Amended on June 8, 2012 at 1:00 p.m. See new agenda item 3.1. ny

SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, JUNE 12, 2012 - 7:30 PM

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY JUNE 12, 2012 AT 7:30 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 PRESENTATIONS

1.1 Present awards to outgoing Councilmember, Kim Morrell. (Council)

ATTACHMENT 1

1.2 Presentation about the J-Fest Southwest Regatta. (Applicant - Lakewood Yacht Club)

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

At this time we would like to listen to any member of the audience on any subject matter, whether or not that item is on the agenda. All comments are limited to a maximum of four minutes for each speaker. In accordance with the Open Meetings Act, members may not discuss or take action on any item that has not been posted on the agenda. When your name is called, please come to the podium and state your name and address clearly into the microphone before making your comments. Thank you.

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

3.0 BID AWARDS

ATTACHMENT 2

3.1 Consider/Award Bid Project No. 2012-03, Utility Relocations for Waterfront Drive to low bidder TJ&T Enterprises, Inc. for the total bid price of $678,064.60 as recommended. (Chairez)

4.0 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 3

4.1 Approve Resolution No. 2012-11, "Acceptance of Temporary and Permanent Easements from Kong Hong Le and Ha My Giang , Parcel 25 for the Waterfront Drive Reconstruction Improvements Project." (Templin)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY of SEABROOK, TEXAS, DETERMINING THAT EASEMENTS ARE NECESSARY FOR THE "WATERFRONT DRIVE RECONSTRUCTION PUBLIC IMPROVMENT PROJECT"; APPROVING THE ACCEPTANCE OF SAID EASEMENTS FROM KONG HONG LE AND WIFE, HA MY GIANG, PROPERTY OWNERS IN RELATION TO PARCEL 25, A 0.0230 ACRE TRACT SITUATED IN THE RITSON MORRIS SURVEY, A-52 HARRIS COUNTY, TEXAS, AS MORE PARTICULARILY DESCRIBED HEREIN

ATTACHMENT 4

4.2 Approve Resolution No. 2012-12, "Acceptance of Temporary and Permanent Easements from Ty V. Truong and Sang T. Huynh for the Waterfront Drive Improvement Project. (Templin)

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 TY V. TRUONG AND WIFE, SANG T. HUYNH, PROPERTY OWNERS IN RELATION TO PARCEL 15, A 0.0115 ACRE TRACT SITUATED IN THE RITSON MORRIS SURVEY, A-52 HARRIS COUNTY, TEXAS, AS MORE PARTICULARILY DESCRIBED HEREIN

ATTACHMENT 5

4.3 Approve the return of bonds to Devon Energy Corporation as the gas/oil wells were sold to Legend Natural Gas II, LP. Legend assummed responsibility for these well sites. (Applicant)

ATTACHMENT 6

4.4 Approve the minutes of the special City Council meeting of May 15, 2012. (Glaser)

ATTACHMENT 7

4.5 Approve the minutes of the regular City Council meeting of May 15, 2012. (Glaser)

END OF CONSENT AGENDA

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

ATTACHMENT 8

5.1 Consideration of the use of eminent domain to condemn property rights and request approval of Resolution No. 2012-10, Authorizing acquisition of real property interests to confirm the existence of a public necessity for the City to acquire certain property interests generally identified in Attachment "A" to the Resolution. The first vote of this Resolution applies to all units of property to be condemned. **A roll call vote will be required.** (Weathered)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, SEABROOK, TEXAS, AUTHORIZING THE ACQUISITION OF PROPERTY RIGHTS BY PURCHASE, DONATION, OR EXERCISE OF THE POWER OF EMINENT DOMAIN FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS FOR "THE POINT" – WATERFRONT DRIVE ("WATERFRONT DRIVE RECONSTRUCTION PROJECT" OR "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; 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 BY A RECORD VOTE IS OPEN TO THE PUBIC AS REQUIRED BY LAW.

ATTACHMENT 9

5.2 Consider and discuss a proposal relating to a trafic study of Hampton Springs Drive. (Templin)

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

ATTACHMENT 10

6.1 Discussion and consideration of recommended changes to the existing noise ordinance. (Templin)

7.0

ROUTINE BUSINESS - Council will discuss, consider and if appropriate, take

action on the items listed below.

ATTACHMENT 11

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

ATTACHMENT 12

7.2 Establish future meeting dates and agenda items, including the special City Council meeting on June 19 to discuss the budget process and canvass the June 16, 2012 election, if possible. (Council)

8.0 EXECUTIVE SESSION

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

Section 551.071

8.1 Consult with attorney to receive legal advice on pending legal matters as provided for under Texas Government Code, Section 551.071. (Royal)

Section 551.072

8.2 Deliberate the purchase, exchange, lease, or value of real property, including nonmonetary attributes of property to be purchased, as deliberation in open meeting would have detrimental effect on position of City in negotiations with third parties, all as provided for under Texas Government Code Section 551.072. (Royal)

9.0 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, June 8, 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

ACTION ITEM CHECK LIST STATUS

#	STATUS	DATE ASSIGNED	NEXT REVIEW DATE	PROPOSED CLOSURE DATE	RESPONSIBLE ORGANIZATION	SUPPORT ORGANIZATIONS	City Council RESPONSIBILITY	PLANNING OBJECTIVE #	AGENDA ITEM NUMBER	DESCRIPTION OF ACTION ITEM	STATUS AND DATE
1	OPEN/IN WORK	5/1/2012			Staff				3.3	Noise Ordinance Proposal	On 5/15/12 agenda for consideration.
2	OPEN/IN WORK	5/15/2012			Staff				3.1	Noise Ordinance Amendment	City Mgr and Police Chief to provide additional information for consideration.