The City Council of the City of Seabrook met in regular session on Tuesday, November 03, 2015 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 GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	MAYOR PRO TEM & COUNCIL PLACE NO. 3
MELISSA BOTKIN - Ex. Abs.	COUNCIL PLACE NO. 4
GLENNA ADOVASIO	COUNCIL PLACE NO. 5
O.J. MILLER	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	ASSISTANT CITY MANAGER
STEVE WEATHERED	CITY ATTORNEY
ROBIN HICKS	CITY SECRETARY

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

1.0 INTERVIEW CANDIDATES FOR VARIOUS BOARDS & COMMISSIONS

1.1 Interview candidates for openings on the Board of Adjustment and the Ethics Review Commission. (Council)

Because there was one candidate for each Board position Council chose not to interview candidates. Michele Glaser, former City Secretary, spoke and reminded Council that she started in the Building Department when she was initially hired by the City; therefore, she has knowledge of the processes and procedures involved with bringing cases forward to the Board of Adjustment.

2.0 PRESENTATIONS

2.1 Present a proclamation declaring November 2-6, 2015 as "Municipal Courts Week." (Court)

The Mayor recognized the Municipal Court staff's hard work and dedication to the City and to the citizens of Seabrook. In addition, Robert Richter was recognized for 30 years of service to the City as the City's Prosecutor.

3.0 PUBLIC COMMENTS AND ANNOUNCEMENTS –

Mr. Reed Wilson, 2500 Fannin, Houston, attorney for Pacific Ridge Development, spoke on the company's behalf to reiterate to Council that with the Public Works property exchange there is an opportunity to bring quality establishments to Seabrook. He stated that moving the tank will be necessary because the feedback from retailers has been positive for locating in Seabrook, but they want to be sure that they are seen. Pacific Ridge Development is looking forward to working with City on this project.

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

Councilmember Giangrosso announced several upcoming events: Celebration Seabrook, Share Your Christmas Food Drive, the Thanksgiving holiday, Main Street Christmas Tree Lighting in front of Mohrhusen Park, Breakfast with Santa, and the 2015 Seabrook Volunteer Fire Department Santa Run.

The Mayor asked for an update on Celebration Seabrook, and Gayle Cook, City Manager, gave an update on the festival, stating City staff have put in a lot of hard work with great team effort, especially LeaAnn Dearmen, Director of Communications; Arthur Chairez, Director of Public Works; Kevin Padgett, Assistant Director of Public Works; the entire Public Works and Utilities staff, Chief Sean Wright, Police Chief, and the entire police department staff, along with other Directors and support personnel. There has been great success in securing sponsors with $60,000 committed in support of the festival. Ticket sales were reduced in an effort to entice people to buy early, and tickets will be available at the gate for an increased rate. The festival is receiving lots of hits on social media, so people are definitely talking about the event. One of the biggest comments staff is hearing is that ticket prices for residents are high. Staff will be looking at ticket prices for residents for future events.

4.0 CONSENT AGENDA

4.1 Approve a special events permit request by the Delta Vee Realty Company (Valentine Law Firm) for an office open house event on Saturday, November 14, 2015 from 2:00pm to 6:00pm. There are no pending items. Applicant is requesting permission to close a portion of Anders Avenue from 2:00pm to 6:00pm. (Cook)

4.2 Approve Quarterly Communications and Marketing Report. (Dearman) The report is available in the Office of the City Secretary and will be available at the City Council meeting.

4.3 Appoint Michele Glaser as a regular member to the Board of Adjustment / Building and Standards Commission, to fill a vacant position left by Julia Poston, with a term ending October 31, 2016. (Council)

4.4 Appoint Dr. Francine Kingston as an alternate to the Ethics Review Commission, with a term ending October 31, 2017. (Council)

4.5 Approve an excused absence for Glenna Adovasio, Melissa Botkin, and O.J. Miller for the October 20, 2015 regular City Council meeting. (Hicks)

4.6 Approve the minutes of the October 06, 2015 regular City Council meeting. (Hicks)

4.7 Approve the minutes of the October 20, 2015 regular City Council meeting. (Hicks)

END OF CONSENT AGENDA

Motion was made by Councilmember Johnson and seconded by Councilmember Giangrosso

To approve the Consent Agenda as presented.

MOTION CARRIED BY UNANIMOUS CONSENT

5.0 NEW BUSINESS

5.1 Consider approval of and/or update on the Amended and Restated Ground Lease Agreement and Memorandum of Amended and Restated Ground Lease Agreement with Crown Castle GT Company LLC and authorization to proceed with the drafting of an Ordinance. (Cook)

Gayle Cook, City Manager, announced that staff was hoping to have additional information for Council on the terms of this lease, but at this time, no additional information is available.

Motion was made by Councilmember Giangrosso and seconded by Councilmember Adovasio

To table this item until additional information is available.

MOTION CARRIED BY UNANIMOUS CONSENT

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

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

Gayle Cook, City Manager, stated there is no new information on Highway 146 from the last meeting. A meeting with TXDOT is set for next Tuesday, November 10. The Mayor attended the Transportation Alliance Group Mobility Matters Symposium as a panel speaker for the Highway 146 project.

Strategic Plan – There are no new updates at this time.

Project updates – The timeline on the Fiber Optics project has been confirmed. November 30th is the kickoff date for laying the cables, and the project should be completed in 6 months. The Fire Department will have additional information on the new Fire Truck with build out pictures as it progresses. Hopefully the City Manager will get those pictures soon to share with Council. Final plans have been submitted to the Community Development Department on the Public Works facility. Documentation for bid should be finalized by the end of November. A bid has been secured on the landscaping at the Traffic Circle. Landscaping should begin next week, if there are no further delays due to rainy weather.

Motion was made by Councilmember Miller and seconded by Councilmember Johnson

To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT

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

Council is on its regular meeting schedule of the first and third Tuesdays of every month, and there will be 2 meetings in December. The Mayor asked that an update on Celebration Seabrook be given to Council after the event.

7.0 EXECUTIVE SESSION – 7:21

At 7:21 p.m. Mayor Royal announced that 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 Sections 551.071 and 551.072, Consultation with Attorney.

Item 7.2 would not be discussed as the new business item was tabled until additional information can be obtained.

Section 551.071 and 551.072

7.1 Consult with an attorney regarding legal issues and discuss the purchase, lease, or exchange of real property in closed session due to potential detrimental effect on City in negotiations with third party if conducted in open session, as provided by Sections 551.071 and 551.072 of the Texas Government Code. (Cook)

Section 551.071

7.2 Pursuant to Section 551.071, Texas Government Code, consult with an attorney to receive legal advice regarding legal issues related to proposed lease with Crown Castle. (Cook)

8.0 OPEN MEETING – reconvene 8:10

At 8:10 p.m. Mayor Royal reconvened the meeting in open session and stated that item 7.1 had been discussed, but that no action had been taken in executive session.

8.1 Consider approval of proposed Resolution 2015-31, "Authorization for land exchange of the current City Public Works property for the exchange of property offered by Pacific Ridge Development Company, LLC in sealed bid proposal". (Cook)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK AUTHORIZING ACCEPTANCE OF PROPERTY IN EXCHANGE FOR CITY PROPERTY, PURSUANT TO THE SEALED BID RECEIVED FROM PACIFIC RIDGE DEVELOPMENT COMPANY, LLC TO EXCHANGE CERTAIN REAL PROPERTY OF CITY CONSISTING OF APPROXIMATELY 3.4196 ACRES OUT OF THE RITSON MORRIS SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, AND BEING OUT OF A PART OF LOTS 17 AND 18 OF RUGGLES SUBDIVISION AS RECORDED IN VOLUME 5 AT PAGE 30 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, ("CITY PROPERTY"), AS MORE PARTICULARLY DESCRIBED IN THE ATTACHED "CONVEYANCE DOCUMENTS", TO BE CONVEYED IN EXCHANGE FOR THE BID PROPERTY CONSISTING OF APPROXIMATELY 7.0899 ACRES LOCATED IN THE RITSON MORRIS SUVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, AND BEING OUT OF AND A APRT OF LOTS 12, 13, 14, AND 15 OF RUGGLES SUBDIVISION AS RECORDED IN VOLUME 5 AT PAGE 30 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS ("PACIFIC PROPERTY"), AS MORE PARTICULARLY DESCRIBED IN THE CONVEYANCE DOCUMENTS; DETERMINING COMPLIANCE WITH APPLICABLE BIDDING PROCEDURE; DETERMINING THE PUBLIC NECESSITY AND JUST COMPENSATION FOR THE PROPERTY EXCHANGE; AUTHORIZING THE ACCEPTANCE OF THE PACIFIC PROPERTY IN EXCHANGE FOR THE CITY PROPERTY, EXECUTION OF THE CONVEYANCE DOCUMENTS, INCLUDING RELATED EASEMENTS, LEASE AND CLOSING DOCUMENTS IN THE FORM ATTACHED HERETO IN BEHALF OF THE CITY; AUTHORIZING THE CITY

MANAGER TO TAKE ALL STEPS NECESSARY TO COMPLETE THE SUBJECT LAND EXCHANGE, INCLUDING PAYMENT FOR ASSOCIATED DUE DILIGENCE AND CLOSING COSTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Steve Weathered, City Attorney, opened the floor for questions by Council and stated that one issue of concern was having an appropriate trigger before the City would be required to relocate the water lines. A signed grocer lease provided by Pacific Ridge was discussed as that trigger. Pacific Ridge would make the request for the water lines relocation, and City would act within 15 days of request, with relocation completed in at least 120 days from the time Council approves the relocation. Council also requests that a force majeure clause be added to the agreement which would cover weather related delays. Mr. Reed Wilson, attorney for Pacific Ridge, stated the grocery lease trigger, timeline of 120 days to complete relocation of the water lines, and an added force majeure clause would be ok. He stated that the entire grocer lease would not be provided, due to proprietary provisions, but enough documentation would be submitted to verify the validity of the lease.

The minimum 50,000 square feet requirement for a grocer was discussed, with Council reiterating that certain entities that would fit into the 50,000 square foot minimum are not desired. The Mayor stated that the idea is to bring Randalls, HEB, or Kroger to Seabrook. Mr. Wilson explained that Pacific Ridge wants what the City wants, which is a successful project.

Motion was made by Councilmember Miller and seconded by Councilmember Giangrosso

To approve Resolution 2015-31, with the agreed upon amendments regarding water line relocation trigger of a confirmed grocer lease; water line relocation timeline of at least 120 days for completion of relocation; the addition of a force majeure clause; and the deletion of minimum square footage for the size of the grocer.

MOTION CARRIED BY UNANIMOUS CONSENT

Upon motion duly made and seconded, Mayor Royal adjourned the meeting at 8:29 p.m.

Approved this 17th day of November 2015.

Robin Hicks, TRMC
City Secretary

THE CITY OF SEABROOK TEXAS

Glenn R. Royal, Mayor