

1 The City Council of the City of Seabrook met in regular session on Tuesday, June 4, 2019 at 7:00
2 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if
3 appropriate, take action on the items listed below.

4
5 THOSE PRESENT WERE:

- | | |
|-----------------------------|---------------------|
| 6 THOM KOLUPSKI | MAYOR |
| 7 ED KLEIN | COUNCIL PLACE NO. 1 |
| 8 LAURA DAVIS – Ex. Abs. | COUNCIL PLACE NO. 2 |
| 9 JEFF LARSON – Ex. Abs. | COUNCIL PLACE NO. 3 |
| 10 NATALIE PICHA – Ex. Abs. | MAYOR PRO TEM |
| 11 | COUNCIL PLACE NO. 4 |
| 12 BUDDY HAMMANN | COUNCIL PLACE NO. 5 |
| 13 JOE MACHOL | COUNCIL PLACE NO. 6 |
| 14 GAYLE COOK | CITY MANAGER |
| 15 SEAN LANDIS | DEPUTY CITY MANAGER |
| 16 ROBIN HICKS | CITY SECRETARY |

17
18 Mayor Kolupksi called the meeting to order at 7:00 p.m. and led the audience in the United States
19 and Texas Pledge of Allegiance.

20
21 **1. PRESENTATIONS**

22
23 **1.1** Presentation of a post event report by City staff on the barge collision that took place on
24 May 10, 2019 in the Houston Ship Channel. (Cook)

25
26 Gayle Cook, City Manager, explained that this presentation was put together by LeaAnn
27 Petersen, and it includes a timeline and an after-action plan in the event anything like this happens
28 again so that staff can filled in the gaps in communication.

29
30 LeaAnn Petersen, Director of Communications, presented the attached Attachment A.

31
32 Ms. Cook stated that Seabrook is very adamant that local entities need to have a seat at the
33 table when discussing improvements in communication. Residents were demanding to know about
34 sheltering in place, and if the symptoms they were experiencing was something of concern. Once
35 Unified Command was established, all the reports were coming from Unified Command. The
36 information pushed out to the public was the information the City received from the Command
37 Center. Staff believes there were a number of communication holes and that has been relayed to
38 the Regional GLO Director. The regional director has communicated that he will allow cities to
39 sit in on their recap meetings.

40
41 Jeff Gaylean, Director of the Office of Emergency Manager, explained that he has reached
42 out to several of his counterparts at the city level and everyone was left in the dark. The Emergency
43 Management Coordinator in Pasadena has meetings arranged with the Coast Guard Sector Captain,
44 and Seabrook has been invited to attend that meeting to discuss better communication in events
45 such as this. Another local jurisdiction has a standing contract with a company that provides real

46 time air quality monitoring and that city has access to the company's real time data. That
47 jurisdiction shared with Seabrook that no time did Seabrook have dangerous levels of benzene
48 during the event. The Seabrook EOC action plan moving forward will include training a backup
49 for the Director of the Office of Emergency Management and more training for all staff in the
50 EOC. In addition, staff is looking at how to improve technology to communicate better with each
51 other internally during an event. The incident was a Chambers County event, and the federal
52 entities will notify the county where the incident is occurring, not the cities where the plume is
53 going. In addition, there is an e-system for notifications on land, but not for incidents in the water.
54

55 Mayor Kolupski stated that from time of incident, myself, the City Manager, and the
56 Deputy City Manager were in field within a half hour. The Port had a monitor at Pine Gully with
57 no detection there. Commissioner Garcia was called and he sent air monitors to Seabrook. The
58 three of us were following the truck and looking at the readings as they were being taken. At no
59 point was it anywhere close to a level above the threshold. But the City wasn't in a position to
60 publish that information from the monitor sent over by the County. We felt a comfort level of
61 seeing the readings first hand. The plume map was published at some point. The real issue was
62 communication from Unified Command. On every conference call attended during the event,
63 cities weren't there, and after talking with those mayors, we found out those cities were not the
64 Coast Guard's call list. It was a lack of communication and lack of who is in charge. It was a long
65 timeframe before anyone took charge. All other cities were using Seabrook's website to push out
66 information. That was a problem. The issue is that the county is extended to the water, and Harris
67 County Health Department not being a lead for Seabrook is a problem. Mayors from Galveston
68 County were calling me for information. There is a big communication gap, and Emergency
69 Management is trying to solve it.
70

71 In summary, Ms. Cook stated that Seabrook has scheduled a follow up meeting with local
72 directors to see what can be done better, and we will take that list to the table with the GLO. The
73 GLO understands the concerns at the local level. There will be a new item on the Action Items
74 Checklist because staff does not want this to fall off the radar.
75

76 Council asked the following questions and gave the following comments:
77

- 78 • Is no actionable levels detected the same as no hazards to residents? Ms. Cook stated that
79 it was the question staff received throughout the event from the public, and the City was
80 never alerted that there was a level of concern.
- 81 • I got sick to my stomach from the smell. Ms. Cook explained that there were multiple
82 reports from several cities of those things were happening. The City was not being given
83 real time results.
- 84 • All reports were provided by Unified Command and TCEQ and their monitors, correct?
85 Jeff Galyean, Director of the Office of Emergency Manager, stated that this was not a
86 Seabrook incident, so yes, the reports were proved by Unified Command. The Cities had
87 to wait for solid information before pushing anything out to the public.
- 88 • What are the chances of us getting a seat at the table? Mr. Galyean explained that the
89 chances are positive with the GLO (the State); however, federal entities do not usually like
90 to bring locals to the table. This gap needs to be addressed.

- 91 • The Chronicle had a report from TCEQ that had benzene level of 1000's. Ms. Cook stated
92 that the City is waiting on a report regarding further analysis of that particular reading
93 because staff is hearing that it might not be an accurate reading. Nothing has been released
94 publicly yet on further analysis. In addition, TCEQ was not part of Unified Command.
95 Unified Command was the Coast Guard, the Port of Houston, and Kirby. Unified
96 command says they didn't receive that reading. All other monitorings taken in the area in
97 the same time frame showed nothing.
- 98 • Are we in the process of identifying a third party for air monitoring? Mr. Galyean
99 responded, "Yes".

100 101 2. *PUBLIC COMMENTS AND ANNOUNCEMENTS*

102
103 Annette Leturia, 1325 N. Meyer, thanks the Council for their time and explained that
104 Seabrook is a city that she loves to call home and her family loves spending time outdoors. Ms.
105 Leturia explained that on Friday, May 10, the air smelled like paint thinner. Because her husband
106 is a chemical engineer, the family avoided the Seabrook area during the evening and later went
107 back home to see if it was safe to sleep there. The house directly faces the Bay and it was windy
108 that night. The fumes were inescapable, so overnight bags were packed and left to stay the night
109 in Humble. The fumes caused light headedness and coughs for the family and the chemical could
110 be tasted. I packed overnight bags. As a result of fumes, light headedness, coughed and tasted it.
111 We were not told until the next day that the area was safe. TCEQ took a reading at 10:25pm that
112 registered a very dangerous level of chemical in the air, and the reading was taken directly across
113 from our house. Had we known of the dangerous level, we wouldn't have taken a chance on going
114 home to check for safety and pack bags. The inflammation caused by the chemical caused my
115 teeth to hurt for days. There was never any mention by the City of those TCEQ levels. It would
116 be nice to have an emergency alert system on local phones that citizens do not have to sign up for,
117 and we need a budget to use own air monitoring contractor. Transparency is important. If the City
118 does not have timely data, citizens need to be told that the information is not available instead of
119 sending out assurances that the air is fine.

120
121 Dr. Beth Dennard, 2100 Menard Avenue, stated that getting the first notification from the
122 new media on the barge crash is pretty sad. The Port of Houston knew it was happening because
123 the tugs knew it was happening. There needs to be an investigation to interface with the news
124 media. Sometimes the news media was the first one to find out about something, but never if it
125 was this kind of thing. Why did everybody have to find out from the news media? It creates alarm
126 and the people we trust are the City employees. You are elected officials so you need to be on top
127 of it.

128
129 **2.1** Mayor, City Council, and/or members of City staff may make announcements about
130 City/Community events. (Council)

131
132 Councilmember Klein announced several upcoming events, including: the start of
133 Hurricane Season; the opening of Pelican Bay Swimming Pool; the swim lesson schedule; Texas
134 Outlaw Challenge; and the State of the Bay Event.

135

136 **3. PROFESSIONAL SERVICES SELECTION**

137
138 **3.1** Consider and take all appropriate action on the selection, through Sealed Requests for
139 Qualifications, of Cobb Fendley & Associates, Inc., a Professional Engineering Firm, for 404
140 HMGP Application Revision and Engineering Services for the City's Wastewater System
141 Infrastructure Retrofit (Project 2018-301-02). (Padgett)

142
143 Kevin Padgett, Director of Public Works, explained that the City published an RFQ for the
144 selection of a professional engineer to assist application for a grant for the retrofit project. The
145 engineer is required to submit the application. Two (2) responses were received and Cobb Fendley
146 was selected due to the firm's experience with projects of this nature.

147
148 *Motion was made by Councilmember Klein and seconded by Councilmember Machol*

149
150 *To approve* the selection of Cobb Fendley & Associates, Inc., a Professional Engineering Firm,
151 for 404 HMGP Application Revision and Engineering Services for the City's Wastewater System
152 Infrastructure Retrofit (Project 2018-301-02).

153
154 **MOTION CARRIED BY UNANIMOUS CONSENT**

155
156 **4. CONSENT AGENDA**

157
158 **4.1** Approve the final Water and Sewer Utilities Infrastructure reroute at the Lighthouse Day
159 Care property on Lakeside Drive. (Craig)

160
161 **4.2** Approve proposed Resolution 2019-13, "No Wake Zone for Texas Outlaw Challenge
162 2019." (Petersen)

163
164 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS,
165 SUPPORTING A NO WAKE ZONE IN AND AROUND THE SEABROOK CLEAR LAKE
166 AREA ON JUNE 21, 2019 DURING THE TEXAS OUTLAW CHALLENGE

167
168 **4.3** Approve the minutes of the May 21, 2019 regular City Council meeting. (Hicks)

169
170 **4.4** Approve the minutes of the May 7, 2019 regular City Council meeting. (Hicks)

171
172 *Motion was made by Councilmember Machol and seconded by Councilmember Hammann*

173
174 *To approve the Consent Agenda as presented.*

175
176 **MOTION CARRIED BY UNANIMOUS CONSENT**

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180

181 **5. NEW BUSINESS**

182
183 **5.1** Consider and take all appropriate action on first and final reading of proposed Ordinance
184 2019-15, "Amendment No. 5 to the Budget of the City of Seabrook, Texas for Fiscal Year 2018-
185 2019." (Gibbs)

186
187 AN ORDINANCE AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE FISCAL
188 YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019 BY
189 AUTHORIZING CERTAIN ADDITIONS IN THE AMOUNT OF \$535,280 FOR ENTERPRISE
190 FUND; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO
191 FACILITATE THE CHANGES IDENTIFIED; AND FINDING AVAILABLE
192 UNENCUMBERED FUNDS FOR THE SUPPLEMENTAL APPROPRIATION AND/OR
193 RESERVE REDUCTION

194
195 *Motion was made by Councilmember Hammann and seconded by Councilmember Klein*

196
197 *To approve on first and final reading proposed Ordinance 2019-15, "Amendment No. 5 to the*
198 *Budget of the City of Seabrook, Texas for Fiscal Year 2018-2019."*

199
200 **MOTION CARRIED BY UNANIMOUS CONSENT**

201
202 **5.2** Consider and take all appropriate action on a Master Professional Services Agreement
203 between the City of Seabrook and Cobb Fendley & Associates, Inc. for 404 HMGP Application
204 Revision and Engineering Services for the City's Wastewater System Infrastructure Retrofit
205 (Project 2018-301-02), and on Task Order No. 1 to Revise the 404 HMGP Application in an
206 amount not to exceed \$5,000.00. (Cook)

207
208 *Motion was made by Councilmember Hammann and seconded by Councilmember Klein*

209
210 *To approve a Master Professional Services Agreement between the City of Seabrook and Cobb*
211 *Fendley & Associates, Inc. for 404 HMGP Application Revision and Engineering Services for the*
212 *City's Wastewater System Infrastructure Retrofit (Project 2018-301-02), and Task Order No. 1 to*
213 *Revise the 404 HMGP Application in an amount not to exceed \$5,000.00.*

214
215 **MOTION CARRIED BY UNANIMOUS CONSENT**

216
217 **6. ROUTINE BUSINESS**

218
219 **6.1** Approve the Action Item Checklist which is attached and made a part of this agenda.
220 (Council)

221
222 **TXDOT** – Gayle Cook, City Manager, explained that there is no new information to report.
223 Phase 1 of construction is still in progress and the Communications Department continues to keep
224 the www.SH146.com website updated as the City receives the information.

225

226 **PROJECTS** – Kevin Padgett, Director of Public Works, explained that the Highway 146
227 utility relocates are in full swing and crews are working right now to relocate water, sewer and
228 drainage lines. The Marvin Circle project kicked off this week, starting with water line first. The
229 work is about 120 feet in so far this week, and crews will look at starting on the street in phases
230 once the water line portion is complete. Council accepted the water and sewer utilities tonight for
231 the Lighthouse Daycare project. There a couple weeks break then the drainage work will start.
232 The next big projects in the queue are the Fiber Optic Project and the SCADA Project. Ms. Cook
233 stated that she and Deputy City Manager, Sean Landis, met with the Economic Alliance Port
234 Region recently, along with City of Pasadena, Port of Houston, Harris County, and TXDOT, and
235 learned that a couple of plants on the north side of Port Road are planning expansions and Port
236 Road itself will also be expanded. Seabrook can expect to see a lot of activity in that area, with
237 construction starting in the first quarter of 2020. Pipeline relocations for 146 will take place in
238 that area at the same time. The Repsdorph spur project will wrap up middle of next year, and the
239 Red Bluff expansion will be ongoing. There will definitely be transportation challenges on that
240 side of town, but staff will work to make everything as safe as possible.

241
242 **GRANT ADMINISTRATION** – Please see the Memo drafted by the City Manager that
243 is attached as Attachment B.

244
245 **LEGISLATIVE UPDATES** – Ms. Cook stated that quite a few bills are still pending the
246 Governor’s review and signature or veto, including the hotel tax rebate bill and Senate Bill 2 on
247 the revenue cap. A few bills are effective immediately. The City Manager and Deputy City
248 Manager will be traveling to Austin on June 24 for the Texas Municipal League (TML) Legislative
249 Update. Right now the bill that has been signed by the Governor that will have a detrimental effect
250 on the City is the one that changes the way building permit fees are calculated. Sean Landis,
251 Deputy City Manager, stated that staff is looking to take recommendations on how the City will
252 proceed since this bill is effective immediately. The bill no longer allows cities to use the valuation
253 of the property to calculate building permit fees. Most cities are creating a formula that uses square
254 footage. Staff will bring a resolution or ordinance to Council at the next meeting for approval of
255 this formula. The formula that cities use now, using the valuation, is in the Building Code itself.
256 Mr. Landis continued that, in addition to the change in the permit fees, the legislation has basically
257 abolished the State Plumbing Board without any other options for any other group to move forward
258 to be an authority, so there is no plumbing licensing agency in the State of Texas. For the plumbing
259 licensing issue, it sounds like the Governor realizes it was a mistake and he’s trying to address the
260 matter without calling a special session. As staff gets word that bills have been signed or vetoed
261 by the Governor, information will be sent out to Council, and at Council’s request, how each of
262 Seabrook’s representatives and senators voted on those bills.

263
264 **EMERGENCY EVENT** – Ms. Cook stated that the information has been covered in the
265 Presentation of the barge collision, so updates will begin at the next City Council meeting.

266
267 **CELEBRATION SEABROOK** – LeaAnn Petersen, Director of Communications, stated
268 that the updates will begin at the next City Council meeting.

269
270

271 *Motion was made by Councilmember Machol and seconded by Councilmember Klein*

272

273 *To approve the Action Items Checklist.*

274

275 **MOTION CARRIED BY UNANIMOUS CONSENT**

276

277 **6.2** Establish future meeting dates and agenda items. (Council)

278

279 The next City Council meeting will be June 18, 2019, at 7:00 p.m.

280 City Council will also hold a Strategic Planning Workshop on June 21, 2019.

281

282 **7. OLD BUSINESS**

283

284 **7.1** Consider, discuss, and take all appropriate action on the existing contract between the City of
285 Seabrook and the Clear Lake Emergency Medical Corps (CLEMC), and establishment of an
286 Emergency Medical Services Department. (Cook / Goudie)

287

288 Gayle Cook, City Manager, stated that at the City Council meeting, Council approved the
289 expenditures for the establishment of an in-house EMS Department. Therefore, at the last CLEMC
290 Board meeting, on May 28, a draft budget was presented with Seabrook off of the budget so that
291 the remaining entities would have an idea about their contribution under the service agreement
292 moving forward. Because of the aggressive timeline for getting the in-house EMS Department up
293 and running by October 1, there may be some overlap with CLEMC for providing services, and
294 the CLEMC treasurer made a motion at the CLEMC meeting of a cost of \$130,000 per quarter for
295 the services provided, by CLEMC, to Seabrook after October 1. The City of Kemah is also looking
296 at publishing an RFP for EMS Services. The City of Pasadena will look at current vendors to see
297 the numbers make sense to change vendors. CLEMC financials are stable right now, and under
298 the current contract CLEMC will ask their Board of Directors to look at purchasing another
299 ambulance to operate during the Highway 146 construction because they are having a hard time
300 getting back and forth across the bridge. CLEMC has a unit at the Seabrook Fire Station now, and
301 are having issues getting over on the Southside. CLEMC has scheduled another meeting for June
302 12. Brad Goudie, Director of Emergency Services, continues to work on the items approved by
303 Council for purchase in order to get licensing for an in-house EMS Department.

304

305 In response to questions by Council, Brad Goudie, Director of Emergency Services,
306 explained that he has been in discussions with the Texas Department of Health Services regarding
307 expediting the licensing process. The State will continue to meet with staff on the timing of some
308 of the licensing requirement items. Mr. Goudie continued that he has received some information
309 on some good new and used ambulances for purchase. The biggest challenge is getting through
310 the budget process, but staff anticipates an October 1 start date.

311

312 Mayor Kolupski stated that if CLEMC is looking at a payment of \$130,000 to carry
313 Seabrook past the October 1 date, and they are talking about buying another ambulance, then it
314 makes no sense for Seabrook to go past October 1 with an in-house department.

315

316 Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 8:14 p.m.

317

318 Approved this 18th day of June, 2019.

319

320

321

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325

326

327 Robin Hicks, TRMC

328 City Secretary

Thomas G. Kolupski
Mayor