

**SEABROOK CITY COUNCIL  
NOTICE OF REGULAR CITY COUNCIL MEETING  
TUESDAY, JANUARY 5, 2016 - 7:00 PM**

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY JANUARY 5, 2016 AT 7:00 PM** IN THE SEABROOK CITY HALL CITY COUNCIL CHAMBERS, 1700 FIRST 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) 291-5600 OR FAX (281) 291-5710 FOR FURTHER INFORMATION.

**PLEDGE OF ALLEGIANCE**

**1.0 PRESENTATIONS**

- 1.1 Recognize Photojenic, Inc. as the winner of the 2015 Old Seabrook Holiday Decorating Contest. (EDC)

**2.0 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. 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)

**3.0 SPECIFIC PUBLIC HEARING(S)**

 **ATTACHMENT 1**

- 3.1 Proposed Ordinance 2016-01, "Issuance of Conditional Use Permit to allow a Hotel without a full service restaurant". (Landis)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 12, "TEMPORARY AND NONTEXT CHANGES," SECTION 12.03, "CONDITIONAL USE PERMITS GRANTED", BY ADDING A NEW PARAGRAPH (21) GRANTING A CONDITIONAL USE PERMIT FOR A "HOTEL (WITHOUT FULL SERVICE

RESTAURANT)" TO BE LOCATED AT 2710 NASA PARKWAY, WITHIN THE C-2 (COMMERCIAL - MEDIUM) ZONING DISTRICT AND ESTABLISHING ANY APPLICABLE CONDITIONS FOR THE OPERATION OF THE BUSINESS IN ACCORDANCE WITH LAW; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 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.

**4.0 CONSENT AGENDA - Council will discuss, consider and if appropriate, take action on the items listed below.**

All consent agenda items are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a council member, city manager, city attorney or city secretary so requests, in which event the item will be removed from the Consent Agenda and considered immediately following the Consent Agenda.

**ATTACHMENT 2**

- 4.1 Approve an event permit for the Seabrook Intermediate Cross Country Meet on Monday, January 11, 2016 from 4:45 p.m. until 6:00 p.m. at Meador Park. All supporting items have been submitted and approved. (Hicks)

**ATTACHMENT 3**

- 4.2 Approve request by Dow Hydrocarbons and Resources, LLC, for a permit to construct and operate a 12 inch (12") Ethane Pipeline within the City limits of Seabrook. (Landis)

**END OF CONSENT AGENDA**

**5.0 NEW BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.**

**ATTACHMENT 4**

- 5.1 Consider approval of proposed Resolution 2016-01, "Authorizing the Publication of Notice of Intention to Issue Certificates of Obligation." (Cook / Roebuck)

RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 FOR THE ACQUISITION, CONSTRUCTION AND IMPROVEMENT OF CERTAIN PUBLIC WORKS, AND AUTHORIZING CERTAIN OTHER MATTERS RELATING THERETO

**ATTACHMENT 5**

- 5.2 Consider approval on first reading of Proposed Ordinance 2016-01, "Issuance of Conditional Use Permit to allow a Hotel without a full service restaurant". (Landis)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 12, "TEMPORARY AND NONTEXT CHANGES," SECTION 12.03, "CONDITIONAL USE PERMITS GRANTED", BY ADDING A NEW PARAGRAPH (21) GRANTING A CONDITIONAL USE PERMIT FOR A "HOTEL (WITHOUT FULL SERVICE RESTAURANT)" TO BE LOCATED AT 2710 NASA PARKWAY, WITHIN THE C-2 (COMMERCIAL - MEDIUM) ZONING DISTRICT AND ESTABLISHING ANY APPLICABLE CONDITIONS FOR THE OPERATION OF THE BUSINESS IN ACCORDANCE WITH LAW; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 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.

#### **ATTACHMENT 6**

- 5.3 Consider staff's recommendation to reject the current bids for the Public Works Complex Project No. 2015-08 and be re-advertised. The five bids received exceeded the funds available for the project. (Chairez)

#### **6.0 ROUTINE BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.**

#### **ATTACHMENT 7**

- 6.1 Approve the Action Items Checklist which is attached and made a part of this agenda. (Council)

#### **ATTACHMENT 8**

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

#### **7.0 EXECUTIVE SESSION**

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

#### **Section 551.071**

- 7.1 Pursuant to Section 551.071, Texas Government Code, consult with an attorney to receive legal advice regarding legal issues related to recently adopted statutes concerning regulation of firearms. (Cook)

#### **8.0 OPEN MEETING**

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

- 8.1 Consider and authorize approval or action on legal issues and policy associated with recently adopted statutes concerning regulation of firearms. (Cook)

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.

#### CERTIFICATE

I certify that this notice was posted on the bulletin board on or before Thursday, December 31, 2015 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

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Robin Hicks  
City Secretary



# CITY OF SEABROOK

## AGENDA BRIEFING

**Date of Meeting:** January 5, 2016

**Submitter/Requestor:** City of Seabrook

**Date Submitted:** 12-22-2015

**Presenter:** Sean Landis

**Description/Subject:**

Discussion, consideration, and possible action regarding the issuance of a Conditional Use permit to allow a Hotel (Without a full service restaurant) to be located at 2710 NASA Parkway.

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 12, "TEMPORARY AND NONTEXT CHANGES," SECTION 12.03, "CONDITIONAL USE PERMITS GRANTED", BY ADDING A NEW PARAGRAPH (21) GRANTING A CONDITIONAL USE PERMIT FOR A "HOTEL (WITHOUT FULL SERVICE RESTAURANT)" TO BE LOCATED AT 2710 NASA PARKWAY, WITHIN THE C-2 (COMMERCIAL - MEDIUM) ZONING DISTRICT AND ESTABLISHING ANY APPLICABLE CONDITIONS FOR THE OPERATION OF THE BUSINESS IN ACCORDANCE WITH LAW; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 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.**

**Applicant:** Bharat Patel, (Harshy Seabrook Hospitality, Inc.)

**Legal Description:** The subject property, 2710 NASA Parkway, is located along NASA Parkway west of Larrabee Street and east of Elam Street.

**Request:** The applicant requests a conditional use permit to establish a "Hotel (without full service restaurant)" at 2710 NASA Parkway.

**Purpose/Need:** Policy Issue  Administrative Issue

Agenda Briefing Form  
Page 2

**Background/Issue** (What prompted this need?):

The applicant wishes to establish a Hotel (without a full service restaurant) at the property located at 2710 NASA Parkway.

The applicant has indicated that the project will be an 80 room Holiday Inn Express, including food service and a dining room; however, the dining room will not meet the definition as a full service restaurant, as this is not permissible by the Holiday Inn franchise.

The building is based on the Holiday Inn Express prototype and is proposed to have a maximum ceiling height on the ground floor of 12'-0", and guest room ceiling heights of 9'-0". The building will be four stories and have a parapet roof, with a slightly higher parapet above the main entrance to accommodate the wall signage. This will result in an overall height of approximately 48' above the ground floor or approximately 50'-0" above finished grade.

The property is located within a C-2 (Commercial – Medium) Zoning District.

**Impacted Parties** (Expected/Notified):

**Recommended Action:**

The Commission after receiving a presentation from City Staff and Harshy Seabrook Hospitality, Inc. recommended approval of the Conditional Use Permit by unanimous vote.

Aye: Miller, Sharp, Dehart, Caradec, Davis and Potts

Nay:

Absent: Hammann

**Attachments:**

(Please list description of attachments and number of pages in each attachment)

- 1. Proposed Ordinance 2016-01
- 2. Planning and Zoning Commission Official Report from the November 19, 2015 Meeting
- 3. Location Map
- 4. Zoning Map
- 5. Proposed Site Plan

<b>Fiscal Impact:</b>	Budgeted	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Finance Officer Review:
	Budget Amendment Required	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
	Future/Ongoing Impact	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Budget Dept/Line Item Number N/A

**Funding Comments:**

N/A

**All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.**

Agenda Briefing Form  
Page 3

**Where on the agenda should this item be placed?**

(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

Public Hearing & New Business

**Suggested Motion:**

The Commission after receiving a presentation from City Staff and Harshy Seabrook Hospitality, Inc. recommended approval of the Conditional Use Permit by unanimous vote.

Aye: Miller, Sharp, Dehart, Caradec, Davis and Potts

Nay:

Absent: Hammann

**City Manager Review:**

- Approved as submitted
- Submitted for Council consideration without comment
- Submitted for Council consideration with comments stated below:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review \_\_\_\_\_  
(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant \_\_\_\_\_

Returned by the City Secretary/Assistant (If incomplete) \_\_\_\_\_

**All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.**

## Planning & Zoning Commission OFFICIAL REPORT

The Planning and Zoning Commission of the City of Seabrook met on November 19, 2015 to hold a meeting to consider:

**Request for a conditional use permit to establish a "Hotel (without full service restaurant)" at 2710 Nasa Parkway as per the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4, "Special Use Regulations," Section 4.11, "Conditional use permit criteria and procedures,"**

### THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL  APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW)  DENIAL   
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on November 19, 2015, as designated below and as certified by the signature of the Chairman. **This document is not valid unless signed by the Chairman/Presiding Commissioner.**

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<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Rosebud Caradec	X				<i>RC</i>
Laura Davis	X				<i>LD</i>
Mike DeHart	X				<i>MDH</i>
Buddy Hammann				X	
Dodie Miller	X				<i>DM</i>
Michael Potts	X				<i>MP</i>
Michael Sharpe	X				<i>MDS</i>

*Michael B Potts*  
Michael Potts, Chairman  
Planning & Zoning Commission

ATTEST:  
*Robin Hicks*  
Atesia L. Hammock ROBIN Hicks  
City Secretary

CITY OF SEABROOK  
ORDINANCE NO. 2016-01

ISSUANCE OF CONDITIONAL USE PERMIT  
TO ALLOW A HOTEL WITHOUT A FULL SERVICE RESTAURANT

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 12, “TEMPORARY AND NONTEXT CHANGES,” SECTION 12.03, “CONDITIONAL USE PERMITS GRANTED”, BY ADDING A NEW PARAGRAPH (21) GRANTING A CONDITIONAL USE PERMIT FOR A “HOTEL (WITHOUT FULL SERVICE RESTAURANT)” TO BE LOCATED AT 2710 NASA PARKWAY, WITHIN THE C-2 (COMMERCIAL - MEDIUM) ZONING DISTRICT AND ESTABLISHING ANY APPLICABLE CONDITIONS FOR THE OPERATION OF THE BUSINESS IN ACCORDANCE WITH LAW; PROVIDING A PENALTY IN AN AMOUNT ~~OF~~ NOT TO EXCEED \$2,000.00 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. ~~AND PROVIDING FOR AN EFFECTIVE DATE.~~**

WHEREAS, Harshy Seabrook Hospitality Inc., “Applicant”, in accordance with the requirements of Section 4.11 of the City’s Comprehensive Ordinance, Appendix A of the Code of the City of Seabrook (“Zoning Ordinance”), has requested~~requests~~ the issuance of a Conditional Use Permit (“CUP”) to allow the construction and operation of a Hotel, without a full service restaurant, to be located at 2710 NASA Parkway, within~~in~~ a C-2 (Medium Commercial) district ~~in accordance with the requirements of Section 4.11.14 of the City’s Comprehensive Ordinance;~~ and

WHEREAS, the Zoning City’s Zoning Ordinance, Section 3.15, requires the issuance of a Conditional Use Permit to allow a Hotel without a full service restaurant in a C-2 zoning district; and

WHEREAS, the Planning and Zoning Commission of the City of Seabrook has conducted a public hearing, received input from staff and has issued its final report recommending approval of the subject CUP; and

WHEREAS, all required hearings on this matter have been held, all criteria have been established for the consideration by City Council, and the applicant has agreed to comply with all ordinances of the City of Seabrook;

**Ordinance No. 2016-01**  
**Page 2**

47           **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**  
48 **CITY OF SEABROOK, STATE OF TEXAS:**

49  
50 **SECTION 1. FINDINGS OF FACT.**

51  
52           The facts and matters set forth in the preamble of this Ordinance are hereby found to be  
53 true and correct and incorporated by reference, including the representations of Applicant, (as  
54 referenced in its application for CUP, the final report from the Planning & Zoning Commission  
55 of November 19, 2015 recommending this CUP and the minutes of City Council of January 5  
56 and January 19, 2016), the performance of which City Council is specifically relying upon in  
57 granting this CUP, as provided hereafter.

58  
59 **SECTION 2. USE PERMITTED.**

60  
61           A Conditional Use Permit is hereby granted to allow a Hotel without a full service  
62 restaurant, in the C-2 (Medium Commercial) district located at 2710 NASA Parkway. Such  
63 Conditional Use Permit shall be in conformance with all conditions contained herein, and city  
64 ordinances, including the Comprehensive Zoning Ordinance and Subdivision Ordinance. In  
65 order to assure the proposed use meets all criteria contained in Section 4.11 of the Zoning  
66 Ordinance and related provisions of the Code of Ordinances, this Conditional Use Permit shall  
67 be in strict conformance with the following conditions which have been agreed by Applicant:  
68 [state additional conditions or delete] . In  
69 addition, failure of Applicant to comply with all ordinances of the City of Seabrook shall result  
70 in the immediate termination of this permit. This permit shall not be transferred to any other  
71 address.

72  
73 **SECTION 3. AMENDMENT TO THE CODE.**

74  
75           The Code of the City of Seabrook, Appendix A, “Comprehensive Zoning”, Article 12,  
76 Section 12.03 “Conditional use permits granted” is hereby amended by adding a new paragraph  
77 Twenty-One (21) which shall read as follows:

78  
79           “(21) By Ordinance No. 2016-01, a conditional use permit was granted to allow the  
80 construction and operation of a Hotel without a full service restaurant at 2710 NASA  
81 Parkway which is located in a C-2 zoning district. Failure to comply with any conditions  
82 imposed and all ordinances of the City of Seabrook shall result in the immediate  
83 termination of this permit. This permit shall not be transferred to any other address.”

84  
85 **SECTION 4. INCORPORATION INTO THE CODE; PENALTY CLAUSE.**

86  
87           This Ordinance is hereby incorporated into and made a part of the Seabrook City Code  
88 and violation of any provision hereof shall be subject to the penalty described in said Code,  
89 Section 1-15 “General Penalty; continuing violations” which provides that any person who  
90 shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and,  
91 upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall  
92 constitute a separate offense.

**Ordinance No. 2016-01**  
**Page 3**

94 **SECTION 5. REPEAL OF CONFLICTING ORDINANCES.**

95

96 All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the  
97 extent of such inconsistency or conflict, hereby repealed.

98

99 **SECTION 6. SEVERABILITY.**

100

101 In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the  
102 application of the same to any person or circumstances shall for any reason be adjudged invalid  
103 or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or  
104 invalidate this Ordinance as a whole or any part or provision hereof other than the part declared  
105 to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares  
106 that it would have passed each and every part of the same notwithstanding the omission of any  
107 such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

108

109 **SECTION 7. NOTICE.**

110

111 The City Secretary shall give notice of the enactment of this Ordinance by promptly  
112 publishing it or its descriptive caption and penalty after final passage in the official newspaper  
113 of the City; the Ordinance to take effect upon publication.

114

115 PASSED AND APPROVED on first reading this 5th day of January, 2016.

116

117 PASSED, APPROVED, AND ADOPTED on second and final reading this 19th day of  
118 January, 2016.

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By: \_\_\_\_\_  
Glenn Royal  
Mayor

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125 ATTEST:

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By: \_\_\_\_\_  
Robin Hicks, TRMC  
City Secretary

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133 Approved as to form:

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\_\_\_\_\_  
Steven L. Weathered  
City Attorney

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**CITY OF SEABROOK  
ORDINANCE NO. 2016-01**

**ISSUANCE OF CONDITIONAL USE PERMIT  
TO ALLOW A HOTEL WITHOUT A FULL SERVICE RESTAURANT**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 12, “TEMPORARY AND NONTEXT CHANGES,” SECTION 12.03, “CONDITIONAL USE PERMITS GRANTED”, BY ADDING A NEW PARAGRAPH (21) GRANTING A CONDITIONAL USE PERMIT FOR A “HOTEL (WITHOUT FULL SERVICE RESTAURANT)” TO BE LOCATED AT 2710 NASA PARKWAY, WITHIN THE C-2 (COMMERCIAL - MEDIUM) ZONING DISTRICT AND ESTABLISHING ANY APPLICABLE CONDITIONS FOR THE OPERATION OF THE BUSINESS IN ACCORDANCE WITH LAW; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 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.**

**WHEREAS**, Harshy Seabrook Hospitality Inc., “Applicant”, in accordance with the requirements of Section 4.11 of the City’s Comprehensive Ordinance, Appendix A of the Code of the City of Seabrook (“Zoning Ordinance”), has requested the issuance of a Conditional Use Permit (“CUP”) to allow the construction and operation of a Hotel, without a full service restaurant, to be located at 2710 NASA Parkway, within a C-2 (Medium Commercial) district; and

**WHEREAS**, the Zoning Ordinance, Section 3.15 requires the issuance of a Conditional Use Permit to allow a Hotel without a full service restaurant in a C-2 zoning district; and

**WHEREAS**, the Planning and Zoning Commission of the City of Seabrook has conducted a public hearing, received input from staff and has issued its final report recommending approval of the subject CUP; and

**WHEREAS**, all required hearings on this matter have been held, all criteria have been established for the consideration by City Council, and the applicant has agreed to comply with all ordinances of the City of Seabrook;

48           **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**  
49 **CITY OF SEABROOK, STATE OF TEXAS:**

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51 **SECTION 1. FINDINGS OF FACT.**

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53           The facts and matters set forth in the preamble of this Ordinance are hereby found to be  
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64 Conditional Use Permit shall be in conformance with all conditions contained herein, and city  
65 ordinances, including the Comprehensive Zoning Ordinance and Subdivision Ordinance. In  
66 order to assure the proposed use meets all criteria contained in Section 4.11 of the Zoning  
67 Ordinance and related provisions of the Code of Ordinances, this Conditional Use Permit shall  
68 be in strict conformance with the following conditions which have been agreed by Applicant:  
69 [state additional conditions or delete]\_\_\_\_\_. In  
70 addition, failure of Applicant to comply with all ordinances of the City of Seabrook shall result  
71 in the immediate termination of this permit. This permit shall not be transferred to any other  
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80           **"(21) By Ordinance No. 2016-01, a conditional use permit was granted to allow the**  
81 **construction and operation of a Hotel without a full service restaurant at 2710 NASA**  
82 **Parkway which is located in a C-2 zoning district. Failure to comply with any conditions**  
83 **imposed and all ordinances of the City of Seabrook shall result in the immediate**  
84 **termination of this permit. This permit shall not be transferred to any other address."**

85  
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93 constitute a separate offense.

**Ordinance No. 2016-01**  
**Page 3**

95 **SECTION 5. REPEAL OF CONFLICTING ORDINANCES.**

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102 In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the  
103 application of the same to any person or circumstances shall for any reason be adjudged invalid  
104 or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or  
105 invalidate this Ordinance as a whole or any part or provision hereof other than the part declared  
106 to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares  
107 that it would have passed each and every part of the same notwithstanding the omission of any  
108 such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

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114 of the City; the Ordinance to take effect upon publication.

115

116 PASSED AND APPROVED on first reading this 5th day of January, 2016.

117

118 PASSED, APPROVED, AND ADOPTED on second and final reading this 19th day of  
119 January, 2016.

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By: \_\_\_\_\_  
Glenn Royal  
Mayor

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126 ATTEST:

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By: \_\_\_\_\_  
Robin Hicks, TRMC  
City Secretary

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Approved as to form:

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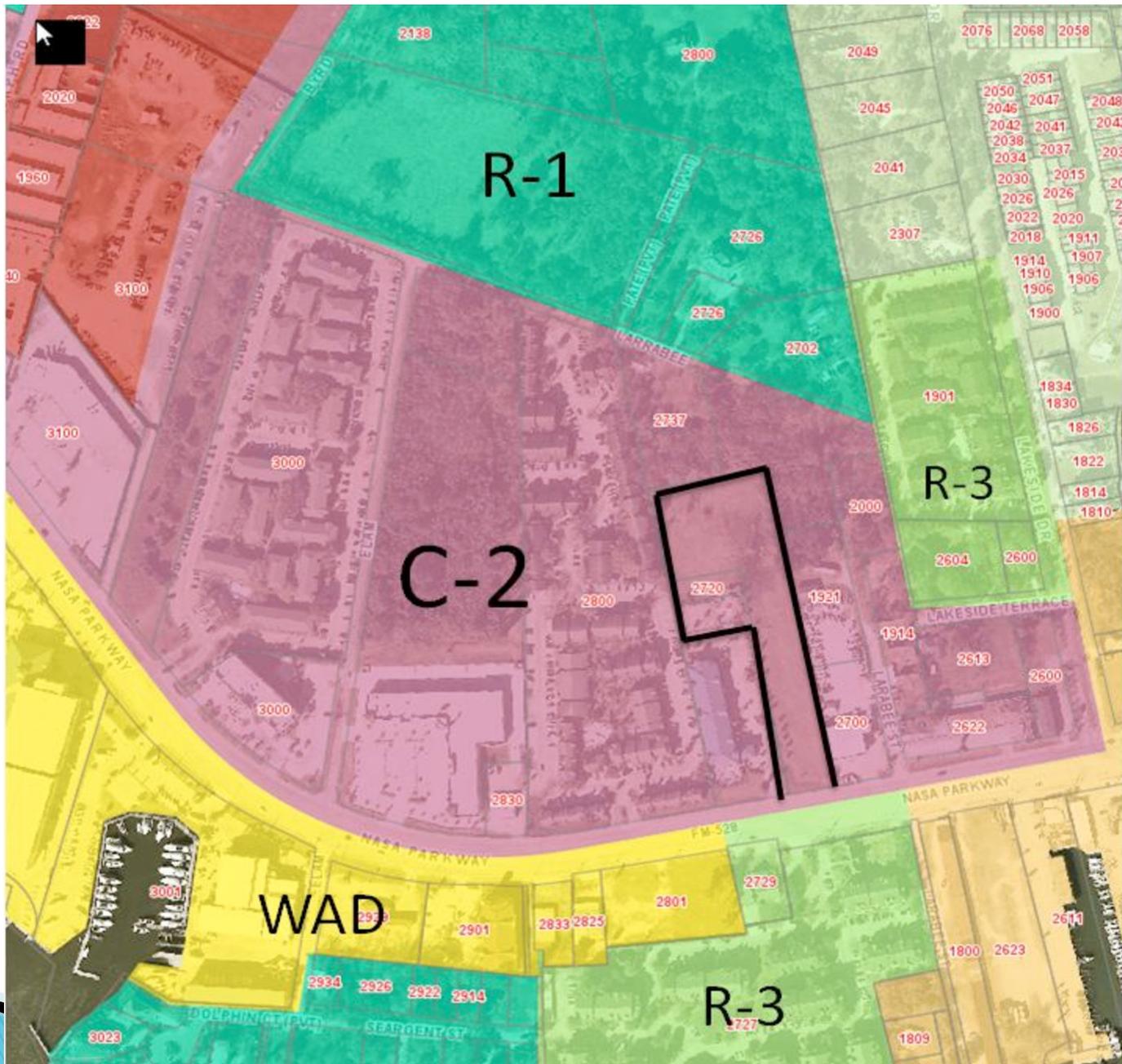
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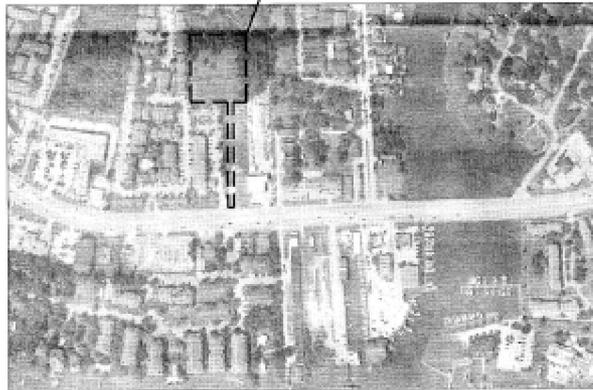
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\_\_\_\_\_  
Steven L. Weathered  
City Attorney

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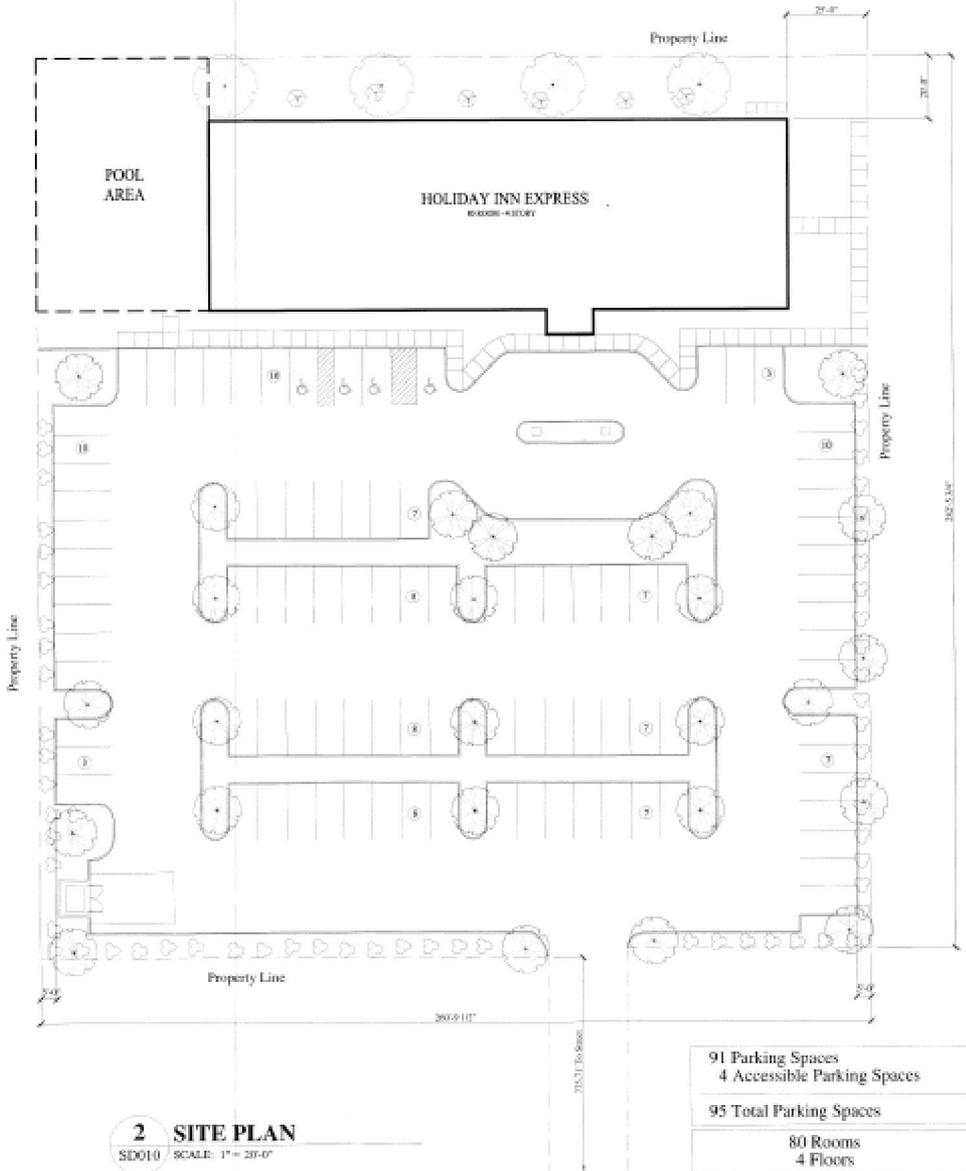




Project Site  
2710 NALA BLVD  
Seabrook, TX  
77586

**1 SITE MAP**

SD010 NOT TO SCALE



**2 SITE PLAN**

SD010 SCALE: 1" = 20'-0"

91 Parking Spaces
4 Accessible Parking Spaces
95 Total Parking Spaces
80 Rooms
4 Floors

MICHAEL, GALVESTON, TX  
TEL: 409.762.0001

This document is authorized by M.P. Galveston, No. 17, 409.762.0001

**PRELIMINARY NOT FOR CONSTRUCTION**

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PROJECT NO. 17-0000

PROJECT NAME  
**Holiday Express**  
2710 N. Seabrook  
77586

OWNER  
**Harshy Hospital**  
2943 D Galveston  
77551

DATE: 06/20/17

DRAWING NO. 17-0000

Site Plan

SHEET NUMBER

**SI**

CITY OF SEABROOK  
PARADE, CARNIVAL, SHOW, FESTIVAL,  
SPECIAL OR COMMUNITY EVENT  
APPLICATION

CLEAR CREEK ISD

Date of Application: 12/14/15 Name of Applicant: Seabrook Intermediate

Full Address of Applicant: 2401 E. Meyer Rd. Seabrook TX 77586

Day Time Phone [REDACTED] Night time phone ( )

[REDACTED]

e-mail address: cgravely@ccisd.net Cindy Gravely

Name of Organization, Firm or Corporation on whose behalf this application is made:  
SEABROOK INTERMEDIATE / Clear Creek ISD

Address of Organization (if different from above): \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number of Organization (if different from above): ( )

Is the organization recognized as a non-profit organization for tax purposes? \_\_\_\_\_

Requested Date(s) and Times of the Event: January 11th 4:45p - 6:00p

Location of the Event: MEADOR PARK

Give a brief description of the event: 7th and 8th grade cross country meet for Clear Creek ISD hosted by Seabrook Intermediate Jan. 11th

Estimated No. of Workers 10-15 Estimated No. of Attendees 400 runners + 200 (come + go) parents

Will the event be held in a parking area? NO. If so, how many parking spaces will be temporarily lost? \_\_\_\_\_

How many parking spaces are you providing for the event? \_\_\_\_\_

Will any portion of this event be held on city property? If so, where? \_\_\_\_\_

Will alcohol be served? NO If so, you are required to pay an additional deposit if you wish to serve alcohol on city property. You must also contact the Texas Alcoholic Beverage Commission.

Will admission be charged for this event? NO

Do you want to display temporary signs or banners to advertise this event? NO

Contracted with Galveston county sherriff - we will have one officer on duty, please let me know if we need more.

Number of signs for this event 0 Complete the sign permit application attached to the packet. Please note that signs may only be displayed on private property, with the property owners' permission and with a city permit. Signs are not permitted in any street rights-of-way.

If this event is a parade, please answer the following additional questions.

Proposed Route (Attach Map): \_\_\_\_\_  
\_\_\_\_\_

Estimated number and kind of animals to be used: \_\_\_\_\_

Estimated number of parade participants including, animals and riders, bicycle riders, animal-drawn vehicles, floats motor vehicles, motorized displays and marching units or organizations, such as bands, color-guards, and drill teams:  
\_\_\_\_\_  
\_\_\_\_\_

**THIS SECTION NEEDS TO BE COMPLETED IN ORDER TO PROCESS YOUR APPLICATION.**

This application has been reviewed by the Seabrook Police Chief or designee and the signature below verifies that adequate provisions for security have been made by the applicant.

DAVID IMBRIE SGT.

12/29/15  
Date Approved

Print name  
Police Department Representative

[Signature]  
Signature  
Police Department Representative

Comments: \_\_\_\_\_  
\_\_\_\_\_

I have enclosed the following items as part of my application:

1. A completed application form including approval by the Seabrook Police Department.
2. Permit fee in the amount of \$ 50.00. (Non-profit organizations may substitute a letter of request to the City Council requesting a waiver of the permit fee.
3. If event is a parade a deposit fee of 0 is included. Deposits are not waived.
4. A certificate of insurance, naming the City of Seabrook as certificate holder. This insurance provides protection of not less than \$100,000 against liability for damages to property and protection of not less than \$100,000 for protection of injury to the death of one person and of not less than \$300,000 for protection against injury to death of two or

more persons in a single accident or occurrence. (A sample certificate of insurance is enclosed.)

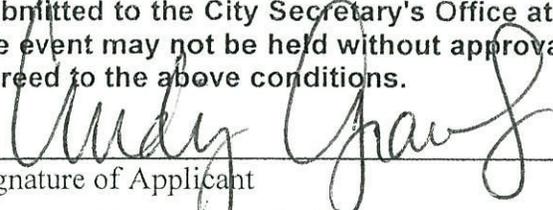
- 5. For special events, a site plan is attached as required by the Code of the City of Seabrook, Section 4.07. (See attached excerpt.)
- 6. For parades, a map showing the parade route is attached.

**NO APPLICATION WILL BE ACCEPTED UNLESS ALL ITEMS LISTED ABOVE ARE PROVIDED.**

As applicant, I certify that all information contained in this application is true and correct to the best of my knowledge. I state that I am fully authorized to act and contract for any persons, organizations, firms or corporations on whose behalf this application is made. As applicant for the above organization, I do contract and agree that they will jointly and severally, indemnify and hold the City of Seabrook harmless against liability for any and all claims for damage to property or injury to or death of persons arising out of or resulting from the issuance of the permit or the conduct of the participants. As applicant, I understand that I may be held liable as principal in place of the organization for the cost of cleaning or repairing city property which may have sustained damage as a result of the special event. I understand that a special events permit may be issued for no more than five consecutive days. If the permit is granted, I, as representative, agree to adhere to all city ordinances regarding the special event.

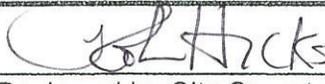
I understand that if I am applying to use a city park, community house or other city facility to hold this event, additional applications and fees will be required.

I understand that all required applications, accompanying documents and fees must be submitted to the City Secretary's Office at least 30 days prior to the date of the event, and that the event may not be held without approval of the Seabrook City Council. I have read and have agreed to the above conditions.

  
\_\_\_\_\_  
Signature of Applicant

CINDY GRAVELY  
\_\_\_\_\_  
Printed Name of Applicant

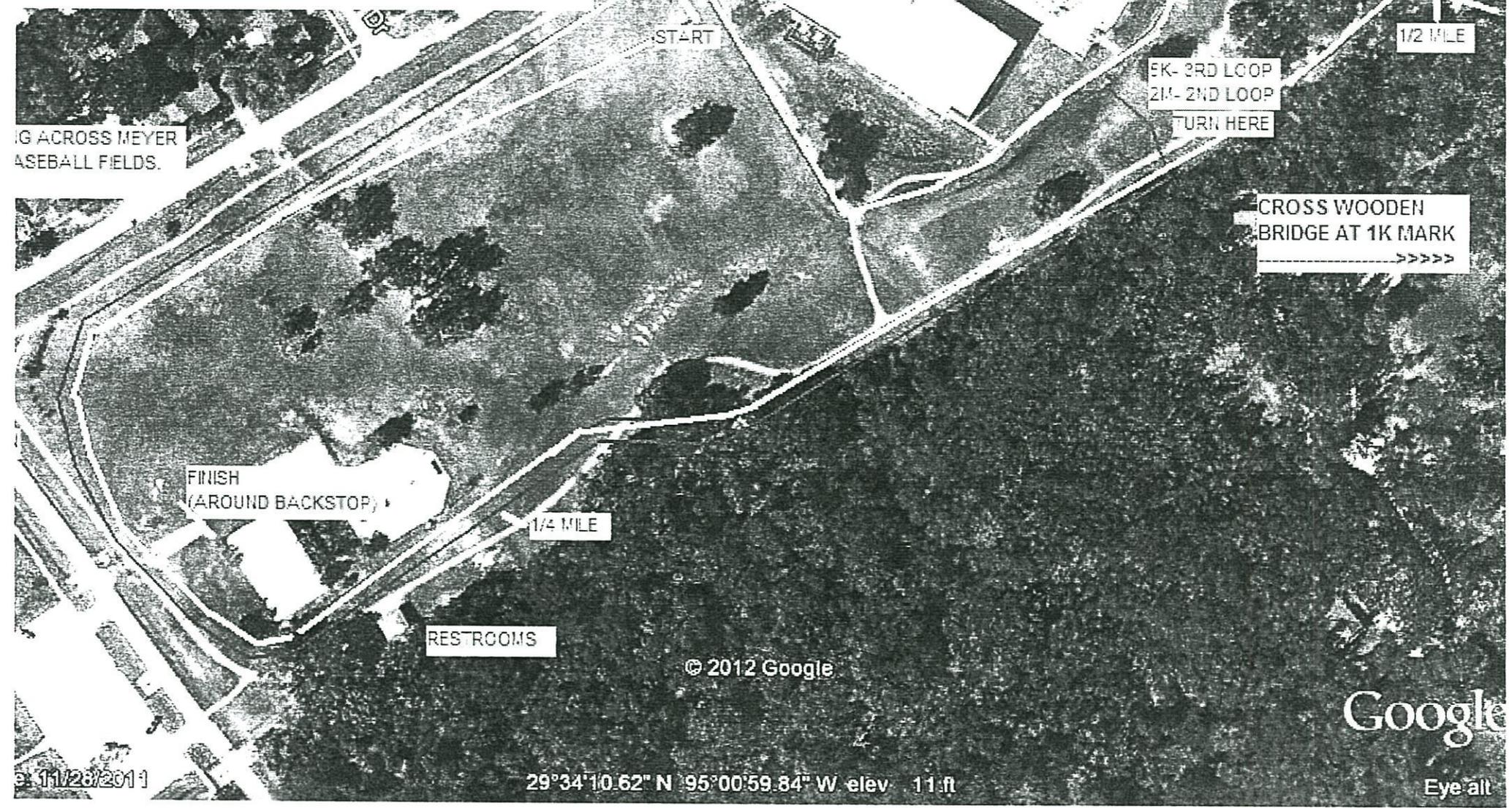
12-18-15  
\_\_\_\_\_  
Date Submitted

FOR OFFICE USE ONLY	
	12-28-15
Reviewed by City Secretary	Date
If applicable: Fire Marshal notified <u>N/A</u>	Building Official Notified <input checked="" type="checkbox"/> City Mgr <input checked="" type="checkbox"/>
This application has been reviewed by the Seabrook City Council on _____ and has been APPROVED DENIED.	
The following conditions are placed upon this event: _____	

Girls	(2m)	2:30-2:35	(Unlimited)
Boys / Girls	(2m)	3:00-3:05	(Unlimited)
	(4k)	3:30	(Limit 7 per team)
	(4k)	3:55	(Limit 7 per team)
Boys	(4k)	4:20	(Limit 7 per team)
Girls	(4k)	4:45	(Limit 7 per team)

- 2 Big Loops plus 300 meters passed start to finish line  
line backstop by pavillion.

- 1 Big Loop, one Small Loop, plus 300 meters passed start  
line just passed the backstop by the pavillion.



2 MILE  
1/2 K SECOND LOOP

1 MILE

1/2 MILE

5K- 3RD LOOP  
2K- 2ND LOOP  
TURN HERE

CROSS WOODEN  
BRIDGE AT 1K MARK  
->>>>>

FINISH  
(AROUND BACKSTOP)

1/4 MILE

RESTROOMS

© 2012 Google

Google

11/28/2011

29°34'10.62" N 95°00'59.84" W elev 11 ft

Eye alt

CITY OF SEABROOK

REC#: 00648325 12/29/2015 9:38 AM  
OPER: 017 TERM: 001  
REF#: 4848

TRAN: 3.0000 LICENSES & PERMITS  
JAN 11TH 2016 SEABROOK IN CR M  
CROSS MEET SEABROOK INT1/11/16  
LICENSES & PERMITS/ 50.00CR

TENDERED: 50.00 CHECK  
APPLIED: 50.00-

CHANGE:            0.00



# CITY OF SEABROOK

## AGENDA BRIEFING

**Date of Meeting:** January 5, 2016

**Submitter/Requestor:** Sean Landis

**Date Submitted:** December 28, 2015

**Presenter:** Sean Landis

### **Description/Subject:**

Request by Dow Hydrocarbons and Resources LLC for a permit

#### **Applicant:**

Wood Group Mustang Inc.

### **Legal Description:**

#### **Request:**

Dow Hydrocarbons and Resources LLC ("DHRLLC"), a Delaware Limited Liability Company, requests a permit to construct and operate a 12-Inch (12") Ethane Pipeline within the City limits of Seabrook.

**Purpose/Need:** Policy Issue  Administrative Issue

### **Background/Issue** (What prompted this need?):

The pipeline will be for the transportation of Ethane from a DHRLLC pump station facility in Mont Belvieu, Texas to a Dow Salt Dome facility near Angleton, Texas. The current construction schedule is set to commence in January of 2016 and is estimated to be completed in October of 2016.

All components of the pipeline project will be operated with Best Managements Practices (BMP) and in accordance with the Department of Transportation Title 49, Code of Federal Regulations, Part 192 and ASME B31.4 and B31.8. The pipeline will meet or exceed all federal, state, and/or local installation requirements.

The pipeline will be constructed within the existing pipeline corridor that is located on the west side of State Highway 146. The pipeline will extend from the most southerly limits of the City to the most northerly limits of the City.

Agenda Briefing Form  
Page 2

**Pipeline Design:**

Design Pressure (MAOP): 2160 psig  
Test pressure 3240 psig  
Product: Ethane (NGL)  
Specification: API 5L 2M or N X65

**Impacted Parties** (Expected/Notified):

**Recommended Action:**

As Required by Chapter 62 of the City of Seabrook Code of Ordinance, Section 62-6(b), The Committee, which includes; the Director of Community Development, the Building Official, the Fire Chief, the Director of Public Works and the Emergency Management Director have reviewed all plans and specifications for the requested pipeline project. The Committee finds the Project to be compliant with all City Codes and Ordinances and recommends approval of the permit to construct a 12-inch (12”) Ethane Pipeline within the City limits of Seabrook as provided for in Exhibit A, Titled Construction Drawings.

Committee Members:

1. Sean Landis – Community Development Director/Building Official
2. Jeff Galyean – Emergency Management Director
3. Arthur Chairez – Public Works Director
4. Kevin Padgett – Assistant Public Works Director
5. Nick Kondejewski- Deputy Building Official
6. Andy Gutacker – Fire Chief

**Attachments:**

1. Permit Application
3. Project Cover Letter
4. Copy of the City of Seabrook Pipeline Ordinance
5. Exhibit A, Engineered Construction Drawings including Profiles

<b>Fiscal Impact:</b>	Budgeted	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Finance Officer Review:
	Budget Amendment Required	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
	Future/Ongoing Impact	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Budget Dept/Line Item Number

**Funding Comments:**

**Where on the agenda should this item be placed?**

(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

Consent Agenda

**All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.**

Agenda Briefing Form  
Page 3

**Suggested Motion:**

As Required by Chapter 62 of the City of Seabrook Code of Ordinance, Section 62-6(b), the committee, which includes; the Director of Community Development, the Building Official, the Fire Chief, the Director of Public Works and the Emergency Management Director have reviewed all plans and specifications for the requested pipeline project. The Committee finds the Project to be compliant with all City Codes and Ordinances and recommends approval of the permit to construct a 12-inch (12”) Ethane Pipeline within the City limits of Seabrook as provided for in Exhibit A, Titled Construction Drawings.

Committee Members:

1. Sean Landis – Community Development Director/Building Official
2. Jeff Galyean – Emergency Management Director
3. Arthur Chairez – Public Works Director
4. Kevin Padgett – Assistant Public Works Director
5. Nick Kondejewski- Deputy Building Official
6. Andy Gutacker – Fire Chief

**Attachments:**

1. Permit Application
3. Project Cover Letter
4. Copy of the City of Seabrook Pipeline Ordinance
5. Exhibit A, Engineered Construction Drawings including Profiles

**City Manager Review:**

- Approved as submitted
- Submitted for Council consideration without comment
- Submitted for Council consideration with comments stated below:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review \_\_\_\_\_  
(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant \_\_\_\_\_

Returned by the City Secretary/Assistant (If incomplete) \_\_\_\_\_

**All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.**

City of Seabrook  
1700 1st St.  
Seabrook, TX 77571

Community Development Department  
**PIPELINE PERMIT APPLICATION**

Phone: 281.291.5669  
Fax: 281.291.5690  
www.seabrooktx.gov

**1. PIPELINE PROJECT DATA:**

Project Name: Dow Hydrocarbons and Resources LLC, 12" Gulfstream MSR Pipeline Project  
Project Origin: Mont Belvieu, TX Project Destination: Stratton Ridge, Brazoria County, TX  
Pipeline Diameter: 12.75" O.D. Pipeline Commodity: Ethane (NGL)  
Normal Operating Pressure: \_\_\_\_\_ PSI; Max. Operation Pressure 2160 PSIG PSI; Max. Allowable Temp. N/A

**2. PIPELINE OWNER:**

Owner Name: Dow Hydrocarbons and Resources LLC  
Owner Address: 1254 Enclave Blvd, Houston, TX 77077  
Owner Phone: (281) 966-4068 Owner Fax: \_\_\_\_\_  
Owner Email: jhdiel@dow.com

**3. PERMIT APPLICANT (Owner's Agent):**

Company Name: Wood Group Mustang  
Company Address: 17325 Park Row, Houston, TX  
Agent Name: Chico Negual Agent Title: Senior Right of Way Agent  
Agent Phone: (479) 283-7498 Agent Fax: (972) 739-6715  
Agent Email: dnegual@hotmail.com

**4. PIPELINE CONTRACTOR: To Be Provided**

Company Name: N/A  
Company Address: N/A  
Primary Contact Name: N/A Primary Contact Title: N/A  
Primary Contact Phone 1: N/A Primary Contact Phone 2: N/A  
Primary Contact E-Mail: N/A

**5. 24-HOUR EMERGENCY CONTACTS:**

Primary Contact Name: 24 Hour Emergency Contact Primary Contact Title: N/A  
Primary Contact Phone 1: (800) 223-4412 Primary Contact Phone 2: N/A  
Primary Contact E-Mail: N/A  
Secondary Contact Name: N/A Secondary Contact Title: N/A  
Secondary Contact Phone 1: N/A Secondary Contact Phone 2: N/A  
Secondary Contact E-Mail: N/A

**6. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION (Check applicable boxes):**

COMPLETE ITEMS 1-6 OF PERMIT APPLICATION  ATTACH PIPELINE APPLICATION FEE OF \$1,000.00  
 SUBMIT PROJECT PLANS (3 HARDCOPIES –OR–DIGITAL .PDF)  PRINT & SIGN APPLICANT NAME BELOW  
 ATTACH SIGNED STATEMENT OF COMPLIANCE (62-2.10) SCHEDULED START DATE OF CONSTRUCTION: 1/4/2016  
 ATTACH SIGNED STATEMENT OF REPOSITIONING REQUIREMENT (62-2.11) ESTIMATED DURATION OF CONSTRUCTION: 10/31/2016  
 ATTACH SIGNED STATEMENT OF NOTIFICATION REQUIREMENT (62-2.12)  
APPLICANT'S PRINTED NAME: Chico Negual APPLICANT'S SIGNATURE: \_\_\_\_\_

**(STAFF USE ONLY):** PERMIT NO: \_\_\_\_\_  
PERMIT APPROVED BY: \_\_\_\_\_ DATE OF APPROVAL: \_\_\_\_\_



**WOOD GROUP  
MUSTANG**

**Wood Group Mustang Inc.**  
17325 Park Row  
Houston, TX 77084  
United States

T: 832-809-8000

[www.woodgroup.com/mustang](http://www.woodgroup.com/mustang)

AUG -6 2015

~~AUG -5 2015~~

August 6, 2015

City of Seabrook  
1700 First St.  
Seabrook, Texas 77586

**RE: Dow Hydrocarbons and Resources LLC: 12-Inch Pipeline Permit Application**

City of Seabrook:

Dow Hydrocarbons and Resources LLC ("DHRLLC"), a Delaware Limited Liability Company and a wholly owned subsidiary of The Dow Chemical Company respectfully submits a petition to construct and operate a 12-Inch (12") pipeline within the city limits of The City of Seabrook under the following road:

**Shipyard Drive, Anders Street, 3<sup>rd</sup> Street, 2<sup>nd</sup> Street, West Repsdorfs Rd, Humbler Drive, Red Bluff Rd**

The pipeline will be for the transportation of Ethane from a DHRLLC pump station facility in Mont Belvieu, Texas to a Dow Salt Dome facility near Angleton, Texas. The current construction schedule is set to commence on January 4, 2016 and is estimated to complete on October 31, 2016.

All components of the pipeline project will be operated with Best Managements Practices (BMP) and in accordance with the Department of Transportation Title 49, Code of Federal Regulations, Part 192 and ASME B31.4 and B31.8. The pipeline will meet or exceed all federal, state, and/or local installation requirements.

**Pipeline Design:**

Design Pressure (MAOP): 2160 psig;  
Test pressure 3240 psig  
Product: Ethane (NGL)  
Specification: API 5L 2M or N X65

**24 Hour Emergency Contact:**

Dow Pipeline Company  
24-Hour Emergency Line  
(800) 223-4412

This submittal includes the following:

- Cover Letter
- Certificate of Insurance
- Dow Statement of Compliance
- Plan & Profile Road Drawings & City Vicinity Map (x3)
- Pipeline Design Data Sheet
- \$1000 Application Fee / \$2500 Annual Fee

Thank you in advance for you attention to this matter. Should you have any questions or require any additional information, please feel free to contact me at 479-283-7498.

Respectfully,  
Wood Group Mustang Inc.,

*Chico Negual*

Chico Negual  
Senior Right-of-Way Specialist



---

**Dow Hydrocarbons and Resources LLC**

A Subsidiary of The Dow Chemical Company

P O Box 4286

Houston, TX 77210-4286

1254 Enclave Parkway

Houston, TX 77077-1607

**STATEMENT OF DOW HYDROCARBONS AND RESOURCES LLC  
TO ACCOMPANY PIPELINE PERMIT APPLICATION FOR  
THE GULFSTREAM MSR 12" ETHANE PIPELINE**

Under Ordinance 2014-13 of the City of Seabrook ("City"), titled "Pipeline Regulations," Dow Hydrocarbons and Resources LLC ("DHRLLC") makes the following statements:

**SECTION 62-5(10)**

The DHRLLC 12" MSR Ethane Pipeline will comply with all applicable standards required by Chapter 62 of the Codes of Ordinances of the City as well as all other applicable federal, state and local laws and regulations.

**SECTION 62-5(11)**

DHRLLC will, at any time in the future and upon proper notice, where the 12" MSR Ethane Pipeline crosses or is laid within, under or across any street, road or utility right-of way, drainage way or public way owned by the City, and existing or projected at the time the Pipeline Permit is issued by the City, reposition the pipeline at DHRLLC's sole expense, when the City reasonably requires the action incidental to public construction or public improvement: construction, maintenance and improvement of streets, water lines, sanitary sewer lines, storm sewers, ditches and public utilities. DHRLLC will make every reasonable effort to complete the repositioning within 6 months after official notification is made by the City.

**SECTION 62-5(12)**

DHRLLC will notify the Director of Community Development at least 48 hours prior to performing any scheduled repairs or maintenance on the pipeline except in the case of an emergency, in which case DHRLLC will notify the City Police Department Dispatcher as soon as practical but no later than 1 hour after commencing the repairs or maintenance.

SIGNATURE: \_\_\_\_\_

NAME: Jere H. Dial

TITLE: Agent and Attorney in Fact

DATE: MAY 19, 2015

## ARTICLE 1. AMENDMENT TO THE CODE.

The Seabrook City Code is hereby amended by adding a new Chapter 62 entitled "Pipelines" as indicated below.

### Section 62-1. Declaration of policy.

The City Council declares that the policy of the city in the manner of granting to any person the privilege to construct, operate and maintain any pipe or pipeline within the jurisdiction of the city for the purpose of thereby transporting oil, gas, brine or any other liquid or gaseous substance whatsoever shall be stated in this chapter. The provision of this article shall be administered by the Director of Community Development or designee.

### Section 62-2. Definition of terms.

All terms used herein shall be taken in their ordinary signification except the following:

*City* shall mean the City of Seabrook now incorporated and as hereafter expanded by annexation or consolidation.

*Commodity* shall mean any liquid or gaseous substance or other product capable of being transported through a pipeline and which is, or may become, flammable, toxic or otherwise hazardous to human, animal or plant health and/or life.

*Director* shall mean the director of community development or designee.

*Permittee* shall mean the person to whom a permit is issued under the provisions of this ordinance.

*Person* shall mean an individual, corporation, partnership, association or any other entity, however organized.

*Pipeline* shall mean any pipeline or part thereof, including pipe, valves and any appurtenances thereto, which is used for the transportation of a commodity into, across, under or over the city.

*Relocation* shall mean the horizontal or vertical movement of a pipeline.

*Reposition* shall mean the movement of a pipeline when such movement is necessary for the public construction or public improvement: construction, maintenance and improvement of streets, water lines, sanitary sewer lines, storm sewers, ditches and public utilities.

*Review Committee* shall mean the director of community development, the building official, the city engineer, the fire chief/marshal, the director of public works, and the emergency management coordinator or their designees.

### **Section 62-3. Exemption.**

This chapter shall not extend to:

- (1) Any person now or hereafter providing natural gas service for residential and business use only within the city pursuant to a franchise from the city as a gas distribution utility;
- (2) Raw or potable water pipelines, valves and appurtenances; or
- (3) City, county or state agencies for storm drainage or sanitary sewer service pipelines, valves and appurtenances, except industrial wastes transported by pipeline to treatment facilities outside the corporate city limits.

### **Section 62-4. Permit required.**

No person shall commence the construction, relocation or reposition of a pipeline within the city without a permit being obtained from the city for such pipeline under the terms of this chapter.

### **Section 62-5. Application for permit.**

A person desiring a permit shall submit a written application to the director and concurrently there with shall pay a non-refundable fee to the city. The application form, which can be obtained from the director, shall be submitted to the director, in duplicate, with the following information contained thereon:

- (1) The name, business address and telephone number of the pipeline owner and operator.
- (2) The names, titles and telephone numbers of the following persons:
  - a. The person submitting the information;
  - b. The principal contact for submittal of information; and
  - c. The 24-hour emergency contact (and an alternate 24-hour contact), who
    1. Can initiate appropriate actions to respond to a pipeline emergency;
    2. Has access to information on the location of the closest shutoff valve to any specific point in the city or its jurisdiction; and
    3. Can furnish the common name of the material then being carried by the pipeline.
- (3) The origin point and destination of the pipeline being constructed, adjusted, relocated, replaced, repositioned or repaired.

- (4) A description of the commodity(s) to be transported through the pipeline. A copy of the material safety data sheets for the commodity(s) shall be included with the submittal if the owner or operator is required by federal or state law to have material safety data sheets available.
- (5) The maximum allowable operating pressure on the pipeline as determined according to the U.S. Department of Transportation and State Railroad Commission procedures or the maximum design strength for unregulated pipelines, if applicable.
- (6) The normal operating pressure range of the pipeline.
- (7) The maximum allowable temperature under which the substance or product may be pumped or otherwise caused or permitted to flow through any and all of the particular portions of the pipeline, if applicable.
- (8) Engineering plans, drawings, maps with summarized specifications showing the horizontal pipeline location, the pipeline covering depths and location of shutoff valves within the corporate limits of the city. A minimum of two (2) emergency shut off valves shall be required at entry and exit points for new construction. The location of shutoff valves must be known in order for emergency responders to clear the area for access to the valves. To the extent that information can be reasonably obtained, drawings shall show the location of other pipelines and utilities that will be crossed or paralleled within five feet.
- (9) A summary description of the time, location, manner, means and methods of the proposed construction, including but not limited to the following:
  - a. Detailed cross section/profile drawings for all public way crossings if requested by the Director;
  - b. A plan accurately showing the location, course and alignment of the proposed pipeline, including valve locations (existing and proposed), and all public ways in which the proposed pipeline shall be laid, provided that the degree of accuracy shall not be required to exceed the accuracy which can be practicably achieved by using United States Geological Survey (USGS) maps.
- (10) A statement that the pipeline will comply with the applicable standards required by this chapter as well as all applicable federal, state and local laws and regulations.
- (11) A statement that the permittee shall, at any time in the future, where such pipeline or portion thereof crosses or is laid within, under or across any street, road or utility right of- way, drainage way or public way existing or projected at the time the permit is issued, reposition such pipeline (which shall include lowering or raising the pipeline, as well as casing it, if required) at the permittee's sole expense, when the city reasonably requires such action incidental to public construction or public improvement: Construction, maintenance and improvement of streets, water lines, sanitary sewer lines, storm sewers, ditches and public

utilities. The city shall give the permittee prior written notice of the need for repositioning location, and such notice shall be mailed certified mail, return receipt requested, to the permittee as designated in the application. The permittee shall have six months to complete such repositioning.

- (12) A statement that the permittee shall notify the director at least 48 hours prior to performing any scheduled repairs or maintenance on the pipeline. For unscheduled emergency repairs or maintenance, taken to protect the public health, safety or welfare, the permittee shall notify the city police department dispatcher as soon as practical but no later than one hour after commencing repairs or maintenance.

The director expressly reserves the right to require the submission of additional information if the director reasonably deems the information necessary to meet the requirements of this chapter. Such supplemental information shall be submitted by the permittee to the director within ten days, excluding weekends and city holidays, of the permittee's receipt of the director's written request. While awaiting the requested information, the period in which the city must process the application shall be suspended.

#### **Section 62-6. City Council Consideration.**

- (a) Within 30 days from the date on which the completed permit application and associated fees are received at the official address for the director, the review committee shall advise the applicant whether, based on the committee's professional judgment, the contemplated installation, adjustment, relocation or replacement is in compliance with this chapter. If the committee does not deem the contemplated installation to be in compliance with this chapter, the committee shall specifically notify the applicant of any deficiencies found.
- (b) After the notice described in subsection (a) of this section is given to the applicant, the director, based upon the assessment of the committee as to compliance with this chapter, shall report to the city council upon their examination of such application and plans, including such changes in the plans as the applicant may have made upon their suggestion, with their recommendations as to the granting or denying of the permit application, based upon compliance or noncompliance with this chapter, at the next regularly scheduled council meeting for which adequate notice may be given. The director shall in such report and recommendation state whether the proposed course or alignment of the line and depth at which it is proposed to be laid through undeveloped or unplatted areas is, to the extent economically feasible, consistent with the probable future development of such areas, location and opening of future streets, and laying of water, sanitary sewer and storm sewer lines incident to such probable future development.
- (c) After the report and recommendation is made to the city council, the city council shall promptly approve such application if it meets all applicable city, state and federal requirements as well as all of the terms and conditions of this chapter and shall thereupon issue a permit.

#### **Section 62-7. Permits.**

Upon approval, permits shall be executed in duplicate originals by the director. One duplicate original shall be delivered to the permittee and the other shall be retained by the city. A copy of the

permit shall be conspicuously displayed at each point where the pipeline construction, relocation or repositioning intersects any public street, right-of-way, easement or public property within the corporate limits of the city.

**Section 62-8. Permit transference.**

Permits may be transferred after prior written notice to the director, on a form provided by the director, which notice shall set forth the full name and address of the transferee, the full name and address of the transferee's registered agent or owner (if an unincorporated entity) and an agreement that the transferee shall be bound by all provisions of the application and permit as originally acted upon and granted by the city. The transfer application shall be signed by an authorized officer, owner or representative of both the transferor and transferee and shall be accompanied by a non-refundable transfer fee.

**Section 62-9. Permit fees .**

- (a) Every permit requested under the terms and conditions of this chapter, with the exception of those permits necessitated due to a repositioning of a pipeline at the request or required by the city or another governmental entity, shall provide for the payment by the applicant to the city of a non-refundable application fee of \$1,000.00 per pipeline.
- (b) Every permit granted under the terms and conditions of this chapter shall provide for the payment of an annual fee thereafter in the amount of \$2,500.00 per pipeline per year, payable annually in advance on or before July 1 of each year.
- (c) Every permit transfer request shall be accompanied by a non-refundable transfer fee of \$500.00.

**Section 62-10. Permit expiration.**

If construction, relocation or reposition of the pipeline does not commence within one year from the date of the permit, the permit shall be void unless the permittee makes written application for an extension. The city council may grant an extension for no more than one additional year.

**Section 62-11. Abandonment.**

- (a) If a permit is not renewed by payment of the required fees as provided in Section 62-9 and current proof of insurance/financial responsibility as provided in Section 62-14 and subject to sixty (60) days notification to the permittee, all facilities owned by the permittee within the city will be deemed to have been abandoned.
- (b) Pipelines abandoned by permittee after the date of this chapter shall have their permit voided and shall not thereafter be subject to the terms of this chapter except as follows:
  - (1) The owner or operator shall report to the director, in writing, the abandonment of a pipeline that has been permitted in accordance with this chapter.
  - (2) all known abandoned pipelines shall be purged, disconnected from all sources or suppliers of gas, hazardous liquids and chemicals and shall be capped or sealed at each end within the city limits.

**Section 62-12. Construction requirements.**

All pipelines shall be constructed in accordance with the following guidelines:

- (1) All pipelines shall be constructed in accordance with the latest applicable minimum standards, if applicable, established by the United States Department of Transportation, Texas Railroad Commission, or any other entity having regulatory authority over pipeline safety and construction matters.
- (2) All pipelines shall be buried to specified depths, as follows:
  - a. Pipelines which run under or within 20 feet of any street or streets and/or any proposed street which has been designated on the master plan for the city or the official city map of the city, shall be buried to a depth of at least six feet measured between the top of the pipeline and the natural surface of the ground.
  - b. Pipelines which run under any ditch and/or drainage area or structure shall be buried to a depth of at least five feet measured between the top of the pipeline and the ultimate channel or structure depth. Permittee is responsible for determining the ultimate depths from the appropriate agency and reporting said information with permit application.
  - c. Pipelines for areas not mentioned in subsections a or b above shall be buried to a minimum depth of four feet measured between the top of the pipeline and the natural surface of the ground. Provided further, if at any particular point or points the director determines that a greater or lesser depth be required, such permit shall not be granted except upon agreement by the permittee to comply with such depth requirement.
- (3) All pipelines shall cross public streets, public properties and public rights-of-way as closely as possible to a right (90°) angle.
- (4) All public streets, roads and ways in existence at the time of construction of a pipeline shall be bored under and shall not be cut for the purpose of constructing, relocating or repositioning a pipeline.
- (5) All pipeline related excavations in any public right-of-way shall be backfilled in a manner satisfactory to the city; and if after once refilling such excavation the earth within the excavated area settles so as to leave a depression, the permittee shall be required to make further necessary fills as ordered by the city. All areas shall be graded and maintained so as to provide drainage of the area.
- (6) The permittee shall be required to repair all portions of any street across or along and under which pipelines are laid and place the same in as good a state of repair and condition as they were at the time the construction, repair or removal was commenced, such repairs to be to the satisfaction of the city.
- (7) Upon completion of the pipeline, the permittee shall provide the director with three as built (or record) drawings of the pipeline, showing the route, distances and shut-off valve locations. These drawings shall be submitted in digital format acceptable to the city.

**Section 62-13. Pipeline location.**

- (a) Where feasible, a new pipeline shall be located within existing pipeline corridors. The feasibility of locating new pipelines in established corridors in the city shall be considered from the perspective of the pipeline owner or operator, taking into consideration the following:
- (1) The availability and cost of corridor space;
  - (2) The availability and cost of right-of-way to and from lht! corridor;
  - (3) Technical, environmental, safety, efficiency and cost issues related to building, operating and maintaining both the portion of the pipeline that would be located in the corridor and the lengths of pipeline required to gain access to and from routing through a corridor;
  - (4) Any delays in right-of-way acquisition or pipeline construction that may result from routing through a corridor;
  - (5) The availability of an alternative right-of-way to the owner or operator; and
  - (6) All other matters that a prudent pipeline owner or operator would consider in selecting the route for a new pipeline.

Provided that the owner or operator has considered in good faith the use of existing corridors within the city, the determination of the owner or operator as to the feasibility shall be determinative, unless there is clear and convincing evidence that contradicts the conclusion of the owner or operator as determined by the city.

- (a) When it is not feasible for a new pipeline to be located within an existing corridor, the pipeline shall, to the extent practical:
- (1) Follow property boundaries of fee parcels or existing easements to avoid unnecessary fragmentation of land and avoid diagonal routes that would create slivers of land between public ways, except if following:
    - a. Manmade or topographical features is in the public interest;
    - b. Boundary lines or existing easements is impractical under the circumstances;
    - c. Boundary lines or existing easements poses safety concerns; or
    - d. Boundary lines or existing easements would not be feasible.
  - (2) A void areas of unique recreational or aesthetic importance, environmentally sensitive areas and areas of historical or cultural significance, unless appropriate mitigation measures are undertaken to the satisfaction of the director; and
  - (3) Avoid conflict with existing or planned urban development's as well as the location of planned future streets and laying of planned water, sanitary sewer and storm sewer lines, structures and ditches incident to such future development.

#### **Section 62-14. Liability.**

A condition of granting any permit shall include that the permittee indemnify and hold harmless the city, to defend, indemnify, and hold harmless the city from all damages, costs, expenses, and attorney fees for all claims and suits including claims for death, personal injury, and property damage, arising out of, or connected with, the construction, relocation, repositioning, maintenance, operation, repair or removal of any part or all of such pipeline within any public right-of-way or easement, whether or not caused in whole or in part by the negligence of the city, its agents, or employees.

- (1) Except in an emergency, the permittee shall notify the director 48 hours before commencing at any time excavation in any portion of any said unpaved or unimproved street, and not wholly close any street, but shall at all times maintain a route of travel along and within such roadway area, to the extent such travel was allowed prior to the excavation.
- (2) In the event of an emergency, it being evident that immediate action is necessary for the protection of the public and to minimize property damage and loss of investment, the permittee may, at his/her own responsibility and risk, make necessary emergency repairs, notifying the city police dispatch of this action as soon as practical, but not later than one hour after commencing repairs or maintenance.

#### **Section 62-15. Insurance and bonding requirements.**

- (a) A permittee shall furnish, prior to any construction, repair, adjustment, relocation, reposition, replacement or transfer in ownership, and shall further maintain at all times during the life of the permit, commercial general liability insurance for bodily injury and property damage, including explosion, collapse and underground hazard, coverage in the minimum combined single limit amount of \$10,000,000 as it pertains to all pipelines or other facilities owned by the permittee in the public way in the jurisdiction. Such policy shall name the city, its officers, agents and employees as additional insureds.
- (b) A certificate of insurance, or policy of insurance if requested by city, specifying the coverage required in subsection (a) of this section with an insurance company having acceptable insurance rating shall be furnished to the director prior to the issuance of any permit. Such certificates of insurance shall provide that at least 30 days prior written notice for the termination or modification of the required insurance shall be given to the city.
- (c) In lieu of liability insurance, a permit applicant shall furnish evidence of financial responsibility which demonstrates the applicant's qualifications as a self-insurer. Such evidence may take the form of the most recent corporate financial report which is acceptable to the city council as giving assurance of the applicant's financial ability to comply with the requirements of this section.

#### **Section 62-16. Pipeline permit updates.**

It shall be the responsibility of the permittee to provide, in writing, updated information on the following aspects of each permit:

- (1) Name and mailing address of the pipeline owner.

- (2) Name and telephone number of two officers or persons available on a 24-hour basis who can furnish or obtain immediately, information as to the pressure at the point or points of input nearest to the city and the common name of the commodity carried by the pipeline.
- (3) A description of the commodity(s) being transported through the pipeline. A copy of the material safety data sheets for the commodity(s) shall be included with the update if the owner or operator is required by federal or state law to have material safety data sheets available.

This information will be provided with the annual update or upon transference or any change in ownership.

#### **Section 62-17. Pipeline signs**

Every pipeline, new or existing, within the corporate limits of the city, shall bear at all times, in plain, indelible lettering, signs denoting the ownership of said pipeline, permanently affixed in the pipeline right-of-way where said pipeline right-of-way crosses public streets, public properties or public rights-of-way.

#### **Section 62-18. Penalty.**

Any violation of any section, subsection or part of this chapter shall be deemed a misdemeanor and such violation thereof during all or any portion of any day shall be a separate offense and misdemeanor; and upon final conviction, every person, firm, association, corporation or partnership guilty of such violation shall be fined in a sum not more than \$2,000.00 per each day of violation, a fine not to exceed \$5,000.00 for violation of any provision relating to point source effluent limitations or discharge of pollutant, or the maximum amount provided by law, whichever is greater.

#### **Section 62-19. No grant of city easement; no assumption of responsibility by city.**

- (1) Nothing in this chapter grants permission for the use of any street, right-of-way or property of the city, and any such use shall be subject to the city at its sole discretion.
- (2) Nothing in this chapter shall be construed as an assumption by the city of any responsibility of an owner or operator of a pipeline not owned by the city, and no city officer, employee or agent shall have authority to relieve an owner or operator of a pipeline from their responsibility under this chapter.

### **ARTICLE 2. PENALTY CLAUSE; INCLUSION INTO THE CODE.**

This Ordinance is hereby incorporated into and made a part of the Seabrook City Code. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount as provided in Section 1-15 "General Penalties; Continuing Violations", the City Council specifically finding that this Ordinance governs public health and safety. Each day of violation shall constitute a separate offense.

### **ARTICLE 3. REPEAL OF CONFLICTING ORDINANCES.**

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

**ARTICLE 4. SEVERABILITY.**

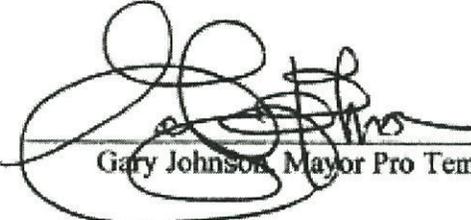
In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**ARTICLE 5. NOTICE BY PUBLICATION.**

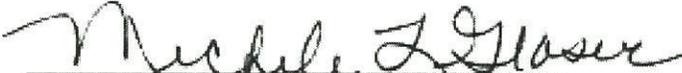
The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage, in the official newspaper of the City. The Ordinance shall take effect upon publication.

Approved on first reading this 3rd day of June 2014.

Approved on second and final reading this 17th day of June 2014.

  
\_\_\_\_\_  
Gary Johnson, Mayor Pro Tem

ATTEST:

  
\_\_\_\_\_  
Michele L. Glaser, TRMC  
City Secretary

Approved as to form:

  
\_\_\_\_\_  
Steven L. Weathered  
City Attorney



PIPELINE DESIGN DATA

1.0 GENERAL INFORMATION

1.1 APPLICANT/OWNER: DOW HYDROCARBON AND RESOURCES LLC  
C/O THE DOW CHEMICAL COMPANY  
1254 ENCLAVE PARKWAY  
HOUSTON, TX. 77077  
ATTENTION: MR. JERE DIAL (281) 966-4068

1.2 PIPELINE NAME: 12" MSR PIPELINE

1.3 PRODUCT: ETHANE

2.0 PIPELINE DESIGN DATA

2.1 DESIGN CODES: CODE OF FEDERAL REGULATIONS  
TITLE 49, PART 192  
MINIUM FEDERAL STANDARDS FOR THE  
TRANSPORTATION OF HAZARDOUS GAS BY PIPELINE  
THE AMERICAN SOCIETY OF MECHANICAL ENGINEERS  
ASME B31.4. PIPELINE TRANSPORTATION FOR LIQUIDS  
ASME B31.8 GAS TRANSMISSION AND DISTRIBUTION

2.2 DESIGN PRESSURE: 2160 PSIG (MAXIMUM ALLOWABLE OPERATING PRESSURE)

2.3 TEST PRESSURE: 3240 PSIG (MINIMUM TEST PRESSURE) X 24 HRS

3.0 CARRIER LINE PIPE AND CROSSING PIPE DATA

<u>ITEM</u>	<u>LINE PIPE</u>
3.1 OUTSIDE DIAMETER:	12.750"
3.2 WALL THICKNESS:	0.312" AT CLASS 1 LOCATIONS 0.438" AT CLASS 3 LOCATIONS AND HDDS
3.3 SPECIFICATION:	API 5L 2M or N X65
3.4 SPECIFIED TENSILE:	77,000 PSI (MIN) YIELD PROPERTIES
3.5 MATERIAL:	CARBON STEEL
3.6 PROCESS OF MFG:	ELECTRIC RESISTENCE WELDED (ERW)
3.7 EXTERIOR COATING:	FUSION BONDED EPOXY

4.0 CATHODIC PROTECTION RECTIFIER IMPRESSED CURRENT

5.0 CONSTRUCTION METHODS

5.1 0.312 wt PIPELINE INSTALLED BY OPEN CUT WITH MINIMUM COVER OF 39"  
5.2 0.438 wt PIPELINE INSTALLED UNDER ROADWAYS BY HDD WITH MINIMUM COVER OF 6 FT  
5.3 0.438 wt PIPELINE INSTALLED UNDER RAILROADS BY HDD WITH MINIMUM COVER OF 25 FT  
5.4 0.438 wt PIPELINE INSTALLED UNDER WATERWAYS WITH MINIMUM COVER OF 25 FT

**DOW HYDROCARBON AND RESOURCES LLC**

**12" ETHANE GAS PIPELINE**

Sheet 1

DRAWN BY HDG	CHECKED BY	APPROVED BY	REVISION -0-	DATE:04-09-15	DRAWING NUMBER:
			WGMI Job # 100502		

SITE:	DIVISION:	JOB NO:
LOCATION:	HARRIS COUNTY, TEXAS	

**TX-HR-MSR-240.01**  
THE REGATTA INN INC.  
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VOL.998,PG.408  
H.C.D.R., TX.

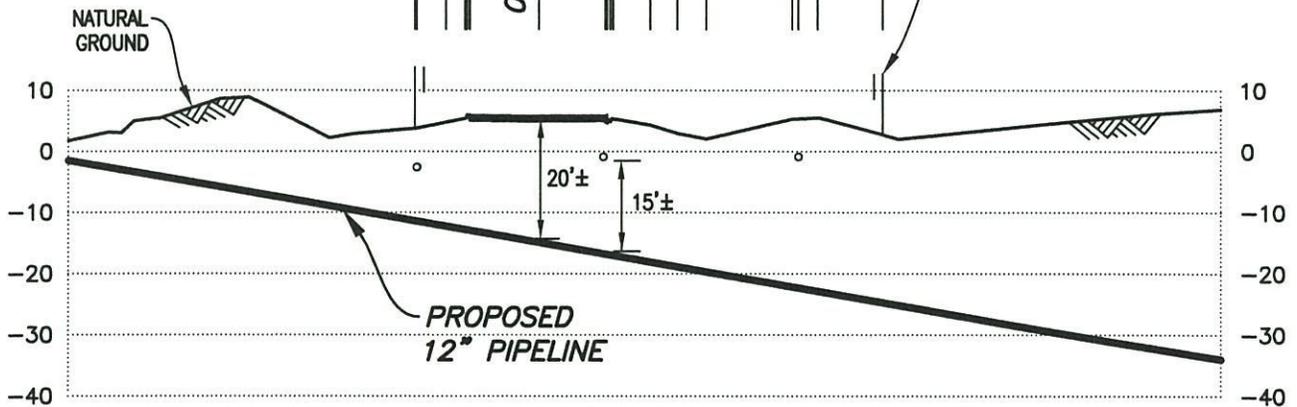
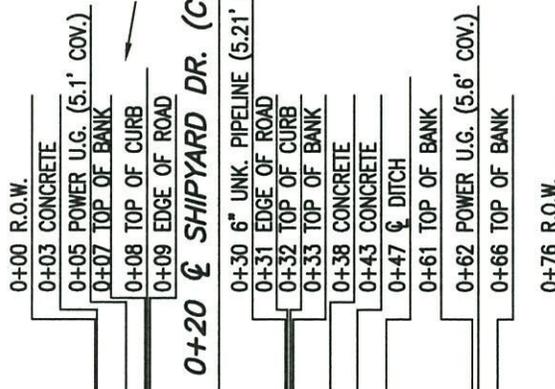
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CENTER POINT ENERGY  
HOUSTON ELECTRIC, LLC  
CALLED 6.076 ACRES  
VOL.4363,PG.467  
H.C.D.R., TX.

☉ PROPOSED  
12" PIPELINE

① X=3232077.20  
Y=13770141.12

② X=3232071.78  
Y=13770167.97

**PLAN**  
SCALE: 1"=30'



**PROFILE**  
SCALE: 1"=30' HORIZ.  
1"=30' VERT.

**PIPE SPECIFICATIONS**

12.750" O.D. x 0.438" W.T., APL 5L 2 M OR N X65  
DUAL FBE WITH ARO FBE TOPCOAT, 35-40 MILS.  
MAOP: 2160 PSIG  
TEST PRESSURE: 3020 PSIG  
PRODUCT: ETHANE  
CONSTRUCTION METHOD: HDD



BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NSRS 2007), SOUTH CENTRAL ZONE, US SURVEY FEET, ELEVATIONS BASED ON THE NAVD 88 DERIVED FROM GPS OBSERVATIONS.  
TBM.: TOP OF BANK  
AT STA. 0+07, ELEV. 5.51

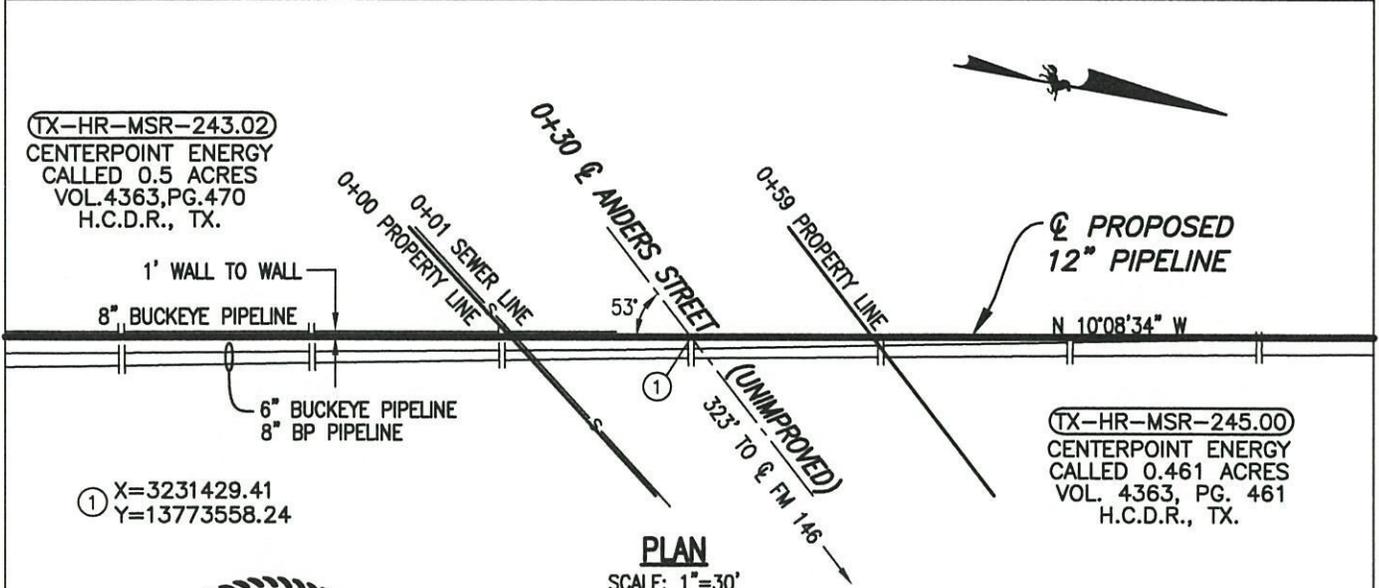
FILE: R:\Projects\21113\DISCIPLINE\CAD\DRAWINGS\93-PERMIT\A4-MSR14114-104457.dwg PLOT DATE: 3/31/2015 BY: PHAN, DONNA

	BY	DATE	DOW HYDROCARBONS AND RESOURCES LLC			<p>WOOD GROUP MUSTANG, INC. TEXAS REGISTERED ENGINEERING FIRM F-2999 PROJECT NO: 100502</p>
SPEC	DP	06/11/14	<p><b>PROPOSED 12" MSR PIPELINE CROSSING SHIPYARD DRIVE</b></p>			
CHKD	EFG	09/24/14				
APPD	WRA	03/25/15	REV DATE	SCALE	AS SHOWN	<b>A4-MSR14114-104457</b>
						SHEET: 1 OF 1

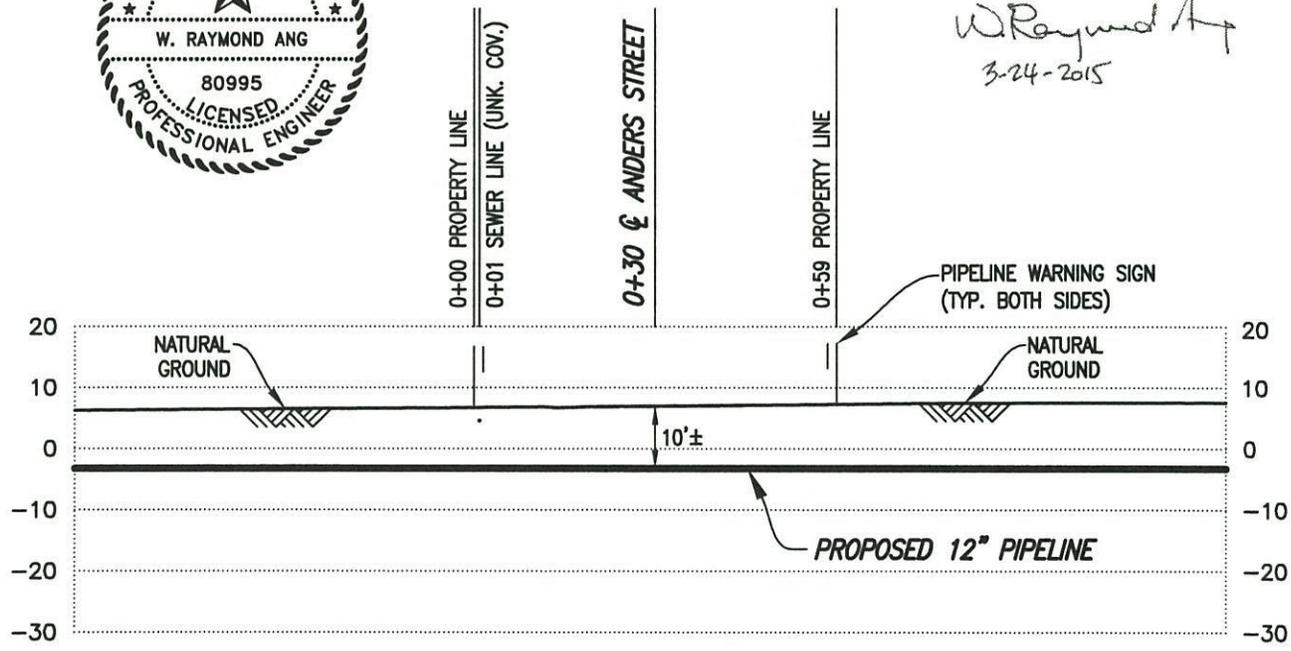
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SITE:	DIVISION:	JOB NO: 100502
LOCATION:	HARRIS COUNTY, TEXAS	

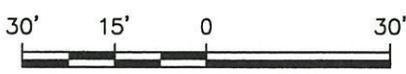
\$ TIME  
\$ DATE  
\$ PERSON



*W. Raymond Ang*  
3-24-2015



**PIPE SPECIFICATIONS**  
 12.750" O.D. x 0.438" W.T., APL 5L 2 M OR N X65  
 DUAL FBE WITH ARO FBE TOPCOAT, 35-40 MILS.  
 MAOP: 2160 PSIG  
 TEST PRESSURE: 3020 PSIG  
 PRODUCT: ETHANE  
 CONSTRUCTION METHOD: BORE



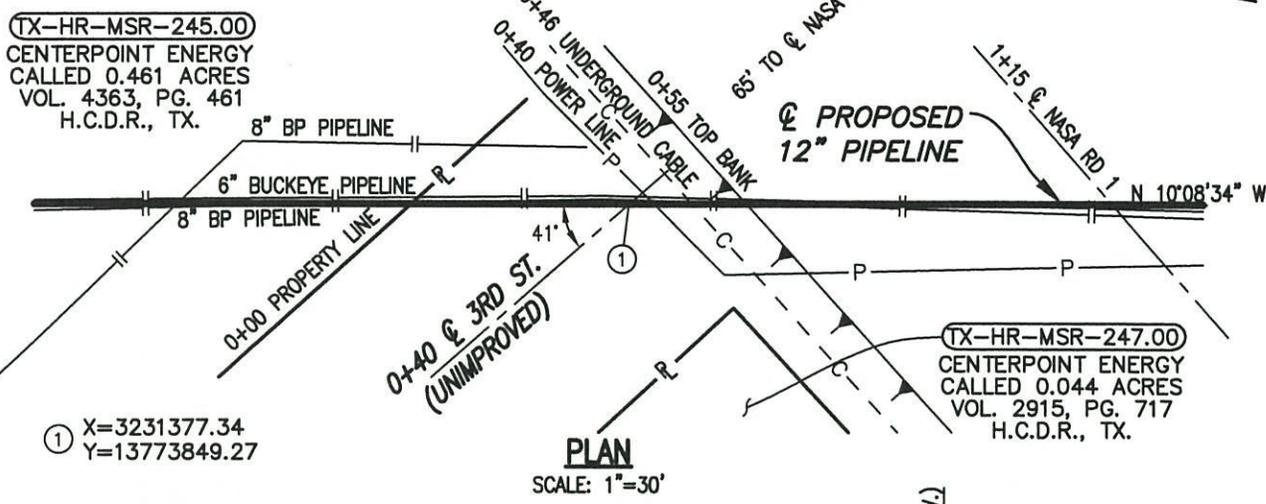
BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NSRS 2007), SOUTH CENTRAL ZONE, US SURVEY FEET, ELEVATIONS BASED ON THE NAVD 88 DERIVED FROM GPS OBSERVATIONS.  
 TBM.: SEWER LINE  
 AT STA. 0+01, ELEV. 6.7'

FILE: R:\Projects\21113\DISCIPLINE\CAD\DRAWINGS\93-PERMIT\A4-MSR14115-104457.dwg PLOT DATE: 3/31/2015 BY: PHAN, DONNA

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SPEC	JS	06/11/14	<b>PROPOSED 12" MSR PIPELINE                  CROSSING ANDERS ST. (UNIMPROVED)</b>			
CHKD	EFG	09/24/14				
APPD	WRA	03/25/15	REV	DATE	SCALE	AS SHOWN
			<b>A4-MSR14115-104457</b> SHEET: 1 OF 1			

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SITE:	DIVISION:	JOB NO:
LOCATION:	HARRIS COUNTY, TEXAS	

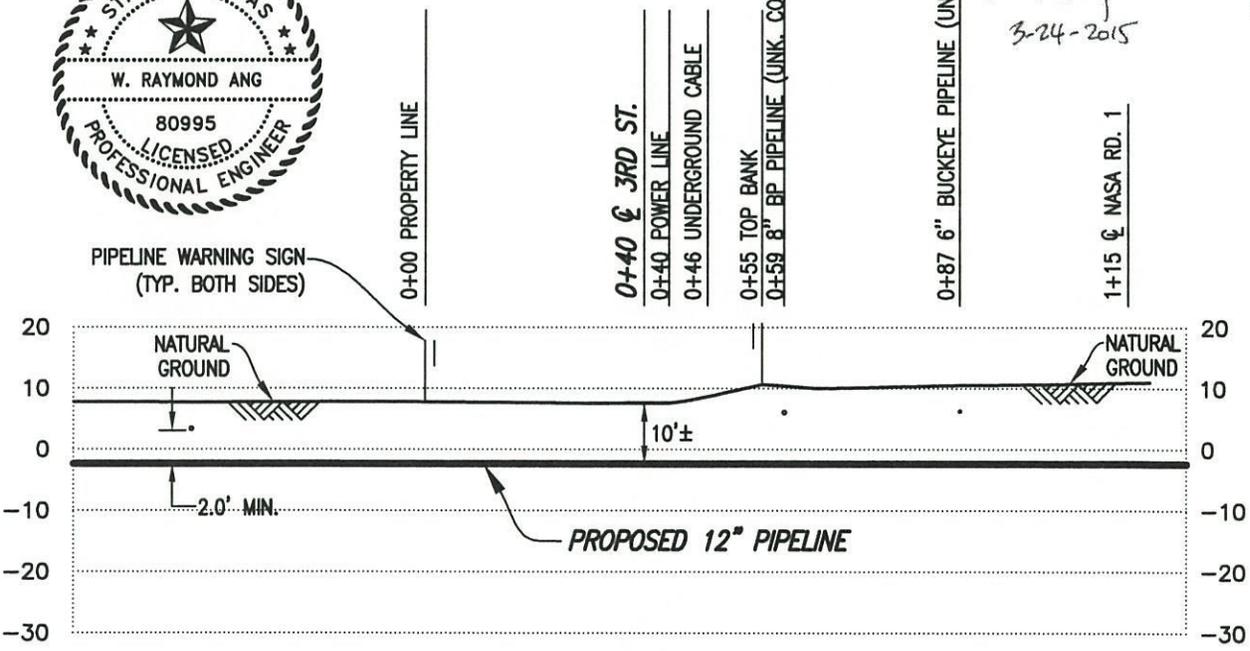


① X=3231377.34  
Y=13773849.27

**PLAN**  
SCALE: 1"=30'



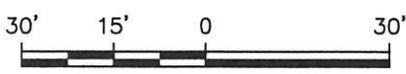
*W. Raymond Ang*  
3-24-2015



**PROFILE**  
SCALE: 1"=30' HORIZ.  
1"=30' VERT.

**PIPE SPECIFICATIONS**

12.750" O.D. x 0.438" W.T., APL 5L 2 M OR N X65  
DUAL FBE WITH ARO FBE TOPCOAT, 35-40 MILS.  
MAOP: 2160 PSIG  
TEST PRESSURE: 3020 PSIG  
PRODUCT: ETHANE  
CONSTRUCTION METHOD: HDD



BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NSRS 2007), SOUTH CENTRAL ZONE, US SURVEY FEET, ELEVATIONS BASED ON THE NAVD 88 DERIVED FROM GPS OBSERVATIONS.  
TBM.:  $\phi$  3RD ST.  
AT STA. 0+40, ELEV. 7.58'

	BY	DATE	DOW HYDROCARBONS AND RESOURCES LLC		
SPEC	JS	06/11/14	<b>PROPOSED 12" MSR PIPELINE CROSSING 3RD ST. (UNIMPROVED)</b>		
CHKD	EFG	09/24/14			
APPD	WRA	03/25/15			
			REV DATE	SCALE	AS SHOWN
			<b>WOOD GROUP MUSTANG, INC.</b> TEXAS REGISTERED ENGINEERING FIRM F-2999 PROJECT NO: 100502		
			<b>A4-MSR14116-104457</b>		
			SHEET: 1 OF 1		

FILE: R:\Projects\21113\DISCIPLINE\CAD\DRAWINGS\93-PERMIT\A4-MSR14116-104457.dwg PLOT DATE: 3/31/2015 BY: PHAN, DONNA

\$TIME \$DATE \$PERSON \$FILENAME

\$TIME

\$DATE

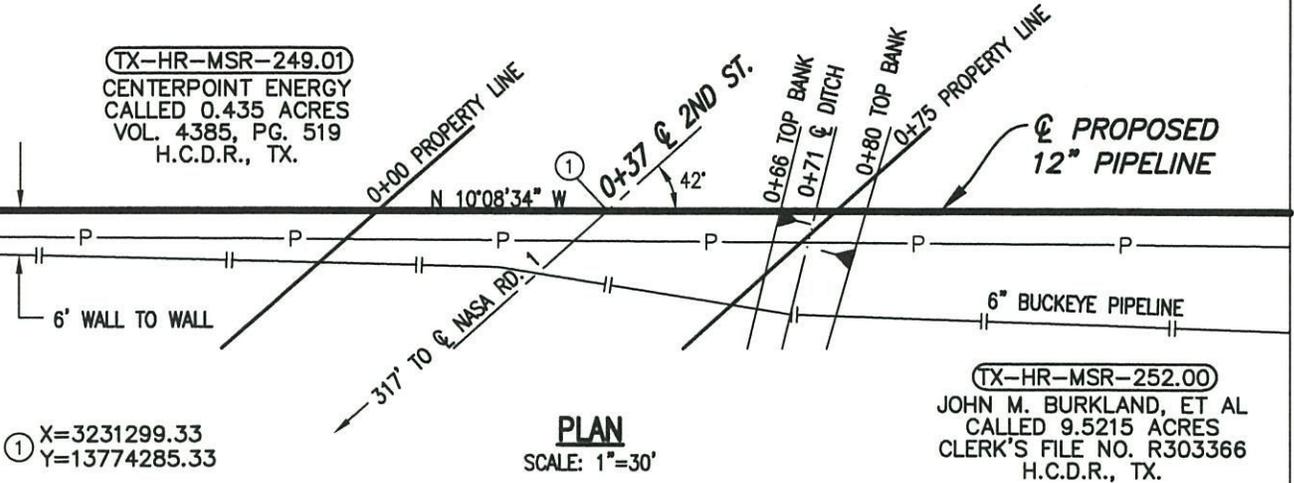
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SITE:	DIVISION:	JOB NO: 100502
LOCATION:	HARRIS COUNTY, TEXAS	



(TX-HR-MSR-249.01)  
CENTERPOINT ENERGY  
CALLED 0.435 ACRES  
VOL. 4385, PG. 519  
H.C.D.R., TX.



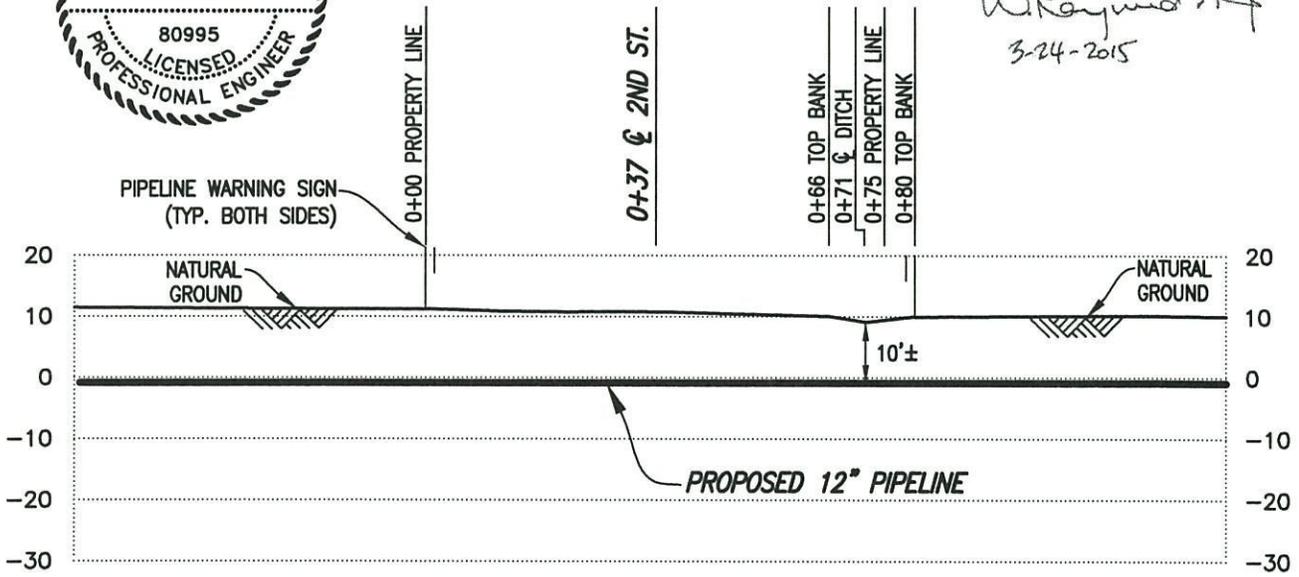
① X=3231299.33  
Y=13774285.33

**PLAN**  
SCALE: 1"=30'

(TX-HR-MSR-252.00)  
JOHN M. BURKLAND, ET AL  
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H.C.D.R., TX.



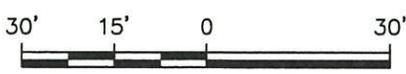
*W. Raymond Ang*  
3-24-2015



**PROFILE**  
SCALE: 1"=30' HORIZ.  
1"=30' VERT.

**PIPE SPECIFICATIONS**

12.750" O.D. x 0.438" W.T., APL 5L 2 M OR N X65  
DUAL FBE WITH ARO FBE TOPCOAT, 35-40 MILS.  
MAOP: 2160 PSIG  
TEST PRESSURE: 3020 PSIG  
PRODUCT: ETHANE  
CONSTRUCTION METHOD: HDD



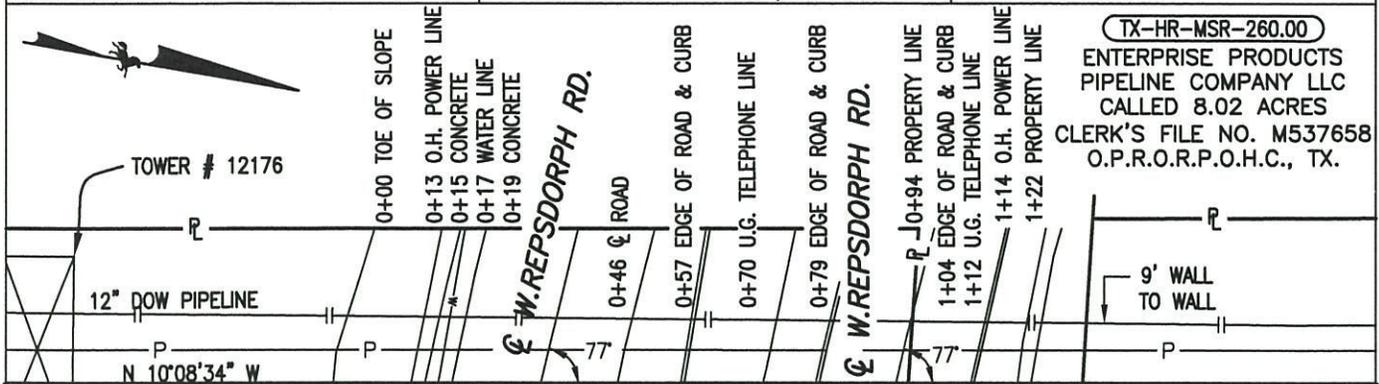
BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NSRS 2007), SOUTH CENTRAL ZONE, US SURVEY FEET, ELEVATIONS BASED ON THE NAVD 88 DERIVED FROM GPS OBSERVATIONS.  
TBM.: TOP BANK  
AT STA. 0+66, ELEV. 10.04'

	BY	DATE	DOW HYDROCARBONS AND RESOURCES LLC			<p><b>WOOD GROUP MUSTANG, INC.</b> TEXAS REGISTERED ENGINEERING FIRM F-2999 PROJECT NO: 100502</p>
SPEC	JS	06/11/14	<p align="center"><b>PROPOSED 12" MSR PIPELINE CROSSING 2ND STREET (NOT OPEN)</b></p>			
CHKD	EFG	09/24/14				
APPD	WRA	03/25/15	REV	DATE	SCALE	AS SHOWN
			A4-MSR14118-104457			
			SHEET: 1 OF 1			

FILE: R:\Projects\21113\DISCIPLINE\CAD\DRAWINGS\93-PERMIT\A4-MSR14118-104457.dwg PLOT DATE: 3/31/2015 BY: PHAN, DONNA

\$ TIME  
\$ DATE  
\$ PERSON

SITE: DIVISION: HARRIS COUNTY, TEXAS JOB NO:  
LOCATION:



TX-HR-MSR-255.00  
CENTER POINT ENERGY  
HOUSTON ELECTRIC, LLC  
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VOL.4571, PG.406  
H.C.D.R., TX.

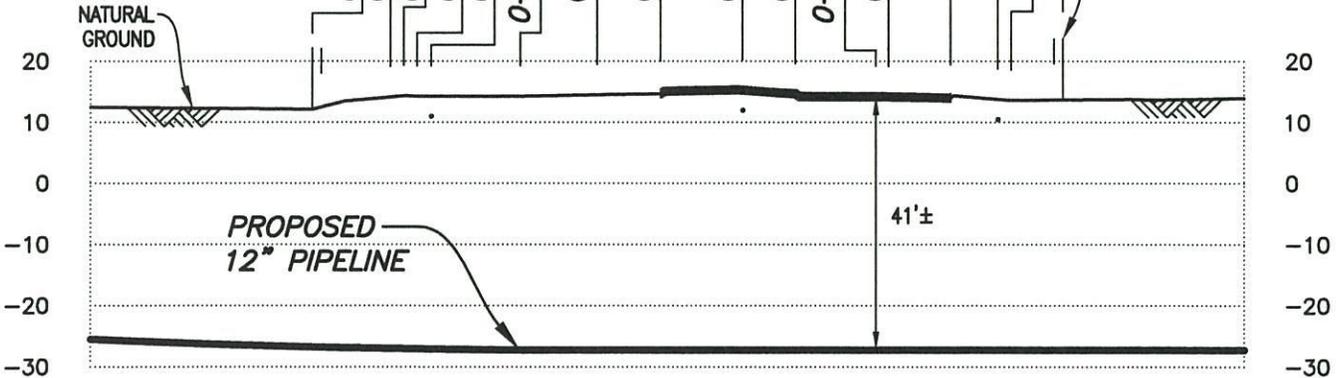
TX-HR-MSR-259.00  
CENTER POINT ENERGY  
HOUSTON ELECTRIC, LLC  
CALLED 2.245 ACRES  
VOL.4913, PG.318

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Y=13778359.67
- ② X=3230560.23  
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**PLAN**  
SCALE: 1"=30'

*W. Raymond Ang*  
3-24-2015

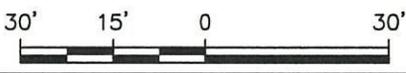


**PROFILE**  
SCALE: 1"=30' HORIZ.  
1"=30' VERT.

**PIPE SPECIFICATIONS**

12.750" O.D. x 0.438" W.T., APL 5L 2 M OR N X65  
DUAL FBE WITH ARO FBE TOPCOAT, 35-40 MILS.  
MAOP: 2160 PSIG  
TEST PRESSURE: 3020 PSIG  
PRODUCT: ETHANE  
CONSTRUCTION METHOD: HDD

BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NSRS 2007), SOUTH CENTRAL ZONE, US SURVEY FEET, ELEVATIONS BASED ON THE NAVD 88 DERIVED FROM GPS OBSERVATIONS.  
TBM.: EDGE OF ROAD AT STA. 0+57, ELEV. 14.70'

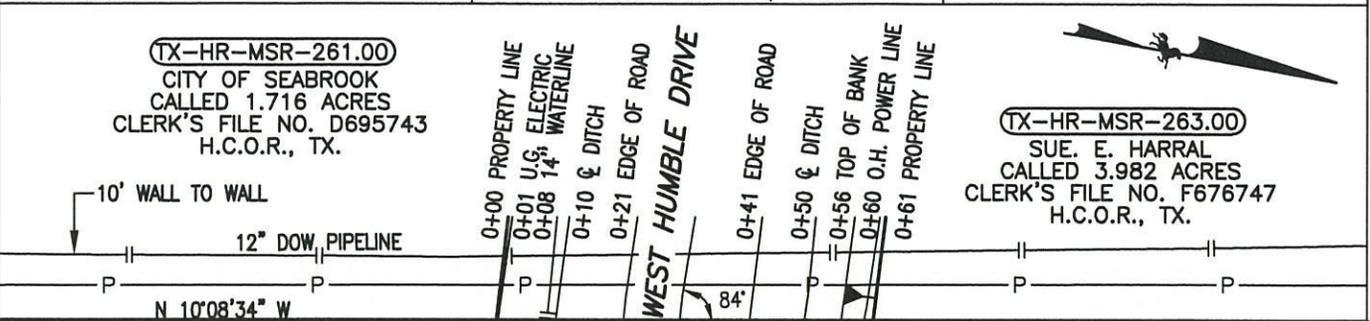


	BY	DATE	DOW HYDROCARBONS AND RESOURCES LLC			<p><b>WOOD GROUP MUSTANG, INC.</b> TEXAS REGISTERED ENGINEERING FIRM F-2999 PROJECT NO: 100502</p>
SPEC	DP	06/12/14	<p align="center"><b>PROPOSED 12" MSR PIPELINE CROSSING WEST REPSDORPHS ROAD</b></p>			
CHKD	EFG	09/24/14				
APPD	WRA	03/25/15	REV	DATE	SCALE	AS SHOWN
						<b>A4-MSR14119-104457</b>
						SHEET: 1 OF 1

FILE: R:\Projects\21113\DISCIPLINE\CAD\DRAWINGS\93-PERMIT\A4-MSR14119-104457.dwg PLOT DATE: 3/31/2015 BY: PHAN, DONNA

\$FILENAME

SITE:	DIVISION:	JOB NO: 100502
LOCATION:	HARRIS COUNTY, TEXAS	



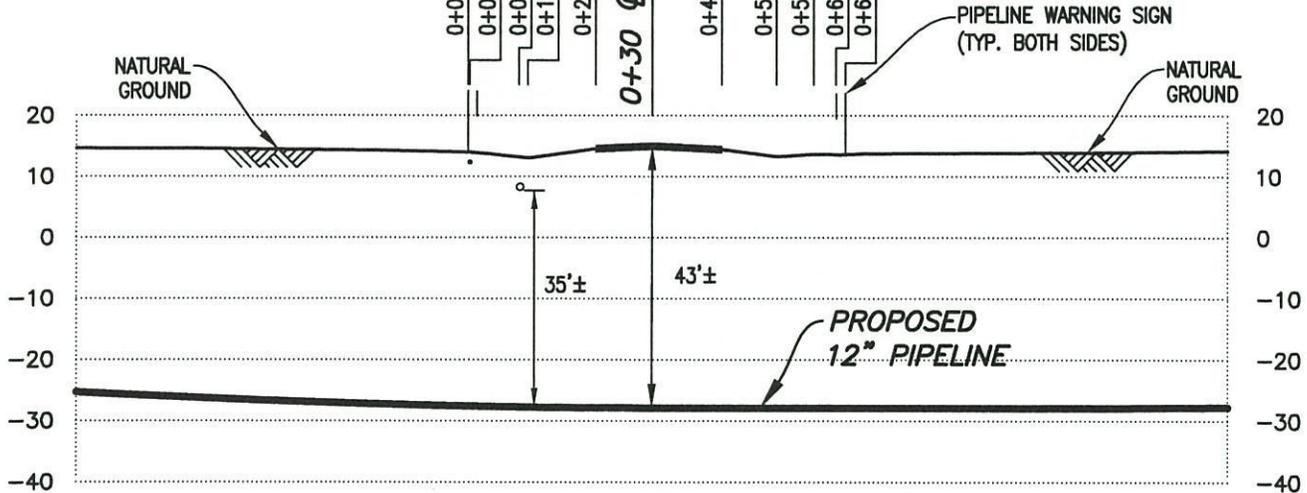
① X=3230352.70  
Y=13779576.87

**PLAN**  
SCALE: 1"=30'



TX-HR-MSR-262.00  
SEABROOK VENTURE II  
CALLED 53.57 ACRES  
CLERK'S FILE NO. U265748  
H.C.O.R., TX.

*W. Raymond Ang*  
3-24-2015



**PROFILE**

SCALE: 1"=30' HORIZ.  
1"=30' VERT.

**PIPE SPECIFICATIONS**

12.750" O.D. x 0.438" W.T., APL 5L 2 M OR N X65  
DUAL FBE WITH ARO FBE TOPCOAT, 35-40 MILS.  
MAOP: 2160 PSIG  
TEST PRESSURE: 3020 PSIG  
PRODUCT: ETHANE  
CONSTRUCTION METHOD: HDD



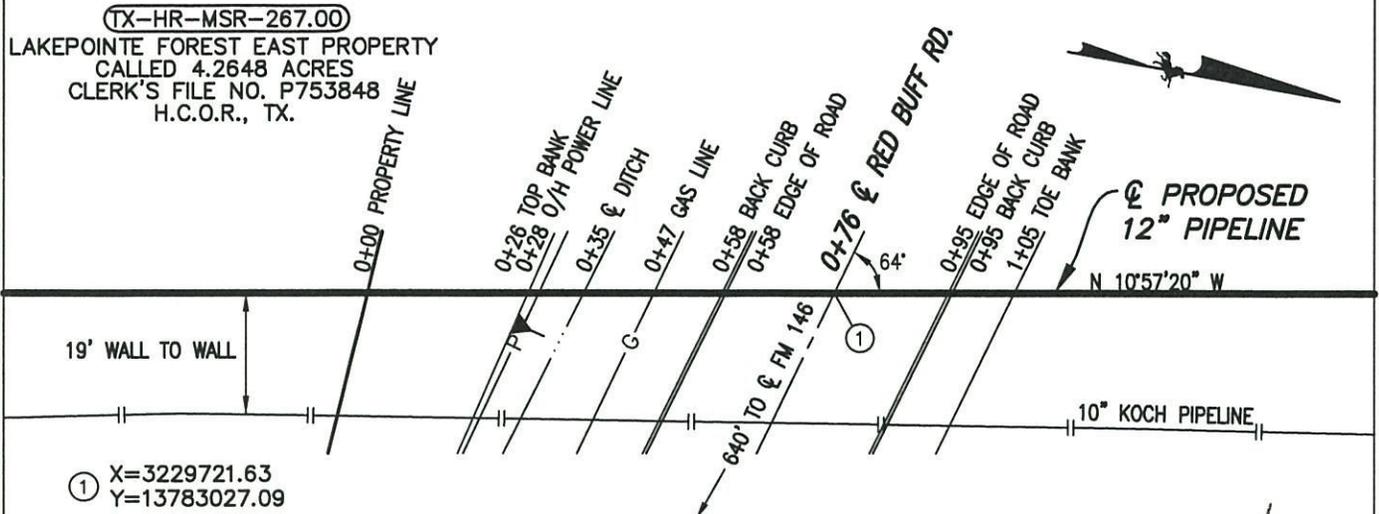
BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NSRS 2007), SOUTH CENTRAL ZONE, US SURVEY FEET, ELEVATIONS BASED ON THE NAVD 88 DERIVED FROM GPS OBSERVATIONS.  
TBM.: EDGE OF ROAD AT STA. 0+41, ELEV. 14.38'

	BY	DATE	DOW HYDROCARBONS AND RESOURCES LLC			<p>WOOD GROUP MUSTANG, INC. TEXAS REGISTERED ENGINEERING FIRM F-2999 PROJECT NO: 100502</p>
SPEC	DP	06/12/14	<p><b>PROPOSED 12" MSR PIPELINE CROSSING WEST HUMBLE DRIVE</b></p>			
CHKD	EFG	09/24/14				
APPD	WRA	03/25/15	REV	DATE	SCALE	AS SHOWN
						<b>A4-MSR14120-104457</b>
						SHEET: 1 OF 1

FILE: R:\Projects\21113\DISCIPLINE\CAD\DRAWINGS\93-PERMIT\A4-MSR14120-104457.dwg PLOT DATE: 3/31/2015 BY: PHAN, DONNA

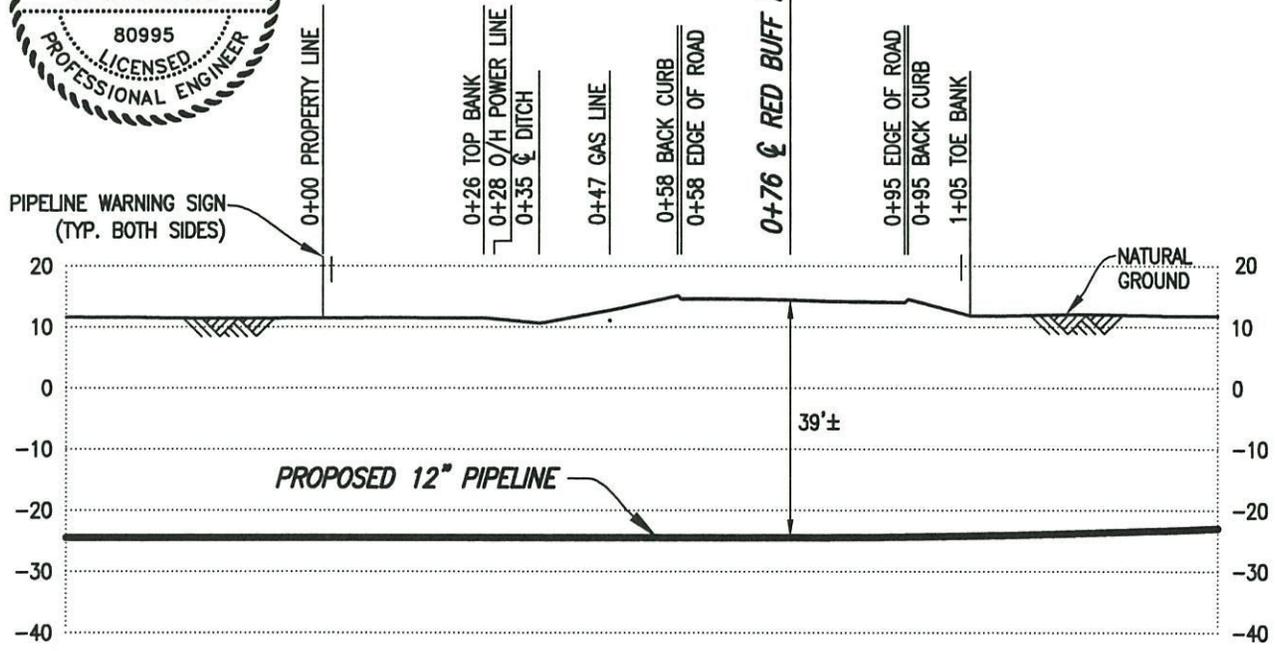
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\$DATE  
\$PERSON  
\$FILENAME

SITE:	DIVISION:	JOB NO: 100502
LOCATION:	HARRIS COUNTY, TEXAS	



**PLAN**  
SCALE: 1"=30'

*W. Raymond Ang*  
3-24-2015

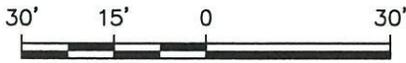


**PROFILE**

SCALE: 1"=30' HORIZ.  
1"=30' VERT.

**PIPE SPECIFICATIONS**

12.750" O.D. x 0.438" W.T., APL 5L 2 M OR N X65  
DUAL FBE WITH ARO FBE TOPCOAT, 35-40 MILS.  
MAOP: 2160 PSIG  
TEST PRESSURE: 3020 PSIG  
PRODUCT: ETHANE  
CONSTRUCTION METHOD: HDD



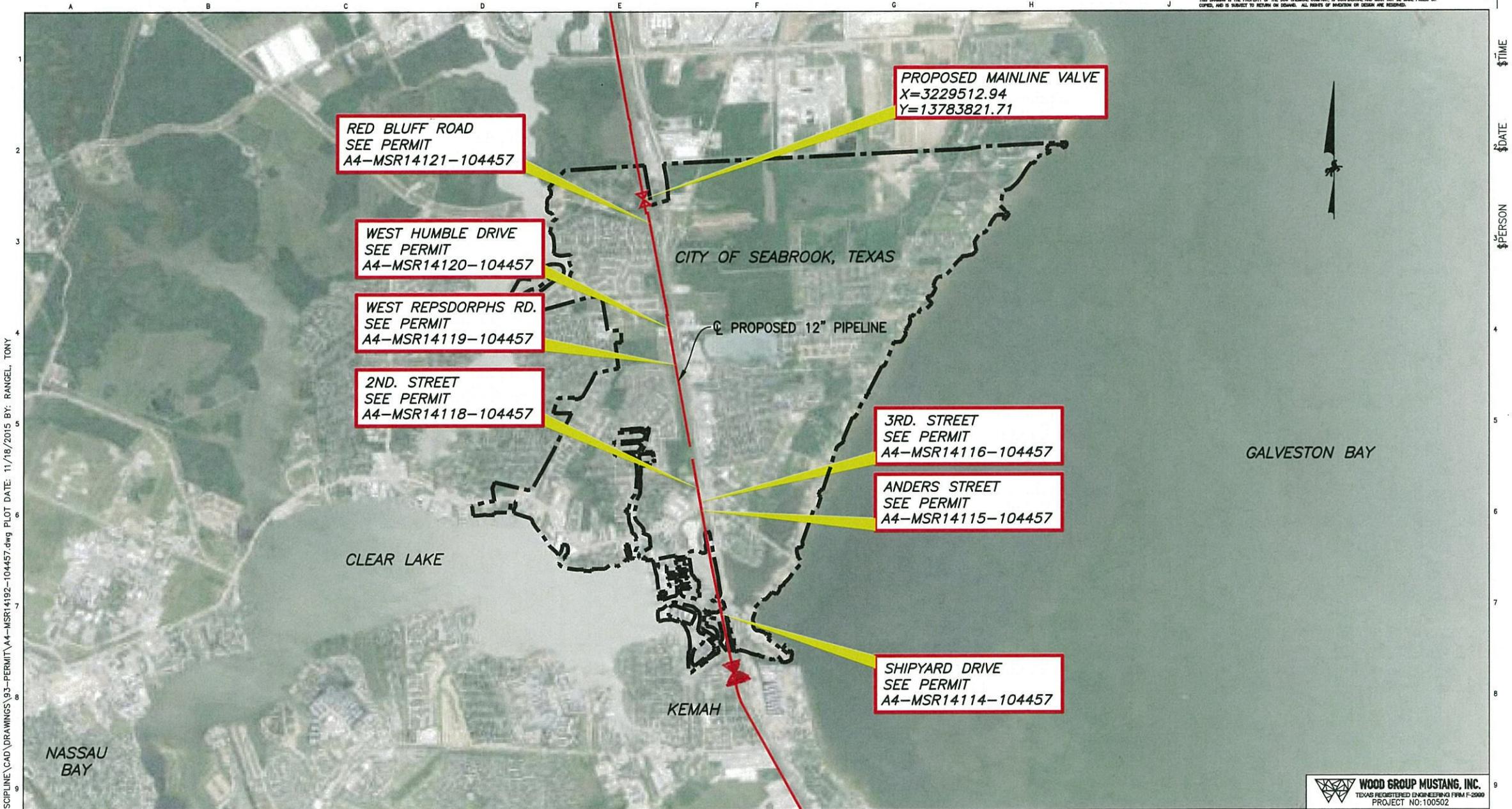
BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NSRS 2007), SOUTH CENTRAL ZONE, US SURVEY FEET, ELEVATIONS BASED ON THE NAVD 88 DERIVED FROM GPS OBSERVATIONS.

TBM.: EDGE OF ROAD  
AT STA. 0+58, ELEV. 14.60

	BY	DATE	DOW HYDROCARBONS AND RESOURCES LLC			<p><b>WOOD GROUP MUSTANG, INC.</b> TEXAS REGISTERED ENGINEERING FIRM F-2999 PROJECT NO: 100502</p>
SPEC	JS	06/12/14	PROPOSED 12" MSR PIPELINE			
CHKD	EFG	09/24/14	CROSSING RED BLUFF ROAD			
APPD	WRA	03/25/15	REV	DATE	SCALE	AS SHOWN
						<b>A4-MSR14121-104457</b>
						SHEET: 1 OF 1

FILE: R:\Projects\21113\DISCIPLINE\DRAWINGS\93-PERMIT\A4-MSR14121-104457.dwg PLOT DATE: 3/31/2015 BY: PHAN, DONNA

\$TIME \$DATE \$PERSON \$FILENAME



FILE: R:\Projects\21113\DISCIPLINE\CAD\DRAWINGS\93-PERMIT\A4-MSR14192-104457.dwg PLOT DATE: 11/18/2015 BY: RANGEL, TONY

\$TIME  
\$DATE  
\$PERSON  
\$FILENAME

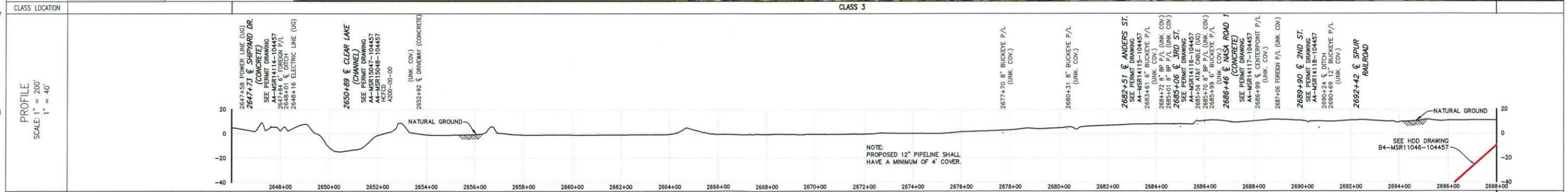
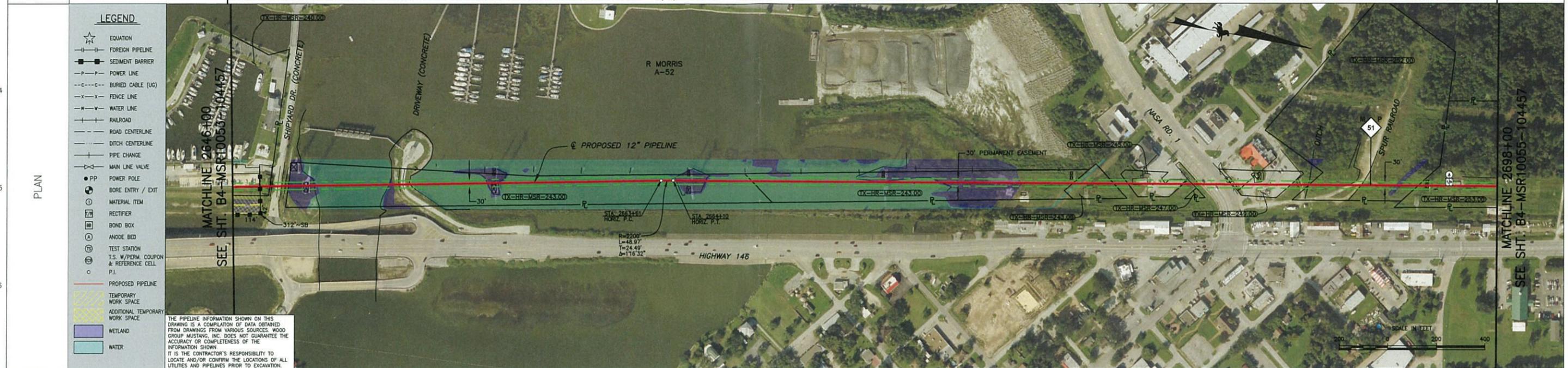
REV. MARK		REVISION				BY	CHK	APP	DATE	DRAWING ISSUE RECORD				DESIGNED	STATUS	DOW HYDROCARBONS AND RESOURCES LLC				
A		ISSUED FOR CLIENT REVIEW				VA	PAC		06/29/15						06/29/15	PLANT NO.	DOW PIPELINE ANGLETON, TEXAS			
										ISSUE NO.	REV	MATERIAL OR JOB SPEC	BID	FAB	CONST	REF	<p align="center"><b>PROPOSED 12" MSR PIPELINE</b> <b>CROSSING CITY OF SEABROOK, TEXAS</b> <b>VICINITY MAP</b></p>			
																	CHARGE NO.	SCALE	DWG. NO.	REV.
																	104457	1" = 3000'	A4-MSR14192-104457	A
																			PRINTED	VER.





COUNTY	HARRIS COUNTY, TEXAS																								
TERRAIN																									
OWNERSHIP	SEABROOK MARINA, INC.		SHIPIYARD ROAD		CENTER POINT ENERGY HOUSTON ELECTRIC, LLC			ANDERS ST.		CENTER POINT ENERGY HOUSTON ELECTRIC, LLC		3RD STREET		NASA ROAD 1		CENTER POINT ENERGY HOUSTON ELECTRIC, LLC		2ND STREET		JOHN M. BURKLAND AND WIFE, BETTY J. BURKLAND		JOHN M. BURKLAND			
RODS	9.29		4.62		195.57			10.04		3.58		13.96		2.18		9.81		14.78		4.53		27.28		19.54	

STATIONING	MATCHLINE 2646+00		2646+00		2650+00			2660+00		2670+00		2680+00		2690+00		2692+00		2694+00		2696+00		MATCHLINE 2698+00	
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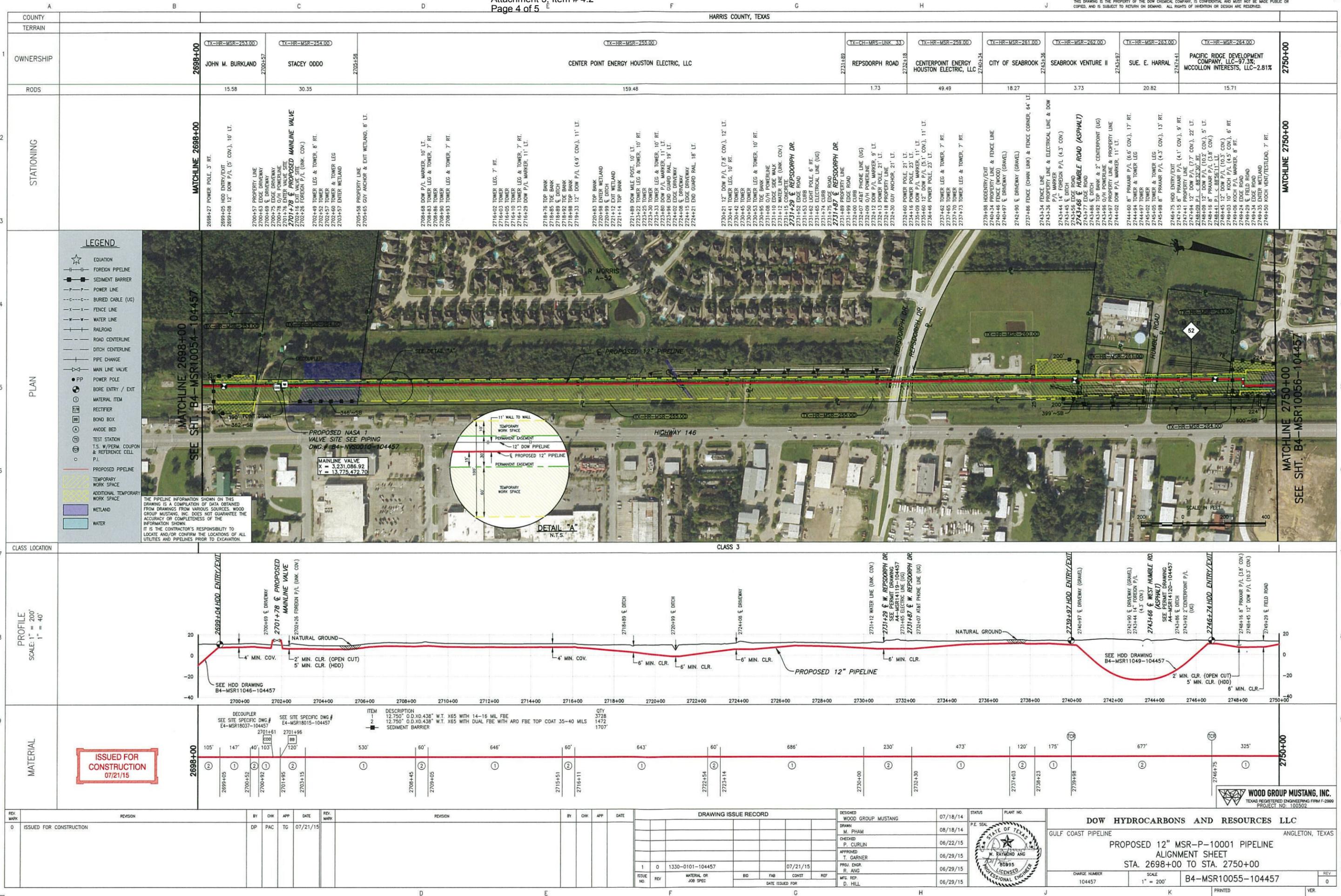
CLASS LOCATION	CLASS 3									
PROFILE	<p>2647+58 POWER LINE (UG) 2647+73 &amp; SHIPIYARD DR (CONCRETE) SEE PERMIT DRAWING A4-MSR14114-104457 2647+84 6" FOREIGN P/L 2648+16 ELECTRIC LINE (UG)</p> <p>2650+89 &amp; CLEAR LAKE CHANNEL SEE PERMIT DRAWING A4-MSR15047-104457 A4-MSR15048-104457 A309-00-00</p> <p>2652+92 &amp; DRIVEWAY (CONCRETE) (UNK. COV.)</p>									
MATERIAL	<p>ITEM 2 DESCRIPTION 12.750" O.D.X0.438" W.T. X65 WITH DUAL FBE WITH ARO FBE TOP COAT 35-40 MILS SEDIMENT BARRIER</p> <p>QTY 5200 312'</p>									

REV. MARK	0	ISSUED FOR CONSTRUCTION	BY	DP	CHK	PAC	APP	TG	DATE	07/21/15
<p><b>ISSUED FOR CONSTRUCTION 07/21/15</b></p>										
<p><b>WOOD GROUP MUSTANG, INC.</b> TEXAS REGISTERED ENGINEERING FIRM F-2899 PROJECT NO. 100502</p>										

REV. MARK	0	ISSUED FOR CONSTRUCTION	BY	DP	CHK	PAC	APP	TG	DATE	07/21/15
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FILE: R:\Projects\2015\GIS\DWG\CAD\DRAWINGS\01-AUGMENT\DWG 1\MSR14114-MSR10054-104457.dwg PLOT DATE: 8/4/2015 BY: AMANDA, VICTOR

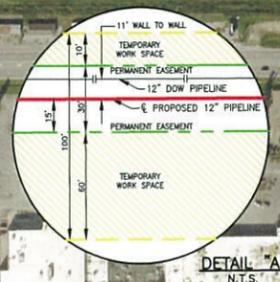
TIME  
DATE  
PERSON  
FILENAME  
INSTRUCTIONS



**LEGEND**

- ☆ EQUATION
- FOREIGN PIPELINE
- SEDIMENT BARRIER
- POWER LINE
- BURIED CABLE (UG)
- FENCE LINE
- WATER LINE
- RAILROAD
- ROAD CENTERLINE
- DITCH CENTERLINE
- PIPE CHANGE
- MAIN LINE VALVE
- POWER POLE
- BORE ENTRY / EXIT
- MATERIAL ITEM
- RECTIFIER
- BOND BOX
- ANODE BED
- TEST STATION
- T.S. W/PERM. COUPON & REFERENCE CELL P.L.
- PROPOSED PIPELINE
- TEMPORARY WORK SPACE
- ADDITIONAL TEMPORARY WORK SPACE
- WETLAND
- WATER

THE PIPELINE INFORMATION SHOWN ON THIS DRAWING IS A COMPILATION OF DATA OBTAINED FROM DRAWINGS FROM VARIOUS SOURCES. WOOD GROUP MUSTANG, INC. DOES NOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE AND/OR CONFIRM THE LOCATIONS OF ALL UTILITIES AND PIPELINES PRIOR TO EXCAVATION.



**ISSUED FOR CONSTRUCTION**  
07/21/15

FILE: R:\Projects\13113\DCR\DWG\CAD\DRAWINGS\13113-ALPHABET\DWG 1 NORTH\13113-MSR10055-104457.dwg PLOT DATE: 8/4/2015 BY: AMANDA, VICTOR

\$TIME \$DATE \$PERSON \$FILENAME

REV. MARK	REVISION	BY	CHK	APP	DATE	REV. MARK	REVISION	BY	CHK	APP	DATE
0	ISSUED FOR CONSTRUCTION	DP	PAC	TG	07/21/15						

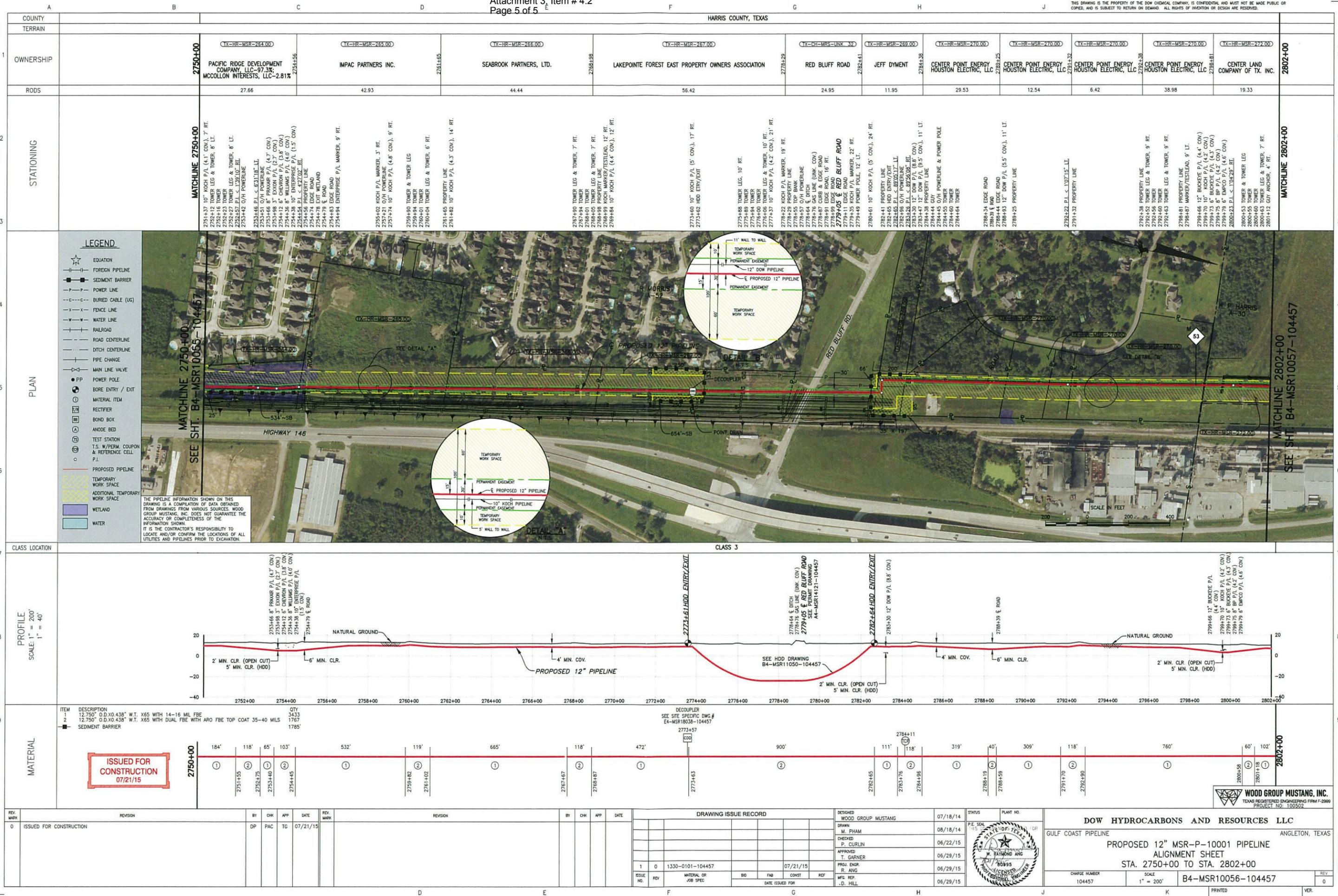
DRAWING ISSUE RECORD			
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ISSUE NO.	REV	MATERIAL OR JOB SPEC	DATE ISSUED FOR

DESIGNED	STATUS	PLANT NO.
WOOD GROUP MUSTANG	07/18/14	
DRAWN		
M. PHAM	08/18/14	
CHECKED		
P. CURLIN	06/22/15	
APPROVED		
T. GARNER	06/29/15	
PROJ. ENGR.		
R. ANG	06/29/15	
MFG. REP.		
D. HILL	06/29/15	

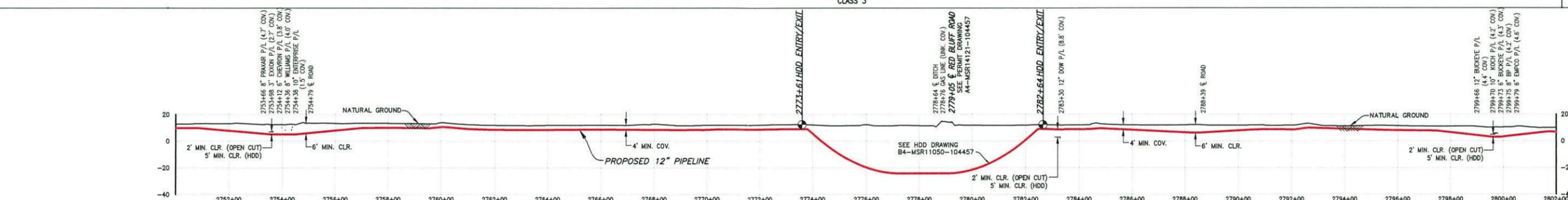
DOW HYDROCARBONS AND RESOURCES LLC	
GULF COAST PIPELINE	ANGLETON, TEXAS
PROPOSED 12" MSR-P-10001 PIPELINE ALIGNMENT SHEET	
STA. 2698+00 TO STA. 2750+00	
CHARGE NUMBER	104457
SCALE	1" = 200'
PROJECT NO.	B4-MSR10055-104457



**LEGEND**

- ☆ EQUATION
- FORDON PIPELINE
- SEDIMENT BARRIER
- POWER LINE
- BURIED CABLE (UG)
- FENCE LINE
- WATER LINE
- RAILROAD
- ROAD CENTERLINE
- DITCH CENTERLINE
- PIPE CHANGE
- MAIN LINE VALVE
- POWER POLE
- BORE ENTRY / EXIT
- MATERIAL ITEM
- RECTIFIER
- BOND BOX
- ANODE BED
- TEST STATION
- T.S. W/PERM. COUPON & REFERENCE CELL P.I.
- PROPOSED PIPELINE
- TEMPORARY WORK SPACE
- ADDITIONAL TEMPORARY WORK SPACE
- WETLAND
- WATER

THE PIPELINE INFORMATION SHOWN ON THIS DRAWING IS A COMPILATION OF DATA OBTAINED FROM DRAWINGS FROM VARIOUS SOURCES. WOOD GROUP MUSTANG, INC. DOES NOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE AND/OR CONFIRM THE LOCATIONS OF ALL UTILITIES AND PIPELINES PRIOR TO EXCAVATION.



**MATERIAL**

ITEM	DESCRIPTION	QTY
1	12.750" O.D.X0.438" W.T. X65 WITH 14-16 MIL. FBE	3433
2	12.750" O.D.X0.438" W.T. X65 WITH DUAL FBE WITH ARO FBE TOP COAT 35-40 MILS	1767
3	SEDIMENT BARRIER	1785'

STATION	LENGTH	ITEM
2750+00	184'	1
2751+55	118'	2
2752+75	65'	1
2753+40	103'	2
2754+45		
2755+00	532'	1
2758+00		
2759+82	119'	2
2761+02		
2762+00	665'	1
2764+00		
2766+00	118'	2
2768+00		
2770+00	472'	1
2772+00		
2774+00	900'	2
2776+00		
2778+00	111'	1
2780+00	118'	2
2782+00	319'	1
2784+00	40'	2
2786+00	309'	1
2788+00		
2790+00	118'	2
2792+00		
2794+00	760'	1
2796+00		
2798+00	60'	2
2800+00	102'	1
2802+00		

REV. MARK	REVISION	BY	CHK	APP	DATE	REV. MARK	REVISION	BY	CHK	APP	DATE
0	ISSUED FOR CONSTRUCTION	DP	PAC	TG	07/21/15						

DRAWING ISSUE RECORD			
DESIGNED	WOOD GROUP MUSTANG	DATE	07/18/14
DRAWN	M. PHAM	DATE	08/18/14
CHECKED	P. CURLIN	DATE	06/22/15
APPROVED	T. GARNER	DATE	06/29/15
PROJ. ENGR.	R. ANG	DATE	06/29/15
MFG. REP.	D. HILL	DATE	06/29/15

STATUS	PLANT NO.
DESIGNED	07/18/14
DRAWN	08/18/14
CHECKED	06/22/15
APPROVED	06/29/15
PROJ. ENGR.	06/29/15
MFG. REP.	06/29/15

DOW HYDROCARBONS AND RESOURCES LLC	
GULF COAST PIPELINE	ANGLETON, TEXAS
PROPOSED 12" MSR-P-10001 PIPELINE ALIGNMENT SHEET	
STA. 2750+00 TO STA. 2802+00	
CHARGE NUMBER	104457
SCALE	1" = 200'
PROJECT NO.	B4-MSR10056-104457
REV.	0

FILE: R:\Projects\11113\DISC\DWG\CAD\BARRIERS\B4-MSR10056-104457.dwg PLOT DATE: 8/4/2015 BY: ANGSTA, VICTOR

\$TIME \$DATE \$PERSON \$FILENAME \$INSTRUCTIONS

1  
2  
3 **CITY OF SEABROOK**  
4 **RESOLUTION NO. 2016-01**

5  
6 **AUTHORIZING PUBLICATION OF NOTICE OF INTENTION**  
7 **TO ISSUE CERTIFICATES OF OBLIGATION**  
8

9 **RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF**  
10 **INTENTION TO ISSUE CERTIFICATES OF OBLIGATION, IN AN**  
11 **AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 FOR**  
12 **THE ACQUISITION, CONSTRUCTION AND IMPROVEMENT OF**  
13 **CERTAIN PUBLIC WORKS, AND AUTHORIZING CERTAIN OTHER**  
14 **MATTERS RELATING THERETO**  
15

16 WHEREAS, the City Council (the "City Council") of the City of Seabrook, Texas (the  
17 "City"), is authorized to issue certificates of obligation to pay contractual obligations to be  
18 incurred for the construction of public works, for the purchase of materials, supplies, equipment,  
19 machinery, buildings, land and rights-of-way for authorized needs and purposes, and for the  
20 payment of contractual obligations for professional services pursuant to Subchapter C of Chapter  
21 271, Texas Local Government Code, as amended;  
22

23 WHEREAS, the City Council has determined that it is in the best interests of the City and  
24 otherwise desirable to issue the City of Seabrook, Texas Combination Tax and Revenue  
25 Certificates of Obligation, Series 2016, in one or more series, in an aggregate principal amount  
26 not to exceed \$2,500,000 (the "Certificates") for the design, engineering, acquisition and  
27 construction of certain public works and the purchase of certain equipment for authorized needs  
28 and purposes;  
29

30 WHEREAS, in connection with the Certificates, the City Council intends to publish  
31 notice of intent to issue the Certificates (the "Notice") in a newspaper of general circulation in  
32 the City; and  
33

34 WHEREAS, the City Council has been presented with and has examined the proposed  
35 form of Notice and finds that the form and substance thereof is satisfactory, and that the recitals  
36 and findings contained therein are true, correct and complete.  
37

38 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK,**  
39 **TEXAS:**  
40

41 Section 1. Preamble. The facts and recitations contained in the preamble of this  
42 Resolution are hereby found and declared to be true and correct.  
43  
44  
45  
46

47           Section 2. Authorization of Notice. The City Secretary is hereby authorized and  
48 directed to execute and deliver the Notice set forth in Exhibit A hereto and to publish such  
49 Notice on behalf of the City once a week for two (2) consecutive weeks in a newspaper which is  
50 of general circulation in the City, the date of the first publication of the Notice to be at least  
51 thirty-one (31) days before the date tentatively set in the Notice for the passage of the ordinance  
52 authorizing the issuance of the Certificates.  
53

54           Section 3. Authorization of Other Matters Relating Thereto. The Mayor, City  
55 Secretary and other officers and agents of the City are hereby authorized and directed to do any  
56 and all things necessary or desirable to carry out the provisions of this Resolution.  
57

58           Section 4. Effective Date. This Resolution shall take effect immediately upon  
59 passage.  
60

61           Section 5. Public Meeting. It is officially found, determined and declared that the  
62 meeting at which this Resolution is adopted was open to the public and public notice of the time,  
63 place and subject matter of the public business to be considered at such meeting, including this  
64 Resolution, was given all as required by the Texas Government Code, Chapter 551, as amended.  
65

66           PASSED AND APPROVED this 5<sup>th</sup> day of January, 2016.  
67  
68  
69  
70

71 \_\_\_\_\_  
72 Glenn Royal, Mayor  
73  
74

75 ATTEST:  
76  
77  
78  
79

80 \_\_\_\_\_  
81 Robin Hicks, TRMC  
82 City Secretary  
83

**EXHIBIT A**  
**NOTICE OF INTENTION TO ISSUE CERTIFICATES**

NOTICE IS HEREBY GIVEN that the City Council of the City of Seabrook, Texas (the “City”) will meet at its regular meeting place at Seabrook City Hall, Seabrook, Texas at 7:00 p.m. on the 16<sup>th</sup> day of February, 2016, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the City’s certificates of obligation in one or more series, payable from ad valorem taxation and a surplus pledge of certain revenues of the water and sewer system of the City, in the maximum aggregate principal amount of \$2,500,000, bearing interest at any rate or rates, not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the City Council at the time of issuance and maturing over a period of years not to exceed forty (40) years from the date thereof, for the purpose of evidencing the indebtedness of the City to pay all or any part of the contractual obligations to be incurred for the construction of public works and the purchase of materials, supplies, equipment, machinery, buildings, land and rights-of-way for authorized needs and purposes and for the payment of contractual obligations for professional services, to wit: (i) improvements and repairs to the City’s water system, including the relocation of a water plant and water storage facilities from Humble Drive to Lakeside Drive, and (ii) professional services rendered in connection with the above listed projects.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this 5<sup>th</sup> day of January, 2016.

---

Robin Hicks, TRMC  
City Secretary  
City of Seabrook



# CITY OF SEABROOK

## AGENDA BRIEFING

**Date of Meeting:** January 5, 2016

**Submitter/Requestor:** City of Seabrook

**Date Submitted:** 12-22-2015

**Presenter:** Sean Landis

**Description/Subject:**

Discussion, consideration, and possible action regarding the issuance of a Conditional Use permit to allow a Hotel (Without a full service restaurant) to be located at 2710 NASA Parkway.

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 12, "TEMPORARY AND NONTEXT CHANGES," SECTION 12.03, "CONDITIONAL USE PERMITS GRANTED", BY ADDING A NEW PARAGRAPH (21) GRANTING A CONDITIONAL USE PERMIT FOR A "HOTEL (WITHOUT FULL SERVICE RESTAURANT)" TO BE LOCATED AT 2710 NASA PARKWAY, WITHIN THE C-2 (COMMERCIAL - MEDIUM) ZONING DISTRICT AND ESTABLISHING ANY APPLICABLE CONDITIONS FOR THE OPERATION OF THE BUSINESS IN ACCORDANCE WITH LAW; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 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.**

**Applicant:** Bharat Patel, (Harshy Seabrook Hospitality, Inc.)

**Legal Description:** The subject property, 2710 NASA Parkway, is located along NASA Parkway west of Larrabee Street and east of Elam Street.

**Request:** The applicant requests a conditional use permit to establish a "Hotel (without full service restaurant)" at 2710 NASA Parkway.

**Purpose/Need:** Policy Issue  Administrative Issue

Agenda Briefing Form  
Page 2

**Background/Issue** (What prompted this need?):

The applicant wishes to establish a Hotel (without a full service restaurant) at the property located at 2710 NASA Parkway.

The applicant has indicated that the project will be an 80 room Holiday Inn Express, including food service and a dining room; however, the dining room will not meet the definition as a full service restaurant, as this is not permissible by the Holiday Inn franchise.

The building is based on the Holiday Inn Express prototype and is proposed to have a maximum ceiling height on the ground floor of 12'-0", and guest room ceiling heights of 9'-0". The building will be four stories and have a parapet roof, with a slightly higher parapet above the main entrance to accommodate the wall signage. This will result in an overall height of approximately 48' above the ground floor or approximately 50'-0" above finished grade.

The property is located within a C-2 (Commercial – Medium) Zoning District.

**Impacted Parties** (Expected/Notified):

**Recommended Action:**

The Commission after receiving a presentation from City Staff and Harshy Seabrook Hospitality, Inc. recommended approval of the Conditional Use Permit by unanimous vote.

Aye: Miller, Sharp, Dehart, Caradec, Davis and Potts

Nay:

Absent: Hammann

**Attachments:**

(Please list description of attachments and number of pages in each attachment)

1. Proposed Ordinance 2016-01
2. Planning and Zoning Commission Official Report from the November 19, 2015 Meeting
3. Location Map
4. Zoning Map
5. Proposed Site Plan

<b>Fiscal Impact:</b>	Budgeted	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Finance Officer Review:
	Budget Amendment Required	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
	Future/Ongoing Impact	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Budget Dept/Line Item Number N/A

**Funding Comments:**

N/A

**All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.**

Agenda Briefing Form  
Page 3

**Where on the agenda should this item be placed?**

(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

Public Hearing & New Business

**Suggested Motion:**

The Commission after receiving a presentation from City Staff and Harshy Seabrook Hospitality, Inc. recommended approval of the Conditional Use Permit by unanimous vote.

Aye: Miller, Sharp, Dehart, Caradec, Davis and Potts

Nay:

Absent: Hammann

**City Manager Review:**

- Approved as submitted
- Submitted for Council consideration without comment
- Submitted for Council consideration with comments stated below:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review \_\_\_\_\_  
(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant \_\_\_\_\_

Returned by the City Secretary/Assistant (If incomplete) \_\_\_\_\_

**All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.**

## Planning & Zoning Commission OFFICIAL REPORT

The Planning and Zoning Commission of the City of Seabrook met on November 19, 2015 to hold a meeting to consider:

**Request for a conditional use permit to establish a "Hotel (without full service restaurant)" at 2710 Nasa Parkway as per the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4, "Special Use Regulations," Section 4.11, "Conditional use permit criteria and procedures,"**

### THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL  APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW)  DENIAL   
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on November 19, 2015, as designated below and as certified by the signature of the Chairman. **This document is not valid unless signed by the Chairman/Presiding Commissioner.**

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<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Rosebud Caradec	X				<i>RC</i>
Laura Davis	X				<i>LD</i>
Mike DeHart	X				<i>MDH</i>
Buddy Hammann				X	
Dodie Miller	X				<i>DM</i>
Michael Potts	X				<i>MP</i>
Michael Sharpe	X				<i>MDS</i>

*Michael Potts*  
Michael Potts, Chairman  
Planning & Zoning Commission

ATTEST:  
*Robin Hicks*  
Atesia L. Hammock ROBIN Hicks  
City Secretary

CITY OF SEABROOK  
ORDINANCE NO. 2016-01

ISSUANCE OF CONDITIONAL USE PERMIT  
TO ALLOW A HOTEL WITHOUT A FULL SERVICE RESTAURANT

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 12, “TEMPORARY AND NONTEXT CHANGES,” SECTION 12.03, “CONDITIONAL USE PERMITS GRANTED”, BY ADDING A NEW PARAGRAPH (21) GRANTING A CONDITIONAL USE PERMIT FOR A “HOTEL (WITHOUT FULL SERVICE RESTAURANT)” TO BE LOCATED AT 2710 NASA PARKWAY, WITHIN THE C-2 (COMMERCIAL - MEDIUM) ZONING DISTRICT AND ESTABLISHING ANY APPLICABLE CONDITIONS FOR THE OPERATION OF THE BUSINESS IN ACCORDANCE WITH LAW; PROVIDING A PENALTY IN AN AMOUNT ~~OF~~ NOT TO EXCEED \$2,000.00 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. ~~AND PROVIDING FOR AN EFFECTIVE DATE.~~**

WHEREAS, Harshy Seabrook Hospitality Inc., “Applicant”, in accordance with the requirements of Section 4.11 of the City’s Comprehensive Ordinance, Appendix A of the Code of the City of Seabrook (“Zoning Ordinance”), has requested~~requests~~ the issuance of a Conditional Use Permit (“CUP”) to allow the construction and operation of a Hotel, without a full service restaurant, to be located at 2710 NASA Parkway, within~~in~~ a C-2 (Medium Commercial) district ~~in accordance with the requirements of Section 4.11.14 of the City’s Comprehensive Ordinance;~~ and

WHEREAS, the Zoning City’s Zoning Ordinance, Section 3.15, requires the issuance of a Conditional Use Permit to allow a Hotel without a full service restaurant in a C-2 zoning district; and

WHEREAS, the Planning and Zoning Commission of the City of Seabrook has conducted a public hearing, received input from staff and has issued its final report recommending approval of the subject CUP; and

WHEREAS, all required hearings on this matter have been held, all criteria have been established for the consideration by City Council, and the applicant has agreed to comply with all ordinances of the City of Seabrook;

**Ordinance No. 2016-01**  
**Page 2**

47 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**  
48 **CITY OF SEABROOK, STATE OF TEXAS:**

49  
50 **SECTION 1. FINDINGS OF FACT.**

51  
52 The facts and matters set forth in the preamble of this Ordinance are hereby found to be  
53 true and correct and incorporated by reference, including the representations of Applicant, (as  
54 referenced in its application for CUP, the final report from the Planning & Zoning Commission  
55 of November 19, 2015 recommending this CUP and the minutes of City Council of January 5  
56 and January 19, 2016), the performance of which City Council is specifically relying upon in  
57 granting this CUP, as provided hereafter.

58  
59 **SECTION 2. USE PERMITTED.**

60  
61 A Conditional Use Permit is hereby granted to allow a Hotel without a full service  
62 restaurant, in the C-2 (Medium Commercial) district located at 2710 NASA Parkway. Such  
63 Conditional Use Permit shall be in conformance with all conditions contained herein, and city  
64 ordinances, including the Comprehensive Zoning Ordinance and Subdivision Ordinance. In  
65 order to assure the proposed use meets all criteria contained in Section 4.11 of the Zoning  
66 Ordinance and related provisions of the Code of Ordinances, this Conditional Use Permit shall  
67 be in strict conformance with the following conditions which have been agreed by Applicant:  
68 [state additional conditions or delete]. In  
69 addition, failure of Applicant to comply with all ordinances of the City of Seabrook shall result  
70 in the immediate termination of this permit. This permit shall not be transferred to any other  
71 address.

72  
73 **SECTION 3. AMENDMENT TO THE CODE.**

74  
75 The Code of the City of Seabrook, Appendix A, "Comprehensive Zoning", Article 12,  
76 Section 12.03 "Conditional use permits granted" is hereby amended by adding a new paragraph  
77 Twenty-One (21) which shall read as follows:

78  
79 **"(21) By Ordinance No. 2016-01, a conditional use permit was granted to allow the**  
80 **construction and operation of a Hotel without a full service restaurant at 2710 NASA**  
81 **Parkway which is located in a C-2 zoning district. Failure to comply with any conditions**  
82 **imposed and all ordinances of the City of Seabrook shall result in the immediate**  
83 **termination of this permit. This permit shall not be transferred to any other address."**

84  
85 **SECTION 4. INCORPORATION INTO THE CODE; PENALTY CLAUSE.**

86  
87 This Ordinance is hereby incorporated into and made a part of the Seabrook City Code  
88 and violation of any provision hereof shall be subject to the penalty described in said Code,  
89 Section 1-15 "General Penalty; continuing violations" which provides that any person who  
90 shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and,  
91 upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall  
92 constitute a separate offense.

94 **SECTION 5. REPEAL OF CONFLICTING ORDINANCES.**

95

96 All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the  
97 extent of such inconsistency or conflict, hereby repealed.

98

99 **SECTION 6. SEVERABILITY.**

100

101 In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the  
102 application of the same to any person or circumstances shall for any reason be adjudged invalid  
103 or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or  
104 invalidate this Ordinance as a whole or any part or provision hereof other than the part declared  
105 to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares  
106 that it would have passed each and every part of the same notwithstanding the omission of any  
107 such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

108

109 **SECTION 7. NOTICE.**

110

111 The City Secretary shall give notice of the enactment of this Ordinance by promptly  
112 publishing it or its descriptive caption and penalty after final passage in the official newspaper  
113 of the City; the Ordinance to take effect upon publication.

114

115 PASSED AND APPROVED on first reading this 5th day of January, 2016.

116

117 PASSED, APPROVED, AND ADOPTED on second and final reading this 19th day of  
118 January, 2016.

119

120

121

By: \_\_\_\_\_  
Glenn Royal  
Mayor

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124

125 ATTEST:

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By: \_\_\_\_\_  
Robin Hicks, TRMC  
City Secretary

129

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131

132

133 Approved as to form:

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\_\_\_\_\_  
Steven L. Weathered  
City Attorney

137

138

**CITY OF SEABROOK  
ORDINANCE NO. 2016-01**

**ISSUANCE OF CONDITIONAL USE PERMIT  
TO ALLOW A HOTEL WITHOUT A FULL SERVICE RESTAURANT**

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**WHEREAS**, the Zoning Ordinance, Section 3.15 requires the issuance of a Conditional Use Permit to allow a Hotel without a full service restaurant in a C-2 zoning district; and

**WHEREAS**, the Planning and Zoning Commission of the City of Seabrook has conducted a public hearing, received input from staff and has issued its final report recommending approval of the subject CUP; and

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119 January, 2016.

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By: \_\_\_\_\_  
Glenn Royal  
Mayor

124

125

126

ATTEST:

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By: \_\_\_\_\_  
Robin Hicks, TRMC  
City Secretary

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Approved as to form:

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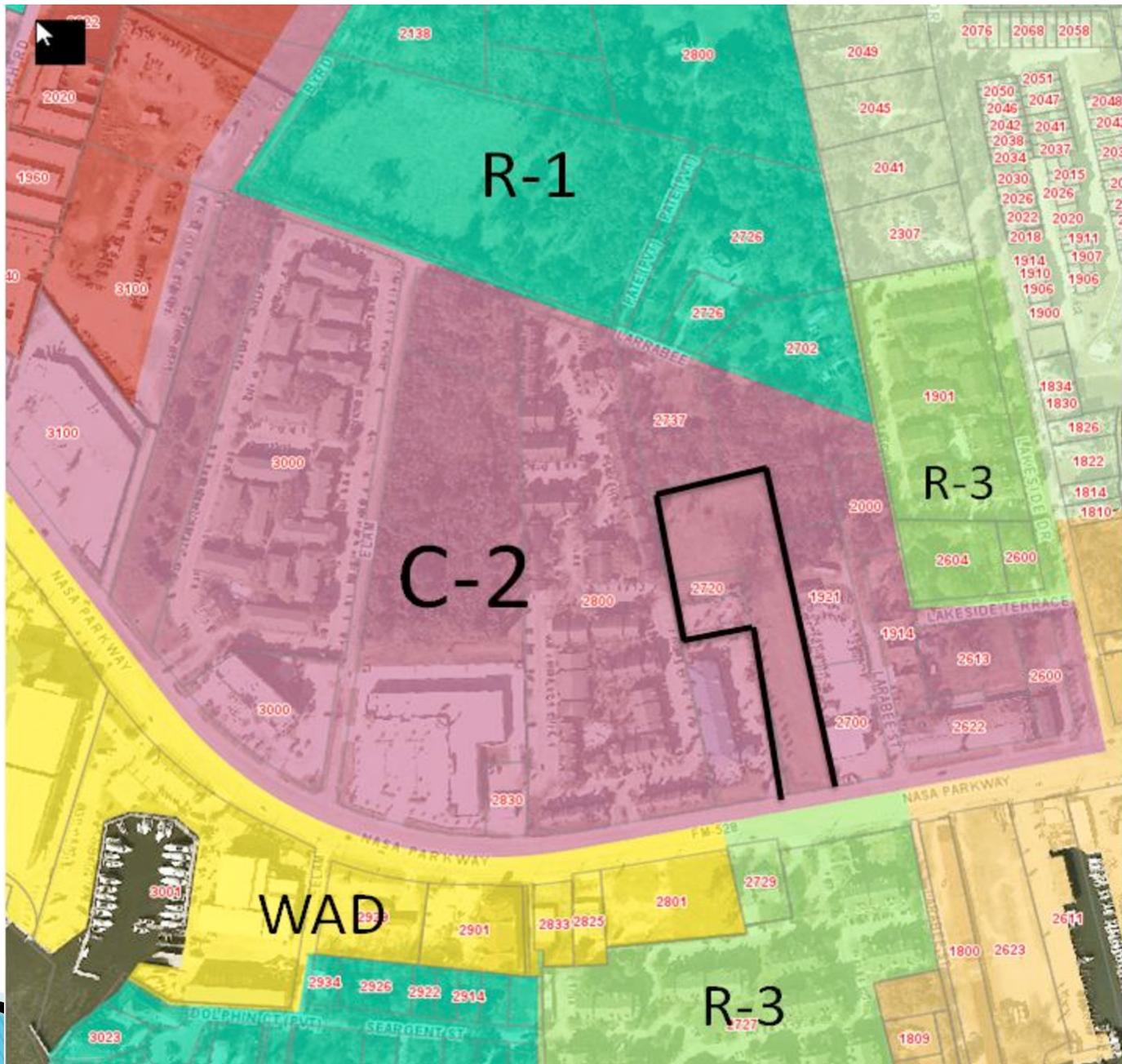
136

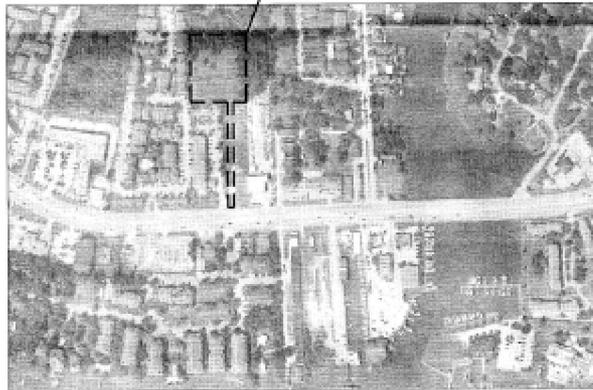
\_\_\_\_\_  
Steven L. Weathered  
City Attorney

137

138



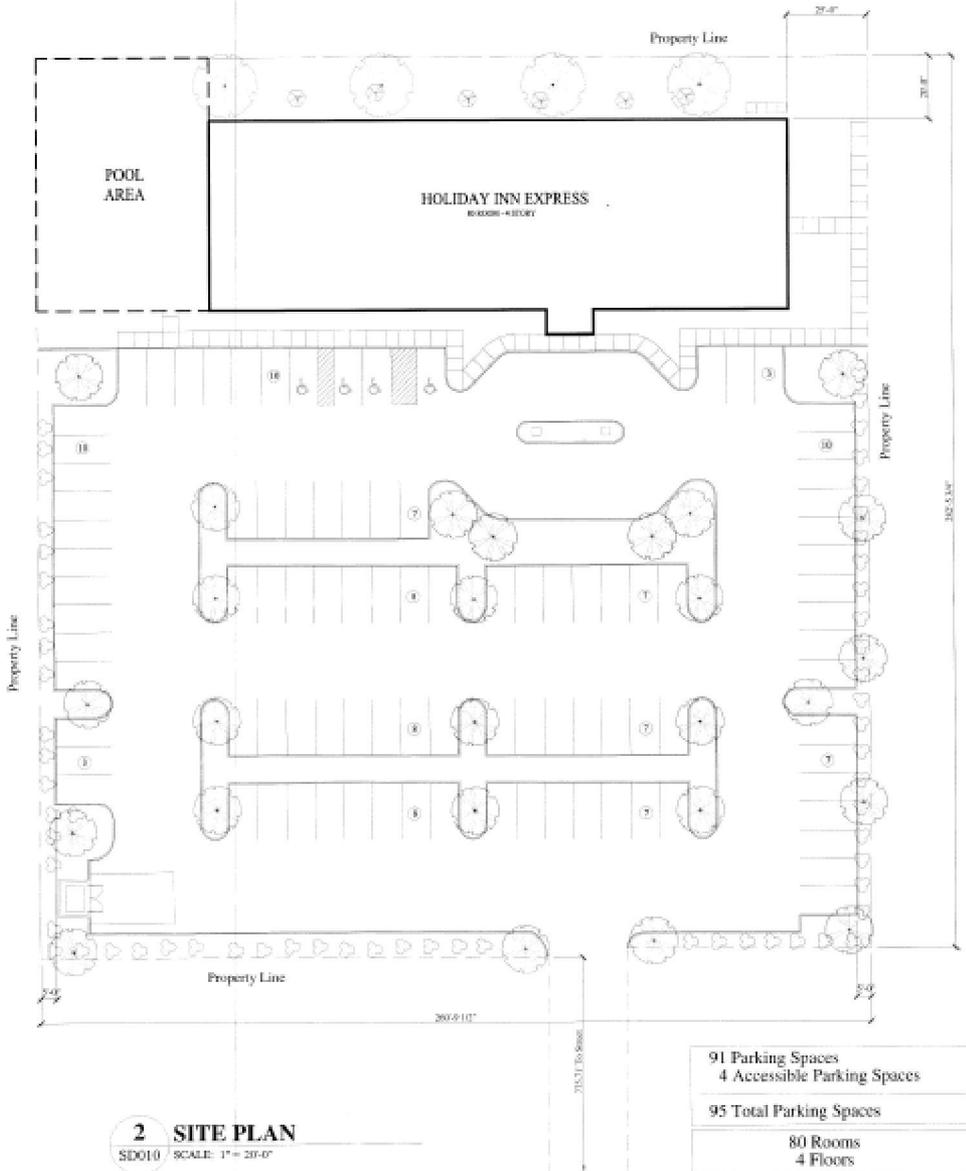




Project Site  
2710 NALA BLVD  
Seabrook, TX  
77586

**1 SITE MAP**

SD010 NOT TO SCALE



**2 SITE PLAN**

SD010 SCALE: 1" = 20'-0"

91 Parking Spaces
4 Accessible Parking Spaces
95 Total Parking Spaces
80 Rooms
4 Floors

MICHAEL, GALVEZ & ASSOCIATES, P.C.  
REGISTERED PROFESSIONAL ENGINEERS  
STATE OF TEXAS

This document is authorized by M.P. Reg. #13473, in accordance with the provisions of the Texas Engineering Act.

**PRELIMINARY**  
**NOT FOR CONSTRUCTION**

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PROJECT NO. 17-0000

PROJECT NAME  
**Holiday Express**  
**2710 N. Seabrook**  
**77586**

OWNER  
**Harshy Hospital**  
**2943 D Galveston**  
**77551**

DATE: 08/15/17

DRAWING NO.  
**Site Plan**

SHEET NUMBER  
**SI**



# OF SEABROOK

# AGENDA BRIEFING

**Date of Meeting:** 01/05/16

**Submitter/Requestor:** Arthur Chairez

**Date Submitted:** 12/18/15

**Presenter:** Arthur Chairez

**Description/Subject:** Bid Award for Public Works & Animal Control Complex Project 2015-08

**Purpose/Need:** New Public Works & Animal Control Building Complex

**Background/Issue:** 2014 Bond Election Proposition 1 - Public Works Complex and Animal Shelter & Adoption Center

**Impacted Parties:** Citizens, Council, Public Works & Animal Control

**Miscellaneous Comments:** All bids exceed the funds available

**Recommended Action:** Reject current bids and the project be re-advertised

**Attachments:** Architect recommendation letter, Bid tabulation

**Fiscal Impact:** Budgeted  Yes  No Finance Officer Review:  
 Budget Amendment Required  Yes  No  
 Future/Ongoing Impact  Yes  No \_\_\_\_\_  
 Budget Dept/Line Item Number \_\_\_\_\_  
**Approximate Total Amount of Expenditure** 5.3 million

**Where on the agenda should this item be placed:** Bid Awards

**Suggested Motion:** Recommend that the current bids be rejected and be re-advertised with a more modest project.

Agenda Briefing Form  
Page 2

**Approvals:**

Initials

Date

Approved by City Manager (If applicable) \_\_\_\_\_

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review \_\_\_\_\_

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant \_\_\_\_\_

Returned by the City Secretary/Assistant (If incomplete) \_\_\_\_\_

**All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.**



18 December 2015

Mr. Arthur Chairez  
Director of Public Works  
City of Seabrook  
1700 First Street  
Seabrook, Texas 77586

Re: Public Works and Animal Control Facility  
Bid Recommendation

Dear Arthur:

As you are aware, the City received bids for your new Public Works and Animal Control yesterday at 2:00 PM. We received a total of five bids from qualified bidders. Based on the bids received, it appears the bids reflect the scope outlined in our bid documents dated November 26, 2015. The base bids were as follows:

Bass Construction	\$8,577,000.00
Comex Corporation	\$7,665,000.00
Crain Group	\$7,200,000.00
Drymalla Construction	\$8,242,000.00
Christensen Building Group	\$7,595,000.00

Unfortunately all of the bids were above our allocated budget. The lowest bid was approximately 29 percent above our budget of \$5,600,000.00. Due to the bid overage, we recommend that the City reject all bids. This will allow us to evaluate the content of the bids and make adjustments to be project scope to better align with available funding. We believe that we could get the scope adjusted and the package back out for bids a couple weeks following council action.

Let me know if you have any questions or require further information.

Sincerely,  
PGAL

Jeffrey P. Gerber, AIA  
Chief Executive Officer

Cc: Cris Ruebush

Pierce Goodwin Alexander & Linville  
Mexico City  
Los Angeles  
Las Vegas  
Houston  
Dallas  
Boston  
Boca Raton  
Austin  
Atlanta  
Alexandria

## ACTION ITEM CHECK LIST STATUS

#	STATUS	DATE ASSIGNED	NEXT REVIEW DATE	PROPOSED CLOSURE DATE	RESPONSIBLE ORGANIZATION	City Council RESPONSIBILITY	PLANNING OBJECTIVE #	AGENDA ITEM NUMBER	DESCRIPTION OF ACTION ITEM	STATUS AND DATE
23	OPEN/IN WORK	11/4/2014			Mayor/ City Mgr.			5.1	Provide periodic updates on TxDOT's progress to improve/widen SH 146.	
30	OPEN/IN WORK	11/18/2014			Staff			4.2	Provide periodic updates of Strategic Plan	
32	OPEN/IN WORK	2/17/2015			Staff			6.1	Provide periodic project updates	

# January 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 New Year's Day City Offices Closed	2
3	4	5 City Council Meetings Special - 5:00pm Regular - 7:00pm	6	7 Open Space & Trails 5:00pm	8	9
10	11	12	13	14 EDC 7:00pm	15	16
17	18	19 Regular City Council Meeting 7:00pm	20	21 PZ 7:00pm	22	23
24	25	26	27	28	29	30
31						

# February 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	<i>1</i>	<i>2</i> <b>Regular City Council Meeting 7:00pm</b>	<i>3</i>	<i>4</i> <b>Open Space &amp; Trails 5:00pm</b>	<i>5</i>	<i>6</i>
<i>7</i>	<i>8</i>	<i>9</i>	<i>10</i>	<i>11</i> <b>EDC 7:00pm</b>	<i>12</i>	<i>13</i>
<i>14</i>	<i>15</i>	<i>16</i> <b>Regular City Council Meeting 7:00pm</b>	<i>17</i>	<i>18</i> <b>PZ 7:00pm</b>	<i>19</i>	<i>20</i>
<i>21</i>	<i>22</i>	<i>23</i>	<i>24</i>	<i>25</i>	<i>26</i>	<i>27</i>
<i>28</i>	<i>29</i>					