



**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, JANUARY 7, 2020 - 7:00 PM**

For city information visit www.seabrooktx.gov
For SH 146 updates visit www.sh146.com

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY JANUARY 7, 2020 AT 7:00 PM** IN THE CITY HALL CITY COUNCIL CHAMBERS, 1700 1ST STREET, SEABROOK, TEXAS, **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) 291-5663 OR CITYSEC@SEABROOKTX.GOV FOR FURTHER INFORMATION.

PLEDGE OF ALLEGIANCE

1. PRESENTATIONS

1.1 Presentation of donation to the City of Seabrook Share Your Christmas in the amount of \$3,000.00 out of proceeds from the 2019 Celebration Seabrook Festival.

*LeaAnn Petersen, Director of Community and Visitor Relations
Myra Perez, Chair of Share Your Christmas*

1.2 Presentation of donation to the City of Seabrook Animal Shelter in the amount of \$700.00 out of proceeds from the 2019 Celebration Seabrook Festival.

*LeaAnn Petersen, Director of Community and Visitor Relations
Dwayne Vanselous, Animal Control Supervisor*

1.3 Presentation of donation to the Bay Area Veterans Memorial in the amount of \$1,200.00 out of proceeds from the 2019 Celebration Seabrook Festival.

*LeaAnn Petersen, Director of Community and Visitors Relations
Kevin Padgett, Director of Public Works*

2. 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, shall be limited to City business or City-related business or matters of general public interest, and shall not include any personal attacks. In accordance with the

Texas 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 City Staff may make announcements about City/Community events. *City Council*

ATTACHMENT: [Events Memo](#)

3. SPECIFIC PUBLIC HEARINGS

3.1 Conduct a Public Hearing on a request to add "Restaurant-Full Service" to Article 3, "Establishment of Zoning Districts and Associated Regulations", Section 3.15 "Comprehensive Land Use Regulation Matrix". *Sean Landis, Deputy City Manager*

ATTACHMENTS: [Agenda Briefing](#) [Public Hearing Notice](#) [PZ Report](#) [Land Use Matrix](#)

3.2 Conduct a Public Hearing on a request to amend the Seabrook City Code, Appendix A, Comprehensive Zoning Article 3, "Establishment of Zoning Districts and Associated Regulations", Section 3.14 "Light Industrial District", by amending that district's height regulation of eighty feet (80') to allow for structures of up to one hundred twenty feet (120') in height.

Sean Landis, Deputy City Manager

ATTACHMENTS: [Agenda Briefing](#) [Public Hearing Notice](#) [PZ Report](#) [Light Industrial District](#)

4. CONSENT AGENDA

4.1 Approve the Quarterly Investment Report for the fourth quarter of Fiscal Year 2018-19, as required by the Public Funds Investment Act. *Michael Gibbs, Director of Finance*

ATTACHMENTS: [Agenda Briefing](#) [Quarterly Investment Report](#)

4.2 Approve the list of accounts for "write off", in the amount of \$4,819.87, to be effective September 30, 2019. *Michael Gibbs, Director of Finance*

ATTACHMENT: [Agenda Briefing](#) [List of Accounts](#)

5. NEW BUSINESS

5.1 Consider and take all appropriate action on first reading of proposed Ordinance 2020-01, "Increasing the Maximum Height of Structures Allowed in the Light Industrial (LI) District from Eighty (80') Feet to One Hundred Twenty (120') Feet." *Sean Landis, Deputy City Manager*

ATTACHMENTS: [Agenda Briefing](#) [Ordinance 2020-01](#) [PZ Report](#) [Light Industrial District](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK. APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.14 "LI LIGHT INDUSTRIAL DISTRICT," BY AMENDING THE EXISTING SUBSECTION 3.14.05 "HEIGHT" ALTERING THE MAXIMUM HEIGHT OF STRUCTURES ALLOWED IN THE LIGHT INDUSTRIAL (LI) DISTRICT FROM EIGHTY (80) FEET TO ONE HUNDRED TWENTY (120) FEET PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OF PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY

5.2 Consider and take all appropriate action on first reading of proposed Ordinance 2020-02, "Restaurant-Full Service." *Sean Landis, Deputy City Manager*

ATTACHMENTS: [Agenda Briefing](#) [Ordinance 2020-02](#) [PZ Report](#) [Land Use Matrix](#)

AN ORDINANCE AMENDING THE THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE REGULATION MATRIX", BY ADDING "RESTAURANT-FULL SERVICE" AS A "PERMITTED" USE WITHIN THE FOLLOWING LAND USE DISTRICTS: MEDIUM COMMERCIAL (C-2)", "HEAVY COMMERCIAL (C-3)", "WATER ACTIVITY (WAD)", "MARINE ORIENTED MIXED USE (MMU)", "POINT OVERLAY (POD)", "SEABROOK TOWN CENTER COMMERCIAL DEVELOPMENT OVERLAY (STCOD)", "OLD SEABROOK (OS)", "SH 146 SOUTH COMMERCIAL (146-S)", "SH146 MAIN COMMERCIAL (146-M)", "LIGHT INDUSTRIAL (LI)", AND AS A "CONDITIONAL USE" WITHIN THE FOLLOWING LAND USE DISTRICT" "LIGHT COMMERCIAL (C-1)"; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

5.3 Consider and take all appropriate action on first reading of proposed Ordinance 2020-03, consenting to disannexation of 7.45 acre tract upon Petition filed by owner, INEOS Styrolution America, LLC, conditioned upon approval of Industrial District Agreement for the newly created District 3, which shall be subject to execution by Mayor on approval of this Ordinance at second/final reading. *Gayle Cook, City Manager*

ATTACHMENTS: [Agenda Briefing](#) [Ordinance 2020-03](#) [Industrial District Agreement](#) [Petition](#) [Exhibit A - Property Description](#) [Exhibit A-1 - Map](#)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS CONSENTING TO DISANNEXATION, UPON PETITION OF INEOS STYROLUTION AMERICA LLC ("INEOS"), OWNER OF 7.45 ACRE TRACT BEING OUT OF THE RITSON MORRIS LEAGUE, ABSTRACT NO. 52 HARRIS COUNTY, TEXAS, BEING A PORTION OF ALL THAT CERTAIN CALLED 42.249 ACRE TRACT CONVEYED BY DEED ON SEPTEMBER 28, 2007 FROM NOVA CHEMICALS INC. TO INEOS NOVA LLC, (AKA STYROLUTION AMERICA LLC) AS RECORDED IN CLERKS FILE NO. 20070671675 OF THE REAL PROPERTY RECORDS OF HARRIS COUNTY, TEXAS, MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS IN THE PETITION ATTACHED HERETO AS EXHIBIT "1", AND INCORPORATED BY REFERENCE, FOR CREATION OF THE "SEABROOK INDUSTRIAL DISTRICT 3"; AND APPROVAL OF THE INDUSTRIAL DISTRICT AGREEMENT WITH INEOS STYROLUTION AMERICA LLC ATTACHED HERETO AS EXHIBIT "2" AND INCORPORATED BY REFERENCE

5.4 Consider and take all appropriate action on first and final reading of proposed Ordinance 2020-04, "Amending the Budget for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019 for the Seabrook General Fund ." *Michael Gibbs, Director of Finance*

ATTACHMENTS: [Agenda Briefing](#) [Ordinance 2020-04](#) [Attachment A](#)

AN ORDINANCE AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE GENERAL FUND, SPECIAL REVENUE, CAPITAL, CRIME DISTRICT AND ECONOMIC DEVELOPMENT BUDGETS FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2018 AND ENDING ON SEPTEMBER 30, 2019, FOR THE CITY OF SEABROOK

5.5 Consider and take all appropriate action on on first and final reading of proposed Ordinance 2020-05, "Amendment No. 2 Amending the Budget for the Fiscal Year beginning October 1, 2019 and ending September 30, 2020 for City Department Encumbrances", *Michael Gibbs, Director of Finance*
ATTACHMENTS: [Agenda Briefing](#) [Ordinance 2020-05](#) [Attachment A](#)

AN ORDINANCE AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 BY AUTHORIZING CERTAIN ADDITIONS IN THE AMOUNT OF \$22,347 FOR GENERAL FUND AND THE AMOUNT OF \$62,900 FOR ENTERPRISE FUND; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO FACILITATE THE CHANGES IDENTIFIED; AND FINDING AVAILABLE UNENCUMBERED FUNDS FOR THE SUPPLEMENTAL APPROPRIATION AND/OR RESERVE REDUCTION

5.6 Consider and take all appropriate action on Resolution 2020-01, "Authorization for Acquisition of Property for City Project." *Gayle Cook, City Manager*
ATTACHMENTS: [Agenda Briefing](#) [Resolution 2020-01](#) [Contract](#)

A RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF SEABROOK, AUTHORIZING PROCEEDING FOR THE ACQUISITION OF CERTAIN REAL PROPERTY FOR FURTHER CITY DEVELOPMENT (THE "PROJECT"), CONSISTING OF .80 ACRES OF LAND LOCATED AT 2505 REPSDORPH, SEABROOK, TEXAS, LOTS ONE (1) THROUGH SIX (6), RESERVE A, B, AND C, BLOCK ONE (1), TOWER VIEW, SEABROOK, HARRIS COUNTY, TEXAS (THE "PROPERTY"); DETERMINING THE PUBLIC NECESSITY AND JUST COMPENSATION FOR THE PROPERTY OF SUCH PROJECT; AUTHORIZING THE MAYOR OR CITY MANAGER TO EXECUTE THE CONTRACT FOR THE ACQUISITION OF SUCH PROPERTY, ("CONTRACT") ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE PROPERTY, AS DETERMINED AFTER COMPLETION OF DUE DILIGENCE, INCLUDING IDENTIFYING FUNDS FOR PAYMENT AND PURCHASES, INCLUDING ALL CLOSING COSTS IN ACCORDANCE WITH THE CONTRACT, AND IN COMPLIANCE WITH THE CHARTER AND 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

5.7 Consider and take all appropriate action on an amendment to the agreement between the City of Seabrook and Cobb Fendley for Construction Management and Inspection Services for the City Utility Relocations required by the State Highway 146 Expansion Project, to include services through May 2020 in an amount not to exceed \$179,211.00. The original agreement was approved by Seabrook City Council on December 18, 2018. This is a \$62,900.00 increase. *Kevin Padgett, Director of Public Works*
ATTACHMENTS: [Agenda Briefing](#) [Proposal](#) [Original Agreement](#) [CIP Project Summary W7](#) [CIP Project Summary WW8](#)

5.8 Consider and take all appropriate action on proposed Addendum 2019-1 to the Economic Development Agreement between the Seabrook Economic Development Corporation and WMF Investments, Inc. "Retail at the Commons" to provide an additional 6 month extension for the time performance of the date of substantial completion from November 20, 2019 to April 1, 2020. This Addendum has been approved by the Seabrook Economic Development Corporation.
Paul Chavez, Director of Economic Development
ATTACHMENTS: [Agenda Briefing](#) [Addendum 2019-1](#)

5.9 Consider and take all appropriate action on proposed Addendum 2019-1 to the Economic Development Agreement between the Seabrook Economic Development Corporation and KIWO Inc. to provide an additional 12 month extension for the time of performance of the date of substantial completion from December 1, 2019 to December 1, 2020. This Addendum has been approved by the Seabrook Economic Development Corporation.

Paul Chavez, Director of Economic Development Corporation

ATTACHMENTS: [Agenda Briefing](#) [Addendum 2019-1](#)

6. ROUTINE BUSINESS

6.1 Update and report on various items that require no action, including SH 146 Expansion Project, City of Seabrook CIP Projects, and City of Seabrook Grant Administration. *Gayle Cook, City Manager*

6.2 Establish future meeting dates and agenda items. *City Council*

7. CLOSED EXECUTIVE SESSION

7.1 Section 551.087

Conduct a closed executive session to deliberate regarding commercial or financial information that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.

Gayle Cook, City Manager

7.2 Section 551.074

Conduct a closed executive session to deliberate regarding personnel matters related to salaries, benefits, and compensation of the Public Safety Departments. *Gayle Cook, City Manager*

8. OPEN SESSION

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

8.1 Consider and take all appropriate action on first reading of proposed Ordinance 2020-06, "Civil Service Classification System Continuation Ratifying Amendment of Step Pay Scale for Police". *Gayle Cook, City Manager*

ATTACHMENTS: [Agenda Briefing](#) [Ordinance 2020-06](#) [Exhibit A - Pay Structure](#) [Exhibit B - Civil Service Benefits](#)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS,
AMENDING THE PAY STRUCTURE FOR PUBLIC SAFETY DEPARTMENTS,
INCLUDING SALARIES, BENEFITS, AND COMPENSATION

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.

I certify that this notice was posted on the bulletin board on or before Friday, January 3, 2020 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Stephanie Martinez
Executive Administrative Assistant