The City Council of the City of Seabrook met in regular session on Tuesday, December 1, 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 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	COUNCIL PLACE NO. 4
GLENNA ADOVASIO	COUNCIL PLACE NO. 5
O.J. MILLER	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	DEPUTY 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 PRESENTATIONS

1.1 Report on success of Inaugural Celebration Seabrook : Feast & Wine by the Bay Festival. (Cook/Dearman)

LeaAnn Dearman, Director of Communications, reported that there were 3000 attendees, which included 1100 walk up guests, and an estimate of more than 300 children. The kids were not counted or wristbanded, so the total is an estimate. Other people on site were 200 merchants, 150 City staff, 54 food truck employees, 40 musicians with staff, 6 media professionals, and 30 dogs. Online tickets sales verified that people from Dallas, Austin, and the Woodlands attended; therefore, hotels rooms were occupied as a result of this festival. Media coverage started a little late for an event of this type, in September, in the Galveston Daily News, the Clear Lake Connection, the Bay Area Observer (running all ads for free), and Guidry News Service. ABC Channel 13 did a segment with Good Taste, featured Seabrook Waffle Company and Tookies, and talking about food serving at the festival. There was an email marketing campaign going out to 24,000, including 1500 addresses that are on the City's list. The festival was also a huge presence on facebook, twitter, and instagram.

DC Inspection, Kelley Sweet Photography, Photojenic, Kroger, Dr. Pepper, Signquick and Golden Seafood were among the in-kind sponsors.

Survey responders said the price of admission was worth it because the kids' activities were free. The idea for next year is to expand the kids' zone. There were $16,500 worth of drink tickets sold, and event staff had to purchase more beer and wine at some point to meet the demand.

A post-event survey was sent out, with 299 respondents (about 10% of the total). 69 of the respondents were non-attendees who said they did not attend due to the admission price. Some type of resident rate will be offered next year. There were about 20% of the walkup guests who balked at the price at the front gate. Some of the survey responses included that the festival had a small town feel; the location was perfect; the kids' activities were great; and people loved the view of the water.

No money was made this year, and although staff is still reconciling invoices and receivables, the estimation is that the overall cost/expenditure, after sponsorships and ticket sales, was around $10,000. Food and Vine Time Productions believes next year's event should be profitable.

Gayle Cook, City Manager, stated that in the strategic planning process Council and staff identified a quality of life segment, which this festival addressed. Food and Vine Time Productions was the right company to hire and the success of the event is due to the great partnership achieved.

The date for next year's festival is November 5, 2016. Vendors are being scheduled now, keeping in mind that survey responses included a desire for more Christmas shopping.

1.2 Update on status of Old Seabrook Village Planned United Development. (Landis/Caldwell)

Mark Caldwell, representing the developer, presented an update on the Old Seabrook Village PUD, stating that the property was acquired 3 years ago, with the initial submission of the PUD in November 2013, and final approval in March 2014 of 112 lots on 14 acres. The developer's vision was something special and unique to match the unique site and the unique area of the City. The area will be affected by the new flood map by six or seven feet, so the design is to raise the elevation of the street rather than the front of the homes. Plans will be submitted as early as the second week in December, along with the first two plats sometime in December. Section A will have 19 lots, and Section B will have 45 lots. The width of the lots will be amended to adjust to builder plans and design, which is Greenco Homes. The estimated value of the community will be in excess of $35 million. It's been expensive and hard to find the right builder that has the same vision for the property and the provisions of the Planned Unit Development ordinance. The developer has now found the right builder with the right vision for the PUD after having reviewed the architectural concepts. Greenco Homes has committed to developing a product that will fit within the PUD concept. Greenco builds about 250 homes per year. They do not have an existing product to put on this site, but will develop a product. Greenco's commitment is for the first 19 lots, in Section A, down Meyer.

In trying to create some character to the site, there will be no curb cuts on the streets. Residents will park underneath the homes, out of site. Visitors will park in front of the house. The next section, Section B, is being reserved by the developer for a builder with higher end models around the water. There is no activity at this time on or planned for in the third section. Right now the engineering is about 70-75% complete, and once it is 100% complete, the entire project will be about 80% designed. There has also been a conditional use approval for a resort, but there hasn't been any interest yet on designing and building a resort. The property on the water is for sale, but the developer is not interested in buying yet. There is still discussion of a mixed use property, but right now financing is an issue.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

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 including: Share your Christmas; Main Street Christmas Tree lighting; Breakfast with Santa; 2015 SVFD Santa Run. The Harris County Mayors' and Councilmembers' Association Christmas Dinner, hosted by the City of Seabrook, is December 17 at the Lakewood Yachtclub. City offices will be closed December 24 and December 25.

3.0 SPECIFIC PUBLIC HEARING(S)

3.1 Public hearing regarding an amendment of land use assumptions, the capital improvements plan, and impact fees as contained in Ordinance 2015-22, "Amending Impact Fees for New Construction and Adoption of a Land Use Assumptions map." (Landis/Matlock)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 85 "TAXATION AND FINANCE", ARTICLE V. "FINANCE", DIVISION 2. "IMPACT FEES", SECTIONS 85-156 – 85-158, BY AMENDING AND UPDATING IMPACT FEES IN ACCORDANCE WITH STATE LAW; MAKING FINDINGS OF FACT; PROVIDING A PENALTY FOR VIOLATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Mayor Royal opened the public hearing.

Brad Matlock and Amber Hurd with Cobb Fendley gave a presentation on their findings during the impact fee study. The study proposes three areas of land use changes from medium density or single family residential to multi-family, commercial and mixed use. In conducting the study, data collected by HGAC and the Texas Water Development Board for a 10 year period predict a population growth that follows the City's current growth trend, at right under 10% for the next 10 years for a population of about 14,000 in 2025, which ultimately results in higher volumes of water usage. Additionally, as part of the study, Cobb Fendley verified that the City's current facilities will meet TCEQ's requirements over the next ten years, so that there should not be a need for additional funds to upgrade or replace equipment, supplies, or personnel to meet TCEQ requirements. Finally, water system CIP projects total construction and engineering costs are the basis for the impact fee calculations. The current study looked at the current CIP plan (approved projects W-1 through W-7) and found that three additional projects will be needed to rectify fire water flow issues (proposed projects W-8 through W-10). Calculations are not based on right-of-way acquisition, land purchase, soft costs or bond costs. There is a 20-30% contingency, based on individual project needs, built into the final numbers. No additional wastewater costs were identified.

The final proposed impact fees are $2,966 for water (current fee is $1,192) and $2,887 for wastewater (current fee is $2,693). The chart included in the report completes calculations for all sizes of lines per how much water is used per one household, which is about 290 gallons per day for a typical single family home. The larger increase in the water fees indicates there are more needs on the water system than on the wastewater system. The impact fees assessment is based on project needs and new development. The maximum impact fee is directly associated with CIP costs on projects that are directly development driven.

Ms. Cook stated that the Planning and Zoning Commission is recommending a 5% incremental increase over the next five years. Staff and legal do not recommend the incremental increase. Staff recommends setting something below the maximum, based on the fact that projects will not get completed in the next five years. Staff recommends a 100% increase to the water fee, rather than the recommended 149% increase.

Mark Caldwell, 2510 De Four Trace, Seabrook, spoke and stated that he is a developer and typically does not pay impact fees; however, he knows that builders perceive impact fees in Seabrook to be high in relation to the value of the home.

Having no other speakers come forward, Mayor Royal closed the public hearing.

4.0 CONSENT AGENDA

4.1 Pulled from Consent Agenda by the City Manager.

4.2 Appoint Kevin Ferguson as an alternate member to the Board of Adjustment / Building and Standards Commission, to fill a vacant position left by Robert Duncan, with a term ending January 31, 2016. (Council)

4.3 Approve an excused absence for Melissa Botkin for the November 17, 2015 regular City Council meeting. (Hicks)

Motion was made by Councilmember Giangrosso and seconded by Councilmember Johnson

To approve the Consent Agenda, as amended, with item 4.1 being pulled from the Consent Agenda by the City Manager.

MOTION CARRIED BY UNANIMOUS CONSENT

END OF CONSENT AGENDA

4.1 Approve proposed Resolution No. 2015-33, "Reimbursement of Expenditures for the Relocation and Construction of a Ground Water Storage Tank." (Cook)

A RESOLUTION DECLARING INTENTION TO REIMBURSE PROJECT EXPENDITURES FOR THE RELOCATION AND CONSTRUCTION OF A GROUND WATER STORAGE TANK

Ms. Cook stated that there was a typo in the Resolution, and that "the District" needs to be struck in one of the paragraphs in the preamble and replaced with "the City".

Motion was made by Councilmember Giangrosso and seconded by Councilmember Johnson

To approve proposed Resolution No. 2015-33, "Reimbursement of Expenditures for the Relocation and Construction of a Ground Water Storage Tank," striking "the District" and replacing it with "the City" in one of the preamble paragraphs

MOTION CARRIED BY UNANIMOUS CONSENT

5.0 NEW BUSINESS

5.1 Consider approval of first reading of proposed Ordinance 2015-22, "Amending Impact Fees for New Construction and Adoption of a Land Use Assumptions map." (Landis)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 85 "TAXATION AND FINANCE", ARTICLE V. "FINANCE", DIVISION 2. "IMPACT FEES", SECTIONS 85-156 – 85-158, BY AMENDING AND UPDATING IMPACT FEES IN ACCORDANCE WITH STATE LAW; MAKING FINDINGS OF FACT; PROVIDING A PENALTY FOR VIOLATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Mr. Matlock reiterated that costs associated with everything other than developer infrastructure is what drives the final impact fee numbers, and project cost estimates are based on today's numbers. If the City continues to grow, the projects will eventually have to happen. Some cities do not have impact fees, so the costs come out of the general fund, taxpayer money. Mayor Royal stated that Council needs to be cognizant of how the City financially plans for the future. The Capital Improvements Plan (CIP) is for a 10 year period, while the impact fees are reviewed every 5 years. At this point current projects are still being planned, there are big chunks of land still available to develop, all having big impacts and that is what an impact fee study and the imposition of impact fees is trying to capture.

Ms. Cook stated that the City is catching up from not changing fees five years ago. Staff recommends an increase in the water fee by 100% instead of the proposed 149%, and no increase to the wastewater fee. The staff recommendation would mean an overall increase in fees by 36%, instead of the proposed 51%. Sean Landis, Deputy City Manager and Director of Community Development, explained that impact fees are dedicated to be used for upkeep of infrastructure that need improvement because of the demand on it from infill and density. Because no one knows what new development will cause with regard to needs on current infrastructure, impact fees cover those costs. The City does not want impact fees so high that development is discouraged, but it also does not want current residents to be affected when the same services cannot be provided due to upgrades or whatever is needed.

Steve Weathered, City Attorney, reminded Council that the law requires a review of impact fees at least every five years. There is nothing keeping Council from reviewing again in a year or two years. Also, the ordinance has additional language to allow Council to waive fees.

Motion was made by Council member Johnson, to revise the total percentage increase to 27%, with a 20% increase on the water impact fee and a 7% increase on the wastewater impact fee (wastewater, as proposed, is a 7% increase). MOTION DIED FOR LACK OF A SECOND.

Motion was made by Councilmember Miller to revise the total percentage increase 36%, per staff's recommendation (leaving the wastewater fee as is current and increasing the water fee by 100% instead of 149%). MOTION DIED FOR LACK OF A SECOND.

Motion was made by Councilmember Giangrosso and seconded by Councilmember Botkin

To revise the total percentage increase to 30% for a total dollar amount of $5,050.50, with a 23% increase on the water impact fee to a dollar amount of $2,163.50 and a 7% increase on the wastewater impact fee for a dollar amount of $2,887.00 (which is the proposed for wastewater) for 1 EDU.

MOTION CARRIED BY UNANIMOUS CONSENT

6.0 ROUTINE BUSINESS

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 nothing new from TXDOT to report on the Highway 146 expansion project. The Fiber Optics lines installation started today and the public will be notified regarding crew locations. The bid notice on the construction of the Public Works complex will be advertised and bids will be opened before the end of the year.

Motion was made by Councilmember Botkin and seconded by Councilmember Giangrosso

To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT

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

There will be a second meeting in December, on the 15th, which agenda will have a report on the Compensation Study and the 2nd reading of the Impact Fee ordinance.

7.0 DISCUSSION ITEMS

7.1 Discussion and consideration for implementing a new standing Quarterly Report agenda item for all active Commissions. (Cook)

Ms. Cook stated that one of the items on the strategic plan was to try to make sure there is a connection between City Council and all City boards and commissions. Currently the volunteer Fire Department, the Open Space and Trails Committee and the Economic Development Corporation make regular reports to Council. The vision is to have all parties connected and on the same page. It is desirable that the Planning & Zoning Commission also make a regular presentation to Council.

Council discussed several options for bringing the various City boards and commissions together with Council on a regular basis to enhance communication and educate all members of all boards on the activities and goals of the other bodies.

Motion was made by Councilmember Adovasio and seconded by Councilmember Johnson

To schedule a joint meeting once per year for goal setting between City Council, Planning & Zoning, Economic Development and any other boards or commissions Council so chooses, and to have the various boards and commissions provide at least a bi-annual report to Council each year during the first quarter on that board's activities.

Upon motion duly made and seconded, Mayor Royal adjourned the meeting at 9:02 p.m.

Approved this 15th day of December 2015.

Glenn Royal
Mayor

Robin Hicks, TRMC
City Secretary

THE CITY OF SEABROOK TEXAS