

1 The City Council of the City of Seabrook met in regular session on Tuesday, June 17, 2014 at
2 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if
3 appropriate, take action on the items listed below.

4
5 **THOSE PRESENT WERE:**

6 **GLENN R. ROYAL (exc. abs.)**

7 **ROBERT LLORENTE**

8 **MIKE GIANGROSSO**

9 **GARY JOHNSON**

10
11 **MELISSA BOTKIN**

12 **THOM KOLUPSKI**

13 **O.J. MILLER**

14 **GAYLE COOK**

15 **SEAN LANDIS**

16 **STEVEN L. WEATHERED**

17 **MEREDITH BRANT**

MAYOR

COUNCIL PLACE NO. 1

COUNCIL PLACE NO. 2

**MAYOR PRO TEM & COUNCIL PLACE
NO. 3**

COUNCIL PLACE NO. 4

COUNCIL PLACE NO. 5

COUNCIL PLACE NO. 6

CITY MANAGER

ASSISTANT CITY MANAGER

CITY ATTORNEY

ASSISTANT CITY SECRETARY

18
19 Mayor Pro Tem Johnson called the meeting to order at 7:00 p.m. and led the audience in the
20 United States and Texas Pledges of Allegiance.

21
22 **1.0 INTERVIEW CANDIDATES FOR VARIOUS BOARDS & COMMISSIONS**

23
24 **1.1 Interview applicants for the Charter Review Commission and the Comprehensive**
25 **Master Plan Review Commission with appointments to be made in July.**

26
27 John Chisler, Laura Davis and Delaina Hanssen were interviewed for the Charter Review
28 Commission.

29
30 **2.0 PRESENTATIONS**

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32 **2.1 Presentation of the Seabrook Strategic Plan 2014 by Ron Cox of Ron Cox**
33 **Consulting and City Directors.**

34
35 Mr. Cox gave an overview of the planning sessions, the vision for Seabrook, the mission
36 statement and the resulting Plan.

37
38 **3.0 PUBLIC COMMENTS AND ANNOUNCEMENTS**

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40 Nancy Jones of Seabrook invited everyone to attend the Fourth of July Kids' Parade.

41
42 Laura Davis of Seabrook stated that her neighborhood is most directly affected by the
43 proposed zoning change which will be on the agenda on July 1. While some may oppose
44 it, she urged council to do the right thing for Seabrook's economic growth and approve it.
45

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

Councilor Giangrosso made announcements which included:

- The city is still accepting applications for Charter Review and Master Plan Review Commissions
- Texas Outlaw Challenge will be June 19-22
- 4th of July Kids Parade at Meador Park on Friday, July 4
- Special City Council meetings will be held on July 8 and July 22.

4.0 CONSENT AGENDA

4.1 Approve the April and May 2014 Public Safety Reports. (Wright)

4.2 Approve the April 2014 Building Report. (Landis)

4.3 Approve the May 2014 Building Report. (Landis)

4.4 Approve the June 3, 2014 special meeting minutes. (Glaser)

4.5 Approve the June 3, 2014 regular meeting minutes. (Glaser)

4.6 Consider second and final reading of proposed Ordinance No. 2014-10, "Standards for Planned Unit Developments, Replace the Minimum Size Requirement with a Minimum Common Open Space Requirement." (P&Z Commission)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 4 "SPECIAL USE REGULATIONS", SECTION 4.10, "PLANNED UNIT DEVELOPMENTS," BY RENAMING SUBSECTION, 4.10.05 "MINIMUM PUD PARCEL SIZE" TO "MINIMUM COMMON OPEN SPACE" TO REMOVE THE CURRENT MINIMUM PUD SIZE REQUIREMENT OF AT LEAST 3.5 ACRES AND TO ALLOW 20 PERCENT OF PARKING AREAS TO BE INCLUDED FOR THE REQUIREMENT FOR COMMON OPEN SPACE; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

4.7 Consider second and final reading of proposed Ordinance No. 2014-12, "Commercial Filming Regulations." (Dearman)

AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, ARTICLE 22

91 "BUSINESSES" BY ADDING A NEW ARTICLE IV ENTITLED
92 "COMMERCIAL FILMING" REQUIRING A PERMIT FOR COMMERCIAL
93 FILMING IN THE CITY OF SEABROOK; ESTABLISHING POLICIES,
94 PROCEDURES AND REGULATIONS AS THEY RELATE TO FILMING;
95 PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN \$500
96 FOR VIOLATION OF ANY PROVISION HEREOF; PROVIDING FOR
97 SAVINGS AND SEVERABILITY; PROVIDING FOR PUBLICATION; AND
98 MAKING OTHER PROVISIONS AND FINDINGS RELATED THERETO.
99

100 4.8 Consider second and final reading of proposed Ord. No. 2014-13, "Pipeline
101 Regulations." (Landis)
102

103 AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, AMENDING THE
104 CODE OF ORDINANCES OF THE CITY OF SEABROOK BY ADDING A
105 NEW CHAPTER 62 ENTITLED "PIPELINES" REQUIRING A PERMIT
106 FOR THE CONSTRUCTION, RELOCATION, REPOSITION OR TRANSFER
107 OF OWNERSHIP OF A PIPELINE IN THE CITY OF SEABROOK;
108 ESTABLISHING POLICIES, PROCEDURES AND REGULATIONS AS THEY
109 RELATE TO PIPELINES AS PROVIDED BY LAW; PROVIDING PENALTIES
110 IN AN AMOUNT OF NOT MORE THAN \$2,000.00 FOR GENERAL
111 VIOLATION, AND AN AMOUNT NOT TO EXCEED \$5,000.00 FOR ANY
112 PROVISION RELATING TO POINT SOURCE EFFLUENT LIMITATIONS OR
113 DISCHARGE OF POLLUTANT, AND/OR THE MAXIMUM AMOUNT
114 PROVIDED BY LAW; PROVIDING FOR SAVINGS AND SEVERABILITY;
115 PROVIDING FOR PUBLICATION; AND MAKING OTHER PROVISIONS AND
116 FINDINGS RELATED THERETO.
117

118 4.9 Approve an amendment to an agreement by and between Harris County, State of
119 Texas and the City of Seabrook for funding for the Community Development Block
120 Grant Program. (Cook)
121

122 Motion was made by Councilor Llorente and seconded by Councilor Botkin
123

124 To approve the Consent Agenda as read.
125

126 MOTION CARRIED BY UNANIMOUS CONSENT.
127

128 **END OF CONSENT AGENDA**
129

130 5.0 NEW BUSINESS
131

132 5.1 Consider approval of the Seabrook Strategic Plan 2014 by Ron Cox of Ron Cox
133 Consulting and City Directors. (Cook)
134

135 Motion was made by Councilor Giangrosso and seconded by Councilor Llorente

To approve the plan as presented.

An amended motion was made by Councilor Giangrosso and seconded by Councilor Botkin

To expand Initiative #1 of Economic Development to include an effort to influence TXDoT to include exit ramps in the plan for SH 146.

Mayor Pro Tem Johnson called for a vote on the amended motion.

MOTION CARRIED BY UNANIMOUS CONSENT.

Mayor Pro Tem called for a vote on the original motion.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.2 Consider approval to allow staff and the city engineer to proceed with the proposed CIP Project for the mechanical screen at the city's wastewater treatment plant and to solicit bids. (Chairez)

Public Works Director Arthur Chairez explained that the wastewater plant was built in the late 50's then expanded in 1986 as ordered by EPA administrative directive. The plant withstood the hit by Ike in 2008, but lately debris has been coming through and accumulating. The new mechanical screen will be an improvement to the plant with automated equipment working 24 hours a day. He stated that he is requesting approval to move forward by soliciting bids and hopes to start the process in mid-July.

City Manager, Gayle Cook, stated that this request was previously brought before council during the last budget process for FY 2013-14 as a supplemental page in the budget notebooks. On the supplemental document, the mechanical screen was scheduled for FY 2013-14 but no formal action was taken and the expenditure was not inserted as a line item expenditure. Currently, the Enterprise Fund has a reserve balance of \$2.25 million, and this fund requires a 15% required reserve amount. By approving the expenditure for the mechanical screen in the approximate amount as presented by the City Engineering of \$633,000, the Enterprise Fund will still retain a reserve balance well in excess of the minimum requirement.

Mr. Chairez stated that \$700,000 will cover all aspects of the project.

Motion was made by Councilor Llorente and seconded by Councilor Botkin

To approve allowing staff and the city engineer to proceed with the proposed CIP Project for the mechanical screen and to solicit bids.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.3 Consider first reading of proposed Ordinance No. 2014-14, "Update to Water Conservation and Drought Contingency Plan." (Padgett/Chairez)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, CHAPTER 95 "UTILITIES," ARTICLE III, "WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN, SECTION 95-80, "WATER CONSERVATION PLAN CONTENT," BY PROVIDING STATISTICAL UPDATES AS REQUIRED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDES FOR SEVERABILITY AND PROVIDES FOR AN EFFECTIVE DATE.

Assistant Public Works Director Kevin Padgett explained that originally the plan was adopted in 2009 and updated in 2012 as required by TCEQ. The only changes are on pages 9, 10 and 12 updated. TCEQ requires an update and re-adoption every five years.

Motion was made by Councilor Kolupski and seconded by Councilor Miller

To approve Ordinance No. 2014-14 as written.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.4 Consider approval of first reading of proposed Ordinance No. 2014-15, "Amending Disclosure Requirements."

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, CHAPTER 2, "ADMINISTRATION", ARTICLE VI. "CODE OF ETHICS", DIVISION 3. "CONFLICTS OF INTEREST", SECTION 2-239 "DISCLOSURE" BY REQUIRING THAT ELECTED OFFICIALS AND CERTAIN APPOINTED OFFICIALS REVIEW THEIR DISCLOSURE STATEMENTS AT LEAST ONCE A YEAR AND SUBMIT A NEW DISCLOSURE STATEMENT WITH CHANGES OR A WRITTEN STATEMENT ATTESTING THAT NO CHANGES HAVE OCCURRED; PROVIDING A PENALTY IN AN AMOUNT OF \$500.00 OR THE MAXIMUM AMOUNT PROVIDED BY LAW FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

Motion was made by Councilor Giangrosso and seconded by Councilor Llorente

To approve first reading of Ordinance No. 2014-15 as written.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.5 Consider approval of Resolution No. 2014-04, "Amendment to Deposits, Fees and Regulations for Carothers Coastal Gardens." (Cook)

A RESOLUTION OF THE CITY OF SEABROOK AMENDING AND UPDATING DEPOSITS, FEES AND REGULATIONS GOVERNING THE USE OF DRUSILLA CAROTHERS COASTAL GARDENS AT PINE GULLY PARK AND ESTABLISHING AN EFFECTIVE DATE. THIS RESOLUTION REPLACES RESOLUTION NO. 2012-22 APPROVED ON SEPTEMBER 4, 2012

Motion was made by Councilor Miller and seconded by Councilor Giangrosso

To approve Resolution No. 2014-04 as written.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.6 Consider approval of Resolution No. 2014-05, "Permanent Easement Grants for Surf Oaks Drive/Road (Cook)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DETERMINING THAT PERMANENT EASEMENT GRANTS ARE NECESSARY FOR MAINTENANCE IMPROVEMENTS FOR SURF OAKS DRIVE/ROAD; APPROVING THE ACCEPTANCE OF EASEMENTS FROM THE NECESSARY PROPERTY OWNERS FOR SUCH ROAD, CONTAINING APPROXIMATELY 2.064 ACRES OF LAND, BEING THE SURF OAKS DRIVE PORTION OF WARD OAKS AS RECORDED IN H.C.M.R. FILM CODE NO. 636152, THE SURF OAKS PORTION OF THE SONES SUBDIVISION AS RECORDED IN H.C.M.R. FILM CODE NO. 570290, ALONG WITH SURF OAKS DRIVE AS SHOWN ON THE UNRECORDED PLAT OF SURF OAKS SUBDIVISION, ALL BEING IN THE RITSON MORRIS SURVEY, ABSTRACT NO.52, SEABROOK, HARRIS COUNTY, TEXAS, MORE PARTICULARLY DEPICTED HEREIN; AND PROVIDING TERMS OF CITY MAINTENANCE

Ms. Cook requested that this item be tabled at this time.

Motion was made by Councilor Llorente and seconded by Councilor Kolupski

To table this item.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.0 ROUTINE BUSINESS

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

Councilor Kolupski asked that Item #5 be deleted.
Councilor Johnson asked that Item #27 be deleted.

Motion was made by Councilor Llorente and seconded by Councilor Giangrosso

To approve the Action Items Checklist as amended.

MOTION CARRIED BY UNANIMOUS CONSENT.

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

Meetings in July include:
July 1 – Regular City Council meeting
July 8 – Budget Workshop
July 15 – Regular City Council meeting
July 22 – Budget Workshop

7.0 EXECUTIVE SESSION

At 8:09 p.m. Mayor Pro Tem Johnson announced that 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 and Section 551.087, Economic Development.

Section 551.071

7.1 Consult with attorney for legal advice only in relation to legal issues associated with development incentives/agreements as provided under Section 551.071, Texas Government Code. (Cook)

Section 551.087

7.2 Discuss commercial information the city has received from a business prospect that it seeks to have locate, stay or expand in the City and which the city is conducting economic development negotiations, including deliberation of a financial offer or incentive as provided by Section 551.087 of the Texas Government Code. (Cook)

8.0 OPEN MEETING

At 9:00 p.m., Mayor Pro Tem Johnson reconvened in open session and stated that Items 7.1 and 7.2 were discussed, but no action was taken.

- 316
317 **7.2 Discuss commercial information the city has received from a business prospect that**
318 **it seeks to have locate, stay or expand in the City and which the city is conducting**
319 **economic development negotiations, including deliberation of a financial offer or**
320 **incentive as provided by Section 551.087 of the Texas Government Code. (Cook)**
321

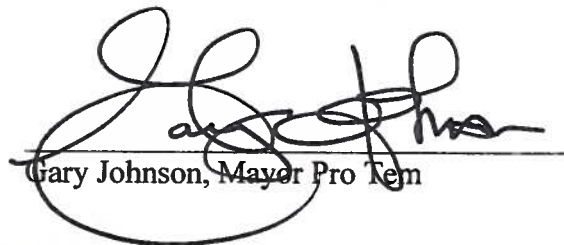
322 Motion was made by Councilor Llorente and seconded by Councilor Botkin
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324 To direct the City Attorney and City Manager to draft a developer agreement between the
325 City of Seabrook and Pacific Ridge.
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327 MOTION CARRIED BY UNANIMOUS CONSENT.
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329 Upon motion, the meeting was adjourned at 9:02 p.m.
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332 Approved this 1st day of July, 2014.
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339 
340 Gary Johnson, Mayor Pro Tem

341 
342 Meredith Brant, TRMC
343 Assistant City Secretary
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