council

Mayor Royal stated that he is confident that the new Task Force will maintain high standards of public safety.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.4 Consider appointments to various city boards and committees. Currently there is one vacancy on EDC, one vacancy on the Open Space & Trails Committee and one vacancy for an alternate member of the Ethics Review Commission. (Council)

Motion was made by Councilor Kolupski and seconded by Councilor Davis

To appoint Joseph Farella as a board member of the Economic Development Corporation with a term ending May 2014.

Ayes: Royal, Davis, Giangrosso, Holbrook, Kolupski.
Abstain: Johnson, Llorente.

MOTION CARRIED BY MAJORITY VOTE.

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To appoint David Popkin to the Open Space and Trails Committee with a term ending June 2015.

Ayes: Giangrosso, Holbrook.
Nays: Royal, Davis, Johnson, Kolupski, Llorente.
MOTION FAILS.

Motion was made by Councilor Llorente and seconded by Councilor Johnson

199 City Mgr Complete discretion, While Concurrently any Committee Created By Council

To appoint Monica Comeaux to the Open Space and Trails Committee with a term ending June 2015.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.5 Consider appointment of a Mayor Pro Tem for 2013/14. Councilor Laura Davis is the incumbent. (Council)

Mayor Royal announced that he would abstain from voting for Mayor Pro Tem or council representative to EDC.

Motion was made by Councilor Kolupski and seconded by Councilor Holbrook

To reappoint Laura Davis as Mayor Pro Tem for 2013/14.

Ayes: Giangrosso, Holbrook, Johnson, Kolupski, Llorente.

Abstain: Royal, Davis.

MOTION CARRIED BY UNANIMOUS VOTE OF ALL THOSE VOTING.

Mayor Royal complimented Councilor Davis on her excellent performance as Mayor Pro Tem.

6.6 Consider selection/appointment of council members as representatives and/or member of various organizations. (Council)

Motion was made by Councilor Holbrook and seconded by Councilor Davis

To reappoint Thom Kolupski as the council representative (in addition to the mayor) for EDC for 2013/14.

Ayes: Davis, Giangrosso, Holbrook, Johnson, Llorente
Abstain: Royal, Kolupski.

MOTION CARRIED BY UNANIMOUS VOTE OF ALL THOSE VOTING.

Council members volunteered for various positions listed below.

Motion was made by Councilor Giangrosso and seconded by Councilor Davis

To make the following appointments for 2013/14 as follows:

BAY AREA-HOUSTON CONVENTION & VISITORS BUREAU	Mike Giangrosso Thom Kolupski

BAY AREA HOUSTON ECONOMIC PARTNERSHIP	Gary Johnson Robert Llorente, Alt.
BAY AREA TRANSPORTATION PARTNERSHIP	Laura Davis, Robert Llorente, Alt.
C LEAR LAKE AREA CHAMBER OF COMMERCE	No representative assigned
CLEAR LAKE EMERGENCY MEDICAL CORPS	Glenn Royal Gary Johnson
ECONOMIC ALLIANCE, PORT REGION (*The Alliance*)	Robert Llorente Mike Giangrosso, Alt
GALVESTON BAY FOUNDATION	Glenn Royal
HOUSTON-GALVESTON AREA COUNCIL	Glenn Royal Robert Llorente, Alt.
HOTEL TAX LIAISON COMMITTEE	Thom Kolupski Mike Giangrosso
PUBLIC SAFETY COMMITTEE	Not applicable as committee dissolved on 6/4/13.

MOTION CARRIED BY UNANIMOUS CONSENT.

7.0 ROUTINE BUSINESS

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

Motion was made by Councilor Llorente and seconded by Councilor Johnson

To approve the Action Items Checklist as presented.

MOTION CARRIED BY UNANIMOUS CONSENT.

7.2 Establish future meeting dates and agenda items. (Council)

The next council meeting will be held on June 18.

8.0 EXECUTIVE SESSION

At 8:54 p.m. Mayor Royal announced that the City Council would hold a closed executive meeting pursuant to the provisions of the open meetings Act, Charter 551,

Section 551.072

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

9.0 OPEN MEETING

At 9:07 p.m. Mayor Royal reconvened the meeting in open session and stated that Item 8.1 had been discussed in Executive Session, but no action had been or will be taken tonight.

Upon motion, Mayor Royal adjourned the meeting at 9:08 p.m.

Approved this 18th day of June 2013.

Glenn R. Royal, Mayor

Michele L. Glaser, TRMC
City Secretary

THE CITY OF SEABROOK TEXAS