

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

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY OCTOBER 7, 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 INTERVIEW CANDIDATES FOR VARIOUS BOARDS & COMMISSIONS

 ATTACHMENT 1

- 1.1 Interview candidates for a position of the Board of Directors of the Economic Development Corporation for a term ending May 2016.

2.0 PRESENTATIONS

- 2.1 Present the "Above and Beyond Award" for outstanding customer service to Donna Cunningham, Cashier/Accounting Clerk. (Cook)
- 2.2 Recognize LeaAnn Dearman, Director of Communications for her recent certification as a Certified Public Communicator from Texas Christian University's Bob Schieffer College of Communication and the School of Strategic Communication. (Cook)

 ATTACHMENT 2

- 2.3 Presentation of the Comprehensive Communication Plan for the City of Seabrook. (Dearman)

3.0 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.

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

4.0 SPECIFIC PUBLIC HEARING(S)

ATTACHMENT 3

- 4.1 Conduct the second of two required public hearings on the 2014 proposed tax rate of **\$0.640030 per \$100 taxable value**. (The first public hearing was held on September 30, 2014 at 7:00 p.m. at Seabrook City Hall.) The Seabrook City Council will vote on the proposed tax rate at a regularly scheduled City Council meeting on October 21, 2014 at 7:00 p.m. at City Hall. (Cook/Lab)

5.0 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 4

- 5.1 Approve a contract between the Seabrook Economic Development Corporation (SEDC) and the Bay Area Houston Economic Partnership (BAYHEP) for economic development services for a three-year period effective October 14, 2014 through September 30, 2017 in the amount of \$20,000 annually. (EDC)

ATTACHMENT 5

- 5.2 Approve an agreement between the Seabrook Economic Development Corporation and Dinghy Planet, LLC dba KO Sailing for advertising services from October 1, 2014 through September 30, 2016 in the total amount of \$10,000.00 for the two-year period. (EDC)
- 5.3 Reappoint Gene Scott as a member of the Ethics Review Commission for a term ending October 31, 2016 and appoint Barbara Clemmons and Ashley Cook (who currently serve as alternate members) as regular members of the Ethics Review Commission for terms also ending October 31, 2016. (Glaser)
- 5.4 Approve an excused absence for Councilor Llorente for the September 16, 2014 regular City Council meeting and for Mayor Pro Tem Johnson for the October 7, 2014 regular meeting. (Glaser)

ATTACHMENT 6

- 5.5 Approve the minutes of the September 16, 2014 regular City Council meeting.

(Glaser)

ATTACHMENT 7

- 5.6 Approve the minutes of the September 30, 2014 special council meeting. (Glaser)

ATTACHMENT 8

- 5.7 Approve second and final reading of proposed Ordinance No. 2014-20, "Repeal of Comprehensive Zoning Ordinance, Section 8.07, Properties Made Nonconforming by Right-Of-Way Acquisition."(P&Z)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING," ARTICLE 8, "NONCONFORMANCE", BY REPEALING SECTION, 8.07 "PROPERTIES MADE NONCONFORMING BY RIGHT- OF- WAY ACQUISITION"; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

ATTACHMENT 9

- 5.8 Approve the first of two required readings of proposed Resolution No. 2014-08, "SEDC Project for Master Plan Update" (EDC)

A RESOLUTION APPROVING A PROJECT FOR THE HIRING OF AN INDEPENDENT CONSULTANT FOR UPDATE OF THE COMPREHENSIVE MATER PLAN, USING FUNDS PROVIDED BY THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION IN AN AMOUNT NOT TO EXCEED \$100,000

ATTACHMENT 10

- 5.9 Approve Resolution No. 2014-09, "Designation of a Representative and Alternate for the Houston-Galveston Area Council 2015 General Assembly." (Council)

A RESOLUTION FORMALLY APPOINTING AND DESIGNATING MAYOR GLENN R. ROYAL AS REPRESENTATIVE AND MAYOR PRO TEM GARY JOHNSON AS ALTERNATE TO THE H-GAC 2015 GENERAL ASSEMBLY AS APPROVED BY CITY COUNCIL ON JUNE 4, 2014

ATTACHMENT 11

- 5.10 Approve a parade permit, waiver of fee and temporary signs to the Galveston Bay Foundation for "Bike Around the Bay" on October 19, 2014 from 10:00 a.m. until 1:00 p.m. pending receipt of the required deposit. (Applicant)

ATTACHMENT 12

- 5.11 Approve a special events permit and waiver of permit fee to American Volkssport Association for the Happy Hikers Event on November 15, 2014 from 8:30 a.m. until 3:00 p.m. at Miramar Park and the Seabrook Trails. (Applicant)

 ATTACHMENT 13

- 5.12 Approve a special event permit to the Art Consortium of Texas Gulf Coast for the Seabrook Arts Festival on October 25, 2014 from 10:00 a.m. until 4:00 p.m. and on October 26, 2014 from 10:00 a.m. until 3:00 p.m., including temporary signs and waiver of permit fees. **Applicant is also requesting the temporary closure of First Street, between Anders & Cook Streets during the event.** (Applicant)

END OF CONSENT AGENDA

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

 ATTACHMENT 14

- 6.1 Consider appointment to the Board of Directors of the Seabrook Economic Development Corporation for a term ending May 2016. (EDC)

 ATTACHMENT 15

- 6.2 Consider approval of the Comprehensive Communication Plan for the City of Seabrook. (Dearman)

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

 ATTACHMENT 16

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

 ATTACHMENT 17

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

THE CITY COUNCIL RESERVES THE RIGHT TO HEAR ANY OF THE ABOVE DESCRIBED AGENDA ITEMS THAT QUALIFY FOR AN EXECUTIVE SESSION IN AN EXECUTIVE SESSION BY PUBLICLY ANNOUNCING THE APPLICABLE SECTION NUMBER OF THE OPEN MEETINGS ACT, (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE) THAT JUSTIFIES EXECUTIVE SESSION TREATMENT.

CERTIFICATE

I certify that this notice was posted on the bulletin board on or before Friday, October 3, 2014 and that this notice will remain posted until the meeting has ended.

Michele L. Glaser, TRMC
City Secretary

Rev. 05/14

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

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

- ✍ You have been a resident of Seabrook for at least six months prior to the date of appointment.
(One year for appointment to the P&Z Commission and Board of Adjustment.)
- ✍ You are a qualified City of Seabrook voter at the time of appointment. Certification # 67914762
- ✍ You have no felony conviction for which you have not been pardoned.
- ✍ You are not an adversary party to pending litigation against the City.
- ✍ You are not in arrears on any city taxes, water service charges or other obligations owed the City.

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

Board of Adjustment/Building Standards _____ Charter Review Commission _____
Civil Service Commission _____ Comprehensive Master Plan Review Commission _____
EDC X Ethics Review Commission _____ Open Space & Trails Commission _____
P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Greg Businelle

HOME ADDRESS: 3921 Breezeway Ct

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS _____

DAY TIME PHONE _____

PROFESSION: Software / Technology business owner

BUSINESS NAME AND ADDRESS: Businelle Company, LLC – 12 Greenway Plaza Suite 1100 – Houston, TX 77046

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
Scott Reynolds	– 3918 Breezeway - Seabrook, TX 77586	_____
Larry Lain	- 3131 CR 536A - Alvin TX 77511	_____

How long have you lived in the City of Seabrook? ~3 years

Name of Applicant Greg Businelle

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

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

- No

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

- Degrees in Computer Science, Marketing, and an MBA w/an Entrepreneur concentration
- Started and still running 2 companies – Software and real estate
- Experience running and growing a \$MM P&L; ~200 staff

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

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

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

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

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

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



Signature

September 22, 2014
Date

This application will remain on file for one year.

OFFICE USE ONLY

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

Comments: _____

Rev. 05/14

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

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

- You have been a resident of Seabrook for at least six months prior to the date of appointment.
(One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 16768400
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

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

Board of Adjustment/Building Standards _____ Charter Review Commission _____
Civil Service Commission _____ Comprehensive Master Plan Review Commission _____
EDC 1 Ethics Review Commission _____ Open Space & Trails Commission _____
P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: DAN L. DEVENS
HOME ADDRESS: 2605 Orleans Drive, Seabrook, TX 77586-3380
HOME PHONE: 281 _____ CELL PHONE: _____
E-MAIL ADDRESS: _____
DAY TIME PHONE: _____
PROFESSION: Financial Advisor - Independent
BUSINESS NAME AND ADDRESS: Waddell & Reed
711 West Bay Area Blvd., Webster, TX 77578

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
Bevin Hartnett,	711 West Bay Area Blvd., Webster, TX	
Larry Griswold,	4438 Burdett Str., Santa Fe, TX 77511	
Daniel A Bland,	3402 Queensburg Lane, Friendswood, TX 77546	
How long have you lived in the City of Seabrook?	Sept. 1997	17 yrs.

Name of Applicant Don L. Devens

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

no

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

no

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

Texas Life & Health

Financial Services: 6, 63, 66, 72, 24 Registered Investment Advisor, Principal;

Master's Degree: Luther Theological Seminary - 1974; BA University of Mn. 1969

Licensed Professional Counselor (formerly/expired)

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

Bay Area Executives Networking Club

Formerly Board of Directors: Alternatives Hospital Board

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

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

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

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

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

Signature

Date

Return to:

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

This application will remain on file for one year.

OFFICE USE ONLY

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

Comments: _____

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

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

- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 72870884
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

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

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

Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____ Public Safety _____ Other _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: TIM LONG

HOME ADDRESS: 3110 Sea Channel Dr.

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: Stay-at-home father

BUSINESS NAME AND ADDRESS: _____

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
------	---------	-----------------

<u>Diane Brett</u>	<u>Dallas, TX</u>	
--------------------	-------------------	--

<u>Matt McIntire</u>	<u>Norman, OK</u>	
----------------------	-------------------	--

How long have you lived in the City of Seabrook? 1 yr.

Rev. 05/14

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

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

- You have been a resident of Seabrook for at least six months prior to the date of appointment.
(One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 22462138
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

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

Board of Adjustment/Building Standards _____ Charter Review Commission _____

Civil Service Commission _____ Comprehensive Master Plan Review Commission _____

EDC ☒ Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Brenda Veselany

HOME ADDRESS: 2422 Blue Canoe Ct Seabrook TX 77586

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: Real Estate Broker

BUSINESS NAME AND ADDRESS: Home Transformed
same

PERSONAL REFERENCES:

Name Address Daytime Phone #

Donna Rooney _____

James Blalack _____

How long have you lived in the City of Seabrook? property owners since 2011;
built our home and moved in Jan 2014

Name of Applicant

Brenda Veselny

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

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

10

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

shopping center / mall manager 12 years

Active Texas Brokers License since 1998

Certified Property Manager designation for IREM (CPM)

Certified Shopping Centre Manager designation from ICSC

Member HAR, TAR, NAR

(CSM)

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

former member of Windsor HOA Board

former member of Houston Police Dept Citizen Advisory Board
understand that applicants for board positions will be interviewed by City Council during a Council Board

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

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

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

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

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

Signature _____

Date _____

Return to:

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

This application will remain on file for one year.

OFFICE USE ONLY

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

Comments: _____



COMPREHENSIVE COMMUNICATION PLAN
FOR THE CITY OF SEABROOK, TX

FY2014/2015 to FY2017/2018

Comprehensive Communication Plan Outline

1. Introduction.....	4
<i>Transparency</i>	4
2. Communications and Marketing Department.....	4
<i>Department Mission</i>	4
<i>Goals</i>	4
3. Organizational Framework	5
<i>City's Mission</i>	5
<i>City's Image</i>	5
<i>Communication Consistency</i>	5
<i>Internal Communication System</i>	5
<i>Publication Request and Media Interaction</i>	5
4. City Website	5
<i>Objective</i>	6
<i>Tactics</i>	6
<i>Policy and Guidelines for City Website</i>	6
<i>City Website Procedure – A How to on CivicPlus</i>	6
<i>Website Analytics</i>	6
5. Social Media	6
<i>Objective</i>	7
<i>Tactics</i>	7
<i>Step by Step on City Social Media Networks</i>	7
<i>LinkedIn</i>	7
<i>Weekly Post Pledge</i>	7
<i>24-Hour Response Time</i>	7
<i>Google+, YouTube and Emerging Social Networks</i>	7
<i>Social Media Interaction Report</i>	8
6. Channel 16.....	8
<i>Objective</i>	8
<i>Tactics</i>	8
<i>Channel 16 Programming Guidelines and Policy</i>	8
<i>Upgrade Broadcast System</i>	8
<i>Channel 16 Procedure – A Tightrope System Guide</i>	9
<i>Equipment and PEG Funds</i>	9

7. Education and Outreach	9
<i>Objective</i>	9
<i>Tactics</i>	9
<i>City Update – E-Newsletter</i>	9
<i>Policy and Best Practices</i>	9
<i>Publishing the City Update – A How to Guide</i>	9
<i>Quarterly Subscription Report</i>	9
<i>Printed Biannual Report</i>	10
<i>Policy and Publication Guidelines</i>	10
<i>Survey</i>	10
<i>Seabrook Citizens University</i>	10
<i>Citizen Engagement</i>	10
8. Marketing	10
<i>Objective</i>	10
<i>Tactics</i>	11
<i>Tourism</i>	11
<i>HOT Event Committee and Application Process</i>	11
<i>HOT Briefings – Meetings with Seabrook Hoteliers</i>	11
<i>HOT Biannual Report</i>	11
<i>Economic Development</i>	11
<i>EDC Annual Advertising Campaign</i>	11
<i>Buy Local</i>	12
<i>Major Project Information Release</i>	12
<i>Quarterly Marketing Report</i>	12
9. Emergency Communication Strategy	12
<i>Objective</i>	12
<i>Tactics</i>	12
<i>FEMA Training</i>	13
<i>Emergency Preparedness Publication and Workshop</i>	13
<i>Priority Notification System Policy and Procedure</i>	13
<i>Promotion of Priority Notification System</i>	14
10. Appendices	14

City of Seabrook Vision

Seabrook is a sustainable, energetic and beautiful coastal community that embraces environmental stewardship, fosters safe neighborhoods and promotes tourism and economic diversity.

1. Introduction

Communication is a key component that is essential in achieving the City of Seabrook's Vision. The Comprehensive Communication Plan is an evolving document, which outlines the objectives and tactics needed to effectively inform and listen to the citizens, businesses and visitors of Seabrook.

Transparency

Transparency promotes accountability and provides information for the citizens, businesses and visitors of Seabrook. The City of Seabrook strives to ensure the public's trust and establish a system of transparency, public participation and collaboration. Timely, reliable and accurate communication is an integral part of achieving transparency.

2. Communications and Marketing Department

The City of Seabrook Communications and Marketing Department was created by the Seabrook City Council and Office of the City Manager in January 2012 when it became necessary to have a qualified staff manage the city's communication efforts. In the event that the Director of Communications or designated staff is unable to perform their assigned duties the Information and Technology Department staff will serve as a backup resource.

Department Mission

Inform and engage citizens, businesses and visitors by providing and responding with timely, reliable and accurate information.

Goals

Over the next 3 years the Communications and Marketing Department will:

- Ensure timely, reliable and accurate information dissemination and response
- Improve internal communication
- Increase citizen, business and visitor awareness and engagement
- Create and implement policy and procedures for existing and new technologies
- Generate measurement and data tools
- Promote tourism and economic development
- Develop an Emergency Communication Strategy

3. Organizational Framework

Seabrook is a coastal community located 30 minutes southeast of Houston with a population 12,000. The City of Seabrook is a small organization of approximately 100 employees at any given time.

City of Seabrook Mission

The City of Seabrook is responsive, innovative and fiscally sound in delivering services that preserve, protect and enhance quality of life.

City's Image

The City of Seabrook strives to establish and maintain a positive municipal image and identity. The organization embraces the city's image by providing management and education tools for city staff. The Communications and Marketing Department is responsible for administering the City of Seabrook Logo Guidelines, which ensure the City's brand is used appropriately and consistently across all communication platforms.

See Appendix A. City of Seabrook Logo Guidelines

Communication Consistency

It is essential to communicate information both internally and externally in a timely, reliable and accurate manner.

Internal Communication System

Information disseminated to the media and the public must originate from subject matter experts. When necessary subject matter experts may speak with the media. The City of Seabrook Information Experts document outlines the primary and alternate staff needed for information dissemination.

See Appendix B. City of Seabrook Information Experts

Publication Request and Media Relations

Local media dictate a strict publication schedule, which results in the need to promote and announce upcoming projects and events in a timely fashion. The Publication Request and Media Relations Guidelines outlines a schedule for information publication in addition to giving staff guidelines on how to appropriately interact with the media.

See Appendix C. Publication Request and Media Relations Guidelines

4. Website

The City of Seabrook's website, www.seabrooktx.gov, is the City's main portal of information. It is the responsibility of department managers to review and provide updated site information. Department staff may be trained as needed to ensure content is up-to-date. Content is maintained through a content management system provided by CivicPlus.

Objective

Establish policy and procedure to help dictate a method for updating, reviewing and posting information to the website while generating reports to measure website activities.

This objective will help attain several of the Communications and Marketing Department Goals outlined on page 4 of this document.

Tactics

The conceptual actions below will aid in completing the above objective.

Target completion dates are subject to change.

Policy and Guidelines for City Website

Develop a policy intended to assist city staff who are responsible for posting and updating information to the website. This document will establish guidelines that will hold departments accountable while ensuring website content is posted in a timely, reliable and accurate fashion. The policy will include state and city charter mandated postings and publications of public meetings, agenda and financials.

Target Completion Date: January 2016

City Website Procedure – A How to on CivicPlus

Create a detailed procedure outlining how to use the CivicPlus Content Management System as a site administrator (2016).

Target Completion Date: January 2016

Website Analytics

Develop quarterly website analytic reports for City Council and management. Reports will vary each quarter based on popular and unpopular pages. Reports will be due at the beginning of January, April, July and October and will contain information regarding the previous three-month time period.

First Report Due: January 2015

5. Social Media

While print is an expensive communication channel, social media serves as an inexpensive form of communication with an extremely fast growing audience. The city's social media sites currently include:

- Facebook, Twitter, YouTube and LinkedIn

The City's social media networks are centralized and managed by the Guidelines, Best Practices and Policy for Social Media Use and was approved by Council in February 2012. *See Appendix D for the Guidelines, Best Practices and Policy for Social Media Use for the City of Seabrook.*

Objective

Ensure the City's social media sites are well maintained and updated with timely, accurate and reliable information and generate reports that will analyze the amount of social activity of each network.

This objective will help attain several of the Communications and Marketing Department Goals outlined on page 4 of this document.

Tactics

The conceptual actions below will aid in completing the above objective.

Target completion dates are subject to change.

Step by Step on City Social Media Networks

Create a detailed procedure outlining how to log in and administer the city's social networks.

Target Completion Date: December 2015

LinkedIn

Work directly with Human Resources to start utilizing the City's LinkedIn account in a proactive fashion.

Target Completion Date: February 2015

Weekly Post Pledge

The Communications and Marketing Department pledges to make at least three (3) posts to both Facebook and Twitter each week.

Tactic Complete and Ongoing

24-Hour Response Time

The Communications and Marketing Department is committed to listening to our social media audience and will review and if necessary respond to social media inquiries, comments and messages within 24 hours.

Tactic Complete and Ongoing

Google+, YouTube and Emerging Social Networks

Create a Google+ page that is integrated with the City's YouTube channel. Identify city facilities and parks that need to have separate "Place" pages to properly rank in the Google search engine. Stay abreast of new and upcoming social media networks that may improve city communication efforts.

Target Completion Date: December 2015

Social Media Interaction Report

Develop a quarterly report that will track the number of "likes, posts, reach, tweets, retweets, favorites, etc" analyzing the amount and type of social interaction. Highlight "popular topics" that receive large impressions. Allow council and management to listen to interactions between the users and the city. Reports are due at the beginning of January, April, July and October and will contain information regarding the previous three-month time period.

First Report Due: January 2015

6. Channel 16

The 1984 Cable Act designated the City of Seabrook TV Channel as an official government access channel, funded in part by cable franchise fees. At this time Comcast is the only cable provider in the City of Seabrook and subscribers may view City of Seabrook programming on standard definition Channel 16.

Objective

Establish policy and procedure that guides staff in creating quality programming that is timely, reliable and accurate in addition to updating and purchasing technology in accordance with state law.

This objective will help attain several of the Communications and Marketing Department Goals outlined on page 4 of this document.

Tactics

The conceptual actions below will aid in completing the above objective.

Target completion dates are subject to change.

Channel 16 Programming Guidelines and Policy

Develop a policy intended to assist city staff who are responsible for channel programming and scheduling. The policy will include state and city charter mandated postings and publications of public meetings, agenda and financials.

Target Completion Date: December 2015

Upgrade Broadcast System

Collaborate with the Information Technology Department to upgrade current broadcast machines to new Tightrope system.

Tactic Complete

Channel 16 Procedure – A Tightrope System Guide

Create detailed procedure on how to upload, schedule and create bulletin boards within the new broadcast system.

Target Completion Date: December 2015

PEG Funds and Equipment

Develop yearly PEG Fund expenditure budget. Develop a Communications and Marketing Equipment List.

Tactic Partially Complete - Target Completion Date: December 2014

7. Education and Outreach

The City of Seabrook offers citizens additional ways of staying informed and engaged through the use of email, print and person-to-person communication.

Objective

Maintain, improve and create new ways for citizens to interact with the City of Seabrook ensuring the exchange of information is timely, reliable and accurate.

This objective will help attain several of the Communications and Marketing Department Goals outlined on page 4 of this document.

Tactics

The conceptual actions below will aid in completing the above objective.

Target completion dates are subject to change.

City Update – E-Newsletter

The E-Newsletter is a monthly email publication sent to a voluntary list serve.

Policy and Best Practices

Establish policy that guides staff in creating quality content that is timely, reliable and accurate including a yearly publication schedule.

Target Completion Date: June 2015

Publishing the City Update – A How to Guide

Develop a detailed procedure on how to create and publish the E-Newsletter.

Target Completion Date: June 2014

Quarterly Subscription Report

Run a subscription and interaction report that will be submitted to City Council and management at beginning of January, April, July and October and will contain information regarding the previous three-month time period.

First Report Due: January 2015

Printed Biannual City Report

The Biannual City Report is a printed publication mailed to all Seabrook residents and business and is released at the beginning of May and October each year.

Policy and Publication Guidelines for the Biannual City Report

Establish policy that guides staff in creating quality content that is timely, reliable and accurate including a yearly publication schedule.

Target Completion Date: November 2015

Survey

Develop a yearly survey that will analyze residents' response to the newsletter content. Survey will be made available online and distributed via email and social media each year in June.

Target Completion Date: June 2015

Seabrook Citizen's University

Develop a citizens program that allows citizens to interact directly with city departments.

Target Completion Date: January 2016

Citizen Engagement

Develop a marketing campaign to increase citizen engagement with City Council and city boards and commissions. This will include promoting existing public and special town hall meetings and elections in addition to researching and implementing new technology to gather citizens' input.

Target Completion Date: December 2016

8. Marketing

In addition to interacting with citizens, the Communications and Marketing Department is also responsible for managing tourism and HOT funds in addition to the promotion of the Seabrook

Economic Development Corporation. Several of the objectives and tactics above incorporate promotion of tourism and economic development.

Objective

Maintain and improve relationships with Seabrook hotels and business owners while providing timely, reliable and accurate information to area partners, event holders and businesses.

This objective will help attain several of the Communications and Marketing Department Goals outlined on page 4 of this document.

Tactics

The conceptual actions below will aid in completing the above objective.

Target completion dates are subject to change.

Tourism

Tourism related promotions relates directly to the Hotel Occupancy Tax (HOT) Fund that is managed by state law. According to the law, revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry. See Appendix E. What Cities Need to Know to Administer Municipal Hotel Occupancy Taxes

HOT Event Committee and Application Process

Update the HOT Application on a yearly basis, in September. Revise hotel event questionnaire and distribute to hotels in February. Continue to manage internal HOT Committee and send reports and requests to Council as needed. Council will review most applications in March each year.

Tactic Complete and Ongoing

HOT Briefings – Meetings with Seabrook Hoteliers

Convert quarterly HOT Briefing schedule to a biannual schedule that will take place in the fall and spring each year. Work with CVB to organize and co-host meeting.

Target Completion Date: November 2014

HOT Biannual Report

Generate Biannual Marketing Report for Council review. The report will include all promotional and advertising activities plus updates from HOT Briefing meetings and HOT events.

Target Completion Date: March 2015

Economic Development

The City of Seabrook collaborates directly with the Seabrook Economic Development Corporation (SEDC) to attract and retain businesses. Businesses and developers receive correspondence from the city, which is timely, accurate and reliable. The SEDC website is maintained and updated by the Communications and Marketing Department.

EDC Annual Advertising Campaign

Each year under the direction of the Economic Development Director, the Communications and Marketing Department submit advertisements to selected business journals and publications. Advertisements must preserve the City's image.

Tactic Complete and Ongoing

Buy Local

Each year the Communications and Marketing Department will assist the Economic Development Director in creating a Buy Local coupon book and online coupon directory.

Tactic Complete and Ongoing

Major Project Information Release

As needed the Communications and Marketing Department will release information to the media and the public in regards to major development projects, such as the Expansion of State Highway 146.

Tactic Complete and Ongoing

Quarterly Marketing Report

The Communications and Marketing Department will give a quarterly marketing report the encompasses all EDC communications and marketing related activities and website analytics. Reports will be due at the beginning of March, June, September and December and will contain information regarding the previous three-month time period.

Tactic Complete and Ongoing

9. Emergency Communication

The Communication and Marketing Department works closely with Emergency Management to ensure citizens and businesses are notified in the case of an emergency or crisis.

Objective

Develop an Emergency Communication Strategy to help communicate to the public during an emergency or crisis event.

This objective will help attain several of the Communications and Marketing Department Goals outlined on page 4 of this document.

Tactics

The conceptual actions below will aid in completing the above objective.

Target completion dates are subject to change.

FEMA Training

As required by the Federal Emergency Management Association (FEMA) and the City of Seabrook the Director of Communications also referred to as the Public Information Officer (PIO) during an incident, is required to complete the following National Incident Management System (NIMS) courses (Fall 2014):

- IS 100.b – Introduction to Incident Command System - *Complete*
- IS 200.b – ICS for Single Resources and Initial Action Incidents - *Complete*
- IS 300 – Intermediate ICS for Expanding Incidents
- IS 400 – Advance ICS
- IS 700.a – National Incident Management System (NIMS) an Introduction
- IS 701.a – NIMS Multiagency Coordination System (MACS) Course
- IS 702.a – NIMS Resource Management
- IS 703.a – NIMS Resource Management
- IS 704 – NIMS Communications and Information Management
- IS 800.b – National Response Framework, An Introduction

Target Completion Date: February 2015

Emergency Preparedness Publication and Workshop

Each spring in collaboration with the Office of Emergency Management the Communications and Marketing Department will help promote a Hurricane Preparedness Workshop for the community of Seabrook. In addition to the workshop, the departments will partner to create an informative brochure that will be mailed to the residents of Seabrook on how to prepare for a hurricane and/or an emergency event.

Target Completion Date: May 2015

Priority Notification System Policy and Procedure

Develop policy, guidelines and procedures that will assist staff who utilize the City's Priority Notification (Blackboard CTY).

Target Completion Date: December 2016

Promotion of Priority Notification System

Develop a “How to Register” video that will be the primary media asset (in addition to emails and flyers) of a social media campaign which will encourage citizens and businesses to register for our Priority Notification System.

Target Completion Date: April 2015

10. Appendices

The included appendices are referred throughout the Comprehensive Communication Plan.

Appendix A. City of Seabrook Logo Guidelines

The City of Seabrook logo is a trademark of the City of Seabrook and in order to protect and maintain the city’s image and brand City Council approved the City of Seabrook Logo Guidelines, which gives specific instructions on how the logo may be used and displayed.

Appendix B. City of Seabrook Information Experts

An outline of current city staff that are considered city spokespersons and subject matter experts.

Appendix C. Publication Request and Media Relation Guidelines

Communications and Marketing Department policy on how and when to submit information for publication and release to the media; also included is Media Interaction Guidelines offering tips and suggestions on how to approximately communicate with the media.

Appendix D. Guidelines, Best Practices and Social Media Policy for the City of Seabrook, TX

Approved by Council in February 2012 these guidelines and policies are intended to assist city staff who use social media as a communication tool to encourage social media use between the City, and its citizens and business.

Appendix E. What Cities Need to Know to Administer Municipal Hotel Occupancy Taxes

This abridged version of the THLA’s What Cities Need to know to Administer Municipal Hotel Occupancy Tax gives an overview of how HOT funds can be allocated to promote tourism and the hotel and convention industry.

City of Seabrook Logo Guidelines

The Logo

The City of Seabrook logo and colors are key elements for establishing and maintaining the identity of the City of Seabrook. It needs to be used appropriately and consistently across all printed and on-screen applications. It is important the logo retains its intended shape, form and color. Therefore, it is imperative that no attempts be made to modify or recreate the logo under any circumstances.

The following guidelines should be followed whenever creating printed or on-screen pieces that will be branded with the City of Seabrook logo.



Color

The accurate use of color must be maintained to ensure consistent control of the logo. Color reproduction is Pantone 2965C.

The logo may also be reproduced in True BLACK or True WHITE.

A color palette has been provided to cross-reference when creating documents that does not allow the Pantone color to be chosen. The conversion includes RGB, CMKY, and HEX numbers. A slight variation may exist when entering these numbers and if you have a question or concern please contact LeaAnn Dearman at 281-5777 or via email at ldearman@ci.seabrook.tx.us.

Pantone 2965C	
CMYK = 100 – 38.04 – 0 – 63.2	
RGB = 0 – 49 – 81	
HEX = 003151 (003355 web safe)	

True Black	
CMYK = 75 – 68 – 67 – 90	
RGB = 0 – 0 – 0	
HEX = 000000	

True White	
CMYK = 0 – 0 – 0 – 0	
RGB = 255 – 255 – 255	
HEX = ffffff	
<i>Please note the clouds may also be Pantone 2965C instead of black.</i>	
	

Background Control

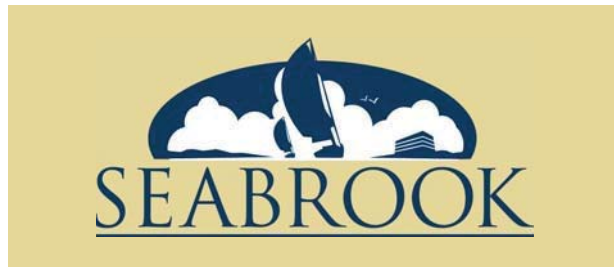
The logo should only be used as shown, in the approved color options. The preferred background is white. If white is not a background option the logo should maintain a transparent background and the color background should be a light shade and not dark.

The exception to the white or light shaded background is when the logo is printed in white. Dark color backgrounds may be used when a dark background is chosen.

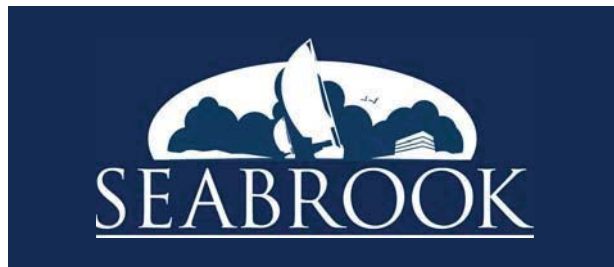
- ✓ White Background



- ✓ Light Background



- ✓ Dark Background



Rule of Thumb

The True BLACK logo may be used on any light colored background, while the True WHITE logo may be used on darker colors.

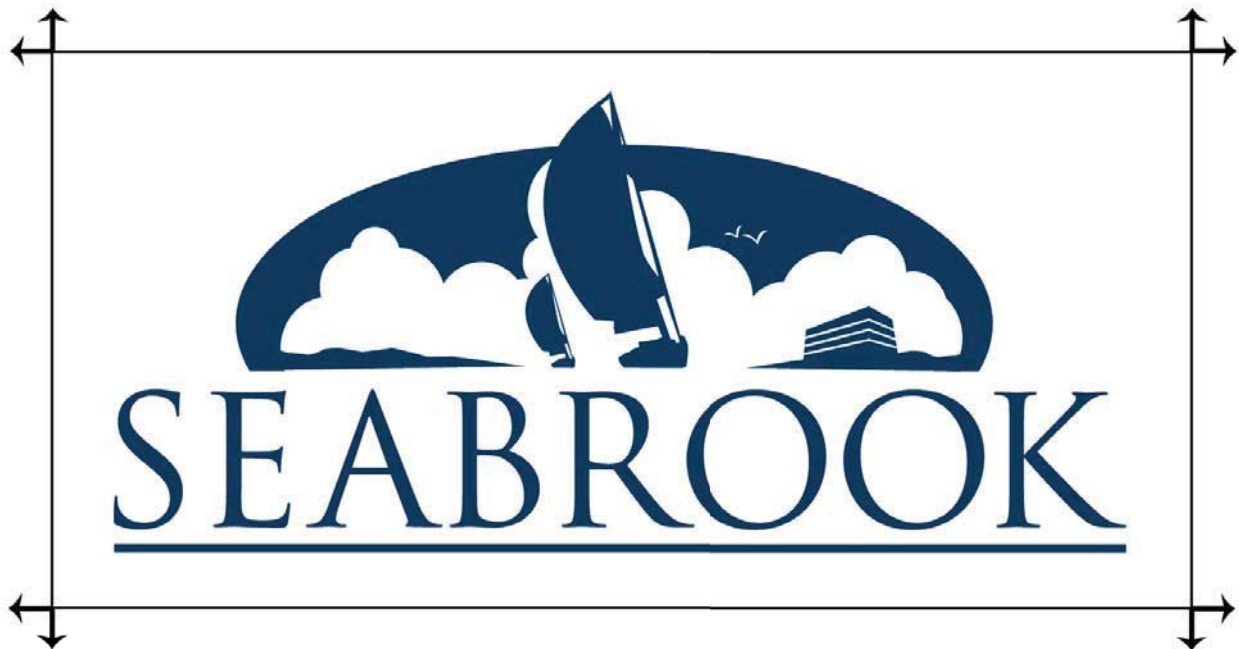


Space and Positioning

A clear space is defined to maintain the logo's integrity. If the minimum clear space is not applied, the logo's impact will be compromised.

Do not allow any graphic or text elements such as copy, photography, clipart and background patterns to clutter the clear space surrounding the logo.

This includes positioning the logo close to the edge of documents.



Size and Proportions

To ensure legibility, the logo may not be reproduced less than 2.0 inches in width for printed materials.

For electronic media (on-screen), it is important to maintain consistency when presenting the logo on the Internet, on a CD ROM or other types of media. The minimum size for the logo is 150 pixels wide.

Distortion of the logo is NEVER permitted. The logo must maintain proper proportions; never stretch or distort the logo in any way.

✓ Print Materials



✓ Electronic Media



✓ Correct Proportions



X Incorrect Proportions



Incorrect Usage

Color Manipulation

The logo colors should not be manipulated in anyway other than as indicated by this document. Only the approved color combinations are permissible.

X Examples of Incorrect
Color Combinations



Element Manipulation

Logo elements should not be manipulated in anyway.

X Examples of Incorrect
Element Manipulation



Business Cards

There is one format for the City of Seabrook business cards. The official City logo as seen in this document will be used to brand all business cards. No variation of this format will be allowed.

The following information for business cards should be provided to Purchasing:

Name (First, Last)

Title

Office Phone

Cell Phone (optional)

Fax Number

Address

Email address



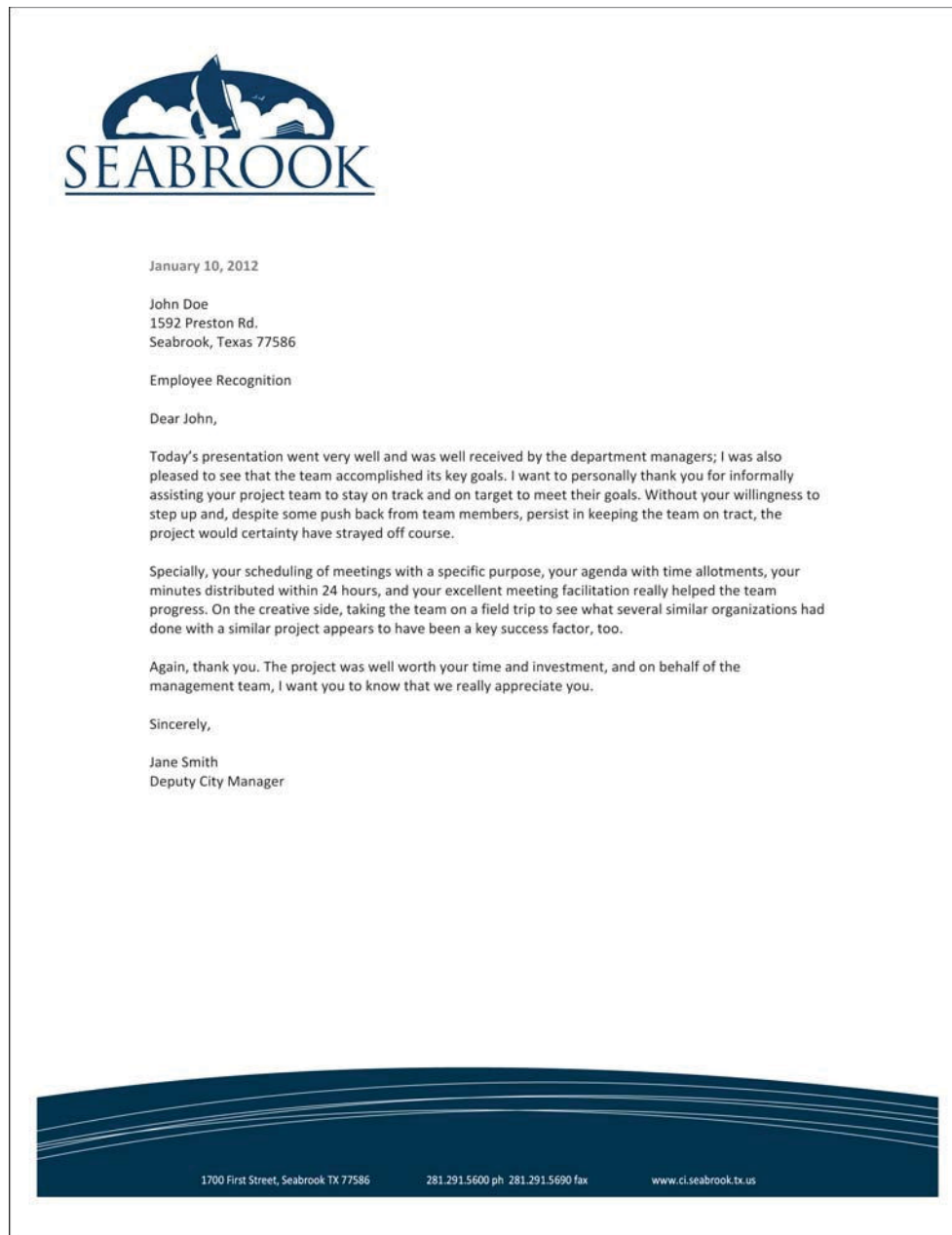
Font

Calibri at 9 points, in black; name is bold.

Letterhead and Memos

Perhaps no document leaves a more lasting impression than written correspondence. The look of the letterhead reinforces the importance of your message. Letterhead may be ordered in bulk to save in cost. Bulk letterhead is not customized to specific department/employee.

The letterhead format may also be used as both internal and external memos and is available in a digital Word document. Departments and employees may personalize this digital document in regards to phone numbers, email and address. Please avoid alerting the font type or size of this document.



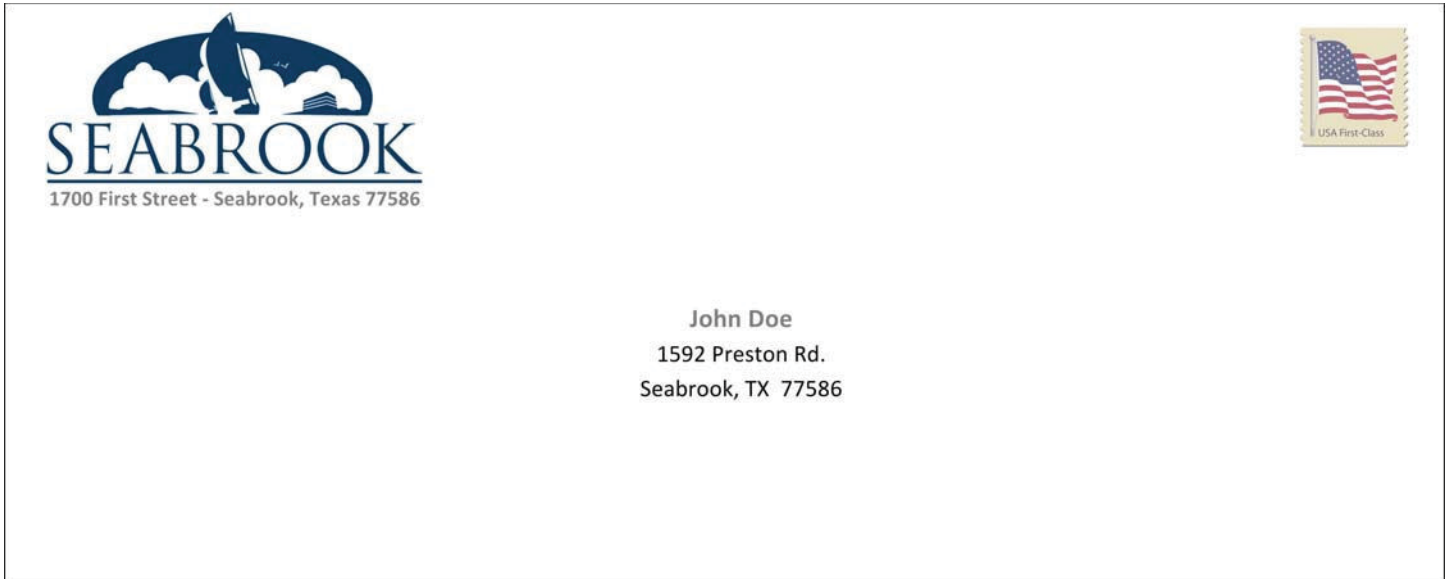
Font

Font is Calibri at 10 points.

Envelope

When an envelope with the City logo is received in the mail, it will be immediately identified as a City document.

There is one format for the City of Seabrook envelope. No variation is allowed.



Font

Return address is bold Calibri at 9.5 points. Recipients name is bold Calibri at 12 points in gray. Recipient address is Calibri at 12 points in black.

Clothing and Promotional Items

Items such as shirts and coffee mugs are important reflections of the City of Seabrook's identity. Each item is a visual reminder of our organization.

Shirts

For embroidery purposes, all threads must be matched as closely as possible to the colors stated in this manual.

Logo size on casual wear is 2.5 inches wide. This does not apply to shirts worn as uniforms. The logo on work shirts should be 3 inches wide.

All logos on shirts will appear on the front upper left side.

Other Items

For other promotional items such as pens, coffee cups, etc., please ensure proper use of logo, size, color and proportions. Any items in violation of these guidelines are not permissible.

City of Seabrook Information Experts

Key Spokespersons	Position	Name	Email Contact	Office Number	Cell Number
Primary Writer/Spokesperson/Communicator	Director of Communication	LeaAnn Dearman	ldearman@seabrooktx.gov	(281) 291.5777	(432) 230.2616
Primary Spokesperson	City Manager	Gayle Cook	gcook@seabrooktx.gov	(281) 291.5688	(281) 638.2384
Secondary Spokesperson	Assistant City Manager	Sean Landis	slandis@seabrooktx.gov	(281) 291.5705	(281) 309.7234
Major Event Spokesperson	Mayor	Glenn Royal	mayor@seabrooktx.gov	(713) 658.1448	(281) 703.3442
Secondary Major Event Spokesperson	Mayor Pro Tem	Gary Johnson	gjohnson@seabrooktx.gov	(281) 480.7900	(832) 221.4071
Public Safety Spokesperson	Chief of Police	Sean Wright	swright@seabrooktx.gov	(281) 291.5611	(832) 473.4173
Secondary Public Safety Spokesperson	Position Needed	Name Needed			
Subject Matter Experts					
Community Development	Assistant City Manager	Sean Landis	slandis@seabrooktx.gov	(281) 291.5705	(281) 309.7234
CD Alternate	Code Enforcement Officer	Mae Wright	mwright@seabrooktx.gov	(281) 291.5735	Number Needed
Economic Development	Director of Economic Development	Paul Chavez	pchavez@seabrooktx.gov	(281) 291.5730	(832) 547.5721
ED Alternate	Position Needed	Name Needed			
Emergency Management	Emergency Management Coordinator	Jeff Galyean	jgalyean@seabrooktx.gov	(281) 291.5700	(281) 642.2752
EM Alternate	Position Needed	Name Needed			
Finance/Customer Service	Director of Finance	Pam Lab	plab@seabrooktx.gov	(281) 291.5677	(281) 714.9201
Finance/CS Alternate	Accounts Manager	Michael Gibbs	mgibbs@seabrooktx.gov	(281) 291.5732	
Human Resources	Director of Human Resources	Joyce Bice	jsanchez@seabrooktx.gov	Number Needed	Number Needed
Human Resources	Human Resources Specialist	Joyce Bice	jbice@seabrooktx.gov	(281) 291.5680	Number Needed
Legislative/City Council	City Secretary	Michele Glaser	mglaser@seabrooktx.gov	(281) 291.5663	(281) 507.5139
Leg/CC Alternate	Deputy City Secretary	Meredith Brant	mbrant@seabrooktx.gov	(281) 291.5736	(281) 389.5978
Municipal Court	Court Administrator	Jessica Ancira	jancira@seabrooktx.gov	(281) 291.5665	(281) 793.6839
MC Alternate	Assistant Court Administrator	Karen LeMay	klemay@seabrooktx.gov	(281) 291.5733	Number Needed
Public Safety/Police	Chief of Police	Sean Wright	swright@seabrooktx.gov	(281) 291.5611	(832) 473.4173
PS/PD Alternate	Position Needed	Name Needed			
Public Works	Director of Public Works	Arthur Chairez	achairez@seabrooktx.gov	(281) 474.3286	(281) 960.1453
PW Alternate	Assistant Director of Public Works	Kevin Padgett	kpadgett@seabrooktx.gov	(281) 474.3286	(281) 932.2045

* Refer all Fire related questions to Seabrook Volunteer Fire Department Chief Ray Cook or SVFD mainline.

This list will be updated as needed

CITY OF SEABROOK, TX

PUBLICATION AND MEDIA RELATIONS GUIDELINES



Introduction

Communication is a key component that is essential in achieving the City of Seabrook's Vision.

Transparency promotes accountability and provides information for citizens and stakeholders about the City of Seabrook activities and happenings. The City of Seabrook strives to ensure the public's trust and establish a system of transparency, public participation and collaboration.

Timely, reliable and accurate communication is an integral part of achieving transparency.

City of Seabrook Vision Statement

Seabrook is a sustainable, energetic and beautiful coastal community that embraces environmental stewardship, fosters safe neighborhoods and promotes tourism and economic diversity.

Communication and Marketing Department

The City of Seabrook Communications and Marketing Department was created by city management and council in January 2012 when it became necessary to have qualified staff manage the city's communication efforts. Currently staff is limited to one person who collaborates with city departments.

City of Seabrook Communications and Marketing Department's mission is to inform and engage citizens, businesses and visitors by providing and responding with timely, reliable and accurate information.

City's Image

The City of Seabrook strives to establish and maintain a positive municipal image and identity. The City of Seabrook logo and colors are key elements for establishing and maintaining the identity of the City of Seabrook. The logo must be used appropriately and consistently across all printed and on-screen applications. It is important the logo retains its intended shape, form and color. Therefore, it is imperative that no attempts be made to modify or recreate the logo under any circumstances.

The City of Seabrook Logo Guidelines were reviewed and approved by Council on in February 2012. A logo CD and copy of the guidelines are available upon request.

Communication Consistency

It is essential to communicate information and news both internally and externally in a timely, reliable and accurate manner. In order to achieve communication consistency city staff must work together and keep each other informed of what is happening at all times.

Internal Communication

Information disseminated to the media and public must originate from subject matter experts. When necessary subject matter experts may speak with the media. The City of Seabrook Communication System outlines the primary and alternate staff needed for information

dissemination. Below is a list of key city personnel and subject matter experts. An additional document is included in the CPC that contains contact information for personnel.

Key Spokespersons	Position	Name
Primary Writer/Spokesperson/Communicator	Director of Communication	LeaAnn Dearman
Primary Spokesperson	City Manager	Gayle Cook
Secondary Spokesperson	Assistant City Manager	Sean Landis
Major Event Spokesperson	Mayor	Glenn Royal
Secondary Major Event Spokesperson	Mayor Pro Tem	Gary Johnson
Public Safety Spokesperson	Chief of Police	Sean Wright
Secondary Public Safety Spokesperson	Position Needed	Name Needed
Subject Matter Experts		
Community Development	Assistant City Manager	Sean Landis
CD Alternate	Code Enforcement Officer	Mae Wright
Economic Development	Director of Economic Development	Paul Chavez
Emergency Management	Emergency Management Coordinator	Jeff Galyean
EM Alternate	Position Needed	Name Needed
Finance/Customer Service	Director of Finance	Pam Lab
Finance/CS Alternate	Accounts Manager	Michael Gibbs
Human Resources	Human Resources Director	Jose Sanchez
HR Alternate	Human Resources Specialist	Joyce Bice
Legislative/City Council	City Secretary	Michele Glaser
Leg/CC Alternate	Deputy City Secretary	Meredith Brant
Municipal Court	Court Administrator	Jessica Ancira
MC Alternate	Assistant Court Administrator	Karen LeMay
Public Safety/Police	Chief of Police	Sean Wright
PS/PD Alternate	Position Needed	Name Needed
Public Works	Director of Public Works	Arthur Chairez
PW Alternate	Assistant Director of Public Works	Kevin Padgett

Media Relations

The City of Seabrook desires to maintain consistent communication with the public through various information outlets, marketing tools, and positive media relations. To ensure city policies and programs are clearly and consistently communicated to the media, all media relations on behalf of the City of Seabrook employees are coordinated through the Director of Communications. However, given the nature of your positions, department managers members may at times receive interview requests directly from the media.

Department managers should recognize that the news media are an important link between the city and the public. Therefore Seabrook City department managers must establish a professional working relationship to help maintain a well-informed and educated citizenry.

- If approached or contacted by the local media please inform the Director of Communications about your interview.
- The Mayor is the designated spokesperson representing Council and matters regarding policy decisions. Council members may defer media inquiries directly to the Mayor.
- The City Manager or Director of Communications is the official spokesperson for all other city related issues. The City Manager may designate management staff to speak on his/her behalf.
- All City press releases should be routed through the Director of Communications for distribution. The director is responsible for maintaining an accurate contact list for all local media outlets that may cover Seabrook. In order to insure all media outlets are treated fairly, news releases should be submitted to the Director of Communications for review and distribution
- When submitting press releases, please pay attention to news deadlines. Ideally all information should be submitted one week prior to release. See below for more information.

Remember to...

1. Call the Director of Communications.
2. Prepare for an interview. You don't have to talk to the media at the very moment someone calls you or puts a camera into your face. It is okay to say "I am not able to talk at this moment, but let's set up a time to talk about this."
3. Keep your answers short and simple. The average sound-bite is 5 to 15 seconds. In most cases, that is what will be used on radio and TV. Even print reporters use one or two sentence quotes.
4. Focus on 2 to 3 talking points. Know the subject of an interview in advance and why the reporter wants to interview you. Know the main points that YOU want to communicate. Continually reinforce these points during the interview by bridging the conversation back to your main points.
5. Tell the truth.
6. Listen to the reporter's question before responding.
7. Pause and think before you answer.
8. It is best to say "I don't know" when you don't know. Then follow by saying you will find out.
9. Check your appearance.
10. Pay attention to news deadlines by quickly responding to media requests.

Also be sure you never...

1. Don't lie – EVER!
2. Do not go "off the record". While many members of the media have high levels of integrity and ethics, do not trust them to keep their word. One bad experience can be catastrophic. Remember words that are not said, cannot be quoted.
3. Do not say "no comment", but be sure to say something. Instead say something like... "I am not able to comment on a pending lawsuit".
4. Don't say anything you wouldn't want on the Evening News or Page 1. Comments can be taken out of context and cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking to the media.
5. Don't speculate, offer personal opinions, or speak beyond your expertise. Questions about third parties should be referred to the third party. Beware of questions that begin with "What if..."
6. Don't use jargon.
7. Don't play favorites.
8. Don't ignore media calls.
9. Don't become angry or provoked. Always be polite and remain calm. Council members should remember that they represent the city and should conduct themselves accordingly. Even if a reporter is hostile, remain calm and in control.
10. Do not disclose confidential information. Refer questions about confidential information to the CMO. Examples include: medical records, certain personnel records, pending employee discipline, actual proceedings of City Council executive sessions, pending litigation, legal opinions, certain law enforcement records, and matters relating to internal and external security measures.

Publication Request

Local media dictate a strict publication schedule, which results in the need to promote and announce upcoming projects and events in a timely fashion. Outlined below is a schedule for information submissions, which ensures your information will be released to the public and the media in a timely fashion.

News Releases

One of the best ways to inform the public is to send out a news/press release. A news release is a document, typically an email that is distributed to all the local media including the major networks and publications in Houston. The goal is to have the media release the information via their channels and outlets. The media tends to have a greater following of viewers, readers and even social media users. All news releases are also disseminated to the city's email list serves and social media sites.

1 WEEK IN ADVANCE

If you wish to submit information that needs to be released to the press please submit the information to the Communications Department at least one week in advance. Not all publications have the same publication schedule. For example, the Bay Area Observer and The Citizen only publish papers on Thursdays, therefore to be included in their Thursday publication information must be released either the Friday or the Monday before. Layout and design will typically take place on Tuesday and printing will occur on Wednesday.

E-Newsletter

Each month, typically mid month, the Communications Department releases an E-Newsletter. This newsletter is disseminated to the city's list serves, social media sites and also the media. It is a great place to announce upcoming events or feature important topics happening at the city.

1st DAY OF THE MONTH

If you wish to submit information for the monthly E-Newsletter, please get it to the Communications by the 1st day of each month. If the 1st falls on a Saturday or Sunday, please submit it the Friday before.

City Report

In the Spring and Fall of each year the city releases a bi-annual city report. This is a comprehensive report that covers happenings of the previous 6 months plus upcoming events. The report is a high resolution publication and quality photos are needed for its completion. Cameras are available for staff to check out in order to obtain photos.

SPRING DEADLINE MARCH 31

Each department must submit information for the report. All spring items are due the last day of March, no exceptions. The spring report is distributed the first week in May,

FALL DEADLINE AUGUST 31

Each department must submit information for the report. All fall items are due the last day of August, no exceptions. The fall report is distributed the first week in October.

Social Media

Currently the city utilizes various social media platforms to help inform the public. All news releases, e-newsletter and city report content is posted to social media platforms. Creating content for social media is very important so please share any and all ideas with the Communications Department. A copy of the city's social media policy is available upon request.

THE SOONER THE BETTER

As a rule of thumb content for social media needs to be sent out in the moment.

Questions, Comments or Concerns

If you are ever unsure, just ask. All information needs to be routed through the Communications Department.

LeaAnn Dearman
(281) 291.5777 (office)
(432) 230.2616 (cell)
ldearman@seabrooktx.gov



GUIDELINES, BEST PRACTICES AND POLICY FOR SOCIAL MEDIA USE FOR THE CITY OF SEABROOK, TX

February 2012

Table of Contents

1. Introduction	3
<i>Attribution</i>	3
2. Purpose	3
3. Applicability	3
4. Acceptable Use	3
<i>Personal Responsibility</i>	4
<i>Professional Responsibility</i>	5
<i>Communication Quality</i>	6
<i>Restrictions and Prohibitions</i>	8
<i>Monitoring</i>	9
5. Security	11
<i>How to Mitigate Security Risks</i>	11
6. Records Retention	12
7. Disclaimer	12
8. Questions, Comments and Concerns	13
9. Appendix A: Social Media User Agreement	14

1. Introduction

These guidelines and policies are intended to assist city employees who will use social media as a communication tool to encourage social media use between the City, and its citizens and businesses. Given the evolving nature of social media, this document will be reviewed and updated periodically as technologies or law evolve.

Attribution

These guidelines were developed based on the shared experiences and specimens from other cities and organizations; in particular, the Social Media Policy of the Seabrook Economic Development Corporation.

2. Purpose

Social media offers City of Seabrook employees the opportunity to interact with the public in new, exciting ways that facilitate transparency, interactivity and collaboration. These tools engage audiences differently than traditional media and enhance communication strategies.

The City of Seabrook encourages the use of social media to advance the goals of the city and the missions of its departments, where appropriate.

The purpose of this guideline/policy is to assist the employees of the City of Seabrook on how to effectively and responsibly navigate issues unique to social media. This includes the management and development of social media tools, content, restrictions and limitations.

The definition of social media is web-based applications that facilitate information sharing and collaboration such as web-based communities, social networking sites, video-sharing sites, wikis, blogs and others.

City staff or authorized employees responsible for developing, maintaining, and monitoring social media applications shall be designated by the City Manager. The City Manager shall be the final authority on content published to social media applications.

3. Applicability

These guidelines and policies are applicable to all City of Seabrook employees, elected and appointed officers, officials, and to all members of City boards and commissions who utilize any social media directly or indirectly on behalf of the City. This policy also applies to all City of Seabrook personnel who personally utilize any social media or other Internet activity that may impact the City's credibility, reputation, employee morale, services or goals of the City of Seabrook.

These guidelines apply without regard to whether the use of social media occurs during working or non-working time, or on duty or off duty use. Similarly, the policy applies regardless whether city equipment or city time is used.

4. Acceptable Uses and Restrictions

The best and most appropriate uses of social media for the City of Seabrook generally fall into two categories:

- As a channel for disseminating time-sensitive information as quickly as possible.
- As a mechanism for communication between the City of Seabrook and members of the public, and more directly, its residents and businesses.

City staff representing the City of Seabrook on City social media sites and applications in the course of their assigned duties and responsibilities are bound by existing city policies and standards, including but not limited to:

- Applicable state, federal and local laws, regulations, ordinances, charter provisions and City policies, (E.g. Title VII, nondiscrimination, harassment, etc.)
- All information and technology security guidelines, procedures and policies.
- Existing City standards of conduct, ethics, rules and policies
- The Texas Public Information Act and e-discovery laws and policies (requiring content to be managed, stored and retrieved and open to public inspection and disclosure).
- Applicable state records-retention laws and City schedules for retention.

Personal Responsibility

All city employees must be cognizant that how they present themselves on social media applications reflects on the City whether with respect to city social media sites or personal ones. Public and private or personal and professional avenues of communication may easily become blurred and result in inappropriate use or content.

In all applications, the following shall apply:

Confidentiality

Employees will not post or use proprietary, confidential, sensitive or individually identifiable information or divulge city intellectual property (trademarks, copyrights, or patents) in any social media applications.

Disclaimers

If employees refer to or identify themselves as city employees on social media applications, use of a disclaimer is mandatory. (e.g. "While I work for the City of Seabrook, anything I publish is my personal opinion and not the opinion or position of the City of Seabrook, or a reflection of the City's policies).

Personal vs. Professional Use

Employees' personal social media sites should remain personal in nature and should not be comingled or used for work-related purposes or to conduct official City business.

Employees should not use their city e-mail account or password when accessing personal social media accounts. Personal and City social media accounts should not be synchronized for dual access or reference purposes.

Use of City Resources

Employees may use city-owned assets and equipment or resources (computers and cell phones) to access social media sites (personal or City sites) on a limited basis. Department directors will determine the level of access assigned to authorized users and the limits of non-business use in their respective departments.

Ethical Obligations

City ethical rules must be followed at all times, even when employees engage in social media use in their personal capacities.

Professional Responsibility

All city-related communication through social media applications should remain professional in nature and should be conducted in accordance with the city's communications policy, practices and expectations. Employees are expected to use good judgment and take personal and professional responsibility for any content they publish via social media.

All employees who use social media applications must:

Authorization

Not access social media sites or other online forums on behalf of the City unless authorized by appropriate city management.

Identify Yourself Clearly

When creating or using social media accounts that require individual identification, authorized users speaking on behalf of the city should identify themselves, if possible, by: 1) full name; 2) title; 3) department; and 4) contact information, when positing or exchanging information on social media forums. Unauthorized use of an authorized

employee's identification or access credentials/information is a violation of this policy and will be disciplined accordingly.

No Privacy Expectation

Employees should have no expectation of privacy as to information stored on city computers, networks, databases or devices. Furthermore, there should be no expectation of privacy regarding any communications between any City employee and the public when the employee is in course and scope of performing his/her assigned duties

Authorized Use

Only authorized City employees may moderate City developed social media applications and sites on behalf of the city. Authorized employees must support the City's missions and goals in doing so.

Communication Quality

Authorized employees should use good judgment and accuracy in all City social media communications. Errors and omissions reflect poorly on the City of Seabrook and may result in liability for the City. In addition to the Professional Responsibilities listed above, authorized city staff should refrain from any social media activity that is inconsistent with, or that reasonably could be expected to negatively impact the City of Seabrook's reputation or standing in the community. Employees are cautioned to be respectful and professional to everyone, including fellow personnel, organizations, residents, and businesses.

When drafting a communication, make sure that it:

- Has a clear purpose
- Speaks well to the reader
- Is clear and concise without unnecessary verbiage
- Provides value to the reader
- Uses proper spelling, grammar, syntax and punctuation
- Is positive and informative
- Offers links, pictures or references opportunities for more information, where reasonable
- Has benefit to both the city and public

In addition to the suggestions above, best practices on how to be a good citizen of the social media environment include:

Be responsible

All statements made about the City in any social media site, whether personal, private or official, reflect upon the City, its employees, services and elected City officials. Each employee will be held accountable for all posts made officially in City media sites or personally on City media sites or in personal social sites. Once published, a communication can never be totally eliminated from the web, even if withdrawn. Defamatory or disparaging statements about the City, its agents, employees or services made on personal or private social media sites are no less a reflection on the City and serve as a basis for lack of accountability against any employee who violates these guidelines.

Be honest and transparent

Dishonesty, deceit, and untruthfulness are quickly noted in the social media environment and have a deleterious effect on the City. Therefore, all representations made on City media sites must be clear, accurate, complete, thorough and truthful.

Correct errors quickly

Any mistakes should be admitted as directly as feasible. Omissions, misleading entries or misrepresentations must be corrected as soon as they are recognized or brought to the City's attention. Correct information will be quickly provided with appropriate modifications and disclaimers, if necessary or helpful to clear up any misunderstanding or confusion.

Be respectful of the reader and the audience

Social media publications should only be made when the City and/or the public would benefit by the publication. Value must be added. Communications from the City should assist the public and build a co-beneficial relationship and rapport with the City and its agents. This could include, among other things, thought provoking articles that build a sense of community, improve knowledge or skills, enhance business development, enable problem solving, increase awareness of city sources and resources and encourage mutually beneficial platforms for employees to provide better, more efficient city services.

Stay within your area of expertise or authority

All information posted on City sites must be authorized and appropriate. Employees should only publish information within their own area of expertise and not speculate, guess or assert personal opinion or commentary unless approval is authorized by appropriate city management.

Respect proprietary information, content, privacy and confidentiality

For any non-original work, proper credit must be attributed. No copyrights, trademarks, trade secrets or other proprietary matter may be published without prior written

approval, licenses obtained, permits and fees paid and/or proper attribution made within the publication itself. Links may be referenced to others' work rather than reproducing it on the City site. Employees' or city officials' names and/or likenesses may be used only with permission from such person to post on the site. All publications that include City intellectual property of any kind must be safeguarded with appropriate disclaimers and notices to prohibit the unauthorized use or performance of such proprietary matters.

Respond quickly

All communications requiring a reply or response shall be made in a timely manner in accordance with these guidelines.

Be sociable, courteous and respectful

In all communications, employees should use plain language and avoid using government jargon or acronyms. Use content that is open-ended and invites a response, or encourages comments. Responses should always be polite and respectful, even if the original response is not. When shortening words to maximize communication, utilize commonly used shorthand terms, letters and symbols.

Abide by social media rules

Employees utilizing social media sites shall abide by the site's terms of service or terms of use. Before utilizing the site, each employee shall become acquainted with each site's terms and conditions of use or rules for services and follow them as directed. No employee is authorized to abuse a social media site and shall be accountable for any abuse, misuse or violations of such terms or rules of engagement.

Prioritize your participation

Authorized employees shall use social media sites only as approved and should not linger longer than necessary. Duration of use shall be commensurate with job duties and responsibilities and only as long as necessary to complete City business.

Restrictions and Prohibitions

Users and visitors to the City of Seabrook social media sites will be notified that the intended purpose of the site is to serve as a mechanism for communication between the City of Seabrook and the public. Although free speech and cross - communication is encouraged, there are certain topics and issues that are NOT allowed on City of Seabrook social media sites comments, links and uploads. By way of example, these include, but are not limited to:

- Comments in support of or opposition to political campaigns or ballot measures.
- Profane language or content. Abusive or disparaging comments directed at individual(s).

- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status or lack thereof, socio-economic status of individual(s), national origin, physical or mental disability or sexual orientation
- Sexual expression, discrimination, harassment or content of any kind or links to sexual content or pornography whether of an adult, minor or child.
- Any expression of conduct or encouragement of illegal activity
- Information that may tend to compromise the safety or security of the public or the City's public safety systems
- Any expression of words that would disparage right, title or interest of a legal ownership of any other individual or business.
- Comments that do not pertain to the topic under discussion; including comments containing links to other websites or pages which are not relevant to the topic under discussion
- References to or inappropriate characterizations of individuals including personal attacks upon any member of the public, City employee or City official.
- Advertising or promotional announcements of private or commercial enterprises, even if not for profit unless the City is co-sponsoring such activity or event. Only City business related advertising (services) or promotional announcements (special events) are allowed.
- Individually identifiable information (e.g. address, phone number and social security numbers) of specific individuals be they City employees, officials or members of the public.

The City of Seabrook reserves the right to restrict or refuse to re-publish any content that is deemed in violation of these guidelines or any applicable federal, state or local law(s), including the terms of service or terms of use outlined by third-party social media application providers. The City of Seabrook reserves the right to block users who violate these terms.

Monitoring

Social media is an engaging medium and welcomes two-way and cross conversations, giving the City of Seabrook the opportunity receive and obtain comments and feedback from users regarding how the City is perceived, what it is doing right and what users think might be wrong or done more effectively or efficiently.

Monitors enforce this policy and guidelines to ensure content and posted comments are suitable for all readers, while respecting the gamut of opinions and points of view.

Prohibited, negative and/or inappropriate comments from users are to be expected given the deeply felt passion some individuals express about topics close to their hearts. Unacceptable

forms of communication should not become a worrisome issue or treated as a sign of failure in social media strategies and usages. Instead, such comments can be reformed into positive effects, indicating to the online community that the city is professional, engaged in a dialogue with its users and that it values their.

Typical scenarios with suggested outcomes – a guide

Identify the Type of Feedback

The first step in dealing with negative feedback is determining what type of comment has been received. Negative feedback comes in a few different forms, each of which is best dealt with by a different type of response.

Constructive Criticism

Many users will use social media to suggest ways in which the City can improve upon services. While this type of feedback may point out flaws or issues, it can be extremely helpful to receive.

Merited Condemnation

Essentially, the City of Seabrook or one of its agents did something wrong, and someone is unhappy. Again, while this type of feedback is not positive, it can serve as a means to convey information regarding solutions being worked, results achieved and ways that issues have been resolved.

Trolling/Spam

Trolls and spammers will use a negative comment about the City, a political figure or provided service (whether true or false) to promote a competing entity, person or service.

Determine Best Approaches for Response

When responding to criticism, even the negative type, it is important to stay positive. Adding more negativity to the conversation or being drawn into a fight with a customer or user will likely reflect poorly on the organization.

Constructive Criticism

A response is almost certainly necessary. Regardless, if a real problem exists, steps should be taken to remedy the issue, therefore it is important communication occurs between the social media moderator and department handling the problem. Sometimes, this type of feedback is the result of a perceived problem rather than an actual problem (e.g. someone who doesn't like the method by which something was done). This type of complaint should be given a response, if only to say, "Thank

you for bringing it to our attention, but here is why we have this procedure in place."

There will be times when the organization will not want to implement the suggestion given, however, trust will be built by responding to criticism with a positive message.

Merited Condemnation

This can be tougher to deal with, because comments are more likely to feel personal. It is important to keep in mind that this type of feedback, as harsh as it may be, has a basis in a real problem. It is best to respond promptly and with a positive tone (e.g. thank the user for the feedback and assure them that steps are being taken to correct the issue or mitigate their problem).

Trolling/Spam

This is the only category of negative feedback that does not require a response. In fact, it is almost always best not to respond to these messages. This type of feedback isn't really feedback at all. It is best to ignore this variety of feedback, and when appropriate, to remove it as soon as possible from the medium and/or report the user to appropriate application support.

5. Security

City staff needs to take every caution to prevent fraud or unauthorized access to social media applications. In almost every case where an attacker accesses a system without authorization, he/she does so with the intent to cause harm, including:

- Making unofficial posts, tweets or messages that will be seen by the public as official messages.
- Encouraging users to either click links or download unwanted applications that the attacker has added to the site.
- Accessing, compromising or disabling a city system.
- Redirecting users to sites that look like a city site but are used to gather data that could be used for unauthorized purposes (e.g. phishing)
- Using a compromised site to spread malware.
- Acquiring confidential information about city employees or citizens (e.g. social engineering).

How to Mitigate Security Risks

Security related to social media is fundamentally a behavioral issue, not typically a technology issue. In general, employees unwittingly providing information to third parties

pose a risk to the city network. Employees need to be aware of current and emerging threats that they may face using social media sites and how to avoid falling prey. The following are best practices when using social media:

- A separate user ID and password must be used to access social media sites, NEVER use your City Network username and password
- Never duplicate user IDs and passwords across multiple social media sites
- Learn more about security awareness and risks when using social media
- Ensure privacy settings are set appropriately
- Review (and apply as appropriate) patches for Firefox, Adobe and Java as these softwares can be common paths for security vulnerabilities.

6. Records Retention

The following shall apply regarding the retention of City business, information or public records of posts to social media applications and tools:

- All content published and received by the city using social media in connection with the transaction of the city's public business are public records in accordance with the Texas Public Information Act
(https://www.oag.state.tx.us/ag_publications/pdfs/publicinfo_hb.pdf)
- The city remains responsible for capturing electronic copies of its public records made or received using social media, including those records made or received using third-party websites. All City employees and users are prohibited from deleting, altering, or in any way destroying, obliterating or tampering with the social media posts once they have been officially entered into the social medium.
- All City employees are responsible for keeping their individual access information confidential and they will be held individually accountable for all entries made under their access data. It is no defense that the computer was accessible to others or that someone else might have tampered, deleted, or made an unauthorized post while the system was accessed by a third party, if the employee left the access open and/or unattended.
- The city retains public records and disposes social media public records in accordance with Texas State Records Retention Schedule
(<https://www.tsl.state.tx.us/slr/recordspubs/rrs4.html>)

7. Disclaimer

These guidelines are intended to supplement - not replace - the City of Seabrook's Personnel Policies. Policies on confidentiality, controversial issues, personal use of city equipment, professionalism, references for former employees, publication of articles, unlawful harassment

and other rules of conduct addressed in other policies are not affected, altered or amended by these guidelines. If not specifically addressed in this policy, an issue often can be clarified by reference to other City of Seabrook policies. Similarly, conduct that violates this policy will be subject to the same action as set forth in City personnel policies and may be disciplined accordingly.

8. Questions, Comment and Concerns

If, at any time, there is an uncertainty about how to apply these guidelines or questions arise regarding participation in social media, all employees are directed to seek the guidance of the City Manager or employee designated by the City Manager responsible for all social media assets. Social media is in a state of constant change and the City of Seabrook recognizes that there will likely be events or issues that are not addressed in these guidelines. Therefore, the responsibility falls to each individual to use good judgment, and when in doubt, to ask for clarification or authorization before engaging in questionable online conduct. Any employee who observes questionable or inappropriate social media conduct or posts whether on City official sites or on personal or private sites that could be a violation of this policy or potentially negatively impact the City of Seabrook, are directed to report this information to the City Manager or employee designated by the City Manager responsible for all social media assets.

Appendix A

As stated in Section 4 of this document, Acceptable Uses and Restrictions: Content, users and visitors must be notified of the intended purposes of Seabrook social media applications. A Social Media User Agreement is to be placed or linked on all social media sites to be executed before access may be allowed.

Social Media User Agreement

In an effort to communicate with a larger audience, the City of Seabrook maintains various types of social media applications. By accessing these applications, you are agreeing to the terms and conditions stated below.

The City of Seabrook intends to promote effective communication and maintain a respectful dialogue with users. In that spirit, the rules for posting external comments and content on Seabrook social media sites should maintain an open forum for community discussion and comment.

The City's social media system is monitored to ensure that posted comments and included content are constructive and suitable for all readers and users, while respecting a wide and unfettered range of opinions and points of view. So that you are advised and comfortable to participate fully, the City of Seabrook social media system's sites, comments, links and uploads containing any of the following prohibited material/matter shall NOT be allowed:

- Comments in support of or opposition to political campaigns or ballot measures.
- Profane language or content. Abusive or disparaging comments directed at individual(s).
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status or lack thereof, socio-economic status of individual(s), national origin, physical or mental disability or sexual orientation
- Sexual expression, discrimination, harassment or content of any kind or links to sexual content or pornography whether of an adult, minor or child.
- Any expression of conduct or encouragement of illegal activity
- Information that may tend to compromise the safety or security of the public or the City's public safety systems
- Any expression of words that would disparage right, title or interest of a legal ownership of any other individual or business.
- Comments that do not pertain to the topic under discussion; including comments containing links to other websites or pages which are not relevant to the topic under discussion
- References to or inappropriate characterizations of individuals including personal

attacks upon any member of the public, City employee or City official.

- Advertising or promotional announcements of private or commercial enterprises, even if not for profit unless the City is co-sponsoring such activity or event. Only City business related advertising (services) or promotional announcements (special events) are allowed.
- Individually identifiable information (e.g. address, phone number and social security numbers) of specific individuals be they City employees, officials or members of the public.

The City of Seabrook reserves the right to restrict or refuse to publish or re-post any content that is deemed in violation of these guidelines or any applicable federal, state or local law(s), including the terms of service or terms of use outlined by third-party social media application providers. The City of Seabrook reserves the right to block part or all of any given post/repost or to block users who violate these terms.

What Cities Need to Know to Administer Municipal Hotel Occupancy Taxes

Abridged Version

Texas Hotel & Lodging Association

REVISED FALL 2011

Table of Contents

EDITOR'S NOTE	3
AUTHORIZED ENTITIES	3
COLLECTING THE TAX	3
EXEMPTIONS FROM THE LOCAL TAX	4
PENALTIES FOR FAILURE TO REPORT OR COLLECT THE TAX	4
USE OF LOCAL HOTEL OCCUPANCY TAX REVENUES	5
Criteria #1: First, every expenditure must DIRECTLY enhance and promote tourism AND the convention and hotel industry.	5
Criteria #2: Every expenditure of the hotel occupancy tax must clearly fit into one of nine statutorily provided categories for expenditure of local hotel occupancy tax revenues.	7
1) Funding the establishment, improvement, or maintenance of a convention center or visitor information center.	7
2) Paying the administrative costs for facilitating convention registration.	7
3) Paying for advertising, solicitations, and promotions that attract tourists and convention delegates to the city or its vicinity.	8
4) Expenditures that promote the arts.	8
5) Funding historical restoration or preservation programs.	9
6) Funding certain expenses, including promotional expenses, directly related to a sporting event within counties with a population of under 1 million.	9
7) Funding the enhancement or upgrading of existing sports facilities or sports fields for certain municipalities.	10
8) Funding transportation systems for tourists	10
9) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.	11
ADMINISTERING HOTEL OCCUPANCY TAX REVENUE EXPENDITURES	12
Duty of funded entities to provide a list of activities.	12
Delegating management of funded activities.	12
Use of hotel occupancy tax revenues to cover administrative expenses.	13
SPECIAL RULES FOR SELECTED MUNICIPALITIES	14
ADDITIONAL INFORMATION	14

Editor's Note

This is the abridged version of THLA's *What Cities Need to Know to Administer Municipal Hotel Occupancy Taxes*. A full version of this article, with information including expanded information on hotel tax collection, tax exemptions, and city-specific rules, is available by contacting THLA at 512-474-2996.

Authorized Entities

All incorporated Texas municipalities, including general law and home rule cities, may enact a hotel occupancy tax within the city limits.¹ A city with a population of under 35,000 may also adopt the hotel occupancy tax within that city's extraterritorial jurisdiction (ETJ).² Most cities are eligible to adopt a hotel occupancy tax at a rate of up to 7 percent of the price paid for the use of a hotel room.³ If a city adopts the hotel occupancy tax within its ETJ, the combined state, county, and municipal hotel occupancy tax rate may not exceed 15 percent.⁴ Texas has among the highest combined hotel occupancy tax rates of any major metropolitan areas in the nation, with Houston at 17 percent and San Antonio at 16 ¾ percent.⁵

In addition to local hotel occupancy taxes, all lodging properties operating in Texas are subject to a six percent state hotel occupancy tax.⁶ Governed under Chapter 156 of the Texas Tax Code, the state hotel occupancy tax is administered by the Texas Comptroller. Funds from the state six percent hotel occupancy tax flow directly to the Texas Comptroller's office and are largely used for the general governmental operations of the State. A portion of the state hotel occupancy tax revenue also goes toward funding tourism promotion through Texas's ad campaign. Most Texans know this successful ad campaign by its famous tagline, "Texas, it's like a whole other country."

Collecting the Tax

Under the Texas Tax Code, the following businesses are considered "hotels" and are required to collect hotel occupancy taxes from their guests: "Any building or buildings in which members of the public obtain sleeping accommodations for consideration" for less than 30 days, including a hotel, motel, tourist home, tourist house, tourist court, lodging house, inn, rooming house, or bed and breakfast facilities. The Texas Administrative Code also includes "manufactured homes, skid mounted bunk houses, residency inns, condominiums, cabins, and cottages within the definition of a "hotel" if the facility is rented for periods of under 30 days.⁷ Hospitals, sanitariums, nursing homes, dormitories or other non-hotel housing facilities owned by institutions of higher education, and oilfield portable units do not collect the tax.⁸ Subject to various exemptions, the hotel tax is imposed on any "person" who

¹ Tex. Tax Code Ann. § 351.002(a) (Vernon 2011).

² § 351.0025(a).

³ § 351.003(a).

⁴ § 351.0025(b).

⁵ Source: National Business Travel Association 2009 Survey.

⁶ Tex. Tax Code § 156.051.

⁷ Tex. Tax Code § 156.001; 34 Tex. Admin. Code Ann. § 3.161(a)(3) (Vernon 2009).

⁸ Tex. Tax Code § 156.001.

pays for the use of a room in a hotel, including corporations, organizations, and other legal entities. The hotel room must cost \$2 or more per day for the local hotel tax to apply, and \$15 or more per day for the state hotel tax to apply.⁹

A full version of this article, with information including expanded information on hotel tax collection is available by contacting THLA at 512-474-2996.

Exemptions from the Local Tax

Texas law provides certain hotel tax exemptions based on the length of a guest's stay or the guest's affiliation with an exempt organization. Texas law is more permissive for exemptions from the state 6% hotel occupancy tax than it is for local hotel tax exemptions. The state hotel occupancy tax allows for an exemption for the following entities: educational, charitable, and religious entities are often exempt from the state hotel occupancy tax. These entities are *not exempt* from local hotel occupancy taxes.¹⁰

Focusing specifically on the local hotel occupancy taxes, there are primarily four categories of exemptions permitted from municipal and county hotel occupancy taxes:

- 1) **Federal Employees:** Federal employees traveling on official business;
- 2) **Diplomats:** Foreign diplomats with a tax exempt card issued by the U.S. Department of State;
- 3) **High Ranking State Officials:** A very limited number of state officials with a hotel tax exemption card (e.g. heads of state agencies, state legislators and legislative staff, members of state boards and commissions, and state judges); and
- 4) **Permanent Resident/Over 30 Day Stay:** Persons or businesses who have agreed in advance to use a hotel room for more than 30 consecutive days (i.e. the "permanent resident" hotel tax exemption).¹¹

A full version of this article with information including expanded information on tax exemptions is available by contacting THLA.

Penalties for Failure to Report or Collect the Tax

The local hotel occupancy tax statutes provide for specific penalties a city may assess against hotel operators who fail to file the hotel tax collections report, file late or without full payment, or produce false tax returns.¹²

A full version of this article with information including expanded information on hotel tax penalties is available by contacting THLA.

⁹ Tex. Tax Code § 156.051(a); § 351.002(a).

¹⁰ Tex. Tax Code § 156.102.

¹¹ § 156.104.

¹² § 351.004.

Use of Local Hotel Occupancy Tax Revenues

There is a two-part test for every expenditure of local hotel occupancy tax.¹³

Criteria #1: First, every expenditure must DIRECTLY enhance and promote tourism AND the convention and hotel industry.¹⁴

Under the Tax Code, every event, program, or facility funded with hotel occupancy tax revenues must be likely to do two things: 1) directly promote tourism; and 2) directly promote the convention and hotel industry.¹⁵ “Tourism” is defined under Texas law as guiding or managing individuals who are traveling to a different, city, county, state, or country.¹⁶ A “direct” promotion of the convention and hotel industry has been consistently interpreted by the Texas Attorney General as a program, event, or facility likely to cause increased hotel or convention activity.¹⁷ This activity may result from hotel or convention guests that are already in town and choose to attend the hotel tax funded facility or arts or historical event, or it may result from individuals who come from another city or county to stay in an area lodging property at least in part to attend the hotel tax funded event or facility.

If the funded event or facility is not reasonably likely to directly enhance tourism and the hotel and convention industry, local hotel occupancy tax revenues cannot legally fund it.¹⁸ However, it is important to note that events and facilities that do not qualify for hotel occupancy tax funding are often still legally eligible for city funding from most of the other funding sources available to the city (general property tax revenues, general sales tax revenues, franchise fee revenues, etc.). State law is stricter in terms of how the local hotel occupancy tax revenues can be spent.

There is no statutory formula for determining the level of impact an event must have to satisfy the requirement to directly promote tourism and hotel and convention activity.¹⁹ However, communities with successful tourism promotion programs generally award the amount of the hotel occupancy tax by the proportionate impact on tourism and hotel activity incident to the funding request. Entities applying for hotel occupancy tax revenue funding should indicate how they will market the event to attract tourists and hotel guests. If an entity does not adequately market its events to tourists and hotel guests, it is difficult to produce an event or facility that will effectively promote tourism and hotel activity.

A city or delegated entity should also consider whether a funded event will be held in a venue that will likely attract tourists and hotel guests. For example, if an event is held in a local school or community center, it may be less likely to attract tourists than if it is held at a local performing arts venue, museum or civic center. Each community will need to assess whether the facility hosting the function is likely to attract tourists and hotel guests. Similarly, if an event is a community picnic, local parade, educational class, or other similar type of event, it is often not likely to attract tourists and hotel guests, and would likely not be eligible for hotel occupancy tax funding.

¹³ §§ 351.101(a), (b).

¹⁴ §§ 351.101(b).

¹⁵ *Id.*

¹⁶ § 351.001(6).

¹⁷ See Op. Tex. Att’y Gen. Nos. GA-0124 (2003), JM-690 (1987).

¹⁸ *Id.*

¹⁹ See generally Tex. Tax Code §§ 351.101(a), (b).

Finally, it is a good practice to utilize a hotel tax application form. THLA has a sample hotel occupancy tax application form and a “post event” form that are already in use by many city governments throughout Texas. For a copy of these two forms, simply call THLA at (512) 474-2996, or email THLA at news@texaslodging.com. These forms pose questions of funding applicants such as “Do you have a hotel room block for your events?” and “What do you expect to be the number of room nights sold for this event?” Additionally, the application asks if the entity has negotiated a special hotel price for attendees of their funded event. If the entity does not find the need to reserve a hotel block or negotiate a special hotel rate, it is not likely that they anticipate their event/s will have a meaningful impact on hotel activity.

Funded entities can also visit with area hoteliers who, in many cases, can provide feedback on whether any of their hotel guests expressed an interest in attending such events or facilities in the past. Hotel front desk and management staff usually know what local events and facilities were of interest to their guests by notes in their reservation systems, requests for directions, information and transportation to such venues by hotel patrons.

After an applicant’s event or program is offered for several years, the applicant should have a reasonable idea as to whether their event or program’s attendance includes a number of tourists and hotel guests. For example, some entities track whether guests are staying at local hotels via their guest registry. Other entities measure potential out-of-town attendance from their ticket sales records or other survey information.

It is important to note that Texas law also provides that the hotel occupancy tax may not be used for general revenue purposes or general governmental operations of a municipality.²⁰ It also may not be used to pay for governmental expenses that are not directly related to increasing tourism and hotel and convention activity.²¹ For example, consider a request to use the hotel occupancy tax to pay for construction of additional lighting, restrooms, roads, sidewalks, or landscaping in a downtown area. These are expenditures for which the city would traditionally use its general revenues. Therefore, such an expenditure would violate the prohibition against using the hotel tax for “general governmental operations of a municipality.”²² It is difficult to argue that such improvements to a non-tourism facility would “directly” promote tourism and hotel activity. At best, one could argue the improvements would “indirectly” enhance tourism and hotel activity—which is not sufficient under the clear language of the Tax Code to qualify for funding from the hotel occupancy tax.

²⁰ Tex. Tax Code § 351.101(b); *see also* Op. Tex. Att’y Gen. Nos. JM-184 (1984), JM-965(1988).

²¹ *Id.*

²² *Id.*

Criteria #2: Every expenditure of the hotel occupancy tax must clearly fit into one of nine statutorily provided categories for expenditure of local hotel occupancy tax revenues.²³

The nine categories for expenditure of the hotel occupancy tax are as follows:

1) Funding the establishment, improvement, or maintenance of a convention center or visitor information center.

This category allows expenditures of the hotel tax for the creation, improvement, or upkeep of a convention center or a visitor information center.²⁴ The term “convention center” is defined to include civic centers, auditoriums, exhibition halls, and coliseums that are owned by the city or another governmental entity or that are managed in whole or in part by the city.²⁵ It also includes parking areas in the immediate vicinity of a convention center facility, and certain hotels that are owned by the city or another governmental entity, or that are managed in whole or in part by the city.²⁶ It does not include facilities that are not of the same general characteristics as the structures listed above.

Texas law specifies that for a facility to be funded as a convention center, it must be a facility primarily used to host conventions and meetings.²⁷ “Primarily used” in this context would arguably mean that more than 50 percent of the bookings for the facility are to host conventions or meetings that directly promote tourism and the hotel and convention industry.²⁸ In other words, holding local resident meetings in a facility would not count toward qualifying the facility as a convention center, but meetings of individuals from out-of-town who in part stay at hotels would qualify.

Simply naming a facility a convention center or visitor information center does not automatically qualify the facility as a “convention center.” The authority to use the hotel occupancy tax for facilities is limited and any such facility must meet the above noted “primary usage” test. For example, general civic buildings such as the city hall, local senior citizen centers or activity centers would not qualify as convention centers that could be funded by hotel tax.

2) Paying the administrative costs for facilitating convention registration.

This provision allows expenditures for administrative costs that are actually incurred for assisting in the registration of convention delegates or attendees.²⁹ This is generally an expenditure for larger cities that hold large conventions, and includes covering the personnel costs and costs of materials for the registration of convention delegates or attendees.

²³ Tex. Tax Code § 351.101(a).

²⁴ § 351.101(a)(1).

²⁵ § 351.001(2).

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*; see generally Tex. Tax Code §§ 351.101(a), (b).

²⁹ Tex. Tax Code § 351.101(a)(2).

3) Paying for advertising, solicitations, and promotions that attract tourists and convention delegates to the city or its vicinity.

This provision allows expenditures for solicitations or promotional programs/advertising directly related to attracting tourists and convention delegates to the city or its vicinity.³⁰ Such expenditures are traditionally in the form of internet, newspaper, mail, television, or radio ads; or solicitations to promote an event or facility. The advertising or promotion must directly promote the hotel and convention industry.³¹ For example, the Texas Attorney General ruled that the local hotel occupancy tax may not be used for advertising or other economic development initiatives or improvements to attract new businesses or permanent residents to a city.³²

In certain cases, a city may be able to use the advertising and promotion category to justify covering the costs of advertising an event that will attract tourists and hotel guests, even though the administrative or facility costs for the underlying event would not qualify for hotel tax funding.³³

4) Expenditures that promote the arts.

This section authorizes the expenditure of local hotel occupancy tax for a variety of art-related programs that also promote tourism and local hotel and convention activity.³⁴ Specifically, it allows funding the encouragement, promotion, improvement, and application of the arts including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution and exhibition of these major art forms.³⁵ However, it is not enough that a facility or event promotes the arts; Texas law requires that the arts related expenditure also directly promote tourism and the hotel and convention industry.³⁶

Section 351.101(a) of the Tax Code specifically states that “the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry.” The Texas Attorney General reaffirmed this standard when it held in Opinion GA-0124: “Under section 351.101 of the Tax Code, a municipality may expend its municipal hotel occupancy tax revenue only to promote tourism and the convention and hotel industry,’ and only for the specific uses listed in the statute.” There are many success stories of cities that have partnered with the arts entities to turn one day arts events into multi-day events that can substantially increase tourism and hotel activity. Such partnerships and long term planning can help both foster the arts and grow hotel tax proceeds that can be made available to the arts.

Additionally, the amount of funding a city allocates to the arts category may be limited by statute. See the “Special Rules” section of this guide, starting on page 23.

³⁰ § 351.101(a)(3).

³¹ § 351.101(b).

³² Op. Tex. Att’y Gen. No. JM-690 (1987).

³³ See generally Tex. Tax Code § 351.101(a)(3).

³⁴ Tex. Tax Code § 351.101(a)(4).

³⁵ *Id.*

³⁶ § 351.101(b).

5) Funding historical restoration or preservation programs.

A city may spend a portion of its hotel occupancy tax revenues to enhance historical restoration and preservation projects or activities, or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums that are likely to attract tourists and hotel guests.³⁷ Texas law does not limit such funding to structures that are owned by a public or nonprofit entity, or to whether the project is listed on a historic registry, but the city may choose to impose such limitations.

It is not enough that a project or activity event merely be historical in nature; Texas law requires that the historical related expenditure also directly promote tourism and the hotel and convention industry.³⁸ Section 351.101(a) of the Tax Code specifically states that “the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry.” The Attorney General in Opinion GA-0124 (2003) reaffirmed this standard when it held: “Under section 351.101 of the Tax Code, a municipality may expend its municipal hotel occupancy tax revenue “only to promote tourism and the convention and hotel industry” and only for the specific uses listed in the statute.”

Additionally, the amount of funding a city allocates to the historical programs category may be limited by statute. See the “Special Rules” section of this guide, starting on page 23.

6) Funding certain expenses, including promotional expenses, directly related to a sporting event within counties with a population of under 1 million.

This section authorizes a municipality located in a county with a population of under 1 million to use local hotel occupancy tax revenue to fund certain expenses, including promotional expenses, directly related to a sporting event.³⁹ To qualify under this authorization, the sporting event must be one that would “substantially increase economic activity at hotels and motels within the city or its vicinity.”⁴⁰ The statutory authorization also requires that a majority of the participants in the sporting event also be tourists to the area.⁴¹

This category is intended to allow communities to fund the event costs for sporting tournaments that result in substantial hotel activity. For example, if a city had to pay an application fee to seek a particular sporting event or tournament, it could use hotel tax for such an expenditure if the sporting event would substantially increase economic activity at hotels and the city was within a county of under one million population. The requirement that a majority of the participants must be “tourists” is included in the statutory authority to prohibit the use of local hotel tax for sporting related facilities or events are purely local (e.g.; local recreation centers, local little league and parks events, intramural sports, etc.).

³⁷ § 351.101(a)(5).

³⁸ § 351.101(b).

³⁹ § 351.101(a)(6).

⁴⁰ *Id.*

⁴¹ *Id.*

7) Funding the enhancement or upgrading of existing sports facilities or sports fields for certain municipalities.

Certain statutorily bracketed cities may use local hotel occupancy tax to enhance and upgrade existing sports facilities owned by the municipality.⁴² Acceptable sports facilities include those for baseball, softball, soccer, and flag football.⁴³ The municipality must own the sporting facility, and the municipality must meet one of the following population requirements in the Code. A full version of this article, with information including which cities are eligible for this category, is available by contacting THLA at 512-474-2996.

Texas law further requires that before local hotel tax to be used for this purpose, the sports facilities and fields must have been used a combined total of more than 10 times for district, state, regional, or national sports tournaments in the preceding calendar year.⁴⁴

If hotel tax revenues are spent on enhancing or upgrading a sports facility, the municipality must also determine the amount of “area hotel revenue” generated by hotel activity from sports events held at the hotel tax funded facility for five years after the upgrades to the sport facility are completed.⁴⁵ The area hotel revenues that were generated from sports events at the hotel tax funded facility over that five year period must at least equal the amount of hotel tax that was spent to upgrade the sports facility.⁴⁶ If the amount of hotel tax that was spent on the facility upgrades exceeds hotel revenue attributable to events held at that facility over that five year period, the municipality must reimburse the hotel occupancy tax revenue fund any such difference from the municipality’s general fund.⁴⁷

For example, if a city spent \$400,000 on improvements to its soccer fields, it would have to show at least \$400,000 in area hotel revenue directly attributable to events held at that soccer field over the five year period after the soccer field improvements were completed. If the city could only show \$300,000 in hotel industry revenue due to events held at that soccer field, the city would have to reimburse the city hotel tax with the \$100,000 difference from the city’s general fund.

8) Funding transportation systems for tourists

Often with conventions and large meetings, there is a need to transport the attendees to different tourism venues. In 2007, the Texas Legislature authorized the use of city hotel tax for any sized city to cover the costs for transporting tourists from hotels to and near the city to any of the following destinations:

- the commercial center of the city;
- a convention center in the city;
- other hotels in or near the city; and
- tourist attractions in or near the city.⁴⁸

⁴² § 351.101(a)(7).

⁴³ *Id.*

⁴⁴ Tex. Tax Code §§ 351.101(a)(7), 351.1076.

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ § 351.110(a).

The reimbursed transportation system must be owned and operated by the city, or privately owned and operated but financed in part by the city.⁴⁹ For example, this authority could be used to cover the costs of a city to finance certain private shuttles to operate between the convention center and area hotels and attractions for a large city-wide convention. The law specifically prohibits the use of the local hotel tax to cover the costs for a transportation system that serves the general public.⁵⁰

9) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.

In 2009, the Texas Legislature added a statutory category that allows cities to use municipal hotel occupancy tax revenue to pay for signage directing tourists to sights and attractions frequently visited by hotel guests in the municipality.⁵¹ Arguably, this type of expenditure was permissible as “advertising and promotion” prior to this 2009 legislation. However, the Legislature codified this understanding to officially include signage directing tourists to sights and attractions that are frequently visited by hotel guests.⁵²

⁴⁹ § 351.110(b).

⁵⁰ § 351.110(c).

⁵¹ § 351.101(a)(9).

⁵² *Id.*

Administering Hotel Occupancy Tax Revenue Expenditures

Duty of funded entities to provide a list of activities.

All entities (including the city itself) that are directly or indirectly funded by the local hotel occupancy tax are annually required to provide a list of the scheduled activities, programs, or events that will directly enhance and promote tourism and the convention and hotel industry.⁵³ This list is to be provided annually to the city secretary or his/her designee prior to the expenditure of the hotel occupancy tax funding by the funded entity.⁵⁴ An entity may add items to this list at any time, and each city decides the format for providing this information. This documentation requirement does not apply if the entity already provides written information to the city indicating which scheduled activities or events that it offers that directly enhance and promote tourism and the convention and hotel industry. For example, cities that require quarterly or annual reports on the use of hotel tax by hotel tax funded entities would satisfy this requirement if their report addresses the extent to which their events directly promote tourism and hotel activity.⁵⁵

It is important to remember that if an entity does not have any such events or programs reasonably expected to directly promote tourism and the hotel and convention industry, it is not eligible for local hotel occupancy tax funding.⁵⁶ If only a portion of an entity's programs fit this criteria, then only a proportionate amount of that entity's costs should be covered by the local hotel occupancy tax.⁵⁷

Delegating management of funded activities.

The governing body of a city may delegate the management or supervision of programs funded by the hotel occupancy tax by written contract.⁵⁸ This delegation may be made to a person, another governmental entity, or to a private organization.⁵⁹ This delegation is often made to a local arts council, a chamber of commerce, or to the convention and visitors bureau. The municipality shall approve the entity's annual budget prior to delegating the management or supervision of hotel tax funded programs.⁶⁰ Furthermore, the municipality shall require the delegated entity to make periodic reports, at least quarterly, listing the hotel occupancy tax expenditures made by the delegated entity.⁶¹ Additionally, the Code requires that the contracted entity maintain complete and accurate financial records for every expenditure of hotel occupancy tax revenue, and upon the request of the municipality or another person, make the records available for inspection and review.⁶²

An entity with delegated authority to manage hotel tax funded programs undertakes a fiduciary duty with respect to the use of the tax revenue.⁶³ Such entities are also required to maintain the city hotel occupancy tax revenue in a separate bank account that may not be commingled with any other account

⁵³ § 351.108(b).

⁵⁴ *Id.*; § 351.108(d).

⁵⁵ § 351.108(g).

⁵⁶ § 351.101(b).

⁵⁷ § 351.101(e).

⁵⁸ § 351.101(c).

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² § 351.101(d).

⁶³ § 351.101(c).

or funds.⁶⁴ The Tax Code does not contain similar prohibitions against commingling the funds for individual organizations, such as an arts or historical group that receives hotel tax funding for their individual program, but do not themselves oversee hotel tax funding to other entities.

Use of hotel occupancy tax revenues to cover administrative expenses.

Texas law allows proceeds of the municipal hotel occupancy tax to be used to cover the portion of administrative costs that are directly attributable to work on activities that may be funded by the tax.⁶⁵ For example, entities that manage activities funded by the hotel occupancy tax may spend some of the tax for certain day-to-day operational expenses.⁶⁶ These expenses may include supplies, salaries, office rental, travel expenses, and other administrative costs.⁶⁷ However, these costs may be reimbursed only if the expenses are incurred in the promotion and servicing of expenditures authorized under the hotel occupancy tax laws.⁶⁸ The portion of the administrative costs that are covered should not exceed the percentage of the cost that is attributable to the activity funded by the hotel occupancy tax.⁶⁹ For example, administrators who spend 33 percent of their time overseeing hotel occupancy tax funded programs should seek funding for no more than 33 percent of their salary or 33 percent of other related overhead costs. Additionally, hotel occupancy tax revenues may be spent on travel that is directly related to the performance of the person's job in an efficient and professional manner.⁷⁰ This travel should facilitate the acquisition of skills and knowledge that will promote tourism and the convention and hotel industry.⁷¹

⁶⁴ *Id.*

⁶⁵ § 351.101(e).

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ § 351.101(f).

⁷¹ *Id.*

Special Rules for Selected Municipalities

The Texas Tax Code provides additional rules for certain Texas cities based on the city's population brackets. A full version of this article with information on city-specific rules is available by contacting THLA at 512-474-2996.

Additional Information

If a city or funded entity has additional questions about the administration or use of the hotel occupancy tax, it is welcome to contact the Texas Hotel & Lodging Association for assistance by phone at (512) 474-2996. THLA has sample documents available to assist in administering hotel taxes, such as funding grant application forms, post event forms, and tax collection guidelines.

Texas city officials can also make inquiries to the legal staff of the Texas Municipal League at (512) 231-7400. Finally, all entities may make inquiries to the Municipal Affairs Section of the Office of the Attorney General of Texas (OAG). The OAG's Municipal Affairs Division can be reached by phone at (512) 475-4683.

Index

- Administrative costs, 7, 13
- Advertising, solicitations, and promotions that attract tourists and convention delegates to the city, 8
- Application form, 6
- Arts expenditures, 8
- Attorney General. *See* Texas Attorney General's Office
- Authorized Entities and Procedures, 3
- Comptroller. *See* Texas Comptroller
- Contracts, 12
- Convention center, 7, 10
- Convention Center funding, 7
- Convention registration, 7
- Delegating the Management of Funded Activities, 12
- Dormitories, 3
- Exemptions from the Tax, 4
- Extraterritorial Jurisdiction (ETJ), 3
- Federal Employees, 4
- Fiduciary duty, 12
- Historical restoration and preservation, 9
- Hospitals, 3
- Houston, 3
- List of activities, 12
- Nursing homes, 3
- Penalties for Failure to Report or Collect the Tax, 4
- Permanent resident exemption, 4
- Post event form, 6, 14
- Religious entities, 4
- Reporting, 12
- San Antonio, 3
- Sanitariums, 3
- Signage, 11
- Sporting events, 9
- Sports facilities or sports fields, 10
- State officials, 4
- Texas Attorney General XE "Attorney General" \t "See Texas Attorney General's Office" 's Office, 8
- Texas Attorney General's Office, 9
- Texas Comptroller's Office, 3
- Transportation systems for tourists, 11
- Use of Local Hotel Occupancy Tax Revenues Criteria #2, 7
- Visitor Information Center funding, 7

Notice of Public Hearing on Tax Increase

The City of Seabrook will hold two public hearings on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 5.43 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

The first public hearing will be held on September 30, 2014 at 7:00 P.M. at 1700 1st Street, Seabrook, TX 77586.

The second public hearing will be held on October 7, 2014 at 7:00 P.M. at 1700 1st Street, Seabrook, TX 77586.

The members of the governing body voted on the proposal to consider the tax increase as follows:

FOR:	Melissa Botkin	Gary Johnson
	Thom Kolupski	OJ Miller
	Glenn Royal	

AGAINST:	Robert Llorente
-----------------	-----------------

PRESENT and not voting:

ABSENT:	Michael Giangrosso
----------------	--------------------

The average taxable value of a residence homestead in City of Seabrook last year was \$157,237. Based on last year's tax rate of \$0.651229 per \$100 of taxable value, the amount of taxes imposed last year on the average home was \$1,023.97.

The average taxable value of a residence homestead in City of Seabrook this year is \$167,289. If the governing body adopts the effective tax rate for this year of \$0.607040 per \$100 of taxable value, the amount of taxes imposed this year on the average home would be \$1,015.51.

If the governing body adopts the proposed tax rate of \$0.640030 per \$100 of taxable value, the amount of taxes imposed this year on the average home would be \$1,070.70.

Members of the public are encouraged to attend the hearings and express their views.

**SEABROOK
ECONOMIC DEVELOPMENT
CORPORATION (EDC)**

§
§
§
§
§
§
§

**KNOW ALL MEN BY THESE
PRESENTS:**

**BAY AREA HOUSTON ECONOMIC
PARTNERSHIP (BAHEP)**

THIS CONTRACT is made and entered into by and between the CITY OF SEABROOK, TEXAS, ECONOMIC DEVELOPMENT CORPORATION ("EDC"), and the BAY AREA HOUSTON ECONOMIC PARTNERSHIP ("BAHEP").

WITNESSETH:

WHEREAS, EDC desires to promote the development of business and commerce within the City of Seabrook ("City"), including the location and development of new business and the retention and expansion of existing business, specifically including the retention of business and jobs associated with the National Aeronautics and Space Administration ("NASA") and its vendors; and

WHEREAS, EDC finds and determines that the development of business within the region promotes the economic welfare and well-being of City and its residents by, among other things, expanding the tax and employment bases of City and, therefore, enhancing the health, safety, welfare and quality of life of the residents; and

WHEREAS, BAHEP was formed for the purpose of, among others, promoting and encouraging, or causing to be promoted and encouraged, the formation of new businesses and the retention and expansion of existing businesses that create or retain primary jobs, the relocation of existing businesses, and the general diversification of the economy of and in all or a portion of Harris County and the surrounding area, which area includes the City and EDC; and

WHEREAS, the EDC desires to contract with the BAHEP to provide, or cause to be provided, economic development services as herein described for and on behalf of EDC; and

WHEREAS, BAHEP is willing to provide, or cause to be provided, in exchange for the consideration herein expressed, the economic development services desired by EDC; and

WHEREAS, EDC and BAHEP agree that, in order to foster and promote competition, to assure the integrity of the competitive process, and to protect proprietary or innovative business strategies and concepts, information and data developed, generated, or received by BAHEP should remain privileged and confidential, except as herein provided or where inconsistent with the provisions of the Texas Public Information Act that are applicable to information held by EDC; now, therefore,

For and in consideration of the premises and mutual covenants herein contained, it is hereby agreed as follows:

ARTICLE I

QUALIFICATIONS OF BAHEP

SECTION 1.01. Representations and Warranties of BAHEP.

BAHEP hereby represents and warrants as follows:

A. BAHEP will engage in an on-going effort to attract new business to the City and to encourage the retention and expansion of existing businesses that create or retain primary jobs within the region.

B. BAHEP will coordinate its activities with other area economic development organizations within Harris County and seek to enhance cooperation throughout the area in furtherance of efforts on City's and EDC's behalves hereunder.

C. BAHEP is a nonprofit economic development organization having as its principal purpose the promotion of economic development Harris County, including the City.

ARTICLE II

SCOPE OF SERVICES

Section 2.01. Services to be Provided.

BAHEP will provide the following basic services:

A. Consulting and Ancillary Economic Development Services: BAHEP shall provide ongoing consulting and ancillary economic development services by promoting and encouraging the retention and expansion of existing City businesses, while encouraging the location of new businesses into the City that create or retain primary jobs. BAHEP personnel shall be available to assist the EDC, its staff and consultants, and EDC or City committees or volunteer groups, to develop economic development strategies and incentives for proposed projects.

B. Advisory Services: BAHEP shall provide its expertise and staff to assist and advise staff as identified by EDC and the City who are assigned to economic development functions.

C. NASA/ Retention and Recruitment of Selected Industries. BAHEP shall continue to work to enhance the development of the NASA Johnson Space Center, which will also benefit Seabrook's economic vitality. The following targeted economic clusters have been identified for Seabrook: aerospace, life sciences, and tourism. BAHEP shall work towards recruiting such companies to the City.

D. Healthcare Industry Recruitment: BAHEP shall also work with the EDC to recruit healthcare institutions to the city. BAHEP, through its Healthcare Committee, will provide opportunities for the City to collaborate with “health care provider” members.

E. To provide means to measure the accomplishment of the Economic Development Services provided to EDC, the following specific services shall be provided:

1. Attendance at two trade shows as related to targeted economic clusters;
2. Inclusion of Board members in the annual Citizens for Space Exploration trip to Washington D.C.;
3. Provide eight project leads to Seabrook;
4. Inclusion of staff or Board members in developing regional economic development strategies;
5. Two meetings by BAHEP, with appropriate staff or Board members, with CEO's of companies seeking to expand or relocate;
6. Meetings with at least two site-consulting firms;
7. Participate in two broker events;
8. Assist in developing best practices and expertise in developing an economic development strategy for the City;
9. Participate in EDC meetings as requested by EDC;
10. Collaborate with the City and other regional organizations to protect and grow Ellington Airport and Ellington Field;
11. BAHEP's International Maritime Advisory Committee shall work with the Clear Creek Independent School District, local colleges and universities, and the Port of Houston Authority to continue development of curriculum for new maritime classes to be offered at the high school and college levels to meet the growing workforce demand by the region's maritime industry;
12. Provide a quarterly activities report, an annual written report, and presentation relating to performance to the agreement; and
13. Provide copies of annual reports, and initiatives undertaken by BAHEP

ARTICLE III

TIME OF PERFORMANCE

Section 3.01. Time of Performance.

A. This Agreement shall be in effect for the period beginning October 1, 2014 and ending September 30, 2017 in accordance with the current fiscal year's budget (FY 2014-2015) and may be funded in the next two budget years, subject to the annual approval of the EDC budgets for fiscal years 2015-2016 and 2016-2017.

B. Upon approval of the EDC budgets for fiscal years 2015-2016 and 2016-2017 by EDC Board and City Council, this agreement shall be automatically extended to include the next annual cycle, subject to the limitations provided in Article 5.01.

ARTICLE IV

PAYMENT FOR SERVICES

Section 4.01. Fees.

A. For and in consideration of the services to be performed by BAHEP, and subject to compliance with the terms of this Contract; EDC shall pay to BAHEP a base amount not to exceed TWENTY THOUSAND AND NO/100ths DOLLARS (\$20,000) annually for the performance of services provided herein, subject to budget approval in each budget year as noted above.

B. BAHEP shall submit quarterly billing statements to EDC, describing the services performed and EDC shall promptly process such statements, and upon certification and review, make payment to BAHEP within thirty (30) days of EDC's receipt of such statements.

ARTICLE V

TERMINATION

Section 5.01.

Either party may terminate this Agreement upon ten (10) days written notice for any reason or upon default by the other party. "Default" by a party occurs if the party fails to perform or observe any of the terms and conditions of this Agreement required to be performed or observed by that party. Should a default occur, the party against whom the default has occurred shall have the right to terminate all or any part of its duties under this Agreement, as of the 30th day following the receipt by the defaulting party of a notice describing such default and intended termination, provided, however, (i) such termination is ineffective if, within the 30-day period, the defaulting

party cures the default, or (ii) the termination may be stayed, at the sole option of the party against whom the default has occurred, pending cure of the default.

Section 5.02.

The parties hereto specifically acknowledge that the funds allocated for payment to BAHEP by EDC are derived from tax revenues collected pursuant to the authority of Texas Local Government Code Chapters 501, 502, and 505, and that this Agreement is based on the estimated tax revenues to be collected during the term of this Agreement for Fiscal Year 2015-2016 and subsequent years. BAHEP further understands, acknowledges, and agrees that expenditures must be approved on an annual basis by the Board of the EDC and the City Council of the City, and that if the tax revenues estimated or actually collected are less than the annual payment described in Section 4.01.A., EDC shall be under no obligation to reimburse BAHEP for the full amount set forth in such section and the Parties may terminate or renegotiate this Agreement. BAHEP and EDC further acknowledge that this Agreement is anticipated to extend into fiscal years 2015-2016 and 2016-2017, but funds may not be available in the future. Alternatively, EDC or the City of Seabrook may elect to fund this Agreement at any time from any lawful source.

Section 5.03.

Any party desiring to terminate this Contract may do so, with or without cause, upon thirty (30) days' notice thereof, as provided in Section 6.05 hereof.

ARTICLE VI

MISCELLANEOUS PROVISIONS

Section 6.01 Independent Contractor.

The relationship of BAHEP to EDC hereunder shall be that of an independent contractor. EDC shall have no authority to direct the day-to-day activities of any of BAHEP's employees, shall have no authority over BAHEP's decisions, and shall have no rights to ownership of internal working papers or other information or data of BAHEP, except as otherwise specifically authorized or required herein.

Without in any way limiting the generality of the foregoing, it is specifically acknowledged and agreed that BAHEP has bargained for the confidentiality of all internal information and data that it generates other than that required to be submitted to EDC pursuant to Article II and Section 6.06 hereof. The parties agree that such confidentiality is necessary to foster and to promote competition, to assure the integrity of the competitive process, and to protect proprietary or innovative business strategies and concepts. Subject to the provisions of the Texas Public Information Act, Texas Government Code Chapter 552 that may be applicable to such documents, EDC agrees that it shall endeavor to protect and hold confidential all information submitted to EDC, to the extent that such information satisfies any exception to the Texas Public Information Act.

Section 6.02. Parties in Interest.

This Contract shall be binding on and inure to the benefit EDC and BAHEP and shall not bestow any rights upon any third parties.

Section 6.03. Nonwaiver.

Failure of either party hereto to insist on the strict performance of any of the provisions hereof, or to exercise any rights or remedies accruing hereunder upon default or failure of performance, shall not be considered a waiver of the right to insist on and enforce, by an appropriate remedy, strict compliance with any other obligation hereunder, or to exercise any right or remedy occurring as a result of any future default or failure of performance.

Section 6.04. Applicable Laws.

This Contract shall be subject to and construed in accordance with the laws of the State of Texas, the laws of the federal government of the United States of America, and all rules and regulations of any regulatory body or officer having jurisdiction hereover. This Contract is performable and venue is exclusive in Harris County, Texas.

Section 6.05. Notices.

All notices required or permitted hereunder shall be given in writing and shall be deemed delivered when actually received or on the third day following deposit into a United States Postal Service post office or receptacle with proper postage affixed thereto, sent Certified Mail, Return Receipt Requested, addressed to the respective other party at the address set forth below, or at such other address the receiving party may have theretofore prescribed by written notice to the sending party:

EDC	Paul Dunphey President, EDC 1700 First Street Seabrook, Texas 77586
-----	--

BAHEP	Bob Mitchell Bay Area Houston Economic Partnership P.O. Box 58724 Houston, Texas 77258
-------	---

Section 6.06. Audits.

BAHEP shall provide to City, within ninety (90) days following the close of Contractor's fiscal year, its audited financial statements for the preceding year prepared by an independent

certified public accountant.

Section 6.07. Entire Agreement.

This Contract contains the entire agreement of the parties relating to the subject matter hereof and is the full and final expression of the agreement between the parties. Any changes of amendments to the rights or obligations of the parties hereunder must be made in writing and signed by both parties.

Section 6.08. Ambiguities.

In the event of any ambiguity in any of the terms of this contract, it shall not be construed for or against any party hereto on the basis that such party did or did not author the same.

Section 6.09. Effective Date.

This Agreement shall become effective October 1, 2014 and conclude on September 30, 2017, covering a 3-year term.

Section 6.10.

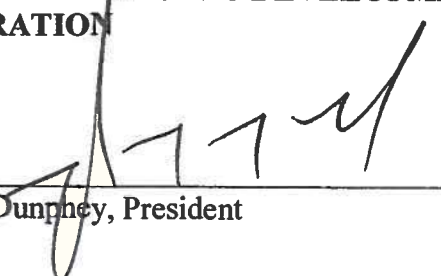
The City Council of the City of Seabrook has approved this Agreement as required by law, but is not a party hereto, and is not liable for any obligations or agreements made hereunder.

EXECUTED IN DUPLICATE ORIGINALS, in Seabrook, Harris County, Texas;

(SIGNATURE PAGE FOLLOWS)

APPROVED BY THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION on the 14th day of August, 2014.

SEABROOK ECONOMIC DEVELOPMENT CORPORATION

By: 
Paul Dunphy, President

ATTEST:


Ernie Davis, Secretary

APPROVED BY CITY COUNCIL on the _____ day of _____, 2014.

CITY OF SEABROOK

By: _____
Glenn Royal, Mayor

ATTEST:

Michele L. Glaser, TRMC
City Secretary

BAY AREA HOUSTON ECONOMIC PARTNERSHIP

Bob Mitchell, President



**PROFESSIONAL SERVICES AGREEMENT
FOR
ADVERTISING SERVICES**

**THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §**

THIS AGREEMENT is made, entered into, and executed by and between the SEABROOK ECONOMIC DEVELOPMENT CORPORATION (the "SEDC"), an economic development corporation created by the City of Seabrook in accordance with the Texas Non-Profit Corporation Act and the Development Corporation Act; and DINGHY PLANET, LLC dba KO SAILING. ("KOS"), a Texas limited liability company

WITNESSETH:

WHEREAS, SEDC desires certain advertising services in furtherance of its goals to grow local Seabrook businesses; and

KOS participates in numerous sailing events nationally, and as part of their involvement, they will provide advertising services as further described herein; and

SEDC is willing to grant permission to KOS for limited use of its and the City's logo for limited use in these advertising services; and

SEDC is authorized by state law to spend up to ten percent of its annual receipts on advertising services; and

KOS represents that it is fully capable of providing and qualified to provide these advertising services to the SEDC, and KOS desires to perform the same;

NOW, THEREFORE, the SEDC and KOS, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follows:

**SECTION I
SCOPE OF AGREEMENT**

KOS agrees to perform certain services to advertise the SEDC and the City of Seabrook ("Seabrook") as a business and tourism destination, by displaying certain Seabrook materials, logo and website on hats, company shirts and vehicles, as further

described in the "Exhibit A" attached hereto and made a part hereof for all purposes, hereinafter sometimes referred to as "Scope of Work." For providing such services, the SEDC agrees to pay KOS compensation as stated in the sections to follow.

SECTION II CHARACTER AND EXTENT OF SERVICES

KOS shall render all the services as defined in "Exhibit A" attached hereto. The SEDC shall be under no obligation to pay for additional services without prior written authorization.

SECTION III OWNERSHIP OF LOGO; RIGHT TO USE

SEDC owns all legal rights to the SEDC logo, which it shares with the City of Seabrook, and grants to KOS a limited use right of such logos for the purpose of this Agreement. KOS shall have the right to use the logos as described in the "SEDC Logo Use Standards," Exhibit "B" attached hereto and incorporated herein as if fully set out. KOS is prohibited from altering the logo in any way, including altering the typestyle or the colors, and may use it for placement only as further described in Exhibit A or this Agreement. KOS is not granted any rights to use the logos beyond the term of this Agreement, nor for any other purpose. The SEDC shall be the absolute and unqualified owner of all logo images, imprints and other representations, and other materials prepared or acquired pursuant to this Agreement with the same force and effect as if the SEDC had prepared or acquired the same.

SECTION IV TIME FOR PERFORMANCE

The time for performance is of this Agreement is from October 1st, 2014 through September 30th, 2016.

If services are not provided in accordance with the Scope of Work, within the time frame above, KOS may request SEDC to grant an extension of time. Such extension of time, if granted, shall be memorialized as a written amendment to this Agreement. In the event an extension of time is not approved, or services otherwise are terminated prior to the end date listed above, KOS shall be required to reimburse SEDC an amount calculated on the pro-rata delivery or completion of services contemplated by the Scope of Work.

SECTION V COMPLIANCE AND STANDARDS

KOS agrees to perform the services hereunder in accordance with generally accepted standards applicable thereto and shall use that degree of care and skill commensurate with the applicable profession to comply with all applicable state, federal, and local laws, ordinances, rules, and regulations relating to the work to be performed hereunder and KOS's performance.

SECTION VI INSURANCE AND INDEMNIFICATION

KOS shall secure and maintain motor vehicle and worker's compensation insurance in at least the minimum amounts required by Texas law and shall cause SEDC and the City of Seabrook to be named an additional insured under the KOS motor vehicle insurance policy. Current policies are attached as "Exhibit C" and incorporated fully herein. KOS agrees to provide current policies to SEDC, as they are revised or updated. SEDC shall be entitled to notice of cancellation under each policy.

KOS shall and does hereby agree to indemnify and hold harmless the SEDC, its officers, agents, and employees from any and all damages, loss or liability of any kind whatsoever, by reason of death or bodily injury or for physical damage to tangible property or third persons caused by the negligent act or omission of KOS, its officers, agents, employees, invitees or other persons for whom it is legally liable, with regard to the performance of this Agreement, and KOS will, at its cost and expense, defend, pay on behalf of, and protect the SEDC and its officers, agents, and employees against any and all such claims and demands. Such indemnity shall apply where the suits, actions, legal proceedings, claims, demands, damages, costs, expenses and attorney fees arise in whole or in part from the negligence of KOS.

SECTION VII KOS'S COMPENSATION

For and in consideration of the services rendered by KOS pursuant to this Agreement, the SEDC shall pay KOS only for the actual work performed under the Scope of Work up to a TOTAL amount not to exceed TEN THOUSAND AND NO/100THS DOLLARS (\$10,000.00)/PER YEAR FOR THE PERIOD OF TWO YEARS, as provided in Section IV. Payment will be made on or about the 1st day of October, 2014 and October 1st, 2015, and no later than 30 calendar days of such date, for the actual work performed, as provided by law.

SECTION VIII TIME OF PAYMENT

Payment by the SEDC to KOS shall be made in the full amount stipulated in Section VII, upon execution of this Agreement. The approval or payment of this amount shall not constitute evidence of performance by KOS of the services, or of the receipt of or acceptance by the SEDC of the services covered by such statement, or as acceptance that all services contained within the Scope of Work have been completed.

SECTION IX TERMINATION

The SEDC may terminate this Agreement at any time by giving seven (7) days prior written notice to KOS. Upon receipt of such notice, KOS shall discontinue all services in connection with the performance of this Agreement and shall proceed to promptly cancel all existing orders and contracts insofar as such orders or contracts are related to the Agreement, and shall cease using the SEDC/Seabrook Logos. As soon as practicable after receipt of notice of termination, KOS shall submit a written statement, showing in detail the services performed under this Agreement to the date of termination. The SEDC shall then pay KOS that proportion of the prescribed charges that the services actually performed under this Agreement bear to the total services called for under this Agreement, less such payments on account of the charges as have been previously made.

SECTION X ADDRESSES, NOTICES AND COMMUNICATIONS

All notices and communications under this Agreement shall be mailed by certified mail, return receipt requested, to KOS at the following address:

Dinghy Planet, LLC
dba KO Sailing
2321 NASA Parkway
Seabrook, TX 77586

All notices and communications under this Agreement shall be mailed by certified mail, return receipt requested, to the SEDC at the following address:

Mr. Paul Dunphey, President
Seabrook Economic Development Corporation
1700 First Street
Seabrook, Texas 77586

SECTION XI LIMIT OF APPROPRIATION

Prior to the execution of this Agreement, KOS has been advised by the SEDC and KOS clearly understands and agrees, such understanding and agreement being of the absolute essence to this Agreement, that the SEDC shall have available as a condition for payment, only those sums as expressly provided for under this Agreement to discharge any and all liabilities which may be incurred by the SEDC. The total compensation that KOS may become entitled to hereunder and the total sum that the SEDC shall become liable to pay to KOS hereunder shall not under any conditions, circumstances, or interpretations hereof exceed the amounts as provided for in this Agreement.

The Parties further acknowledge that the sum to be paid to KOS is for advertising services that include two fiscal years of SEDC, and SEDC may, in accordance with legal and accounting principles request KOS to provide detailed information regarding the timing of the services provided.

SECTION XII SUCCESSORS AND ASSIGNS

The SEDC and KOS bind themselves and their successors, executors, administrators, and assigns to the other party of this Agreement and to the successors, executors, administrators and assigns of such other party, in respect to all covenants of this Agreement. Neither the SEDC nor KOS shall assign, sublet, or transfer its interest in this Agreement without the written consent of the other, it however being specifically understood, that the SEDC expressly reserves the right to engage other contractors for the advertising and related work made the basis of this agreement. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body that may be a party hereto.

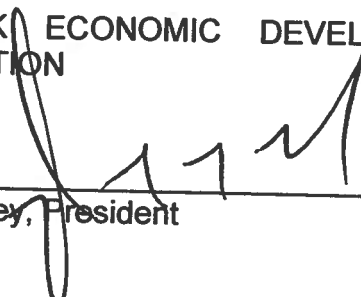
SECTION XIII MODIFICATIONS

This instrument, including Exhibits A, B, and C contains the entire Agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral or written representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing signed by both parties hereto.

IN WITNESS WHEREOF, said Seabrook Economic Development Corporation, has lawfully caused these presents to be executed by the President of said Corporation and attested by the Secretary; and KO SAILING, INC., acting by its duly authorized officer/representative does now sign, execute and deliver this instrument.

EXECUTED on the 11th day of September, 2014.

SEABROOK ECONOMIC DEVELOPMENT
CORPORATION



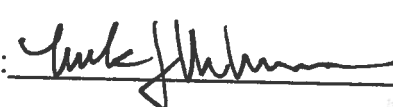
Paul Dunphey, President

ATTEST:



Ernie Davis, Secretary

DINGHY PLANET, LLC dba KO SAILING

By: _____

Printed Name: MARK MCNAMARA

Title: PRESIDENT

ATTEST:

By: Meredith Brant

Printed Name: Meredith Brant

Title: Assistant City Secretary



APPROVED by the Seabrook City Council on the 7th day of October, 2014.

SEABROOK CITY COUNCIL

Glenn R. Royal, Mayor

ATTEST:

Michele L. Glaser, TRMC
City Secretary



EXHIBIT A

Scope of Work:

- **National, Regional , Local Events and advertising**
 - o All vehicles marked with Seabrook, TX logo and website.
 - o Two Trailers marked with the Seabrook, TX logo and website.
 - o Three Trailers marked with Seabrook, TX, logo if possible, and website.
 - o The KO Hat – Branded with Seabrook, TX logo. 2500 Hats Distributed Annually
 - o The KO T-Shirt - Branded with Seabrook, TX logo. 500 Hats Distributed Annually
 - o It is anticipated that during the term of this Agreement, KO Sailing will have two commercial vehicles and five trailers which will attend in excess forty-five (45) events, traveling a total of 116,000 miles or more.

Seabrook Economic Development and City of Seabrook Logo Guidelines

The Logo(s)

The Seabrook Economic Development Corporation (SEDC) logo and the City of Seabrook logo have colors that are key elements for establishing and maintaining the identity of the Seabrook EDC and City of Seabrook. It needs to be used appropriately and consistently across all printed and on-screen applications. It is important the logo(s) retains its intended shape, form and color. Therefore, it is imperative that no attempts be made to modify or recreate the logo(s) under any circumstances.

The following guidelines should be followed whenever creating printed or on-screen pieces that will be branded with the SEDC logo or City of Seabrook logo.



Color

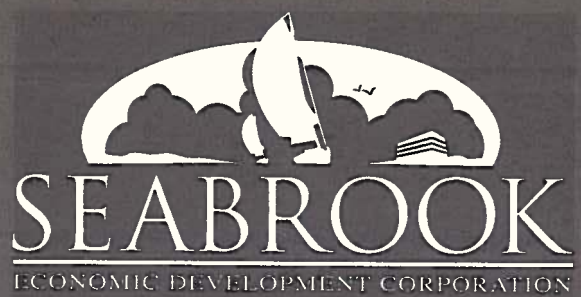
The accurate use of color must be maintained to ensure consistent control of the logo(s). Color reproduction is Pantone 2965C.

The logo(s) may also be reproduced in True BLACK or True WHITE.

A color palette has been provided to cross-reference when creating documents that does not allow the Pantone color to be chosen. The conversion includes RGB, CMKY, and HEX numbers. A slight variation may exist when entering these numbers and if you have a question or concern please contact LeaAnn Dearman at (291) 281-5777 or via email at ldearman@ci.seabrook.tx.us.

Pantone 2965C	
CMYK = 100 - 38.04 - 0 - 63.2	
RGB = 0 - 49 - 81	
HEX = 003b65 (003366 web safe)	

True Black	
CMYK = 75 - 68 - 67 - 90	
RGB = 0 - 0 - 0	
HEX = 000000	

True White	
CMYK = 0 - 0 - 0 - 0	
RGB = 255 - 255 - 255	
HEX = ffffff	
<i>Please note the clouds may also be Pantone 2965C instead of black.</i>	

Background Control

The logo(s) should only be used as shown, in the approved color options. The preferred background is white. If white is not a background option the logo(s) should maintain a transparent background and the color background should be a light shade and not dark.

The exception to the white or light shaded background is when the logo(s) is printed in white. Dark color backgrounds may be used when a dark background is chosen.

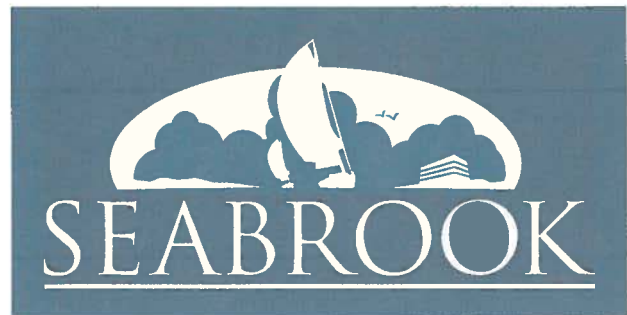
✓ White Background



✓ Light Background



✓ Dark Background



Rule of Thumb

The True BLACK logo(s) may be used on any light colored background, while the True WHITE logo(s) may be used on darker colors.

Space and Positioning

A clear space is defined to maintain the logo's integrity. If the minimum clear space is not applied, the logo's impact will be compromised.

Do not allow any graphic or text elements such as copy, photography, clipart and background patterns to clutter the clear space surrounding the logo(s).

This includes positioning the logo(s) close to the edge of documents.



Size and Proportions

To ensure legibility, the logo(s) may not be reproduced less than 2.0 inches in width for printed materials.

For electronic media (on-screen), it is important to maintain consistency when presenting the logo(s) on the Internet, on a CD ROM or other types of digital media. The minimum size for the logo(s) is 150 pixels wide on all electronic documents.

Distortion of the logo(s) is NEVER permitted. The logo(s) must maintain proper proportions; never stretch or distort the logo(s) in anyway.

✓ Print Materials



✓ Electronic Media



✓ Correct Proportions



X Incorrect Proportions



Incorrect Usage

Color Manipulation

The logo(s) colors should not be manipulated in anyway other than as indicated by this document. Only the approved color combinations are permissible.

X Examples of Incorrect Color Combinations



Element Manipulation

Logo(s) elements should not be manipulated in anyway.

X Examples of Incorrect Element Manipulation



ACORD™

CERTIFICATE OF LIABILITY INSURANCE

8/07/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Dean & Draper Ins. Agcy., LP 3131 West Alabama 4th Floor Houston, TX 77098		CONTACT NAME: PHONE (A/C, No, Ext): 713 527-0444 FAX (A/C, No): 7135270457 E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: St. Paul Fire & Marine	
		INSURER B: Travelers Indemnity Company	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC	X		ZOL13S26689	07/06/2014	07/06/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 \$
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ☒ NON-OWNED AUTOS	X		BA4A91692613OCN	07/06/2014	07/06/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y/N ☒ N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATU-TORY LIMITS ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Protection & Indemnity			ZOL13S26689	07/06/14	07/06/15	\$1,000,000

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

The commercial automobile liability and general liability policies include a blanket additional insured endorsement form #CAT4200710 & #OMOL138 that provides this status in favor of the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status. The auto liability policy includes an endorsement providing 30 day notice of cancellation to the certificate holder only when there is a written contract between the named insured and the certificate (See Attached Descriptions)

CERTIFICATE HOLDER

CANCELLATION

Seabrook Economic Development Corporation
 City of Seabrook
 1700 First Street
 Seabrook, TX 77586

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



DESCRIPTIONS (Continued from Page 1)

holder that requires such status.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

AUTO COVERAGE PLUS ENDORSEMENT

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

GENERAL DESCRIPTION OF COVERAGE – This endorsement broadens coverage. However, coverage for any injury, damage or medical expenses described in any of the provisions of this endorsement may be excluded or limited by another endorsement to the Coverage Part, and these coverage broadening provisions do not apply to the extent that coverage is excluded or limited by such an endorsement. The following listing is a general coverage description only. Limitations and exclusions may apply to these coverages. Read all the provisions of this endorsement and the rest of your policy carefully to determine rights, duties, and what is and is not covered.

- | | |
|---|---|
| A. BLANKET ADDITIONAL INSURED | H. AUDIO, VISUAL AND DATA ELECTRONIC EQUIPMENT – INCREASED LIMIT |
| B. EMPLOYEE HIRED AUTO | I. WAIVER OF DEDUCTIBLE – GLASS |
| C. EMPLOYEES AS INSURED | J. PERSONAL EFFECTS |
| D. SUPPLEMENTARY PAYMENTS – INCREASED LIMITS | K. AIRBAGS |
| E. TRAILERS – INCREASED LOAD CAPACITY | L. AUTO LOAN LEASE GAP |
| F. HIRED AUTO PHYSICAL DAMAGE | M. BLANKET WAIVER OF SUBROGATION |
| G. PHYSICAL DAMAGE – TRANSPORTATION EXPENSES – INCREASED LIMIT | |

A. BLANKET ADDITIONAL INSURED

The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

Any person or organization who is required under a written contract or agreement between you and that person or organization, that is signed and executed by you before the "bodily injury" or "property damage" occurs and that is in effect during the policy period, to be named as an additional insured is an "insured" for Liability Coverage, but only for damages to which this insurance applies and only to the extent that person or organization qualifies as an "insured" under the Who Is An Insured provision contained in Section II.

B. EMPLOYEE HIRED AUTO

1. The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

An "employee" of yours is an "insured" while operating a covered "auto" hired or rented under a contract or agreement in that "employee's" name, with your permission, while

performing duties related to the conduct of your business.

2. The following replaces Paragraph b. in B.5., **Other Insurance**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

b. For Hired Auto Physical Damage Coverage, the following are deemed to be covered "autos" you own:

- (1) Any covered "auto" you lease, hire, rent or borrow; and
- (2) Any covered "auto" hired or rented by your "employee" under a contract in that individual "employee's" name, with your permission, while performing duties related to the conduct of your business.

However, any "auto" that is leased, hired, rented or borrowed with a driver is not a covered "auto".

C. EMPLOYEES AS INSURED

The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

COMMERCIAL AUTO

Any "employee" of yours is an "insured" while using a covered "auto" you don't own, hire or borrow in your business or your personal affairs.

D. SUPPLEMENTARY PAYMENTS – INCREASED LIMITS

1. The following replaces Paragraph A.2.a.(2) of **SECTION II – LIABILITY COVERAGE**:
 - (2) Up to \$3,000 for cost of bail bonds (including bonds for related traffic law violations) required because of an "accident" we cover. We do not have to furnish these bonds.
2. The following replaces Paragraph A.2.a.(4) of **SECTION II – LIABILITY COVERAGE**:
 - (4) All reasonable expenses incurred by the "insured" at our request, including actual loss of earnings up to \$500 a day because of time off from work.

E. TRAILERS – INCREASED LOAD CAPACITY

The following replaces Paragraph C.1. of **SECTION I – COVERED AUTOS**:

1. "Trailers" with a load capacity of 3,000 pounds or less designed primarily for travel on public roads.

F. HIRED AUTO PHYSICAL DAMAGE

The following is added to Paragraph A.4., **Coverage Extensions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

Hired Auto Physical Damage Coverage

If hired "autos" are covered "autos" for Liability Coverage but not covered "autos" for Physical Damage Coverage, and this policy also provides Physical Damage Coverage for an owned "auto", then the Physical Damage Coverage is extended to "autos" that you hire, rent or borrow subject to the following:

- (1) The most we will pay for "loss" in any one "accident" to a hired, rented or borrowed "auto" is the lesser of:
 - (a) \$50,000;
 - (b) The actual cash value of the damaged or stolen property as of the time of the "loss"; or
 - (c) The cost of repairing or replacing the damaged or stolen property with other property of like kind and quality.
- (2) An adjustment for depreciation and physical condition will be made in determining actual cash value in the event of a total "loss".

- (3) If a repair or replacement results in better than like kind or quality, we will not pay for the amount of betterment.
- (4) A deductible equal to the highest Physical Damage deductible applicable to any owned covered "auto".
- (5) This Coverage Extension does not apply to:
 - (a) Any "auto" that is hired, rented or borrowed with a driver; or
 - (b) Any "auto" that is hired, rented or borrowed from your "employee".

G. PHYSICAL DAMAGE – TRANSPORTATION EXPENSES – INCREASED LIMIT

The following replaces the first sentence in Paragraph A.4.a., **Transportation Expenses**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

We will pay up to \$50 per day to a maximum of \$1,500 for temporary transportation expense incurred by you because of the total theft of a covered "auto" of the private passenger type.

H. AUDIO, VISUAL AND DATA ELECTRONIC EQUIPMENT – INCREASED LIMIT

Paragraph C.2., **Limit Of Insurance**, of **SECTION III – PHYSICAL DAMAGE COVERAGE** is deleted.

I. WAIVER OF DEDUCTIBLE – GLASS

The following is added to Paragraph D., **Deductible**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

No deductible for a covered "auto" will apply to glass damage if the glass is repaired rather than replaced.

J. PERSONAL EFFECTS

The following is added to Paragraph A.4., **Coverage Extensions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

Personal Effects Coverage

We will pay up to \$400 for "loss" to wearing apparel and other personal effects which are:

- (1) Owned by an "insured"; and
- (2) In or on your covered "auto".

This coverage only applies in the event of a total theft of your covered "auto".

No deductibles apply to Personal Effects coverage.

COMMERCIAL AUTO

K. AIRBAGS

The following is added to Paragraph **B.3., Exclusions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

Exclusion **3.a.** does not apply to "loss" to one or more airbags in a covered "auto" you own that inflate due to a cause other than a cause of "loss" set forth in Paragraphs **A.1.b.** and **A.1.c.**, but only:

- a. If that "auto" is a covered "auto" for Comprehensive Coverage under this policy;
- b. The airbags are not covered under any warranty; and
- c. The airbags were not intentionally inflated.

We will pay up to a maximum of \$1,000 for any one "loss".

L. AUTO LOAN LEASE GAP

The following is added to Paragraph **A.4., Coverage Extensions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

Auto Loan Lease Gap Coverage for Private Passenger Type Vehicles

In the event of a total "loss" to a covered "auto" of the private passenger type shown in the Schedule or Declarations for which Physical Damage Coverage is provided, we will pay any unpaid amount due on the lease or loan for such covered "auto" less the following:

- (1) The amount paid under the Physical Damage Coverage Section of the policy for that "auto"; and

- (2) Any:

- (a) Overdue lease or loan payments at the time of the "loss";
- (b) Financial penalties imposed under a lease for excessive use, abnormal wear and tear or high mileage;
- (c) Security deposits not returned by the lessor;
- (d) Costs for extended warranties, Credit Life Insurance, Health, Accident or Disability Insurance purchased with the loan or lease; and
- (e) Carry-over balances from previous loans or leases.

M. BLANKET WAIVER OF SUBROGATION

The following replaces Paragraph **A.5., Transfer Of Rights Of Recovery Against Others To Us**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

5. Transfer Of Rights Of Recovery Against Others To Us

We waive any right of recovery we may have against any person or organization to the extent required of you by a written contract executed prior to any "accident" or "loss", provided that the "accident" or "loss" arises out of the operations contemplated by such contract. The waiver applies only to the person or organization designated in such contract.



COPY

**BLANKET ADDITIONAL INSURED ENDORSEMENT -
INCLUDING COMPLETED OPERATIONS (BROAD FORM)**

In consideration of an additional premium of \$ **Included** and subject to all terms, conditions and exclusions contained in this policy, and further subject to the conditions of this endorsement, it is agreed that:

1. Clause 11 - Persons Insured of Section I: General Conditions is amended to include as an additional insured, with waiver of subrogation if required, any person or organization whom the Named Insured is required to add as an additional insured on this policy under:
 - (1) A written contract; or
 - (2) An oral agreement or contract where a Certificate of Insurance has been issued showing that person or organization as an additional insured; but the oral agreement or written contract must be:
 - (a) An "insured contract";
 - (b) Currently in effect or becoming effective during the term of this policy; and
 - (c) Executed or agreed to prior to an "occurrence" or offense that gives rise to a "claim" or "suit".

Such person or organization is an additional insured only with respect to liability arising out of work performed for said additional insured by or on behalf of the Named Insured. When required by a written contract or agreement between the Named Insured and the additional insured, shown on a Certificate of Insurance provided to this Company, coverage afforded by this policy shall be primary and non-contributory.

2. Where a contract or agreement for the lease or rental of premises obligates the Named Insured to add the manager or lessor of such premises as an additional insured, such manager or lessor is an additional insured only with respect to their liability arising out of the maintenance, operation or use by the Named Insured of that leased premises.

This insurance does not apply to:

- (a) Any "occurrence" which takes place after the Named Insured has ceased to lease or rent the premises;
 - (b) Structural alterations, new construction or demolition operations performed by or on behalf of such additional insured;
 - (c) Liability arising out of the sole omission or negligence of the additional insured.
3. Where a contract or agreement for the lease or rental of equipment obligates the Named Insured to add the lessor of such equipment as an additional insured, such

Name of Insured **Policy Number** 0L04201320**Effective Date** 07/06/11

DBA K O SAILING, DINGHY PLANET, LLC

Processing Date 09/08/11 18:36 001

OMOL0138 Ed. 7-05

© 2005 The Travelers Indemnity Company. All rights reserved.

Page 1 of 2

lessor is an additional insured only with respect to its liability arising out of the maintenance, operation or use by the Named Insured of that leased equipment.

This insurance does not apply to:

- (a) Any "occurrence" which takes place after the equipment lease expires;
 - (b) Liability arising out of the sole omission or negligence of the additional insured.
4. When an additional insured is a partner or member of a partnership, joint venture, or limited liability company, this policy will only respond for liabilities insured hereunder for an amount not exceeding the additional insured's participation in such partnership, joint venture or limited liability company.
5. The inclusion of an additional insured under this insurance does not:
- (1) Increase the Limits of Insurance set forth under Clause 7, Limits of Insurance, of Section I: General Conditions;
 - (2) Obligate the Company to send notice of cancellation or change of coverage to an additional insured;
 - (3) Apply to an "insured contract" entered into by the additional insured.
6. Insurance afforded to an additional insured under this policy shall not exceed the coverage and/or limits required by the contract or agreement between the Named Insured and additional insured.

Nothing herein contained shall be held to vary, alter, waive or extend any of the terms, conditions, provisions, agreements or limitations of the above mentioned policy, other than as above stated.

COMMERCIAL AUTO

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

AUTO COVERAGE PLUS ENDORSEMENT

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

A. PERSONAL EFFECTS COVERAGE

SECTION III – PHYSICAL DAMAGE COVERAGE, A. Coverage, 4. Coverage Extensions is amended by adding the following:

Personal Effects Coverage

We will pay up to \$400 for "loss" to wearing apparel and other personal effects which are:

- (1) owned by an "insured"; and
 - (2) in or on your covered "auto";
- in the event of a total theft "loss" of your covered "auto".

No deductibles apply to Personal Effects Coverage.

B. AUTO LOAN LEASE GAP COVERAGE

SECTION III – PHYSICAL DAMAGE COVERAGE, A. Coverage, 4. Coverage Extensions is amended by adding the following:

Auto Loan Lease Gap Coverage for Private Passenger Type Vehicles

In the event of a total "loss" to a covered "auto" of the private passenger type shown in the Schedule or Declarations for which Physical Damage Coverage is provided, we will pay any unpaid amount due on the lease or loan for such covered "auto" less the following:

- (1) The amount paid under the Physical Damage Coverage Section of the policy for that "auto"; and
- (2) Any:
 - (a) Overdue lease/loan payments at the time of the "loss";
 - (b) Financial penalties imposed under a lease for excessive use, abnormal wear and tear or high mileage;
 - (c) Security deposits not returned by the lessor;

- (d) Costs for extended warranties, Credit Life Insurance, Health, Accident or Disability Insurance purchased with the loan or lease; and

- (e) Carry-over balances from previous loans or leases.

C. COVERAGE EXTENSION – AUDIO, VISUAL AND DATA ELECTRONIC EQUIPMENT NOT DESIGNED SOLELY FOR THE PRODUCTION OF SOUND

SECTION III – PHYSICAL DAMAGE COVERAGE, B. Exclusions, exception paragraph a. to exclusions 4.c & 4.d is deleted and replaced with the following:

- a. Equipment and accessories used with such equipment, except tapes, records or discs, provided such equipment is permanently installed in the covered "auto" at the time of the "loss" or is removable from a housing unit which is permanently installed in the covered "auto" at the time of the "loss", and such equipment is designed to be solely operated by use of the power from the "auto's" electrical system, in or upon the covered "auto"; or

D. WAIVER OF DEDUCTIBLE – GLASS

SECTION III – PHYSICAL DAMAGE COVERAGE, D. Deductible is amended by adding the following:

No deductible for a covered "auto" will apply to glass damage if the glass is repaired rather than replaced.

E. HIRED AUTO PHYSICAL DAMAGE COVERAGE

SECTION III – PHYSICAL DAMAGE COVERAGE, A. Coverage, 4. Coverage Extensions is amended by adding the following:

Hired Auto Physical Damage Coverage Extension

If hired "autos" are covered "autos" for Liability Coverage and this policy also provides Physical Damage Coverage for an owned "auto", then the

COMMERCIAL AUTO

Physical Damage Coverage is extended to "autos" that you hire, rent or borrow subject to the following:

- (1) The most we will pay for "loss" in any one "accident" to a hired, rented or borrowed "auto" is the lesser of:
 - (a) \$50,000;
 - (b) The actual cash value of the damaged or stolen property as of the time of the "loss"; or
 - (c) The cost of repairing or replacing the damaged or stolen property with other property of like kind and quality.
- (2) An adjustment for depreciation and physical condition will be made in determining actual cash value in the event of a total "loss".
- (3) If a repair or replacement results in better than like kind or quality, we will not pay for the amount of betterment.
- (4) A deductible equal to the highest Physical Damage deductible applicable to any owned covered "auto".
- (5) This Coverage Extension does not apply to:
 - (a) Any "auto" that is hired, rented or borrowed with a driver; or
 - (b) Any "auto" that is hired, rented or borrowed from your "employee".

F. BLANKET WAIVER OF SUBROGATION

SECTION IV – BUSINESS AUTO CONDITIONS, A. Loss Conditions, 5. Transfer Of Rights Of Recovery Against Others To Us is deleted and replaced by the following:

5. Transfer Of Rights Of Recovery Against Others To Us

We waive any right of recovery we may have against any person or organization to the ex-

tent required of you by a written contract executed prior to any "accident" or "loss", provided that the "accident" or "loss" arises out of the operations contemplated by such contract. The waiver applies only to the person or organization designated in such contract.

G. BLANKET ADDITIONAL INSURED

SECTION II – LIABILITY COVERAGE, part A. 1. Who Is An Insured, paragraph c. is amended by adding the following:

Any person or organization that you are required to include as an additional insured on this Coverage Form in a written contract or agreement that is signed and executed by you before the "bodily injury" or "property damage" occurs and that is in effect during the policy period is an "insured" for Liability Coverage, but only for damages to which this insurance applies and only to the extent that person or organization qualifies as an "insured" under the Who Is An Insured provision contained in Section II.

H. EMPLOYEE HIRED AUTOS

SECTION II – LIABILITY COVERAGE, A. Coverage, 1. Who Is An Insured is amended by adding the following:

An "employee" of yours is an "insured" while operating an "auto" hired or rented under a contract or agreement in that "employee's" name, with your permission, while performing duties related to the conduct of your business.

I. COVERAGE EXTENSION – TRAILERS

SECTION I – COVERED AUTOS, C. Certain Trailers, Mobile Equipment and Temporary Substitute Autos, paragraph 1. is deleted and replaced by the following:

1. "Trailers" with a load capacity of 3,000 pounds or less designed primarily for travel on public roads.

Seabrook City Council Regular Meeting
Minutes of September 16, 2014
Page 1

The City Council of the City of Seabrook met in regular session on Tuesday, September 16, 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	MAYOR
ROBERT LLORENTE Ex. Abs.	COUNCIL PLACE NO. 1
MIKE GIANROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	MAYOR PRO TEM &
	COUNCIL PLACE NO. 3
MELISSA BOTKIN	COUNCIL PLACE NO. 4
THOM KOLUPSKI	COUNCIL PLACE NO. 5
O. J. MILLER	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	ASSISTANT CITY MANAGER
STEVEN L. WEATHERED	CITY ATTORNEY
MICHELE L. GLASER	CITY SECRETARY

Mayor Royal led the audience in the Pledge of Allegiance.

1.0 PRESENTATIONS

1.1 Recognize the Finance Department for receiving a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) and Recognize Michael Gibbs for obtaining Certification as a Government Finance Officer. (Council)

Mayor Royal presented the certificates and thanked Mrs. Lab and Mr. Gibbs for their hard work in achieving these awards.

1.2 Introduce new police officer Derrick Christensen and hold a badge ceremony for newly promoted Sgt. Michael Lafosse (Wright)

Police Chief Sean Wright introduced Officer Christensen and Mrs. Glaser administered the Oath of Office. Chief Wright introduced and conducted the badge ceremony for newly promoted Sgt. Michael Lafosse.

1.3 Update on the FY 2014/15 Seabrook Volunteer Fire Department(SVFD) Budget which is part of the General Fund. (Cook)

Fire Chief Ray Cook introduced new SVFD President John Kassbaum. Chief Cook stated that the SVFD is looking for ways to decrease expenses but that budget reductions will not negatively impact essential services to the City of Seabrook.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS - None

Seabrook City Council Regular Meeting
Minutes of September 16, 2014
Page 2

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

Councilor Giangrosso announced several upcoming events.

3.0 SPECIFIC PUBLIC HEARING(S)

3.1 Proposed Ordinance No. 2014-20, "Repeal of Comprehensive Zoning Ordinance, Section 8.07, " Properties Made Nonconforming by Right-Of-Way Acquisition." (P&Z)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING," ARTICLE 8, "NONCONFORMANCE", BY REPEALING SECTION, 8.07 "PROPERTIES MADE NONCONFORMING BY RIGHT- OF- WAY ACQUISITION"; 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 HREWITH; AND PROVIDING FOR SEVERABILITY.

Mr. Landis stated that the original intent of Section 8.07, approved in 2011, was to protect landowners facing acquisition of their properties for SH 146 widening. However, the Commission later determined that Section 8.07 may in fact have an opposite effect and prevent landowners from receiving fair value for their properties. There were no questions or comments from the audience.

3.2 Present the FY 2014/15 Crime Control & Prevention District Budget. (Wright)

Chief Wright gave a brief explanation of the purpose of the Crime Control District which is funded by sales tax. There were no questions or comments from the audience.

3.3 Present the FY 2014/15 EDC Budget. (EDC)

Paul Chavez, EDC Director, gave a brief presentation. There were no questions or comments from the audience.

3.4 Present the proposed General, Enterprise and Special Funds Budget for FY 2014/15. (Cook)

Mrs. Cook stated that there were no changes since the last presentation. There were no comments or questions from the audience.

4.0 CONSENT AGENDA

4.1 Approve the July and August 2014 Building Reports. (Landis)

Seabrook City Council Regular Meeting
Minutes of September 16, 2014
Page 3

91 **4.2 Approve the August 2014 Public Safety Report. (Wright)**

92
93 **4.3 Approve an excused absence for Mike Giangrosso for the September 2, 2014 City**
94 **Council meeting. (Glaser)**

95
96 **4.4 Approve the minutes of the September 2, 2014 regular City Council meeting. (Glaser)**

97
98 **4.5 Approve an Interlocal Agreement with Harris County in the amount of \$6,334.56 for a**
99 **12-month period effective on September 1, 2014 to provide the City of Seabrook with**
100 **administration and implementation of a regional watershed protection program to meet**
101 **state and federal requirements (MS4 permit). (Chairez)**

102
103 Motion was made by Councilor Botkin and seconded by Councilor Johnson

104
105 To approve the Consent Agenda as presented.

106
107 MOTION CARRIED BY UNANIMOUS CONSENT.

108
109 **END OF CONSENT AGENDA**

110
111 **5.0 NEW BUSINESS**

112
113 **5.1 Consider first reading of proposed Ordinance No. 2014-20, "Repeal of Comprehensive**
114 **Zoning Ordinance, Section 8.07, Properties Made Nonconforming by Right-Of-Way**
115 **Acquisition." (P&Z)**

116
117 AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A,
118 "COMPREHENSIVE ZONING," ARTICLE 8, "NONCONFORMANCE", BY REPEALING
119 SECTION, 8.07 "PROPERTIES MADE NONCONFORMING BY RIGHT- OF- WAY
120 ACQUISITION"; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED
121 \$2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY
122 INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF
123 ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING
124 FOR SEVERABILITY.

125
126 Motion was made by Councilor Miller and seconded by Councilor Giangrosso

127
128 To approve Ordinance No. 2014-20 on first reading with the reading of the caption serving as
129 the reading of the ordinance.

130
131 MOTION CARRIED BY UNANIMOUS CONSENT.

132
133

Seabrook City Council Regular Meeting
Minutes of September 16, 2014
Page 4

134 **5.2 Consider approval of first and final reading of proposed Ordinance No. 2014-22,**
135 **"Crime Control and Prevention District Budget Ordinance for FY 2014/15 as approved**
136 **by the District's Board of Directors. (Wright)**

137 AN ORDINANCE APPROVING AND ADOPTING THE SEABROOK CRIME CONTROL
138 AND PREVENTION DISTRICT BUDGET FOR THE FISCAL YEAR BEGINNING ON
139 OCTOBER 1, 2014 AND ENDING ON SEPTEMBER 30, 2015 FOR THE CITY OF
140 SEABROOK; APPROPRIATING FUNDS; AND NOTING A PUBLIC HEARING WAS
141 HELD BY THE SEABROOK CITY COUNCIL ON SEPTEMBER 16, 2014.

142
143 Motion was made by Councilor Johnson and seconded by Councilor Giangrosso

144
145 To approve Ordinance No. 2014-22 on first and final reading with the reading of the caption
146 serving as the reading of the ordinance.

147
148 MOTION CARRIED BY UNANIMOUS CONSENT.

149
150 **5.3 Consider approval of first and final reading of proposed Ordinance No. 2014-23 "EDC**
151 **Budget Ordinance for FY 2014/15" (EDC)**

152 AN ORDINANCE APPROVING AND ADOPTING THE SEABROOK ECONOMIC
153 DEVELOPMENT CORPORATION BUDGET FOR THE FISCAL YEAR BEGINNING ON
154 OCTOBER 1, 2014 AND ENDING ON SEPTEMBER 30, 2015 FOR THE CITY OF SEABROOK;
155 APPROPRIATING FUNDS; AND NOTING A PUBLIC HEARING WAS HELD BY THE
156 SEABROOK CITY COUNCIL ON SEPTEMBER 16, 2014.

157
158 Motion was made by Councilor Kolupski and seconded by Councilor Botkin

159
160 To approve Ordinance No. 2014-23 on first and final reading with the reading of the caption
161 serving as the reading of the ordinance.

162
163 MOTION CARRIED BY UNANIMOUS CONSENT.

164
165 **5.4 Consider approval of first and final reading of proposed Ordinance No. 2014-24,**
166 **"Budget Ordinance for FY 2014/15." (Cook/Lab)**

167 AN ORDINANCE APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR
168 BEGINNING ON OCTOBER 1, 2014 AND ENDING ON SEPTEMBER 30, 2015 FOR THE CITY
169 OF SEABROOK; APPROPRIATING FUNDS; AND NOTING A PUBLIC HEARING WAS HELD
170 ON SEPTEMBER 16, 2014 IN ACCORDANCE WITH THE CITY'S CHARTER AND WITH
171 STATE LAW.

172
173 Motion was made by Councilor Johnson and seconded by Councilor Kolupski

174
175 To approve Ordinance No. 2014-24 on first and final reading with the reading of the caption
176 serving as the reading of the ordinance.

Seabrook City Council Regular Meeting
Minutes of September 16, 2014
Page 5

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)

Concerning Item 19, Mrs. Cook stated that Harris County will open bids later this month and anticipates starting the repaving of Surf Oaks by November 2014.

Mayor Royal asked to add resurfacing of Todville on the Action Items Checklist.

Motion was made by Councilor Kolupski and seconded by Councilor Botkin

To approve the Action Items Checklist as amended.

MOTION CARRIED BY UNANIMOUS CONSENT.

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

Mrs. Glaser reminded Council of the special council meeting on September 30 during which the first of two required public hearings on the tax rate would be held.

Upon motion, Mayor Royal adjourned the meeting at 7:36 p.m.

Approved this 7th day of October 2014.

Glenn R. Royal, Mayor

Michele L. Glaser, TRMC
City Secretary

**Seabrook City Council Special Meeting
Minutes of September 30, 2014
Page 1**

The City Council of the City of Seabrook met in special session on Tuesday, September 30, 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 GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	MAYOR PRO TEM & COUNCIL PLACE NO. 3
MELISSA BOTKIN – Ex. Abs.	COUNCIL PLACE NO. 4
THOM KOLUPSKI	COUNCIL PLACE NO. 5
O. J. MILLER	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 Gary Johnson called the meeting to order at 7:00 p.m.

1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS – None.

2.0 SPECIFIC PUBLIC HEARING(S)

2.1 Conduct the first of two required public hearings on the 2014 proposed tax rate of \$0.640030 per \$100 taxable value. The second public hearing will be held at a regularly scheduled City Council meeting on October 7, 2014 at 7:00 p.m. at Seabrook City Hall. The Seabrook City Council will vote on the proposed tax rate at a regularly scheduled City Council meeting on October 21, 2014 at 7:00 p.m. at City Hall. (Cook/Lab)

There were no comments.

3.0 NEW BUSINESS

3.1 Consider approval of a contract with Harris County for election services for the November 4, 2014 special bond election in an estimated amount of \$7,673.66. (Glaser)

Motion was made by Councilor Llorente and seconded by Councilor Giangrosso

To approve the contract as presented.

MOTION CARRIED BY UNANIMOUS CONSENT.

**Seabrook City Council Special Meeting
Minutes of September 30, 2014
Page 2**

4.0 EXECUTIVE SESSION

At 7:03 p.m. Mayor Pro Tem Johnson announced that the City Council would hold a closed executive meeting pursuant to the provisions of the open meetings Act, Charter 551, Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained Section 551.071, Consultation with Attorney.

4.1 Consult with attorney to receive legal advice to address legal issues associated with proposed right-of-way use agreement requested by Dow Hydrocarbons and Resources LLC as provided by Section 551.071 of the Texas Government Code. (Cook)

5.0 OPEN MEETING

Mayor Johnson reconvened the meeting in open session at 7:13 p.m. and stated that Item 4.1 had been discussed in executive session, but no action was taken.

Upon motion, Mayor Pro Tem Johnson adjourned the meeting at 7:14 p.m.

Approved this 7th day of October 2014.

Glenn R. Royal, Mayor Pro Tem

Michele L. Glaser, TRMC
City Secretary



CITY OF SEABROOK

AGENDA BRIEFING

Date of Meeting: 08-19-2014

Submitter/Requestor: City of Seabrook

Date Submitted: 08-12-2014

Presenter: Sean Landis

Description/Subject:

To repeal Appendix A. Comprehensive Zoning, Article 8. Nonconformance, Section 8.07. Properties Made Nonconforming by Right-of-Way Acquisition.

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING," ARTICLE 8, "NONCONFORMANCE", BY REPEALING SECTION, 8.07 "PROPERTIES MADE NONCONFORMING BY RIGHT-OF- WAY ACQUISITION"; 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.

A Public Hearing was held before the Planning and Zoning Commission on July 17, 2014.

Applicant:

City Staff

Legal Description:

Request:

To repeal Appendix A. Comprehensive Zoning, Article 8. Nonconformance, Section 8.07. Properties Made Nonconforming by Right-of-Way Acquisition.

Purpose/Need: Policy Issue ☒ Administrative Issue ☐

Agenda Briefing Form
Page 2

On November 17, 2011, Staff brought before the Planning and Zoning Commission a request to add Section 8.07 Properties Made Nonconforming by Right-of-Way Acquisition, for consideration. The Commission voted unanimous to recommend approval and City Council concurred.

The original intent of the ordinance was to provide relief to property owners required to provide land due to right-of-way acquisition. The Planning and Zoning Commission has found that the language originally adopted could have the opposite effect.

As the State Highway 146 project nears, the Planning and Zoning Commission fears Sec. 8.07 could impact negotiations between TX-Dot and the city's impacted businesses/property owners. The ordinance states: "Where a lot, tract or parcel is occupied by a lawful use or structure which is compliant with all associated regulations of the comprehensive zoning ordinance, and where the acquisition of right-of-way by eminent domain, dedication or purchase by a city, county, state or federal agency creates noncompliance of the use, structure or associated regulations of the comprehensive zoning ordinance such use, or structure shall be deemed a lawful use or structure in compliance with the associated zoning regulations". The ordinance provides grandfathering protection to the affected properties to include parking, landscaping, and setbacks.

The Planning and Zoning Commission's fear is that at the conclusion of the State Hwy 146 expansion the City may have multiple properties that may be constructed with reduced front setbacks, inadequate parking, and no landscaping buffer between the business and newly established Hwy 146 feeder roads.

The Planning and Zoning Commission is proposing to repeal Appendix A. Comprehensive Zoning, Article 8. Nonconformance, Section 8.07 Properties Made Nonconforming by Right-of-Way Acquisition.

Sec. 8.07. Properties made nonconforming by right-of-way acquisition.

Where a lot, tract or parcel is occupied by a lawful use or structure which is compliant with all associated regulations of the comprehensive zoning ordinance, and where the acquisition of right-of-way by eminent domain, dedication or purchase by a city, county, state or federal agency creates noncompliance of the use, structure or associated regulations of the comprehensive zoning ordinance such use, or structure shall be deemed a lawful use or structure in compliance with the associated zoning regulations. Such designation shall apply only to noncompliance that result directly from the acquisition of right-of-way. Any new construction on the lot, tract or parcel, including expansion of any existing structure, shall comply with all applicable zoning standards and building setbacks of the expansion or new construction and shall be measured relative to the new right-of-way line.

The proposed change to the zoning ordinance was recommended for approval by the Planning & Zoning Commission by a unanimous vote at the regular meetings held on July 17, 2014.

Background/Issue (What prompted this need?):

Impacted Parties (Expected/Notified):

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

Recommended Action:

The proposed change to the zoning ordinance was recommended for approval by the Planning & Zoning Commission by a unanimous vote at the regular meetings held on July 17, 2014.

Attachments:

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

Planning & Zoning Commission Minutes of the July 17, 2014 Meeting
Planning and Zoning Commission Official Report from the July 17, 2014 Meeting

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

Budget Dept/Line Item Number N/A

Funding Comments:

N/A

Where on the agenda should this item be placed?

(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

New Business

Suggested Motion:

The proposed change to the zoning ordinance was recommended for approval by the Planning & Zoning Commission by a unanimous vote at the regular meetings held on July 17, 2014.

City Manager Review:

- ☐ Approved as submitted
- ☐ Submitted for Council consideration without comment
- ☐ Submitted for Council consideration with comments stated below:

(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.)

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

Received and accepted by the City Secretary/Assistant _____

Returned by the City Secretary/Assistant (If incomplete) _____

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

1 **ORDINANCE NO. 2014-20**
2 **REPEAL OF SECTION, 8.07 "PROPERTIES MADE**
3 **NONCONFORMING BY RIGHT- OF- WAY ACQUISITION,"**
4

5 **AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A,**
6 **"COMPREHENSIVE ZONING," ARTICLE 8, "NONCONFORMANCE", BY**
7 **REPEALING SECTION, 8.07 "PROPERTIES MADE NONCONFORMING BY**
8 **RIGHT- OF- WAY ACQUISITION"; PROVIDING FOR A PENALTY IN AN**
9 **AMOUNT NOT TO EXCEED \$2000 PER OFFENSE FOR VIOLATION OF ANY**
10 **PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL**
11 **ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN**
12 **CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.**
13

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

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

24 **WHEREAS**, the City Council and the Planning and Zoning Commission of
25 the City of Seabrook have studied the present provisions of the Code of
26 Ordinances of the City of Seabrook and have determined the need to repeal the
27 provisions relative to nonconforming uses and structures occasioned by right -of-
28 way acquisition in an effort to provide for orderly growth and protection of the
29 health, safety and welfare of the inhabitants of the City of Seabrook; and
30

31 **WHEREAS**, all public notices have been posted, published and all
32 required hearings on this matter have been held in accordance with the
33 Comprehensive Zoning Ordinance and law; now, therefore,
34

35 **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK,**
36 **STATE OF TEXAS:**
37

38 **SECTION 1.** **FINDINGS OF FACT.**
39

40 That the facts and matters set forth in the preamble of this Ordinance are
41 hereby found to be true and correct.
42
43
44
45
46

SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE,
APPENDIX A, ARTICLE 8. "NONCONFORMANCE", SECTION, 8.07
"PROPERTIES MADE NONCONFORMING BY RIGHT- OF- WAY
ACQUISITION".

The Seabrook City Code, Appendix A, "Comprehensive Zoning", Article 8, "Nonconformance" is amended by repealing Section 8.07 entitled "Properties Made Nonconforming by Right-of-Way Acquisition," as specifically provided hereafter:

~~["Sec. 8.07. Properties Made Nonconforming by Right of Way Acquisition.]"~~

~~["Where a lot, tract or parcel is occupied by a lawful use or structure which is compliant with all associated regulations of the comprehensive zoning ordinance, and where the acquisition of right of way by eminent domain, dedication or purchase by a city, county, state or federal agency creates noncompliance of the use, structure or associated regulations of the comprehensive zoning ordinance such use, or structure shall be deemed a lawful use or structure in compliance with the associated zoning regulations. Such designation shall apply only to noncompliance that resultss directly from the acquisition of right of way. Any new construction on the lot, tract or parcel, including expansion of any existing structure, shall comply with all applicable zoning standards and building setbacks of the expansion or new construction and shall be measured relative to the new right-of-way line."]~~

SECTION 3. INCORPORATION INTO THE CODE, PENALTY CLAUSE.

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

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

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

SECTION 5. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the

Ordinance No. 2014-20
Page 3

City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 6. NOTICE.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 16th day of September 2014.

PASSED AND APPROVED on second and final reading this 7th day of October 2014.

BY: _____
Glenn R. Royal, Mayor

ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney

Planning & Zoning Commission OFFICIAL REPORT

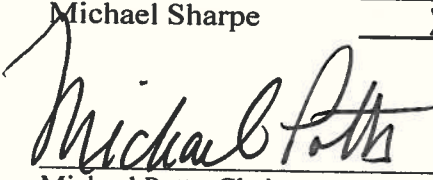
The Planning and Zoning Commission of the City of Seabrook met on July 17, 2014 to hold a meeting to consider:

Request to repeal Section 8.07 Properties made non-conforming by right-of-way acquisition.

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL ☒ APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW) ☐ DENIAL ☐
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on July 17, 2014, as designated below and as certified by the signature of the Chairman. **This document is not valid unless signed by the Chairman/Presiding Commissioner.**

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


Michael Potts, Chairman
Planning & Zoning Commission

ATTEST:


Alesia L. Hammock
Secretary

**CITY OF SEABROOK
RESOLUTION 2014-08
SEDC PROJECT FOR MASTER PLAN UPDATE**

A RESOLUTION APPROVING A PROJECT FOR THE HIRING OF AN INDEPENDENT CONSULTANT FOR UPDATE OF THE COMPREHENSIVE MASTER PLAN, USING FUNDS PROVIDED BY THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION IN AN AMOUNT NOT TO EXCEED \$100,000

WHEREAS, the Seabrook Economic Development Corporation ("SEDC") met on August 14, 2014, and at that time took formal action to support and approve funding for independent contractor consulting services for the update to the Seabrook Comprehensive Master Plan, for the future development of a city, including a long range development tool for the municipality that would include provisions on land use, economic development, transportation, and public facilities, in accordance with section 213.002 of the Texas Local Government Code, ("Project"); and

WHEREAS, the SEDC has determined that an expenditure for such Project from its economic development sales and use tax proceeds relates to the creation or retention of primary jobs, and/or related uses included in Texas Local Government Code 501.101; and

WHEREAS, the SEDC is permitted to undertake projects that include the *"land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements"* and finds that the Project will promote new or expanded business development and that it may use sales tax proceeds to fund the Project; and

WHEREAS, notice of this Project was posted on the city bulletin board on August 18, 2014 and published in the city's official newspaper, THE BAY AREA CITIZEN, on August 21, 2014; and

WHEREAS, such publication and posting notified the public of a 60 day comment period to end on October 21, 2014 and of a public hearing held by the SEDC on September 11, 2014; and

WHEREAS, pursuant to Texas Local Government Code Section 505.158, and prior to the SEDC funding a project involving an expenditure by the SEDC of more than \$10,000, per project, the City Council shall adopt a Resolution authorizing the project, which Resolution shall be read by the City Council, on two separate occasions with all notice(s) and hearing(s) have been provided in accordance with law; and

WHEREAS, the City has reviewed the actions of the SEDC related to the Project noted herein ~~below~~, has considered and evaluated that project, and has found it meeting eligibility for City Council's approval;

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

1. The City Council of the City of Seabrook, Texas, hereby approves the following Project, which had been approved for funding by the SEDC:

Resolution No. 2014-08

Page 2

a. To fund the Project ("Hire professional Consultant to Update the Seabrook Comprehensive Master Plan") in an amount not to exceed \$100,000.

2. The City Manager is hereby authorized to convey a copy of this Resolution of approval, as appropriate.

3. That this Resolution shall take effect immediately from and after its passage, and is accordingly so resolved.

PASSED AND APPROVED on first reading this 7th day of October 2014.

PASSED, APPROVED, AND ADOPTED on second and final reading this 21st day of October 2014.

CITY OF SEABROOK, TEXAS

BY: _____
Glenn R. Royal, Mayor

ATTEST:

Michele L. Glaser, TRMC
City Secretary

**CITY OF SEABROOK
RESOLUTION NO. 2014-09
DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL (H-GAC)
2015 GENERAL ASSEMBLY**

A RESOLUTION FORMALLY APPOINTING AND DESIGNATING MAYOR GLENN R. ROYAL AS REPRESENTATIVE AND MAYOR PRO TEM GARY JOHNSON AS ALTERNATE TO THE H-GAC 2015 GENERAL ASSEMBLY AS APPROVED BY CITY COUNCIL ON JUNE 4, 2014

WHEREAS, the City Council appointed Mayor Glenn R. Royal as Representative and Mayor Pro Tem Gary Johnson as Alternate to the Houston-Galveston Area Council 2013 General Assembly on June 3, 2014; now, therefore,

BE IT RESOLVED, by the Council of the City of Seabrook, State of Texas:

THAT, Mayor Glenn R. Royal be, and is hereby designated as its Representative to the General Assembly of the Houston-Galveston Area Council for the year 2015.

FURTHER, that the Official Alternate authorized to serve as the voting representative should be hereinabove named representative become ineligible, or should he resign, is **Mayor Pro Tem Gary Johnson**,

THAT, the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named representative and alternate.

PASSED AND ADOPTED, this 7th day of October 2014.

APPROVED:

Glenn R. Royal, Mayor

ATTEST:

Michele L. Glaser, TRMC
City Secretary

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

Date of Application: 09/18/14 Name of Applicant: GALVESTON BAY FOUNDATION
Full Address of Applicant: 17330 HIGHWAY 3, WEBSTER TX 77598
Day Time Phone (281) 332-3381 x221 Night time phone: _____

e-mail address: edemmeck@galvbay.org

Name of Organization, Firm or Corporation on whose behalf this application is made:
BIKE AROUND THE BAY (BAB)

Address of Organization (if different from above): SAME AS ABOVE

City _____ State _____ Zip Code _____

Phone Number of Organization (if different from above): () _____

Is the organization recognized as a non-profit organization for tax purposes? YES, tax exemption attached

Requested Date(s) and Times of the Event:

SUNDAY, OCTOBER 19, 2014; 10am-1pm

Location of the Event: Toddville Road, breakpoint @ Baybrook Park

Give a brief description of the event: BAB is a two-day, 180-mile bike ride around Galveston Bay, benefitting the Galveston Bay Foundation.

Estimated No. of ^{Volunteers} Workers 250 Estimated No. of ^{Guests} Attendees 1,000

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

How many parking spaces are you providing for the event? _____

Will any portion of this event be held on city property? If so, where?
BAYBROOK PARK

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

Will admission be charged for this event? NO but there is a rider registration fee

Do you want to display temporary signs or banners to advertise this event? YES; signs will be posted to mark the route & warn cars regarding cyclists on the road

Special Events Application**Revised 03/11****Page 2**

Number of signs for this event 5 Complete the sign permit application attached to the packet. Please note that signs may only be displayed on private property, with the property owners' permission and with a city permit. Signs are not permitted in any street rights-of-way.

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

Proposed Route (Attach Map): _____

Estimated number and kind of animals to be used: _____

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

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

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

Bryan Brand

Print name
Police Department Representative

9.23-14

Date Approved

[Signature]

Signature
Police Department Representative

Comments: One officer needed @ rest station
on Todville Rd. (Baybrook Park)

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

1. A completed application form including approval by the Seabrook Police Department.
2. Permit fee in the amount of \$ 50.00. (Non-profit organizations may substitute a letter of request to the City Council requesting a waiver of the permit fee.
3. If event is a parade a deposit fee of _____ is included. Deposits are not waived.
4. A certificate of insurance, naming the City of Seabrook as certificate holder. This insurance provides protection of not less than \$100,000 against liability for damages to property and protection of not less than \$100,000 for protection of injury to the death of one person and of not less than \$300,000 for protection against injury to death of two or

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

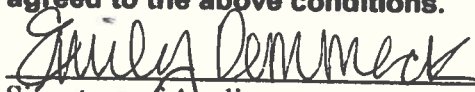
5. For special events, a site plan is attached as required by the Code of the City of Seabrook, Section 4.07. (See attached excerpt.)
6. For parades, a map showing the parade route is attached.

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

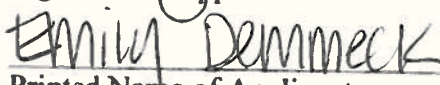
As applicant, I certify that all information contained in this application is true and correct to the best of my knowledge. I state that I am fully authorized to act and contract for any persons, organizations, firms or corporations on whose behalf this application is made. As applicant for the above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

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

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



Signature of Applicant



Printed Name of Applicant



Date Submitted

FOR OFFICE USE ONLY

Reviewed by City Secretary _____ Date _____

If applicable: Fire Marshal notified _____ Building Official Notified _____ City Mgr _____

This application has been reviewed by the Seabrook City Council on _____
and has been APPROVED DENIED.

The following conditions are placed upon this event: _____

Sign Permit CITY OF SEABROOK

Applicant to complete all numbered spaces. Incomplete applications will not be processed

Site Address
1 Route markers and break point mileage signs

Sign Owner Mail Address Zip Phone
2 Will be placed along route to guide cyclists and

Contractor/ Installer Mail Address Zip Phone
3 Warn cars; The signs are white cone step stake

Type of Sign
4 Signs; Mounting height: 30"; thickness: 1/4";

Describe purpose of sign (ie. election, special event, etc.)
5 Sign dimensions: 12x18

Project Value Approved by

Issuance of this permit all allows for on-site inspections during the time of construction until the time of the final inspection.

DESCRIPTION OF SIGN			
Total Height		TYPE OF LIGHTING	
Total square feet of faces of one face:		Internal Diffused	☐
Total square feet of all faces:		Indirect	☐
Minimum clearance beneath sign:		Neon	☐
TYPE OF SIGN (please check all that apply)		Directly Lighted	☐
Freestanding	☐	MATERIALS	
Roof mounted	☐	Foundation:	☐
Building mounted	☐	Sign Board:	☐
Shopping Center ID sign	☐	Support Structure:	☐
Permanent	☐	Face Material	☐
Temporary	☐	* Signs in right-of-ways and easements are prohibited and will be removed at the owner's expense *	
Conventional	☐		
Spectacular	☐		

* Please attach drawings of sign specifications for permanent signs *

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of the laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of this permit does not presume to give authority to violate or cancel the provisions of any state or local law regulating construction or performance of construction.

Signature of contractor or Authorized Agent

Date

Signature of Owner (if owner is builder)

Date

**CITY OF SEABROOK
COMMUNITY DEVELOPMENT DEPARTMENT
1700 FIRST STREET
SEABROOK, TEXAS 77586
PHONE #: (281) 291-5669 FAX #: (281) 291-5690**

PLEASE LIST LOCATIONS OF ALL TEMPORARY SIGNS

1. Along route through Seabrook
2. and in front of Baybrook
3. Park on Toddville Road
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/22/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HUB International Insurance Services 10777 Westheimer, Suite 300 Houston TX 77042-3454	CONTACT NAME: PHONE (A/C, No. Ext.): (713) 978-6668 FAX (A/C, No.): (713) 978-6799 E-MAIL: houston.service@hubinternational.com ADDRESS: INSURER(S) AFFORDING COVERAGE: NAIC # INSURER A: Philadelphia Indemnity Insuran 18058 INSURER B: General Insurance Co. of Ameri 24732 INSURER C: Texas Mutual Insurance Co. 22945 INSURER D: INSURER E: INSURER F:
---	---

INSURED Galveston Bay Foundation, Inc. 17330 Hwy 3 Webster TX 77598	(281) 332-3381
---	----------------

COVERAGES

CERTIFICATE NUMBER: Cert ID 48155

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADBL SUBR INSD WVO	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR	N Y	PHPK1122871	1/23/2014	1/23/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (EA OCCURRENCE) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 OTHER \$
GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER						
B	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS	Y Y	24BA0047514	1/23/2014	1/23/2015	COMBINED SINGLE LIMIT (EA accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ OTHER \$
	☐ UMBRELLA LIAB ☐ EXCESS LIAB ☐ DED ☐ RETENTION \$	☐ OCCUR ☐ CLAIMS-MADE				EACH OCCURRENCE \$ AGGREGATE \$ OTHER \$
C	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	TSP0001006461	1/23/2014	1/23/2015	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000 OTHER \$

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

The auto liability policy includes a blanket automatic additional insured endorsement or policy terms that provide additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status subject to policy terms and conditions. The general liability and auto policy includes a blanket automatic waiver of subrogation endorsement that provides a waiver of subrogation only when there is a written contract between the named insured and the certificate holder that requires it subject to policy terms and conditions. RE: Bike Around the Bay

CERTIFICATE HOLDER

CANCELLATION

City of Seabrook

1700 First St., Second Floor

Seabrook TX 7758t

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2013 ACORD CORPORATION. All rights reserved.

ACORD 25 (2013/04)

The ACORD name and logo are registered marks of ACORD



September 18, 2014

City of Seabrook
Members of City Council
1700 First Street
Seabrook, TX 77586

Dear Members of City Council:

We would like to request the \$50.00 permit fee be waived in regards to our special events application. The Galveston Bay Foundation's Bike Around the Bay event will ride through the City of Seabrook on Sunday, October 19.

The Galveston Bay Foundation is a 501 (c)(3) non-profit founded in 1987 to preserve, protect, and enhance Galveston Bay. Its balanced programs in advocacy, conservation, education, and research strive to ensure that Galveston Bay remains a beautiful and productive place for generations to come.

We thank you for valuing our efforts to preserve, protect, and enhance Galveston Bay, and our request that the permit fee be waived. We are all beneficiaries of a healthy Bay system.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bob Stokes", is written over a light blue horizontal line.

Bob Stokes
President, Galveston Bay Foundation

Encl: Tax Exemption Certification

TEXAS SALES AND USE TAX EXEMPTION CERTIFICATION

Name of purchaser, firm or agency Galveston Bay Foundation	
Address (Street & number, P.O. Box or Route number) 17330 Highway 3	Phone (Area code and number) 281-332-3381
City, State, ZIP code Webster, Texas 77598	

I, the purchaser named above, claim an exemption from payment of sales and use taxes (for the purchase of taxable items described below or on the attached order or invoice) from:

Seller: _____

Street address: _____ City, State, ZIP code: _____

Description of items to be purchased or on the attached order or invoice:

Purchaser claims this exemption for the following reason:

Non-Profit Organization - 501(c)(3)

Taxpayer ID # 76-0279876

I understand that I will be liable for payment of all state and local sales or use taxes which may become due for failure to comply with the provisions of the Tax Code and/or all applicable law.

I understand that it is a criminal offense to give an exemption certificate to the seller for taxable items that I know, at the time of purchase, will be used in a manner other than that expressed in this certificate, and depending on the amount of tax evaded, the offense may range from a Class C misdemeanor to a felony of the second degree.

sign here Purchaser <i>Guity Demmeck</i>	Title <i>BIKE AROUND THE BAY COORDINATOR</i>	Date <i>09/19/2014</i>
--	---	---------------------------

NOTE: This certificate cannot be issued for the purchase, lease, or rental of a motor vehicle.

THIS CERTIFICATE DOES NOT REQUIRE A NUMBER TO BE VALID.

Sales and Use Tax "Exemption Numbers" or "Tax Exempt" Numbers do not exist.

This certificate should be furnished to the supplier. Do not send the completed certificate to the Comptroller of Public Accounts.

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

Revised 01/12

Date of Application: 9/11/2014 Name of Applicant: Catherine Kellner

Full Address of Applicant: P. O. Box 101, Orchard, TX 77464

Day Time Phone: _____ Night time phone () _____

e-mail address: _____

Name of Organization Firm or Corporation on whose behalf this application is made:
Houston Happy Hikers

Address of Organization (if different from above): _____

City _____ State _____ Zip Code _____

Phone Number of Organization (if different from above): () _____

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

Requested Date(s) and Times of the Event:
November 15, 2014 from 8:30am until 3pm

Location of the Event: Miramar Park and trails of Seabrook

Will any portion of this event be held on city property? If so, where?
Miramar Park will be the start point, walk will occur on the trails to the bay. Houston Happy Hikers will use one picnic table for everyone to sign the registration cards, and give walk directions

Note: If you will hold the event in a city park or facility, you must also complete an additional application to use city facilities.

Give a brief description of the event: Walk for physical health and enjoyment, 5 K or 10 K walk

Estimated No. of Workers 6 Estimated No. of Attendees 50 to 75

Will the event be held in a parking area? No If so, how many parking spaces will be temporarily lost? _____

How many parking spaces are you providing for the event? Usually park in front of Miramar and adjoining parking lot

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

Will admission be charged for this event? No

Special Events Application
Revised 01/12
Page 3

4. _____ If event is a parade a deposit fee of _____ is included. Deposits are not waived.
5. ☐ Yes A certificate of insurance, naming the City of Seabrook as certificate holder. This insurance provides protection of not less than \$100,000 against liability for damages to property and protection of not less than \$100,000 for protection of injury to the death of one person and of not less than \$300,000 for protection against injury to death of two or more persons in a single accident or occurrence. (A sample certificate of insurance is enclosed.)
6. ☐ Yes For special events, a site plan is attached as required by the Code of the City of Seabrook, Section 4.07. (See attached excerpt.)
7. _____ For parades, a map showing the parade route is attached.

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

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

I understand that if I am applying to use a city park, community house or other city facility to hold this event, additional applications and fees will be required. I also understand that all required applications, accompanying documents and fees must be submitted to the City Secretary's Office at least 30 days prior to the date of the event, and that the event may not be held without approval of the Seabrook City Council. I have read and have agreed to the above conditions

Catherine Kellner

Catherine Kellner

Signature of Applicant

Catherine Kellner

Catherine Kellner

9/14/2014

Printed Name of Applicant

Date Submitted

FOR OFFICE USE ONLY

Reviewed by City Secretary

Date

If applicable: Fire Marshal notified _____ Building Official Notified _____ City Mgr _____

This application has been reviewed by the Seabrook City Council on _____
and has been APPROVED DENIED

The following conditions are placed upon this event: _____

Special Events Application
Revised 01/12
Page 2

Do you want to display temporary signs or banners to advertise this event?

We would like to mark the trail as we have
done for the last 10 or so years

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

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

Proposed Route (Attach Map): _____

Estimated number and kind of animals to be used: _____

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

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

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

Bryan Brand
Print name

9-16-14
Date Approved

Police Department Representative

[Signature]
Signature
Police Department Representative

Comments: _____

I have enclosed the following items as part of my application and have initialed each relevant item:

_____ completed applications form including approval by the Seabrook Police Department.

_____ If the event is to be held on city property, an additional application for the use of city facilities.

☐ Permit fee in the amount of \$ 50.00. (Non-profit organizations may substitute a letter of request to the City Council requesting a waiver of the permit fee.)

P. O. Box 101
Orchard, TX 77464
September 14, 2014

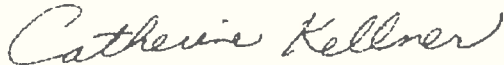
City Council
City of Seabrook
Seabrook, TX

Dear Council,

Houston Happy Hikers is a walking group planning to come to Seabrook on November 15, for a walk starting at Miramar Park at 1900 N. Meyer Rd. We will use one picnic table to register the walkers. An estimation of approximately 50-75 walkers may attend. The walking route and insurance information is attached.

Houston Happy Hikers is a non-profit group and we request a waiver for the \$50 fee. We have been coming to Seabrook for many years and enjoy the trails of Seabrook. In the past, we have worked with the Tourism committee.

Thanks,



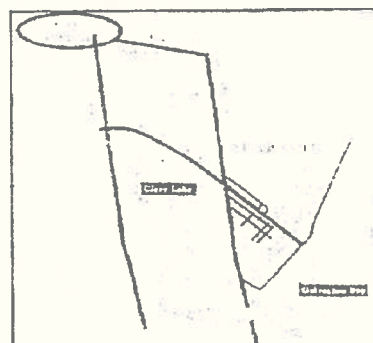
Catherine Kellner
President Houston Happy Hikers
P. O. Box 101
Orchard, TX 77464



HOUSTON HAPPY HIKERS

Saturday - November 15, 2014

Miramar Park
10km/5km Walk
SW14/100724



SPONSOR: Houston Happy Hikers (AVA-15/1X-6)

ELIGIBILITY/TYPE OF EVENT: Noncompetitive. Walk, jog or run at your own pace. It is open to all, and families are encouraged to participate. Children under age 12 must be accompanied by an adult. Everyone participating **MUST** register and carry a Start Card and turn it in at the FINISH. This event normally will be held regardless of weather conditions.

STARTING POINT: Miramar Park and Pool Pavilion.

STARTING POINT ADDRESS: 1900 N. Meyer Rd., Seabrook, Texas 77586

DIRECTIONS:

From Houston or Galveston: Take the NASA Rd 1 exit from I-45 South. Go East on NASA Rd 1 for 7.8 miles. Cross Highway 146 (Bayport Blvd.). NASA Rd 1 turns into Second Street. Continue down Second Street to STOP sign at N. Meyer Rd., turn left, continue approx. .07 miles to Miramar Pavilion, 1900 N. Meyer Rd., turn right at Hammer St. and park in parking lot on the right.

START/FINISH TIMES: Start anytime between 9:00 am and 12:00 pm, finish by 3:00 pm.

DISTANCE: 10 km/5 km (6.2mi/3.1mi). The route may be walked twice on the same Start Card

AWARD: IVV credit event

TRAIL DESCRIPTION: Trail is rated 1A along mostly wheel chair- and stroller-accessible trails. Some portions of the hike and bike trails through the city parks are limestone or mulched surfaces and may not be suitable for all users. Pets on leashes are permitted.

REFRESHMENTS: Water will be available at the Start/Finish and at the checkpoints.

REGISTRATION & FEES: No pre registration. IVV credit is \$3.00. IVV record books will be available for \$6.00. Everyone is welcome. An adult must accompany children under 12. You may walk for free; however, donations are appreciated. Event takes place rain or shine. No refunds for failure to participate.

DISCLAIMER: The City of Seabrook and the Houston Happy Hikers are not responsible for accidents, theft or damages. Reasonable effort has been made to make this event safe and enjoyable.

INFORMATION: Either email to hkhpresident@houstonhappyhikers.com or call Catherine Kellner @ 979-478-6203.
Club Web Site: www.houstonhappyhikers.com.

We will be enjoying the sights and sounds of Seabrook, located along Galveston Bay in the southeastern corner of Harris County, as we stroll through the City of Seabrook's hike and bike trails. The trail will feature several of the City's parks, some of which are featured on the Upper Coast portion of the Texas Parks and Wildlife's Great Texas Coastal Birding Trail, so those of you that are bird and wildlife viewers, don't forget your binoculars!



Seabrook 10K Walk

From the check-in point at the Pavilion at Miramar Park
Turn right onto trail next to Pavilion walk toward Seabrook Disc Golf Park.
Right on path into Seabrook Disc Golf Park
Follow trail around the back of the park and through the middle with hills on right side

At end of trail, turn right
Take another right into another section of the park
Cross bridge
Turn left
Follow the trail to Hammer St
Turn left on trail
Return on footpath to entrance of Seabrook Disc Golf Park sign

Cross over bridge take a right across Hammer St.
Continue on the trail (Restrooms are available around the first curve to the left.)
Follow the trail to Hester Gully (not named here) and turn RIGHT. Continue along the Gully, ignoring the wooden bridge on your left. Continue forward to Todville Rd.

LEFT on Todville Rd. and continue on the footpath past Hester Garden Park. Continue past Baybrook Park (restrooms here), crossing several streets to Red Bluff. Cross Red Bluff to the Gazebo in Robinson Park. Continue to follow the footpath on the right of the Bayou.

Follow the trail to Todville Rd.
Make a U-Turn
Return towards the Gazebo. There is a bridge you may cross to the opposite side of the Bayou to return to the Gazebo. It gives a different view of the Bayou.

CROSS Red Bluff Rd. and return along the path along Todville Rd. to Hester Garden Park. (This is right before the bridge and the small parking lot. Look for the **brown iron gate** and go RIGHT into the park.)

Follow the footpath through Hester Park. Watch for the low hanging tree and just past that STAY TO THE LEFT to Hester Gully. (There is a path to the right just after the low-hanging tree – do not take this path.)

RIGHT along Hester Gully to N. Meyer.

LEFT at N. Meyer to the other side of Hester Gully.

LEFT along the opposite side of Hester Gully to the first path intersecting from the RIGHT.

RIGHT on this intersecting path and continue behind Meador Library. Follow the path to the corner of N. Meyer and Hammer. CROSS Hammer to the Pavilion (start point) in Miramar Park.



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
8/27/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Frazier Insurance Agency, Inc. P O Box 1250 Midlothian, VA 23113-1250	CONTACT NAME Frazier Insurance Agency, Inc. PHONE (A/C, No, Ext) (804) 754-7610 FAX (A/C, No) (804) 754-7613 E-MAIL ADDRESS ifrazier@frazierinsurance.com INSURER(S) AFFORD NO COVERAGE NAIC # INSURER A: United States Fire Insurance Company 21113 INSURER B: United States Fire Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Sports & Recreation Providers Assn. Risk Management, Inc. American Volkssport Association, Inc. 1001 Pat Booker Road, Suite 101 Universal City, TX 78148	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSURANCE	TYPE OF INSURANCE	ADDITIONAL INSURER	SUBROGATION	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			SRPGP-101-0413	01/01/2014	01/01/2015 12:01 AM	GENERAL AGGREGATE \$ 2,000,000.00
	☒ COMMERCIAL GENERAL LIABILITY						PRODUCTS - COMP/OP AGG \$ 2,000,000.00
	☐ CLAIMS-MADE ☒ OCCUR						PERSONAL & ADV INJURY \$ 1,000,000.00
	☒ INCLUDES ATHLETIC PARTICIPANTS						EACH OCCURRENCE \$ 1,000,000.00
	GEN'L AGGREGATE LIMIT APPLIES PER:						FIRE DAMAGE (Any one fire) \$ 300,000.00
	☒ POLICY ☐ PROJECT ☐ LOC						MED EXP (Any one person) \$ 5,000.00
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Per accident) \$
	ANY AUTO						BODILY INJURY (Per person) \$
	ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	THIRD AUTO						PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIABILITY						EACH OCCURRENCE \$
	EXCESS LIABILITY						AGGREGATE \$
B	Accident/Medical			US164945	01/01/2014	01/01/2015 12:01AM	MAXIMUM MEDICAL BENEFIT \$ 10,000.00
							ADSD \$ 2,500.00
							Per Claim

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule if more spaces required)
POLICY DEDUCTIBLE \$0.00 PER EACH BODILY INJURY OR PROPERTY DAMAGE CLAIM.

Event: Walk Location: Seabrook, TX Date: 11/15/14 Club: Houston Happy Hikers

Certificate Holder is An Additional Insured, But Only As Respects The Operations Of The Named Insured.

CERTIFICATE HOLDER City of Seabrook 1900 N. Meyer Seabrook, TX 77586	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS AUTHORIZED REPRESENTATIVE <i>John W. Frazier</i>
--	---

Seabrook 5K Walk

From the check-in point at the Pavilion at Miramar Park, exit toward Hammer, turning left on the gravel path before the wooden fence. Walk to the intersection of Hammer & N. Meyer. Carefully cross Hammer to the gravel footpath. Take a RIGHT on the path. (Restrooms are available around the first curve to the left.) Follow the footpath to Hester Gully (not named here) and turn RIGHT. Continue along the Gully, ignoring the wooden bridge on your left. Continue forward to Todville Rd.

LEFT on Todville Rd. and continue on the path past Hester Garden Park. Continue past Baybrook Park (restrooms here), crossing several streets to Red Bluff. Cross Red Bluff Rd. to the Gazebo in Robinson Park.

TURN AROUND and return the way you came, as follows:

CROSS Red Bluff Rd. and return along Todville Rd. footpath to Hester Garden Park. This is just before the bridge and the small parking lot. Look for the **brown iron gate** and go RIGHT into the park.

Follow the trail through Hester Park. Watch out for the low hanging tree and past that STAY TO THE LEFT to Hester Gully. (There is a path to the right just after the low-hanging tree – do not take this path.)

RIGHT along Hester Gully to N. Meyer.

LEFT at N. Meyer to the other side of Hester Gully.

LEFT along the opposite side of Hester Gully to the first trail intersecting from the RIGHT.

RIGHT on this intersecting trail and continue behind Meador Library following the trail. When you reach the corner of N. Meyer and Hammer, cross Hammer to the Pavilion (start point) in Miramar Park.

Revised 01/12

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

Date of Application: 9/11/14 Name of Applicant: ART CONSORTIUM OF TGC

Full Address of Applicant: 1509 1/2 2nd ST. SEABROOK, TX 77586

Day Time Phone 281 907-3140 Night time phone 281 907-3140

e-mail address: info@artconsortium.org

Name of Organization, Firm or Corporation on whose behalf this application is made:
ART CONSORTIUM OF THE TEXAS GULF COAST

Address of Organization (if different from above): _____

City _____ State _____ Zip Code _____

Phone Number of Organization (if different from above): () _____

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

Requested Date(s) and Times of the Event:
OCTOBER 25 - 10-3pm, OCTOBER 26 10-3pm

Location of the Event: 1214 ANDERS @ 1ST STREETS

Will any portion of this event be held on city property? If so, where?
YES - CITY HALL & COMMUNITY HOUSE

Note: If you will hold the event in a city park or facility, you must also complete an additional application to use city facilities.

Give a brief description of the event: _____

ART FESTIVAL

Estimated No. of Workers 2 Estimated No. of Attendees 500

Will the event be held in a parking area? YES If so, how many parking spaces will be temporarily lost? _____

How many parking spaces are you providing for the event? _____

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

Will admission be charged for this event? NO

Special Events Application
Revised 01/12
Page 2

Do you want to display temporary signs or banners to advertise this event? YES

Number of signs for this event 1 Complete the sign permit application attached to the packet. Please note that signs may only be displayed on private property, with the property owners' permission and with a city permit. Signs are not permitted in any street rights-of-way.

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

Proposed Route (Attach Map): _____

Estimated number and kind of animals to be used: _____

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

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

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

SEAN WRIGHT
Print name
Police Department Representative

9-30-14
Date Approved

Sean Wright
Signature
Police Department Representative

Comments: 1 officer Needed TO MAW Closed
Street. CASH EACH DAY AT START of ROAD
CONTACT Lt. BRAND 281-2411-5110 Closed.

I have enclosed the following items as part of my application and have initialed each relevant item:

1. completed applications form including approval by the Seabrook Police Department.
2. ✓ If the event is to be held on city property, an additional application for the use of city facilities.
3. ✓ Permit fee in the amount of \$ 50.00. (Non-profit organizations may substitute a letter of request to the City Council requesting a waiver of the permit fee.

Special Events Application
Revised 01/12
Page 3

4. N/A If event is a parade a deposit fee of _____ is included. Deposits are not waived.
5. ✓ A certificate of insurance, naming the City of Seabrook as certificate holder. This insurance provides protection of not less than \$100,000 against liability for damages to property and protection of not less than \$100,000 for protection of injury to the death of one person and of not less than \$300,000 for protection against injury to death of two or more persons in a single accident or occurrence. (A sample certificate of insurance is enclosed.)
6. ✓ For special events, a site plan is attached as required by the Code of the City of Seabrook, Section 4.07. (See attached excerpt.)
7. N/A For parades, a map showing the parade route is attached.

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

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

I understand that if I am applying to use a city park, community house or other city facility to hold this event, additional applications and fees will be required. I also understand that all required applications, accompanying documents and fees must be submitted to the City Secretary's Office at least 30 days prior to the date of the event, and that the event may not be held without approval of the Seabrook City Council. I have read and have agreed to the above conditions.

Rebecca Collins
Signature of Applicant

Rebecca Collins
Printed Name of Applicant

9/26/14
Date Submitted

FOR OFFICE USE ONLY

Reviewed by City Secretary _____ Date _____

If applicable: Fire Marshal notified _____ Building Official Notified _____ City Mgr _____

This application has been reviewed by the Seabrook City Council on _____
and has been APPROVED DENIED.

The following conditions are placed upon this event: _____

Sign Permit CITY OF SEABROOK

Applicant to complete all numbered spaces. Incomplete applications will not be processed.

Site Address			
1 NASA RD 1			
Sign Owner	Mail Address	Zip	Phone
2			
Contractor/ Installer	Mail Address	Zip	Phone
3			
Type of Sign			
4 BANNER			
Describe purpose of sign (ie. election, special event, etc.)			
5 ADVERTISE FESTIVAL			
Project Value		Approved by	

Issuance of this permit all allows for on-site inspections during the time of construction until the time of the final inspection.

DESCRIPTION OF SIGN

Total Height		TYPE OF LIGHTING	
Total square feet of faces of one face:		Internal Diffused	☐
Total square feet of all faces:		Indirect	☐
Minimum clearance beneath sign:		Neon	☐
TYPE OF SIGN (please check all that apply)		Directly Lighted	☐
Freestanding	☐	MATERIALS	
Roof mounted	☐	Foundation:	☐
Building mounted	☐	Sign Board:	☐
Shopping Center ID sign	☐	Support Structure:	☐
Permanent	☐	Face Material	☐
Temporary	☐	* Signs in right-of-ways and easements are prohibited and will be removed at the owner's expense *	
Conventional	☐		
Spectacular	☐		

* Please attach drawings of sign specifications for permanent signs *

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of the laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of this permit does not presume to give authority to violate or cancel the provisions of any state or local law regulating construction or performance of construction.

Signature of contractor or Authorized Agent

Date

Signature of Owner (if owner is builder)

Date





1509 ½ 2nd St. • Seabrook, Texas 77586

To: Honorable Mayor and City Council Members
From: Rebecca Collins – President of the Art Consortium of the Texas Gulf Coast
Date: September 22, 2014
Subject: Request for waiver of Special Event Permit fees for the 3rd Annual Seabrook Festival of the Arts Street Closure.

Mayor and City Council,

As President and organizer of the 3rd Annual Seabrook Festival of the Arts, I am requesting that a waiver of the Special Events Permit fee be waived for this year's event.

The Seabrook Festival of the Arts would like to once again hold this year's event on the grounds of Seabrook City Hall and Seabrook Community House.

I am also requesting that our organization be permitted to close 1st Street between Anders and Cook Streets on Saturday, October 25th between 10a.m. and 4p.m and Sunday, October 26th between 10a.m. and 3p.m. only.

Your consideration and support are greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads "Rebecca Collins". The signature is written in a cursive style with a large, looped "R" and a trailing flourish.

Rebecca Collins

President

Art Consortium of the Texas Gulf Coast



1509 ½ 2nd St. • Seabrook, Texas 77586

To: Gayle Cook – City Manager
From: Rebecca Collins – President of the Art Consortium of the Texas Gulf Coast
Date: September 22, 2014
Subject: Request for waiver of deposit for Community House

Ms. Cook,

As President and organizer of the 3rd Annual Seabrook Festival of the Arts, I am requesting that a waiver of the deposit fee on Community House be waived for this year's event.

The Seabrook Festival of the Arts would like to once again hold this year's event on the grounds of Seabrook City Hall and Seabrook Community House on Saturday, October 25th between 10a.m. and 4p.m and Sunday, October 26th between 10a.m. and 3p.m. only.

Your consideration and support are greatly appreciated.

Sincerely,

Rebecca Collins

President

Art Consortium of the Texas Gulf Coast

Commercial Certificate of Insurance


FARMERS

Agency
Name • JACK W ROSS II
& • 1509 SECOND ST
Address • SEABROOK, TX 77586

Issue Date (MM/DD/YY) 09/22/14

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies shown below.

St. 19 Dist. 54 Agent 372

Companies Providing Coverage:

Insured
Name • ART CONSORTIUM OF TEXAS GULF
& • 1509 1/2 SECOND ST
Address • SEABROOK, TX 77586

Company A Truck Insurance Exchange
Letter
Company B Farmers Insurance Exchange
Letter
Company C Mid-Century Insurance Company
Letter
Company D

Coverages

This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims.

Co. Ltr.	Type of Insurance	Policy Number	Policy Effective Date (MM/DD/YY)	Policy Expiration Date (MM/DD/YY)	Policy Limits	
B	General Liability	605126388	06/26/14	06/26/15	General Aggregate	\$ 2,000,000
	Commercial General Liability				Products-Comp/OPS Aggregate	\$ 2,000,000
	- Occurrence Version				Personal & Advertising Injury	\$ 1,000,000
	Contractual - Incidental Only				Each Occurrence	\$ 1,000,000
	Owners & Contractors Prot.				Fire Damage (Any one fire)	\$ 1,000,000
					Medical Expense (Any one person)	\$ 5,000
	Automobile Liability				Combined Single Limit	\$
	All Owned Commercial Autos				Bodily Injury (Per person)	\$
	Scheduled Autos				Bodily Injury (Per accident)	\$
	Hired Autos				Property Damage	\$
	Non-Owned Autos				Garage Aggregate	\$
	Garage Liability					
	Umbrella Liability				Limit	\$
	Workers' Compensation and Employers' Liability				Statutory	
					Each Accident	\$
					Disease - Each Employee	\$
					Disease - Policy Limit	\$

Description of Operations/Vehicles/Restrictions/Special items:

ART SCHOOL INCLUDED PROD AND/OR COMP OPS

Certificate Holder

Name • City of Seabrook
& • 1700 First Street
Address • Seabrook, Texas 77586

Cancellation

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative

Rev. 05/14

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

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

- ✍ You have been a resident of Seabrook for at least six months prior to the date of appointment.
(One year for appointment to the P&Z Commission and Board of Adjustment.)
- ✍ You are a qualified City of Seabrook voter at the time of appointment. Certification # 67914762
- ✍ You have no felony conviction for which you have not been pardoned.
- ✍ You are not an adversary party to pending litigation against the City.
- ✍ You are not in arrears on any city taxes, water service charges or other obligations owed the City.

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

Board of Adjustment/Building Standards _____ Charter Review Commission _____
Civil Service Commission _____ Comprehensive Master Plan Review Commission _____
EDC X Ethics Review Commission _____ Open Space & Trails Commission _____
P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Greg Businelle

HOME ADDRESS: 3921 Breezeway Ct

HOME PHONE

CELL PHONE: _____

E-MAIL ADDRESS

DAY TIME PHONE

PROFESSION: Software / Technology business owner

BUSINESS NAME AND ADDRESS: Businelle Company, LLC – 12 Greenway Plaza Suite 1100 – Houston, TX 77046

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
------	---------	-----------------

Scott Reynolds – 3918 Breezeway - Seabrook, TX 77586		
--	--	--

Larry Lain - 3131 CR 536A - Alvin TX 77511		
--	--	--

How long have you lived in the City of Seabrook? ~3 years

Name of Applicant Greg Businelle

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

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

- No

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

- Degrees in Computer Science, Marketing, and an MBA w/an Entrepreneur concentration
- Started and still running 2 companies – Software and real estate
- Experience running and growing a \$MM P&L; ~200 staff

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

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

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

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

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

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



Signature

September 22, 2014
Date

This application will remain on file for one year.

OFFICE USE ONLY

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

Comments: _____

Rev. 05/14

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

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

- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 16768400
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

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

Board of Adjustment/Building Standards _____ Charter Review Commission _____
Civil Service Commission _____ Comprehensive Master Plan Review Commission _____
EDC 1 Ethics Review Commission _____ Open Space & Trails Commission _____
P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: DAN L. DEVENS
HOME ADDRESS: 2605 Orleans Drive, Seabrook, TX 77586-3380
HOME PHONE: 281 _____ CELL PHONE: _____
E-MAIL ADDRESS: _____
DAY TIME PHONE: _____
PROFESSION: Financial Advisor - Independent
BUSINESS NAME AND ADDRESS: Waddell & Reed
711 West Bay Area Blvd., Webster, TX 77578

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
Bevin Hartnett,	711 West Bay Area Blvd., Webster, TX	
Larry Griswold,	4438 Burdett Str., Santa Fe, TX 77511	
Daniel A Bland,	3402 Queensburg Lane, Friendswood, TX 77546	
How long have you lived in the City of Seabrook?	Sept. 1997	17 yrs.

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

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

- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 72870884
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

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

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

Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____ Public Safety _____ Other _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: TIM LONG

HOME ADDRESS: 3110 Sea Channel Dr.

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: Stay-at-home father

BUSINESS NAME AND ADDRESS: _____

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
------	---------	-----------------

<u>Diane Brett</u>	<u>Dallas, TX</u>	
--------------------	-------------------	--

<u>Matt McIntire</u>	<u>Norman, OK</u>	
----------------------	-------------------	--

How long have you lived in the City of Seabrook? 1 yr.

N/A

N/A

CPA, MS - Accounting, BA - Economics

Boy Scouts of America, PTH

Signature Tim Hong

Date 7/23/2014

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

This application will remain on file for one year.

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

Date Appointed: _____

Rev. 05/14

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

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

- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 22462138
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

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

Board of Adjustment/Building Standards _____ Charter Review Commission _____

Civil Service Commission _____ Comprehensive Master Plan Review Commission _____

EDC ☒ Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Brenda Veselany

HOME ADDRESS: 2422 Blue Canoe Ct Seabrook TX 77586

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: Real Estate Broker

BUSINESS NAME AND ADDRESS: Home Transformed
same

PERSONAL REFERENCES:

Name Address Daytime Phone #

Donna Rooney _____

James Blalack _____

How long have you lived in the City of Seabrook? property owners since 2011;
built our home and moved in Jan 2014

Name of Applicant

Brenda Veselny

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

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

no

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

shopping center / mall manager 12+ years

Active Texas Brokers License since 1998

Certified Property Manager designation for IREM (CPM)

Certified Shopping Centre Manager designation from ICSC

Member HAR, TAR, NAR

(CSM)

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

former member of Windsor HOA Board

former member of Houston Police Dept Citizen Advisory Board
understand that applicants for board positions will be interviewed by City Council during a Council Board

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

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

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

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

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

Signature _____

Date _____

Return to:

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

This application will remain on file for one year.

OFFICE USE ONLY

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

Comments:

SEE ATTACHMENT 2

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
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.	Resurfacing should start by 11/14
23	OPEN/IN WORK	12/3/2013			Mayor/ City Mgr.			5.1	Provide periodic updates on TxDOT's progress to improve/widen SH 146.	Town Meeting held in July 2014
29	OPEN/IN WORK	9/16/2014			Staff			6.1	Provide updates on resurfacing of Todville	



October 2014

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 TML Houston	2 TML Houston Open Space 5 p.m.	3 TML Houston	4
5	6	7 Council	8 Civil Service 6PM	9 EDC cancelled	10	11
12	13 Charter Review 6:30PM	14	15	16 P&Z HCMCA	17	18
19 Bike Around the Bay	20	21 Council	22	23	24	25 Seabrook Arts Festival Shrimporee
26 Seabrook Arts Festival	27 Charter Review 6:30PM	28	29	30	31	

November 2014

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 Master Plan Review 6 p.m.	4 ELECTION DAY 7 a.m.—7 p.m. Council p.m.	5	6 Open Space 5 p.m. EDC 7 p.m. tentative P&Z 7 p.m.	7	8
9	10 Charter Review 7 p.m.	11	12	13 Economic Alliance Banquet 6 p.m.	14	15 Happy Hikers
16	17	18 Council 7 p.m.	19	20	21	22
23	24 Charter Review 7 p.m. tentative	25	26	27 Thanksgiving Holiday	28 Thanksgiving Holiday	29
30						