The City Council of the City of Seabrook met in regular session on Tuesday, November 5, 2013 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

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

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

1.0 PRESENTATIONS

1.1 Present a proclamation declaring November 4-8, 2013 as "Municipal Court Week." (Courts)

Mayor Royal presented the proclamation to Judge Webbon and her staff.

1.2 Recognize Court Administrator, Jessica Ancira as a recipient of the "Distinguished Service Award" from the Texas Court Clerks Association. (Council)

Judge Webbon presented Court Administrator Jessica Ancira an award she recently received as distinguished court administrator in Texas.

1.3 Presentation by Bob Mitchell and Dan Seal, Bay Area-Houston Economic Partnership concerning the proposed "Storm Surge Protective Technologies System" also known as the "Ike Dike." (BAHEP)

Mr. Seal made the presentation of the proposed dike which would be patterned after dikes built in the Netherlands. The dike would be placed at the coast to prevent water from entering Galveston Bay. The total cost is estimated to be up to six billion dollars. Mr. Seal asked City Council to approve a resolution supporting the project.

1.4 Presentation from traffic engineer on issues surrounding left turn movements from traffic on SH 146 including, but not limited to, southbound traffic in the proximity of Third Street and consider authorizing implementation of needed safety measures. (Council)

Mark Ingram, Cobb Fendley & Associates stated that the city can insert delineators (white sticks) to prevent vehicles from turning left. He stated that TxDOT does not object to this solution, although the city would have to pay the cost which is estimated at approximately $7,000 - $8,000. TxDOT representatives stated that the city should be prepared to inform affected businesses that this solution will restrict access. TxDOT also has no objection to way finding signs, but again TxDOT does not plan to pay any costs. Mr. Ingram suggested that the city approach TxDOT with these options and ask TxDOT to partner and pay for at least some of the improvements.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

Gary Bell, Hamblen, asked to be considered for appointment to the EDC Board.

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

Several upcoming events were announced.

3.0 BID AWARDS

3.1 Consider Bid Project No. 2013-09, "Pine Gully Channel Improvements, Phase II Project" by awarding the bid to low bidder, Double Oak Construction, Inc. in the amount of $393,115.00 and approve applicable contract subject to review by the city attorney. Money is available in the Ike Recovery Funds. (Chairez)

Motion was made by Councilor Holbrook and seconded by Councilor Llorente

To approve Bid Project No. 2013-09 as presented and to approve applicable contracts subject to review by the city attorney.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.0 CONSENT AGENDA

4.1 Approve an agreement between the Seabrook Economic Development Corporation and CenterPoint Energy Houston Electric LLC for utilities on Waterfront Drive in the amount of $303,000. This is a budgeted item in the EDC Budget. (EDC)

4.2 Approve the minutes of the October 15, 2013 regular Council meeting. (Glaser)

4.3 Approve second and final reading of proposed Ordinance No. 2013-22, "Amendment to the Official Zoning Map to Rezone 1.8365 acres south of NASA Parkway, east of Elam Road and north of Pirates' Landing Apartments from WAD to C-2. (P&Z/Applicant)

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 1.5109 ACRES OF TRACT I, AND 0.3256 ACRES OF TRACT II OF LAND, SITUATED IN ABSTRACT 52 OF THE RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS FROM WAD WATERFRONT ACTIVITY DISTRICT TO C-2 MEDIUM COMMERCIAL DISTRICT AND REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS CHANGE.

4.4 Approve Resolution No. 2013-21, "Casting a Ballot for the election of Ed Heathcott to the Board of Directors of the Harris County Appraisal District." (Council)

Motion was made by Councilor Giangrosso and seconded by Councilor Holbrook

To approve the Consent Agenda as presented.

MOTION CARRIED BY UNANIMOUS CONSENT.

END OF CONSENT AGENDA

5.0 NEW BUSINESS

5.1 Consider authorizing a traffic study for El Mar Lane. (Cook)

Ms. Cook stated that school zone signs are posted on a portion of El Mar without an ordinance and without a traffic study which is required to designate a school zone. The cost of the traffic study is estimated to be $5,000.

Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To authorize the city manager to conduct a traffic study on El Mar for the purpose of establishing a school zone.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.2 Review Lakeside traffic study to consider placing a stop sign at the intersection of Lakeside Drive and Seaward Drive. (Giangrosso)

Councilor Giangrosso stated that it is difficult for ongoing traffic to see cross traffic due to a curve in the road. Ms. Cook stated that traffic studies in 2005 and 2011 did not support a stop sign. Brad Matlock, City Engineer said that his firm can relook at the traffic study for a non-substantial cost.

Motion was made by Councilor Llorente and seconded by Councilor Giangrosso

To direct the city manager to have the traffic studies reviewed again based on this issue.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.3 Consider a request from Hal Wixon of the Film Festival in the amount of $2,500 from Hotel Tax Funds, FY 2013/14. If approved, Council must make a finding that the expenditure meets the criteria for hotel tax funds. (Applicant)

Mr. Wixon stated that 2013 will be the 16th season for the event which is held in September, with several venues throughout the years in Seabrook. LeaAnn Dearman, Director of Information stated that the committee had reviewed the application and recommended a contribution of $1,000 this year, as funds for FY 2013/14 had already been allocated and only $5,000 remained as a contingency for the remainder of the year.

Motion was made by Councilor Giangrosso and seconded by Councilor Davis

To allot $1,000 for the event in FY 2013/14 with the finding that it meets criteria for the expenditure of hotel tax funds as it promotes the arts and increases overnight stays in Seabrook.

Motion was made by Councilor Davis and seconded by Councilor Llorente

To increase the amount from $1,000 to $2,500 for FY 2013/14.

MOTION TO AMEND CARRIED BY UNANIMOUS CONSENT.

Mayor Royal then called for a vote on the original motion as amended.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.4 Consider approval of the first reading of proposed Ordinance No. 2013-24, "Ethics Review Commission, Change in Frequency of Required Meetings." (ERC)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 2. “ADMINISTRATION”, ARTICLE VI. “CODE OF ETHICS”, DIVISION 2. “ETHICS REVIEW COMMISSION”, SEC. 2-209 “MEETINGS” BY CHANGING THE FREQUENCY OF REQUIRED MEETINGS FROM QUARTERLY TO SEMI-ANNUALLY. THIS ORDINANCE REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDES FOR SEVERABILITY.

Motion was made by Councilor Davis and seconded by Councilor Llorente

To approve proposed Ordinance No. 2013-24 on first reading with the reading of the caption serving as the reading of the ordinance.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.5 Consider an appointment to the Economic Development Corporation Board for an unexpired term ending May 2014. (EDC)

Ms. Glaser announced that Melissa Botkin had asked that her name be withdrawn from consideration.

Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To appoint Gary Bell to the EDC Board of Directors for an unexpired term ending May 2014.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.6 Consider approval of a one- time advanced funding of $275,000 from General Fund Reserves for the Seascape I - Paving & Water Line Improvements - Phase III. This money will be repaid with franchise fees. (Cook)

Motion was made by Councilor Llorente and seconded by Councilor Johnson

To approve the funding as requested.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.0 ROUTINE BUSINESS

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

Councilor Davis asked if there had been any progress concerning Item #4, parking for visitors to Bayport for cruises. There had not.

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.2 Establish future meeting dates and agenda items, including: 1) a decision concerning holding the December 17 regular meeting; and 2) a reminder of the special joint public hearing to be held with the Planning & Zoning Commission on November 19, 2013 at 6:00 p.m. (Council)

Mr. Landis talked about scheduling the required public hearing on the proposed final PUD plan for the apartments and the two readings of the ordinance. The public hearing for the preliminary plan will be on November 19. If the public hearing on the final plan is scheduled to be held on December 3, publication and notification must take place before the first public hearing has been held. Holding the second public hearing on December 17 would allow sufficient time for notice, but would not allow for a second reading of the ordinance in 2013, as Seabrook's Charter requires at least two weeks between ordinance readings. Staff was asked to work out a schedule for Council consideration. Members did not object to holding a meeting on December 17 if needed.

Requested items for the November 19 agenda are: 1) Ike Dike Resolution (Giangrosso) and 2) Ordinance addressing peddlers and solicitors (Davis).

7.0 EXECUTIVE SESSION

At 8:41 p.m. Mayor Royal announced that City Council would hold a closed executive meeting pursuant to the provisions of the open meetings Act, Charter 551, Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.074, Personnel Matters and Section 551.087, Economic Development.

Section 551.087

7.1 Discuss or deliberate commercial/financial information and offer of financial or other business incentive relating to a business prospect that the City seeks to have locate, stay or expand in the City and with which it is conducting economic development negotiations as provided by Section 551.087 Texas Government Code. (Templin)

Section 551.074

7.2 Deliberate the appointment, evaluation, reassignment and duties of the city manager/interim city manager as provided in the Texas Government Code, Section 551.074. (Council)

8.0 OPEN MEETING

Mayor Royal reconvened the open meeting at 10:02 p.m. and stated that Items 7.1 and 7.2 had been discussed in executive session, but no action had yet been taken.

Mayor Royal asked Ms. Cook and Mr. Weathered to draft an employment contract, for consideration on November 19, naming Gayle Cook as City Manager as of December 1, 2013.

MOTION CARRIED BY UNANIMOUS CONSENT.

Upon motion, Mayor Royal adjourned the meeting at 10:03 p.m.

Approved this 19th day of November 2013.

Glenn R. Royal, Mayor

Michele L. Glaser, TRMC
City Secretary

THE CITY OF SEABROOK TEXAS