

**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, MAY 1, 2012 - 7:00 PM**

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY MAY 1, 2012 AT 7:00 PM** IN THE SEABROOK CITY HALL COUNCIL CHAMBERS, 1700 FIRST STREET, SEABROOK, TEXAS 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 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.

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

2.0 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 1**

- 2.1 Approve Resolution No. 2012-07, Authorization for Construction of Improvements to the Point - Waterfront Drive ("Waterfront Drive Reconstruction Project") (Weathered)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, SEABROOK, TEXAS, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS FOR "THE POINT" - WATERFRONT DRIVE, ("WATERFRONT DRIVE RECONSTRUCTION PROJECT"); GENERALLY

DESCRIBED AS BEGINNING ON TODVILLE ROAD AT A POINT 330 FEET NORTHEAST OF THE CENTERLINE OF 10TH STREET, ALSO BEING THE SOUTHWESTERN END OF A BRIDGE, SOUTHWESTERLY 630 FEET TO THE END OF TODVILLE AND THE BEGINNING OF WATERFRONT, THEN 1800 FEET TO THE SOUTHEASTERN END OF WATERFRONT DRIVE; DETERMINING THE PUBLIC NECESSITY; AUTHORIZING THE ACQUISITION OF PROPERTY RIGHTS NECESSARY FOR SUCH PROJECT; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER OF THE CITY OF SEABROOK, TEXAS, TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS AND IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, SPECIFICALLY INCLUDING CHAPTER 21 OF THE TEXAS PROPERTY CODE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

ATTACHMENT 2

- 2.2 Approve Res. No. 2012-06, Acceptance of Easements for Waterfront Drive from Alfredo and Teresita Bartolome (Weathered)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DETERMINING THAT EASEMENTS ARE NECESSARY FOR THE "WATERFRONT DRIVE RECONSTRUCTION," PUBLIC IMPROVEMENTS PROJECT; APPROVING THE ACCEPTANCE OF SAID EASEMENTS FROM ALFREDO M. BARTOLOME AND WIFE, TERESITA T. BARTOLOME, PROPERTY OWNERS IN RELATION TO PARCELS 2, 20, 22 AND 30 SITUATED IN THE RITSON MORRIS SURVEY, A-52 HARRIS COUNTY, TEXAS

ATTACHMENT 3

- 2.3 Approve Resolution No. 2012-08, Acceptance of Easements for Waterfront Drive from Golden Seafood, Inc. (Weathered)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DETERMINING THAT EASEMENTS ARE NECESSARY FOR THE "WATERFRONT DRIVE RECONSTRUCTION," PUBLIC IMPROVEMENTS PROJECT; APPROVING THE ACCEPTANCE OF EASEMENTS FROM GOLDEN SEAFOOD, INC., PROPERTY OWNER FOR A PARCEL OF LAND CONTAINING 0.0201 ACRES SITUATED IN THE RITSON MORRIS SURVEY OUT OF AND PART OF LOT 1, BLOCK 1, SEAFOOD FISH MARKET, SECTION 1, HARRIS COUNTY, TEXAS

ATTACHMENT 4

- 2.4 Consider second and final 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

 ATTACHMENT 5

- 2.5 Consider second and final 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.

 ATTACHMENT 6

- 2.6 Approve minutes of the regular City Council meeting of April 17, 2012. (Glaser)
- 2.7 Approve an excused absence for Councilor Paul Dunphey for the meeting of April 17, 2012. (Glaser)
- 2.8 Approve an excused absence for Councilor Mike Giangrosso for the meeting of May 1, 2012. (Glaser)
- 2.9 Approve the reappointment of Carl Kuehnel to the Ethics Review Commission for the remainder of his two-year term expiring October 31, 2013. (Glaser)

END OF CONSENT AGENDA

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

 ATTACHMENT 7

- 3.1 Review and comment on the draft plans for the Seabrook/Bay Area Veteran's Memorial as submitted by Bruce Arunyon. (Royal)
- 3.2 Update on the traffic situation on Hampton Springs Drive. (Holomon)

ATTACHMENT 8

- 3.3 Consider revision of the noise ordinance. (Council)

ATTACHMENT 9

- 3.4 Consider first reading of Ord. No. 2012-13, "Amending the Water Conservation and Drought Contingency Plan." (Padgett)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS AMENDING CHAPTER 95, ARTICLE III, "WATER CONSERVATION" OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS BY ADDING A NEW SECTION TITLED "DROUGHT CONTINGENCY PLAN FOR A WHOLESALE PUBLIC WATER SUPPLIER." AND BY INCORPORATING THE ENTIRE PLAN INTO THE CODE INSTEAD OF BY REFERENCE ONLY.

THIS ORDINANCE PROVIDES A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE RELATING TO FIRE SAFETY AND FIVE HUNDRED DOLLARS (\$500.00) FOR ALL OTHER OFFENSES; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDES FOR SEVERABILITY AND PROVIDES FOR AN EFFECTIVE DATE.

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

ATTACHMENT 10

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

5.0 EXECUTIVE SESSION

The City Council will now hold a closed executive meeting pursuant to the provisions of the open meetings Act, Charter 551, Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in one or more of the following sections: Section 551.071, Consultation with Attorney; Section 551.072, Real Property; Section 551.073, Deliberation Regarding a Prospective Gift; Section 551.074, Personnel Matters; Section 551.076. Security Devices; and Section 551.087, Economic Development.

Section 551.087

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

Section 551.072

- 5.2 Pursuant to Section 551.072 of the Texas Government Code, deliberate the purchase,

exchange, lease or value of real property to avoid detrimental effect on position of City in negotiations with 3rd parties if matter were discussed in open meeting. (Templin)

Section 551.071

5.3 Consult with attorney to receive legal advice on legal matters only associated with above real property agenda item pursuant to Section 551.071 Texas Government Code. (Templin)

6.0 OPEN MEETING

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

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

CERTIFICATE

I certify that this notice was posted on the bulletin board on or before Friday, April 27, 2012 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.



Michele L. Glaser, TRMC
City Secretary

