

**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 3, 2013 - 7:00 PM**

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY SEPTEMBER 3, 2013 AT 7:00 PM** IN THE SEABROOK CITY HALL COUNCIL CHAMBERS, 1700 FIRST STREET, SEABROOK, TX 77586, **TO DISCUSS, CONSIDER, AND IF APPROPRIATE, TAKE ACTION** WITH RESPECT TO THE ITEMS LISTED BELOW.

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) 291-5600 OR FAX (281) 291-5710 FOR FURTHER INFORMATION.

PLEDGE OF ALLEGIANCE

1.0 INTERVIEW CANDIDATES FOR VARIOUS BOARDS & COMMISSIONS

 ATTACHMENT 1

- 1.1 Interview candidates to fill the vacancy of a regular member on the Board of Adjustment, with an term ending January 31, 2014. (Council)

2.0 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. In accordance with the 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.

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

3.0 CONSENT AGENDA - Council will discuss, consider and if appropriate, take action on the items listed below.

All consent agenda items are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a council member, 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.

 ATTACHMENT 2

- 3.1 Approve the minutes of the August 20, 2013 special City Council meeting. (Glaser)

ATTACHMENT 3

- 3.2 Approve the minutes of the August 20, 2013 regular City Council meeting. (Glaser)

ATTACHMENT 4

- 3.3 Approve an interlocal agreement with Harris County for the administration and implementation of a Regional Watershed Protection Education Program. This agreement meets the TCEQ and EPA requirements of the MS4 permit and covers the fifth year of the five year permit. (Padgett)

ATTACHMENT 5

- 3.4 Approve second and final reading of proposed Ordinance No. 2013-13, Amendment to the Official Zoning Map to Rezone 12.21 Acres of Land East of Bayport Boulevard and West of Old Highway 146 from C-2 (Medium Commercial) to L-I (Light Industrial.) (Applicant/Landis)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING 12.21 ACRES OF TRACT 6J, A 16.9058 ACRE TRACT SITUATED IN ABSTRACT 52 OF THE RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS FROM MEDIUM COMMERCIAL DISTRICT TO LI LIGHT INDUSTRIAL DISTRICT REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS CHANGE.

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT OF MORE THAN \$2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDES FOR SEVERABILITY.

ATTACHMENT 6

- 3.5 Approve second and final reading of Ordinance No. 2013-14. "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, 4.10.06(B) "PUD DESIGNATION PROCEDURE", 4.10.10 "DEVELOPMENT SCHEDULE", AND 4.10.11 "DISSOLUTION OF THE PUD"; 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.

ATTACHMENT 7

- 3.6 Approve second and final reading of proposed Ordinance No. 2013-15, "Sign Standards for Temporary Grand Opening Signs" (P&Z/Landis)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 6, "SIGN STANDARDS", SECTION 6.04 "EXEMPT SIGNS", BY AMENDING SUBSECTION 6.04.02 (C) "TEMPORARY GRAND OPENING SIGNAGE"; TO ALLOW CERTAIN WIND-DRIVEN SIGNS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ATTACHMENT 8

- 3.7 Approve proposed Resolution No. 2013-14, "Updating Animal Control Fees." (Marshall)

A RESOLUTION REPLACING RESOLUTION NO. 2000-14 BY PROVIDING FOR LICENSE AND REGISTRATION FEES, POUND FEES, QUARANTINE FEES, FEES AND ANIMAL ESTABLISHMENT PERMIT FEES; AND PROVIDING THAT LICENSING FEES MAY BE PERIODICALLY WAIVED FOR SPECIAL PROGRAMS CONDUCTED TO INDUCE CITIZENS TO HAVE THEIR PETS VACCINATED AND REGISTERED WITH THE CITY.

ATTACHMENT 9

- 3.8 Approve a parade permit w/waiver of fees for the annual Toughest 10K run on Saturday, September 21 from 7:30 to 9:30 a.m. beginning in Kemah, over the bridge to Seabrook and back again. (Applicant)

END OF CONSENT AGENDA

- 4.0 NEW BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.**

ATTACHMENT 10

- 4.1 Consider and act upon a proposed tax rate of \$.651229/\$100 for FY 2013/14 and placement of a proposal to adopt this proposed tax rate on the agenda of a future meeting. A record vote is required. (Templin/Lab)

ATTACHMENT 11

- 4.2 Consider and approve dates for two (2) public hearings on the City of Seabrook's proposed tax rate as it is in excess of the effective tax rate of .630958/\$100. (Templin/Lab)

ATTACHMENT 12

- 4.3 Consider approval of first reading of Ordinance No. 2013-16, TMRS Annual Repeating Annuity Change from 70% to 30% effective January 1, 2014. (Cook)

AN ORDINANCE PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY OF SEABROOK , AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

ATTACHMENT 13

- 4.4 Consider appointment of a Board of Adjustment member with a term ending January 21, 2014. (Council)

ATTACHMENT 14

- 4.5 Consider purchase of election equipment from Hart Intercivic. Purchase cost for new equipment is approximately \$42,162. Purchase cost for refurbished equipment is approximately \$32,228. Recommend that purchase is funded through Reserve Funds. Purchase of equipment is necessary as Harris County can no longer lease equipment to cities in May of even numbered years. (Glaser)

ATTACHMENT 15

- 4.6 Consider whether to nominate Ed Heathcott as a candidate to represent small cities and towns for the Harris County Appraisal District Board. Mr. Heathcott's third term expires on December 31, 2013. (Royal)

ATTACHMENT 16

- 4.7 Consider whether to nominate Jim Edwards as representative to the Subsidence District Board. Mayor Mark Denman of Nassau Bay sent a letter recommending Mr. Edwards to fill the vacancy left by Jodi Norris. (Royal)

5.0 ROUTINE BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.

ATTACHMENT 17

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

ATTACHMENT 18

- 5.2 Establish future meeting dates and agenda items. (Council)

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.

CERTIFICATE

I certify that this notice was posted on the bulletin board on or before Friday, August 30, 2013 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Michele Glaser, TRMC
City Secretary



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, SEPTEMBER 3, 2013

Submitter/Requestor:

Date Submitted: 8/26/2013 8:50:58 AM

Presenter:

Description/Subject:

There are three new candidates. Richard Nguyen who currently serves as an alternate BOA member is also interested.

Purpose/Need: NA

Background/Issue(What prompted this need):

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Application

Application

Davis Application

Fiscal Impact: Budgeted

Yes

Finance Officer Review:

Budget Amendment Required

Yes

Future/Ongoing Impact

Yes

Budget Dept/Line Item Number

Funding Comments:

Where on the agenda should this item be placed?

Interview Candidates for Various Boards and Commissions

Suggested Motion:

Agenda Language:

Interview candidates to fill the vacancy of a regular member on the Board of Adjustment, with an term ending January 31, 2014. (Council)

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Rec.
8/16/13

Rev. 05/13

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

QUALIFICATIONS FOR APPOINTMENT TO THE CITY OF SEABROOK BOARDS/COMMISSIONS/CORPORATIONS ARE AS FOLLOWS:

- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # _____
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards X Civil Service Commission _____ EDC _____

Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____ Public Safety _____ Other _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Herman Burton

HOME ADDRESS: 2918 Sea Ledge Dr.

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: retired

BUSINESS NAME AND ADDRESS: _____

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
<u>Mike Laible</u>	<u>2823 Sea Ledge</u>	<u>1222</u>
<u>Mike Molly Hammack</u>	<u>2914 Sea Ledge</u>	<u>122</u>

How long have you lived in the City of Seabrook? 22 years

Rev. 05/13

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

AUG 29 2019 PM 3:41

QUALIFICATIONS FOR APPOINTMENT TO THE CITY OF SEABROOK BOARDS/COMMISSIONS/CORPORATIONS ARE AS FOLLOWS:

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- You are a qualified City of Seabrook voter at the time of appointment. Certification # 57635559
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards ☒ Civil Service Commission _____ EDC _____

Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____ Public Safety _____ Other _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Letisha Davis

HOME ADDRESS: 3313 Arbor Ln.

HOME PHONE: 202-461-1111 CELL PHONE: same

E-MAIL ADDRESS: _____

DAY TIME PHONE: 711

PROFESSION: Scheduler/planner/time keeper

BUSINESS NAME AND ADDRESS: Dashiell @ Shell Deer Park Refinery

PERSONAL REFERENCES:

Name Address Daytime Phone #

Billy Davis 3313 Arbor Ln.

Tasha Gutaker 3322 Arbor Ln.

J.GAIL POSTON 3317 ARBOR LN

How long have you lived in the City of Seabrook? 4 yrs.

Letisha Davis

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service:

none

Have you ever been convicted of a crime, other than minor traffic violations?

no

What experience do you have that may qualify you for service on a particular Board, Commission or Corporation (i.e. licenses, degrees, and certificates)?

Please list any civic or community endeavors in which you have been involved:

SEABROOK ISLAND PUBLIC SAFETY COMMITTEE

I understand that applicants for board positions will be interviewed by City Council during a Council meeting. A list of typical questions is included with this application. Other questions may be asked during the interview. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including Section 2-239, that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment. (See attached.)

I agree to be bound by the Seabrook Charter, including Section 11.09, "Personal Interest" (See attached.)

I understand that State law requires that I undergo one hour of training concerning the Opening Meetings Act within 90 days of my appointment.

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

Signature

Date _____

8/27/13

Return to:

Michele L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710
mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

This application will remain on file for one year.

OFFICE USE ONLY

Date Submitted / / Received by: _____ Date(s) Interviewed _____

Comments: _____ Date(s) interviewed: _____

Date Appointed: _____

Rev. 05/13

Rec.
8/14/13

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

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- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 111 000 5917
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards ✓ Civil Service Commission _____ EDC _____

Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____ Public Safety _____ Other _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: MARGARET R HUNT

HOME ADDRESS: 1768 FLORIDA DR Seabrook

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: Retired

BUSINESS NAME AND ADDRESS: _____

PERSONAL REFERENCES:

Name Address Daytime Phone #

Ide Pirtle 2030 Willow Wisp DR

Floyd Myers 402 ORCHARD ST

How long have you lived in the City of Seabrook? Since 1968

ETHIC Commission

No

Retired City Secretary & Assistant City Manager
of the City of Seabrook and Webster

Signature

Date _____

mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

OFFICE USE ONLY

Date Submitted ___/___/___ Received by: _____ Date(s) Interviewed _____
Comments:

Comments:

Date Appointed: _____

Seabrook City Council Special Meeting
Minutes of August 20, 2013
Page 1

The City Council of the City of Seabrook met in **special session** on Tuesday, August 20, 2013 at 6:00 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 -arrived at 6:49 p.m.	COUNCIL PLACE NO. 1
MIKE GIANROSSO	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 6:00 p.m.

1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

John Wooten, Waters Edge Lane, stated that a new subdivision planned on the north side of Lake Mija will cause traffic problems for Mystic Village as the only entrance and exit available to the proposed subdivision is through Mystic Village Subdivision.

Herman Burton, Sea Ledge, spoke about the effect the Bigger-Waters Act will have on Seabrook and other coastal communities. He stated that there was no discussion by the Congress when the act was passed as it was attached to a transportation bill. He asked Council to pass a resolution opposing the act.

2.0 WORK SESSION ITEMS

2.1 Impact of the Preliminary Flood Insurance Maps and the Biggert-Waters Act. (Landis/Templin)

Building Official and Flood Plain Administrator, Sean Landis gave a presentation on the Biggert-Waters Act and the effects the act would have on coastal communities. Mr. Landis stated that the Act, adopted by the Congress in 2012, would phase out “grandfathering” and subsidies so that many properties in Seabrook will see a huge increase in flood insurance costs to be phased in the next five years. As an example, a pre firm house below the current minimum required flood elevation and appraised at \$150,000 could see an increase in flood insurance to \$10,000 annually. The Act calls for an end to subsidies in October 2013 and an end to “grandfathered” properties in October 2014. The proposed new flood maps were also discussed.

Seabrook City Council Special Meeting
Minutes of August 20, 2013
Page 2

46 Mr. Landis stated coastal communities are working together to repeal or amend the law and a
47 local task force has been formed of which Mr. Landis is a member. The task force is
48 considering holding a public meeting to more thoroughly explain the effects of the Biggert-
49 Waters Act. Information about the proposed maps and Biggert-Waters Act are on the city's
50 web site.
51

52 Upon motion, Mayor Royal adjourned the meeting at 6:57 p.m.
53

54 Approved this 3rd day of September 2013.
55
56
57
58

59 _____
Glenn R. Royal, Mayor
60
61
62
63

64 _____
Michele L. Glaser, TRMC
65 City Secretary
66

Seabrook City Council Regular Meeting
Minutes of August 20, 2013
Page 1

The City Council of the City of Seabrook met in regular session on Tuesday, August 20, 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 GIANROSSO	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. and led the audience in the United States and Texas Pledges of Allegiance.

1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

Surf Oaks Drive residents Chip Boteler, Bob Webbon, Jeff Neal, David Rompatt and Kay Schroeder spoke in favor of Agenda Item 4.5.

Andy Thomas, Clopper, offered options for saving the tree blocking the Pine Gully project and also asked Council to redesign the trails to meander to improve visual appeal.

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

Mayor Royal announced several community events.

2.0 SPECIFIC PUBLIC HEARING(S)

2.1 Proposed Ordinance No. 2013-13, "Amendment to the Official Zoning Map to Rezone 12.21 Acres East of Bayport Boulevard and West of Old Highway 146 from C-2 (Commercial – Medium District) to LI Light Industrial." (Applicant)

Applicant: Gulfwinds Investments Inc., 411 Brisbane, Houston 77061

Owners: Estate of John B. Carter Jr., 5773 Woodway #307, Houston, TX 77057

Legal Description: Being 12.21 acres out of Tract 6J, Abstract 52 of the Ritson Morris Survey. This property is located between State Highway 146 and Old State Highway 146 and is adjacent to the Seabrook city limits.

**Seabrook City Council Regular Meeting
Minutes of August 20, 2013
Page 2**

Building Official Sean Landis gave a brief presentation of the project, stating that Gulf Winds intends to build a 180,000 square foot tilt wall distribution center on the LI property with the remainder of the tract remaining as C-2.

Lance Fox, Beaumont, representing Axis Companies spoke against zoning change.

Bill Fredericks, adjacent property owner, said that he has come to an agreement with the applicant for the use of the remaining commercial property.

Steve Stewart, Chairman of Gulf Winds International made the following comments. There is no difference between this request and his previous request which was turned down by Council. He confirmed that he had reached an agreement with Mr. Fredericks concerning the commercial property. The Light Industrial zoned property would be accessed totally from Old Highway 146, not from SH 146 or Red Bluff Road. The building façade will be similar to the warehouse he owns immediately outside the city limits. The new business generated as a result of the zoning change will diversify and improve the tax base in Seabrook

Carter Malone, representative of the property owners, spoke in favor of the proposed change.

Councilor Davis confirmed that the proposed building's parking lot will connect with the parking lot of the building just north of the city limits, thereby allowing vehicles to also exit the Seabrook facility through land located in Pasadena.

2.2 Proposed Ord. No. 2013-14, "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, 4.10.06(B) "PUD DESIGNATION PROCEDURE", 4.10.10 "DEVELOPMENT SCHEDULE", AND 4.10.11 "DISSOLUTION OF THE PUD"; 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.

Mr. Landis gave a brief presentation of the proposed change stating that this request had been approved unanimously by all commission members present at the meeting.

2.3 Proposed Ordinance No. 2013-15, "Updating and Amending Sign Standards for Temporary Grand Opening Signs." (P&Z/Landis)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 6, "SIGN STANDARDS", SECTION 6.04 "EXEMPT SIGNS", BY AMENDING SUBSECTION 6.04.02 (C) "TEMPORARY GRAND OPENING SIGNAGE"; TO ALLOW CERTAIN WIND-DRIVEN SIGNS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY

**Seabrook City Council Regular Meeting
Minutes of August 20, 2013
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PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Landis gave a brief presentation. He stated that the Commission had reviewed the ordinance as requested by Council to consider expanding the kinds of temporary signs permitted for "Grand Openings."

Councilor Davis asked that the spinner signs permitted in the proposed ordinance be differentiated from the spinners prohibited elsewhere in the Sign Regulations chapter.

3.0 CONSENT AGENDA

3.1 Approve the July 2013 Building Report. (Landis)

3.2 Approve the July 2013 Public Safety Report. (Holomon)

3.3 Approve the minutes of the August 6, 2013 City Council meeting. (Glaser)

Motion was made by Councilor Holbrook and seconded by Councilor Johnson

To approve the Consent Agenda as presented.

MOTION CARRIED BY UNANIMOUS CONSENT.

END OF CONSENT AGENDA

Mayor Royal took several items out of order.

4.0 NEW BUSINESS

4.2 Consider approval of first reading of proposed Ordinance No. 2013-13, Amendment to the Official Zoning Map to Rezone 12.21 Acres of Land East of Bayport Boulevard and West of Old Highway 146 from C-2 (Medium Commercial) to L-I (Light Industrial.) (Applicant/Landis)

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 12.21 ACRES OF TRACT 6J, A 16.9058 ACRE TRACT SITUATED IN ABSTRACT 52 OF THE RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS FROM C-2 MEDIUM COMMERCIAL DISTRICT TO LI LIGHT INDUSTRIAL DISTRICT AND REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS CHANGE.

Seabrook City Council Regular Meeting
Minutes of August 20, 2013
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THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDES FOR SEVERABILITY.

Motion was made by Councilor Llorente and seconded by Councilor Johnson

To approve proposed Ordinance No. 2013-13 on first reading, with the reading of the caption serving as the reading of the ordinance.

Councilor Holbrook had a legal question about this ordinance.

EXECUTIVE SESSION

At 8:06 p.m., Mayor Royal announced that the City Council would hold a closed executive meeting concerning Agenda Item 4.2, pursuant to the provisions of the Open Meetings Act, Chapter 551, Government Code, and Vernon's Texas Codes Annotated in accordance with the authority contained in Section 551.071, "Consultation with Attorney."

OPEN SESSION

Mayor Royal reconvened the open meeting at 8:11 p.m. and stated that Item 4.2 had been discussed, but that no action had been taken in Executive Session.

Mayor Royal stated that his opinion on this zoning request has changed, as the details of widening SH 146 are now known. Also, he is encouraged by the increase in tax base this business will bring to Seabrook. Councilors Davis, Giangrosso, Holbrook, Johnson and Kolupski agreed. Councilor Davis added that the location of the curb cuts have been finalized, which now makes this property less desirable for commercial development due to access problems. She also noted that there is now additional ingress and egress from the property to the adjacent parking lot in Pasadena. Councilor Llorente stated that he has always been in favor of this zoning change.

MOTION TO APPROVE CARRIED BY UNANIMOUS CONSENT.

4.5 Consider a request from some Surf Oaks Drive residents for the city to accept Surf Oaks Drive following its dedication by all adjoining property owners and improvement by Harris County. (Templin/Applicants)

Motion was made by Councilor Kolupski and seconded by Councilor Davis

To approve moving forward with the request.

In answer to questions from council members, Mr. Templin confirmed that all property owners on Surf Oaks Drive would have to agree to the dedication of land as the property known as Surf Oaks Drive is owned in part by all the adjacent property owners. Mr. Templin recommended

Seabrook City Council Regular Meeting
Minutes of August 20, 2013
Page 5

against condemnation of the land by the city if some of the owners refused to dedicate the property. Mr. Templin recommended that he meet with the property owners to see if they are in agreement with the new proposal. If so, Council will have to decide whether to accept the street from the property owners, temporarily turn over the street to Harris County to allow the County to repave and then re-accept the street which will make the city responsible for all future upkeep and repairs. Mr. Templin stated that the street would still not conform to current street standards but that this is true in other older subdivisions. Paving the street should have no impact on drainage as the drainage ditches along the sides of the pavement will remain.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.1 Consider first reading of proposed Ordinance No. 2013-12, "Amendment to the Animal Ordinance, Exception to the Maximum Number of Domestic Animals Permitted." This ordinance was tabled by City Council on August 6, 2013. (Council)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 10, "ANIMALS", ARTICLE I, "IN GENERAL", SECTION 10.1 "DEFINITIONS" TO FURTHER CLARIFY THE DEFINITIONS OF "LICENSING AUTHORITY" AND "HUMANE OFFICER", AMENDING SECTION 10.7 "NUMBER OF ANIMALS LIMITED" TO LIST THE TYPES OF EXCEPTIONS ALLOWED; AMENDING SECTION 10-8, "SCHOOL PROJECT EXCEPTION" TO DESIGNATE THE ANIMAL CONTROL OFFICER OR DESIGNEE AS THE OFFICIAL TO PERFORM INSPECTIONS AND TO ESTABLISH THAT THE SCHOOL PROJECT EXCEPTION FEE SHALL BE ESTABLISHED BY SEPARATE RESOLUTION; ADDING A NEW SECTION 10-9, "MULTI-PET PERMIT EXCEPTION" ESTABLISHING THE CONDITIONS AND PERMIT REQUIREMENTS FOR SUCH EXCEPTION, INCLUDING INFORMATION ABOUT PERMIT RENEWALS AND REVOCATIONS; AND RENUMBERING SUBSEQUENT SECTIONS AS NECESSARY.

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDES FOR SEVERABILITY; AND PROVIDES FOR NOTICE.

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To remove this item from the table.

MOTION TO REMOVE FROM THE TABLE CARRIED BY UNANIMOUS CONSENT.

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To approve proposed Ordinance No. 2013-12 on first reading with the reading of the caption serving as the reading of the ordinance.

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

**Seabrook City Council Regular Meeting
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Page 6**

To amend the ordinance by removing the prohibition that the animals be kept at least 10 feet from any property line.

After discussion by Council, Councilors Holbrook and Giangrosso removed this amendment from consideration.

Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To amend the ordinance by waiving the requirement for micro chipping provided that the applicant submit a written statement from a veterinarian stating that micro chipping should not be performed on a specific animal due to medical reasons.

Ayes: Royal, Giangrosso, Holbrook, Kolupski.

Nays: Davis, Johnson, Llorente.

MOTION TO APPROVE THE AMENDMENT CARRIED BY MAJORITY VOTE.

After further discussion, Mayor Royal called for a vote to approve first reading of Ordinance No. 2013-12 as amended.

Ayes: Giangrosso, Holbrook, Kolupski.

Nays: Royal, Davis, Johnson, Llorente.

MOTION TO APPROVE ORDINANCE NO. 2013-12 FAILED.

4.3 Approve first reading of Ordinance No. 2013-14. "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, 4.10.06(B) "PUD DESIGNATION PROCEDURE", 4.10.10 "DEVELOPMENT SCHEDULE", AND 4.10.11 "DISSOLUTION OF THE PUD"; 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 Kolupski and seconded by Councilor Johnson

To approve proposed Ordinance No. 2013-14 on first reading, with the reading of the caption serving as the reading of the Ordinance.

MOTION CARRIED BY UNANIMOUS CONSENT.

Seabrook City Council Regular Meeting
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Page 7

4.4 Consider first reading of proposed Ordinance No. 2013-15, "Sign Standards for Temporary Grand Opening Signs." (P&Z/Landis)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 6, "SIGN STANDARDS", SECTION 6.04 "EXEMPT SIGNS", BY AMENDING SUBSECTION 6.04.02 (C) "TEMPORARY GRAND OPENING SIGNAGE"; TO ALLOW CERTAIN WIND-DRIVEN SIGNS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Councilor Holbrook and seconded by Councilor Davis

To approve proposed Ordinance No. 2013-15 on first reading with the reading of the caption serving as the reading of the ordinance with the provision that the use of the word "spinner" be clarified.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.6 Approve proposed Resolution No. 2013-16, "Opposing the 2012 Biggert-Waters Flood Insurance Reform Act." (Templin/Council)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, OPPOSING THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2012 RECENTLY PASSED BY U.S. CONGRESS, AND PROVIDING FOR THE DELIVERY OF SUCH RESOLUTION TO STATE AND FEDERAL LEGISLATORS THAT REPRESENT SEABROOK.

Motion was made by Councilor Holbrook and seconded by Councilor Llorente

To approve proposed Resolution No. 2013-16.

MOTION CARRIED BY UNANIMOUS CONSENT.

Staff was directed to send the approved resolution to BAHEP and applicable senators and congress members, including Ms. Waters.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.0 OLD BUSINESS

5.1 Receive/consider an update on the Pine Gully Improvement Project, including options for changes to the previously approved plan for trails and related changes at an additional cost of $\geq$ \$260,000. This item was tabled on August 6, 2013. (Templin)

**Seabrook City Council Regular Meeting
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Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To remove this item from the table.

MOTION TO REMOVE THE ITEM FROM THE TABLE CARRIED BY UNANIMOUS
CONSENT.

Mr. Templin stated that the city had consulted with licensed arborist David Morris who stated that the tree would succumb under either option proposed for saving the tree. Mr. Templin stated that if an island were to be created to save the large tree, other trees would have to be removed.

Councilor Kolupski recommended that the city replace the tree in question with smaller trees which together would equal the caliper of the tree to be removed. Councilor Davis asked staff to attempt to construct the trail so it meanders to improve its appearance.

Motion was made by Councilor Johnson and seconded by Councilor Llorente

To instruct staff to move forward with the project including tree removal and to replace the removed tree with smaller trees of a similar type which together would equal the caliper of the tree to be removed.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.0 ROUTINE BUSINESS

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

Council discussed and updated several items.

Item 4 – Ongoing, still working on transportation.

Item 5 – Further discussion and action deferred by P&Z until the waterfront development has been completed.

Item 9 - Staff to meet this week with the Seabrook Volunteer Fire Department (SVFD).

Items 11, 15, 17 and 18 can be removed from the list.

Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To approve the Action Items Checklist as amended.

MOTION CARRIED BY UNANIMOUS CONSENT.

**Seabrook City Council Regular Meeting
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Page 9**

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

Council members were reminded of the budget meeting to be held on Tuesday, August 27 at 6:00 p.m. which will include discussion of tax roll information from the Harris County Appraisal District and final review of the General, Enterprise and Special Funds. Representation from EDC and the SVFD will attend the meeting.

Mr. Landis will work with the subcommittee to schedule a town meeting on the Biggert-Waters Act if needed.

Upon motion, Mayor Royal adjourned the meeting at 9:31 p.m.

Approved this 3rd day of September 2013.

Glenn R. Royal, Mayor

Michele L. Glaser, TRMC
City Secretary



OF SEABROOK

AGENDA BRIEFING

Date of Meeting: 09/03/13

Submitter/Requestor: Arthur Chairez

Date Submitted: 08/23/13

Presenter: Arthur Chairez

Description/Subject: Interlocal Agreement with Harris County to implement MS4 Permit.

Purpose/Need: To meet the TCEQ & EPA requirements on implementing the public education programs portion of the MS4 permit.

Background/Issue: The city will have access to a multi-media public education campaign that includes brochures, booklets, promotional items, television commercials, radio spots, newspaper advertisements, newspaper inserts & billboards to meet the BMP(best management practice) of the permit.

Impacted Parties: All City Departments, Seabrook Citizens and Council

Miscellaneous Comments: This agreement will cover the 5th year of the 5 year MS4 permit issued by TCEQ.

Recommended Action: Approve Interlocal Agreement with Harris County.

Attachments: Interlocal Agreement, Coverletter, RWPP Links

Fiscal Impact:	Budgeted	☒ Yes	☐ No	Finance Officer Review: _____
	Budget Amendment Required	☐ Yes	☐ No	
	Future/Ongoing Impact	☒ Yes	☐ No	
	Budget Dept/Line Item Number	500-5246		
	Approximate Total Amount of Expenditure	<u>\$ 6,334.56</u>		

Where on the agenda should this item be placed: Consent

Suggested Motion: Approve Interlocal Agreement

HARRIS COUNTY

Public Infrastructure Department
Architecture & Engineering Division

10555 Northwest Frwy., Suite 120
Houston, Texas 77092
(713) 956-3000

June 24, 2013

Mayor Glenn Royal
City of Seabrook
1700 First Street
Seabrook, Texas 77586

Dear Mayor Royal:

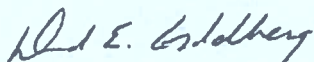
Our current Interlocal Agreement with your municipality for the Regional Watershed Protection Program (RWPP) has expired. There is a provision for an extension in this contract. The contract may be extended for the amount of \$6,334.56. Your new term will run for an entire year effective September 1, 2013 through September 1, 2014. The Interlocal Agreement will be forwarded to you for your official signatures.

Please note that your new contract term may not be the same as it has in previous years. In order to simplify the renewal process for all RWPP partners, we have moved to a standard renewal date for everyone. This will not have an impact on your annual permit reporting to the TCEQ. All activities claimed on the RWPP annual report will be valid.

If you do not plan to renew your contract at this time, please inform us by Monday, July 8, 2013.

If you have any questions please contact Dimetra Hamilton, RWPP Program Manager, at 713-685-7353.

Sincerely,



David E. Goldberg, P.E., R.P.L.S.
Manager, General Services

DEG:dkh

cc: Central File

HARRIS COUNTY

Public Infrastructure Department
Architecture & Engineering Division

1001 Preston, 7th Floor
Houston, Texas 77002
(713) 755-5370

July 30, 2013

Honorable County Judge
& Commissioners

Attention: Commissioner Jack Morman

SUBJECT: Recommendation by the Director of Architecture & Engineering that the County Judge Execute an Interlocal Agreement between Harris County and the City of Seabrook for the Administration and Implementation of a Regional Watershed Protection Education Program at a Cost to the City of Seabrook in the Amount of \$6,334.56.

Dear Court Members:

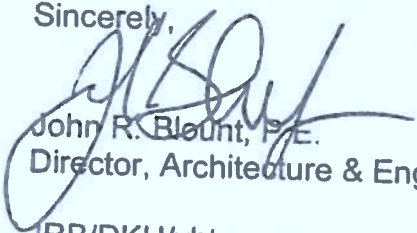
It is recommended that the County Judge execute an Interlocal Agreement between Harris County and the City of Seabrook for the administration and implementation of a Regional Watershed Protection Educational Program at a cost to the City of Seabrook in the amount of \$6,334.56.

Under the terms of this agreement, payment shall be made to the County within sixty (60) days of execution of this agreement and within ninety (90) days of execution, the County shall provide electronic documentation related to major outfalls within in the City's jurisdiction along with public education for the City through dissemination of information related to storm water quality of our local watersheds.

This agreement has been prepared and approved as to form by the County Attorney's Office.

Therefore, it is recommended that the County Judge execute this agreement on behalf of Harris County and it is also requested that the County Clerk return all executed originals to this office for further handling.

Sincerely,


John R. Blount, P.E.
Director, Architecture & Engineering

JRB/DKH/vht
Attachment

cc: Commissioner Jack Morman

Jack Rodriguez

Arcadio Avalos

Misty Rios

Anne Tyson

Arthur L. Storey, Jr.

Asmt

Vote of the Court:

	Yes	No	Abstain
Judge Emmett	☒	☐	☐
Comm. Lee	☐	☐	☐
Comm. Morman	☐	☐	☐
Comm. Radack	☐	☐	☐
Comm. Cagle	☐	☐	☐

Terry Jones,  7-31-13
David E. Goldberg
Dimetra Hamilton
Debbie Bledsoe
Sheryl Herbert
Central File

Presented to Commissioner's Court

AUG 13 2013

APPROVE 

Recorded Vol _____ Page _____

CLERK OF COMMISSIONERS COURT

INTERLOCAL AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS INTERLOCAL AGREEMENT, hereinafter referred to as "Interlocal Agreement", is made, entered into, and executed pursuant to the Interlocal Cooperation Act (TEX. GOV'T CODE ANN., ch. 791) by and between Harris County, a body corporate and politic under the laws of the State of Texas, hereinafter referred to as the "County" and the City of Seabrook, a municipal corporation and city of the State of Texas and acting by and through its governing body, the City Council, hereinafter referred to as "City",

WITNESSETH THAT:

WHEREAS, the United States Environmental Protection Agency ("EPA") has promulgated regulations requiring operators of discharges from certain municipal separate storm sewer systems (MS4's) to obtain National Pollutant Discharge Elimination System ("NPDES") permits for storm water discharges to waters of the United States; and

WHEREAS, pursuant to Part III (A)(1) of General Permit No. TXR040000 of the Texas Pollutant Discharge Elimination System, subject MS4s are required to implement a public education and outreach program on storm water impacts; and

WHEREAS, the County and the City are responsible under the regulations and permits applicable to each for public education programs; and

WHEREAS, the City and the County desire that the County administer, in accordance with this Interlocal Agreement, a regional public education services program related to storm water quality and other related issues that impact the water quality of our local watersheds in regard to, but not limited to dissemination of information regarding (a) prevention of litter, (b) proper management of pesticides, herbicides, and fertilizers, (c) public reporting of illicit discharges, (d) proper management of used oil and household hazardous wastes, and (e) proper construction methods, hereinafter called the "Program".

NOW THEREFORE, for and in consideration of the mutual covenants, agreements and benefits to the Parties herein named, the County and the City agree to the following:

I.

On or before the 60th day after execution of this Agreement, the City shall submit payment in the amount of \$6,334.56 to the County.

II.

Within 90 days of the effective date of this agreement, Harris County will provide information, in electronic format, related to major outfalls previously located by Harris County within the City's jurisdiction. The County shall not be responsible for the completeness or accuracy of the information.

III.

The County will administer the Program, which may include tasks such as:

- Development and production of color and black-and-white newspaper advertisements in the Houston Chronicle and local newspapers, including ethnic-based news publications.
- Development and production of full color newspaper inserts focusing on key regional issues related to watershed protection and storm water quality.
- Password-protected, web-based access to electronic versions of program related brochures, flyers, direct mail postcards, booklets, newspaper advertisements, newspaper inserts,
- Phase II "hot button" on the front page of the regional website with links to all participating Phase II City homepage(s) or page of their choice.
- Frequent RWPP program announcements via e-mail.
- Stakeholder group meetings (as needed for special announcements).

Harris County will provide the City with a written summary of all regional public education campaign activities provided under this agreement. If the City chooses to use this information to demonstrate permit compliance in their annual report to the Texas Commission on Environmental Quality or for any other purpose, it will be the City's responsibility to determine appropriateness of that usage.

IV.

The County may use funds provided by the City under Section I of this agreement to pay costs of the Program. At the end of this Agreement, the County shall deliver to the City an accounting of all funds expended under this Interlocal Agreement. If the funds provided by the City are in excess of the costs of the Program, the County shall refund the amount of the excess to the City.

V.

This Agreement is governed in all respects by the laws and Constitution of the State of Texas. Exclusive venue is in Harris County, Texas.

VI.

City affirmatively consents to the disclosure of its e-mail addresses that are provided to County. County affirmatively consents to the disclosure of its e-mail addresses that are provided to City. This consent is intended to comply with the requirements of the Public Information Act, Section 552.137 of the Texas Government Code and shall survive the termination of the Agreement. This consent shall apply to e-mail addresses provided by the City or County and agents acting on behalf of the City or County and shall apply to any e-mail address provided in any form for any reason related to this Agreement.

VII.

City and County expressly acknowledges that City and County are subject to the Texas Public Information Act, Chapter 552 of the Texas Government Code, and notwithstanding any provision in this Agreement to the contrary, City and County will make any information related to this agreement or otherwise available to third parties in accordance with the Public Information Act.

VIII.

Nothing in this Agreement may be construed as creating any personal liability on the part of any officer, director, employee or agent of any public body that may be a party to this Agreement and the parties expressly agree that the execution of this Agreement does not create any personal liability on the part of any officer, director, employee or agent of County or City.

This Agreement is intended solely for the benefit of County and City, and no provision of this agreement shall be construed or interpreted to convey or grant to any person not a named party to this Agreement any benefits or rights.

IX.

This instrument constitutes the entire agreement between the Parties hereto relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning the Agreement shall be of no force or effect except a subsequent modification in writing signed by the Parties.

X.

All notices and communications to the City under this Interlocal Agreement except as otherwise specifically provided, shall be in writing and either mailed by certified mail, return receipt requested, postage prepaid, or delivered to the following address, or such other address as the City may designate by notice:

City of Seabrook
Department of Public Works
1700 First Street
Seabrook, Texas 77586

Attn: Kevin Padgett, Asst. Director of Public Works

All notices and communications to the County under this Interlocal Agreement, except as otherwise specifically provided, shall be in writing and either mailed by certified mail, return receipt requested, postage prepaid, or delivered to the following address, or such other address as the County may designate by notice:

Harris County Public Infrastructure Department
Architecture & Engineering Division Communications
10555 Northwest Freeway, Ste. 220
Houston, Texas 77092

Attention: Dimetra K Hamilton, MPA
Public Information Officer

XI.

This Agreement shall remain in effect for a term of one year beginning upon the latter of either the execution of this Interlocal Agreement by the County or the City, provided that either party may terminate this Agreement upon thirty days written notice to the other Party.

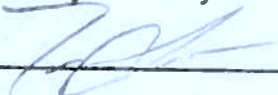
IN TESTIMONY OF WHICH, this Interlocal Agreement has been executed as follows:

- a. It has been executed on behalf of the County on the ____ day of AUG 13 2013, 20____, by the County Judge of Harris County, Texas, pursuant to an Order of the Commissioners' Court of Harris County, Texas authorizing such execution; and
- b. It has been executed on behalf of the City on the ____ day of _____, 20____, by its Mayor, pursuant to authorization by its City Council.

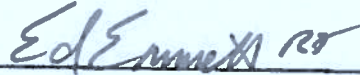
APPROVED AS TO FORM:

HARRIS COUNTY

Vince Ryan
Harris County Attorney

By 

Trevor Smith
Assistant County Attorney 1364N1086

By  RS

ED EMMETT, County Judge

ATTEST:

CITY OF SEABROOK

By _____
Glenn Royal, Mayor

ORDER OF COMMISSIONERS COURT
Authorizing an Interlocal Agreement with the City of Seabrook

The Commissioners Court of Harris County, Texas, met in regular session at its regular term at the Harris County Administration Building in the City of Houston, Texas, on AUG 13 2013, with the following members present except none.

A quorum was present. Among other business, the following was transacted:

ORDER AUTHORIZING AN INTERLOCAL AGREEMENT WITH
THE CITY OF SEABROOK FOR ADMINISTRATION AND
IMPLEMENTATION OF A REGIONAL WATERSHED
PROTECTION EDUCATIONAL PROGRAM

Commissioner Lee introduced an order and moved that Commissioners Court adopt the order. Commissioner Cagle seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

	Yes	No	Abstain
Judge Ed Emmett	☒	☐	☐
Comm. El Franco Lee	☒	☐	☐
Comm. Jack Morman	☒	☐	☐
Comm. Steve Radack	☒	☐	☐
Comm. R. Jack Cagle	☒	☐	☐

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order thus adopted follows:

IT IS ORDERED that:

1. The Harris County Judge is authorized to execute on behalf of Harris County an Interlocal Agreement with the City of Seabrook for administration and implementation of a regional watershed protection educational program. The Interlocal Agreement is incorporated by reference and made a part of this order for all intents and purposes as though set out in full word for word.

2. All Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purposes of this order.

HARRIS COUNTY CLEAN WATER WAYS LINKS

<http://www.cleanwaterways.org/RWPP/>

<http://www.cleanwaterways.org/RWPP/Logon.html>

User Name: Seabrook

Password: Recycling\$



CITY OF SEABROOK

AGENDA BRIEFING

Date of Meeting: TUESDAY, SEPTEMBER 3, 2013

Submitter/Requestor: Gulf Winds International Date Submitted: 8/26/2013 2:24:40 PM

Presenter: Sean Landis

Description/Subject:

A request to rezone 12.21 acres east of Bayport Boulevard and west of Old Highway 146 from C-2 Medium Commercial to LI Light Industrial. A Public Hearing was held before the Planning and Zoning Commission on July 18, 2013.

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 12.21 ACRES OF TRACT 6J, A 16.9058 ACRE TRACT SITUATED IN ABSTRACT 52 OF THE RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS FROM C-2 MEDIUM COMMERCIAL DISTRICT TO LI LIGHT INDUSTRIAL DISTRICT AND REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS CHANGE.

Purpose/Need: Policy Issue

Background/Issue(What prompted this need):

Gulf Winds International wishes to rezone the aforementioned property to allow for expansion of the existing Gulf Winds International complex. The existing complex is located within Pasadena, due north of the property requiring the zoning modification.

Gulf Winds International wishes to construct an 185,000 square foot tilt-wall warehouse on the property. The proposed use is only allowed in the light industrial (LI) zoning category, so the northern 12.21 acres of this tract is required to be rezoned. The applicant intends to leave the remainder of the tract (4.69 acres) zoned C-2 to allow for future retail development.

The applicant, if granted the partial rezoning, would like to highlight the following:

- Gulf Winds will not access the property from Hwy 146. All traffic will be diverted to Port Rd from Old Highway 146.
- The project will create over 50 full time jobs.

- The City will maintain just under 7 acres along Hwy 146 for retail development-C2 Zoning.

The proposed changes to the zoning map were recommended for approval by the Planning & Zoning Commission by a unanimous 6 to 0 vote at the regular meetings held on July 18, 2013

Ayes: Caradec, Dehart, Hammann, Lewis, Miller, Sharpe.

Absent: Potts

Impacted Parties(Expected/Notified): Surrounding property owners.

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Planning & Zoning July 18, 2013 Draft Minutes

Report to City Council

Photos of the area to be rezoned

Ordinance

Fiscal Impact:	Budgeted	No	Finance	Officer
	Budget Amendment Required	No	Review:	
	Future/Ongoing Impact	No		
	Budget Dept/Line Item Number			

Funding Comments:

Where on the agenda should this item be placed?

Consent Agenda

Suggested Motion:

Approve first reading of proposed Ord. No. 2013-12

Agenda Language:

Approve second and final reading of proposed Ordinance No. 2013-13, Amendment to the Official Zoning Map to Rezone 12.21 Acres of Land East of Bayport Boulevard and West of Old Highway 146 from C-2 (Medium Commercial) to L-I (Light Industrial.) (Applicant/Landis)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY 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 12.21 ACRES OF TRACT 6J, A 16 ACRE TRACT SITUATED IN ABSTRACT 52 OF THE RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS FROM C-2 MEDIUM COMMERCIAL DISTRICT TO LI LI INDUSTRIAL DISTRICT AND REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS CHANGE.

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CITY CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDES FOR SEVERABILITY; AND PROVIDES FOR SEVERABILITY.

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

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

Ordinance No. 2013-13

Page 2

SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE AND TO THE OFFICIAL ZONING MAP.

The Seabrook City Code of Ordinances, Appendix A, "Comprehensive Zoning", Article 2, "Administration", Section 2.05, "Official Zoning Map" is hereby amended by rezoning 12.21 acres of land, consisting of a portion of Tract 6J situated in the Ritson Morris Survey, Abstract 52 of Harris County, Texas, located along and east of Bayport Boulevard and to the west of Old Highway 146 from C-2 Medium commercial district to LI Light industrial district.

The property to be rezoned is shown on the property maps identified as Attachments A and B which are made a part of this Ordinance.

Upon passage of this Ordinance, the official zoning map of the City of Seabrook shall be amended to reflect this change.

SECTION 3. INCORPORATION INTO THE CODE; PENALTY CLAUSE.

This ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this Ordinance is subject to the penalty section of said Code including, Section 11.06, "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 \$2,000.00. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

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

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 City Council of the City of Seabrook, Texas, 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.

Ordinance No. 2013-13

Page 3

SECTION 6. NOTICE

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; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 20th day of August, 2013.

PASSED, APPROVED, AND ADOPTED on second and final reading this 3rd day of September, 2013.

By: _____
Glenn R. Royal
Mayor

ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney



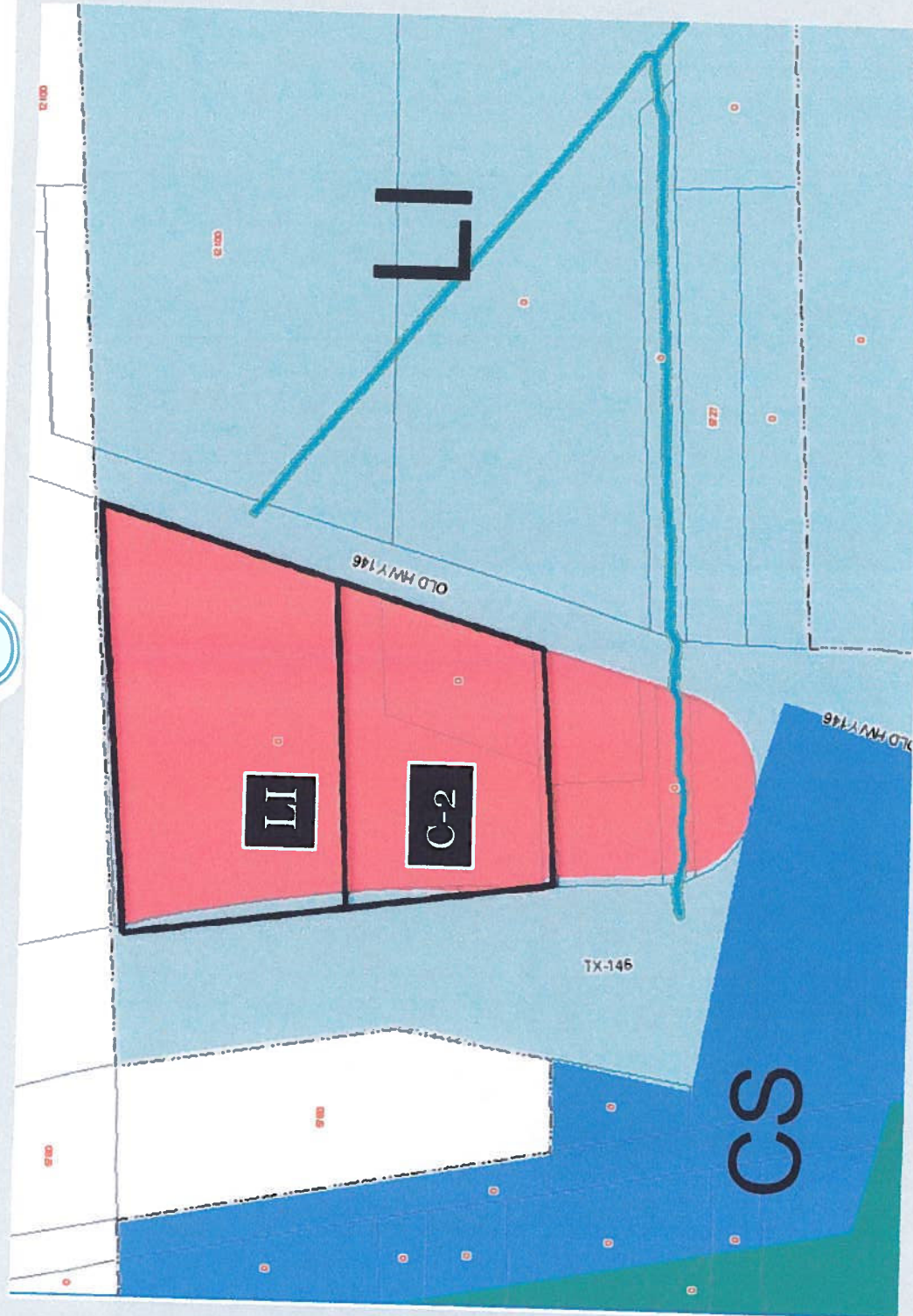
Proposed Rezoning: C-2 to LI



Rezoning: C-2 to LI



Rezoning: C-2 to LI





The Seabrook Planning and Zoning Commission met on Thursday, July 18, 2013 in regular session at Seabrook City Hall, 1700 First Street, Seabrook, Texas to consider and if appropriate, take action on the agenda items listed below:

THOSE PRESENT WERE:

MICHAEL POTTS (Excused Absence)	CHAIRMAN
BUDDY HAMMANN	VICE CHAIRMAN
ROSEBUD CARADEC	MEMBER
MIKE DEHART	MEMBER
DODIE MILLER	MEMBER
MICHAEL SHARPE	MEMBER
BOLIVAR LEWIS	MEMBER
SEAN LANDIS	DIRECTOR OF COMMUNITY DEVELOPMENT
ALESIA HAMMOCK	SECRETARY

Vice Chairman Hammann called the meeting to order at 7:00 p.m. and stated there was a quorum present.

1.0 ROUTINE PUBLIC HEARING AND ANNOUNCEMENTS - None

2.0 SPECIFIC PUBLIC HEARING

2.1 Request to change the zoning classification of land described below from the current classification of C-2 (Commercial – Medium District) to LI (Light Industrial.)

Sean Landis stated that Mr. Nicholson wishes to rezone 12.21 acres of Tract 6J, a 16.9058 acre tract located in Abstract 52 of the Ritson Morris Survey, from C-2 (Commercial – Medium District) to LI (Light Industrial) to allow for expansion of the existing Gulf Winds International complex. The existing complex is located within Pasadena, due north of the property requiring the zoning modification. He wishes to construct an 185,000 square foot tilt-wall warehouse on the property. The proposed use is only allowed in the light industrial zoning category, so the northern 12.21 acres of this tract must be rezoned. The applicant intends to leave the remainder of the tract (4.69 acres) zoned C-2 to allow for future retail development.

Steve Stewart, Humble, Texas, chairman of Gulf Winds International. He stated that the warehouse would be 180,000 sq. ft. tilt wall facility. Mr. Stewart stated that Gulf Winds will not access the property from Hwy 146, all traffic will be diverted to Port Road from Old Highway 146; the project will create over 50 full time jobs; the City will maintain over 4.69 acres along Hwy 146 for retail development (C-2 Zone); and the detention pond will have water fountain feature.

William Friedrichs, WMF Investments, Taylor Lake Village, stated that he supports the rezoning request. He stated that with the remaining C-2 property, they would offer pad sites to the fast-food businesses that would be displaced during the Hwy. 146 expansion. Mr. Friedrichs stated that if that did not work, they planned on developing a business park.

Vice Chairman Hammann stated that he would take Item 3.1 out of order.

3.1 Request to change the zoning classification of land described below from the current classification of C-2 (Commercial – Medium District) to LI (Light Industrial.)

Motion was made by Mike DeHart and seconded by Michael Sharpe

To adopt the rezoning request of the north 12.21 acres to LI as presented.

Vice Chairman Hammann asked what objections City Council had when the request was before them in February.

Mr. Landis stated that at that time they felt it was important to keep the C-2 zone.

MOTION CARRIES BY UNANIMOUS CONSENT.

2.2 Review proposed text changes to Appendix A. Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10. Planned Unit Developments.

Mr. Landis stated that at the last Planning and Zoning meeting he had presented some possible text changes to the Planned Unit Development ordinance. He stated that, as a body, P&Z requested that he add some additional language and also speak with the city attorney regarding possibly rewriting one of the sections. The requested changes were:

4.10.06. PUD

B. Submission of a final PUD plan: Before a building permit may be issued or before any development action on a proposed PUD may begin, the landowner shall submit a final plan to the planning and zoning commission and then city council for final approval. The submission may be for all of the land included within a proposed PUD site or for a part of the site. The submission shall include all of the information prescribed in subsection A., above, and shall additionally include specifications, covenants, easements, conditions, bonds, or other information required by the commission and city council.

4.10.10. Development schedule: Prior to the issuance of any building permits, a construction schedule must be submitted to and approved by the planning and zoning commission and city council. The schedule shall include a detailed timeframe in which street, utility and building construction shall be completed. The owner/developer of the PUD is to appear before the planning and zoning commission on no less than a ~~quarterly~~ bi-annual basis until completion of the project.

Mr. Landis stated that staff requested the following paragraph be removed from the ordinance. He stated that it has unreasonable time restraints that are almost impossible to fulfill.

~~Building permits shall be secured for the PUD project no later than six months after approval by the city council. The city council may grant one six-month extension upon majority vote. Completion of the project shall occur no later than 24 months after approval except as may be extended by the majority vote of the city council.~~

Mr. Landis stated that he spoke with Steve Weathered, Seabrook City Attorney, regarding 4.10.11. Mr. Weathered suggested that this section would not need a re-write, because P&Z and City Council would set the schedules and on a bi-annual basis, the applicant is going to come in and give an update. If they need an extension, at that time P&Z and City Council can grant the extension. He stated that this section is really a safety net and if they fail totally to fulfill their obligations, it just basically states that it will resort back to the original zoning.

4.10.11. Dissolution of the PUD: *Should the PUD project fail to meet the schedule listed above as approved by the planning and zoning commission and city council the PUD shall automatically dissolve and the land shall return to the zoning that existed immediately prior to the PUD. without further action by the city council.*

Mike DeHart stated that 4.10.10 should state “and then city council.” He stated that it should also state: The owner/developer of the PUD is to appear before the planning and zoning commission on no less than a bi-annual basis **and present a status report** until the completion of the project.

3.0 NEW BUSINESS – The Commission will discuss, consider, and if appropriate, take action on the items listed below.

3.2 Discussion, consideration and possible action concerning the request to review proposed text changes to Appendix A. Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10. Planned Unit Developments.

Motion was made by Mike Dehart and seconded by Rosebud Caradec

To accept as present by Staff, text changes to Appendix A. Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10. Planned Unit Developments with the inclusion in 4.10.10 the word “then” before “city council” and after bi-annual basis add “and present a status report”.

MOTION CARRIES BY UNANIMOUS CONSENT.

3.3 Discussion, consideration and possible action concerning the presentation of the State Highway 146 area plan.

Mr. Landis gave a brief presentation on the projected impact to businesses with the expansion of State Highway 146. No action was taken.

4.0 OLD BUSINESS – The Commission will discuss, consider, and if appropriate, take action on the items listed below.

4.1 Discussion, consideration and possible action concerning the clarification of proposed text changes to Appendix A. Comprehensive Zoning, Article 6 “Sign Standards”.

Mr. Landis stated that at the July 18, 2013 P&Z meeting, there was a motion to add verbiage to Section 6.04.02 (C) Temporary grand opening signs to allow wind-driven signs, similar to Section 6.04.02 (D) (4) and to not change 30 day time limit to 60 days. However, when the official report was filled out and signed, it stated to change to 30 day time limit to 60 days.

The Planning and Zoning Commission members signed the corrected official report.

5.0 APPROVAL OF MINUTES

5.1 Discussion, consideration and possible action concerning the minutes from the June 20, 2013 meeting.

Motion was made by Mike DeHart and seconded by Dodie Miller

To approved the minutes from the June 20, 2013 meeting as written.

MOTION CARRIES BY UNANIMOUS CONSENT.

6.0 ROUTINE BUSINESS

6.1 Discussion and Consideration of the Community Development Activity Summary.

Sean Landis gave a brief report.

6.2 Report from the Director of Planning and Community Development on the status of a list of actions taken by Planning & Zoning and sent to City Council for its action or review.

Sean Landis gave a brief report.

6.3 Discussion with staff and P&Z Commission to establish future agenda items and meeting dates.

Vice Chairman Hammann stated that the next meeting will be on August 15, 2013 and the following will be discussed:

- Estates on Lake Mija Preliminary Plat
- Impacts of Hwy 146 Expansion

Motion was made by Michael Sharpe and seconded by Mike DeHart

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 8:20 p.m.

APPROVED THIS 15th DAY OF AUGUST, 2013.

Buddy Hammann, Vice Chairman

Alesia Hammock, Secretary

Planning & Zoning Commission OFFICIAL REPORT

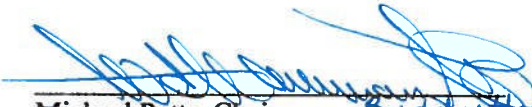
The Planning and Zoning Commission of the City of Seabrook met on July 18, 2013 to hold a meeting to consider:

Request to change the zoning classification of land described below from the current classification of C-2 (Commercial – Medium District) to LI (Light Industrial.)

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

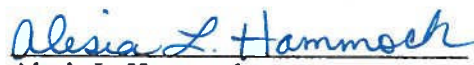
APPROVAL ☒ APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW) ☐ DENIAL ☐
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on July 18, 2013, as designated below and as certified by the signature of the Chairman. **This document is not valid unless signed by the Chairman/Presiding Commissioner.**

<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Rosebud Caradec	X				RC
Mike DeHart	X				MD
Buddy Hammann	X				BH
Bolivar Lewis	X				BL
Dodie Miller	X				DM
Michael Potts				X	
Michael Sharpe	X				MS


Michael Potts, Chairman
Planning & Zoning Commission


Buddy Hammann

ATTEST:


Alesia L. Hammock
Secretary



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, SEPTEMBER 3, 2013

Submitter/Requestor: City of Seabrook

Date Submitted: 8/26/2013 2:24:54 PM

Presenter: Sean Landis

Description/Subject:

Request for an amendment to the Seabrook City Code, Appendix A, "Comprehensive Zoning," Article 4, "Special Use Regulations," Section 4.10, "Planned Unit Developments," by revising Subsection, 4.10.06(B) "PUD Designation Procedure", 4.10.10 "Development Schedule", and 4.10.11 "Dissolution of the PUD".

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, 4.10.06(B) "PUD DESIGNATION PROCEDURE", 4.10.10 "DEVELOPMENT SCHEDULE", AND 4.10.11 "DISSOLUTION OF THE PUD", 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.

Purpose/Need: Policy Issue

Background/Issue(What prompted this need):

As part of a recent review of the Planned Unit Development ordinance staff found the following sections required modification:

4.10.06(B) "PUD Designation Procedure"

4.10.10 "Development Schedule"

4.10.11 "Dissolution of the PUD"

Staff found as part of the review a lack of final decision making authority being provided to City Council when granting preliminary along with final approval of a Planned Unit Development Plan.

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission by unanimous vote at their regular meeting held on July 18, 2013.

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Staff is proposing the following modifications be made to Appendix A, Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10.06(B), 4.10.10, and 4.10.11 as specifically provided hereafter:

“4.10.06. PUD designation procedure:

The process for the filing of an application, requirements for notice and advertisement of public meetings, procedures for protest of the establishment of PUD designation and other related action shall be the same as those provided for in the rezoning process as described in article 2, section 2.04, of this ordinance. In addition to the above, the landowner shall be governed by the following requirements:

A. Submission of a preliminary PUD plan: The planning and zoning commission shall hold a public hearing on an application for PUD designation. Prior to the approval of such designation, the landowner shall submit a preliminary plan. The following information shall be shown on the preliminary plan:

1. The name, address and telephone number of the landowner;
2. The date that the project is submitted to the planning and zoning commission;
3. The name of the proposed project;
4. The names and addresses of adjoining property owners within 500 feet of the proposed project site;
5. A key map;
6. All existing streets, drives, buildings, watercourses, and bodies of water;
7. The location and size of existing utilities within or adjacent to the proposed project site; and
8. The proposed location, type and size of the following:
 - (a) Buildings and structures;
 - (b) Streets, drives, alleys, and curbs;
 - (c) Off-street parking areas with parking spaces individually drawn and counted;
 - (d) Sidewalks;
 - (e) Landscaping;

- (f) Common open space and amenities sites;
- (g) Sites for solid waste containers; and
- (h) Signs.

The planning and zoning commission is empowered to require additional information necessary for a complete understanding of the proposed PUD. After appropriate review and consideration, the planning and zoning commission shall file a report with the city council, recommending approval, approval with modifications to the PUD plan, or denial of PUD designation of the site.

In accordance with article 2, section 2.04, of this ordinance, the city council shall hold a public hearing and shall review the PUD report from the planning and zoning commission. The city council shall approve or deny PUD designation of the site.

B. Submission of a final PUD plan: Before a building permit may be issued or before any development action on a proposed PUD may begin, the landowner shall submit a final plan to the planning and zoning commission and then city council for final approval. The submission may be for all of the land included within a proposed PUD site or for a part of the site. The submission shall include all of the information prescribed in subsection A., above, and shall additionally include specifications, covenants, easements, conditions, bonds, or other information required by the commission and city council.

4.10.10. Development schedule:

Prior to the issuance of any building permits, a construction schedule must be submitted to and approved by the planning and zoning commission and then city council. The schedule shall include a detailed timeframe in which street, utility and building construction shall be completed. The owner/developer of the PUD is to appear and present a status report before the planning and zoning commission and then city council on no less than a ~~quarterly~~ bi-annual basis until completion of the project.

~~{Building permits shall be secured for the PUD project no later than six months after approval by the city council. The city council may grant one six-month extension upon majority vote.~~

~~Completion of the project shall occur no later than 24 months after approval except as may be extended by the majority vote of the city council.}~~

4.10.11. Dissolution of the PUD:

~~Should the PUD project fail to meet the schedule [listed above] as approved by the planning and zoning commission and city council the PUD shall automatically dissolve and the land shall return to the zoning that existed immediately prior to the PUD. [without further action by the city council.]~~

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission by unanimous vote at their regular meeting held on July 18, 2013.

Ayes: Caradec, Dehart, Hammann, Lewis, Miller, and Sharpe

Absent: Potts

Attachments:

(Please list description of attachments and number of pages in each attachment)

Report to City Council

Planning & Zoning Commission 07/18/2013 Draft Minutes

Ordinance with city attorney comments

Ordinance 2013-14

Fiscal Impact:	Budgeted	No	Finance Review:	Officer
	Budget Amendment Required	No		
	Future/Ongoing Impact	No		
	Budget Dept/Line Item Number			

Funding Comments:

Where on the agenda should this item be placed?

Consent Agenda

Suggested Motion:

Consider first reading of Ord. No. 2013-14. "Standards for Planned Unit Developments. (P&Z/Landis)

Agenda Language:

Approve second and final reading of Ordinance No. 2013-14. "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, 4.10.06(B) "PUD DESIGNATION PROCEDURE", 4.10.10 "DEVELOPMENT SCHEDULE", AND 4.10.11"DISSOLUTION OF THE PUD"; 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.

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

**CITY OF SEABROOK
ORDINANCE NO. 2013-14
STANDARDS FOR PLANNED UNIT DEVELOPMENTS**

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, 4.10.06(B) "PUD DESIGNATION PROCEDURE", 4.10.10 "DEVELOPMENT SCHEDULE", AND 4.10.11 "DISSOLUTION OF THE PUD"; 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.

WHEREAS, the City Council of the City of Seabrook is continually reviewing the provisions of the City Code of Ordinances ("Code") relating to land use and other circumstances which generally impact the health, safety and well-being of residents, citizens and inhabitants; and

WHEREAS, the Planning and Zoning Commission of the City of Seabrook has received input from staff and is of the opinion and has issued its final report that the amendments hereto are necessary for the public safety, health and welfare and for protection of the residents; and

WHEREAS, the City Council and the Planning and Zoning Commission of the City of Seabrook have studied the present provisions of the Code of Ordinances of the City of Seabrook and have determined the need to revise the provisions relative to standards for planned unit developments in an effort to provide for orderly growth and protection of the health, safety and welfare of the inhabitants of the City of Seabrook; and

WHEREAS, all public notices have been posted, published and all required hearings on this matter have been held in accordance with the Comprehensive Zoning Ordinance and law; now, therefore,

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

SECTION 1. FINDINGS OF FACT.

That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE,
APPENDIX A, ARTICLE 4.

The Seabrook City Code, Appendix A, "Comprehensive Zoning", Article 4, "Special Use Regulations," Section 4.10, "Planned Unit Developments", is amended by revising subsection 4.10.06(B) entitled "PUD Designation Procedure", 4.10.10 "Development Schedule", and 4.10.11 "Dissolution of the PUD", as specifically provided hereafter:

"4.10.06. PUD designation procedure:

The process for the filing of an application, requirements for notice and advertisement of public meetings, procedures for protest of the establishment of PUD designation and other related action shall be the same as those provided for in the rezoning process as described in article 2, section 2.04, of this ordinance. In addition to the above, the landowner shall be governed by the following requirements:

A. Submission of a preliminary PUD plan: The planning and zoning commission shall hold a public hearing on an application for PUD designation. Prior to the approval of such designation, the landowner shall submit a preliminary plan. The following information shall be shown on the preliminary plan:

1. The name, address and telephone number of the landowner;
2. The date that the project is submitted to the planning and zoning commission;
3. The name of the proposed project;
4. The names and addresses of adjoining property owners within 500 feet of the proposed project site;
5. A key map;
6. All existing streets, drives, buildings, watercourses, and bodies of water;
7. The location and size of existing utilities within or adjacent to the proposed project site; and
8. The proposed location, type and size of the following:
 - (a) Buildings and structures;
 - (b) Streets, drives, alleys, and curbs;
 - (c) Off-street parking areas with parking spaces individually drawn and counted;
 - (d) Sidewalks;
 - (e) Landscaping;
 - (f) Common open space and amenities sites;
 - (g) Sites for solid waste containers; and
 - (h) Signs.

The planning and zoning commission is empowered to require additional information necessary for a complete understanding of the proposed PUD. After appropriate review and consideration, the planning and zoning commission shall file a report with the city

council, recommending approval, approval with modifications to the PUD plan, or denial of PUD designation of the site.

In accordance with article 2, section 2.04, of this ordinance, the city council shall hold a public hearing and shall review the PUD report from the planning and zoning commission. The city council shall approve or deny PUD designation of the site.

B. Submission of a final PUD plan: Before a building permit may be issued or before any development action on a proposed PUD may begin, the landowner shall submit a final plan to the planning and zoning commission **for consideration and then city council for final approval**. The submission may be for all of the land included within a proposed PUD site or for a part of the site. The submission shall include all of the information prescribed in subsection A., above, and shall additionally include specifications, covenants, easements, conditions, bonds, or other information required by the commission **and city council**.

4.10.10. Development schedule:

Prior to the issuance of any building permits, a construction schedule must be submitted to and approved by the planning and zoning commission **for consideration and then city council**. The schedule shall include a detailed timeframe in which street, utility and building construction shall be completed. The owner/developer of the PUD **shall** ~~[is to]~~ appear **and present a status report** before the planning and zoning commission **and then city council** on no less than a ~~[quarterly]~~ **bi-annual basis commencing on the date of approval by city council of the PUD and** until completion of the project.

~~[Building permits shall be secured for the PUD project no later than six months after approval by the city council. The city council may grant one six-month extension upon majority vote.~~

~~Completion of the project shall occur no later than 24 months after approval except as may be extended by the majority vote of the city council.]~~

4.10.11. Dissolution of the PUD:

~~Should the PUD project fail to meet the schedule [listed above] **as approved by the city council** the PUD classification and related permits shall be immediately terminated and, the land shall return to the zoning that existed immediately prior to the PUD conditional approval. [without further action by the city council.]~~

SECTION 3. INCORPORATION INTO THE CODE, PENALTY CLAUSE.

This Ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this Ordinance is subject to the penalty section of said Code of Ordinances, Section 1-15 "General Penalty" and Appendix A, 11.06, "Criminal Enforcement" which provides that any person who shall violate any provision of this

Ordinance shall be deemed guilty of an offense and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

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

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 or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and 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.

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; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 20th day of August, 2013.

PASSED AND APPROVED on second and final reading this 3rd day of September, 2013.

BY: _____
Glenn R. Royal, Mayor

ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

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185 APPROVED AS TO FORM:

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Steven L. Weathered

191 City Attorney

Planning & Zoning Commission OFFICIAL REPORT

The Planning and Zoning Commission of the City of Seabrook met on July 18, 2013 to hold a meeting to consider:

Request for amendments to the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10. Planned Unit Developments.

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 July 18, 2013, 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>
Rosebud Caradec	<u>X</u>				<u>[Signature]</u>
Mike DeHart	<u>X</u>				<u>[Signature]</u>
Buddy Hammann	<u>X</u>				<u>[Signature]</u>
Bolivar Lewis	<u>X</u>				<u>[Signature]</u>
Dodie Miller	<u>X</u>				<u>[Signature]</u>
Michael Potts				<u>X</u>	
Michael Sharpe	<u>X</u>				<u>MDS</u>

[Signature]
~~Michael Potts, Chairman~~ Buddy Hammann
Planning & Zoning Commission

ATTEST:

[Signature]
Alesia L. Hammock
Secretary

The Seabrook Planning and Zoning Commission met on Thursday, July 18, 2013 in regular session at Seabrook City Hall, 1700 First Street, Seabrook, Texas to consider and if appropriate, take action on the agenda items listed below:

THOSE PRESENT WERE:

MICHAEL POTTS (Excused Absence)	CHAIRMAN
BUDDY HAMMANN	VICE CHAIRMAN
ROSEBUD CARADEC	MEMBER
MIKE DEHART	MEMBER
DODIE MILLER	MEMBER
MICHAEL SHARPE	MEMBER
BOLIVAR LEWIS	MEMBER
SEAN LANDIS	DIRECTOR OF COMMUNITY DEVELOPMENT
ALESIA HAMMOCK	SECRETARY

Vice Chairman Hammann called the meeting to order at 7:00 p.m. and stated there was a quorum present.

1.0 ROUTINE PUBLIC HEARING AND ANNOUNCEMENTS - None

2.0 SPECIFIC PUBLIC HEARING

2.1 Request to change the zoning classification of land described below from the current classification of C-2 (Commercial – Medium District) to LI (Light Industrial.)

Sean Landis stated that Mr. Nicholson wishes to rezone 12.21 acres of Tract 6J, a 16.9058 acre tract located in Abstract 52 of the Ritson Morris Survey, from C-2 (Commercial – Medium District) to LI (Light Industrial) to allow for expansion of the existing Gulf Winds International complex. The existing complex is located within Pasadena, due north of the property requiring the zoning modification. He wishes to construct an 185,000 square foot tilt-wall warehouse on the property. The proposed use is only allowed in the light industrial zoning category, so the northern 12.21 acres of this tract must be rezoned. The applicant intends to leave the remainder of the tract (4.69 acres) zoned C-2 to allow for future retail development.

Steve Stewart, Humble, Texas, chairman of Gulf Winds International. He stated that the warehouse would be 180,000 sq. ft. tilt wall facility. Mr. Stewart stated that Gulf Winds will not access the property from Hwy 146, all traffic will be diverted to Port Road from Old Highway 146; the project will create over 50 full time jobs; the City will maintain over 4.69 acres along Hwy 146 for retail development (C-2 Zone); and the detention pond will have water fountain feature.

William Friedrichs, WMF Investments, Taylor Lake Village, stated that he supports the rezoning request. He stated that with the remaining C-2 property, they would offer pad sites to the fast-food businesses that would be displaced during the Hwy. 146 expansion. Mr. Friedrichs stated that if that did not work, they planned on developing a business park.

Vice Chairman Hammann stated that he would take Item 3.1 out of order.

3.1 Request to change the zoning classification of land described below from the current classification of C-2 (Commercial – Medium District) to LI (Light Industrial.)

Motion was made by Mike DeHart and seconded by Michael Sharpe

To adopt the rezoning request of the north 12.21 acres to LI as presented.

Vice Chairman Hammann asked what objections City Council had when the request was before them in February.

Mr. Landis stated that at that time they felt it was important to keep the C-2 zone.

MOTION CARRIES BY UNANIMOUS CONSENT.

2.2 Review proposed text changes to Appendix A. Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10. Planned Unit Developments.

Mr. Landis stated that at the last Planning and Zoning meeting he had presented some possible text changes to the Planned Unit Development ordinance. He stated that, as a body, P&Z requested that he add some additional language and also speak with the city attorney regarding possibly rewriting one of the sections. The requested changes were:

4.10.06. PUD

B. Submission of a final PUD plan: Before a building permit may be issued or before any development action on a proposed PUD may begin, the landowner shall submit a final plan to the planning and zoning commission and then city council for final approval. The submission may be for all of the land included within a proposed PUD site or for a part of the site. The submission shall include all of the information prescribed in subsection A., above, and shall additionally include specifications, covenants, easements, conditions, bonds, or other information required by the commission and city council.

4.10.10. Development schedule: Prior to the issuance of any building permits, a construction schedule must be submitted to and approved by the planning and zoning commission and city council. The schedule shall include a detailed timeframe in which street, utility and building construction shall be completed. The owner/developer of the PUD is to appear before the planning and zoning commission on no less than a ~~quarterly~~ bi-annual basis until completion of the project.

Mr. Landis stated that staff requested the following paragraph be removed from the ordinance. He stated that it has unreasonable time restraints that are almost impossible to fulfill.

~~Building permits shall be secured for the PUD project no later than six months after approval by the city council. The city council may grant one six-month extension upon majority vote. Completion of the project shall occur no later than 24 months after approval except as may be extended by the majority vote of the city council.~~

Mr. Landis stated that he spoke with Steve Weathered, Seabrook City Attorney, regarding 4.10.11. Mr. Weathered suggested that this section would not need a re-write, because P&Z and City Council would set the schedules and on a bi-annual basis, the applicant is going to come in and give an update. If they need an extension, at that time P&Z and City Council can grant the extension. He stated that this section is really a safety net and if they fail totally to fulfill their obligations, it just basically states that it will resort back to the original zoning.

4.10.11. Dissolution of the PUD: *Should the PUD project fail to meet the schedule listed above as approved by the planning and zoning commission and city council the PUD shall automatically dissolve and the land shall return to the zoning that existed immediately prior to the PUD. without further action by the city council.*

Mike DeHart stated that 4.10.10 should state “and then city council.” He stated that it should also state: The owner/developer of the PUD is to appear before the planning and zoning commission on no less than a bi-annual basis **and present a status report** until the completion of the project.

3.0 NEW BUSINESS – The Commission will discuss, consider, and if appropriate, take action on the items listed below.

3.2 Discussion, consideration and possible action concerning the request to review proposed text changes to Appendix A. Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10. Planned Unit Developments.

Motion was made by Mike Dehart and seconded by Rosebud Caradec

To accept as present by Staff, text changes to Appendix A. Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10. Planned Unit Developments with the inclusion in 4.10.10 the word “then” before “city council” and after bi-annual basis add “and present a status report”.

MOTION CARRIES BY UNANIMOUS CONSENT.

3.3 Discussion, consideration and possible action concerning the presentation of the State Highway 146 area plan.

Mr. Landis gave a brief presentation on the projected impact to businesses with the expansion of State Highway 146. No action was taken.

4.0 OLD BUSINESS – The Commission will discuss, consider, and if appropriate, take action on the items listed below.

4.1 Discussion, consideration and possible action concerning the clarification of proposed text changes to Appendix A. Comprehensive Zoning, Article 6 “Sign Standards”.

Mr. Landis stated that at the July 18, 2013 P&Z meeting, there was a motion to add verbiage to Section 6.04.02 (C) Temporary grand opening signs to allow wind-driven signs, similar to Section 6.04.02 (D) (4) and to not change 30 day time limit to 60 days. However, when the official report was filled out and signed, it stated to change to 30 day time limit to 60 days.

The Planning and Zoning Commission members signed the corrected official report.

5.0 APPROVAL OF MINUTES

5.1 Discussion, consideration and possible action concerning the minutes from the June 20, 2013 meeting.

Motion was made by Mike DeHart and seconded by Dodie Miller

To approved the minutes from the June 20, 2013 meeting as written.

MOTION CARRIES BY UNANIMOUS CONSENT.

6.0 ROUTINE BUSINESS

6.1 Discussion and Consideration of the Community Development Activity Summary.

Sean Landis gave a brief report.

6.2 Report from the Director of Planning and Community Development on the status of a list of actions taken by Planning & Zoning and sent to City Council for its action or review.

Sean Landis gave a brief report.

6.3 Discussion with staff and P&Z Commission to establish future agenda items and meeting dates.

Vice Chairman Hammann stated that the next meeting will be on August 15, 2013 and the following will be discussed:

- Estates on Lake Mija Preliminary Plat
- Impacts of Hwy 146 Expansion

Motion was made by Michael Sharpe and seconded by Mike DeHart

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 8:20 p.m.

APPROVED THIS 15th DAY OF AUGUST, 2013.

Buddy Hammann, Vice Chairman

Alesia Hammock, Secretary



CITY OF SEABROOK

AGENDA BRIEFING

Date of Meeting: TUESDAY, SEPTEMBER 3, 2013

Submitter/Requestor: City of Seabrook

Date Submitted: 8/26/2013 2:24:55 PM

Presenter: Sean Landis

Description/Subject:

Request for an amendment to the Seabrook City Code, Appendix A, "Comprehensive Zoning", Article 6, "Sign Standards", Section 6.04 "Exempt Signs", Subsection 6.04.02(C) "Temporary Grand Opening Signage".

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 6, "SIGN STANDARDS", SECTION 6.04 "EXEMPT SIGNS", BY AMENDING SUBSECTION 6.04.02 (C) "TEMPORARY GRAND OPENING SIGNAGE"; TO ALLOW CERTAIN WIND-DRIVEN SIGNS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Purpose/Need: Policy Issue

Background/Issue(What prompted this need):

City Council requested that the Planning and Zoning Commission review the sign ordinance to possibly allow special advertising for businesses during special sales and for new businesses.

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

After much discussion the following is being recommended by the Planning and Zoning Commission:

The Code of the City Of Seabrook Appendix A, "Comprehensive Zoning," Article 6, "Sign Standards", Section 6.04 "Exempt Signs", Subsection 6.04.02(C) "Temporary Grand Opening

Signage” is hereby amended

6.04.02(C) Temporary Grand Opening Signage: Wall signs to advertise grand opening celebrations for individual businesses shall be allowed for a period not to exceed 30 days.

- (1) Maximum size not to exceed 32 square feet per sign and may be in the form of a banner.
- (2) May not project above roofline except buildings with parapet walls.
- (3) **Wind-driven signs in the form of pennants, flags (other than official flags) ribbons, streamers, spinners, or other similar devices shall be considered temporary grand opening signs for the purpose of this ordinance, subject to the limitations contained herein.**

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission by unanimous vote at their regular meetings on June 20, 2013.

Attachments:

(Please list description of attachments and number of pages in each attachment)

Report to City Council

Planning & Zoning June 20, 2013 Approved Minutes

Ord. No. 2013-15 amended

Fiscal Impact:	Budgeted	No	Finance Review:	Officer
	Budget Amendment Required	No		
	Future/Ongoing Impact	No		
	Budget Dept/Line Item Number			

Funding Comments:

Where on the agenda should this item be placed?

Consent Agenda

Suggested Motion:

Agenda Language:

Approve second and final reading of proposed Ordinance No. 2013-15, "Sign Standards for Temporary Grand Opening Signs" (P&Z/Landis)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 6, "SIGN STANDARDS", SECTION 6.04 "EXEMPT SIGNS", BY AMENDING SUBSECTION 6.04.02 (C) "TEMPORARY

GRAND OPENING SIGNAGE”; TO ALLOW CERTAIN WIND-DRIVEN SIGNS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

1 **ORDINANCE NO. 2013-15**
2 **UPDATING AND AMENDING SIGN STANDARDS**
3 **FOR TEMPORARY GRAND OPENING SIGNS**
4

5 AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK
6 APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 6, "SIGN STANDARDS",
7 SECTION 6.04 "EXEMPT SIGNS", BY AMENDING SUBSECTION 6.04.02 (C)
8 "TEMPORARY GRAND OPENING SIGNAGE"; TO ALLOW CERTAIN WIND-
9 DRIVEN SIGNS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED
10 \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO
11 THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES
12 INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR
13 SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
14

15 **WHEREAS**, the City Council of the City of Seabrook is continually reviewing
16 the provisions of the City Code of Ordinances ("Code") relating to land use and other
17 circumstances which generally impact the health, safety and well-being of residents,
18 citizens and inhabitants; and
19

20 **WHEREAS**, the Planning and Zoning Commission of the City of Seabrook has
21 conducted a public hearing, received input from staff and is of the opinion and has issued
22 its final report that the amendments hereto are necessary for the public safety, health and
23 welfare and for protection of the residents; and
24

25 **WHEREAS**, the City Council and the Planning and Zoning Commission of the
26 City of Seabrook have studied the present provisions of the Code of Ordinances of the
27 City of Seabrook and have determined the need to update the provisions relative to
28 permitted land uses; and
29

30 **WHEREAS**, all public notices have been posted, published and all required
31 hearings on this matter have been held in accordance with the Comprehensive Zoning
32 Ordinance and law; now, therefore,
33

34 **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK,**
35 **STATE OF TEXAS:**
36

37 **SECTION 1. FINDINGS OF FACT.**
38

39 That the facts and matters set forth in the preamble of this Ordinance are hereby
40 found to be true and correct.
41
42
43
44
45

Ord. No. 2013-15
Page 2

**SECTION 2. AMENDMENT TO THE CODE, APPENDIX A, ARTICLE 6,
SECTION 6.04 "EXEMPT SIGNS"**

The Seabrook City Code, Appendix A, "Comprehensive Zoning", Article 6, "Sign Standards", Section 6.04 "Exempt Signs" is hereby amended as follows:

6.04.02(C) Temporary Grand Opening Signage: Wall signs to advertise grand opening celebrations for individual businesses shall be allowed for a period not to exceed 30 days.

(1) Maximum size not to exceed 32 square feet per sign and may be in the form of a banner.

(2) May not project above roofline except buildings with parapet walls.

(3) Wind-driven signs in the form of pennants, flags (other than official flags), ribbons, streamers, ~~spinners~~ or other similar devices shall be considered temporary grand opening signs for the purpose of this ordinance, subject to the limitations contained herein.

Comment [mlg1]: The word spinners was deleted

SECTION 3. INCORPORATION INTO THE CODE, PENALTY CLAUSE.

This Ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this ordinance is subject to the penalty section of said Code and Ordinance, Section 1-15 "General Penalty and 11.06, "Criminal Enforcement" which provides that any person who shall violate any provision of this Ordinance shall be deemed guilty of an offense and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

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

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 or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and 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.

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Page 3

SECTION 6. NOTICE.

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; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 20th day of August, 2013

PASSED AND APPROVED on second and final reading this 3rd day of September, 2013.

BY: _____
Glenn R. Royal, Mayor

ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney

Planning & Zoning Commission OFFICIAL REPORT

The Planning and Zoning Commission of the City of Seabrook met on June 20, 2013 to hold a meeting to consider:

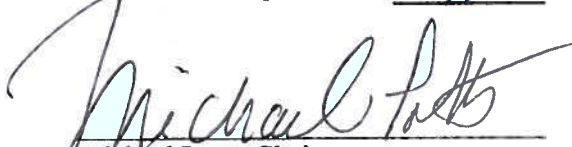
Request for amendments to the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 6, "Sign Standards" in the following areas: Temporary Grand Opening Signs and Temporary Special Sales Signs.

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, 2013, as designated below and as certified by the signature of the Chairman. **This document is not valid unless signed by the Chairman/Presiding Commissioner.**

Add verbiage to Section 6.04.02 (C) Temporary grand opening signs to allow wind-driven signs, similar to Section 6.04.02 (D) (4) and to not change 30 day time limit to 60 days.

<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Rosebud Caradec	☒				<i>RC</i>
Mike DeHart	☒				<i>MDH</i>
Buddy Hammann	☒				<i>BH</i>
Bolivar Lewis	☒				<i>BL</i>
Dodie Miller	☒				<i>DM</i>
Michael Potts	☒				<i>MP</i>
Michael Sharpe	☒				<i>MDS</i>


Michael Potts, Chairman
Planning & Zoning Commission

ATTEST:

Alesia L. Hammock
Secretary

The Seabrook Planning and Zoning Commission met on Thursday, June 20, 2013 in regular session at Seabrook City Hall, 1700 First Street, Seabrook, Texas to consider and if appropriate, take action on the agenda items listed below:

THOSE PRESENT WERE:

MICHAEL POTTS	CHAIRMAN
BUDDY HAMMANN	VICE CHAIRMAN
ROSEBUD CARADEC	MEMBER
MIKE DEHART	MEMBER
DODIE MILLER	MEMBER
MICHAEL SHARPE	MEMBER
BOLIVAR LEWIS	MEMBER
SEAN LANDIS	DIRECTOR OF COMMUNITY DEVELOPMENT
ALESIA HAMMOCK	SECRETARY

Chairman Potts called the meeting to order at 7:00 p.m. and stated there was a quorum present.

1.0 ROUTINE PUBLIC HEARING AND ANNOUNCEMENTS - None

2.0 SPECIFIC PUBLIC HEARING

2.1 Request for approval of a Short-form Plat for Caldwell Special Subdivision.

Applicant: Mark Caldwell, Seabrook, Texas

Owner: Ashley Caldwell, Seabrook, Texas

Property: 1318 N. Meyer Avenue, Seabrook, Texas 77586

Location: This property is located immediately east of N. Meyer. The property is located in the OS (Old Seabrook) zoning district.

Request: The applicant is requesting approval of a Short-form plat consisting of 2 lots.

Sean Landis stated that the applicant is requesting to subdivide the property into two 0.17 Acre Lots (7,424 SQ.FT.). Mr. Landis stated that at a hearing on May 8, 2013 held before the Board of Adjustments, a variance was granted to Section 4.12 Appendix A. Article 3, Section 3.12.02 (B) 2 (F) – Comprehensive Zoning. Section 4.12 Appendix A. Article 3, Section 3.12.02 (B) 2 (F) establishes a minimum lot width of 50'. The Board found that a hardship exists and granted a 1 foot variance to the 50' lot width requirement. He stated that Staff has reviewed the Short-form plat, and finds it to be compliant with the City's Subdivision and Zoning Ordinances. Staff recommends that the commission approves the short-form plat.

Chairman Potts stated that he was going to take the agenda out of order and go to New Business 3.1.

3.1 Discussion, consideration and possible action concerning the request for approval of a Short-form Plat for Caldwell Special Subdivision.

Motion was made by Buddy Hammann and seconded by Michael Sharpe

To approve the Short-form Plat for Caldwell Special Subdivision as presented by staff.

MOTION CARRIES BY UNANIMOUS CONSENT.

Chairman Potts stated that he would take 4.0, Approval of Minutes out, of order.

4.0 APPROVAL OF MINUTES

4.1 Discussion, consideration and possible action concerning the minutes from the May 16, 2013 meeting.

Motion was made by Rosebud Caradec and seconded by Dodie Miller

To approved the minutes from the May 16, 2013 meeting as written.

Ayes: Caradec, DeHart, Lewis, Miller, Potts, and Sharpe

Nays: None

Abstained: Hammann

2.0 SPECIFIC PUBLIC HEARING

2.2 Review proposed text changes to Appendix A. Comprehensive Zoning, Article 6 "Sign Standards".

Sean Landis stated that City Council has requested that the Planning and Zoning Commission review the Comprehensive Zoning Ordinance, Article 6, Signs, for possible modification. He stated that the two sections that they identified are: Article 6, Section 6.04.02(C) Temporary Grand Opening Signs and Article 6, Section 6.04.02(D) Temporary Special Sales Signs.

Mr. Landis stated that he called neighboring communities and these two ordinances are very close to what they have.

Mr. Landis stated that Article 6, Section 6.04.02(C) Temporary Grand Opening Signs states:

Temporary grand opening signage: Wall signs to advertise grand opening celebrations for individual businesses shall be allowed for a period not to exceed 30 days.

(1) Maximum size not to exceed 32 square feet per sign and may be in the form of a banner.

(2) May not project above roofline except buildings with parapet walls.

Mr. Landis asked if the 30 day time limitation too restrictive and recommended that the following language found in Article 6, Section 6.04.02(D) Temporary Special Sales Signs be added: Wind-driven signs in the form of pennants, flags (other than official flags), ribbons, streamers, spinners, or other similar devices shall be considered temporary grand opening signs for the purpose of this ordinance, subject to the limitations contained herein.

Mr. Landis stated that Article 6, Section 6.04.02(D) Temporary Special Sales Signs states:

- D. Temporary special sales signs: Temporary special sales signs shall comply with the following:
- (1) Limited to one 14 continuous-day period per quarter.
 - (2) The banner shall not exceed 32 square feet.
 - (3) Shall be attached to a building and may not project above the roofline or parapet of the building.
 - (4) Wind-driven signs in the form of pennants, flags (other than official flags), ribbons, streamers, spinners, or other similar devices shall be considered temporary special sales signs for the purpose of this ordinance, subject to the limitations contained herein.

Mr. Landis asked if the 14 day per quarter time limitation too restrictive. He stated that it is very hard for staff to enforce this type of signage because you do not have to have a permit. Mr. Landis stated that staff would support deleting the time restrictions for both sign ordinances and enforcing the sections that state that they have to be maintained and in good shape. He suggested staff communicated with the business owners to let them know what they are or not allowed to do.

Rosebud Caradec asked if the City had any form of communication with the businesses like they do with the citizens with emails and letters.

Mr. Landis stated that there is a community newsletter that goes out via email and the Economic Development Director (EDC) meets with the business community once a quarter at the "Morning Brew." He stated that he planned to do some educational outreach.

Michael Sharpe stated that if you do not have some time limits on both temporary grand opening and special sales signs then it will no longer be "temporary" and as long as they are maintained, they could be there forever.

Bolivar Lewis asked if the temporary grand opening signs were permitted.

Mr. Landis stated no.

Dodie Miller asked if anyone had the authority to enforce the sign ordinance for signs that are not maintained or signs that are up past the time limits.

Mr. Landis stated that the code enforcement officer has that authority; usually a notice will be given first.

Chairman Potts stated that the temporary grand opening signs should be changed from 30 days to 60 days and the language found in Article 6, Section 6.04.02(D) Temporary Special Sales Signs for wind-driven signs be added.

2.3 Review proposed text changes to Appendix A. Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10. Planned Unit Developments.

Mr. Landis stated that he did a comprehensive review of this ordinance and found items that need to be changed. He stated that there were some items that had to be submitted to both City Council and Planning & Zoning and there were some that just had to be submitted to Planning & Zoning. Mr. Landis stated that after discussing the PUD zoning changes with City Council, he felt that they believe this should be a joint effort and one group should not be deciding all of it.

Section 4.10.06 PUD designation procedures

B. Submission of a final PUD plan: Before a building permit may be issued or before any development action on a proposed PUD may begin, the landowner shall submit a final plan to the planning and zoning commission. The submission may be for all of the land included within a proposed PUD site or for a part of the site. The submission shall include all of the information prescribed in subsection A., above, and shall additionally include specifications, covenants, easements, conditions, bonds, or other information required by the commission.

Mr. Landis stated that he recommended adding “and city council for final approval” after “planning and zoning commission. He stated that the process to approve a PUD is a lot like a preliminary plat. The applicant will submit preliminary PUD document that will have to be approved by Planning & Zoning and City Council, but once you get to final approval only P&Z has to approve it. Mr. Landis stated that if City Council is involved with the preliminary part, they will want to be involved in the oversight of the final also.

Mr. Landis stated that PUD’s could be very big projects with multiple variances and allowances, like a master plan.

Buddy Hammann stated that the way it is worded, it implies that there has to be a joint meeting. He stated that it should state “and then city council for final approval.”

Mr. Landis stated that he would change that. He stated that he would recommend joint public hearings and meetings, this way both parties could hear the others opinions.

Chairman Potts stated that the last sentence should read “required by the commission and city council.”

4.10.10. Development schedule:

Prior to the issuance of any building permits, a construction schedule must be submitted to and approved by the planning and zoning commission. The schedule shall include a detailed timeframe in which street, utility and building construction shall be completed. The owner/developer of the PUD is to appear before the planning and zoning commission on no less than a quarterly basis until completion of the project.

Building permits shall be secured for the PUD project no later than six months after approval by the city council. The city council may grant one six-month extension upon majority vote.

Completion of the project shall occur no later than 24 months after approval except as may be extended by the majority vote.

Mr. Landis stated that what he is recommending is that you add city council after “approved by the planning and zoning commission”, change quarterly to annual, and delete all of the time limitations. He stated that you could not possible construct a PUD in 24 months. Mr. Landis stated that with the top paragraph and the changes that they are talking about, you are establishing the schedule.

4.10.11. Dissolution of the PUD:

Should the PUD project fail to meet the schedule listed above as approved by the planning and zoning commission, the PUD shall automatically dissolve and the land shall return to the zoning that existed immediately prior to the PUD, without further action by the city council.

Mr. Landis stated that he recommended adding “approved by the planning and zoning commission and city council”, delete “without further action by the city council” because it is not necessary, and delete “listed above” because those items are what he is requesting to be deleted.

Chairman Potts asked how the action to dissolve the PUD be initiated.

Mr. Landis stated if that did not meet the schedule that had been approved, that would initiate it.

Ms. Caradec asked if there was any way they could expand their timeframe.

Mr. Landis stated that when they meet with Planning & Zoning and City Council on an annual basis they could request any changes to the schedule.

Ms. Caradec stated that "the PUD shall automatically dissolve and the land shall return to the zoning that existed immediately prior to the PUD, without further action by the city council" should be deleted.

Mr. Landis stated that he would make changes to the section and bring it back to P&Z.

Chairman Potts stated that to dissolve a PUD, should be initiated by a notice from staff.

Ms. Caradec stated that there would have to be some remediation possibilities.

Mr. Sharpe stated that once you have established an approved schedule and you are going to require annual updates from the builder, if they need to extend the schedule out they would have to get approval from Planning & Zoning and City Council.

Mr. Landis stated that if anyone makes changes to the original document it would have to be approved by Planning & Zoning and City Council. He stated that he could review the section with the city attorney and make the appropriate changes.

Chairman Potts stated that he thought semi-annual updates would be better than annual updates.

Mr. Landis stated that when a PUD is submitted, he suggest that P&Z require them to implement their time schedule within the document, which makes it enforceable. He stated that they might not need to change the ordinance language very much, because they could implement the requirements as part of the document.

Chairman Potts closed the specific public hearing portion of the meeting.

3.0 NEW BUSINESS – The Commission will discuss, consider, and if appropriate, take action on the items listed below.

3.2 Discussion, consideration and possible action concerning the request to review proposed text changes to Appendix A. Comprehensive Zoning, Article 6 "Sign Standards".

Motion was made by Mike DeHart and seconded by Rosebud Caradec

To add "wind driven signs" language to Section 6.04.02 C Temporary Grand Opening Signs and to not change "30 day" time limit to "60 days".

MOTION CARRIES BY UNANIMOUS CONSENT.

3.3 Discussion, consideration and possible action concerning the request to review proposed text changes to Appendix A. Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10. Planned Unit Developments.

Motion was made by Buddy Hammann and seconded by Bolivar Lewis

To instruct staff to make recommended changes and bring back to the next meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

5.0 ROUTINE BUSINESS

5.1 Discussion and Consideration of the Community Development Activity Summary.

Sean Landis gave a brief report.

5.2 Report from the Director of Planning and Community Development on the status of a list of actions taken by Planning & Zoning and sent to City Council for its action or review.

Sean Landis gave a brief report.

5.3 Discussion with staff and P&Z Commission to establish future agenda items and meeting dates.

Chairman Potts stated that the next meeting will be on July 18, 2013 and the following will be discussed:

- Rezoning Request C-2 to LI
- PUD Ordinance
- Area Planning

Motion was made by Buddy Hammann and seconded by Michael Sharpe

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 8:14 p.m.

APPROVED THIS 18th DAY OF JULY, 2013.


Michael Potts, Chairman


Alesia Hammock, Secretary

Buddy Hammon V. Chair



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, SEPTEMBER 3, 2013

Submitter/Requestor: Danny Marshall

Date Submitted: 8/26/2013 2:12:36 PM

Presenter:

Description/Subject:

Purpose/Need: NA

Background/Issue(What prompted this need):

When reviewing the animal control fees resolution, it was noted that fees for impounding had not been increased since 1990. In addition, there were no fees established for quarantine. The animal control officer has recommended the new fees contained in this resolution.

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Resolution

Fiscal Impact:	Budgeted	Yes	Finance	Officer
			Review:	
	Budget Amendment Required	Yes		
	Future/Ongoing Impact	Yes		
	Budget Dept/Line Item Number			

Funding Comments:

Where on the agenda should this item be placed?

Consent Agenda

Suggested Motion:

Agenda Language:

Approve proposed Resolution No. 2013-14, "Updating Animal Control Fees." (Marshall)

A RESOLUTION REPLACING RESOLUTION NO. 2000-14 BY PROVIDING FOR LICENSE AND REGISTRATION FEES, POUND FEES, QUARANTINE FEES, FEES AND ANIMAL ESTABLISHMENT PERMIT FEES; AND PROVIDING THAT LICENSING FEES MAY BE PERIODICALLY WAIVED FOR SPECIAL PROGRAMS CONDUCTED TO INDUCE CITIZENS TO HAVE THEIR PETS VACCINATED AND REGISTERED WITH THE CITY.

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

CITY OF SEABROOK
RESOLUTION 2013-14

ANIMAL CONTROL FEES

A RESOLUTION REPLACING RESOLUTION NO. 2000-14 BY PROVIDING FOR
LICENSE AND REGISTRATION FEES, POUND FEES, QUARANTINE FEES, FEES AND
ANIMAL ESTABLISHMENT PERMIT FEES; AND PROVIDING THAT LICENSING FEES
MAY BE PERIODICALLY WAIVED FOR SPECIAL PROGRAMS CONDUCTED TO
INDUCE CITIZENS TO HAVE THEIR PETS VACCINATED AND REGISTERED WITH
THE CITY.

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

Section 1. **Fees.**

The following fee shall be charged by the City of Seabrook:

A. Licensing and registration of cats and dogs

ANNUAL

1. Neutered or spayed cats and dogs	NO CHARGE
2. Dogs and cats -not neutered or spayed	\$ 5.00
3. Registration of vicious animal	50.00
4. Charge for lost tag	1.00

The animal control officer may waive the above fees in conjunction with special clinic or
registration events, in which the public is invited to vaccinate and register their animals with the
city at a reduced cost or at no cost. Every effort shall be made to advertise these events in
advance so that all citizens have an opportunity to register at reduced fees or at no charge.

B. Pound fees

\$25.00 [~~15.00~~] for the first day, plus **\$15.00** [~~4.00~~] for each additional day.

C. **Quarantine Fees**

\$300.00 for the required 10-day period.

Resolution No. 2013-14
Animal Control Fees
Page 2

[C.] **D.** For animal establishment permits

	<u>ANNUAL FEE</u>
1. Pet Shop	\$ 10.00
2. Riding Stable	10.00
3. Animal Auction	10.00
4. Zoological Park	10.00
5. Performing Animal Exhibition	10.00
6. Grooming Shop	10.00

Section 2. Replacement of Resolution No. 2000-14.

Upon passage, Resolution No. 2013-14 shall replace and supersede Resolution No. 2000-14.

PASSED, APPROVED AND ADOPTED THIS 3RD DAY OF SEPTEMBER 2013.

Glenn R. Royal, Mayor

ATTEST:

Michele L. Glaser, TRMC
City Secretary

Toughest

Revised 03/11

9

CITY OF SEABROOK
PARADE, CARNIVAL, SHOW, FESTIVAL,
SPECIAL OR COMMUNITY EVENT
APPLICATION

Date of Application: 8-23-13 Name of Applicant: Robby Sabban
Full Address of Applicant: 3811 Hickory View Ct. Friendswood, TX 77546
Day Time Phone: _____ Night time phone: (541) 212-1234
e-mail address: _____

Name of Organization, Firm or Corporation on whose behalf this application is made:

Running Alliance Sport

Address of Organization (if different from above) Same

City _____ State _____ Zip Code _____

Phone Number of Organization (if different from above) (____) Same

Is the organization recognized as a non-profit organization for tax purposes? yes

Requested Date(s) and Times of the Event:

September 21, 2013 setup 5:00 AM start 7:30 AM

Location of the Event: Kemah Boardwalk, Seabrook Kemah Bridge

Give a brief description of the event. Map attached Run 4 times over
Bridge Finish on boardwalk

Estimated No. of Workers 50 Estimated No. of Attendees 1100

Will the event be held in a parking area? NO If so, how many parking spaces will be temporarily lost? N/A

How many parking spaces are you providing for the event? N/A

Will any portion of this event be held on city property? If so, where?
No Kemah Bridge

Will alcohol be served? NO If so, you are required to pay an additional deposit if you wish to serve alcohol on city property. You must also contact the Texas Alcoholic Beverage Commission

Will admission be charged for this event? No

Do you want to display temporary signs or banners to advertise this event? No

Sat

Special Events Application
 Revised 03/11
 Page 2

Number of signs for this event 0 Complete the sign permit application attached to the packet. Please note that signs may only be displayed on private property, with the property owners' permission and with a city permit. Signs are not permitted in any street rights-of-way.

If this event is a parade, please answer the following additional questions.

Proposed Route (Attach Map): Attached

Estimated number and kind of animals to be used: _____

Estimated number of parade participants including, animals and riders, bicycle riders, animal-drawn vehicles, floats motor vehicles, motorized displays and marching units or organizations, such as bands, color-guards, and drill teams: _____

THIS SECTION NEEDS TO BE COMPLETED IN ORDER TO PROCESS YOUR APPLICATION.

This application has been reviewed by the Seabrook Police Chief or designee and the signature below verifies that adequate provisions for security have been made by the applicant.

BRYAN BRAND
 Print name
 Police Department Representative

8-23-13
 Date Approved

[Signature]
 Signature
 Police Department Representative

Comments: AGREED - 4 OFFICERS @ \$30 PER HOUR w/
4 HR MINIMUM (06:30 - TILL FINISH)

I have enclosed the following items as part of my application:

1. A completed application form including approval by the City Council.
2. Permit fee in the amount of \$ 50.00. (Non-request to the City Council requesting a waiver.)
3. If event is a parade a deposit fee of _____
4. A certificate of insurance, naming the City of Seabrook as the insured, providing protection of not less than \$1 million per person and of not less than \$300,000 for aggregate.

CITY OF SEABROOK
 ****REPRINT RECEIPT****
 RECH: 00547709 8/23/2013 3:02 PM
 OPER: 006 TERM: 006
 REF#: 1079
 TRAN: 4.0000 COMMUNITY HOUSE DEP
 TOUGHEST 10K/ROBBIE SABIN
 RUNNING ALLIANCE SPORT
 COMMUNITY HOUSE DEP 500.0000
 TENDERED: 500.00 CHECK
 APPLIED: 500.00-
 CHANGE: 0.00

Special Events Application
Revised 03/11
Page 3

more persons in a single accident or occurrence. (A sample certificate of insurance is enclosed.)

5. For special events, a site plan is attached as required by the Code of the City of Seabrook, Section 4.07. (See attached excerpt.)
6. For parades, a map showing the parade route is attached.

NO APPLICATION WILL BE ACCEPTED UNLESS ALL ITEMS LISTED ABOVE ARE PROVIDED.

As applicant, I certify that all information contained in this application is true and correct to the best of my knowledge. I state that I am fully authorized to act and contract for any persons, organizations, firms or corporations on whose behalf this application is made. As applicant for the above organization, I do contract and agree that they will jointly and severally, indemnify and hold the City of Seabrook harmless against liability for any and all claims for damage to property or injury to or death of persons arising out of or resulting from the issuance of the permit or the conduct of the participants. As applicant, I understand that I may be held liable as principal in place of the organization for the cost of cleaning or repairing city property which may have sustained damage as a result of the special event. I understand that a special events permit may be issued for no more than five consecutive days. If the permit is granted, I, as representative, agree to adhere to all city ordinances regarding the special event.

I understand that if I am applying to use a city park, community house or other city facility to hold this event, additional applications and fees will be required.

I understand that all required applications, accompanying documents and fees must be submitted to the City Secretary's Office at least 30 days prior to the date of the event, and that the event may not be held without approval of the Seabrook City Council. I have read and have agreed to the above conditions.

Robb Sullivan
Signature of Applicant

Robb Sullivan
Printed Name of Applicant

8-23-13
Date Submitted

FOR OFFICE USE ONLY	
<u><i>8/23/13</i></u>	Reviewed by City Secretary
	Date
If applicable: Fire Marshal notified _____ Building Official Notified _____ City Mgr _____	
This application has been reviewed by the Seabrook City Council on _____	
and has been APPROVED DENIED.	
The following conditions are placed upon this event: _____	



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
 8/1/2013

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 STAR Insurance - Fort Wayne Office 2130 East DuPont Road Fort Wayne IN 46825		CONTACT NAME: Judy Weaver PHONE (A/C No. Ext.): (260) 467-5697 FAX (A/C No.): (260) 467-5651 E-MAIL ADDRESS: judy.weaver@starfinancial.com															
INSURED Road Runners Club of America/2013 & Its Member Clubs 1501 Lee Highway, Suite 140 Arlington VA 22209		<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: National Casualty Company</td> <td>11991</td> </tr> <tr> <td>INSURER B: Nationwide Life Insurance Co.</td> <td>66869</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: National Casualty Company	11991	INSURER B: Nationwide Life Insurance Co.	66869	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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COVERAGES **CERTIFICATE NUMBER: 2013 - \$1M A.I.** **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.

INSUR LTR	TYPE OF INSURANCE	ADDITIONAL INSURER	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY					EACH OCCURRENCE \$ 1,000,000
	☒ COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000
	☐ CLAIMS-MADE ☒ OCCUR		KRO 000000 3086500	12/31/2012	12/31/2013	MED EXP (Any one person) \$ 5,000
	☒ Legal Liability to Participant \$1,000,000			12:01 A.M.	12:01 A.M.	PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER		Abuse & Molestation			GENERAL AGGREGATE \$ NONE
	☒ POLICY ☐ PRO-JECT ☐ LOC		Aggregate \$5,000,000			PRODUCTS - COM/OP AGG \$ 1,000,000
A	AUTOMOBILE LIABILITY					ABUSE & MOLESTATION \$ 500,000
	☐ ANY AUTO					COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS		KRO 000000 3086500	12/31/2012	12/31/2013	BODILY INJURY (Per person) \$
	☒ HIRED AUTOS ☒ NON-OWNED AUTOS			12:01 A.M.	12:01 A.M.	BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB					EACH OCCURRENCE \$
	EXCESS LIAB					AGGREGATE \$
	DED ☐ RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATUTORY LIMITS OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A				E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$
B	EXCESS MEDICAL & ACCIDENT (\$250 DEDUCTIBLE/CLAIM)		SFX 00000 25699000	12/31/2012	12/31/2013	EXCESS MEDICAL \$10,000
				12:01 A.M.	12:01 A.M.	AD & SPECIFIC LOSS \$2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED. DATE OF EVENT: 09/21/13 Toughest 10K Kemah INSURED CLUB/EVENT MEMBER: Running Alliance Sport, Attn: Robby Sabban, 3811 Hickory View Court, Friendswood, Texas 77546

CERTIFICATE HOLDER

CANCELLATION

09/21/13 City of Seabrook 1700 First Street 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 John Lefever/CE
--	--

Toughest 10K Kemah

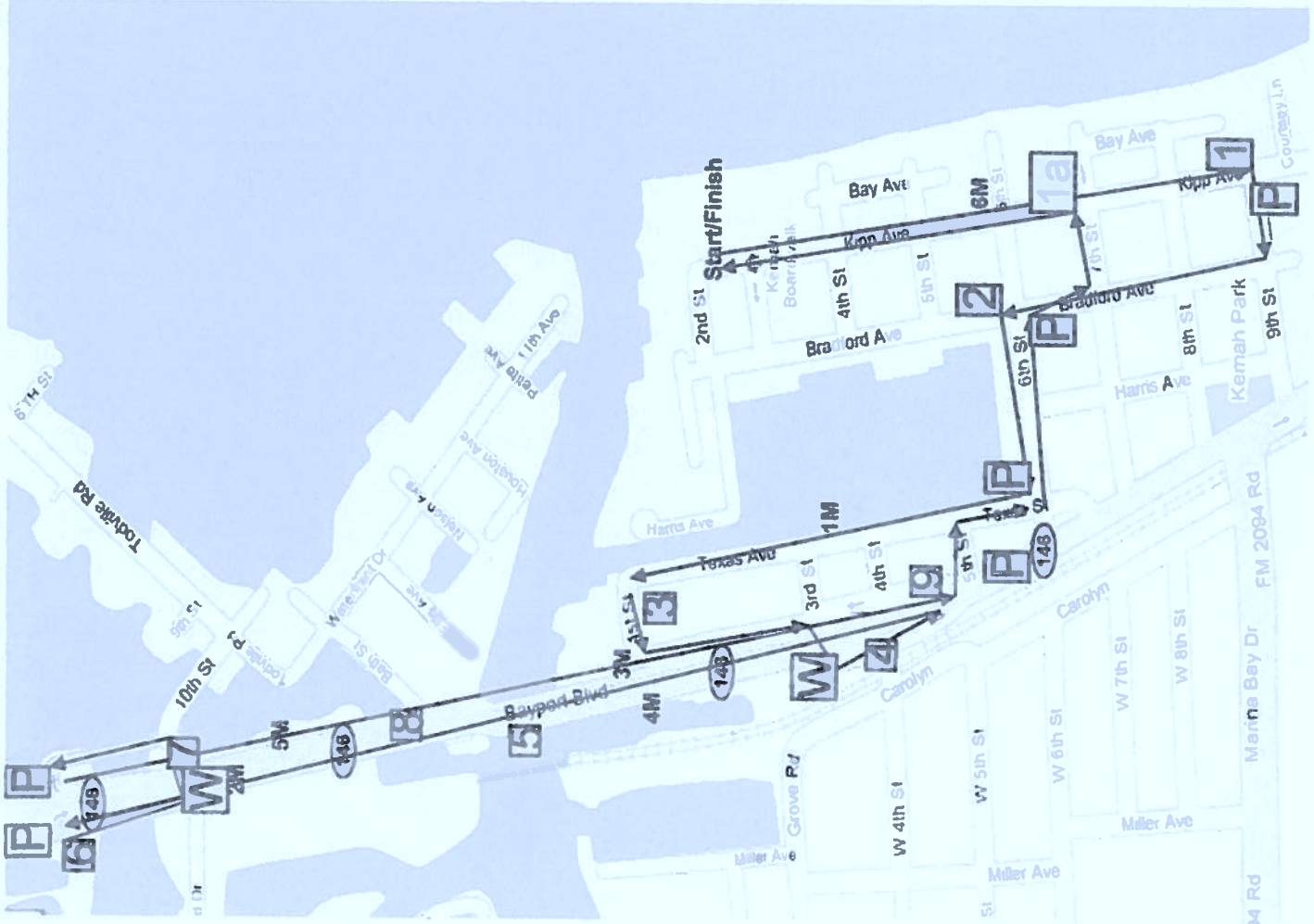
Start and finish is about 20 yards in front of the Kemah boardwalk sign on Kipp.

The race will start on Kipp and go to 9th street and take a right then turn right on Bradford Ave towards 6th street, left on 6th street towards Texas and then right on Texas to 1st street going through the boat ramp parking. At 3rd street a right under the bridge to the base of the Kemah bridge. Running against traffic the runners will go over the bridge taking the off ramp on the Seabrook side. Go under the bridge loop back up the bridge towards Kemah. Once they finish the first loop of the bridge they will come off on 5th street towards Texas Ave. They will take a left on Texas towards 1st street to do a second loop of the bridge. After the second loop they will approach 5th street again and this time they will take a right towards 6th street. On 6th street they will run back towards Bradford and take a right on Bradford and then a left on 7th street. Then a left on Kipp and finish back at the start.

The event sequence is for radio support

S/F-1-2-3-4-5-6-7-8-9-3-4-5-6-7-8-9-2-1a-S/F

Note: **1** moves to **1a** after last participant passes



Meredith Brant

From: Robby Sabbar
Sent: Friday, August 23, 2013 9:40 AM
To: Meredith Brant
Subject: Re: Toughest 10K Run

A check will be coming your way, either in person or by mail soon:-)
I Am sure Bryan from PD will be contacting me about the race.
Awesome thanks

Sent from my auto correct spell check iPhone

On Aug 23, 2013, at 9:15 AM, Meredith Brant <mbrant@seabrooktx.gov> wrote:

Robbie, based on last year's permit, you paid a \$500 refundable deposit and the police are required to sign off on the permit. Typically the applicant takes it to the police in case there are questions. However, since you have been doing this for some time, I don't mind contacting the PD to see if they will sign off on it. I'll keep you posted. In the meantime, you can put a check in the drop box, mail it or come in and see us. On the agenda we'll note that as a non-profit you are asking the \$50 fee to be waived. It will be on the September 3 agenda. Thanks!

Meredith Brant

Assistant City Secretary
City of Seabrook
281.291.5736 phone
281.291.5710 fax
www.seabrooktx.gov

From: Robby Sabbar
Sent: Friday, August 23, 2013 7:45 AM
To: Meredith Brant; Michele Glaser
Subject: Toughest 10K Run

So sorry this permit is late, just dawned on me that I haven't sent this in. Attached is the permit (similar to LY), insurance and map.

Would like to see if we can get the \$50 permit fee waived, since we are a 501c3 and all the proceeds will go to charity. If not I will stop by I haven't been in a while to say hi to all.

Please let me know if you need anything else.

Kind Regards,
Robby

2013 Property Tax Rates in City of Seabrook

This notice concerns the 2013 property tax rates for City of Seabrook. It presents information about three tax rates. Last year's tax rate is the actual tax rate the taxing unit used to determine property taxes last year. This year's *effective* tax rate would impose the same total taxes as last year if you compare properties taxed in both years. This year's *rollback* tax rate is the highest tax rate the taxing unit can set before taxpayers start rollback procedures. In each case these rates are found by dividing the total amount of taxes by the tax base (the total value of taxable property) with adjustments as required by state law. The rates are given per \$100 of property value.

Attachment 10, Item # 4.1
Page 1 of 2

Last year's tax rate:

Last year's operating taxes	\$3,603,516
Last year's debt taxes	\$1,357,995
Last year's total taxes	\$4,961,511
Last year's tax base	\$745,831,680
Last year's total tax rate	\$0.665232/\$100

This year's effective tax rate:

Last year's adjusted taxes (after subtracting taxes on lost property)	\$4,908,641
÷ This year's adjusted tax base (after subtracting value of new property)	\$777,966,358
=This year's effective tax rate (Maximum rate unless unit publishes notices and holds hearings.)	\$0.630958/\$100

This year's rollback tax rate:

Last year's adjusted operating taxes (after subtracting taxes on lost property and adjusting for any transferred function, tax increment financing, state criminal justice mandate, and/or enhanced indigent healthcare expenditures)	\$3,547,732
÷ This year's adjusted tax base	\$777,966,358
=This year's effective operating rate	\$0.456026/\$100
x 1.08=this year's maximum operating rate	\$0.492508/\$100
+ This year's debt rate	\$0.190900/\$100
= This year's total rollback rate	\$0.683408/\$100

Statement of Increase/Decrease

If City of Seabrook adopts a 2013 tax rate equal to the effective tax rate of \$0.630958 per \$100 of value, taxes would increase compared to 2012 taxes by \$15,180.

Schedule A - Unencumbered Fund Balance

The following estimated balances will be left in the unit's property tax accounts at the end of the fiscal year. These balances are not encumbered by a corresponding debt obligation.

Type of Property Tax Fund	Balance
General Fund	3,377,671
Debt Service Fund	1,918,422

Schedule B - 2013 Debt Service

The unit plans to pay the following amounts for long-term debts that are secured by property taxes. These amounts will be paid from property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
GO Bonds Series 2003	240,000	162,580	250	402,830
GO Refunding Bonds Series 2003	140,000	4,760	250	145,010
GO Bonds Series 2005	210,000	49,483	250	259,733
GO Bonds Series 2008	230,000	283,662	250	513,912
CO Series 2010	40,000	30,229	250	70,479
GO Refunding Bonds Series 2013	40,000	73,470	300	113,770

Total required for 2013 debt service	\$1,505,734
- Amount (if any) paid from Schedule A	\$0
- Amount (if any) paid from other resources	\$0
- Excess collections last year	\$0
= Total to be paid from taxes in 2013	\$1,505,734

+ Amount added in anticipation that the unit will
collect only 100.00% of its taxes in 2013

\$0

= Total debt levy

\$1,505,734

Attachment 10, Item # 4.1
Page 2 of 2

This notice contains a summary of actual effective and rollback tax rates' calculations. You can
inspect a copy of the full calculations at 1700 1st Street, Seabrook, TX 77586.

Name of person preparing this notice: Pam Lab

Title: Finance Director

Date Prepared: 08/28/2013

**CITY OF SEABROOK
2013 BUDGET CALENDAR FOR 2013-14 BUDGET**

ALTERNATIVE

DATE	DAY	EVENT
Aug 23	Fri	Report of Certified Appraised Values from Harris County Tax Assessor. (60 days starts)
Aug 26	Mon	Calculation of Effective and Rollback tax rates.
Aug 27	*Tue	Budget & Tax workshop
Aug 29	Thur	Email PDF file by noon publication of Effective and Rollback tax rates & post notice on website/TV
Aug 30	Fri	72 hour notice for meeting to discuss effective tax rate calculation, Proposed rate & final budget
Sep 3	Tue	Council Agenda - Discuss final budget & proposed tax rate. Take record vote on proposed tax rate if increased and schedule public hearings. If no increase, tax rate can be adopted any time after the budget is adopted. (special council meeting)
Sep 5	Thur	Publication of Effective and Rollback tax rates.
Sep 5	Thur	Email PDF file by noon of notice of Public Hearings on Tax Rate change (if needed) & post on website/TV
Sep 12	Thur	Publication of notice of Public Hearings on Tax Rate change. (7 days required before public hearing)
Sep 13	Fri	72 hour notice of Public Hearing on 2013-14 Budget
Sep 17	Tue	Public Hearing on 2013-14 Budget. (regular council meeting)
Sep 17	Tue	Council adopts 2013-14 Budget. (regular council meeting) RECORD VOTE REQUIRED
Sep 20	Fri	72 hour notice for 1st public hearing on tax rate
Sep 24	*Tue	First public hearing on tax rate change. (special council meeting)
Sep 26	Thur	Email PDF file by noon of Notice of Tax Rate Increase
Sep 27	Fri	Last day to adopt budget per Charter.
Sep 27	Fri	72 hour notice for 2nd public hearing on tax rate
Oct 1	Tue	Second public hearing on tax rate change. (regular council meeting)
Oct 2	Wed	Post on website/TV Notice of Tax Rate Increase
Oct 3	Thur	Publication of Notice of Tax Rate Increase
Oct 11	Fri	72 hour notice for meeting at which Council will adopt tax rate
Oct 15	Tue	Council adopts 2013 Ad Valorem Tax Rate. (Not <3 days or >14 days after 2nd public hearing) (regular council meeting) (Meeting is 14 days AFTER 2nd PH)

* Tuesdays that are not a normal City Council meeting night.

**CITY OF SEABROOK
2013 BUDGET CALENDAR FOR 2013-14 BUDGET**

ORIGINAL

DATE	DAY	EVENT
Aug 23	Fri	Report of Certified Appraised Values from Harris County Tax Assessor. (60 days starts)
Aug 26	Mon	Calculation of Effective and Rollback tax rates.
Aug 27	*Tue	Budget & Tax workshop-discuss effective tax rate & recommendations
Aug 29	Thur	Email PDF file by noon publication of Effective and Rollback tax rates & post notice on website/TV
Aug 30	Fri	72 hour notice for meeting to discuss effective tax rate calculation
Sep 3	Tue	Offically present ETR to City Council and discuss (regular council meeting)
Sep 5	Thur	Publication of Effective and Rollback tax rates.
Sep 6	Fri	72 hour notice for meeting to discuss proposed tax rate and final budget
Sep 10	*Tue	Council Agenda - Discuss final budget & proposed tax rate. Take record vote on proposed tax rate if increased and schedule public hearings. If no increase, tax rate can be adopted any time after the budget is adopted. (special council meeting)
Sep 12	Thur	Email PDF file by noon of notice of Public Hearings on Tax Rate change (if needed) & post on website/TV
Sep 13	Fri	72 hour notice of Public Hearing on 2013-14 Budget and to adopt tax rate if no increase
Sep 17	Tue	Public Hearing on 2013-14 Budget. (regular council meeting)
Sep 17	Tue	Council adopts 2013-14 Budget. (regular council meeting) RECORD VOTE REQUIRED
Sep 17	Tue	Council MAY adopt 2013 Property tax rate (if no increase)
Sep 19	Thur	Publication of notice of Public Hearings on Tax Rate change. (7 days required before public hearing)
Sep 27	Fri	Last day to adopt budget per Charter.
Sep 27	Fri	72 hour notice for 1st public hearing on tax rate
Oct 1	Tue	First public hearing on tax rate change. (regular council meeting)
Oct 3	Thur	Email PDF file by noon of Notice of Tax Rate Increase & post on website/TV
Oct 4	Fri	72 hour notice for 2nd public hearing on tax rate
Oct 8	*Tue	Second public hearing on tax rate change (must adopt rate within 3-14 days) (special meeting)
Oct 10	Thur	Publication of Notice of Tax Rate Increase
Oct 11	Fri	72 hour notice for meeting at which Council will adopt tax rate
Oct 15	Tue	Council adopts 2013 Ad Valorem Tax Rate. (Not <3 days or >14 days after 2nd public hearing) (regular council meeting)
Oct 22	*Tue	Last Day for Council to adopt 2013 Ad Valorem Tax Rate if increased. THIS IS THE 14TH DAY AFTER 2ND PUBLIC HEARING and 60 days maximum after delivery of tax rolls (special council meeting)



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, SEPTEMBER 3, 2013

Submitter/Requestor: Cook

Date Submitted: 8/23/2013 10:22:09 AM

Presenter:

Description/Subject:

This TMRS Ordinance reduces the Annuitant COLA from 70% to 30% effective on January 1, 2014.

Purpose/Need: NA

Background/Issue(What prompted this need):

Currently, the City of Seabrook has an annual repeating COLA for annuitants for 70%. This Annuity Increase benefits retirees during periods of high inflation by acting like a raise to counter effects of inflation.

During the budget review process for FY 2013-14, a plan study was requested of TMRS to review options of decreasing the city's contribution rate. After discussions during the staff budget meetings, the recommendation was sent to council for a reduction on the COLA from 70% to 30%.

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

oRD. No. 2013-16 TMRS

Fiscal Impact:	Budgeted	Yes	Finance	Officer
	Budget Amendment Required	No	Review:	
	Future/Ongoing Impact	Yes		

Budget Dept/Line Item Number

Funding Comments:

This adopted ordinance is projected to change the city contribution rate from 19.94% to 14.69% effective January 1, 2014, and the change has been calculated into the Proposed City of Seabrook Budget for FY 2013-14.

Where on the agenda should this item be placed?

New Business

Suggested Motion:

Approve the first reading of Ordinance 2013-16, TMRS Annual Repeating Annuity Change from 70% to 30% effective January 1, 2014.

Agenda Language:

Consider approval of first reading of Ordinance No. 2013-16, TMRS Annual Repeating Annuity Change from 70% to 30% effective January 1, 2014. (Cook)

AN ORDINANCE PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY OF SEABROOK , AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

ORDINANCE 2013 -16
TEXAS MUNICIPAL RETIREMENT SYSTEM
REPEATING ANNUITY CHANGE FROM 70 PERCENT TO 30 PERCENT
EFFECTIVE ON JANUARY 1, 2014

AN ORDINANCE PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY OF SEABROOK , AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

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

SECTION 1. Increase in Retirement Annuities.

(a) On the terms and conditions set out in Sections 854.203 and 853.404 of Subtitle G of Title 8, Government Code, as amended (hereinafter referred to as the "TMRS Act"), the City hereby elects to allow and to provide for payment of the increases below stated in monthly benefits payable by the System to retired employees and to beneficiaries of deceased employees of the City under current service annuities and prior service annuities arising from service by such employees to the City. An annuity increased under this section replaces any annuity or increased annuity previously granted to the same person.

(b) The amount of the annuity increase under this section is computed as the sum of the prior service and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by **30%** of the percentage change in Consumer Price Index for All Urban Consumers, from December of the year immediately preceding the effective date of the person's retirement to the December that is 13 months before the effective date of the increase under this Section.

(c) An increase in an annuity that was reduced because of an option selection is reducible in the same proportion and in the same manner that the original annuity was reduced.

(d) If a computation hereunder does not result in an increase in the amount of an annuity, the amount of the annuity will not be changed hereunder.

(e) The amount by which an increase under this Section exceeds all previously granted increases to an annuitant is an obligation of the City and of its account in the Benefit Accumulation Fund of the System.

SECTION 2. Dates of Increases.

The initial increase in retirement annuities hereunder shall be effective on **January 1, 2014**, subject to approval by the Board of Trustees of the System. An increase in retirement annuities shall be made hereunder on January 1 of each subsequent year until this ordinance ceases to be in effect under subsection (e) of Section 853.404 of the TMRS Act, provided that, as to such subsequent year, the actuary for the System has made the determination set forth in subsection (d) of Section 853.404 of the TMRS Act, and provided further that, as to such subsequent year, the City has an ordinance in effect that provides for a simultaneous increase in updated service credits as that term is used in the TMRS Act.

SECTION 3. Effective Date.

Subject to approval by the Board of Trustees of the System, this ordinance shall be and become effective on the **1st day of January 2014.**

PASSED AND APPROVED on first reading this 3RD day of September 2013.

PASSED AND APPROVED on second and final reading this 17TH day of September 2013

BY: _____
GLENN R. ROYAL, MAYOR

ATTEST:

BY: _____
MICHELE L. GLASER, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

STEVEN L. WEATHERED\
CITY ATTORNEY



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, SEPTEMBER 3, 2013

Submitter/Requestor:

Date Submitted: 8/26/2013 8:59:01 AM

Presenter:

Description/Subject:

This is to fill the vacancy created when Joseph Farella resigned to serve on EDC. Three new applicants have applied. In addition, Richard Nguyen who is serving as an alternate BOA member is interested in becoming a regular member.

Purpose/Need: NA

Background/Issue(What prompted this need):

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Application

Application

Davis Application

Fiscal Impact:	Budgeted	Yes	Finance	Officer
	Budget Amendment Required	Yes	Review:	
	Future/Ongoing Impact	Yes		
	Budget Dept/Line Item Number			

Funding Comments:

Where on the agenda should this item be placed?

New Business

Suggested Motion:

Agenda Language:

Consider appointment of a Board of Adjustment member with a term ending January 21, 2014. (Council)

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Rec.
8/16/13

Rev. 05/13

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

QUALIFICATIONS FOR APPOINTMENT TO THE CITY OF SEABROOK BOARDS/COMMISSIONS/CORPORATIONS ARE AS FOLLOWS:

- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # _____
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards X Civil Service Commission _____ EDC _____

Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____ Public Safety _____ Other _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Herman Burton

HOME ADDRESS: 2918 Sea Ledge Dr.

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: retired

BUSINESS NAME AND ADDRESS: _____

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
<u>Mike Laible</u>	<u>2823 Sea Ledge</u>	<u>1222</u>
<u>Mike Molly Hammack</u>	<u>2914 Sea Ledge</u>	<u>122</u>

How long have you lived in the City of Seabrook? 22 years

Rev. 05/13

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

AUG 29 2019 PM 3:41

QUALIFICATIONS FOR APPOINTMENT TO THE CITY OF SEABROOK BOARDS/COMMISSIONS/CORPORATIONS ARE AS FOLLOWS:

- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 57635559
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards ☒ Civil Service Commission _____ EDC _____

Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____ Public Safety _____ Other _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Letisha Davis

HOME ADDRESS: 3313 Arbor Ln.

HOME PHONE: 252-221-1222 CELL PHONE: same

E-MAIL ADDRESS: _____

DAY TIME PHONE: 711

PROFESSION: Scheduler/planner/time keeper

BUSINESS NAME AND ADDRESS: Dashiell @ Shell Deer Park Refinery

PERSONAL REFERENCES:

Name Address Daytime Phone #

Billy Davis 3313 Arbor Ln.

Tasha Gutaker 3322 Arbor Ln.

J.GAIL POSTON 3317 ARBOR LN

How long have you lived in the City of Seabrook? 4 yrs.

Letisha Davis

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service:

none

Have you ever been convicted of a crime, other than minor traffic violations?

no

What experience do you have that may qualify you for service on a particular Board, Commission or Corporation (i.e. licenses, degrees, and certificates)?

Please list any civic or community endeavors in which you have been involved:

SEABROOK ISLAND PUBLIC SAFETY COMMITTEE

I understand that applicants for board positions will be interviewed by City Council during a Council meeting. A list of typical questions is included with this application. Other questions may be asked during the interview. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including Section 2-239, that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment. (See attached.)

I agree to be bound by the Seabrook Charter, including Section 11.09, "Personal Interest" (See attached.)

I understand that State law requires that I undergo one hour of training concerning the Opening Meetings Act within 90 days of my appointment.

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

Signature

Date _____

8/27/13

Return to:

Michele L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710
mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

This application will remain on file for one year.

OFFICE USE ONLY

Date Submitted / / Received by: _____ Date(s) Interviewed _____

Comments: _____ Date(s) interviewed: _____

Date Appointed: _____

Rev. 05/13

Rec.
8/14/13

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

QUALIFICATIONS FOR APPOINTMENT TO THE CITY OF SEABROOK BOARDS/COMMISSIONS/CORPORATIONS ARE AS FOLLOWS:

- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 111 000 5917
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards ✓ Civil Service Commission _____ EDC _____

Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____ Public Safety _____ Other _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: MARGARET R HUNT

HOME ADDRESS: 1768 FLORIDA DR Seabrook

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: Retired

BUSINESS NAME AND ADDRESS: _____

PERSONAL REFERENCES:

Name Address Daytime Phone #

Ide Pirtle 2030 Willow Wisp DR

Floyd Myers 402 ORCHARD ST

How long have you lived in the City of Seabrook? Since 1968

Name of Applicant

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service:

ETHIC Commission

Have you ever been convicted of a crime, other than minor traffic violations?

No

What experience do you have that may qualify you for service on a particular Board, Commission or Corporation (i.e. licenses, degrees, and certificates)?

Retired City Secretary & Assistant City Manager
of the City of Seabrook and Webster

Please list any civic or community endeavors in which you have been involved:

I understand that applicants for board positions will be interviewed by City Council during a Council meeting. A list of typical questions is included with this application. Other questions may be asked during the interview. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including Section 2-239, that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment. (See attached.)

I agree to be bound by the Seabrook Charter, including Section 11.09, "Personal Interest" (See attached.)

I understand that State law requires that I undergo one hour of training concerning the Opening Meetings Act within 90 days of my appointment.

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

Signature

Date _____

Return to:

Michele L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710

mglasser@seabrooktx.gov or mbrant@seabrooktx.gov

This application will remain on file for one year.

OFFICE USE ONLY

Date Submitted ___/___/___ Received by: _____ Date(s) Interviewed _____
Comments:

Comments:

Date Appointed: _____



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, SEPTEMBER 3, 2013

Submitter/Requestor: Michele Glaser

Date Submitted: 8/28/2013 2:39:31 PM

Presenter:

Description/Subject:

Purchase of eSlate election equipment from Hart Intercivic. This is the same type of election equipment used by Harris County and used by the City, except for the 2012 election. Council has the option of purchasing new or refurbished equipment. Deer Park, Tomball and Rockdale have had no problems with the refurbished equipment they purchased two years ago. Costs presented are for hardware only. Annual costs are the same whether the equipment is new or refurbished and average \$8000 - \$10000 per election. If Council elects to purchase the refurbished equipment, I recommend that we purchase one additional eSlate unit at an additional cost of approximately \$2260.

Purpose/Need: NA

Background/Issue(What prompted this need):

We must purchase election equipment as Harris County can no longer lease equipment to us in May of even numbered years.

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Quote for refurbished equipment

Quote for new equipment

Fiscal Impact:

Budgeted

Yes

Finance
Review:

Officer

Budget Amendment Required

Yes

Future/Ongoing Impact

Yes

Budget Dept/Line Item Number

Funding Comments:

Where on the agenda should this item be placed?

New Business

Suggested Motion:

Approve the purchase of refurbished eSlate election equipment with the addition of one extra eSlate unit for a total cost of approximately \$32,229.00 for all equipment and to authorize the use of Reserve Funds for the purchase.

Agenda Language:

Consider purchase of election equipment from Hart Intercivic. Purchase cost for new equipment is approximately \$42,162. Purchase cost for refurbished equipment is approximately \$32,228. Recommend that purchase is funded through Reserve Funds. Purchase of equipment is necessary as Harris County can no longer lease equipment to cities in May of even numbered years. (Glaser)

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)



Entities Election Program - Price Quote

Date	August 29, 2013
Customer	City of Seabrook, TX (Harris County)
Additional Notes	Hart Voting System 6.2.1
Election Event Date	May 10, 2014

Item	Description	Quantity	Unit Price	Total	Remarks
1	Entity Election Base Services Package	-	\$ 5,000.00		* Ballot Programming (English/Spanish - up to 10 contests) * On-site trip by Professional Services Team to include: * Logic & Accuracy Testing (on-site) * Poll Worker Training (on-site) * Phone Support for Early Voting * On-site Support at main election office on Election Day * Tabulation of election results * Backup and archive of election data
2	eSlate, DAU, Used (version 4.2.13)	3	\$ 2,860.00	\$ 8,580.00	Disabled Access Unit (ADA HAVA - compliant) and booth Includes 1 audio Mobile Ballot Box (MBB)
3	eSlate, Used (version 4.2.13)	6	\$ 2,200.00	\$ 13,200.00	Standard Voting Machine and booth
4	JBC, Used (version 4.3.1)	3	\$ 2,200.00	\$ 6,600.00	Judges Booth Controller (1 per Poll Location) Includes 1 Mobile Ballot Box (MBB)
5	eScan Digital Scanner, New	-	\$ 5,940.00		Ballot Box included Includes 1 Mobile Ballot Box (MBB)
6	Annual License and Support Fees*	-	\$ 1,000.00		Total License and Support costs for all hardware
7	Mobile Ballot Boxes (MBB)	6	\$ 66.00	\$ 396.00	Stores Cast Vote Records and used for tabulation
8	MBB Storage Box - Medium	-	\$ 97.90		Holds up to 200 MBBs
9	Jelly Switches for DAU	-	\$ 183.70		Tactile input switches (ADA Compliant) for DAU machine
10	eSlate Storage Caddy III, used	1	\$ 425.00	\$ 425.00	Metal Rack - houses up to 8 eSlates/DAUs
11	Casters for Caddy III, used	1	\$ 80.00	\$ 80.00	Set of 4
12	JBC Storage and Transport Box	3	\$ 60.50	\$ 181.50	Reinforced, padded plastic box for storage and stacking
13	Additional Language Programming	-	\$ 450.00		Vietnamese (audio & ballot)
14	Additional Ballot Programming	-	\$ 500.00		Up to 10 additional contests
15	Paper Ballots	-	\$ 1.00		Minimum 50 Ballots, includes ground transportation
16	Paper Ballots (8.5 x 11)	-	\$ 0.34		Minimum 1000 Ballots, includes ground transportation
17	Paper Ballots (8.5 x 14)	-	\$ 0.37		Minimum 1000 Ballots, includes ground transportation
18	Early Voting Kits	-	\$ 45.00		SOS Paper Forms
19	Election Day Kits	-	\$ 45.00		SOS Paper Forms
			Subtotal	\$ 29,462.50	
			Shipping and Handling	\$ 500.00	Estimated
			Total	\$ 29,962.50	

Billing Address and Phone

Shipping Address and Phone

Billing Instructions
Payment Terms are Net 30

Shipping Instructions
Ground Transportation

Terms and Conditions:

Prices are effective for 30 days from date of quote and subject to inventory availability.

*License and Support fee quoted separately.

Hart Contact (Name): Ken Trethewey	Title: Sales Representative
Hart Approval (signature): <i>Ken Trethewey</i>	Date: 8/29/2013
Customer Contact (Name):	Title:
Customer Approval (signature):	Date:

To activate your agreement, please sign and fax to 512.252.6923 or email ktrethewey@hartic.com



Entities Election Program - Price Quote

Date	August 29, 2013
Customer	City of Seabrook, TX (Harris County)
Additional Notes	Hart Voting System 6.2.1
Election Event Date	May 10, 2014

Item	Description	Quantity	Unit Price	Total	Remarks
1	Entity Election Base Services Package	-	\$ 5,000.00		* Ballot Programming (English/Spanish - up to 10 contests) * On-site trip by Professional Services Team to include: * Logic & Accuracy Testing (on-site) * Poll Worker Training (on-site) * Phone Support for Early Voting * On-site Support at main election office on Election Day * Tabulation of election results * Backup and archive of election data
2	eSlate, DAU, New (version 4.2.13)	3	\$ 3,960.00	\$ 11,880.00	Disabled Access Unit (ADA HAVA - compliant) and booth
3	eSlate, New (version 4.2.13)	6	\$ 3,300.00	\$ 19,800.00	Standard Voting Machine and booth
4	JBC, New (version 4.3.1)	3	\$ 3,300.00	\$ 9,900.00	Judges Booth Controller (1 per Poll Location) Includes 1 Mobile Ballot Box (MBB)
5	eScan Digital Scanner, New	-	\$ 5,940.00		Ballot Box included Includes 1 Mobile Ballot Box (MBB)
6	Annual License and Support Fees*	-	\$ 1,000.00		Total License and Support costs for all hardware
7	Mobile Ballot Boxes (MBB)	6	\$ 66.00	\$ 396.00	Stores Cast Vote Records and used for tabulation
8	MBB Storage Box - Medium	-	\$ 97.90		Holds up to 200 MBBs
9	Jelly Switches for DAU	-	\$ 183.70		Tactile input switches (ADA Compliant) for DAU machine
10	eSlate Storage Caddy III, used	1	\$ 425.00	\$ 425.00	Metal Rack - houses up to 8 eSlates/DAUs
11	Casters for Caddy III, used	1	\$ 80.00	\$ 80.00	Set of 4
12	JBC Storage and Transport Box	3	\$ 60.50	\$ 181.50	Reinforced, padded plastic box for storage and stacking
13	Additional Language Programming	-	\$ 450.00		Vietnamese (audio & ballot)
14	Additional Ballot Programming	-	\$ 500.00		Up to 10 additional contests
15	Paper Ballots	-	\$ 1.00		Minimum 50 Ballots, includes ground transportation
16	Paper Ballots (8.5 x 11)	-	\$ 0.34		Minimum 1000 Ballots, includes ground transportation
17	Paper Ballots (8.5 x 14)	-	\$ 0.37		Minimum 1000 Ballots, includes ground transportation
18	Early Voting Kits	-	\$ 45.00		SOS Paper Forms
19	Election Day Kits	-	\$ 45.00		SOS Paper Forms
Subtotal				\$ 42,662.50	
Shipping and Handling				\$ 500.00	<i>Estimated</i>
Total				\$ 43,162.50	

Billing Address and Phone

Shipping Address and Phone

Billing Instructions
Payment Terms are Net 30

Shipping Instructions
Ground Transportation

Terms and Conditions:

Prices are effective for 30 days from date of quote and subject to inventory availability.

*License and Support fee quoted separately.

Hart Contact (Name): Ken Trethewey	Title: Sales Representative
Hart Approval (signature):	Date: 8/29/2013
Customer Contact (Name):	Title:
Customer Approval (signature):	Date:

To activate your agreement, please sign and fax to 512.252.6923 or email ktrethewey@hartic.com



**Harris County Appraisal District
Interoffice Memorandum**

OFFICE OF CHIEF APPRAISER

TO: PRESIDING OFFICERS OF TAXING UNITS
SERVED BY THE HARRIS COUNTY APPRAISAL DISTRICT

FROM: SANDS STIEFER, CHIEF APPRAISER

SUBJECT: SELECTION OF APPRAISAL DISTRICT BOARD MEMBERS; CHANGE TO
METHOD OF SELECTION FOR SCHOOL DISTRICTS OTHER THAN
HOUSTON ISD

DATE: AUGUST 1, 2013

Your taxing unit participates in selecting members of the Harris County Appraisal District's board of directors. The board is composed of six members who serve two-year terms, all of which expire December 31, 2013. This memorandum describes the process of selecting directors for the two-year term that begins January 1, 2014. Pursuant to Sec. 6.031, Tax Code, as amended by SB 359 from the most recent regular legislative session, I have enclosed a copy of a resolution enacted by the board of directors that provides for junior college districts to collectively participate in the selection of one of the six board members. This is your official notice of that change.

Functions of the Board

The appraisal district appraises all property in the county for ad valorem tax purposes. The board of directors is the governing body for the district. This board employs the chief appraiser, sets general policies for the district, and adopts the budget for the district. By law, board members cannot communicate with the chief appraiser regarding appraisals. There is no compensation for service on the appraisal district board of directors; however, directors are reimbursed for travel expenses if incurred. The board of directors typically meets once a month.

Participating Units

The current method of selecting directors was established by resolutions of the county, cities, and school districts participating in the appraisal district in 1981. The method of selection was modified in 1991 after the law was changed to provide a voting entitlement to conservation and reclamation districts and has now been modified to provide a voting entitlement for junior college districts. Sec. 6.031, Tax Code, authorizes an appraisal district to vary both the size and the method of selecting its board members.

The six members of the Harris County Appraisal District's board of directors are selected as follows:

Presiding Officers, August 1, 2013

Page 2

- One member appointed by the Harris County Commissioners Court.
- One member appointed by the Houston City Council.
- One member appointed by the board of trustees of the Houston Independent School District.
- One member appointed by votes of the city councils of the cities other than Houston. Each city council casts a single vote. The candidate who receives the most votes is elected.
- One member appointed by vote of the boards of trustees of the school districts other than Houston Independent School District and by the boards of directors of the junior colleges with territory in Harris County. Each school district board casts a single vote. The junior college districts collectively cast a single vote. The candidate who receives the most votes is elected.
- One member appointed by vote of the governing bodies of the conservation and reclamation districts that participate in the appraisal district. Each body casts a single vote. The candidate who receives the most votes is elected.

In the event the county appoints someone other than the county assessor-collector to the board, the county assessor-collector will serve ex officio in a non-voting capacity as a seventh member.

Board members whose terms expire December 31, 2013, are:

- Glenn Peters, Chairman, representing conservation and reclamation districts
- Toni Trumbull, Secretary, representing junior college districts and school districts other than Houston ISD
- Lawrence Marshall, representing Houston ISD
- ✓ Ed Heathcott, Member, representing cities & towns, except City of Houston
- Ray Holtzapple, Member, representing City of Houston
- Mike Sullivan, Member, representing Harris County

Eligibility Requirements

An individual must satisfy certain residency, employment, and conflict-of-interest requirements to be eligible to serve on the board of directors.

Residency: The candidate must be a resident of Harris County, and must have resided in the county for at least two years immediately preceding the date he or she takes office. The appraisal district's boundaries are the same as those for Harris County.

Employment: An employee of a taxing unit served by the appraisal district may not serve, with one exception. An employee may serve if the employee is also a member of the governing body or an elected official of a taxing unit that participates in the district. For example, a member of the governing body of a school district who is also a city employee would be *eligible* to serve on the appraisal district's board of directors. Elected officials or members of governing bodies who are not employed by taxing units are also *eligible* to serve on the board.

An individual is *ineligible* to serve on an appraisal district board of directors if the individual has engaged in the business of appraising property for compensation for use in proceedings under this title or of representing property owners for compensation in proceedings under this title in the appraisal district at any time during the preceding five years.

Presiding Officers, August 1, 2013

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Conflict-of-interest: A candidate may not serve if the candidate is related to a person who is in the business of appraising property or represents property owners for a fee in proceedings in the appraisal district. Relatives barred are those within the second degree by consanguinity (blood) or affinity (marriage). These persons include: spouse; children; brothers and sisters; parents; grandparents; and grandchildren. The spouse's relatives in the same degree are included.

A candidate who contracts with the appraisal district for any purpose, or who contracts with a taxing unit served by the district for a property tax related purpose, may not serve. The same rule applies to candidates who have a substantial interest in businesses contracting with the appraisal district (for any purpose) or with the taxing unit (for property tax purposes). A candidate has a substantial interest if the candidate or the candidate's spouse has combined ownership of at least ten percent (10%) of the voting stock or shares of the business. A candidate also has a substantial interest if the candidate or the candidate's spouse is a partner, limited partner, or an officer of the business. These prohibitions on contracting continue for the duration of the affected director's term of office.

The appraisal district may not employ any person who is related to an appraisal district director within the second degree by affinity or the third degree by consanguinity. The provision applies to existing employees at the time the director takes office and to employees hired during the director's term.

Delinquent taxes: Texas law makes a person ineligible to serve as an appraisal district director if he or she has delinquent property taxes owing to any taxing unit 60 days after the person knew or should have known of the delinquency.

Selection Procedures

The procedures for selecting members of the board of directors for the two-year term beginning on January 1, 2014, are as follows:



For Cities and Towns Other Than the City of Houston

The cities and towns other than the City of Houston appoint one member by majority vote of their city council. The process for these cities and towns involves two steps: nomination and election.

Nomination

The city council of each city and town has the right to nominate a single candidate for the position. To nominate, the governing body must adopt a resolution nominating the candidate by formal action. The mayor, as presiding officer of the city council, must submit the nominee's name to the chief appraiser of the Harris County Appraisal District no later than Tuesday, **October 15, 2013**. The mayor must provide a certified copy of the resolution and may include a cover letter naming the nominee.

Presiding Officers, August 1, 2013

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Election

Before Wednesday, October 30, 2013, the chief appraiser will prepare a ballot listing the nominees in alphabetical order. The chief appraiser will deliver a copy of the ballot to the mayor of each voting city or town.

No later than Monday, December 16, 2013, each city council must cast its vote for one of the nominees, formally adopt a resolution naming the person for whom it votes, and submit a certified copy to the chief appraiser. Ballots received by the chief appraiser after December 16 may not be counted.

The chief appraiser will count the votes, declare the results, and notify the winner, the nominees, and the managers of each city and town. A tie vote will be resolved by a method of chance chosen by the chief appraiser.

For Junior Colleges and School Districts Other Than the Houston Independent School District

With the exception described below for junior college districts, exactly the same procedure described for cities and towns above applies to the selection of the member who represents junior colleges and school districts other than Houston ISD. The board of trustees of the school districts must nominate and elect following the deadlines and procedures described above.

Under the provisions of SB 359, 83d Regular Session, 2013, and the enclosed resolution, the four junior college districts with territory in Harris County may participate in the selection of the member who represents school districts other than the Houston ISD and the junior colleges. However, the junior college districts collectively have the same voting authority as a single school district. See Sec. 6.031(b-1), Tax Code, as added by SB 359. The boards of trustees of junior college districts may each nominate a candidate following the deadlines and procedures described above. However, the four junior colleges collectively have a single vote in the election. Each board of trustees may cast a vote by resolution and file the resolution with the chief appraiser. The collective vote will be automatically cast for the candidate who receives the most votes from among the junior colleges. As an example, if one candidate receives three votes and another receives one vote, the junior colleges will be deemed to have collectively cast their vote for the candidate who received the three votes. See the enclosed resolution for more details.

For Conservation and Reclamation Districts

The procedure and timetable for selecting the member who represents the conservation and reclamation districts are the same as that described above for small cities and school districts.

The conservation and reclamation districts that participate in the appraisal district may cast a single vote. The candidate who receives the most votes is elected.

Presiding Officers, August 1, 2013

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**For Harris County, the City of Houston,
and the Houston Independent School District**

By December 5, 2013, the governing body of each of these entities appoints a single person to represent it on the board. Each governing body must formally adopt a resolution naming the person who will serve as a board member and submit it to the chief appraiser at the address shown below:

Sands L. Stiefer
Chief Appraiser
Harris County Appraisal District
13013 Northwest Freeway
P. O. Box 920975
Houston, TX 77292-0975

To assist you in this process, I have enclosed a suggested form of resolution for the nomination of a candidate to the board of directors of the Harris County Appraisal District.

We invite your questions or comments on the board selection process. Please do not hesitate to call me at (713) 957-5274.

Sincerely,



Sands L. Stiefer, RPA
Chief Appraiser

Attachments

c: HCAD Board Members
Tax Assessors
Attorneys

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF _____, TEXAS,
NOMINATING A CANDIDATE FOR A POSITION
ON THE BOARD OF DIRECTORS OF THE
HARRIS COUNTY APPRAISAL DISTRICT**

WHEREAS, those cities and towns other than the City of Houston within the Harris County Appraisal District have the right and responsibility to elect one person to the board of directors of the Harris County Appraisal District for a term of office commencing on January 1, 2014, and extending through December 31, 2015; and

WHEREAS, this governing body desires to exercise its right to nominate a candidate for such position on said board of directors; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF _____

Section 1. That the facts and recitations set forth in the preamble of this resolution be, and they are hereby, adopted, ratified, and confirmed.

Section 2. That _____ (name), _____
_____ (address, zip code) _____ (phone
number), be, and he or she is hereby, nominated as a candidate for that position on the board of directors of the Harris County Appraisal District to be filled by those cities and towns other than the City of Houston within the Harris County Appraisal District for a two-year term of office commencing on January 1, 2014.

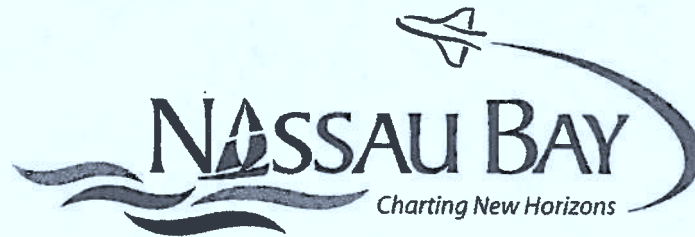
Section 3. That the presiding officer of the governing body of this taxing unit be, and he or she is hereby, authorized and directed to deliver or cause to be delivered a certified copy of this resolution to the chief appraiser of the Harris County Appraisal District no later than October 15, 2013.

PASSED AND APPROVED this _____ day of _____, 2013.

Mayor

ATTEST:

City Secretary



August 19, 2013

Mr. Ronald Neighbors
General Manager
Harris-Galveston Subsidence District
1660 West Bay Area Blvd.
Friendswood, TX 77546

Dear Mr. Neighbors:

I recommend that Mr. Jim Edwards be appointed to the Subsidence District Board to fill the vacancy left by the unfortunate death of Ms. Jodi Norris. From the attached resume, I think you will agree that Mr. Edwards has excellent qualifications.

Thank you for giving him your consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark A. Denman".

Mark A. Denman
Mayor

James C Edwards

**2418 Baycrest Drive
Nassau Bay, Texas
Home Phone 281-333-5134
E-mail jcejwe@msn.com**

Military Service; U.S. Navy

**Education: B.S in Chemistry University of Kansas
 M.S. in Chemistry University of Michigan**

**Work History: Monsanto Company, Dayton, Ohio and St. Louis, Missouri
 Central Research Department: Analytical Lab Supervisor
 Monsanto Company, Chocolate Bayou Plant: Quality Control Lab Supervisor**

Volunteer History: Armond Bayou Nature Center: Facilities Group

Galveston County Master Gardener Association: 1998 to present, Current President

Swan Lagoon Property Owners Association: Current Board Member

City of Nassau Bay Board of Adjustment: Member since 1998, Current Chairman

Meredith Brant

From: Faith Shallis
Sent: Friday, August 23, 2013 11:30 AM
To: Kelly Templin; Glenn Royal
Cc: Michele Glaser; Meredith Brant
Subject: FW: Nomination Letter
Attachments: subsidenceappointee130819.pdf; ATT00001.htm

I spoke with Mr. Neighbors of the Subsidence District this morning and he said that Seabrook has the option to support Nassau Bay's nomination of Jim Edwards as the replacement for Jodi Bobbo Norris's spot or submit a letter with their own potential appointee.

Faith

-----Original Message-----

From: rneighbors@subsidence.org [mailto:rneighbors@subsidence.org]
Sent: Friday, August 23, 2013 11:24 AM
To: Faith Shallis
Subject: Fwd: Nomination Letter

This is what I received. Ron Neighbors

Sent from my iPhone

Begin forwarded message:

From: Bob Warters <bob.warters@verizon.net<mailto:bob.warters@verizon.net>>
Date: August 19, 2013, 4:00:58 PM CDT
To: Ron Neighbors
<rneighbors@subsidence.org<mailto:rneighbors@subsidence.org>>
Subject: Nomination Letter

Ron:

Attached is the nomination letter.

Bob

ACTION ITEM CHECK LIST STATUS

STATUS	DATE ASSIGNED	NEXT REVIEW DATE	PROPOSED CLOSURE DATE	RESPONSIBLE ORGANIZATION	City Council RESPONSIBILITY	PLANNING OBJECTIVE #	AGENDA ITEM NUMBER	DESCRIPTION OF ACTION ITEM	STATUS AND DATE
OPEN/IN WORK	10/2/2012			Staff/Council			5.5	Form a committee to review uses of Carothers property and bring back recommendations to Council.	Council accepted two recommendations on 11/6/12. Carothers Group to meet to reassess and report to Council.
OPEN/IN WORK	12/4/2012			Staff/Council			6.1	Consider transportation alternatives from hotels to new cruise terminal.	Ongoing discussion.
OPEN/IN WORK	12/4/2012			Staff/P&Z			5.4	Ord. No. 2012-24, "Deleting Existing Point Overlay Sign Regulations" was tabled for staff & P&Z review.	P&Z recommends future discussion/consideration be deferred until the waterfront improvements are complete.
OPEN/IN WORK	1/22/2013			<i>Ad hoc</i> members/city manager			5.2	<i>Ad hoc</i> committee to deal with fire department issues.	Ongoing. Meeting held with SVFD on 8/21.
OPEN/IN WORK	2/5/2013			City Secretary			3.4	Advertise for new applicants whenever board members terms are expiring.	Ongoing. Applicants for BOA to be considered on 9/3/13,
OPEN/IN WORK	4/2/2013			City Manager			6.2	Meet with city engineers for recommendations concerning safety of left turns from SH 146.	Postponed from consideration on 6/4 as TxDOT is still in the process of formulating various options.
OPEN/IN WORK	8/20/2013			City Manager			4.5	Coordinate and lead project to attempt to have Surf Oaks Drive dedicated to allow Precinct 2 to repave.	In progress.

September 2013

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 Labor Day City Hall Closed	3 Council	4	5 Open Space	6	7
8	9	10	11	12 EDC	13	14 Kid Fish 10am-12 noon
15	16	17 Crime Prevention Dist. 6:45 p.m. Council	18	19 P&Z HCMCA	20	21
22	23	24 Public Hearing on Tax Rate (Tentative)	25	26 Parliamentary Procedure Class Deer Park	27	28
29	30					

October 2013

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 Council	2	3 Open Space	4 Salt Water Derby 6 am-3 pm	5
6	7	8 TML-Austin	9 TML-Austin	10 TML-Austin EDC	11 TML-Austin	12
13	14	15 Council	16	17 P&Z HCMCA	18	19
20	21	22	23	24 Boatober Fest Ribbon Cutting 4:30 PM	25 Boatober Fest 10/25- 10/27	26 Natural Play-ground Opening Arts Festival
27 Arts Festival	28	29	30	31		