

**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, FEBRUARY 4, 2014 - 7:00 PM**

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY FEBRUARY 4, 2014 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 PRESENTATIONS

 ATTACHMENT 1

- 1.1 Presentation of Annual EDC report to City Council. (Chavez)

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 renewal of contract with Houston Community Newspapers (Bay Area Citizen) for one year. (Cook)

 ATTACHMENT 3

- 3.2 Approve minutes of the regular City Council meeting of January 21, 2014. (Glaser)

 ATTACHMENT 4

- 3.3 Request to waive the requirement of the Peddler's Ordinance, Section 22-80 to allow Scouts in the San Jacinto Girl Scout Council to conduct girl scout cookie booth sales in Seabrook from February 21 through March 30, 2014. (Applicant)

END OF CONSENT AGENDA

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

 ATTACHMENT 5

- 4.1 Consider approval of Ordinance No. 2014-01, "Budget Amendment for Fiscal Year 2012-13." (Lab)

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2012 AND ENDING ON SEPTEMBER 30, 2013.

 ATTACHMENT 6

- 4.2 Consider approval of first reading of proposed Ordinance No. 2014-02, "Multi-Stop Sign at Lakeside Drive and Wild Oak Forest Lane." (Council)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, CHAPTER 90 "TRAFFIC AND VEHICLES" ARTICLE I, "IN GENERAL", SECTION 90-5 "STOP SIGNS DESIGNATED"; BY REVISING NAME OF SUBSECTION (1), "FOUR WAY STOPS" TO "MULTI-WAY STOPS," AND ADDING A NEW MULTI-WAY STOP AT THE INTERSECTION OF LAKESIDE DRIVE AND WILD OAK FOREST LANE; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00), OR THE MAXIMUM AMOUNT PERMITTED BY LAW, FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND NOTICE.

 ATTACHMENT 7

- 4.3 Consider approval of first reading of proposed Ordinance No. 2014-03, "Speed Limit and School Zone Designation on El Mar Lane." (Council)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 90 "TRAFFIC AND VEHICLES" ARTICLE II, "SPEED RESTRICTIONS", TO PROVIDE FOR NEW SPEED LIMITS ON EL MAR LANE, BY AMENDING SECTION 90-31, "ENUMERATION OF LIMITS," SUBSECTION (2) "EXCEPTIONS" ESTABLISHING A SPEED LIMIT OF 25

MILES PER HOUR FOR EL MAR LANE BETWEEN BAHAMA DRIVE AND NORTH MEYER AVE; SECTION 90-32 "SCHOOL ZONES" SUBSECTION "A," "TWENTY MILES PER HOUR DURING DESIGNATED TIMES," ESTABLISHING A SCHOOL ZONE AND SPEED OF 20 MILES PER HOUR ON THE PORTION OF EL MAR LANE FROM 200 FEET WEST OF THE CROSSWALK ADJACENT TO SCHOOL TO NORTH MEYER AVE, A DISTANCE OF APPROXIMATELY 750 FEET, FOR VEHICLES AS ESTABLISHED AND POSTED BY THE CITY OF SEABROOK; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

ATTACHMENT 8

- 4.4 Consider first and final reading of Ordinance No. 2014-04, "Ordering a May 10, 2014 General City Election and a June 7, 2014 Runoff Election, If Necessary." (Glaser)

AN ORDINANCE CALLING AND ESTABLISHING PROCEDURES FOR THE GENERAL CITY OFFICERS' ELECTION FOR MAYOR AND COUNCIL POSITIONS 2, 4 AND 6 TO BE HELD ON MAY 10, 2014; ESTABLISHING PROCEDURES FOR A RUNOFF ELECTION TO BE HELD ON JUNE 7, 2014 IF NO CANDIDATE RECEIVES A MAJORITY OF VOTES CAST IN THE MAY GENERAL ELECTION; AND MAKING OTHER PROVISIONS RELATED THERETO.

ATTACHMENT 9

- 4.5 Consider approval of first reading of Ordinance No. 2014-05, "Amend Firearms Ordinance to Discharge of Weapons and Exceptions."

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 44, "LAW ENFORCEMENT AND OFFENSES", ARTICLE III, "OFFENSES", DIVISION 1 "GENERALLY" BY AMENDING SECTION 44-78 "FIREARMS" TO EXPAND THE DEFINITIONS AND INCLUDE ARCHERY EQUIPMENT AND ALLOW FOR THE PERMITTED EXCEPTIONS TO BE APPROVED BY THE CHIEF OF POLICE OR DESIGNEE.

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.

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

ATTACHMENT 10

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

 ATTACHMENT 11

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

6.0 EXECUTIVE SESSION

The City Council will now 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 one or more of the following sections: Section 551.071, Consultation with Attorney; Section 551.072, Real Property; Section 551.073, Deliberation Regarding a Prospective Gift; Section 551.074, Personnel Matters; Section 551.076. Security Devices; and Section 551.087, Economic Development.

Section 551.071

- 6.1 Conduct an Executive Session under Section 551.071, Texas Government Code, to receive legal advice regarding legal issues associated with the city's water supply contract. (Royal)

7.0 OPEN MEETING

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

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, January 31, 2014 and that this notice will remain posted until the meeting has ended.

Michele L. Glaser, TRMC
City Secretary

ANNUAL REPORT TO CITY COUNCIL FEBRUARY 4, 2014

Summary of expenditures from 2012-2013

The Seabrook EDC's budget for 2012-2013:

Expenses	\$1.6 million
Revenue	\$688k

We ended the fiscal year:

Expenses	\$484k
Revenue	\$771k

Ending Cash On Hand: \$2,288,195.77

For 2013-2014

Budgeted Expenses	\$1.9 million
Expected Revenue	\$730k

A majority of our expenses for 2013-2014 will focus on Waterfront Drive finish-out.

Accomplishments for 2013

- Waterfront Drive

Project began construction in June 2013 with an estimated budget of \$9 million with a \$3 million grant from the US Economic Development Administration and \$5.4 million from the General Land Office. The EDC set aside \$900,000 to be used for upgrades and additional features to improve the site. The project is slated to be complete by April and is expected to be within budget.

Once complete, EDC will develop advertising to the business real estate market as well as a brochure on development opportunities to mid to high profile retail and dining prospects.

- SH146 / TXDOT activities

The mayor, EDC president, and city staff have met with officials from the Houston office of TXDOT to discuss the widening of SH146 and its impact on the community. Several key points have been discussed, including budgets, timelines, and understanding the overall process for the project. Staff continues to remain in contact with Houston TXDOT officials on a regular basis on any additional issues that come up.

In November / December – the EDC Director visited with all businesses along SH146 and delivered a copy of TXDOT's Business Relocation Assistance Guide along with a letter from the Director about TXDOT's program and the City's willingness to work with local businesses on relocation once the project begins.

- Tookie's Seafood Incentive

In June, the EDC officially entered into an incentive agreement with The Asparagus Group to encourage the development of Tookie's Seafood in Seabrook.

- EDC Incentive policies expanded and revised

Economic Development Policy

This is a significantly modified version of the 2010 Economic Development Policy with revised key considerations, redesigned the application for project assistance, and included a Resolution reflecting the overall program.

Chapter 380 Economic Development Program

Allows legislative authority for Texas municipalities to provide either a grant or a loan of city funds or services in order to promote economic development.

Façade Improvement Program

This program was developed as an incentive tool to retail centers for improvements to their centers.

Neighborhood Empowerment Zone

The Seabrook NEZ' program was expanded to include three separate zones within the city that will promote economic development within the retail corridors of the community by allowing tax incentives within these designated zones.

Tax Abatement Policy

This document is an updated version of the 2010 incentive policy.

- EDC bond paid

As of August 2013, the EDC bond for City Hall has been paid in full.

- KO Sailing

The EDC has their logo branded on the trucks and trailers of KO Sailing equipment as part of an advertising agreement. As such, KO Sailing reports to the EDC on their activities for the year on the events/locations their equipment is taken. Attached is a list of the 39 events the company attended last year.

- Buy Local Coupon Book implemented

This program was implemented during the 2012-2013 year and proved to be a popular item among merchants and residents. Businesses that participated in the Buy Local book could also opt to have their coupon posted on the city's online business directory. The program is being continued for 2013-2014 with the latest edition already mailed to all residents in the city. Additional distribution will be done at all area hotels, the CVB's office and the Bayport Cruise Terminal.

Below is a list of all known businesses that have opened and closed within Seabrook over the past year.

OPEN

1/31/2013	Your Printing Now
4/25/2013	Karancho's
5/20/2013	Shoreview Plumbing
6/17/2013	Used It New Resale
6/28/2013	Art Consortium of Texas Gulf Coast
7/8/2013	Grand Central Station
9/5/2013	Gold Turquoise Silver
9/5/2013	An Elegant Estate Sale
9/16/2013	Jennifer's Salon
11/11/2013	Anchor Point (church)
11/27/2013	Bayou City Metro Farms

CLOSE

10/31/2013	Piston's and Pin Ups
10/31/2013	Ringo's
11/30/2013	Karancho's
11/30/2013	Shoreview Plumbing
1/6/2014	Gold Turquoise Silver
1/13/2014	Blockbuster

###

December 2013

To all Seabrook Business Owners:

The Texas Department of Transportation (TXDOT) and the City of Seabrook are working diligently on the proposed plans for the expansion of SH146. City staff and elected officials have been regularly meeting with TXDOT officials to discuss the expansion plans and receive status updates on the project.

The Texas Department of Transportation (TXDOT) and the City of Seabrook would like to note that displaced persons or businesses may be eligible for relocation assistance and advisory services from TXDOT at no charge. It is important to note that people or businesses should **not** begin their move without having first contacted a relocation agent working for TXDOT.

Additionally, the City will work with all displaced or otherwise affected businesses on site relocation and possible incentives on resettlement within the city.

In the meantime, if you have any questions or concerns about the SH146 expansion, please contact either the City or TXDOT directly:

Paul Chavez
City of Seabrook
Economic Development Director
281-291-5730

James W. Koch, P.E.
Director of Transportation Planning & Development
Texas Department of Transportation
713-802-5031

We look forward to working with you to keep our city moving forward!

Paul M. Chavez
Economic Development Director

ENCLOSURE: Texas Department of Transportation Relocation Assistance Guide

	Year	Event	Date	Location	# of Branded Vehicles
1	2012	Orangebowl International Youth Regatta	December 17th - 30th	Miami FL	6
2	2013	ISAF World Cup	January 27th - Feb 2nd	Miami FL	6
3	2013	USODA Vlaentine's Day Regatta	Feb 2nd - Feb 3rd	St Petersburg FL	4
4	2013	Texas Sailing Association - Kickoff Regatta	Feb 9th - Feb 10th	Seabrook TX	2
5	2013	Laser Midwinters East	Feb 21st - Feb 24th	Clearwater FL	3
6	2013	USODA Florida State Champs	Feb 23rd - Feb 24th	Jensen Beach, FL	3
7	2013	USODA Gulf Coast Champs	March 1 - March 3	Corpus Christie, TX	2
8	2013	Houston Fishing Show	March 6th - March 10th	Houston TX	2
9	2013	USODA National Team Practice	March 9 - March 10th	Houston YC	2
10	2013	Texas Sailing Association - Spring Fling	March 16th - March 17th	Canyon Lake, TX	2
11	2013	Southwest International boat Show	March 21st - March 24th	League City, TX	4
12	2013	Laser Easter Regatta	March 28th - March 31	Austin TX	3
13	2013	Texas Sailing Association - Roadrunner Regatta	April 6th - April 7th	Austin TX	2
14	2013	Texas Sailing Association - Rock the Rock Regatta	April 20th - April 21st	Dallas, TX	2
15	2013	USODA National team Practice	April 19th - April 21st	Peewaukee, WI	6
16	2013	USODA Team Trials	April 24th - May 5th	Peewaukee, WI	6
17	2013	Leiter Cup - Womens Laser Champs	April 25th - April 28th	Southern YC, NOLA	2
18	2013	GYA Winter Meeting	May 4th - May 5th	Pass Christain YC Gulfport MS	3
19	2013	Texas Sailing Association - Silly String Regatta	May 18th - May 20th	Grapevine, Dallas, TX	2
20	2013	USODA Great Plains Regatta	June 22nd - June 23rd	Fort Worth, TX	2
21	2013	Laser Nationals	June 25th - June 30th	Santa Cruz, CA	6
22	2013	USODA Team Race Nationals	July 2nd - 9th	Grosse Pointe, MI	6
23	2013	USODA Girls Champs	July 10th	Grosse Pointe, MI	6
24	2013	USODA National Champs	July 10th - 14th	Grosse Pointe, MI	6
25	2013	Texas Youth Race Week	July 15th - July 21st	LYC, TCYC, HYC Houston TX	6
26	2013	USODA Great Lakes Champs	July 27th - 28th	Cleveland OH	6
27	2013	USODA New England Champs	August 6th - August 8th	Portland ME	6
28	2013	Texas Sailing Association Team Race Regatta	August 17th - August 18th	Houston TX	2
29	2013	US Sailing Youth Championships	August 13th - August 24th	Corpus Christie, TX	6
30	2013	Texas Sailing Association - Endless Summer Regatta	September 14th - 15th	Seabrook, TX	2
31	2013	USODA Southeast Champs	September 21st - 22nd	Pensacola FL	3
32	2013	USODA Atlantic Coast Champs	Septemebr 27th - 29th	Oyster Bay NY	4
33	2013	Texas Sialing Association - Chocopolooza Regatta	October 4th - October 5th	Forth Worth TX	2
34	2013	USODA National Team PRactice	October 5th - 9th	San Pedro, CA	6
35	2013	USODA West Coast Champs	October 1 - October 8th	San Pedro, CA	6
36	2013	Hobie Cat North American Champs	October 18th - October 26th	Peretto Beach, Galveston TX	4
37	2013	Texas Sailing Association End of the year Regatta	October 26th - October 27th	Dallas, TX	2
38	2013	USODA Midwinters	November 28th - Decemeber 1st	Southern YC, NOLA	6
39	2013	Orangebowl International Youth Regatta	December 17th - 31st	Miami FL	6

USODA = Unites States Optimist Dinghy Association



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, FEBRUARY 4, 2014

Submitter/Requestor:

Date Submitted: 1/27/2014 10:47:08 AM

Presenter:

Description/Subject:

The purpose of the contract is to give us preferred rates. It is a non-exclusive contract.

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)

Contract

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 renewal of contract with Houston Community Newspapers (Bay Area Citizen) for one year. (Cook)

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.)



HOUSTON COMMUNITY NEWSPAPERS

CONTRACT

This agreement entered into on January 1, 2014 between City of Seabrook (advertiser) and Houston Community Newspapers (HCN), is for 52 weeks totaling \$16.00 per column inch plus \$5.00 border and \$1.50 per line for bolding. This agreement begins January 1, 2014 and ends on December 31, 2014.

It is agreed that during the period of this agreement, the fee rate for advertisements will be \$15.24 per newspaper column inch for any of the 29 HCN Newspapers plus \$5.00 for border & \$1.50 per line for bolding per advertisement. HCN agrees to provide to the City of Seabrook affidavits and tear sheets within one week of newspaper publication.

HCN also agrees to provide the City a 15% discount off the open rate for employment advertisements to be published in any of our 29 newspapers that the City chooses to run the advertisement in.

Statements will be rendered at the beginning of each month, and the advertiser agrees to pay HCN in full. Failure to pay the bill within twenty-five (25) days of the statement date may result in cancellation of the contract at the discretion of HCN.

The advertiser agrees to adhere to the requirements as outlined in this agreement.

HOUSTON COMMUNITY NEWSPAPERS CITY OF SEABROOK

HCN Authorized Representative

Approved By (Signature and Title)

Approved By (Signature and Title)

Printed Name

Printed Name

100 Ave A

Mailing Address

Mailing Address

Conroe, TX 77301

City, State, Zip

City, State, Zip

Phone Number

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The City Council of the City of Seabrook met in regular session on Tuesday, January 21, 2014 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	- Ex. Abs.	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
GAYLE COOK		CITY MANAGER
SEAN LANDIS		ASSISTANT CITY MANAGER
STEVEN L. WEATHERED		CITY ATTORNEY
MICHELE L. GLASER		CITY SECRETARY

Mayor Pro Tem, Laura Davis 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 the Open Space and Trails Committee Quarterly Report. (Burton)

Chairman Burton updated Council on recent and upcoming activities including: 1) grand opening of the natural playground; 2) various volunteer activities and efforts to recruit volunteers; 3) development of a recommendation for a sound barrier at Carothers Gardens; 4) planting of 40 trees secured through a grant from Dow Chemical; 5) exploring new signage and recycling in the parks; 6) planning a work day at Carothers. Council members thanked Mrs. Burton for the committee's hard work.

1.2 Presentation concerning traffic studies for El Mar Lane, Lakeside Drive and left turns on SH 146 where there are no traffic signals. (City Engineer/Cook)

Traffic Engineer Mark Ingram of Cobb Fendley presented the findings from three different traffic studies.

El Mar Lane

In accordance with the Texas Administrative Code and TxDOT Procedures for Establishing Speed Zones Manual, the lowest allowed posted speed limit on El Mar Lane between Bahama Drive and North Meyer is 25 mph. The lowest allowable school zone speed limit on El Mar Lane between Bahama Drive and North Meyer is 20 mph which is also the existing school zone speed limit on North Meyer Avenue. Mr. Ingram recommended establishing these speed limits as explained. He also recommended the careful placement of signs to differentiate the two speed limits.

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Lakeside Drive Stop Signs

Based on the traffic analysis performed, a multi-way stop sign is warranted and recommended for the intersection of Lakeside Drive and Wild Oak Forest Lane. A multi-way stop sign is not warranted and not recommended for the intersection of Lakeside Drive and Seaward Drive.

SH 146, Left Turns

Based on the traffic study, Mr. Ingram presented four options to deal with sight and queue problems caused by drivers traveling southbound on SH 146 who attempt to make left turns onto Anders Avenue, Third Street or the business driveway as well as vehicles attempting to turn left from these locations onto SH 146.

Option 1 consists of “Only” and “arrow” pavement markings on SH 146 at an estimated cost of \$3,000. This is the least expensive option. However, this option provides no physical barriers to deter left turns in and out.

Option 2 provides for 83 delineators spaced every 10 feet to cover the 820 feet between NASA Parkway and 4th Street and “no left turn” signs for both cross streets and the business driveway. The estimated cost of this option is \$9,500. This option provides a physical barrier to discourage left turns and is less cost prohibitive than Option 3 or 4. Yearly maintenance will be required.

Option 3 provides for 820 linear feet of a mountable curb system with delineators on top and “no left turn” signs for both cross streets and the business driveway at a cost of \$55,000.

Option 4 provides for a 24-inch wide by 6-inch tall traditional curb system along 820 linear feet at an estimated cost of \$45,000.

Councilor Kolupski asked if Option 1 would be enforceable. Captain Sean Wright stated that he did not know if the Transportation Code would allow Option 1 to be enforced without a city ordinance, but would find out.

Councilor Kolupski also asked if TxDOT would fund any of the options. Mr. Ingram offered to assist the city in writing a letter to TxDOT. However, he said there would be a time delay and TxDOT may not be amenable to funding due the SH 146 planned expansion.

Concerning emergency access, Mr. Ingram stated that a vehicle could navigate between the delineators in Option 2, but a fire truck would have to drive over the delineators. There would be a yearly maintenance cost to the delineators, which he estimated to be approximately \$800-\$900.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS - None

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93 **3.0 CONSENT AGENDA.**
94

95 **3.1 Approve an excused absence for Councilor Don Holbrook for the January 7, 2014**
96 **regular City Council meeting. (Glaser)**
97

98 **3.2** Removed from the Consent Agenda by Councilor Kolupski.

99 **3.3 Approve the minutes of the joint Planning & Zoning Commission and City Council**
100 **special meeting on December 17, 2013. (Glaser)**
101

102 **3.4 Approve the minutes of the January 7, 2014 regular City Council meeting. (Glaser)**
103

104 **3.5 Approve amended minutes of December 17, 2013 due to a correction made to the**
105 **minutes after the original approval on January 7, 2014. (Glaser)**
106

107 **3.6 Approve the December 2013 Public Safety Report. (Holomon)**
108

109 **3.7 Approve the December 2013 Building Report. (Landis)**
110

111 **3.8 Approve the Investment Report for FY 2013/14 first quarter. (Lab)**
112

113 **3.9 Approve a special events permit, serving of alcohol in the park, and a request for**
114 **temporary signs for the annual Seabrook Lucky Trails Marathon on Saturday,**
115 **March 15 and Sunday, March 16, 2014. The marathon will begin each day at 7:00 a.m.**
116 **at Meador Park and continue along the Seabrook trails to Pine Gully Park and back to**
117 **Meador Park. Approval is contingent upon review and approval by the Police**
118 **Department. (Applicant)**
119

120 Motion was made by Councilor Giangrosso and seconded by Councilor Llorente
121

122 To approve the Consent Agenda with the exception of Item 3.2.
123

124 MOTION CARRIED BY UNANIMOUS CONSENT.
125

126 **END OF CONSENT AGENDA**
127

128 **3.2 Approve Resolution No. 2014-02,"Update in Sanitation Procedures and Rates." (Lab)**

129 A RESOLUTION REESTABLISHING SANITATION PROCEDURES AND UPDATING
130 RESIDENTIAL CHARGES AND COMMERCIAL CHARGES FOR SANITATION
131 SERVICES AND REPEALING RESOLUTION NO. 2013-06.

132 Motion was made by Councilor Kolupski and seconded by Councilor Holbrook
133 To approve proposed Resolution No. 2014-02.
134

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Councilor Kolupski had a question about the sanitation contract which contained an inaccurate description of “make-up” days after a holiday. Mrs. Cook stated that the city plans to bid the sanitation contract this year and will address this issue.

MOTION TO APPROVE CARRIED BY UNANIMOUS CONSENT.

4.0 NEW BUSINESS

4.1 Review/consider El Mar Lane Traffic Study. (Cook)

Motion was made by Councilor Holbrook and seconded by Councilor Johnson

To approve the traffic engineer’s recommendation to establish a 25 mph speed limit on El Mar Lane between SH 146 and Bahama Drive and a 20 mph school speed limit zone between Bahama and North Meyer Avenue and to install the correct signage.

Mr. Weathered stated that a traffic ordinance would be needed to enforce any new traffic laws.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.2 Review/Consider action concerning the Lakeside Drive Traffic Study Report. (Cook)

Motion was made by Councilor Giangrosso and seconded by Councilor Llorente

To approve the engineer’s recommendation to install a multi-way stop sign at the intersection of Lakeside Drive and Wild Oak Forest Lane.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.3 Review/Consider action concerning the SH 146 Traffic Study Report. (Cook)

Motion was made by Councilor Holbrook

To table this item until it can be determined whether Option 1 is enforceable.

MOTION FAILED DUE TO LACK OF A SECOND.

Motion was made by Councilor Johnson and seconded by Councilor Kolupski

To approve Option 2 and send a letter to TxDOT asking for assistance.

Councilors Kolupski and Llorente argued for Option 1 provided it was found to be enforceable.

Motion was made by Councilor Johnson and seconded by Councilor Kolupski

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To amend the original motion by approving Option 1 if it is enforceable, approving Option 2, if Option 1 is not enforceable and directing staff to send a letter to TxDOT asking for assistance.

Mayor Pro Tem Davis called for a vote on the amendment.

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

Nays: Llorente.

AMENDMENT CARRIED BY MAJORITY VOTE.

MOTION CARRIED BY UNANIMOUS CONSENT TO APPROVE THE ORIGINAL MOTION AS AMENDED.

4.4 Review/consider recommendation from the Public Safety Task Force on the expenditure public safety funds for various public safety items in 2014 as shown below. (Task Force)

Grass Brush Fire Trailer \$ 8,580.00 - SVFD
Medical Evac Trailer \$ 5,490.00 -SVFD
Thermal Imager \$ 9,000.00 - Police
AED Pedi Pads and Mask \$ 871.09 - Emergency Mgmt
.EOC Build Out \$ 10,000.00 - Emergency Mgmt.
Preparedness Brochure \$ 5,000.00 - Emergency Mgmt.
PD Response Trailer \$ 5,000.00 - Police Department
Go Box Radio \$ 2,000.00 - Emergency Mgmt.
Covered Fence for FD \$ 20,000.00 - SVFD
Small Portable Boat \$ 13,561.00 - SVFD
Marine and A TV training \$ 3,000.00 - Police Dept.
Repeaters \$ 30,000.00 - Emergency Mgmt.
(for PD & SVFD)

TOTAL \$ 112,502.09

Motion was made by Councilor Holbrook and seconded by Councilor Johnson

To approve the recommendation of the Public Safety Task Force as listed above.

Mayor Pro Tem Davis stated that many of the items were placed on the list due to actual incidents that would have benefited from the purchase of the items. These purchases are funded by the Public Safety Fund, which consists of voluntary contributions by residents.
MOTION CARRIED BY UNANIMOUS CONSENT.

4.5 Consider designation of council representative(s) to the Citizens in Space Exploration, May 20-23, 2014 visit to Washington, D.C. The 2013/14 budget includes funds for one council representative to attend the event in Washington, D.C. (Royal)

Seabrook City Council Regular Meeting
Minutes of January 21, 2014
Page 6

Motion was made by Councilor Holbrook and seconded by Councilor Johnson

To name Councilor Giangrosso as the council representative and Councilor Llorente as the alternate.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.0 ROUTINE BUSINESS

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

Mrs. Cook reported on progress regarding Surf Oaks. All agreements have been signed and the residents have secured a surveyor. She stated that appointment of seven members of the Charter Review Commission and seven members of the Master Plan Commission must be made by July 2014 and asked that this item be placed on the Action Items Checklist as a reminder. She also reported that the city had received an updated map on the planned right-of-way for SH 146 and that the city has requested another meeting with TxDOT officials.

Motion was made by Councilor Holbrook and seconded by Councilor Johnson

To approve the Checklist with the removal of Items 14, 16 and 21.

MOTION CARRIED BY UNANIMOUS CONSENT.

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

Council members were reminded of the special joint meeting/public hearing with the Planning and Zoning Commission on February 18 at 6:00 p.m.

Upon motion, Mayor Pro Tem Davis adjourned the meeting at 8:21 p.m.

Approved this 4th day of February 2014.

Laura Davis, Mayor Pro Tem

Michele L. Glaser, TRMC
City Secretary

From: Lori Webster
Sent: Friday, January 31, 2014 9:12 AM
To: Michele Glaser
Cc:
Subject: 2013 troops in 77586

Michelle,

Regarding our conversation this morning of the new Solicitation/permit requirement for the city of Seabrook Attached is of part of our Financial Report for The Service Unit encompassing zip code 77586 girl Scouts. This report created in May 2013- shows the number of troops and the total number of girls in zip code 77586- total number active troops 37, total number of Girl Scouts 383. As stated, troops from all over the San Jacinto Council are eligible to sign up for a booth for the City of Seabrook, not just those in zip code 77586.

Here are the dates for The Girl Scout Cookie sales:

Door to Door sales: Start Jan 11

Booths start February 21

Booths end March 30

Whole cookie program ends March 30

Thanks for looking into this matter, I would love to figure out a solution.

Lori Webster
Treasurer, Stargazers Community
Girl Scouts San Jacinto Council

**CITY OF SEABROOK
ORDINANCE NO. 2014-01
BUDGET ORDINANCE
FY 2012-13**

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2012 AND ENDING ON SEPTEMBER 30, 2013 FOR THE CITY OF SEABROOK.

WHEREAS, the City of Seabrook adopted the 2012-2013 budget by Ordinance No. 2012-19 and,

WHEREAS, various actions have occurred in 2012 and 2013 subsequent to the adoption of said budget requiring formal appropriations; now, therefore,

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

THAT, the 2012-13 Adopted Budget for the City of Seabrook for the period October 1, 2012 through September 30, 2013 is hereby amended as shown and described in Exhibit A which is hereby, attached and made a part of this Ordinance.

AND IT IS SO ORDERED.

PASSED, APPROVED, AND ADOPTED ON FIRST AND FINAL READING THIS THE 4th DAY OF FEBRUARY, 2014.

GLENN R. ROYAL, MAYOR

ATTEST:

MICHELE L. GLASER, TRMC
CITY SECRETARY

PROPOSED AMENDMENTS TO CITY OF SEABROOK 2012-13 BUDGET

February 5, 2013

GENERAL FUND	Account No	Line Item	Original Budget	Amendment	Revised Budget	Description
Revenue	100-7010	Property tax-current	4,012,063	(9,100)	4,002,963	Revenue lower than anticipated
Revenue	100-7020	Property tax-delinquent	75,000	(26,000)	49,000	Revenue lower than anticipated
Revenue	100-7100	Sales tax	1,365,000	124,000	1,489,000	Revenue higher than anticipated
Revenue	100-7210	Franchise fees	665,000	30,000	695,000	Revenue higher than anticipated
	100-7220	Mixed beverage tax	75,000	52,000	127,000	Revenue higher than anticipated
	100-7300	Penalties & Interest/Taxes	55,000	(19,000)	36,000	Revenue lower than anticipated
	100-8265	Grants - ARRA	3,904	(3,904)	0	Received in prior yr
	100-8270	HMGP Grants	0	49,700	49,700	Radio grant
	100-8640	Licenses & permits	200,000	(17,000)	183,000	Revenue higher than anticipated
Revenue	100-9503	DOT fines	100,000	(57,000)	43,000	Revenue lower than anticipated
	100-9508	Court time payment fees	6,000	(3,100)	2,900	Revenue lower than anticipated
Revenue	100-9505	Court fines	600,000	(256,000)	344,000	Revenue lower than anticipated
	100-9520	Other revenue	40,000	36,300	76,300	Sale of property & tax refund
		Total budget change		(99,104)		
		Total Revenues	9,563,960	(99,104)	9,464,856	

GENERAL FUND EXPENDITURES

			Original Budget	Transfer In/(Out)	Revised Budget	
Legislative	100-3010	Salaries	140,157	(1,500)	138,657	
	100-3300	Mayor & council fees	13,200	(8,000)	5,200	
	100-4150	Small equipment	1,100	(1,100)	0	
	100-5195	Election expense	10,000	(8,500)	1,500	No election held
	100-5300	Training	11,500	(1,500)	10,000	
	100-5400	Telephones	3,300	(1,800)	1,500	
	100-5465	Misc expense	5,000	(4,000)	1,000	
	100-6030	Office equipment	0	43,500	43,500	Purchased election equipment
				17,100		
Administrative	100-3010	Salaries	642,807	(12,000)	630,807	Personnel changes
	102-3110	Retirement	142,220	(14,000)	128,220	
	102-5200	Prof fees - accounting	50,000	(9,000)	41,000	New audit firm
				(35,000)		
IT	103-6020	Office equipment	35,000	3,000	38,000	Higher costs than planned
Emer Management	106-4150	Small tools & equipment	0	50,000	50,000	Radio grant
Non-depart	107-4010	Office supplies	28,000	(5,000)	23,000	
	107-4011	Postage	10,000	(5,000)	5,000	
	107-5215	Prof fees - engineering	75,000	(25,000)	50,000	Lower spending than anticipated
	107-5220	Prof fees - legal	155,000	(30,000)	125,000	Lower spending than anticipated
	107-5330/5331	Insurance - Misc/Reimburse	140,000	(45,000)	95,000	
	107-5410	Utilities	80,000	(25,000)	55,000	New electric contract
				(135,000)		
Police	200-3010	Salaries	1,877,398	(90,000)	1,787,398	Unfilled positions
	200-3012	Overtime	163,000	(22,000)	141,000	
	200-3100	FICA	159,837	(12,000)	147,837	
	200-3110	Retirement	411,012	(19,000)	392,012	
	200-3800	Accrued sick leave	25,000	(25,000)	0	
				(168,000)		
Animal control	210-3010	Salaries	62,719	(10,000)	52,719	Unfilled position
	210-3012	Overtime	4,800	(4,000)	800	
	210-3110	Retirement	13,424	(2,500)	10,924	
	210-4040	Gas & oil	6,500	(2,800)	3,700	
				(19,300)		
Parks	400-3010	Salaries	260,062	(13,000)	247,062	Personnel change
	400-5030	Rentals & service	10,000	(7,000)	3,000	
	400-5180	Maint - buildings & grounds	47,500	(7,000)	40,500	
	400-5410	Utilities	65,000	(11,000)	54,000	New electric contract
				(38,000)		

Ordinance No. 2014-01 'Exhibit A'

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Streets	500-3120	Hospitalization	56,964	(6,000)	50,964	Personnel change
	500-4100	Mosquito control	20,000	(14,000)	6,000	Dry summer, less spraying
				(20,000)		
Comm Dev	600-5240	Mowing/Demolition	15,000	(9,500)	5,500	
	600-5300	Training	12,500	(6,000)	6,500	Budgeted tuition unspent
				(15,500)		
Municipal Court	700-3010	Salaries	183,366	(4,000)	179,366	Personnel change
	700-3310	Municipal Judges' fees	140,400	(14,000)	126,400	Less hours than budgeted
	700-5025	Bank fees	10,000	(4,500)	5,500	
	700-5030	Rentals & service	8,200	(2,500)	5,700	
				(25,000)		
Total budget change				(385,700)		

AMENDED GENERAL FUND DEPARTMENTAL BUDGETS

	<u>Original Budget</u>	<u>Net Change</u>	<u>Revised Budget</u>
Legislative	244,604	17,100	261,704
Administration	989,841	(35,000)	954,841
IT	216,051	3,000	219,051
Emergency Mgt	116,455	50,000	166,455
Non-Departmental	1,798,249	(135,000)	1,663,249
Public Safety	3,342,247	(168,000)	3,174,247
Animal Control	115,799	(19,300)	96,499
Parks	678,564	(38,000)	640,564
Public Works	1,176,308	(20,000)	1,156,308
Communty Dev	457,429	(15,500)	441,929
Municipal Court	459,526	(25,000)	434,526
Total Expenditures	9,595,073	(385,700)	9,209,373
Revenues over/(under) expenditures	(31,113)	286,596	255,483

ENTERPRISE FUND REVENUES

Revenue-Water	902-8510	Water service	1,940,000	70,000	2,010,000
Revenue-Sewer	912-8520	Sewer service	2,380,000	(50,000)	2,330,000
Revenue-Sanit	922-8515	Commercial sanitation service	655,621	(8,000)	647,621
		Total budget change		12,000	
Total Revenues			6,329,088	12,000	6,341,088

ENTERPRISE FUND EXPENSES

Water	902-4040	Oil & gas	19,000	(7,500)	11,500	lower fuel costs
	902-5130	Maint-water system	45,000	82,000	127,000	shift exp from major to minor repairs
	902-5216	Prof fees - meter reading	28,000	10,000	38,000	contract increase
	902-5451	Pasadena water supply	410,000	75,000	485,000	pumped more water
	902-6021	Meter replacement	7,500	(7,500)	0	exp not capital/moved to minor
	902-6070	Land	0	905,760	905,760	purchase of property
	902-6090	Major maint & repairs	80,000	(80,000)	0	shift exp from major to minor repairs
	902-6350	Interest expense	100,482	(10,000)	90,482	less due to refunding issue
				967,760		
Sewer	912-3010	Salaries	263,654	(7,500)	256,154	
	912-4040	Oil & Gas	17,225	(6,000)	11,225	
	912-5120	Maint sewer system	45,000	55,100	100,100	shift exp from major to minor repairs
	912-5215	Prof fees-engineering	2,000	10,500	12,500	
	912-5410	Utilities	185,000	(15,000)	170,000	
	912-5455	Sludge disposal	137,000	(26,000)	111,000	
	912-5458	W.E.R.E.	25,000	(25,000)	0	Unspent
	912-6100	Sewer repairs-major	200,000	(81,000)	119,000	shift exp from major to minor repairs
Sanitation	912-6350	Interest expense	100,482	(10,000)	90,482	less due to refunding issue
				(104,900)		
Sanitation	922-5469	Residential sanitation service	780,000	31,000	811,000	
	922-5479	Commercial sanitation service	645,000	8,000	653,000	
				39,000		
Total budget change				901,860		

			Original	Net	Revised	
			Budget	Change	Budget	
	Water		2,144,846	967,760	3,112,606	
	Billing & collections		216,519	0	216,519	
	Sewer		2,159,653	(104,900)	2,054,753	
	Sanitation		<u>1,777,994</u>	<u>39,000</u>	<u>1,816,994</u>	
			6,299,012	901,860	7,200,872	
BUDGET AMENDMENTS - OTHER FUNDS			Original		Revised	
			Budget	Amendment	Budget	
205-9520	Seizure Fund	Misc revenues	0	67,000	67,000	Revenues posted to new state seiz
205-9907		Tran from other funds	0	<u>68,500</u>	<u>68,500</u>	Transfer from federal seizure
				135,500	135,500	
205-5300		Training & conference	0	162	162	Expense to new fund
205-6020		Equipment	0	<u>86,794</u>	<u>86,794</u>	Expense to new fund
				86,956	86,956	
808-5472	Debt Service Func	Bond issuance costs	0	80,991	80,991	Unplanned refunding issue
901-9907	Federal Seizure	Trans From/(To) Other funds	0	(68,484)	(68,484)	Transfer to state seizure-fund 05
300-5200	Cap Proj-EF (bonc	Prof fees-accounting	0	5,250	5,250	Arbitrage calculation fees
380-5200	Cap Proj-Library b	Prof fees-accounting	500	550	1,050	Arbitrage
380-5465		Misc exp	0	5,810	5,810	Budgeted in prior yr,
430-9522	Natural Playgroun	Revenue-Donations	0	6,400	6,400	New fund
430-6050		Facilities	0	10,430	10,430	New fund
707-6036	EDC Expense	Waterfront	900,000	(900,000)	0	Budget will be moved to 2013-14
130-8250	CDBG/TDRA/GLC	Grant proceeds	5,910,997	(3,420,000)	2,490,997	Construction timing
130-5215		Engineering	994,404	(994,000)	404	Construction timing
130-5220		Legal-grant admin	353,079	(353,000)	79	Construction timing
130-6050		Facilitites-water	426,631	(426,600)	31	Construction timing
130-6051		Street improvements	2,043,836	(758,400)	1,285,436	Construction timing
130-6052		Flood & drainage	250,000	(250,000)	0	Construction timing
130-6070		Land acquisitions	<u>1,843,047</u>	<u>(638,000)</u>	<u>1,205,047</u>	Construction timing
			5,910,997	(3,420,000)	2,490,997	
720-8250	EDA Grant	Proceeds	3,000,000	(1,647,600)	1,352,400	Construction timing
720-5215	EDA Expense	Engineering	291,000	(216,100)	74,900	Construction timing
720-6116		Street Improv	2,459,000	(1,181,500)	<u>1,277,500</u>	Construction timing
					1,352,400	

ORDINANCE NO. 2014-02
MULTI-STOP SIGN AT LAKESIDE DRIVE AND WILD OAK FOREST LANE

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, CHAPTER 90 "TRAFFIC AND VEHICLES" ARTICLE I, "IN GENERAL", SECTION 90-5 "STOP SIGNS DESIGNATED"; BY REVISING NAME OF SUBSECTION (1), "FOUR WAY STOPS" TO "MULTI-WAY STOPS," AND ADDING A NEW MULTI-WAY STOP AT THE INTERSECTION OF LAKESIDE DRIVE AND WILD OAK FOREST LANE; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00), OR THE MAXIMUM AMOUNT PERMITTED BY LAW, FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND NOTICE.

WHEREAS, the City Council of the City of Seabrook, after hearing reports of concerned citizens, and after requesting evaluation by the City Engineer, has determined the need for additional multi stop signs on Lakeside Drive, at the intersections of Wild Oak Forest Lane ("Intersection"), and

WHEREAS, although not otherwise required by law, the City has required such investigations and studies as are appropriate and necessary to determine the need for the multi stops at the subject Intersection; and

WHEREAS, in accordance with the requirements of good engineering practices, the City Engineer has made such investigations and studies as are appropriate and necessary to determine the potential need for the stop signs at the subject Intersection and has rendered an opinion and evaluation approving the placement of such stops, which is attached hereto and marked Exhibit "A", and

WHEREAS, the City Council of the City of Seabrook, has determined the necessity for this Ordinance in order to preserve the health, safety and well-being of the residents, citizens and inhabitants of the municipality;

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

SECTION 1. FINDINGS OF FACT.

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

47 **SECTION 2. AMENDMENT TO THE CODE.**
48

49 The Seabrook City Code, Chapter 90 "Traffic and Vehicles", Article I. "In
50 General", Section 90-5 entitled "Stop Signs Designated", and revising title of
51 subsection (1) "Four-way stops," to now be entitled "Multi-way stops" and adding
52 new multi stop at Lakeside Drive and Wild Oak Forest Lane as follows:
53

54 "Sec. 90-5. Stop Signs Designated.
55

56 All stop signs presently in existence as of January 1, 2009 that are located on
57 city streets, as provided herein and in substantial compliance with the Texas Manual
58 on Uniform Traffic Control Devices, are hereby adopted in the Code for enforcement.
59 Any person operating an automobile or other vehicle upon the streets of the city
60 shall, prior to entering any of the intersections designated where stop signs are
61 located, come to a complete stop before proceeding into the intersection.
62

63 The City Manager shall be responsible for maintaining a current inventory of
64 all such traffic control devices. It shall not be a defense to prosecution for violating a
65 traffic control device that a sign/signal does not comply with the Texas Manual on
66 Uniform Traffic Control Devices, or that the sign/signal is not in the inventory
67 maintained by the director of public works, if (1) the sign/signal substantially
68 complied with the manual, or (2) the defendant had actual notice of the sign/signal.
69 The following traffic control devices (stop signs) are determined necessary for traffic
70 safety and in the general public interest for the health, safety and welfare of the city:
71

72 (1) **Multi-way stops** [~~Four-way stops~~]. Stop signs indicating **multi-way** [~~four-~~
73 ~~way~~] stops shall be placed at the following locations within the city:
74

75 Lakeside Drive and Hampton Springs Drive
76

77 Lakeside Drive and Scenic Shore Drive.
78

79 **Lakeside Drive and Wild Oak Forest Lane."**
80

81
82 **SECTION 3. PENALTY CLAUSE; INCLUSION INTO THE CODE.**
83

84 This Ordinance is hereby incorporated into and made a part of the Seabrook
85 City Code. Any person who shall violate any provision of this Ordinance shall be
86 deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount
87 not more than Five Hundred Dollars (\$200.00) per offense or the maximum amount
88 permitted by law. Each violation shall constitute a separate offense.
89
90
91
92

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extents of such inconsistency or conflict, hereby repealed.

SECTION 5. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or any 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 BY PUBLICATON

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 consistent with the City Code of Ordinances and Charter; the Ordinance to take effect upon publication and posting of signs in accordance with law.

SECTION 7. NOTICE BY ERECTION OF SIGNALS

This Ordinance shall not become effective until appropriate placement of stop signage to establish and provide additional notice of the establishment of the subject stop locations as provided for herein.

PASSED AND APPROVED on first reading on this 4th day of February, 2014.

PASSED, APPROVED, AND ADOPTED on second and final reading on this 18th day of February, 2014.

By: _____
Glenn Royal
Mayor

Ordinance No. 2014-02
Page 4

139 ATTEST:

140
141
142
143 By: _____
144 Michele L. Glaser, TRMC
145 City Secretary
146

147
148 APPROVED AS TO FORM:
149

150
151
152 By: _____
153 Steven L. Weathered
154 City Attorney
155
156
157
158

Exhibit "A"



Cobb, Fendley & Associates, Inc.

TBPE Firm Registration No. 274 | TBPLS Firm Registration No. 100467

1506 E. Broadway, Suite 201 | Pearland, TX 77581

Phone 281.993.4952 | Fax 281.993.8086

Technical Memorandum

Date	January 15, 2014
To	City of Seabrook
From	Brian Castille, PE
Subject	Lakeside Dr at Seaward Dr & Lakeside Dr at Wild Oak Forest Ln Multi-Way Stop Analysis

Introduction

Cobb, Fendley & Associates, Inc. has been requested by the City of Seabrook to provide a technical memorandum to outline the findings from the intersection analysis and the determination for the need of multi-way stop control at the intersections of Lakeside Dr at Seaward Dr and Lakeside Dr at Wild Oak Forest Ln in Seabrook, Texas.

Assumptions

For the purpose of this memorandum, Lakeside Dr is a north/south street with a posted speed limit of 30 miles per hour. Seaward Dr and Wild Oak Forest Ln are both east / west streets.

Data Collection

Data collection was performed at both intersections on December 4, 2013. It is attached to this memorandum.

Multi-Way Stop Analysis

Three different conditions were evaluated in the multi-way stop analysis which are traffic volumes, roadway characteristics and intersection sight distance. If at least one condition meets criteria set forth in the 2011 edition of the Texas Manual on Uniform Traffic Control Devices (TMUTCD), a multi-way stop is warranted. Installation of a multi-way stop is based it being warranted and on engineering judgment.

Traffic Volumes

According to the procedures outlined in the 2011 edition of the TMUTCD, a multi-way stop is warranted when the average number of vehicles on both approaches of the major street is 300 vehicles per hour and is 200 vehicles per hour for both approaches on the minor street for those same eight hours. Due to traffic volumes at both intersections not meeting this criteria, a multi-way stop is not warranted at either intersection.

Roadway Characteristics

If two intersecting roadways are of similar design and characteristics, a multi-way stop may be warranted. Since Lakeside Dr is a collector street and both Seaward Dr and Wild Oak Forest Ln are residential streets, the design and operating characteristics are completely different. Therefore, a multi-way stop is not warranted at either intersection.

Intersection Sight Distance

A multi-way stop may be warranted at an intersection if there is an obstruction such as a fence that restricts a driver's line of sight when turning onto a roadway where cross traffic does not have to stop

at the intersection. Any potential obstructions are identified utilizing existing aerial photography and photographs taken at the site.

At the intersection of Lakeside Dr at Wild Oak Forest Ln, an intersection sight distance analysis was performed. **Figure 1** shows the view from westbound Wild Oak Forest Ln looking south on Lakeside Dr.



Figure 1 - On Westbound Wild Oak Forest Ln looking south on Lakeside Dr

An intersection sight distance analysis was performed utilizing methods outlined in the 2011 edition of the AASHTO "Green Book". In order for a driver in a passenger car to be able to turn left across Lakeside Dr and head south, it would require a clear sight distance of 335' as shown in **Figure 2**. The fence blocks the driver's view of Lakeside Dr where they do not have enough sight distance to be able to make a left turn across Lakeside Dr. Due to this, a multi-way stop is warranted and recommended for this intersection.



Figure 2 – Lakeside Dr at Wild Oak Forest Ln Sight Triangle

At the intersection of Lakeside Dr at Seaward Dr, an intersection sight distance analysis was performed. **Figure 3** shows the view from northbound Lakeside Dr looking north towards Seaward Dr.



Figure 3 - On Northbound Lakeside Dr looking North Towards Seaward Dr

An intersection sight distance analysis was performed utilizing methods outlined in the 2011 edition of the AASHTO "Green Book". In order for a driver in a passenger car to be able to turn left across Lakeside Dr and head south, it would require a clear sight distance of 375' as shown in **Figure 4**.

According to the analysis, the sight triangle is clear of the edge of the fence on the northeast corner and does not block a driver's view of Lakeside Dr. According to the analysis, they have enough sight distance to be able to make a left turn across Lakeside Dr. Due to this, a multi-way stop is not warranted on intersection sight distance and is not recommended for this intersection. Other intersection sight distance conditions were looked at for this location but this was the condition that was closest to having obstructions within the sight triangle.

Full results of the multi-way stop analysis are attached to this report.



Figure 4 – Lakeside Dr at Seaward Dr Sight Triangle

Lakeside Dr
Page 6 of 6



Conclusion

Based on the analysis in this memorandum, a multi-way stop is warranted and recommended for the intersection of Lakeside Dr at Wild Oak Forest Ln. A multi-way stop is not warranted and is not recommended for the intersection of Lakeside Dr at Seaward Dr.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Castille".

Brian Castille, PE



A handwritten signature in blue ink, appearing to read "B. Castille".

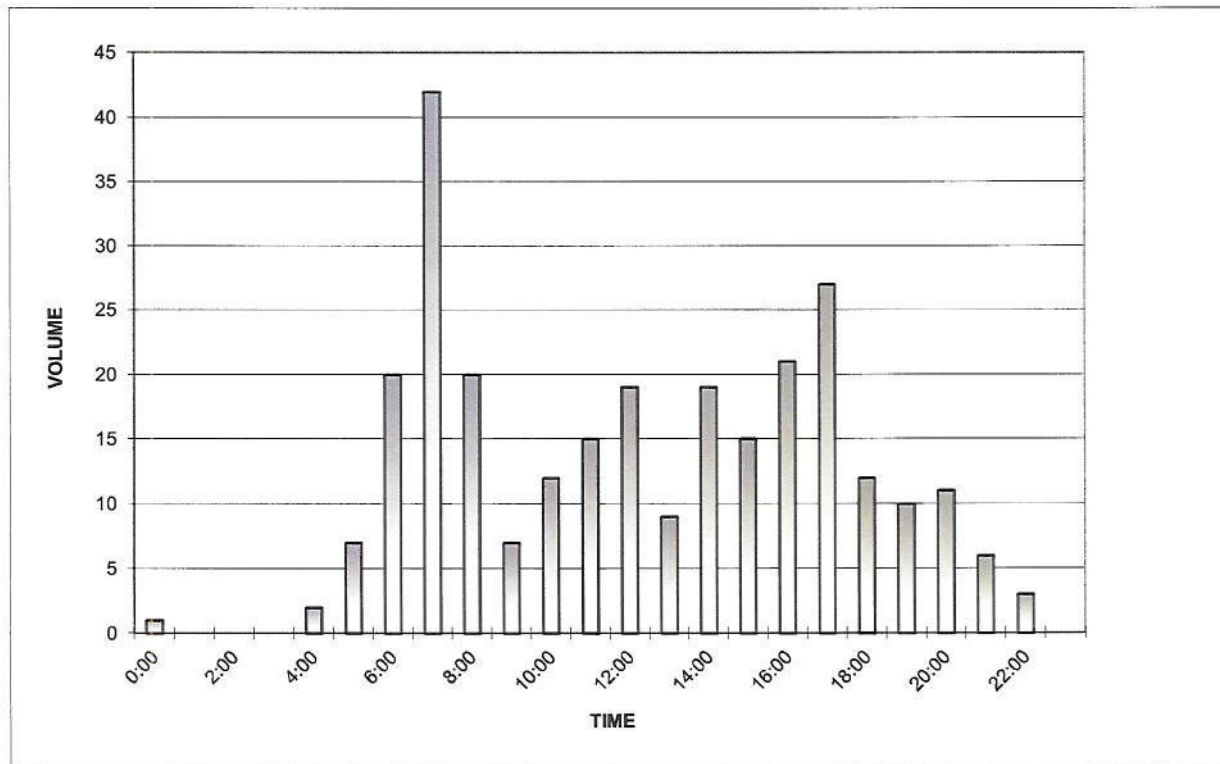
1-15-14

Date Began:
12/4/2013

Westbound Wild Oak Forest Lane east of Lakeside Drive

TIME	0:00	0:15	0:30	0:45	TOTAL
0:00	0	0	1	0	1
1:00	0	0	0	0	0
2:00	0	0	0	0	0
3:00	0	0	0	0	0
4:00	0	0	0	2	2
5:00	0	0	5	2	7
6:00	3	4	6	7	20
7:00	10	13	7	12	42
8:00	3	5	4	8	20
9:00	4	0	2	1	7
10:00	1	3	2	6	12
11:00	7	7	0	1	15
12:00	5	4	2	8	19
13:00	0	4	1	4	9
14:00	7	6	2	4	19
15:00	10	1	3	1	15
16:00	3	4	6	8	21
17:00	9	9	4	5	27
18:00	5	2	4	1	12
19:00	0	3	3	4	10
20:00	4	1	1	5	11
21:00	4	0	1	1	6
22:00	1	2	0	0	3
23:00	0	0	0	0	0
TOTAL:					278

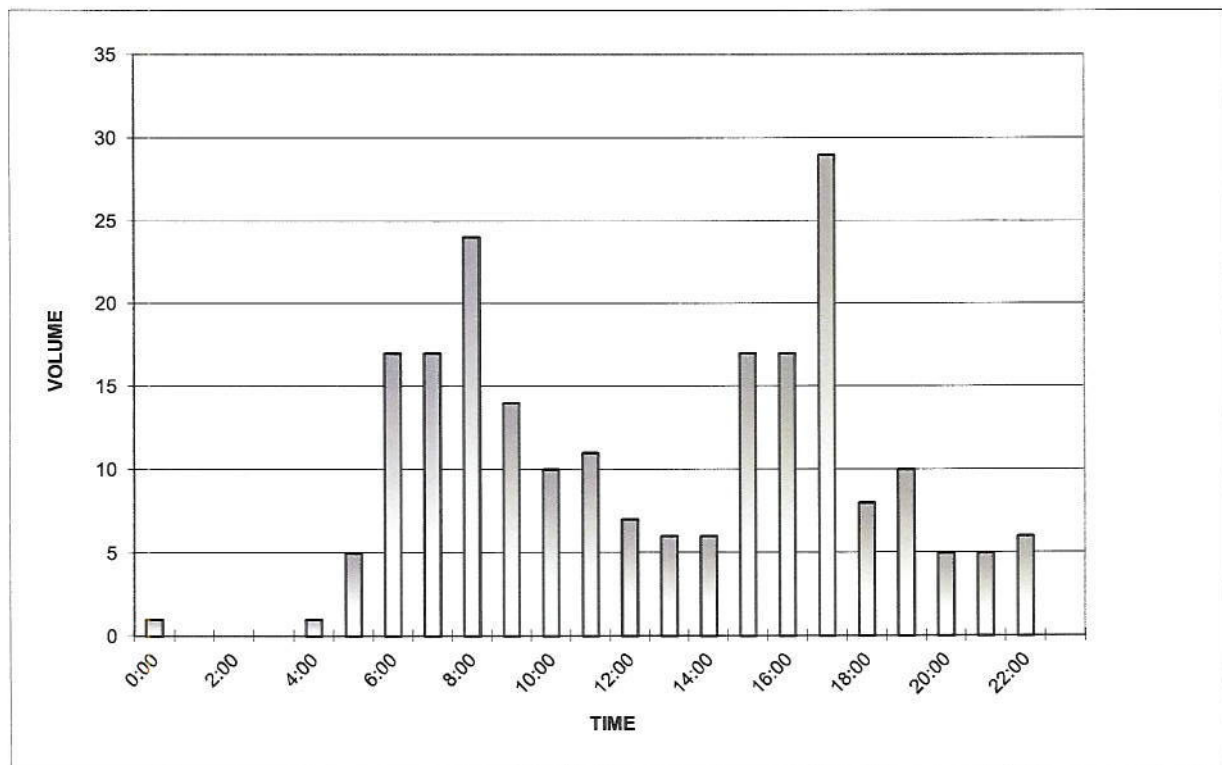
The A.M. peak hour from 7:00 to 8:00 is 42
The P.M. peak hour from 16:30 to 17:30 is 32



Date Began:
12/4/2013

Westbound Seaward Drive east of Lakeside Drive					
TIME	0:00	0:15	0:30	0:45	TOTAL
0:00	1	0	0	0	1
1:00	0	0	0	0	0
2:00	0	0	0	0	0
3:00	0	0	0	0	0
4:00	0	1	0	0	1
5:00	0	2	3	0	5
6:00	2	1	10	4	17
7:00	5	5	5	2	17
8:00	5	2	12	5	24
9:00	5	4	5	0	14
10:00	1	2	5	2	10
11:00	4	1	4	2	11
12:00	1	2	3	1	7
13:00	1	2	2	1	6
14:00	0	0	3	3	6
15:00	4	6	2	5	17
16:00	2	4	7	4	17
17:00	9	2	9	9	29
18:00	1	4	2	1	8
19:00	2	2	2	4	10
20:00	0	0	3	2	5
21:00	1	0	2	2	5
22:00	2	2	1	1	6
23:00	0	0	0	0	0
TOTAL:					216

The A.M. peak hour from 8:30 to 9:30 is 26
The P.M. peak hour from 17:00 to 18:00 is 29



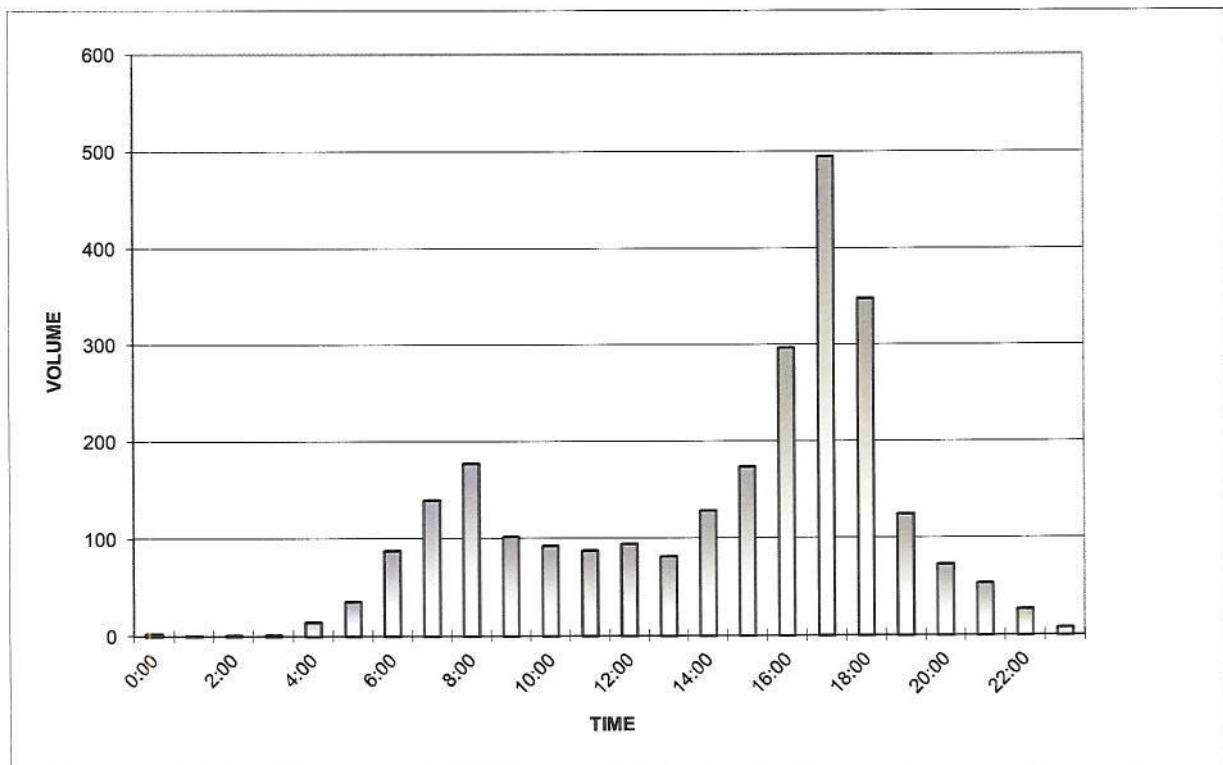
Date Began:
12/4/2013

Southbound Lakeside Drive north of Wild Oak Forest Lane

TIME	0:00	0:15	0:30	0:45	TOTAL
0:00	2	0	1	0	3
1:00	0	1	0	0	1
2:00	1	1	0	0	2
3:00	0	0	1	1	2
4:00	0	1	4	10	15
5:00	5	8	12	11	36
6:00	6	14	31	37	88
7:00	34	34	26	46	140
8:00	45	45	48	40	178
9:00	30	25	26	21	102
10:00	22	24	25	22	93
11:00	21	23	16	28	88
12:00	29	22	18	26	95
13:00	22	23	16	21	82
14:00	30	26	28	45	129
15:00	39	35	39	61	174
16:00	50	72	84	91	297
17:00	123	119	128	125	495
18:00	125	118	66	39	348
19:00	33	31	34	27	125
20:00	12	21	24	16	73
21:00	13	16	15	10	54
22:00	10	6	8	3	27
23:00	2	3	0	3	8
TOTAL:					2655

The A.M. peak hour from 7:45 to 8:45 is 184

The P.M. peak hour from 17:15 to 18:15 is 497

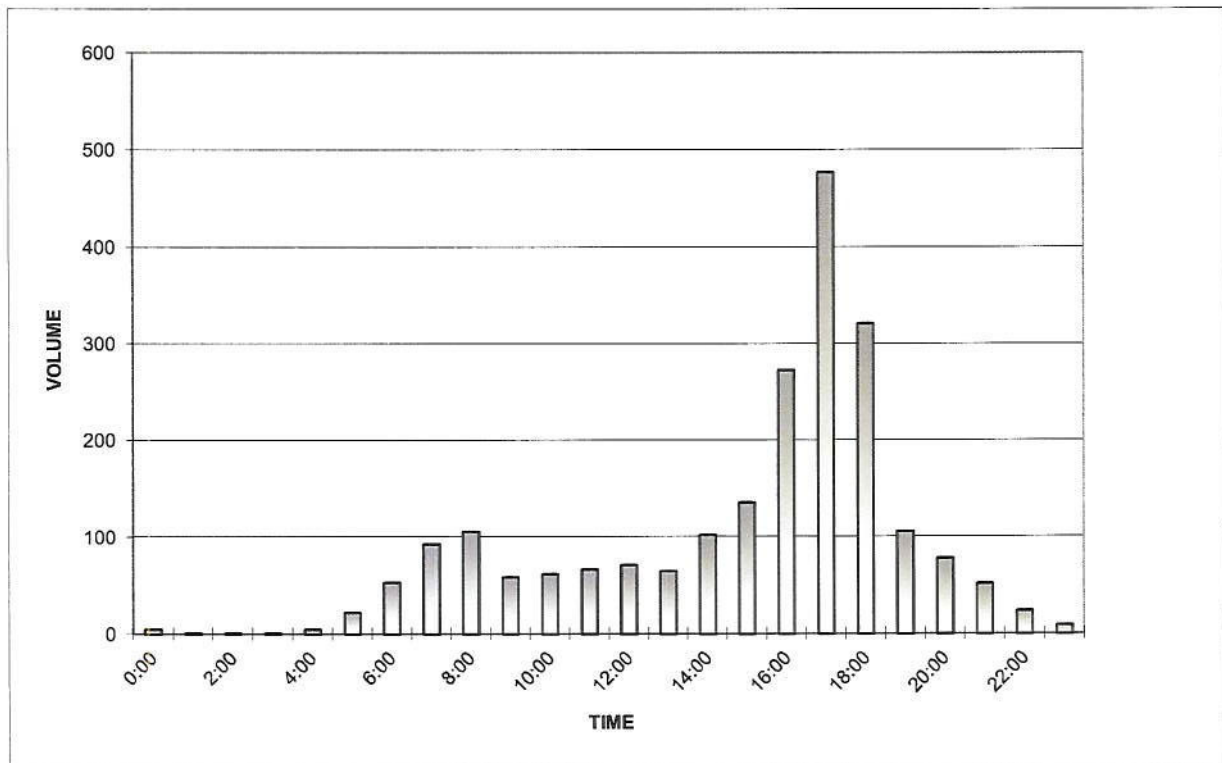


Date Began:
12/4/2013

Southbound Lakeside Drive north of Seaward Drive

TIME	0:00	0:15	0:30	0:45	TOTAL
0:00	2	1	1	1	5
1:00	0	0	0	1	1
2:00	1	0	0	0	1
3:00	0	0	1	0	1
4:00	0	0	2	3	5
5:00	5	4	6	7	22
6:00	4	8	21	20	53
7:00	22	23	21	27	93
8:00	23	34	26	23	106
9:00	19	13	13	14	59
10:00	16	12	17	17	62
11:00	17	18	14	18	67
12:00	17	22	12	20	71
13:00	13	21	17	14	65
14:00	23	21	23	35	102
15:00	24	30	36	46	136
16:00	50	62	75	86	273
17:00	117	124	115	121	477
18:00	122	105	56	38	321
19:00	28	23	32	23	106
20:00	16	21	23	18	78
21:00	11	19	13	9	52
22:00	7	6	8	3	24
23:00	2	4	2	1	9
TOTAL:					2189

The A.M. peak hour from 7:45 to 8:45 is 110
The P.M. peak hour from 17:15 to 18:15 is 482



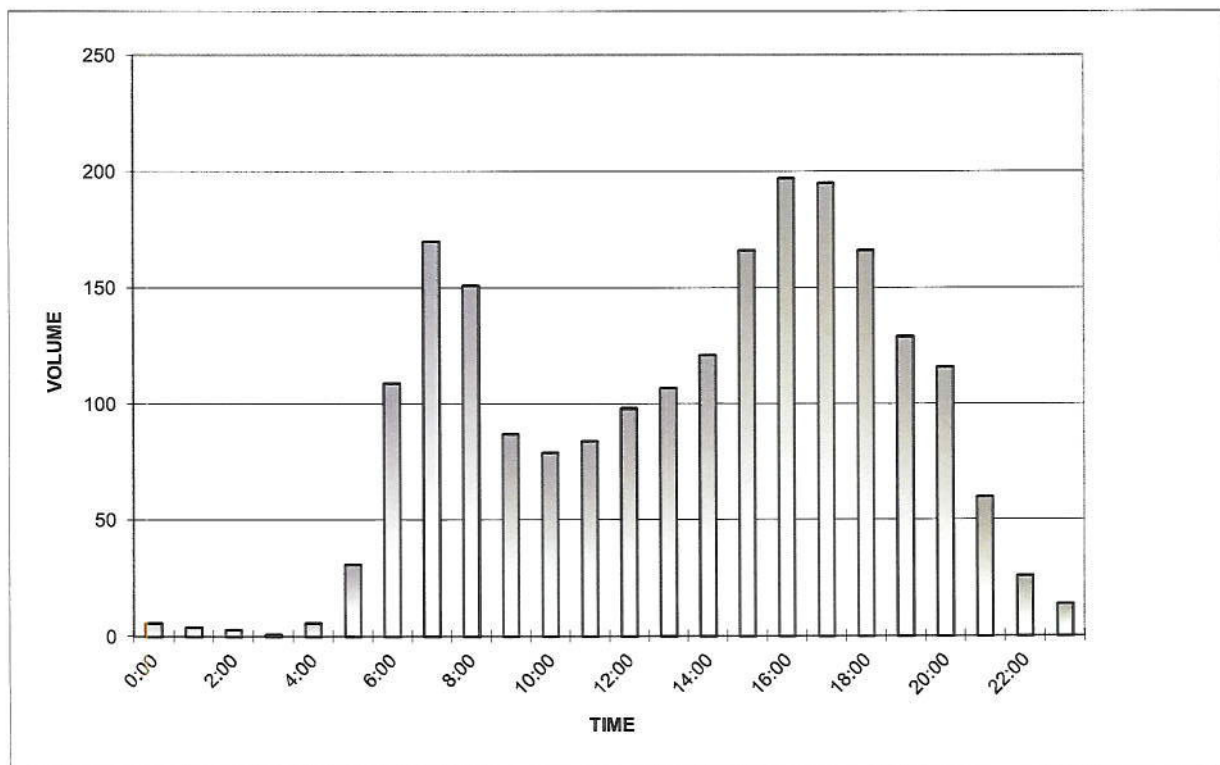
Date Began:
12/4/2013

Northbound Lakeside Drive south of Wild Oak Forest Lan:

TIME	0:00	0:15	0:30	0:45	TOTAL
0:00	1	2	3	0	6
1:00	0	0	3	1	4
2:00	1	0	2	0	3
3:00	1	0	0	0	1
4:00	2	4	0	0	6
5:00	3	5	11	12	31
6:00	16	28	32	33	109
7:00	35	55	39	41	170
8:00	43	41	37	30	151
9:00	37	15	17	18	87
10:00	19	19	22	19	79
11:00	23	27	14	20	84
12:00	25	24	22	27	98
13:00	21	25	25	36	107
14:00	27	28	35	31	121
15:00	36	48	42	40	166
16:00	37	57	44	59	197
17:00	47	44	53	51	195
18:00	46	40	39	41	166
19:00	33	31	31	34	129
20:00	31	29	29	27	116
21:00	26	16	9	9	60
22:00	6	9	6	5	26
23:00	5	5	3	1	14
TOTAL:					2126

The A.M. peak hour from 7:15 to 8:15 is 178

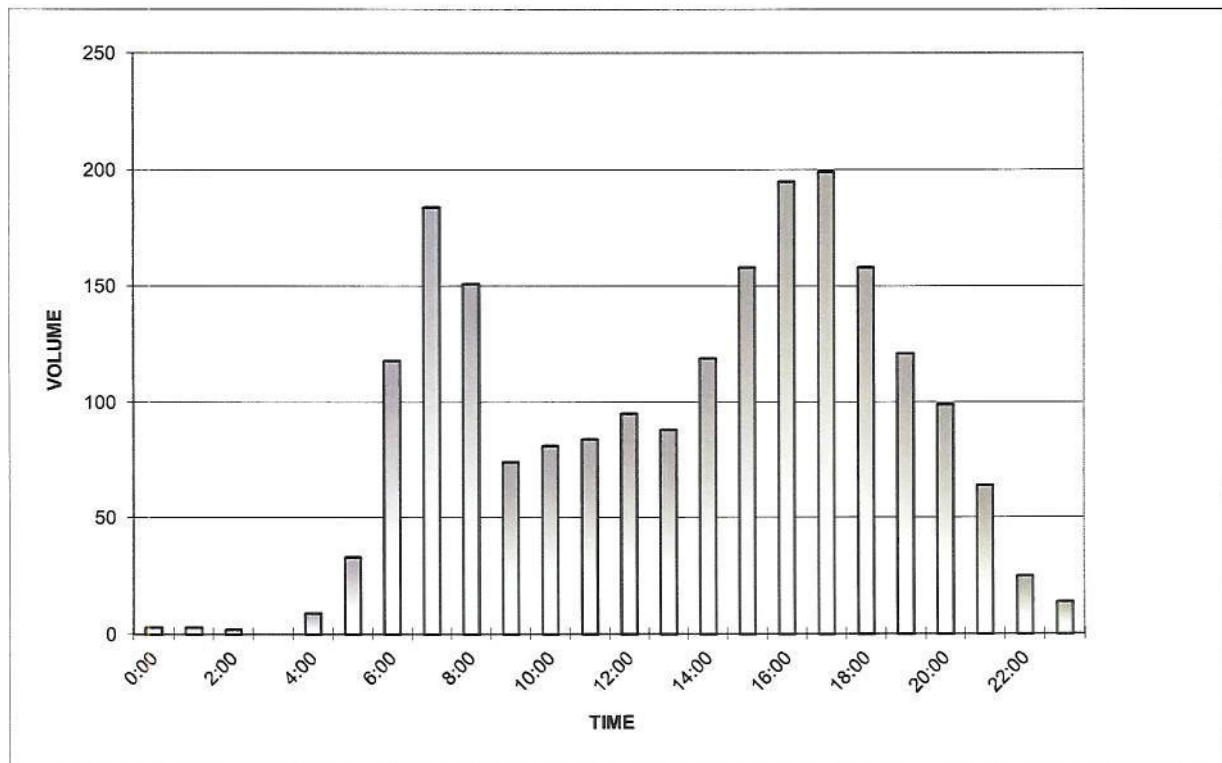
The P.M. peak hour from 16:15 to 17:15 is 207



Date Began:
12/4/2013

Northbound Lakeside Drive south of Seaward Drive					
TIME	0:00	0:15	0:30	0:45	TOTAL
0:00	0	1	2	0	3
1:00	0	0	2	1	3
2:00	0	0	2	0	2
3:00	0	0	0	0	0
4:00	2	4	0	3	9
5:00	1	4	14	14	33
6:00	17	29	37	35	118
7:00	40	61	44	39	184
8:00	43	45	33	30	151
9:00	26	14	21	13	74
10:00	20	22	20	19	81
11:00	22	27	16	19	84
12:00	25	24	19	27	95
13:00	20	26	24	18	88
14:00	29	28	35	27	119
15:00	33	44	45	36	158
16:00	38	56	42	59	195
17:00	47	43	54	55	199
18:00	44	36	39	39	158
19:00	31	30	31	29	121
20:00	28	24	24	23	99
21:00	27	18	10	9	64
22:00	6	7	6	6	25
23:00	5	5	3	1	14
TOTAL:					2077

The A.M. peak hour from 7:15 to 8:15 is 187
The P.M. peak hour from 16:15 to 17:15 is 204



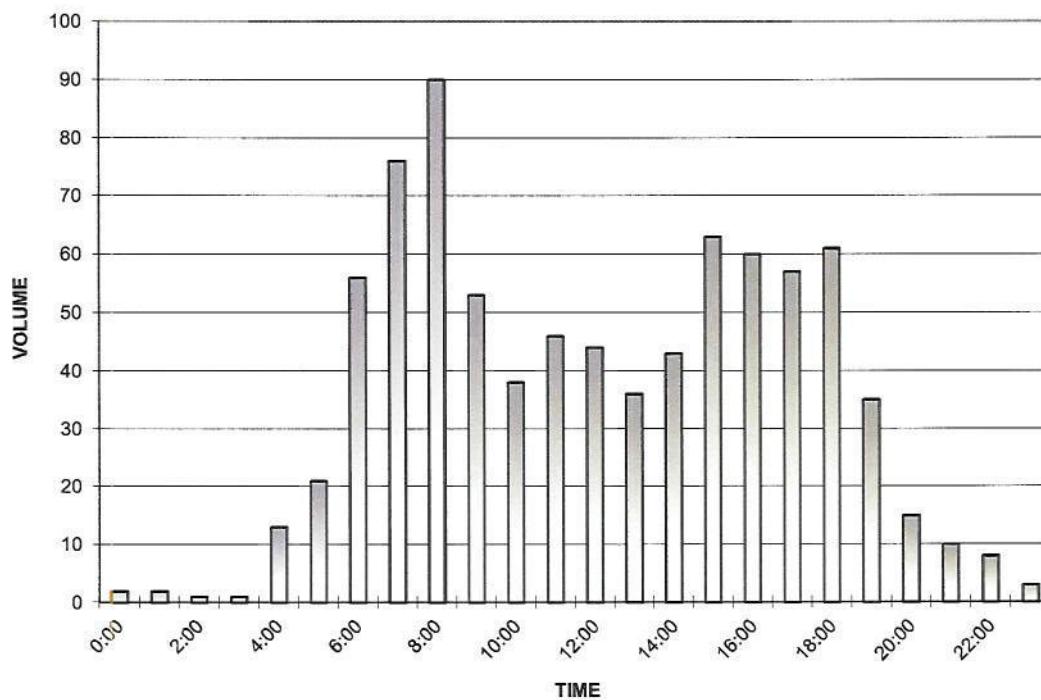
Date Began:
12/4/2013

Eastbound Seaward Drive west of Lakeside Drive

TIME	0:00	0:15	0:30	0:45	TOTAL
0:00	0	1	0	1	2
1:00	1	1	0	0	2
2:00	0	1	0	0	1
3:00	0	0	0	1	1
4:00	1	2	3	7	13
5:00	1	5	8	7	21
6:00	10	11	12	23	56
7:00	17	25	10	24	76
8:00	27	14	27	22	90
9:00	16	14	11	12	53
10:00	8	16	5	9	38
11:00	16	7	11	12	46
12:00	15	10	12	7	44
13:00	11	7	7	11	36
14:00	9	14	11	9	43
15:00	17	14	11	21	63
16:00	12	15	14	19	60
17:00	14	9	19	15	57
18:00	19	19	14	9	61
19:00	15	11	6	3	35
20:00	4	4	3	4	15
21:00	1	3	4	2	10
22:00	2	3	1	2	8
23:00	2	0	0	1	3
TOTAL:					834

The A.M. peak hour from 7:45 to 8:45 is 92

The P.M. peak hour from 17:30 to 18:30 is 72



Traffic Survey — Count Analysis

Traffic Survey — Count Analysis

TMUTCD Multi-Way Stop Warrants

County: HarrisDistrict: N/ACity: SeabrookPopulation: >10,000Survey Date: 12/4/13

	Route #	Name	Approach Lanes	85% Speed
Major		Lakeside Dr	2 lanes	30 mph
Minor		Wild Oak Forest Ln	1 lane	xx mph

Eight Highest Hours: Include the same 8 hours for the Major and Minor St. volumes.

Time Ends	Major St. Both Approaches	Minor St. Both Approaches			Comments:
	Veh. Total	Veh. Total	Bike Total	Ped. Total	
1st	310	42	-	-	Due to sight distance restrictions for the westbound Wild Oak Forest Ln approach, multi-way stop control is recommended for this intersection.
2nd	690	27	-	-	
3rd	494	21	-	-	
4th	329	20	-	-	
5th	197	20	-	-	
6th	250	19	-	-	
7th	193	19	-	-	
8th	340	15	-	-	
Average	351	23	-	-	

Average Vehicle Volume

Average Vehicles Per Hour on Major St (Total of Both Approaches)				Average Units Per Hour on Minor St (Total of Both Approaches)			
Required			Existing 117.0%	Required			Existing 11.5%
100%	80%	70%		100%	80%	70%	
300	240	210	351	200	160	140	23

Eight Hour Vehicular Volume Average Warrant

- ☐ Yes ☒ No Meets 100% of eight-hour average vehicle volume on major street and minor street.
— or —
- ☐ Yes ☒ No Meets 70% of eight-hour average vehicle volume on major street and minor street, and major street 85th percentile speed exceeds 40 mph.
— or —
- ☐ Yes ☐ No Meets 80% of eight-hour average vehicle volume on major street and minor street, and there have been 4 or more crashes susceptible to correction by a traffic signal in a 12 month period.

Interim Condition Warrant

☐ Yes ☒ No Is a traffic signal warranted and are arrangements being made for its installation?

Crash Experience Warrant

☐ Yes ☒ No Have there been more than 5 crashes susceptible to correction by a traffic signal in 12 months?

Other Considerations

- ☐ Yes ☒ No Is there a need to control left-turn conflicts?
- ☐ Yes ☒ No Is there a need to control vehicle/pedestrian conflicts and is the intersection near a location generating high pedestrian volumes?
- ☒ Yes ☐ No Is a road user, after stopping, unable to see conflicting traffic and is unable to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop?
- ☐ Yes ☒ No Is the intersection composed of two residential neighborhood collector streets of similar design and operating characteristics where multi-way stop control would improve operations?

Traffic Survey — Count Analysis

Traffic Survey — Count Analysis

TMUTCD Multi-Way Stop Warrants

County: HarrisDistrict: N/ACity: SeabrookPopulation: >10,000Survey Date: 12/4/13

	Route #	Name	Approach Lanes	85% Speed
Major		Lakeside Dr	2 lanes	30 mph
Minor		Seaward Dr	1 lane	xx mph

Eight Highest Hours: Include the same 8 hours for the Major and Minor St. volumes.

Time Ends	Major St. Both Approaches	Minor St. Both Approaches			Comments:
	Veh. Total	Veh. Total	Bike Total	Ped. Total	
1st	257	114	-	-	Multi-way stop control is NOT recommended for this intersection.
2nd	277	93	-	-	
3rd	676	86	-	-	
4th	294	80	-	-	
5th	468	77	-	-	
6th	171	73	-	-	
7th	479	69	-	-	
8th	133	67	-	-	
Average	345	83	-	-	

Average Vehicle Volume

Average Vehicles Per Hour on Major St (Total of Both Approaches)				Average Units Per Hour on Minor St (Total of Both Approaches)			
Required			Existing <u>115.0%</u>	Required			Existing <u>41.5%</u>
100%	80%	70%		100%	80%	70%	
300	240	210	345	200	160	140	83

Eight Hour Vehicular Volume Average Warrant

☐ Yes ☒ No Meets 100% of eight-hour average vehicle volume on major street and minor street.
— or —

☐ Yes ☒ No Meets 70% of eight-hour average vehicle volume on major street and minor street, and major street 85th percentile speed exceeds 40 mph.
— or —

☐ Yes ☒ N/A No Meets 80% of eight-hour average vehicle volume on major street and minor street, and there have been 4 or more crashes susceptible to correction by a traffic signal in a 12 month period.

Interim Condition Warrant

☐ Yes ☒ N/A No Is a traffic signal warranted and are arrangements being made for its installation?

Crash Experience Warrant

☐ Yes ☒ N/A No Have there been more than 5 crashes susceptible to correction by a traffic signal in 12 months?

Other Considerations

☐ Yes ☒ No Is there a need to control left-turn conflicts?

☐ Yes ☒ N/A No Is there a need to control vehicle/pedestrian conflicts and is the intersection near a location generating high pedestrian volumes?

☐ Yes ☒ No Is a road user, after stopping, unable to see conflicting traffic and is unable to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop?

☐ Yes ☒ No Is the intersection composed of two residential neighborhood collector streets of similar design and operating characteristics where multi-way stop control would improve operations?

EXHIBIT "A"



Cobb, Fendley & Associates, Inc.

TBPE Firm Registration No. 274 | TBPLS Firm Registration No. 100467

1506 E. Broadway, Suite 201 | Pearland, TX 77581

Phone 281.993.4952 | Fax 281.993.8086

Technical Memorandum

Date January 15, 2014
To City of Seabrook
From Brian Castille, PE
Subject El Mar Speed Analysis

Introduction

Cobb, Fendley & Associates, Inc. has been requested by the City of Seabrook to provide a technical memorandum to outline the findings from the speed analysis on El Mar Ln in between Bahama Dr and N Meyer Ave in Seabrook, Texas.

Existing Conditions

For the purpose of this memorandum, El Mar Ln is an east/west street with a posted speed limit of 20 miles per hour in between Bahama Dr and N Meyer Ave, which are north/south streets. El Mar Ln is two lanes in each direction separated by open ditch drainage. Pavement is Portland cement concrete with curb and gutter. The outside lane in both directions allows for on street parking. See **Figure 1** below.

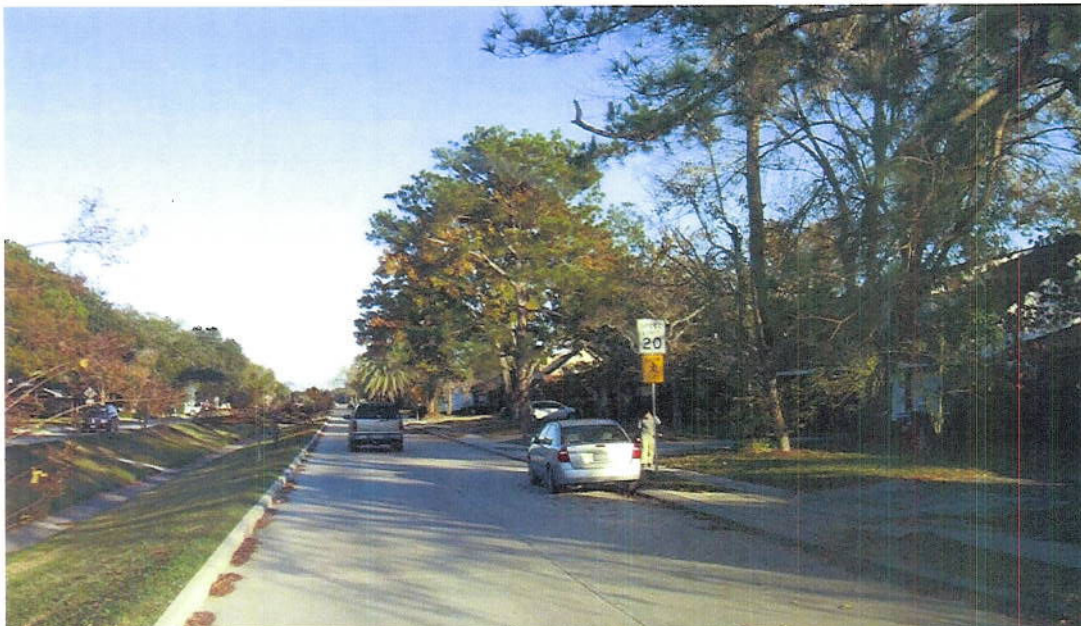


Figure 1 – El Mar Ln (One Direction) in between Bahama Dr and Nassau Dr

Data Collection

Data collection was performed on December 3, 2013. It is attached to this memorandum.

Speed Analysis

According to the data collected, the 85th percentile speed on El Mar Ln in between Bahama Dr and Nassau Dr (in between Bahama Dr and N Meyer Ave) is 32 mph for eastbound and 33 mph for westbound.

According to Title 43, Part 1, Chapter 25, Subchapter B, Rule §25.23 (d), (5), (A) of the Texas Administrative Code,

"The posted speed selected is the nearest value ending in 5 or 0. The final speed limit may be lowered or raised by as much as 5 miles per hour from the 85th percentile speed or trial-run speed (performed if 125 cars cannot be checked during the two or four hour speed check) based on the professional judgment of the supervising engineer. Only under special conditions would the zone speed vary further from the 85th percentile. Explanations of such conditions follow."

Based on this, the posted speed limit on El Mar Ln would be 30 mph in both directions. However, according to page 3-19 of the TxDOT *Procedures for Establishing Speed Zones* Manual, the posted speed limit may be reduced by as much as 10 miles per hour below the 85th percentile speed due to the high driveway density along El Mar Ln. Therefore, the lowest speed limit allowable by staying within 10 mph of the 85th percentile speed would be 25 mph in both directions.

School Zone Speed Limit

According to Title 43, Part 1, Chapter 25, Subchapter B, Rule §25.23 of the Texas Administrative Code,

When the results of a speed study indicate an 85th percentile speed at or below 50 miles per hour, the reduced school speed limit should not be more than 15 miles per hour below the 85th percentile speed or normal posted speed limits.

Factual studies, reason, and sound engineering judgment should govern the final decision on the maximum deviation from the 85th percentile speed which will provide a reasonable and prudent speed limit.

In this case, the 85th percentile speeds are 32 mph and 33 mph for eastbound and westbound respectively. The lowest allowable school zone speed limit that stays within 15 mph of the 85th percentile speed would be 20 mph in both directions. This is also the existing school zone speed limit on N Meyer Ave.

Conclusion

Based on the analysis in this memorandum, the following would be allowed according to the Texas Administrative Code and TxDOT *Procedures for Establishing Speed Zones* Manual:

- Lowest allowable posted speed limit on El Mar Ln in between Bahama Dr and N Meyer Ave is 25 mph.
- Lowest allowable school zone speed on El Mar Ln in between Bahama Dr and N Meyer Ave is 20 mph, which is also the existing school zone speed limit on N Meyer Ave.

The limits for a school zone are determined using standards set forth in the 2011 edition of the Texas Manual on Uniform Traffic Control Devices (TMUTCD), the Texas Administrative Code and Engineering Judgment. **Figure 2** provides potential sign locations for a school zone along El Mar

El Mar Ln
Page 3 of 3



Ln. The length of the school zone shown is from 200' west of the crosswalk adjacent to the school to N Meyer Ave. The total distance of the school zone shown is approximately 750' which is an acceptable length according to the Texas Administrative Code.

The 20 mph school zone speed limit shown is from 7:30am to 9:30am in the morning and 2:45pm to 4:45pm in the afternoon. These times shown are directly from the City of Seabrook as depicted in City Ordinance No. 2010-23 for Seabrook Intermediate School. If school operating times are adjusted, the school zone times shown on the "S4-1P" plaque would need to be adjusted in order to conform to the Texas Administrative Code.



Figure 2 – Potential Sign Locations on El Mar Ln

Sincerely,

Brian Castille, PE



1-15-19

RADAR MOTOR VEHICLE SPEED
Field Tally Sheet

Form 1882
(Rev. 02/12)

Date: 12/3/2013 County: Harris
Time:
(from): 9:00 AM (to): 3:00 PM
Surface Type: Concrete

Roadway: El Mar Lane Location:
Between Bahama Drive and Nassau Drive
Weather: Clear
Surface Condition: Dry: Smooth:

AUTOMOBILES		
mph	Direction: West Bound	Total
>80		0
79		0
78		0
77		0
76		0
75		0
74		0
73		0
72		0
71		0
70		0
69		0
68		0
67		0
66		0
65		0
64		0
63		0
62		0
61		0
60		0
59		0
58		0
57		0
56		0
55		0
54		0
53		0
52		0
51		0
50		0
49		0
48		0
47		1
46		0
45		0
44		1
43		0
42		0
41		1
40		2
39		0
38		2
37		5
36		11
35		11
34		12
33		16
32		16
31		19
<30		212
TOTAL		309

85th Percentile Automobile 263
85th Percentile Speed(mph) 33

AUTOMOBILES		
mph	Direction:	Total
>80		
79		
78		
77		
76		
75		
74		
73		
72		
71		
70		
69		
68		
67		
66		
65		
64		
63		
62		
61		
60		
59		
58		
57		
56		
55		
54		
53		
52		
51		
50		
49		
48		
47		
46		
45		
44		
43		
42		
41		
40		
39		
38		
37		
36		
35		
34		
33		
32		
31		
<30		
TOTAL		

85th Percentile Automobile
85th Percentile Speed(km/h)

RADAR MOTOR VEHICLE SPEED
Field Tally Sheet

Form 1882
(Rev. 02/12)

Date: 12/3/2013 County: Harris
Time (from): 9:00 AM (to): 3:00 PM
Surface Type: Concrete

Roadway: El Mar Lane Location: Between Bahama Drive and Nassau Drive
Weather: Clear
Surface Condition: Dry: Smooth:

mph	AUTOMOBILES Direction: East Bound	Total	mph
>80		0	>80
79		0	79
78		0	78
77		0	77
76		0	76
75		0	75
74		0	74
73		0	73
72		0	72
71		0	71
70		0	70
69		0	69
68		0	68
67		0	67
66		0	66
65		0	65
64		0	64
63		0	63
62		0	62
61		0	61
60		0	60
59		0	59
58		0	58
57		0	57
56		0	56
55		0	55
54		0	54
53		0	53
52		1	52
51		0	51
50		0	50
49		0	49
48		0	48
47		1	47
46		0	46
45		0	45
44		0	44
43		0	43
42		0	42
41		0	41
40		1	40
39		0	39
38		5	38
37		5	37
36		2	36
35		7	35
34		6	34
33		15	33
32		18	32
31		19	31
<30		243	<30
TOTAL		323	

85th Percentile Automobile
85th Percentile Speed(mph) 32

mph	AUTOMOBILES Direction:	Total	mph
>80			>80
79			79
78			78
77			77
76			76
75			75
74			74
73			73
72			72
71			71
70			70
69			69
68			68
67			67
66			66
65			65
64			64
63			63
62			62
61			61
60			60
59			59
58			58
57			57
56			56
55			55
54			54
53			53
52			52
51			51
50			50
49			49
48			48
47			47
46			46
45			45
44			44
43			43
42			42
41			41
40			40
39			39
38			38
37			37
36			36
35			35
34			34
33			33
32			32
31			31
<30			<30
TOTAL			

85th Percentile Automobile
85th Percentile Speed(km/h)

ORDINANCE NO. 2014-03

**DESIGNATION OF A SPEED LIMIT AND SCHOOL ZONE
ON EL MAR LANE**

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 90 "TRAFFIC AND VEHICLES" ARTICLE II, "SPEED RESTRICTIONS", TO PROVIDE FOR NEW SPEED LIMITS ON EL MAR LANE, BY AMENDING SECTION 90-31, "ENUMERATION OF LIMITS," SUBSECTION (2) "EXCEPTIONS" ESTABLISHING A SPEED LIMIT OF 25 MILES PER HOUR FOR EL MAR LANE BETWEEN BAHAMA DRIVE AND NORTH MEYER AVE; SECTION 90-32 "SCHOOL ZONES" SUBSECTION "A," "TWENTY MILES PER HOUR DURING DESIGNATED TIMES," ESTABLISHING A SCHOOL ZONE AND SPEED OF 20 MILES PER HOUR ON THE PORTION OF EL MAR LANE FROM 200 FEET WEST OF THE CROSSWALK ADJACENT TO SCHOOL TO NORTH MEYER AVE, A DISTANCE OF APPROXIMATELY 750 FEET, FOR VEHICLES AS ESTABLISHED AND POSTED BY THE CITY OF SEABROOK; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

WHEREAS, El Mar Lane is a city street within the corporate limits of the City of Seabrook; and

WHEREAS, heretofore previously, although not otherwise required by law, the City Engineer has, in accordance with the requirements of good engineering practices, made such investigations and studies as are appropriate and necessary to determine the adequacy of speed regulations in relation to specific locations of El Mar Lane and has rendered an opinion and evaluation as attached hereto and marked Exhibit "A" and incorporated by reference; and

WHEREAS, the City Engineer has recommended that the City of Seabrook City Council adopt this Ordinance setting speed limits as provided by the Manual of Uniform Traffic Control Devices published by the Texas Department of Transportation (TxDOT) by revising the posted speed limit on El Mar Lane, between Bahama Drive and North Meyer Ave, to 25 miles per hour, and additionally, creating a school zone and speed limit of 20 miles per hour from 200 feet west of the crosswalk adjacent to school to North Meyer Ave, a distance of approximately 750 feet, as described in Exhibit "A"; and

WHEREAS, the City Council of the City of Seabrook has determined the necessity for this Ordinance establishing the subject speed limit and creating a new school zone and speed limit by revising Sections 90-31 and 90-32,

Ordinance No. 2014-03
Creating Speed Zones on El Mar
Page 2

respectively for such purpose, providing for penalties for conviction for violation in accordance therewith pursuant to the Code of Ordinances of the City of Seabrook (Code); and

WHEREAS, the City Council of the City of Seabrook has determined the necessity for this Ordinance in order to preserve the health, safety and well-being of the residents, citizens and inhabitants of the municipality;

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

SECTION 1. FINDINGS OF FACT.

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 CODE.

The Seabrook City Code, Chapter 90 "Traffic and Vehicles", Article II. "Speed Restrictions", Section 90-32 "Enumeration of Limits.", Subsection "(b)", "Exceptions," is hereby amended as follows:

"ARTICLE II. SPEED RESTRICTIONS

Sec. 90-31. Enumeration of Limits.

- (1) *Maximum speed limit established.* The maximum speed limit on any road, street, avenue, boulevard or highway within the city limits shall be 30 miles per hour, unless specifically excepted by this section.
- (2) *Exceptions.* Notwithstanding the provisions of subsection (a)[1] of this section, the maximum speed limits on the following roads, streets, boulevards and highways or portions of same, shall be as follows:

NASA Parkway (formerly NASA Road 1 or F.M. 528), for its entire length within the city, being from the western city limits to its intersection with State Highway 146, 45 miles per hour.

Red Bluff Road, from the west city limits to State Highway 146, a distance of approximately 0.90 mile, 45 miles per hour.

Red Bluff Road, from a point 400 feet west of Park Drive to Todville Road, 35 miles per hour.

Ordinance No. 2014-03
Creating Speed Zones on El Mar
Page 3

Repsdorph Road, for its entire length, a distance of 1.40 miles, 35 miles per hour.

SH 146 from the northern limits of the city to 1,367 feet north of Repsdorph Road, a distance of approximately 1.369 miles, 50 miles per hour.

SH 146 from 1,367 feet north of Repsdorph Road to the centerline of Third Street, a distance of approximately 1.000 mile, 35 miles per hour.

SH 146 from the centerline of Third Street to the southern limits of the City of Seabrook, a distance of approximately 0.902 miles, 45 miles per hour.

Todville Road, from a point 600 feet north of East Meyer Avenue to the north city limits, a distance of 1.60 miles, 35 miles per hour.

El Mar Lane, between Bahama Drive and North Meyer Ave of 25 miles per hour.”

SECTION 3. AMENDMENT TO THE CODE.

The Seabrook City Code, Chapter 90 “Traffic and Vehicles”, Article II. “Speed Restrictions”, Section 90-32 “School Zones” subsection “(a)”, “Twenty miles per hour during designated times.” is hereby amended as follows:

“ARTICLE II. SPEED RESTRICTIONS

Sec. 90-32. School zones.

- (a) *Twenty miles per hour during designated times.* The following streets and roads are hereby designated school zones, within which school zones it shall be unlawful to operate any motor vehicle at any speed in excess of 20 miles per hour, between the hours of 7:30 a.m. until 9:30 a.m. and from 2:45 p.m. until 4:45 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday; provided, however, that such maximum speed limit shall not apply at other times of the day, or when school is not in session, at which other times the maximum speed limits shall be as provided elsewhere in this article:

- (1) Anders Street, from its intersection with Second Street, north to the property line of Bay Elementary School.

Ordinance No. 2014-03
Creating Speed Zones on El Mar
Page 4

- (2) Cook Street, from its intersection with Second Street, north to the property line of Bay Elementary School.
 - (3) First Street, from its intersection with State Highway 146, east to its intersection with Cook Street.
 - (4) North Meyer Avenue, from its intersection with Second Street to its intersection with East Meyer Avenue.
 - (5) East Meyer Avenue, from its intersection with North Meyer Avenue east to its intersection with Todville Road.
 - (6) **El Mar Lane, from 200 feet west of the crosswalk adjacent to school to North Meyer Ave, a distance of approximately 750 feet.”**
- (b) *Fifteen miles per hour during designated times.* The following streets and roads are hereby designated school zones, within which school zones it shall be unlawful to operate any motor vehicle at any speed in excess of 15 miles per hour, from 7:30 a.m. to 8:30 a.m. and from 3:00 p.m. to 4:00 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday; provided, however, that such maximum speed limit shall not apply at other times of the day, or when school is not in session, at which other times the maximum speed limits shall be as provided elsewhere in this article:
- (1) Lakeside Drive from 25 feet north of Seward to 25 feet south of Humble, (with the actual school zone beginning 200 feet north of Humble Drive).
- (c) *Marking of school zones.* All the above listed school zones shall be clearly marked, so as to apprise motorists of the time and place of the restricted speed zones.”

SECTION 4. PENALTY CLAUSE; INCLUSION INTO THE CODE.

This Ordinance is hereby incorporated into and made a part of the Seabrook City Code. 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 more than Two Hundred Dollars (\$200.00) per offense or the maximum amount permitted by law. Each violation shall constitute a separate offense.

Ordinance No. 2014-03
Creating Speed Zones on El Mar
Page 5

SECTION 5. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extents of such inconsistency or conflict, hereby repealed.

SECTION 6. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or any 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 7. NOTICE BY PUBLICATION

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 and posting of signs in accordance with law.

SECTION . NOTICE BY ERECTION OF SIGNS/SIGNAL

This Ordinance shall become effective upon appropriate erection of speed zone signage to establish and provide additional notice of the establishment of the subject school zones speed limit during school-designated times as provided for herein.

PASSED AND APPROVED on first reading on this 4th day of February 2014.

PASSED, APPROVED, AND ADOPTED on second and final reading on this 18th day of February 2014.

By: _____
Glenn Royal
Mayor

Ordinance No. 2014-03
Creating Speed Zones on El Mar
Page 6

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, FEBRUARY 4, 2014

Submitter/Requestor: Michele Glaser

Date Submitted: 1/27/2014 9:41:37 AM

Presenter:

Description/Subject:

The only differences in voting from the 2012 General Election are:

- 1) We again using the same electronic voting equipment as Harris County which we have purchased.
- 2) We changed one of the two required 12 hour early voting days from a Monday to a Thursday, to allow us to have our long voting days in different weeks. We want to see if this will generate more traffic.

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)

Ordinance No. 2014-04

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 first and final reading of Ordinance No. 2014-04, "Ordering a May 10, 2014 General City Election and a June 7, 2014 Runoff Election, If Necessary." (Glaser)

AN ORDINANCE CALLING AND ESTABLISHING PROCEDURES FOR THE GENERAL CITY OFFICERS' ELECTION FOR MAYOR AND COUNCIL POSITIONS 2, 4 AND 6 TO BE HELD ON MAY 10, 2014; ESTABLISHING PROCEDURES FOR A RUNOFF ELECTION TO BE HELD ON JUNE 7, 2014 IF NO CANDIDATE RECEIVES A MAJORITY OF VOTES CAST IN THE MAY GENERAL ELECTION; AND MAKING OTHER PROVISIONS RELATED THERETO.

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, TEXAS
ORDINANCE NO. 2014-04
ORDERING A MAY 10, 2014 GENERAL CITY ELECTION
& A JUNE 7, 2014 RUNOFF ELECTION, IF NECESSARY

AN ORDINANCE CALLING AND ESTABLISHING PROCEDURES FOR THE GENERAL CITY OFFICERS' ELECTION FOR MAYOR AND COUNCIL POSITIONS 2, 4 AND 6 TO BE HELD ON MAY 10, 2014; ESTABLISHING PROCEDURES FOR A RUNOFF ELECTION TO BE HELD ON JUNE 7, 2014 IF NO CANDIDATE RECEIVES A MAJORITY OF VOTES CAST IN THE MAY GENERAL ELECTION; AND MAKING OTHER PROVISIONS RELATED THERETO

* * *

WHEREAS, the laws of the State of Texas provide that on the 10th day of May 2014, there shall be elected the following officials for the City of Seabrook to serve for three-year terms to expire in May 2017:

Mayor	
Council Member	Position 2
Council Member	Position 4; and
Council Member	Position 6.

WHEREAS, the Seabrook City Charter requires that a runoff election shall be held for any position for which no candidate running receives a majority of votes cast; and

WHEREAS, the Texas Election Code and the Seabrook City Charter establish the procedures and time period for a run-off election; and

WHEREAS, the Seabrook City Council wishes to proceed with the ordering of the General Election and Runoff Election (if required) and the City Council has determined that holding such election(s) is in the public interest; and

WHEREAS, the laws of the State of Texas further provide that the Election Code (Code) of the State of Texas is applicable to all municipal elections and in order to comply with said Code, an ordinance should be passed establishing the procedures to be followed and in designating the voting place for the May 10, 2014 General Election;

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

SECTION 1. DATE, TIME AND PLACE OF ELECTION ESTABLISHED.

The General Election shall be held on the first floor of Seabrook City Hall, 1700 First Street, Seabrook, Texas on May 10, 2014 from 7:00 a.m. until 7:00 p.m. and the entire City shall constitute one election precinct for said Election. The City Council finds that the General

Ordinance No. 2014-04

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Election herein has been ordered not later than the 62nd day before the Election in accordance with Code Section 3.005.

In the event the Mayor of the City (the "Mayor") shall find that the Early Voting or Election Day polling place, hereby established and designated, shall become unavailable or unsuitable for use at the General and/or Runoff Elections, the Mayor is hereby authorized to designate substitute polling places as he deems appropriate.

SECTION 2. FILING PERIOD FOR CANDIDATES FOR THE GENERAL ELECTION.

All independent candidates at the General Election to be held on May 10, 2014, for Mayor and Council Positions 2, 4 and 6 shall file their applications to become candidates with the City Secretary, or her designee at 1700 First Street, Seabrook, Texas, beginning Wednesday, January 29, 2014 and ending on Friday, February 28, 2014 at 5:00 p.m. Such applications shall be in accordance with State Law and City Charter.

SECTION 3. VOTING SYSTEM

The City has purchased voting and tabulation equipment from Hart Intercivic, for the preparation of electronic and mail ballots, and for training. The City shall use the Hart Intercivic DRE voting system which has been adopted pursuant to Code Section 123.001 and it shall be used for early voting by personal appearance and regular voting on Election Day.

Paper ballots shall be used for voting by mail.

SECTION 4. EARLY VOTING.

The City Secretary is the Early Voting Clerk and shall conduct early voting in accordance with the Election Code of this State and the Charter and Ordinances of the City of Seabrook. As Early Voting Clerk, the City Secretary orders the hours for Saturday early voting in accordance with the Texas Election Code, Section 85.006 as indicated below.

The City Secretary shall appoint Meredith Brant to serve as Deputy Early Voting Clerk. The City Secretary may appoint up to four additional Deputy Early Voting Clerks if needed.

Early voting by personal appearance shall be held in Seabrook City Hall, 1700 First Street, Seabrook, Texas in the first floor conference room and shall begin on Monday, April 28 and end on Tuesday, May 6, 2014 as follows:

Monday, April 28 – Wednesday, April 30	7:30 a.m. until 5:00 p.m.
Thursday, May 1	7:30 a.m. until 7:30 p.m.
Friday, May 2	8:00 a.m. until 5:00 p.m.
Saturday, May 3	9:00 a.m. until 11:00 a.m.
Sunday, May 4	NO EARLY VOTING
Monday, May 5	7:30 a.m. until 5:00 p.m.
Tuesday, May 6	7:00 a.m. until 7:00 p.m.

Ordinance No. 2014-04

Page 3

Applications for ballots by mail shall be sent to the Early Voting Clerk, Seabrook City Hall, at 1700 First Street, Seabrook, Texas 77586. The first day for receiving applications for ballots by mail shall be Tuesday, March 11, 2014 and the last day for receiving applications from a voter in person for a ballot to be voted by mail shall be Friday, April 25, 2014 at 5:00 p.m. Applications for early ballots by mail shall be accepted by mail until 5:00 p.m. on Friday, May 2, 2014.

SECTION 5. ELECTION JUDGES AND CLERKS.

The City Council appoints Mary Goeckler as Presiding Judge and _____ as Alternate Presiding Judge for this Election. The Presiding Judge shall appoint the necessary clerks to assist which shall not exceed six (6) clerks.

The rate of pay shall be \$11.00 per hour for Election Judges and \$10.00 per hour for Election Clerks.

SECTION 6. TABULATION OF BALLOTS.

The City Council appoints the City Secretary as Presiding Judge and Manager of the Counting Station.

The City Council appoints Mae Wright as Tabulation Supervisor and Meredith Brant as Alternate Tabulation Supervisor, who shall be in charge of the operation of the electronic tabulation equipment.

Early votes shall be counted by an Early Balloting Board, in accordance with the Texas Election Code. The appointed Presiding Judge or Alternate Judge at the polling place shall serve as the Presiding Judge of the Early Balloting Board with two (2) clerks serving at the polling place making up the other members of the board.

SECTION 7. CANVASS OF THE REGULAR ELECTION.

City Council, as the canvassing authority of the Regular Election, shall canvass the returns at its scheduled meeting to be held on May 20, 2014 at 7:00 p.m. At the completion of the canvass, the Mayor shall deliver the returns and tally lists used in the canvass to the City Secretary; and the City Secretary shall preserve them for a period in accordance with law.

SECTION 8. RUN-OFF ELECTION (IF REQUIRED).

If no candidate receives a majority of votes cast for any position on the ballot, a runoff election will be held on Saturday, June 7, 2014 at Seabrook City Hall. The polls shall be open from 7:00 a.m. until 7:00 p.m.

Ordinance No. 2014-04

Page 4

Early voting by personal appearance shall be conducted at Seabrook City Hall in the first floor conference room during regular office hours (Monday through Thursday from 7:30 a.m. until 5:00 p.m. and on Friday from 8:00 a.m. until 5:00 p.m.) beginning on Tuesday, May 27, 2014 and ending on Tuesday, June 3, 2014.

Except that early voting by personal appearance shall be held in the Seabrook City Hall, first floor conference room on Thursday, May 29, 2014 from 7:30 a.m. until 7:30 p.m. and on Tuesday, June 3, 2014 from 7:00 a.m. until 7:00 p.m.

Applications for early ballots by mail shall be accepted by mail until 5:00 p.m. on Friday, May 30, 2014.

The City Council shall canvass the returns of the run-off election at its regularly scheduled meeting to be held on June 17, 2014 at 7:00 p.m.

All other aspects of the Runoff Election on June 7, 2014 shall be conducted in the same manner as the General Election to be held on May 10, 2014.

SECTION 9. NOTIFICATION OF ELECTION AND RETURNS.

The Mayor shall give notice of the General Election in accordance with the terms and provisions of the Election Code and the Mayor shall issue all necessary orders and writs for said election and returns of said election. The Notice of Election is labeled Exhibit A and is attached and made a part of this Ordinance.

SECTION 10. NOTICE.

It is further found and determined that in accordance with the order of this governing body the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and such notice having been so posted and remaining posted continuously for at least seventy-two (72) hours preceding the scheduled time of such meeting.

AND IT IS SO ORDERED.

**PASSED, APPROVED AND ADOPTED ON FIRST AND FINAL READING THIS
THE 4TH DAY OF FEBRUARY 2014.**

GLENN R. ROYAL, MAYOR

Ordinance No. 2014-04
Page 5

179 ATTEST:

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184 MICHELE L. GLASER, TRMC

185 CITY SECRETARY

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188 APPROVED AS TO FORM:

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193 STEVEN L. WEATHERED

194 CITY ATTORNEY

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***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, FEBRUARY 4, 2014

Submitter/Requestor: COOK

Date Submitted: 1/28/2014 3:53:42 PM

Presenter: COOK

Description/Subject:

Amendment of the Firearms Ordinance to delete the term "firearm" and replace it with "weapon", to further include within the definition section additional archery equipment that cannot be discharged within the city limits. In addition, this amendment includes changing the approval the exceptions permit from the city council to the Chief of Police or his/her designee.

Purpose/Need: NA

Background/Issue(What prompted this need):

At the January 7, 2014 meeting, the City Council discussed and directed staff to draft an ordinance that would prohibit hunting within the city limits. The city is prohibited from enacting ordinances that are stricter than state law when it comes to the area of weapons, under Texas Local Government Code Section 229.001 and 229.002, and Texas Parks and Wildlife Code, Section 62.012; however, it does not prohibit a city from prohibiting the discharge of a weapon within the city limits.

The existing ordinance provides for "firearms" only, and this ordinance amendment provides for the inclusion of bow and arrow, cross bow, long bow, and compound bow.

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

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

Ord. No. 2014-05

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?

New Business

Suggested Motion:

Approve Ordinance 2014-05, "Amendment to the Firearms Ordinance."

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 44, "LAW ENFORCEMENT AND OFFENSES", ARTICLE III, "OFFENSES", DIVISION 1 "GENERALLY" BY AMENDING SECTION 44-78 "FIREARMS" TO EXPAND THE DEFINITIONS AND INCLUDE ARCHERY EQUIPMENT AND ALLOW FOR THE PERMITTED EXCEPTIONS TO BE APPROVED BY THE CHIEF OF POLICE OR DESIGNEE.

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.

Agenda Language:

Consider approval of first reading of Ordinance No. 2014-05, "Amend Firearms Ordinance to Discharge of Weapons and Exceptions."

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 44, "LAW ENFORCEMENT AND OFFENSES", ARTICLE III, "OFFENSES", DIVISION 1 "GENERALLY" BY AMENDING SECTION 44-78 "FIREARMS" TO EXPAND THE DEFINITIONS AND INCLUDE ARCHERY EQUIPMENT AND ALLOW FOR THE PERMITTED EXCEPTIONS TO BE APPROVED BY THE CHIEF OF POLICE OR DESIGNEE.

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.

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 NO. 2014 -05
AMENDMENT TO THE FIREARMS ORDINANCE

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 44, "LAW ENFORCEMENT AND OFFENSES", ARTICLE III, "OFFENSES", DIVISION 1 "GENERALLY" BY AMENDING SECTION 44-78 "FIREARMS" TO EXPAND THE DEFINITIONS AND INCLUDE ARCHERY EQUIPMENT AND ALLOW FOR THE PERMITTED EXCEPTIONS TO BE APPROVED BY THE CHIEF OF POLICE OR DESIGNEE.

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.

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

SECTION 1. AMENDMENT TO THE CODE.

Chapter 44 "Law Enforcement and Offenses", Article III., "Offenses" is amended as follows:

Sec. 44-78. ~~Firearms~~ Discharge of Weapons and Exceptions

(a) *Definition.*

For the purposes of this section, the term ~~["firearm"]~~ **"weapon"** means any gun, revolver, pistol, rifle, shotgun, pellet gun, cartridge, **bow and arrow, cross bow, long bow, compound bow** or any other weapon that is spring loaded, discharged by explosive action of any kind or nature, **composed of a curved piece of resilient wood or other material with a taut cord to propel an arrow,** or of pneumatic design and operation.

(b) *Discharge prohibited.*

No person, other than law enforcement officers or authorized persons engaged in the performance of their duty, shall discharge ~~[It shall be unlawful for any person within the city to]~~ cast, throw, shoot, fire or discharge any rifle, gun, revolver, pistol, pellet gun, shotgun, cartridge, **bow and arrow, cross bow, long bow, compound bow** or any ~~firearm~~ **weapon** of any kind or nature in the city.

(c) *Exceptions; permits.*

(1) Nothing in this section shall be construed to apply to the possession or ownership of any firearm or to the sale of such firearm nor shall this section be construed to prevent any public or private demonstration or display of firearms of any kind, if conducted under proper supervision, after an application is made and a permit issued by ~~the city council~~ for such demonstration.

Comment [mlg1]: Should this be changed to Chief of Police or designee?

Ordinance No. 2014-05
Page 2

(2) If application shall be made for a permit to operate a shooting range of any type or kind, the duration of such permit, if issued, shall be at the discretion of the ~~[city council]~~ **Chief of Police or designee**. No such permit shall be granted unless such demonstration, display or shooting range shall be of such a character and so located and operated as, in the opinion of the ~~[city council]~~ **Chief of Police or designee**, after proper inspection, shall not be hazardous to property or endanger any person.

(3) This section shall not apply to any shooting range sponsored and sanctioned by the city.

(Code 1976, § 18-1; Code 1996, § 42-3)

State law reference— Authority of city to prohibit, regulate, etc., use of firearms, V.T.C.A., Local Government Code § 229.001, 229.002

SECTION 2. PENALTY CLAUSE; INCLUSION INTO THE CODE.

This Ordinance is hereby incorporated into and made a part of the Seabrook City Code. 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 more than \$2000 per offense, the City Council specifically finding that this Ordinance governs public health and sanitation. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

SECTION 5. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or any 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 BY PUBLICATION

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.

Ordinance No. 2014-05
Page 3

Approved on first reading on the 4th day of February 2014.

Approved on second and final reading on the 18th day of February 2014.

Glenn R. Royal, Mayor

ATTEST:

Michele L. Glaser, TRMC
City Secretary

Approved as to form:

Steven L. Weathered
City Attorney

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
4	OPEN/IN WORK	12/4/2012			Staff/Council			6.1	Consider transportation alternatives from hotels to new cruise terminal.	Tabled on 12/3/13 for re-evaluation in six months.
5	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.
19	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.	On 1/21 City Mgr reported that all residents have signed agreements and surveyor has been secured.
22	OPEN/IN WORK	11/19/2013			Staff			3.1	Develop options to reduce sound from Carothers to surrounding properties.	Open Space Committee will consider on 2/6 and make a recommendation.
23	OPEN/IN WORK	12/3/2013			Mayor/ City Mgr.			5.1	Provide periodic updates on TxDOT's progress to improve/widen SH 146.	Last update on 1/21/14
24	OPEN/IN WORK	1/7/2013			Staff			4.3	Prepare an ordinance to regulate/prohibit hunting in the city.	First reading on 2/4/14
25	OPEN/IN WORK	1/21/2014			Council			5.1	Appointments to Charter Review & Master Review Commission in 7/14	Reminder to Council to begin looking for candidates.
26	OPEN/IN WORK	1/21/2014			City Mgr.			4.3	Determine if Option 1 is enforceable concerning left turns on SH 146 and write a letter to TxDOT asking for assistance in funding.	In progress.

January 2014

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 New Year's Holiday	2 Open Space	3	4
5	6	7 Council	8	9 EDC	10	11
12	13	14	15	16 HCMCA P&Z	17	18
19	20 Mayor's Night Out	21 Council	22	23	24	25
26	27 Civil Service 6:00 p.m.	28	29 First day to file for office in May 2014 election.	30	31	

February 2014

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 Council	5	6 Open Space 5:00 p.m.	7	8
9	10	11 Men Who Cook	12	13 EDC	14	15
16	17	18 Joint Public Hearing 6 p.m. Council 7 p.m.	19	20 P&Z HCMCA	21	22
23	24	25	26	27	28 5 p.m. deadline to file for office For May Election	