



SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, JUNE 20, 2023 - 5:00 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

For Agenda Center visit www.seabrooktx.gov/agendacenter

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY JUNE 20, 2023 AT 5:00 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. WORK SESSION

1.1 Presentation from the City's Financial Advisor on the associated ad valorem tax implications, certificates of obligation, and issuance and timing of bond election. *John Robuck, BOK Financial Securities, Inc.*

ATTACHMENT(S): [Presentation](#)

2. PRESENTATIONS

2.1 Presentation of a Post Event Report for the Lucky Trails Event on March 17-18, 2023. *Robby Saban, Event Organizer*

ATTACHMENT(S): [Post Event Report](#)

2.2 Presentation to recognize the Seabrook Public Affairs Department on receiving First Place for Best Electronic Newsletter for populations of 75,000 or less from the Texas Association of Municipal Information Officers (TAMIO).

Thom Kolupski, Mayor

3. HOTEL OCCUPANCY TAX (HOT) ALLOCATIONS

Discussion and presentation of applicants/applications seeking hotel occupancy tax funds for fiscal year 2023-2024 in accordance with Chapter 351 of the Texas Tax Code (Presentations of the applicants will be limited to one representative per application and limited to three minutes. Questions and/or comments by Council members do not count towards the three-minute time limit.)

Gayle Cook, City Manager

ATTACHMENT(S): [Presentation](#) [TML What to Know about Hotel Occupancy Tax](#) [Chapter 351 Texas Local Government Code](#) [Funding Recommendations Spreadsheet](#)

3.1 Consider and take all appropriate action of a request from Bay Access Sailing Programs for hotel occupancy tax funds for fiscal year 2023-2024, to include a schedule for releasing funds to the applicant if approved.

ATTACHMENT(S): [Application](#)

3.2 Consider and take all appropriate action of a request from Bay Area Houston Ballet & Theater for hotel occupancy tax funds for fiscal year 2023-2024, to include a schedule for releasing funds to the applicant if approved.

ATTACHMENT(S): [Application](#)

3.3 Consider and take all appropriate action of a request from Gulf Coast Film Festival for hotel occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to the applicant if approved.

ATTACHMENT(S): [Application](#)

3.4 Consider and take all appropriate action of a request from JFest Southwest for hotel occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to the applicant if approved.

ATTACHMENT(S): [Application](#)

3.5 Consider and take all appropriate action of a request from Keels and Wheels Concours D' Elegance for hotel occupancy tax funds for fiscal year

2023-2024, to include for releasing funds to the applicant if approved.

ATTACHMENT(S): [Application](#)

3.6 Consider and take all appropriate action of a request from Seabrook Lucky Trails for hotel occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to the applicant if approved.

ATTACHMENT(S): [Application](#)

3.7 Consider and take all appropriate action of a request from Seabrook Saltwater Derby for hotel occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to the applicant if approved.

ATTACHMENT(S): [Application](#)

3.8 Consider and take all appropriate action of a request from Texas Outlaw Challenge for hotel occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to the applicant if approved.

ATTACHMENT(S): [Application](#)

3.9 Consider and take all appropriate action of a request from Yachty Gras Boat Parade for hotel occupancy tax funds for fiscal year 2023-2024, to include for releasing funds to the applicant if approved.

ATTACHMENT(S): [Application](#)

4. PUBLIC COMMENTS AND ANNOUNCEMENTS, INCLUDING PUBLIC COMMENTS ON A PROPOSED FY 2023-24 CAPITAL IMPROVEMENTS PROGRAM (CIP).

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

4.1 Mayor, City Council and/or members of the City staff may make

announcements about City/Community events. City Council

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

5. SPECIFIC PUBLIC HEARINGS

5.1 Conduct a Public Hearing on a request for a Conditional Use Permit to establish an “Open Air Market” at 1409 Main Street as per the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4, “Special Use Regulations,” Section 4.11, “Conditional use permit criteria and procedures”. **Applicant:** Sarah Duncan, 1409 Main Street, Seabrook, TX 77586 **Owner:** Marian P. Kidd, P.O. Box 353, Seabrook, TX 77586 **Legal Description:** Lots 1 & 2 Block 25 of Seabrook **Location:** 1409 Main Street, which is located south of Main Street, and east of E. Meyer Road. *Sean Landis, Assistant City Manager*

ATTACHMENT(S): [Agenda Briefing](#) [Public Hearing Notice](#)

5.2 Conduct a Public Hearing on a request for approval of a Final Planned Unit Development (Final PUD) to create “Residences at Highland Center Planned Unit Development”; a mixed used development consisting of a not to exceed 180 feet in height, 275 units, Class “A” Multi-Family Apartment Building; and a single story Restaurant Building; and an elevated Parking Garage. **Owner:** Bill Neeson, Highland Resources, Inc., 1001 Fannin, Suite 4775, Houston, TX 77002. **Applicant:** Katy Harris, LJA Engineering, 3600 W. Sam Houston Parkway, Suite 600, Houston, TX 77042. **Legal Description:** BEING a 3.091 acre tract of land located in the Ritson Morris Survey, Abstract No. 52, Harris County, Texas, being out of the called 3.18 acre tract conveyed unto PHCG Investments as recorded under Clerk’s File No. P511078 of the Official Public Records of Real Property of Harris County. This property is **located at** 3805 and 3813 NASA Road, which is south of NASA Road 1, east of Bayou View Drive, and west of Repsdorph Drive. *Sean Landis, Assistant City Manager*

ATTACHMENT(S): [Agenda Briefing](#) [Public Hearing Notice](#)

6. CONSENT AGENDA

6.1 Approve on second reading Ordinance 2023-13, "Revision to Records Management". *Robin Lenio, City Secretary*

ATTACHMENT(S): [Ordinance 2023-13](#)

AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, AMENDING THE CITY OF SEABROOK CODE OF ORDINANCES, CHAPTER 2, “ADMINISTRATION”, ARTICLE VII, “PUBLIC RECORDS”, DIVISION 2, “RECORDS MANAGEMENT”, BY ADDING CITY MANAGER, CITY ATTORNEY, AND CONTRACTOR TO SECTION 2-281, “DEFINTIONS”; BY UPDAING SECTION 2-282 (D) TO ADD CITY

CONTRACTOR; BY UPDATING SECTION 2-291(c) TO ALIGN WITH STATE LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE

7. NEW BUSINESS

7.1. Consider and take all appropriate action on the selection/appointment of Council Members as members of / representatives / liaisons to various boards and organizations as outlined in the attached table. *City Council*

ATTACHMENT(S): [Liaison Appointment Table](#)

7.2 Consider and take all appropriate action on first reading of Ordinance 2023-14, "Issuance of Conditional Use Permit to allow for an 'Open Air Market' in the OS Old Seabrook District". *Sean Landis, Assistant City Manager*

ATTACHMENT(S): [Agenda Briefing](#) [Application](#) [PZ Report](#)
[Ordinance 2023-14](#) [Staff Presentation](#) [Applicant Presentation](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 13, "TEMPORARY AND NONTEXT CHANGES," SECTION 13.03, BY ADDING A NEW PARAGRAPH TWENTY NINE (29), GRANTING A CONDITIONAL USE PERMIT ALLOWING FOR AN "OPEN AIR MARKET" AT 1409 MAIN STREET WITHIN A OS (OLD SEABROOK) DISTRICT OF THE CITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY

7.3 Consider and take all appropriate action on first reading of Ordinance 2023-15, "Residence at Highland Center (PUD) 'Planned Unit Development'". *Sean Landis, Assistant City Manager*

ATTACHMENT(S): [Agenda Briefing](#) [Application](#) [PZ Report](#)
[Ordinance 2023-15](#) [Metes and Bounds](#) [Staff Presentation](#) [Location Exhibit](#) [Applicant Presentation](#) [PUD Document](#) [Exhibits](#)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING 3.091 ACRES SITUATED IN ABSTRACT 52, OF THE RITSON MORRIS SURVEY, IN SEABROOK, HARRIS COUNTY, TEXAS, GENERALLY LOCATED

SOUTH OF NASA ROAD ONE (1), EAST OF BAYOU VIEW DRIVE, AND WEST OF REPSDORPH DRIVE; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", FROM (WAD) "WATERFRONT ACTIVITY DISTRICT", TO (PUD) "PLANNED UNIT DEVELOPMENT", FOR A MIXED USE DEVELOPMENT COMPRISED OF A NOT TO EXCEED 180 FEET IN HEIGHT, 275 UNITS, CLASS "A" MULTI-FAMILY APARTMENT BUILDING; AND A SINGLE STORY RESTAURANT BUILDING; AND AN ELEVATED PARKING GARAGE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; AND PROVIDING FOR SEVERABILITY

7.4 Consider and take all appropriate action on first reading of Resolution 2023-09, "Project and Incentive Agreement for Town Center Partners, LLC" *Paul Chavez, Director of Economic Development*

ATTACHMENT(S): [Agenda Briefing](#) [Resolution 2023-09](#) [Incentive Agreement](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, APPROVING A PROJECT OF THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION UNDER TEXAS LOCAL GOVERNMENT CODE SECTION 505.158

8. ROUTINE BUSINESS

8.1 City Manager update and report to City Council on various items that require no action, including 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*

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

ATTACHMENT(S): [Calendar](#)

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 City of Seabrook website, www.seabrooktx.gov/agendacenter, pursuant to Texas Government Code, Section 551.043(b)(1)-(3), on or before Friday, June 16, 2023 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Maria Lawler
Deputy City Secretary

