The City Council of the City of Seabrook met in regular session on Tuesday, April 17, 2012 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
KIM MORRELL (arrived late)	COUNCIL PLACE NO. 1
MIKE GIANGROSSO	COUNCIL PLACE NO. 2
PAUL R. DUNPHEY(exc. abs.)	MAYOR PRO TEM & COUNCIL PLACE NO. 3
DON HOLBROOK	COUNCIL PLACE NO. 4
THOM KOLPSKI	COUNCIL PLACE NO. 5
LAURA DAVIS	COUNCIL PLACE NO. 6
STEVE WEATHERED	CITY ATTORNEY
KELLY TEMPLIN	CITY MANAGER
MEREDITH BRANT	ASSISTANT CITY SECRETARY

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

1.0 PRESENTATIONS

1.1 Quarterly report of the Open Space, Preservation and Beautification Committee given by Chair Helen Burton. (OSC)

Helen Burton gave a report of activities for the last quarter.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

Terri Sones, William Gann and Charles King, residents of Baywood Drive, spoke against the noise coming from the Carothers property during events held there. Mr. Templin and the Police Department were commended for their efforts to rectify the situation.

Bill Griffin and Katherine Watson, residents of Hampton Springs Drive, expressed concerns regarding the traffic problems on Hampton Springs Drive and hope to see traffic control measures taken by the city.

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

Events announced included:

- Gumbo Geaux cook-off on Saturday from 10:00 to 4:00
- CCISD candidate forum tomorrow at the Chamber
- Chamber luncheon
- Ribbon cutting for Repsdorph Road is May 1 at 10:00 a.m.

Comments were made regarding the success of the annual Easter Egg Hunt.

3.0 BID AWARDS

3.1 Consider approval of agreement for financial advisory services between the City and BOSC, Inc. (Lab)

Mayor Royal recused himself and left the dais. Councilor Davis conducted this portion of the meeting.

John Roebuck of BOSC, Inc. spoke regarding the contract.

Finance Director Pam Lab stated that the city has had a personal relationship with Mr. Roebuck and his associates for years and would like to see the city continue that relationship by going with BOSC as the new financial advisory group.

Motion was made by Councilor Giangrosso and seconded by Councilor Holbrook

To approve the contract with BOSC, Inc. for financial advisory services.

Councilor Kolupski asked whether this had actually been advertised and if there were other professionals to consider.

Ms. Lab stated that it had not.

Councilor Giangrosso stated that he was in favor of staying with the personal relationship.

AYES: Davis, Giangrosso, Holbrook.
NAYS: Kolupski.
RECUSED AND NOT VOTING: Royal.

MOTION CARRIED BY MAJORITY VOTE.

Mayor Royal returned to the dais.

4.0 CONSENT AGENDA

Mayor Royal stated that Item 4.3 would be removed from the consent agenda at the request of the owner of KO Sailing and would not be considered at this time.

Councilor Morrell arrived at 7:25.

4.1 Approve amending the EDC contract with TRG Funding to accept the corporate name change to The Riveron Corporation. (EDC)

4.2 Approval and execution by mayor of Professional Service Agreement with the Riveron Corporation to administer the EDA Grant and coordinate with the administration of a CDBG Disaster Program Grant for the Waterfront Drive Project. The Seabrook Economic Development Corporation approved this agreement at its meeting on April 13, 2012. (EDC)

4.3 Approve an advertising contract between the Seabrook Economic Development Corporation (SEDC) and KO Sailing for a period of time not to extend beyond 2014 in an amount not to exceed $20,000. Funds are available from FY 2011-2012 EDC Budget line item 707-5010, Advertising. (EDC) ***NOTE: This item was removed from the agenda as stated above and was not considered.***

4.4 Approve a Seabrook Economic Development Corporation budget amendment to increase funding for the Waterfront Drive Improvement Project, budget line item 707-5617, in an amount not to exceed $900,000. Funds are available in reserves. (EDC)

4.5 Approve Resolution No. 2012-05, "CenterPoint Energy Entex Rate Case Expenses." (Lab)

A RESOLUTION OF THE CITY OF SEABROOK, TEXAS FINDING THAT THE DISALLOWANCE OF THE REASONABLE RATE CASE EXPENSES OF THE GULF COAST COALITION OF CITIES IN CENTERPOINT ENERGY RESOURCES CORP. D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS ("CENTERPOINT'S" OR "COMPANY'S") COST OF SERVICE ADJUSTMENT ("COSA") APPEAL WAS INAPPROPRIATE; FINDING THAT THE CITY'S PRO-RATA SHARE OF THE DENIED EXPENSES SHALL BE PAID TO THE CITY'S ATTORNEYS AND CONSULTANTS; AND FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

4.6 Removed by Councilor Davis for recusal of two members.

4.7 Approve second and final reading of Ordinance No. 2012-10, Standards for High-Rise Development. (P&Z)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 4 "SPECIAL USE REGULATIONS", BY REVISING SECTION 4.08, "STANDARDS FOR HIGH-RISE DEVELOPMENT", SUBSECTION 4.08.03 "HEIGHT PERFORMANCE STANDARDS", PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES

OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

4.8 Approve Building Report for March, 2012. (Landis)

4.9 Removed by Mayor Royal.

4.10 Approve minutes of the regular City Council meeting of April 3, 2012. (Glaser)

Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To approve the consent agenda with the exceptions of Items 4.6 and 4.9.

MOTION CARRIED BY UNANIMOUS CONSENT.

END OF CONSENT AGENDA

4.6 Approve return of bond for Petro Vest, Inc in accordance with Section 60-33, Seabrook Code of Ordinances due to the expiration of 180 days from the date of plugging the well on subject 10.5 acre drill tract at 3401 Bayport Blvd. made the subject of the permit issued by City Council on May 5, 2011. (Petro Vest)

Councilors Davis and Giangrosso recused themselves and left the dais.

Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To approve return of bond for Petro Vest, Inc.

AYES: Holbrook, Kolupski, Morrell, Royal.
NAYS: None.
RECUSED AND NOT VOTING: Davis, Giangrosso.

MOTION CARRIED BY MAJORITY VOTE.

Councilors Davis and Giangrosso returned to their seats.

4.9 Approve Public Safety Report for the month of March, 2012. (Holomon)

Motion was made by Councilor Davis and seconded by Councilor Holbrook

To approve the Public Safety Report for March.

Mayor Royal asked why there had been a decrease in the commercial vehicle count of citations. Chief Nona Holomon stated that it was due to lack of manpower.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.0 NEW BUSINESS

5.1 Consider approval of revised Open Space and Parks Master Plan. (Council)

Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To approve the plan as presented.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.2 Consider first reading of Ordinance No. 2012-11, Amendment to the Ethics Code. (Council)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 2, "ADMINISTRATION, ARTICLE VI, "CODE OF ETHICS, DIVISION 2, "ETHICS REVIEW COMMISSION" BY DELETING MANDATORY TERM LIMITS FOR COMMISSION MEMBERS; ALLOWING A QUORUM OF FOUR (4) MEMBERS TO MEET ON ROUTINE MATTERS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

Motion was made by Councilor Davis and seconded by Councilor Kolupski

To approve first reading of Ordinance No. 2012-11 as written with the reading of the caption serving as the reading of the ordinance.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.3 Consider notice from Houston-Galveston Area Council (H-GAC) on public comment period and meeting regarding the Transportation Improvement Program and Update, including a possible response from City Council. (Royal)

Motion was made by Councilor Kolupski and seconded by Councilor Morrell

To approve a letter of response to be sent by Council.

Mayor Royal stated that there is no mention of the expansion of SH146 through Seabrook or Kemah in either the short-range or long-range plan. The public comment period will allow Council the opportunity to request that this issue be addressed and included in the plan, preferably the short-range plan of 2015-2016. He added that he will be meeting with Representative Morman for further discussion of this matter.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.4 Consider first reading of proposed Ord. No. 2012-12, "Updating General Penal Provisions." (Weathered)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS, CHAPTER 1, "GENERAL PROVISIONS; SECTION 1-15, ENTITLED "GENERAL PENALTY; CONTINUING VIOLATIONS;" UPDATING PENALTIES FOR VIOLATIONS OF CODE; PROVIDING FOR CULPABLE MENTAL STATE, PURSUANT TO SECTION 6.02 OF THE TEXAS PENAL CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND NOTICE; AND PROVIDING PENALTIES IN ACCORDANCE WITH LAW.

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To approve first reading of Ordinance No. 2012-12 as written with the reading of the caption serving as the reading of the ordinance.

Mr. Weathered stated that this is a housekeeping measure to keep up with legislation and to comply with the penal code.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.0 ROUTINE BUSINESS

6.1 Establish future meeting dates and agenda items.

The next council meeting will be May 1 and the following items should be considered at that time:

- Consider the traffic issue on Hampton Springs Dr. Chief Holomon will provide feedback and possible solutions.
- Revision of noise ordinance.
- Consider the validity of the addresses on the Hampton Springs petition.

Upon motion, Mayor Royal adjourned the meeting at 7:47 p.m.

APPROVED THIS 1ST DAY OF MAY, 2012.

Paul R. Dunphey, Mayor Pro Tem

Meredith Brant

Meredith Brant, TMRC
City Secretary