



**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, AUGUST 3, 2021 - 6:00 PM**

For city information visit www.seabrooktx.gov
For SH 146 updates visit www.sh146.com

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY AUGUST 3, 2021 AT 6:00 PM** IN THE CITY HALL CITY COUNCIL CHAMBERS, 1700 1ST STREET, SEABROOK, TEXAS, **TO DISCUSS, CONSIDER, AND IF APPROPRIATE, TAKE ACTION** WITH RESPECT TO THE ITEMS LISTED BELOW.

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR OTHER ACCOMMODATIONS OR INTERPRETIVE SERVICES, MUST BE MADE, 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (281) 291-5663 OR CITYSEC@SEABROOKTX.GOV FOR FURTHER INFORMATION.

PLEDGE OF ALLEGIANCE

1. PRESENTATIONS

1.1 Presentation by Mounting Horizons, Inc., a 501(c)3 community based organization, established in 2003, to provide services to individuals with disabilities and seniors in Harris, Galveston and surrounding counties. *Mike Giangrosso, Councilmember Position 4*

1.2 Presentation by the Daughters of the American Revolution on the 100th Anniversary of the Tomb of the Unknown Soldier event to be held on Saturday, November 13, 2021 at the Bay Area Veterans Memorial. *Joe Machol, Councilmember Position 6 and Susan Adams, Daughters of the American Revolution*

1.3 Presentation by Freese & Nichols providing an update on the City of Seabrook Livable Centers Study. *Shad Comeaux, Principal / Vice President,*

1.4 Presentation by John Fischer providing an update as it relates to the progress of the Seabrook Plaza Preliminary Planned Unit Development approved by City Council August 4, 2020. *John Fischer, Developer*

1.5 Presentation of a report on Councilmember Joe Machol's visit with the Coast Guard. *Joe Machol, Councilmember Position 6*

1.6 Presentation and update on the Eagle Scout flag retirement project approved by the City Council on August 20, 2019. *Joe Machol, Councilmember Position 6*

2. PUBLIC COMMENTS AND ANNOUNCEMENTS

At this time we would like to listen to any member of the audience on any subject matter, whether or not that item is on the agenda. All comments are limited to a maximum of four minutes for each speaker, shall be limited to City business or City-related business or matters of general public interest, and shall not include any personal attacks. In accordance with the Texas Open Meetings Act, members may not discuss or take action on any item that has not been posted on the agenda. When your name is called, please come to the podium and state your name and address clearly into the microphone before making your comments. Thank you.

3. BID AWARD

3.1 Consider and take all appropriate action to award the Bid and approve a contract, in an amount not to exceed \$36,120.00, between the City of Seabrook and Underground Construction for project 2021-08, Red Bluff Waterline Replacement Project. *Brian Craig, City Engineer and Assistant Director of Public Works*

ATTACHMENT(S): [Agenda Briefing](#) [Proposal](#) [Contract](#)

4. SPECIFIC PUBLIC HEARINGS

4.1 Conduct a Public Hearing on a request to Amend the Code of the City of Seabrook, Appendix A, "Comprehensive Zoning", Article 3, "Establishment of Zoning Districts and Associated Regulations", Section 3.15, "Comprehensive Land use Regulation Matrix", by adding "Seasonal Christmas Tree Sales" as an allowable use within a "SH 146 Main Commercial District" (146-M), "C-2 Medium Commercial" (C-2), "WAD Waterfront Activity District" (WAD), and "MMU Marine Oriented Mixed Use District" (MMU): and Amending Appendix A,

"Comprehensive Zoning", Article 4, "Special Use Regulations", by creating Special Use Regulations as it relates to Seasonal Christmas Tree Sales.

Sean Landis, Deputy City Manager

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

5. CONSENT AGENDA

5.1 Approve the minutes of the July 20, 2021 regular City Council meeting.

Robin Lenio, City Secretary

ATTACHMENT(S): [July 20 2021 minutes](#)

5.2 Approve the minutes of the July 28, 2021 special City Council budget workshop meeting. *Robin Lenio, City Secretary*

ATTACHMENT(S): [July 28 2021 minutes](#)

6. NEW BUSINESS

6.1 Consider and take all appropriate action on first reading of Ordinance 2021-12, "Seasonal Christmas Tree Sales". *Sean Landis, Deputy City Manager*

ATTACHMENT(S): [Agenda Briefing Form](#) [Ordinance 2021-12](#) [Exhibit A](#)
[Public Hearing Notice](#) [PZ Report](#) [Presentation](#)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 4, "SPECIAL USE REGULATIONS", CREATING A NEW SECTION 4.26 "SEASONAL CHRISTMAS TREE SALES"; AND AMENDING SECTION 3.15, "COMPREHESIVE LAND USE MATRIX", ACORDINGLY BY ADDING "SEASONAL CHRISTMAS TREE SALES" PERMITTED BY RIGHT WITHIN THE "SH 146 MAIN COMMERCIAL DISTRICT" (146-M), "C-2 MEDIUM COMMERCIAL" (C-2), "WAD WATERFRONT ACTIVITY DISTRICT" (WAD), AND "MMU MARINE ORIENTED MIXED USE DISTRICT" (MMU); PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY

6.2 Consider and take all appropriate action on a request by the developer to extend the approval of the Preliminary Planned Unit Development (Preliminary PUD) titled, "Seabrook Plaza" to expire February 8, 2022. *Sean Landis, Deputy City Manager*

7. OLD BUSINESS

7.1 Consider and take all appropriate action on first reading of Ordinance 2021-11, "Update to Noise Ordinance". *Gayle Cook, City Manager*

ATTACHMENT(S): [Agenda Briefing Form](#) [Ordinance 2021-11](#)

AN ORDINANCE AMENDING CHAPTER 55 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, ENTITLED "NUISANCES AND MISCELLANEOUS PROVISIONS," ARTICLE II, "NOISE," BY REVISION OF SECTIONS 55-22, "DEFINITIONS," 55-23, "RESTRICTIONS ON DECIBEL LEVELS," 55-24, "VIOLATIONS," AND DELETION OF SECTION 55.27 "PENALTIES"; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

8. DISCUSSION

8.1 Discuss, and if necessary, consider and take all appropriate action on term limits for Seabrook Boards and Commissions. *Jeff Larson, Councilmember
Position 3*

ATTACHMENT(S): [Current Term Limits](#)

8.2 Discussion on the decision making process for the Carothers Coastal Gardens house insurance claim, from discovery of the damage to the presentation of three options to City Council. *Joe Machol, Councilmember
Position 6*

9. ROUTINE BUSINESS

9.1 Update and report on various items that require no action, including SH 146 Expansion Project, City of Seabrook CIP Projects, City of Seabrook Grant Administration, and COVID-19 related issues. *Gayle Cook, City Manager*

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

ATTACHMENT(S): [Calendar](#)

10. CLOSED EXECUTIVE SESSION

10.1 **Section 551.074** Conduct a closed executive session to deliberate the evaluation and duties of the City Manager. *Joe Machol, Councilmember
Position 6*

11. OPEN SESSION

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

THE CITY COUNCIL RESERVES THE RIGHT TO HEAR ANY OF THE ABOVE DESCRIBED AGENDA ITEMS THAT QUALIFY FOR AN EXECUTIVE SESSION IN AN EXECUTIVE SESSION BY PUBLICLY ANNOUNCING THE APPLICABLE SECTION NUMBER OF THE OPEN MEETINGS ACT, (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE) THAT JUSTIFIES EXECUTIVE SESSION TREATMENT.

I certify that this notice was posted on the bulletin board on or before Friday, July 30, 2021 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Robin Lenio, TRMC
City Secretary

