



SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, APRIL 18, 2023 - 6:00 PM

For city information visit www.seabrooktx.gov

For SH 146 updates visit www.sh146.com

For Seabrook Economic Development visit www.seabrooktx.gov/463/SEDC

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NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY APRIL 18, 2023 AT 6:00 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 by City of Deer Park to recognize City of Seabrook for its assistance with clean up after the January 24, 2023 tornado. *Jerry Mouton, Deer Park Mayor, James J. Stokes, Deer Park City Manager, and Sara Robinson, Deer Park Assistant City Manager*

1.2 Presentation of the Saltwater Derby Post Event Report. *Dr. Melissa Everett, Saltwater Derby Committee*

1.3 Presentation of the Annual Public Safety Report. *Bryan Brand, Lieutenant*

ATTACHMENT(S): [Agenda Briefing](#) [Public Safety Report](#)

Presentation

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.

REGISTER ONLINE TO SPEAK *IN PERSON* DURING PUBLIC COMMENTS:

www.seabrooktx.gov/speaker-registration

2.1 Mayor, City Council and/or members of the City staff may make announcements about City/Community events. *City Council*

ATTACHMENT(S): [Event Memo](#)

3. SPECIFIC PUBLIC HEARING

3.1 Conduct a Public Hearing on an amendment to the Seabrook City Code, Appendix A, "Comprehensive Zoning", Article 3, "Establishment of Zoning Districts and Associated Regulations", Section 3.15 "Comprehensive Land Use Regulation Matrix" by adding "Cannabidiol (CBD) Sales" as a "Use by Right" within a (C-2) "Medium Commercial District", (C-3) "Heavy Commercial District" and (LI) "Light Industrial District". *Sean Landis, Deputy City Manager*

ATTACHMENT(S): [Agenda Briefing](#) [Request](#) [Notice of Public Hearing](#) [PZ Report \(C-2\)](#) [PZ Report \(C-3 & LI\)](#) [Matrix](#)

4. CONSENT AGENDA

4.1 Approve on second reading Ordinance 2023-07, "Add the Use of "Gasoline Service Stations/Convenience Stores" to the Comprehensive Land Use Matrix as a Conditional Use." *Sean Landis, Deputy City Manager*

ATTACHMENT(S): [Ordinance 2023-07](#) [Exhibit A](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE REGULATION MATRIX," BY REQUIRING WITHIN THE "MEDIUM COMMERCIAL DISTRICT" (C-2) , "HEAVY

COMMERCIAL DISTRICT" (C-3), "THE SEABROOK TOWN CENTER COMMERCIAL DEVELOPMENT OVERLAY DISTRICT" (STCOD), AND "LIGHT INDUSTRIAL DISTRICT" (LI), A CONDITIONAL USE PERMIT FOR "GASOLINE SERVICE STATIONS/CONVENIENCE STORES" USES; 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.

4.2 Approve on second reading Ordinance 2023-09, "Removing Baywood Drive No Parking Zone". *Rob Hefner, Council At Large Position 2*

ATTACHMENT(S): [Ordinance 2023-09](#) [Section from Code of Ordinances](#)

AN ORDINANCE REMOVING THE NO PARKING ZONE ON BAYWOOD DRIVE; AUTHORIZING THE REMOVAL OF SIGNS; AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS, ENTITLED "TRAFFIC AND VEHICLES," ARTICLE III, "STOPPING, STANDING, AND PARKING," DIVISION 1, "GENERALLY," SECTION 90-80, "SCHEDULE I: NO PARKING ZONES"; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAT TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

4.3 Approve the minutes of the April 4, 2023 Special City Council Meeting. *Robin Lenio, City Secretary*

ATTACHMENT(S): [April 4 2023 special minutes](#)

4.4 Approve the minutes of the April 4, 2023 Regular City Council Meeting. *Robin Lenio, City Secretary*

ATTACHMENT(S): [April 4 2023 regular minutes](#)

5. NEW BUSINESS

5.1 Consider and take all appropriate action on first reading of Ordinance 2023-10, "Add the Use of Cannibidiol (CBD) Sales to the Comprehensive Land Use Matrix as a Use by Right". *Sean Landis, Deputy City Manager*

ATTACHMENT(S): [Agenda Briefing](#) [Request](#) [PZ Report \(C-2\)](#) [PZ Report \(C-3 & LI\)](#) [Ordinance 2023-10](#) [Matrix](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15, "COMPREHENSIVE LAND USE REGULATION MATRIX," BY ADDING "CANNABIDIOL (CBD) SALES" AS A "USE BY RIGHT" WITHIN A (C-2) "MEDIUM COMMERCIAL DISTRICT", (C-3) "HEAVY COMMERCIAL DISTRICT" AND (LI) "LIGHT INDUSTRIAL DISTRICT"; 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

5.2 Consider and take all appropriate action to reopen the application for a Conditional Use Permit to establish a "Music Venue" at 2623 Nasa Rd. 1, as per the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4, "Special Use Regulations", Section 4.11, "Conditional Use Permit criteria and procedures". An affirmative vote of a majority of City Council Members present to reopen the application will automatically send the matter back to the Planning & Zoning Commission for notification to adjacent property owners, for public hearing, and for report and recommendation from Planning & Zoning to Council on approval or denial of the Conditional Use Permit. *Jackie Rasco, Councilmember Position 1*

5.3 Consider and take all appropriate action on an Extension Agreement between the City of Seabrook and American All Waste DBA Wastewater Transport Services for the disposal of municipal sludge for one (1) year, beginning May 2, 2023 and ending May 1, 2024, at an amount not to exceed \$210,000.00 at \$0.075 per gallon. *Kevin Padgett, Director of Public Works*

ATTACHMENT(S): [Agenda Briefing](#) [Original Agreement](#) [Extension Agreement](#)

5.4 Consider and take all appropriate action to approve ratification of City Manager's appointment of Lieutenant Bryan Brand to Interim Police Chief. *Gayle Cook, City Manager*

6. ROUTINE BUSINESS

6.1 City Manager update and report to City Council on various items that require no action, including Recap for Alternate Members of Seabrook Boards and Commissions, SH 146 Expansion Projects, Port of Houston Rail Spur, Gulf Coast Protection District, City of Seabrook CIP Projects, Legislative Update, and any 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 discuss potential financial incentive(s) and financial information received from a business prospect that the City seeks to have locate, stay, or expand for which the City is conducting economic development negotiations, as provided by Texas Government Code Section 551.087. *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".

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.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non -emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

I certify that this notice was posted on the bulletin board on or before Friday, April 14, 2023 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Robin Lenio, TRMC
City Secretary

