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3 The City Council of the City of Seabrook met in regular session on Tuesday, September 20, 2016
4 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if
5 appropriate, take action on the items listed below.
6

- 7 **THOSE PRESENT WERE:**
- | | |
|-----------------------------------|----------------------------|
| 8 GLENN R. ROYAL | MAYOR |
| 9 ROBERT LLORENTE | COUNCIL PLACE NO. 1 |
| 10 MIKE GIANGROSSO | COUNCIL PLACE NO. 2 |
| 11 GARY JOHNSON – Ex. Abs. | COUNCIL PLACE NO. 3 |
| 12 MELISSA BOTKIN | COUNCIL PLACE NO. 4 |
| 13 GLENNA ADOVASIO | COUNCIL PLACE NO. 5 |
| 14 O.J. MILLER | MAYOR PRO TEM & |
| | COUNCIL PLACE NO. 6 |
| 16 GAYLE COOK | CITY MANAGER |
| 17 SEAN LANDIS | DEPUTY CITY MANAGER |
| 18 STEVE WEATHERED | CITY ATTORNEY |
| 19 ROBIN HICKS | CITY SECRETARY |

20
21 Mayor Royal called the meeting to order at 7:00 p.m. and led the audience in the United States
22 and Texas Pledge of Allegiance.
23

24 **1. PRESENTATIONS**

25
26 1.1. EDC Semi-Annual Report
27 **Presentation of the semi-annual Seabrook Economic Development Corporation report.**
28 **(Chavez)**
29

30 Paul Dunphey, EDC President, presented the semi-annual report.
31

32 Business development incentives have been or will be given to the following businesses:
33 Burkes, Hampton Inn, Tookie’s Seafood; and Merlion. The businesses must perform as per the
34 incentive agreement.
35

36 The EDC Board has partnered with the City on both the Comprehensive Master Plan and
37 the SH 146 Corridor Expansion Project. The Board wants businesses to know there is a plan and
38 assistance is available.
39

40 The EDC Director has been active in accomplishing visits to affected businesses of the
41 SH 146 Expansion Project; coordinating a TXDOT Business Relocation Workshop that saw 26
42 of the 34 businesses noted for relocation by TXDOT in attendance; performing Site Consultant
43 Tours; and conducting Business Morning Brew Meetings.
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EDC Goals for 2016-17 include:

- Promotion of Seabrook branding, image enhancement, communication, and key marketing initiatives
- Development and promotion of Old Seabrook
- Review of and potential expansion of incentives for business development
- Guidance to the Seabrook City Council on economic development decisions and future land uses

This year has seen 14 new businesses plus one expansion in Seabrook, with 8 businesses closed but only three sites remaining vacant.

The 2016-17 EDC budget is straight forward, and was approved by the EDC Board on 9/8/16.

- Expenses = \$1,267,321
- Administrative Services = \$200,000
- Total Expenditures = \$1,467,321
- Expected Revenue = \$835,619

2. PUBLIC COMMENTS AND ANNOUNCEMENTS - None

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 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)

Councilmember Giangrosso announced several events, including the Kids' Fish and the Saltwater Derby.

3. SPECIFIC PUBLIC HEARINGS

Mayor Royal opened the public hearings for all three budgets.

3.1. Public Hearing EDC 2016/17 Budget

Present the FY 2016/17 Seabrook Economic Development Corporation Budget. (Chavez)

3.2. Public Hearing CCD 2016/17 Budget

Present the FY 2016/17 Crime Control & Prevention District Budget. (Wright)

92 3.3. Public Hearing General, Enterprise, and Special Funds 2016/17 Budget
93 **Present the General, Enterprise, and Special Funds Budgets for FY 2016/17. (Cook)**
94

95 Having no speakers come forward, Mayor Royal closed the public hearings.
96

97 3.4. Public Hearing on proposed Chesapeake Bay Senior Living Community PUD
98 **Conduct a Public Hearing on submittal of Preliminary Plan by Chesapeake Bay for**
99 **modification of Planned Unit Development (approved by Ordinance 2015-11), located**
100 **immediately East of Repsdorff Road and South of Brummerhop Park by creating a Phase**
101 **II, III, and IV, limiting all commercial uses to be located within Phase III to those**
102 **permissible within C-1 (Light-Commercial District) with the exception that Restaurants**
103 **shall be a Use by Right and not require a Conditional Use Permit. (Landis)**
104

105 The City Council did not conduct the public hearing on the Chesapeake Bay Senior
106 Living Community PUD, as the notice published in the newspaper was incorrect; therefore, the
107 public hearing will be conducted after publication of the correct notice.
108

109 **4. BID AWARDS**
110

111 4.1. Bid Award Project 2016-11
112 **Consider and take all appropriate action on a Bid Award for Project 2016-11, Relocation of**
113 **the Water Plant. (Chairez)**
114

115 Arthur Chairez, Director of Public Works, stated that four (4) bids were received with the
116 bid from Long & Son, Inc. being low bidder and within the budget for this project. Staff
117 recommends the award of the bid go to Long and Son, Inc. for a sum of \$1,922, 307.00.
118

119 Amber Hurd, Shareholder, Cobb Fendley, stated that the low bid is a really good price.
120 Ms. Hurd has worked with Long & Son, Inc. for 15 years on various projects, and the company
121 is comfortable with its bid numbers.
122

123 Motion was made by Councilmember Miller and seconded by Councilmember Adovasio
124

125 To approve a Bid Award for Project 2016-11, Relocation of the Water Plant, to Long & Son, Inc.
126

127 MOTION CARRIED BY UNANIMOUS CONSENT
128

129 **5. CONSENT AGENDA**

130 **Council will discuss, consider, and if appropriate, take action on the items listed below.**
131

132 5.1. Resolution 2016-15 EDC Project Hampton Inn
133 **Approve on second of two readings proposed Resolution 2016-15, "EDC Project**
134 **Designation for Seabrook Hospitality, LP (Hampton Inn) and Authorization for Business**
135 **Development Grant for Reconstruction of Hotel." (Chavez)**

136

137 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS,**
138 **AUTHORIZING A PROJECT OF THE SEABROOK ECONOMIC DEVELOPMENT**
139 **CORPORATION, TO PROVIDE BUSINESS INCENTIVES TO SEABROOK**
140 **HOSPITALITY, LP, DOING BUSINESS AS THE HAMPTON INN, IN AN AMOUNT**
141 **NOT TO EXCEED \$40,000 FOR HOTEL CONSTRUCTION IMPROVEMENTS,**
142 **PURSUANT TO THE TERMS AND CONDITIONS OF THE "ECONOMIC**
143 **DEVELOPMENT AGREEMENT", ATTACHED HERETO.**

144 5.2. Investment Policy

145 **Approve proposed Resolution 2016-18, "Adoption of the City's Investment Policy."**
146 **(Gibbs)**

147
148 5.3. CLEMC Monthly Report

149 **Approve the Clear Lake Emergency Medical Corps (CLEMC) monthly report for August**
150 **2016. (Hunter)**

151
152 5.4. Fire Department Monthly Report

153 **Approve the Seabrook Volunteer Fire Department (SVFD) monthly report for August**
154 **2016. (Gutaker)**

155
156 5.5. This item was removed from the Consent Agenda by City Manager, Gayle Cook.

157
158 5.6. Building Department Monthly Report

159 **Approve the Seabrook Building Department monthly report for August 2016. (Landis)**

160
161 5.7. Special Event Houston Happy Hikers

162 **Approve a special event permit and waiver of permit fees for the Houston Happy Hikers**
163 **5K and 10K Walks on Saturday, November 12, 2016, from 8:30 am until**
164 **3:00pm at Miramar Park. All supporting documentation, including a request for a waiver**
165 **of the fees, has been submitted. (Hicks)**

166
167 5.8. Excused Absence

168 **Approve an excused absence for Robert Llorente and Mike Giangrosso for the September**
169 **6, 2016 regular City Council meeting. (Hicks)**

170
171 Motion was made by Councilmember Llorente and seconded by Councilmember Giangrosso

172
173 To approve the Consent Agenda with the exception of item 5.5.

174
175 **MOTION CARRIED BY UNANIMOUS CONSENT**

176
177 5.5 Police Department Monthly Report

178 **Approve the Seabrook Police Department monthly report for August 2016. (Wright)**

179
180 Ms. Cook stated that the Police Department purchased new reporting software that will
181 give Council year to date information. The August 2016 report shows a large percentage change
182 on the number of thefts of motor vehicles.

183
184 Chief Wright explained that under the category of theft of automobiles the report shows a
185 433% increase from 8 auto thefts in August 2015 to 17 in August 2016. The reality is the there
186 were four (4) thefts at Sam's Boat, and a couple of those cars did not have the doors locked.
187 There were five (5) vehicle burglaries in one night, all related to the Family Dollar burglary. The
188 suspects in the Family Dollar incident needed two vehicles, but they broke into five vehicles to
189 steal ultimately steal two vehicles. The auto theft category on the report also includes attempted
190 theft, which will show an increase. In addition, if a person breaks into a car to grab loose
191 change, it is counted on the report as an auto theft. Of all the neighborhoods, there have only
192 been three (3) additional/new burglaries this year from last year. The key is to lock your doors.

193
194 Motion was made by Councilmember Miller and seconded by Councilmember Giangrosso

195
196 To approve the Seabrook Police Department monthly report for August 2016.

197
198 MOTION CARRIED BY UNANIMOUS CONSENT

199
200 6. NEW BUSINESS

201 *Council will discuss, consider and if appropriate, take action on the items listed below.*

202 6.1. Ordinance 2016-22 EDC Budget

203 **Consider and take all appropriate action on first and final reading of proposed Ordinance**
204 **2016-22, "Seabrook Economic Development Corporation (EDC) Budget for FY 2016/17."**
205 **(Chavez)**

206
207 **AN ORDINANCE APPROVING AND ADOPTING THE SEABROOK ECONOMIC**
208 **DEVELOPMENT CORPORATION BUDGET FOR THE FISCAL YEAR BEGINNING**
209 **ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017 FOR THE CITY OF**
210 **SEABROOK; APPROPRIATING FUNDS; AND NOTING A PUBLIC HEARING WAS**
211 **HELD BY THE SEABROOK CITY COUNCIL ON SEPTEMBER 20, 2016.**

212
213 Motion was made by Councilmember Llorente and seconded by Councilmember Giangrosso

214
215 To approve on first and final reading proposed Ordinance 2016-22, "Seabrook Economic
216 Development Corporation (EDC) Budget for FY 2016/17".

217
218 MOTION CARRIED BY UNANIMOUS CONSENT

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229 6.2. Ordinance 2016-23 CCD Budget

230 **Consider and take all appropriate action on first and final reading of proposed Ordinance**
231 **2016-23, "Seabrook Crime Control & Prevention District (CCD) Budget for FY 2016/17, as**
232 **approved by the District's Board of Directors." (Wright)**

233
234 **AN ORDINANCE APPROVING AND ADOPTING THE SEABROOK CRIME**
235 **CONTROL AND PREVENTION DISTRICT BUDGET FOR THE FISCAL YEAR**
236 **BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017 FOR**
237 **THE CITY OF SEABROOK; APPROPRIATING FUNDS; AND NOTING A PUBLIC**
238 **HEARING WAS HELD BY THE SEABROOK CITY COUNCIL ON SEPTEMBER 20,**
239 **2016.**

240
241 Motion was made by Councilmember Adovasio and seconded by Councilmember Llorente

242
243 To approve on first and final reading proposed Ordinance 2016-23, "Seabrook Crime Control &
244 Prevention District (CCD) Budget for FY 2016/17, as approved by the District's Board of
245 Directors."

246
247 MOTION CARRIED BY UNANIMOUS CONSENT

248
249 6.3. Ordinance 2016-24 City Budget
250 **Consider and take all appropriate action, by required record vote, on first and final**
251 **reading of proposed Ordinance 2016-24, "Budget Ordinance for FY 2016/17".**
252 **(Cook/Gibbs)**

253
254 **AN ORDINANCE APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL**
255 **YEAR BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017**
256 **FOR THE CITY OF SEABROOK; APPROPRIATING FUNDS; AND NOTING A**
257 **PUBLIC HEARING WAS HELD BY THE SEABROOK CITY COUNCIL ON**
258 **SEPTEMBER 20, 2016 IN ACCORDANCE WITH THE CITY'S CHARTER AND WITH**
259 **STATE LAW.**

260
261 Motion was made by Councilmember Llorente and seconded by Councilmember Giangrosso

262
263 To approve by roll call vote on first and final reading proposed Ordinance 2016-24, "Budget
264 Ordinance for FY 2016/17".

265
266 Councilmember Llorente - yay
267 Councilmember Giangrosso - yay
268 Councilmember Johnson – absent
269 Mayor Royal – yay
270 Councilmember Botkin – yay
271 Councilmember Adovasio – yay
272 Councilmember Miller – yay

273
274

275 6.4. Ordinance 2016-25 Tax Ordinance
276 **Consider and take all appropriate action on first and final reading of Ordinance 2016-25,**
277 **"Tax Ordinance". (Gibbs)**
278

279 **Four separate motions are required: 1) to approve a tax rate of \$0.394574 cents per \$100.00**
280 **valuation of assessed property for operations and maintenance; 2) to approve a tax rate of**
281 **\$0.170603 cents per \$100.00 valuation of assessed property for the interest and sinking**
282 **fund; 3) to approve the property tax rate of \$0.565177 cents per \$100.00 valuation which is**
283 **equal to the effective tax rate; and 4) to approve proposed Ordinance 2016-25, "Tax**
284 **Ordinance" on first and final reading with the reading of the caption serving as the reading**
285 **of the ordinance and requiring a record vote. (Cook)**
286

287 **AN ORDINANCE FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR**
288 **THE CITY OF SEABROOK, TEXAS FOR THE FISCAL YEAR ENDING SEPTEMBER**
289 **30, 2017 AND DIRECTING THE ASSESSMENT AND COLLECTION THEREOF.**
290

291 Four separate motions are required:
292

293 1. Motion was made by Councilmember Miller and seconded by Councilmember
294 Giangrosso
295

296 To approve a tax rate of \$0.394574 cents per \$100.00 valuation of assessed property for
297 operations and maintenance;
298

299 Councilmember Llorente - yay
300 Councilmember Giangrosso - yay
301 Councilmember Johnson – absent
302 Mayor Royal – yay
303 Councilmember Botkin – yay
304 Councilmember Adovasio – yay
305 Councilmember Miller - yay
306

307 2. Motion was made by Councilmember Miller and seconded by Councilmember Adovasio
308

309 To approve a tax rate of \$0.170603 cents per \$100.00 valuation of assessed property for the
310 interest and sinking fund;
311

312 Councilmember Llorente - yay
313 Councilmember Giangrosso - yay
314 Councilmember Johnson – absent
315 Mayor Royal – yay
316 Councilmember Botkin – yay
317 Councilmember Adovasio – yay
318 Councilmember Miller – yay
319
320

321 3. Motion was made by Councilmember Miller and seconded by Councilmember Llorente
322
323 To approve the property tax rate of \$0.565177 cents per \$100.00 valuation which is equal to the
324 effective tax rate;

325
326 Councilmember Llorente - yay
327 Councilmember Giangrosso - yay
328 Councilmember Johnson – absent
329 Mayor Royal – yay
330 Councilmember Botkin – yay
331 Councilmember Adovasio – yay
332 Councilmember Miller - yay
333

334 4. Motion was made by Councilmember Miller and seconded by Councilmember Adovasio
335
336 To approve proposed Ordinance 2016-25, "Tax Ordinance" on first and final reading with the
337 reading of the caption serving as the reading of the ordinance and requiring a record vote.
338

339 Councilmember Llorente - yay
340 Councilmember Giangrosso - yay
341 Councilmember Johnson – absent
342 Mayor Royal – yay
343 Councilmember Botkin – yay
344 Councilmember Adovasio – yay
345 Councilmember Miller - yay
346

347 6.5. Resolution 2016-17 Water and Wastewater Utility Rates
348 **Consider and take appropriate action on proposed Resolution 2016-17, "Updating Water**
349 **and Wastewater Utility Rates." (Gibbs)**
350

351 **A RESOLUTION UPDATING WATER AND WASTEWATER UTILITY RATES AND**
352 **DEPOSITS EFFECTIVE WITH THE SEPTEMBER 15 - OCTOBER 15 BILLING**
353 **CYCLE FOR THE CITY OF SEABROOK. THIS RESOLUTION REPLACES**
354 **RESOLUTION 2015-30 WHICH WAS APPROVED ON OCTOBER 20, 2015.**
355

356 Ms. Cook stated that the water supply contract with the City of Pasadena is a 40 year
357 contract, and the City of Pasadena has exercised and issued a letter to increase the rate.
358 Resolution 2016-17 is adjusting the rates pursuant to that letter and to account for the new debt.
359 The water rate study is still in effect and future rate adjustments will be made in conjunction with
360 the water rate study.

361
362 Motion was made by Councilmember Llorente and seconded by Councilmember Giangrosso
363
364 To approve proposed Resolution 2016-17, "Updating Water and Wastewater Utility Rates."
365

366 MOTION CARRIED BY UNANIMOUS CONSENT

367 6.6. Chesapeake Bay Senior Living Community Request to Amend PUD
368 **Consider and take all appropriate action on submittal of Preliminary Plan by Chesapeake**
369 **Bay for modification of Planned Unit Development (approved by Ordinance 2015-11),**
370 **located immediately east of Repsdorph Road and South of Brummerhop Park by creating**
371 **a Phase II, III, and IV, limiting all commercial uses to be located within Phase III to those**
372 **permissible within C-1 (Light-Commercial District) with the exception that Restaurants**
373 **shall be a Use by Right and not require a Conditional Use Permit. (Landis)**
374

375 The City Council did not discuss or take action on the Chesapeake Bay Senior Living
376 Community PUD, as the notice published in the newspaper was incorrect; therefore, this item
377 will come back before Council after publication of the correct notice.
378

379 6.7. BAHCVB Agreement
380 **Consider and take all appropriate action on the Bay Area Houston Convention and**
381 **Visitors Bureau ("BAHCVB") Agreement in an amount equal to 15% of the City's Hotel**
382 **Occupancy Tax (HOT) revenues for a period beginning October 1, 2016 to September 30,**
383 **2019, with the right to terminate after one (1) year. (Cook)**
384

385 Ms. Cook explained that the City of League City tabled their item, and League City is the
386 only city who has not yet committed to the three year agreement. If League City does not
387 participate, the budget will still require only 15% from each participating city out of Hotel
388 Occupancy Tax funds, but it will have an impact on the salaries of the CVB employees. Every
389 city will have the opportunity to opt out after one (1) year.
390

391 Even though the CVB office is moving from Seabrook to Kemah, the hotel occupancy
392 will not be affected because there are only two (2) hotels in Kemah. The CVB will be referring
393 people to Seabrook, Nassau Bay, and League City for lodging. Most people who go to the
394 Visitor Center want to know where to eat, where to do things, and to pick up discounted tickets.
395 Those people are already in a hotel here.
396

397 Nassau Bay and Kemah are meeting this week and next to discuss and take action on this
398 agreement. The CVB is trying to get all cities to approve the agreement before October 1.
399

400 Motion was made by Councilmember Giangrosso and seconded by Councilmember Adovasio
401
402 To approve the Bay Area Houston Convention and Visitors Bureau ("BAHCVB") Agreement in
403 an amount equal to 15% of the City's Hotel Occupancy Tax (HOT) revenues for a period
404 beginning October 1, 2016 to September 30, 2019, with the right to terminate after one (1) year.
405

406 MOTION CARRIED BY UNANIMOUS CONSENT
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413 7. ROUTINE BUSINESS

414 *Council will discuss, consider and if appropriate, take action on the items listed below.*

415 7.1. Reports

416 Reports and announcements concerning items of community interest. No discussion or action
417 will be taken by Council.

418

419 Council Liaisons:

420

421 a. Bay Area Houston Convention & Visitors Bureau – See above item on the CVB agreement

422 b. Bay Area Houston Economic Partnership – recently celebrated its 40th anniversary

423 c. Bay Area Transportation Partnership – the Partnership has a new director, who is the
424 former director of Harris County Judge Emmit’s office

425 d. Clear Lake Emergency Medical Corps – the next meeting is Sept. 28

426 e. Economic Alliance, Port Region – EDC named the business of the year, which is Neptune
427 Subs and the honor will be acknowledged at the banquet in November

428 f. Galveston Bay Foundation – no report

429 g. Hotel Tax Liaison Committee – no report

430 h. Houston-Galveston Area Council – no report

431

432 7.2. Approve the Action Items Checklist which is attached and made a part of this Agenda.

433

434 TXDOT – Ms. Cook stated that TXDOT has made 46 offers. Several businesses have
435 chosen the eminent domain package and are scheduling the next step. Cobb Fendley has been
436 contracted to process eminent domain and they have secured the Community House for the
437 hearings. The first hearing will take place in the next two weeks.

438

439 PROJECT UPDATES – The Public Works Complex is progressing really well and
440 concrete will be poured sometime this week. The Delabrook Paving project is just about
441 completed. The Todville and Meyer waterline projects are 90% completed and Public Works
442 took special care to put the trails back in place every evening.

443

444 BENCHES AND PELICANS – The Council purchased benches should be in this week
445 and probably by Friday, will be set in place. Council agreed to have the worst benches in the
446 city replaced first. Ms. Cook will have an update on the Council’s pelican at the next meeting.

447

448 Motion was made by Councilmember Miller and seconded by Councilmember Giangrosso

449

450 To approve the Action Items Checklist

451

452 MOTION CARRIED BY UNANIMOUS CONSENT

453

454 7.3. Establish future meeting dates and agenda items

455

456 Council is on its regular schedule.

457

458

459 **8. EXECUTIVE SESSION**

460 *The City Council will now hold a closed executive meeting pursuant to the provisions of the*
461 *open meetings Act, Charter 551, Government Code, and Vernon's Texas Codes Annotated, in*
462 *accordance with the authority contained in one or more of the following sections: Section*
463 *551.071, Consultation with Attorney; Section 551.072, Real Property; Section 551.073,*
464 *Deliberation Regarding a Prospective Gift; Section 551.074, Personnel Matters; Section*
465 *551.076. Security Devices; and Section 551.087, Economic Development.*

466 At 7:52 p.m. Mayor Royal announced that the City Council will now hold a closed
467 executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551
468 Government code, and Vernon’s Texas Codes Annotated, in accordance with the Authority
469 contained in Section 551.071, Consultation with an Attorney.

470 8.1. Section 551.071

471 Pursuant to Section 551.071, Texas Government Code, consult with attorney to receive legal
472 advice regarding Code of Ordinances, Appendix A, "Comprehensive Zoning", Section 4.10,
473 "Planned Unit Developments". (Cook)

474
475 At 8:31 p.m. Mayor Royal reconvened the meeting in open session and stated that item
476 8.1 had been discussed, but that no action had been taken in executive session.

477 No action was taken in open meeting on the executive session items.

478 Upon motion duly made and seconded, Mayor Royal adjourned the meeting at 8:33 p.m.

479
480 Approved this 1st day of November, 2016.

481
482
483
484
485 _____
486 Glenn Royal
487 Mayor

488 _____
489 Robin Hicks, TRMC
490 City Secretary

491