SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, MARCH 1, 2016 - 7:00 PM

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY MARCH 1, 2016 AT 7:00 PM** IN THE SEABROOK CITY HALL 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 Recognizing and honoring Councilmember Glenna Adovasio for her induction into the Missouri Sports Hall of Fame on March 23, 2016 as a player on the 1975-76 Licking High School Volleyball Team, which won the state's first state volleyball championship. (Royal)

1.2 Presentation of Seabrook Volunteer Fire Department (SVFD) quarterly report. (Gutacker)

1.3 Presentation and bi-annual status report on the Chesapeake Bay Senior Living Community Planned Unit Development (PUD), as provided by Section 4.10.10, "Development Schedule," Appendix A, Seabrook Code of Ordinances. (Landis/Fredricks)

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 2016-06, "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 (22) 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 a special event permit for the annual Seabrook Lucky Trail Marathon on Friday, March 18, Saturday, March 19, and Sunday, March 20, 2016. The event will begin on Friday at 6:30 p.m. and on Saturday and Sunday at 7:00 a.m. at Meador Park and continue along the Seabrook trails to Pine Gully Park and back to Meador Park. The applicant is also requesting permits for temporary signs and alcohol in the park. (Applicant)

ATTACHMENT 3

4.2 Approve a parade permit for the Bayside Area Little League Opening Day Parade on Saturday, April 2, 2016, starting at 8:00 a.m., from Miramar Shopping Center, down El Mar, then right on Meyer to the Bayside Baseball Complex. All required documentation has been submitted and approved. A waiver of the fees is being requested. (Hicks)

4.3 Approve an excused absence for Glenna Adovasio for the February 02, 2016 regular City Council meeting. (Hicks)

4.4 Approve an excused absence for Melissa Botkin and Gary Johnson for the February 16, 2016 regular City Council meeting. (Hicks)

ATTACHMENT 4

4.5 Approve the minutes of the January 19, 2016 regular City Council meeting. (Hicks)

ATTACHMENT 5

4.6 Approve the minutes of the February 02, 2016 regular City Council meeting. (Hicks)

ATTACHMENT 6

4.7 Approve the minutes of the February 16, 2016 regular City Council meeting. (Hicks)

END OF CONSENT AGENDA

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

ATTACHMENT 7

5.1 Consider approval on first reading of Proposed Ordinance 2016-06, "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 (22) 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 8

5.2 Consider approval on first reading of Ordinance 2016-10, "Acceptance of traffic study by TXDOT and agreement with increasing speed limits on State Highway 146." (Cook)

ATTACHMENT 9

5.3 Consider approval on first and final reading of Ordinance 2016-11, "Ordinance Updating Hotel Occupancy Tax Delinquent Tax Interest Rate." (Lab)

AN ORDINANCE AMENDING CHAPTER 85 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, ENTITLED "TAXATION AND

FINANCE, " ARTICLE II, ENTITLED "HOTEL OCCUPANCY TAX," SECTION 85-32 "FAILURE TO PAY; REMEDIES," BY AMENDING SUCH SECTION TO CLARIFY THE INTEREST RATE OF 15%; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED $500 FOR VIOLATION OF ANY PROVISION HEREOF, TOGETHER WITH RELATED PENALTIES AND REMEDIES AS SPECIFIED HEREIN, BY INCLUSION INTO THE CODE OF ORDINANCES; PROVIDING FOR NOTICE, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

5.4 Consideration and approval of the purchase of a vehicle from Silsbee Ford, in the total amount of $21,535.00 to replace an older model vehicle in the Public Works fleet, through a cooperative purchase agreement with HGAC. This is an unbudgeted item. (Cook)

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

ATTACHMENT 10

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

ATTACHMENT 11

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

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 Friday, January 26, 2016 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Robin Hicks
City Secretary

THE CITY OF SEABROOK TEXAS

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 ☐

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

Fiscal Impact:

Budgeted	___ Yes	___ No	Finance Officer Review:
Budget Amendment Required	___ Yes	___ No	
Future/Ongoing Impact	___ Yes	___ 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.

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 X **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.**

VOTE:	AYE	NAY	ABSTAINED	ABSENT	INITIAL
Rosebud Caradec	X				
Laura Davis	X				
Mike DeHart	X				
Buddy Hammann				X	
Dodie Miller	X				
Michael Potts	X				MP
Michael Sharpe	X				MDS

Michael Potts, Chairman
Planning & Zoning Commission

ATTEST:
~~Alesia 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 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;

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

SECTION 1. FINDINGS OF FACT.

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

SECTION 2. USE PERMITTED.

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

SECTION 3. AMENDMENT TO THE CODE.

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

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

SECTION 4. INCORPORATION INTO THE CODE; PENALTY CLAUSE.

This Ordinance is hereby incorporated into and made a part of the Seabrook City Code and violation of any provision hereof shall be subject to the penalty described in said Code, Section 1-15 "General Penalty; continuing violations" which provides that 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 not to exceed $2,000. Each day of violation shall constitute a separate offense.

SECTION 5. 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.

SECTION 6. 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.

SECTION 7. NOTICE.

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 to take effect upon publication.

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

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

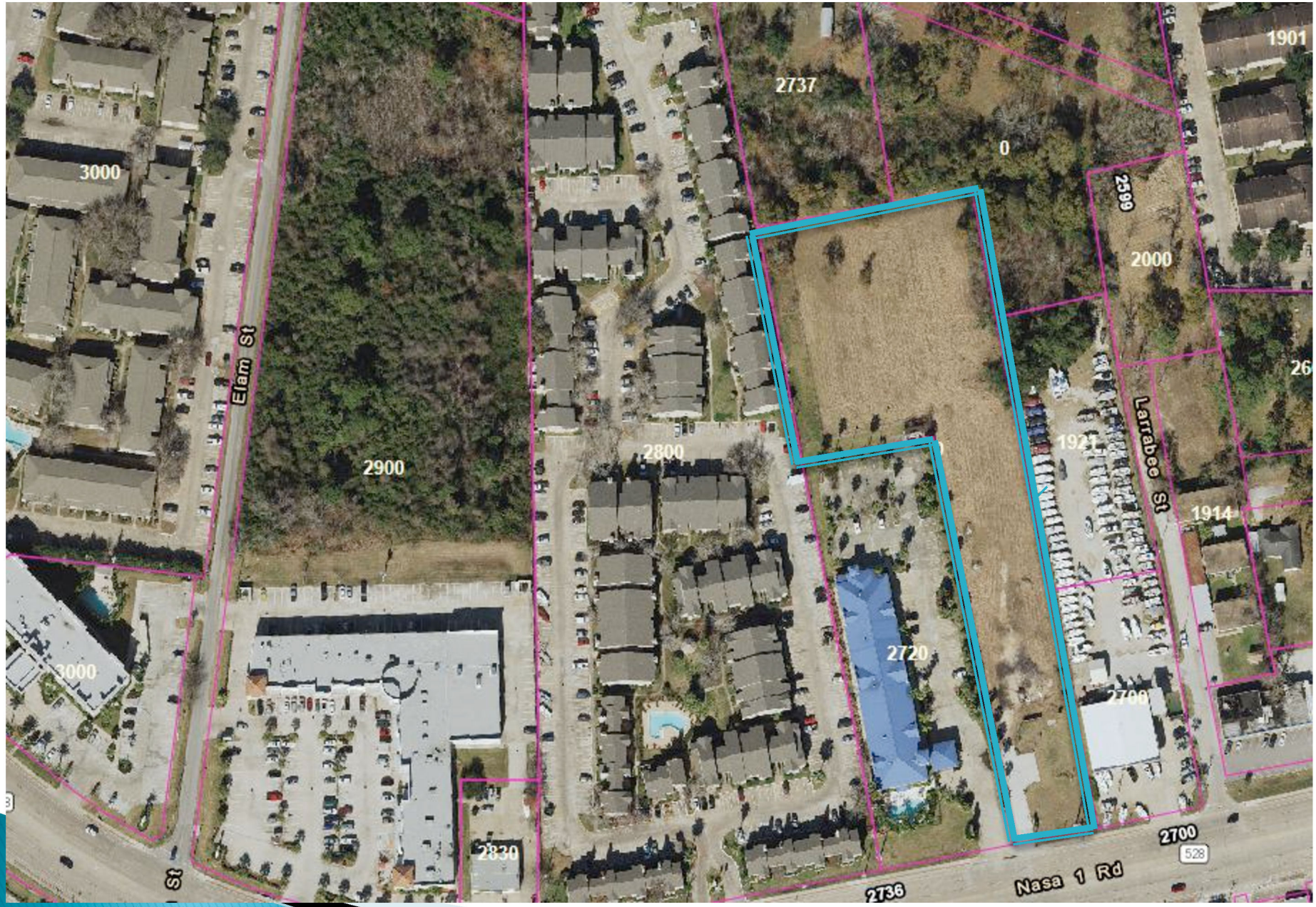
By: _____
Glenn Royal
Mayor

ATTEST:

By: _____
Robin Hicks, TRMC
City Secretary

Approved as to form:

_____
Steven L. Weathered
City Attorney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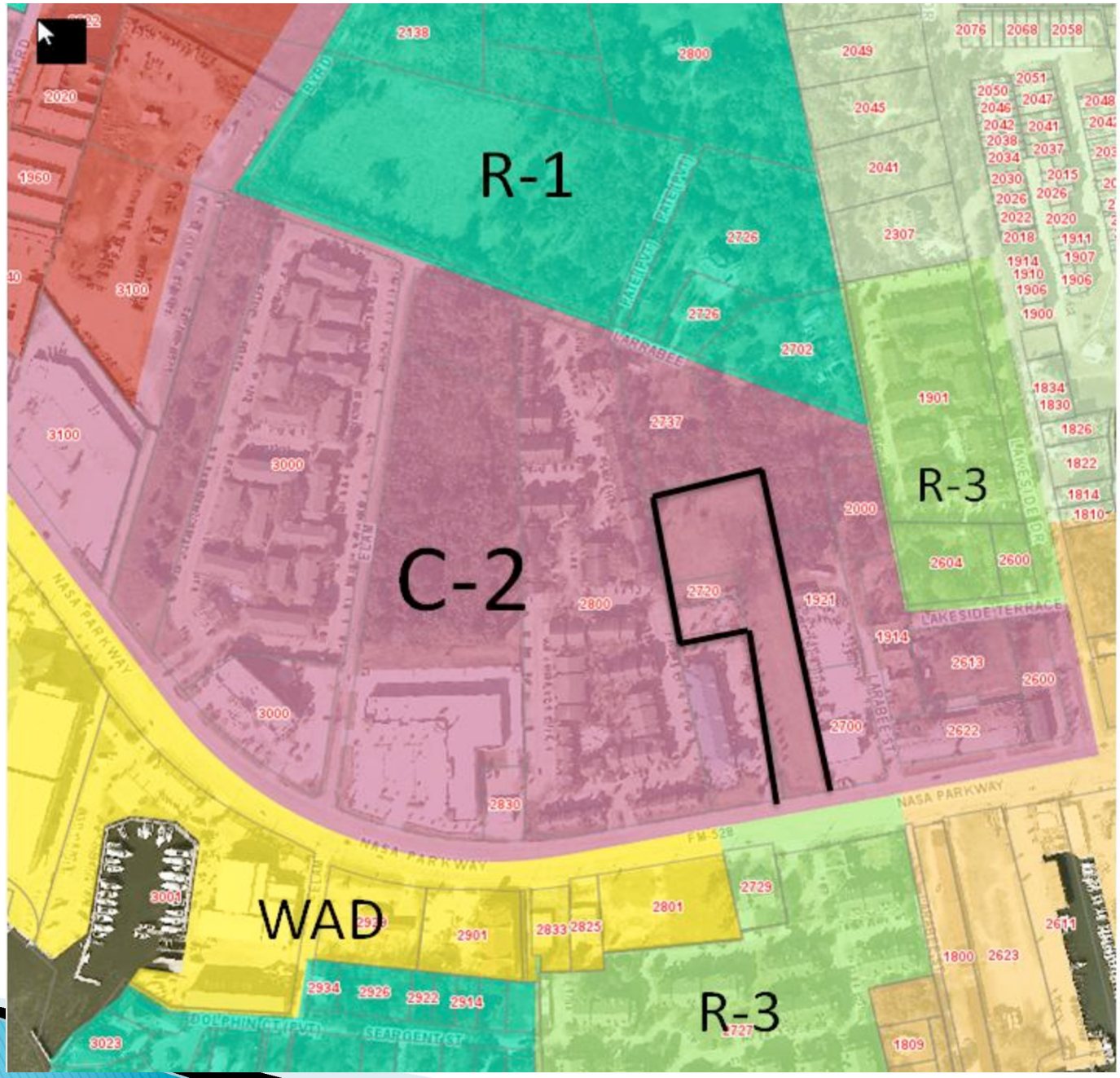
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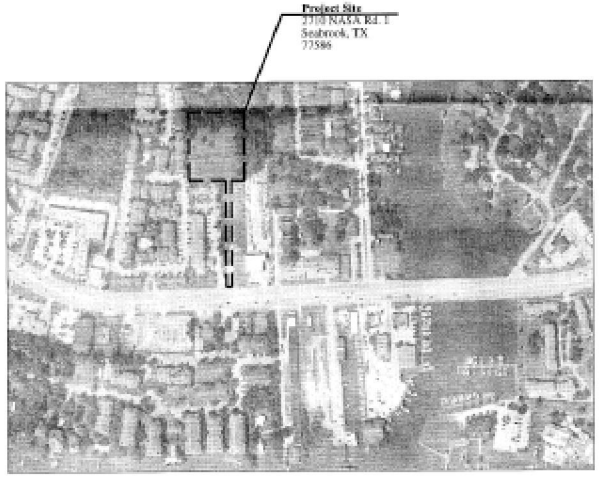
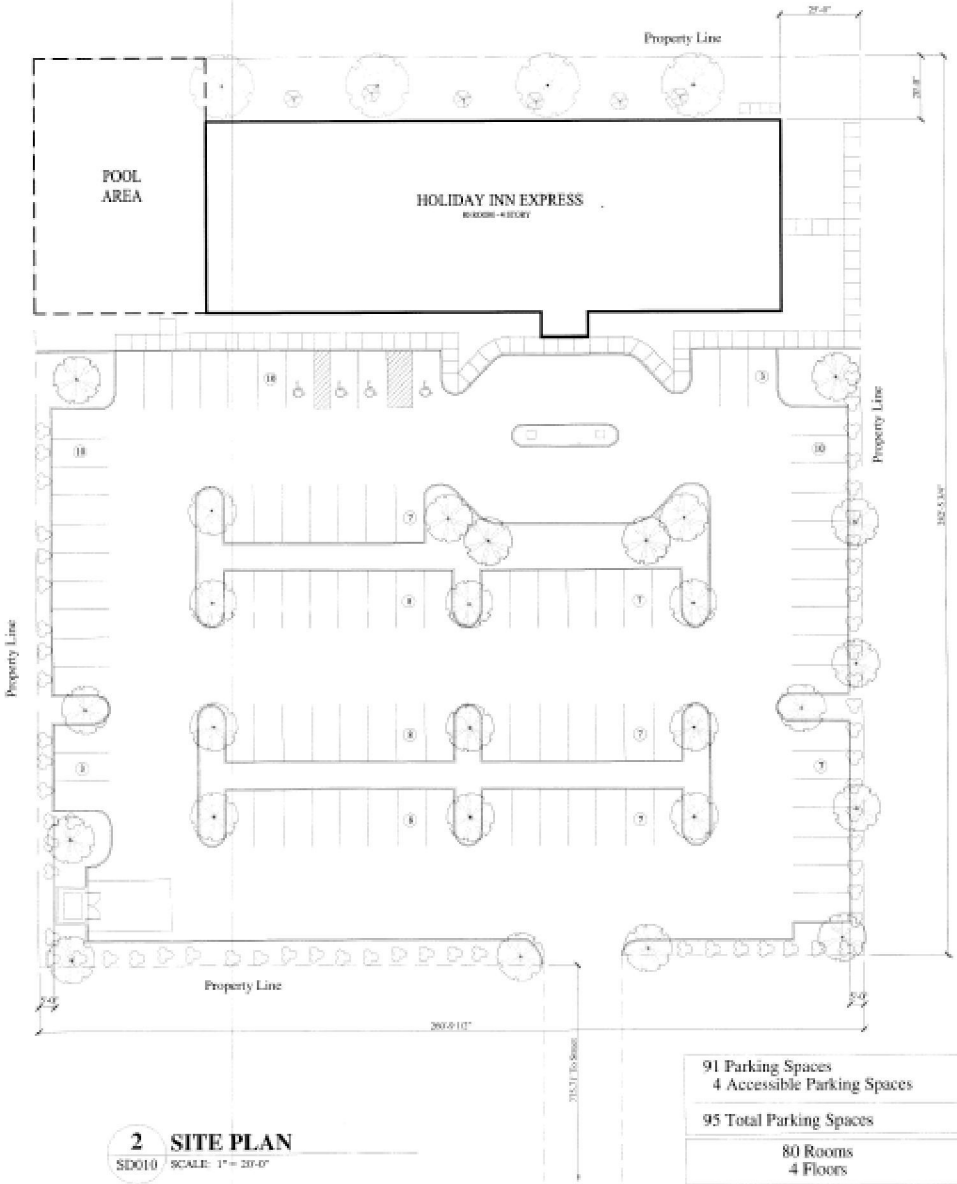


1 SITE MAP
SD010 NOT TO SCALE



2 SITE PLAN
SD010 SCALE: 1" = 20'-0"

91 Parking Spaces
4 Accessible Parking Spaces

95 Total Parking Spaces

80 Rooms
4 Floors

[redacted]

MICHAEL GA

This document
authorized by M
(Reg. #9347), i
regulatory appr

PRELI
NOT FOR

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D. Gardner, Sr.
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CONSULTANT

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Site Plan

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

Date of Application: 1-19-16 Name of Applicant: Robby Sabban

Full Address of Applicant: 3811 Hickory View Ct. Friendswood TX 77546

Day Time Phone [redacted] Night time phone [redacted]

e-mail address: [redacted]

Name of Organization, Firm or Corporation on whose behalf this application is made: Running Alliance Sport

Address of Organization (if different from above): Same

City _____ State _____ Zip Code _____

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

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

Requested Date(s) and Times of the Event: March 18, 19, 20, 2016
Friday 18 4:PM ⟶ Sunday 20th, 5 pm

Location of the Event: Rex Meador park and trail system

Give a brief description of the event: 5K sat on Elmar "map attached"
Friday 5K, Saturday marathon and half marathon on trail system

Estimated No. of Workers 50 Estimated No. of Attendees 700

Will the event be held in a parking area? yes. If so, how many parking spaces will be temporarily lost? All.

How many parking spaces are you providing for the event? All, sports complex, pool area

Will any portion of this event be held on city property? If so, where? yes Meador park and the entire trail system

Will alcohol be served? Yes 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? Yes

Number of signs for this event 50 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): 5K "saturday" starts on Meyers proceeds to Elmar. Marathon at all starts on Meyers proceeds to trail system

Estimated number and kind of animals to be used: 0

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:

700 / day

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.

Bryan Brand
Print name
Police Department Representative

1-25-16
Date Approved

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 _____ 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

Robby Sabbag
Printed Name of Applicant

1-20-16
Date Submitted

FOR OFFICE USE ONLY

Reviewed by City Secretary Date

If applicable: Fire Marshal notified _____ Building Official Notified _____ City Mgr _____

This application has been reviewed by the Seabrook City Council on _____
and has been APPROVED DENIED.

The following conditions are placed upon this event: _____

Sign Permit
CITY OF SEABROOK

Applicant to complete all numbered spaces. Incomplete applications will not be processed.

Site Address

1 Meyers, Todville, Trail system

Sign Owner | Mail Address | Zip | Phone

2

Contractor/ Installer | Mail Address | Zip | Phone

3

Type of Sign

4

Describe purpose of sign (ie. election, special event, etc.)

5 Signs are directional garage sale style signs

Also an inflatable at start and finish

Project Value | Approved by

Issuance of this permit all allows for on-site inspections during the time of construction until the time of the final inspection.

DESCRIPTION OF SIGN

Total Height		TYPE OF LIGHTING	
Total square feet of faces of one face:		Internal Diffused	☐
Total square feet of all faces:		Indirect	☐
Minimum clearance beneath sign:		Neon	☐
TYPE OF SIGN (please check all that apply)		Directly Lighted	☐
Freestanding	☐	MATERIALS	
Roof mounted	☐	Foundation:	☐
Building mounted	☐	Sign Board:	☐
Shopping Center ID sign	☐	Support Structure:	☐
Permanent	☐	Face Material	☐
Temporary	☐		
Conventional	☐		
Spectacular	☐		

Signs in right-of-ways and easements are prohibited and will be removed at the owner's expense

* Please attach drawings of sign specifications for permanent signs *

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of the laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of this permit does not presume to give authority to violate or cancel the provisions of any state or local law regulating construction or performance of construction.

Signature of contractor or Authorized Agent | Date | Signature of Owner (if owner is builder) | Date

Rev.5/9/2002

CITY OF SEABROOK
COMMUNITY DEVELOPMENT DEPARTMENT
1700 FIRST STREET
SEABROOK, TEXAS 77586
PHONE #: (281) 291-5669 FAX #: (281) 291-5690

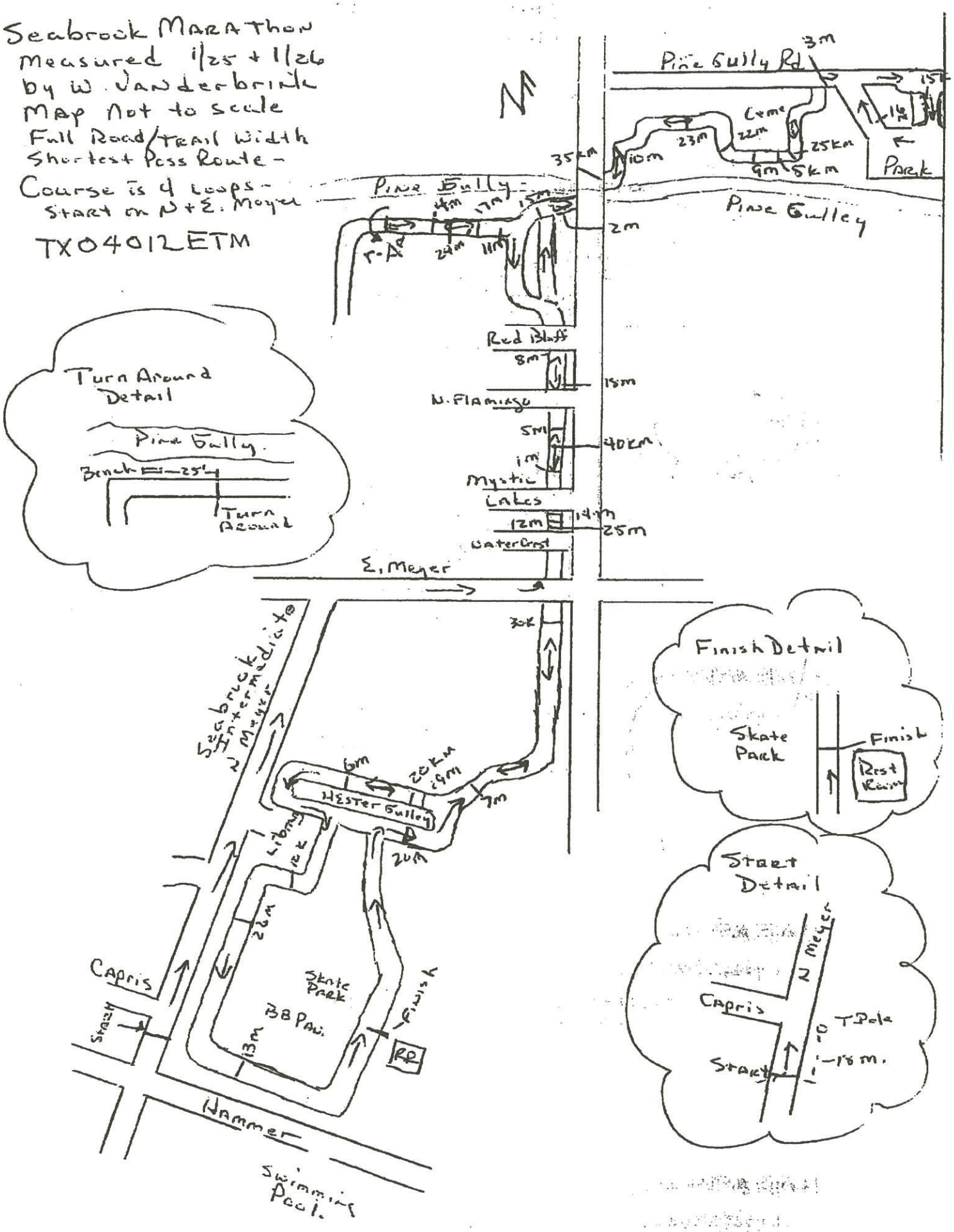
PLEASE LIST LOCATIONS OF ALL TEMPORARY SIGNS

1. Meyers
2. N. Meyers
3. Hammer
4. Todville
5. El Mar Ln
6. Trail System
7.
8.
9.
10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.

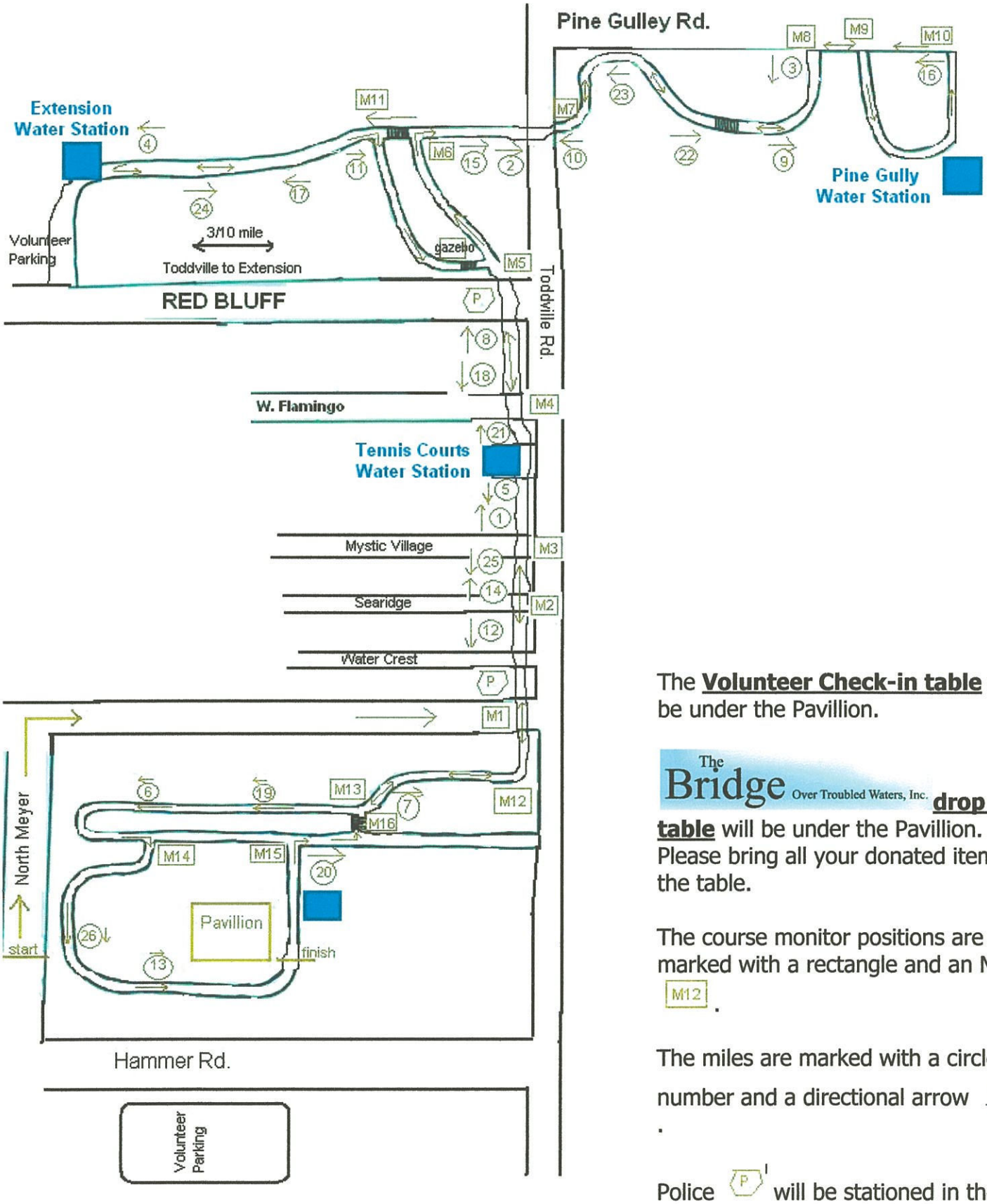
KILOMETER MARKER
MILE MARKER
START
FINISH
Bayport Blvd
E Meyer
Mija Ln
E Meyer Ave
N Meyer Rd
Bay Sky Way
Marvin Cir
Islander Way
Hialeah Dr
Florida Dr
Pinebrook
N Meyer Ave
El Mar Ln
Evelyn Meador Library
Nassau Dr
Bahama
Dolphin Dr
Milby St
Capri Ln
Bimini Way
Aspen Ln
Hammer St
Todville Rd
Miramar Park
James F. Bay Elementary School
Williams St
146
FOOTSTEPS FOR THE FALLEN - 5K RUN

Seabrook Marathon
Measured 1/25 + 1/26
by W. Vanderbrink
Map Not to scale
Full Road/Trail Width
Shortest Pass Route -
Course is 4 Loops -
Start on N + E. Meyer

TX04012ETM



MAR 05 2006 6:57 PM 2814706755 PAGE.03
MAR 04 06 08:49a WILLIAM VANDERBLINK 281/706755 p.3



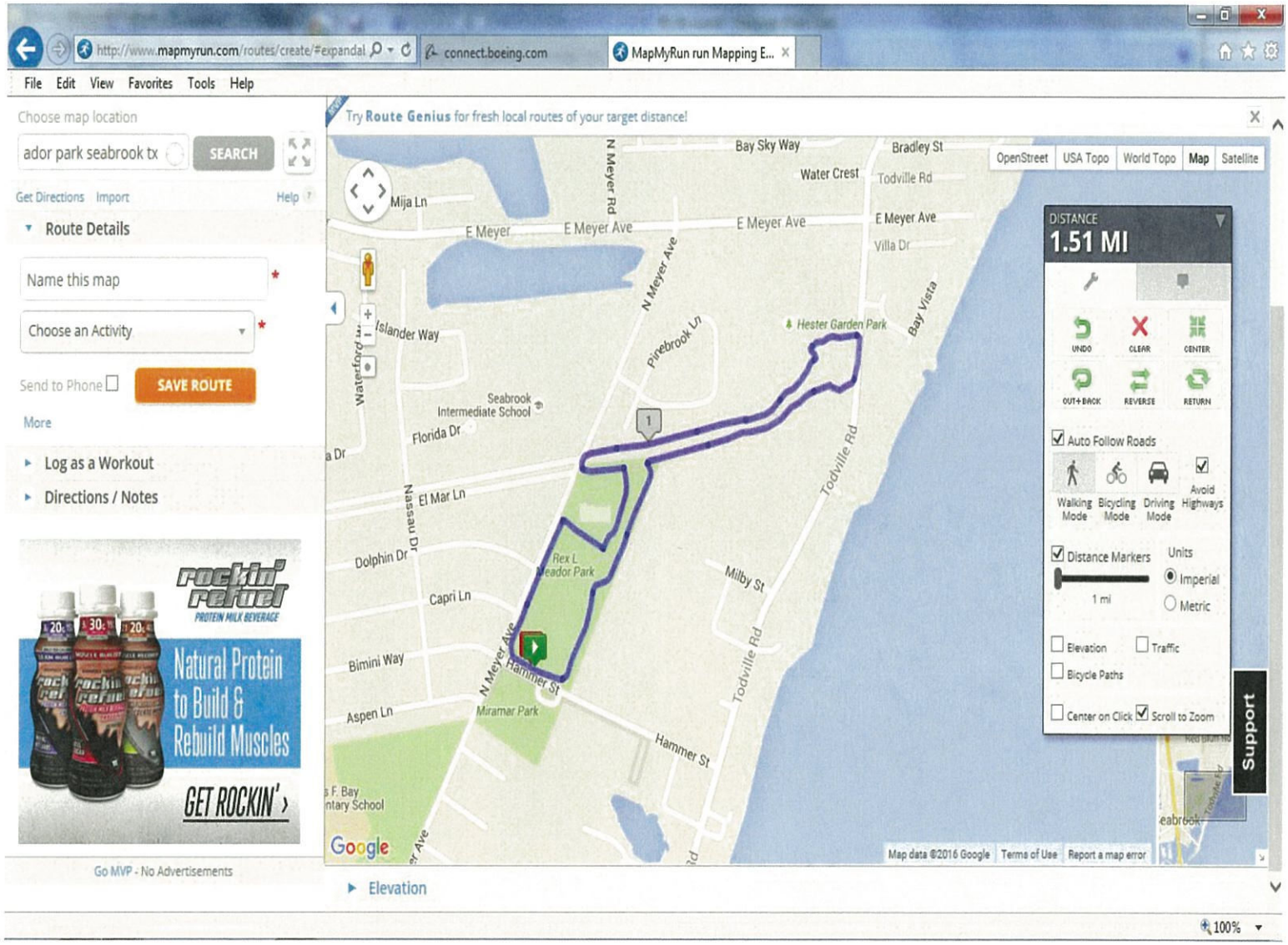
The **Volunteer Check-in table** will be under the Pavillion.

The Bridge Over Troubled Waters, Inc. **drop off table** will be under the Pavillion. Please bring all your donated items to the table.

The course monitor positions are marked with a rectangle and an M M12 .

The miles are marked with a circled number and a directional arrow 6 .

Police P will be stationed in the 2 indicated places.


http://www.mapmyrun.com/routes/create/#expandal
connect.boeing.com
MapMyRun run Mapping E...
File Edit View Favorites Tools Help
Choose map location
ador park seabrook tx
SEARCH
Get Directions Import
Help
Route Details
Name this map
Choose an Activity
Send to Phone
SAVE ROUTE
More
Log as a Workout
Directions / Notes
Try Route Genius for fresh local routes of your target distance!
OpenStreet USA Topo World Topo Map Satellite
DISTANCE
1.51 MI
UNDO CLEAR CENTER
OUT+BACK REVERSE RETURN
Auto Follow Roads
Walking Mode Bicycling Mode Driving Mode Avoid Highways
Distance Markers
Units
Imperial
Metric
1 mi
Elevation Traffic
Bicycle Paths
Center on Click Scroll to Zoom
Support
Hester Garden Park
Seabrook Intermediate School
Rex L. Meador Park
Miramar Park
Bay Sky Way
Bradley St
Water Crest
Todville Rd
E Meyer
E Meyer Ave
Villa Dr
N Meyer Rd
Pinebrook Ln
Bay Vista
Islander Way
Florida Dr
El Mar Ln
Nassau Dr
Dolphin Dr
Capri Ln
Bimini Way
Aspen Ln
Milby St
Hammer St
Mija Ln
Map data ©2016 Google Terms of Use Report a map error
Google
rockin' refuel
PROTEIN MILK BEVERAGE
Natural Protein to Build & Rebuild Muscles
GET ROCKIN'
Go MVP - No Advertisements
Elevation
100%

SEABROOK

Rental Application for City Facilities and Parks

Please circle one rental option

Community House
Meador Park Pavilion
Pool Pavilion
Pool Game Room
Baseball Fields
Pine Gully Park
Other city parks

Rental Fee	
Deposit	
Security Deposit	
Special Event Fee	

Total Amount Due	

Group or Company: Running Alliance Sport

Contact Name: Robby Sabban

Address: 3811 Hickory view ct

City: Friendswood State: TX Zip: 77546

Home/Cell Phone: [redacted] Work Phone: Same

Email Address: [redacted]

Type of Event: Running event

Date of Event: March 18—20 - 2016 Start Time: All day End Time: _____

Number of People Attending: 700 Will alcohol be served? Yes

If you will be serving alcohol you must complete the Alcohol Security Agreement.

Is this a private event? No may the public attend? Yes

If an outside event is open to the public, you must complete a special events permit application.

Notes and Comments:

Start and finish at Meador park Friday evening "New"

Saturday & Sunday

Terms and Conditions

Applicant represents and certifies that:

1. All information provided in this application is true and correct.
2. Applicant and user will bear all cost of cleanup and damage; and for this purpose the City may retain part or all of the deposit, and excess will be immediately paid to applicant and user, or either of them, upon request.

   *** Applicants are required to clean up the Community House the same day/evening of reservation Failure to clean the building will result in loss of deposit. KS (initials)**
3. **Deposits will not be refunded until keys have been returned. KS (initial)**
4. Misrepresentation or erroneous information in this application constitutes grounds for denial of future applications and use.
5. WAIVER OF LIABILITY:

   a. I understand the City of Seabrook is not responsible for the loss or damage to any equipment or supplies of the renter. RS (initials)

   b. To the fullest extent permitted by law, RENTER, shall indemnify and hold harmless the City of Seabrook from and against claims, damages, losses, and expenses, including but not limited to, attorney's fees, which arise out of or in any way relate to any and all personal injury, death and/or property damage in connection with rental by the City to the rental of the Facility (as defined above), and arising out of any act and/or omission by the City and/or of any and all of the City's agents, representatives, servants, and employees, including, but not limited to, negligence, gross negligence, strict liability, breach of express or implied warranty, breach of fiduciary duty, breach of the duty of good faith and fair dealing, fraud, conspiracy, conspiracy to defraud, deceptive trade practice allegations, misrepresentations, or contribution, or any other claim, whether based on a tort, contract, or under any theory of recovery, under any state or federal law, or whether for compensatory or punitive damages (or any types of damages whatsoever). In no event will the City of Seabrook be liable for special indirect or consequential damages arising out of, or in connection with, the rental of the Facility rendered under this Agreement.
6. I have read the rules and regulations and understand the fee structure to which time I have chosen.
7. I understand I must be at least 21 years of age for this application to be considered.
8. I have received a copy of the resolution which applies. _____ (initials)
9. The City requires that the applicant provide adequate security protection at any function attended by varying numbers of persons and has guidelines for the number of peace officers needed per volume of attendants and the nature of the function (see attachment 2). In addition to other prepaid deposits required, the applicant shall prepay a deposit of 100% of the cost per officer per hour to be required for the event at

the time of the application. **Those moneys shall be held by the City and deposited in a City holding account to assure that adequate security** is present for all events, but the contract for security services is between applicant and the individual peace officer(s), even when off duty Seabrook police officers are engaged. If a City peace officer is working a party on City premises, off duty under private party contract, he or she is not acting in his or her official capacity as a City employee and is an independent contractor in providing these services. **The holding of the deposit by the City is to assure that security shall be on hand to protect City property, but payment for said services shall be from applicant to the officer, even if the applicant releases the deposit to the peace officer instead of paying him or her direct.** Said fees are not salary. City shall not ever be anything more than the holder of the deposit and shall release same as directed by the parties since it shall never become City funds.

I UNDERSTAND I MUST BE AT LEAST 21 YEARS OF AGE TO SUBMIT FORM PS (initial)

Robby Sabban
Applicants Signature

1-19-16
Date

X
City Manager's Signature

Date

Alcohol/Security Agreement

If you plan on serving alcohol you must complete and return this form. Alcohol beverages may only be served when renting a facility in accordance with Resolution No. 2012-21, "Fees & Regulations for Various City Park Facilities. "

Applicant Name: Robby Sabban

Reservation Date: March 19th, 20th, 2016 Type of Event: Running event

Actual Hours for Security: FROM 8-AM TO 11 AM Sat
9-AM 2 PM Sun

1. I acknowledge that alcoholic beverages will be served during the time of this event. I further understand that it is a violation to serve alcohol to minors, and I agree to take the steps necessary to comply with this law.
2. I acknowledge that a licensed peace officer or officers will be assigned by the Seabrook Police Department to provide security for my scheduled event and **must** be present at all times alcohol is being served.
3. I acknowledge that the officer or officers assigned will be paid at a rate of $_____ **per hour with a four (4) hour minimum.**
4. I acknowledge that the security compensation for each peace officer required shall be paid by me at the **beginning** of the event by cash or money order and that failure to pay as required may result in cancellation of the event.
5. I acknowledge that the number of officers assigned to my event is based on the following number of attendees:

Number of Attendees	Officers Required
1 to 100	1
101 to 200	2
201 to 300	3
301 to 400	4
401 to 500	5
501 and above	Determined by Chief of Police

Applicants Signature — Date: 1-19-16

City Manager's Signature — Date

CITY OF SEABROOK
***** R E P R I N T R E C E I P T*****

REC#: 00651639 1/25/2016 4:31 PM
OPER: 017 TERM: 001
REF#: 1617

TRAN: 4.0000 COMM HSE/CAROTHER'S
RUNNING ALL SP MARCH 18-20 16
RUNNING EVENT 3/18/20/2016
COMMUNITY HOUSE DEP 1,000.00CR

TENDERED: 1,000.00 CHECK
APPLIED: 1,000.00-

CHANGE:

CITY OF SEABROOK

REC#: 00651636 1/25/2016 4:29 PM
OPER: 017 TERM: 001
REF#: 1616

TRAN: 3.0000 LICENSES & PERMITS
RUNNING ALLIANCE SP RUN EVENT
MARCH 18 THRU 20 2016 R A S
LICENSES & PERMITS/ 50.00CR

TENDERED: 50.00 CHECK
APPLIED: 50.00-

CHANGE

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 2/3/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
STAR Insurance - Fort Wayne Office
2130 East Dupont Road
Fort Wayne IN 46825

CONTACT NAME: Margaret M. Mayers
PHONE (A/C, No, Ext): (260) 467-5689 FAX (A/C, No): (260) 467-5691
E-MAIL ADDRESS: margaret.mayers@starfinancial.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: National Casualty Company	11991
INSURER B: Nationwide Life Insurance Co.	66869
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Road Runners Club of America/2016 and Its Member Clubs
1501 Lee Highway, Suite 140
Arlington VA 22209

COVERAGES CERTIFICATE NUMBER: 2016 $1M A.I. REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE / X OCCUR X Legal Liability to Participant $1,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY / PRO-JECT / LOC OTHER:			KRO0000005887400 Abuse & Molestation Aggregate $5,000,000	12/31/2015 12:01 AM	12/31/2016 12:01 AM	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG Abuse & Molestation	$ 1,000,000 $ 500,000 $ 5,000 $ 1,000,000 $ Unlimited $ 1,000,000 $ 500,000
A	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS / SCHEDULED AUTOS X HIRED AUTOS / X NON-OWNED AUTOS			KRO0000005887400	12/31/2015 12:01 AM	12/31/2016 12:01 AM	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $ $
	UMBRELLA LIAB / OCCUR EXCESS LIAB / CLAIMS-MADE DED / RETENTION $						EACH OCCURRENCE AGGREGATE	$ $ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE / OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $
B	Excess Medical & Accident ($250 Deductible/Claim)			SPX0000027201500	12/31/2015 12:01 AM	12/31/2016 12:01 AM	Excess Medical AD & Specific Loss	$10,000 $2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED. DATE OF EVENT(S): 03/18/16-03/20/16 Seabrook Lucky Trail Marathon INSURED RRCA CLUB/EVENT MEMBER: Running alliance Sport, Att'n: Robby Sabban, 3811 Hickory View Court, Friendswood, TX 77546

CERTIFICATE HOLDER

03/18/16 City of Seabrook
1700 First Street
Seabrook, TX 77586

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Terry Diller/MMA Terry R. Diller, CPCU

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CITY OF SEABROOK
***** R E P R I N T R E C E I P T*****

REC#: 00651636 1/25/2016 4:29 PM
OPER: 017 TERM: 001
REF#: 1616

TRAN: 3.0000 LICENSES & PERMITS
RUNNING ALLIANCE SP RUN EVENT
MARCH 18 THRU 20 2016 R A S
LICENSES & PERMITS/ 50.00CR

TENDERED: 50.00 CHECK
APPLIED: 50.00-

CHANGE: 0.00

CITY OF SEABROOK

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CHANGE: 0.00

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TENDERED: 50.00 CHECK
APPLIED: 50.00-

CHANGE: 0.00

Revised 11/15

SEABROOK

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

Date of Application: 2/16/16 Name of Applicant: Erin Siebenlist

Full Address of Applicant: 1906 Endeavor Court Seabrook, Tx 77586

Day Time Phone [redacted] Night time phone ( ) Same

e-mail address: [redacted]

Name of Organization, Firm or Corporation on whose behalf this application is made: Bayside Area Little League

Address of Organization (if different from above): 1805 N. Meyer Ave Seabrook

City Seabrook State Tx Zip Code 77586

Phone Number of Organization (if different from above): ( ) 281 474 9481

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

Requested Date(s) **and** Times of the Event: Saturday April 2nd setup 7am, parade 8am

Location of the Event: Staging area in Miramar Shopping Center down El Mar to (R) on Meyer into Bayside Camp.

Will any portion of this event be held on city property? If so, where? yes see above.

Note: If you will hold the event in a city park or facility, you must also complete an additional application to use city facilities.

Robin Hicks

From: Erin [redacted]
Sent: Thursday, February 25, 2016 4:25 PM
To: Robin Hicks
Subject: Request to waive fee

To Whom it May Concern-

Bayside Area Little League is requesting to waive the parade event permit fee for April 2, 2016 because it is a non-profit organization. If you have any question, please contact me at [redacted]

Thanks-
Erin Siebenlist
VP of Team Support
Bayside Area Little League

Sent from my iPhone

The City Council of the City of Seabrook met in regular session on Tuesday, January 19, 2016 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN R. ROYAL	MAYOR
ROBERT LLORENTE	COUNCIL PLACE NO. 1
MIKE GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	MAYOR PRO TEM & COUNCIL PLACE NO. 3
MELISSA BOTKIN	COUNCIL PLACE NO. 4
GLENNA ADOVASIO	COUNCIL PLACE NO. 5
O.J. MILLER	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	ASSISTANT CITY MANAGER
STEVE WEATHERED	CITY ATTORNEY
ROBIN HICKS	CITY SECRETARY

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

1.0 PRESENTATIONS

1.1 Recognition of Brandon Szews in the Information Technology Department for an outstanding job in the implementation of the L3 Video Project. (Wright)

Sean Wright, Police Chief, stated that life is complicated by technology, including those serving in the Police Department. The latest technology available and approved for use by the Police Department is body cameras and car cameras (in-car video cameras). Chief Wright recognized Brandon Szews in the Information Technology Department for implementing entire body camera and car camera project, handling every aspect, and completing the project perfectly.

1.2 Introduce and hold a badge ceremony for newly promoted Sergeant William Haskett. (Wright)

Chief Wright recognized Sergeant William Haskett, who has served 10 years at the City of Seabrook, including time as a field training officer and for the past two years in the Criminal Investigation Division. Chief Wright stated that Sergeant Haskett is an outstanding employee.

1.3 Introduce new police officers Kim Boniface, Taylor Stinson, and Matthew Tollett and administer oaths of office. (Wright and Hicks)

Chief Wright stated the officers being administered oaths are among the best of the best. The City Secretary administered the oaths of office.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

No speakers came forward to speak during the public comments portion of the meeting.

2.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

Councilor Giangrosso announced several upcoming events, including Yachty Gras; the Christmas Boat Parade; and the Rabies Vaccine event. Also, a fundraiser will be held on Thursday, January 21 at the Kemah House of Flowers to benefit the sea scouts.

3.0 SPECIFIC PUBLIC HEARING(S)

3.1 Proposed Ordinance 2016-02, "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 3000 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.

Mayor Royal opened the public hearing.

Sean Landis, Deputy City Manager, stated this request is for reconstruction of a three 3 story, 70 room Hampton Inn hotel that was destroyed by a fire on April 30, 2015. A Conditional Use Permit is required because more than 50% of the building was damaged by the fire. The new hotel will be located west of Elam, next to the Edgelake Apartments, on Nasa Rd. 1. The property is currently zoned in a C-2 district. The Planning and Zoning Commission approved recommendation to Council for approval of the Conditional Use Permit by a vote of four members, with three members absent.

The applicant stated that he owned the Hampton Inn before the fire. The plans for the new building are drawn and the Hilton Corporation has approved them. Before the fire, the Hampton Inn was the highest tax generating hotel in Seabrook, and the number 2 rated Hampton branded hotel in Texas. The day before the fire news was received that the hotel was ranked in the top 10% in the world. In 2014, the Hampton Inn saw over 19,000 guests, who were encouraged to visit local restaurants and put money back into the City. There were 21 employees who were active in the community. The slab was saved from the fire, so the footprint will stay the same. There will be LED lighting on the outside of the building. The first floor will be 14 feet high instead of the original 10 feet in height. There will be an enlarged breakfast area; beer and wine will be served in the suite shop; there will be RFID controlled locks; the rooms will have Smart TVs; and there will be a swimming pool with outdoor seating and a theatre. The general shape will look the same, but everything else will be different. An application has been submitted to the Hilton Corporation, and is pending, for a liquor license to have a bar outside, connected to the pool. The conference area will be the same size as before, of over 1,000 square feet, which will hold 100 theatre style seats and 60-70 banquet style seats. Right now discussions with the insurance company are occurring for having 80-85 guest rooms, if the building is built entirely of concrete. Before the fire, occupancy ran a little over 70% with 70 rooms. The majority of guests were corporate.

Michael Gzertner, Architect for Holiday Inn Express, 5008 Denver Drive, Galveston, spoke in favor of approval of the Conditional Use Permit. He stated the Hampton Inn is a great product with a great occupancy rate, a good daily rate, and it draws business from surrounding communities. Holiday Inn Express is 100% in support of this project.

Barth Patel, owner of the property at 2710 Nasa Parkway, spoke in favor of the approval of the Conditional Use Permit for the Hampton Inn. He stated the economy of the area is increasing, and adding more hotels to this City is good. It will definitely be a great project and a success.

Having no other speakers come forward, Mayor Royal closed public hearing.

4.0 CONSENT AGENDA

4.1 This item was pulled from the Consent Agenda by Mayor Royal.

4.2 Approve Monthly Building Department Report for December 2015. (Landis)

4.3 Approve an excused absence for Robert Llorente for the January 05, 2016 special and regular City Council meetings. (Hicks)

4.4 Approve the minutes of the December 15, 2015 regular City Council meeting. (Hicks)

4.5 Approve the minutes of the January 05, 2016 special City Council meeting. (Hicks)

4.6 Approve the minutes of the January 05, 2016 regular City Council meeting. (Hicks)

END OF CONSENT AGENDA

Motion was made by Councilmember Botkin and seconded by Councilmember Llorente

To approve the Consent Agenda, with the exception of item 4.1.

MOTION CARRIED BY UNANIMOUS CONSENT

4.1 Approve Monthly Public Safety Report for December 2015. (Wright)

Mayor Royal pointed out that the CLEMC part of the report indicated 14 gunshots/stabbings in the month of December. The Mayor wants to make sure that 14 is an error. The City Manager stated she would double check the number and get back with Council.

Motion was made by Councilmember Giangrosso and seconded by Councilmember Johnson

To approve the Monthly Public Safety Report for December 2015.

MOTION CARRIED BY UNANIMOUS CONSENT

5.0 NEW BUSINESS

5.1 Consider approval on first reading of Proposed Ordinance 2016-02, "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 3000 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.

Councilmember Johnson left the dias and did not participate in the discussion and the voting on this item.

Motion was made by Councilmember Llorente and seconded by Councilmember Botkin

To approve on first reading proposed Ordinance 2016-02, "Issuance of Conditional Use Permit to allow a Hotel without a full service restaurant".

Several Councilmembers expressed their approval of bringing the Hampton Inn back and were looking forward to having the business in the community. Mayor Royal reiterated that he his pro-hotel in the City, and commented that the fire was traumatic and because he was stuck in traffic on Highway 146, he was able to make phone calls to State Representatives and Senators about the needed fix for 146. The fire had a lot of impetus to push that highway project.

THE MOTION CARRIED BY UNANIMOUS CONSENT, WITH COUNCILMEMBER JOHNSON NOT VOTING.

5.2 Consider recommendations of the Public Safety Task Force for 2016 expenditures from the Public Safety Fund in the amount of $87,049.00. (Galyean)

Jeff Galyean, Director of Emergency Management, stated that the Public Safety Fund is funded through a $3 fee on residents' water bills. During the 2014/2015 Fiscal Year; $98,000 was collected, minus 10% for reserves, for a total available for expenditures on equipment or services that enhance Public Safety of $88,200.

The Fire Safety Task Force is made up of the Police Chief, the Fire Chief, the Clear Lake Emergency Medical Corps Chief, a representative from the Public Works Department, a representative from the Community Emergency Response Team, the City Manager, and the Deputy City Manager.

The proposed list of equipment is as follows:

10 pulse oximeters
1 utility trailer
1 weather station
6 school zone beacons
1 message board
4 packs (6 in each pack) of LED flares
2 CERT Pry Bars
3 Morphoidents (Portable ID)
1 Rad 57 CO2 Monitor
1 Pipe finder
Storage CERT

The total for all requested items is $87,049.00.

Motion was made by Councilmember Johnson and seconded by Councilmember Miller

To approve the recommendations of the Public Safety Task Force for 2016 expenditures from the Public Safety Fund in the amount of $87,049.00

MOTION CARRIED BY UNANIMOUS CONSENT

5.3 Consider participation in the Economic Alliance Advocacy trip to Washington, D.C. April 11-14, 2016. The 2015/2016 Budget includes funds for one Council representative to attend the April event in Washington, D.C. (Royal)

Mayor Royal stated Paul Dunphey will be participating in this event for the Economic Development Corporation. He explained that this trip is a different trip from the Space tour, with a smaller group, and includes several meetings over the four days in Washington. In addition, this trip will be a good opportunity to discuss coastal storm surge, transportation funding, export/import, waterfront funds for the Port, and the petrochemical plant.

Several Council members stated they cannot attend. The Mayor suggested Council send the City Manager or the Deputy City Manager. Ms. Cook stated that either she or Sean Landis, Deputy City Manager, will go on this trip to Washington in April.

Motion was made by Councilmember Llorente and seconded by Councilmember Adovasio

To send either the City Manager or the Deputy City Manager to participate in the Economic Alliance Advocacy trip to Washington, D.C. April 11-14, 2016

MOTION CARRIED BY UNANIMOUS CONSENT

6.0 ROUTINE BUSINESS

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

Highway 146 – Gayle Cook, City Manager, stated there is no new information on the Highway 146 Expansion Project since the last Council meeting. City staff is hearing more and more reports that businesses are receiving the TXDOT letters regarding appraisals and negotiations. City staff is just waiting to hear from someone about who has the first appointment with TXDOT. May 1 is the deadline for getting offers in, and any mediation will be after May 1. There is no information on the railroad negotiations at this time.

Strategic Update – Ms. Cook delivered a copy of last year's goals to Council for review before giving staff any comments and/or questions that may arise. Master plan – listen to tape

Projects – completing Splash Pad – parking lot in motion – next thing to be discussed is some type of fencing; fiber options connections have been tied off; fire truck is coming along as well; architect appointment this week on PW next bid. Dry cut will go to an additional parking lot area. Arthur – temporary; crushed granite parking lot in the front; are we considering a cross walk there with signage? LED lights are not to state code; an elevating the crossway would be approved by (listen to tape). Gayle – we will brainstorm on signage. Mike and O.J. expressed concern about the crosswalks. Arthur, we may look at a sidewalk to the neighborhood to enter the park - listen to the tape. Arthur – either sidewalk or extension of the trail. Pelican's Nest – on the same side.

Motion was made by Councilmember Miller and seconded by Councilmember Giangrosso

To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT

6.2 Establish future meeting dates and agenda items, including dates for joint meetings with City boards and commissions. (Council)

Gayle Cook, City Manager, explained that as part of the strategic plan, staff and Council have been talking about joint meetings with the various City boards. The boards are working on their goals and will bring them back to Council at an off-Tuesday special joint meeting. Staff is suggesting a joint meeting on February 9 with the Open Space and Trails Committee. The intent is to have all the joint meetings completed before Council's strategic planning workshop in April. By consensus Council agreed to a joint meeting with the Open Space and Trails Committee on February 9 at 6:00p.m. The EDC and Planning and Zoning joint meetings with Council will be after the first draft of Comprehensive Master Plan is completed. The Mayor asked that the Citizens for Space exploration trip be on the next agenda.

7.0 EXECUTIVE SESSION

At 8:02 p.m. Mayor Royal announced that the City Council will now hold a closed executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551 Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.074, Personnel Matters.

Section 551.074

7.1 pursuant to Section 551.074, Texas Government Code, conduct an Executive Session to deliberate the evaluation and duties of the City Manager. (Royal)

Section 551.074

7.2 Pursuant to Section 551.074, Texas Government Code, conduct an Executive Session to deliberate the evaluation and duties of the City Secretary. (Royal)

8.0 OPEN MEETING

At 8:50 p.m. Mayor Royal reconvened the meeting in open session and stated that items 7.1 and 7.2 had been discussed, but that no action had been taken in executive session.

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

No action was taken in open meeting on the executive session items.

Upon motion duly made and seconded, Mayor Royal adjourned the meeting at 8:53 p.m.

Approved this 1st day of March, 2016.

_____
Glenn Royal
Mayor

_____
Robin Hicks, TRMC
City Secretary

The City Council of the City of Seabrook met in regular session on Tuesday, February 2, 2016 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN R. ROYAL	MAYOR
ROBERT LLORENTE	COUNCIL PLACE NO. 1
MIKE GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	MAYOR PRO TEM & COUNCIL PLACE NO. 3
MELISSA BOTKIN	COUNCIL PLACE NO. 4
GLENNA ADOVASIO – Ex. Abs.	COUNCIL PLACE NO. 5
O.J. MILLER	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	ASSISTANT CITY MANAGER
STEVE WEATHERED	CITY ATTORNEY
ROBIN HICKS	CITY SECRETARY

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

1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

No speakers came forward during the Public Comments and Announcements portion of the agenda.

1.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

Councilor Giangrosso announced several upcoming events, including the Christmas Boat Parade and the Men Who Cook event.

2.0 EXECUTIVE SESSION

At 7:02 p.m. Mayor Royal announced that the City Council will now hold a closed executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551 Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in Sections 551.071 and 551.072, Consultation with an Attorney and Deliberation Regarding Real Property.

Sections 551.071 and 551.072

2.1 Consult with City Attorney regarding legal issues and discuss the purchase, lease, or exchange of real property in closed session due to potential detrimental effect on City in negotiations with third party if conducted in open session, as provided by Sections 551.071 and 551.072 of the Texas Government Code. (Cook)

Section 551.071

2.2 Consult with City Attorney to receive legal advice only regarding legal issues related to recently adopted statutes concerning regulation of firearms, as provided by Section 551.071, Texas Government Code. (Cook)

3.0 OPEN MEETING

At 7:36 p.m. Mayor Royal reconvened the meeting in open session and stated that items 2.1 and 2.2 had been discussed, but that no action had been taken in executive session.

No action taken was taken in open meeting on the executive session items.

4.0 CONSENT AGENDA

4.1 This item was pulled from the Consent Agenda by the Mayor.

4.2 Approve quarterly Investment Report for 1st quarter of 2015-16 as required by the Public Funds Investment Act. (Gibbs)

4.3 Approve a special event permit for a Family Fun Run sponsored by the Church of Jesus Christ of Latter Day Saints to be held on Saturday, February 27, 2016, from 9:00 a.m. until 10:30 a.m. at Meador Park. The applicant is requesting a waiver of fees. All required documentation has been submitted and approved. (Hicks)

END OF CONSENT AGENDA

Motion was made by Councilmember Giangrosso and seconded by Councilmember Botkin

To approve the Consent Agenda, with the exception of item 4.1 that was pulled by the Mayor

MOTION CARRIED BY UNANIMOUS CONSENT

4.1 Approve on second and final reading of Proposed Ordinance 2016-02, "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 3000 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.

Councilmember Johnson recused himself from discussion and voting on this item.

Motion was made by Councilmember Botkin and seconded by Councilmember Llorente

To approve on second and final reading of Proposed Ordinance 2016-02, "Issuance of Conditional Use Permit to allow a Hotel without a full service restaurant".

MOTION CARRIED BY UNANIMOUS CONSENT, WITH COUNCILMEMBER JOHNSON NOT VOTING.

5.0 NEW BUSINESS

5.1 Consider approval on first reading of Ordinance 2016-03, Prohibiting Licensed Carry of Handguns in Governmental Meetings." (Cook)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE I, "IN GENERAL," OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS BY ADDING A NEW SECTION 2-3 "PROHIBITION OF LICENSED CARRY IN GOVERNMENTAL MEETINGS SUBJECT TO THE OPEN MEETINGS ACT"; PROVIDING FOR A PENALTY IN AN AMOUNT OF $500 OR THE MAXIMUM AMOUNT PERMITTED BY LAW FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE AND EFFECTIVE DATE.

Mayor Royal stated that the Legislature passed a law that allows licensed open carry of handguns as of January 1, 2016. Council has the authority to allow licensed concealed and/or open carry of only handguns at meetings governed by the Texas Open Meetings Act. Council has several options, including prohibiting both open and concealed carry; allowing both open and concealed carry; or prohibiting one type of carry while allowing the other type of carry. All options relate to only handguns and only during public meetings. Regulations for Municipal Court and for City facilities in general are governed by State statutes.

Discussion among Council members ensued regarding open carry versus concealed carry and whether individual members would want both or only one type of carry allowed during public meetings. Gayle Cook, City Manager, explained that staff is in favor of keeping everyone safe and would be in agreement with prohibiting open carry and allowing concealed carry. Because it wasn't clear what the consensus was among Council members, the Mayor took a poll of the members, as follows:

Those in favor of prohibiting licensed open carry in public meetings:

Councilmember Llorente – yay
Councilmember Giangrosso - yay
Councilmember Johnson – yay
Councilmember Botkin – yay
Councilmember Miller – yay
Mayor – yay

Those in favor of prohibiting licensed concealed carry in public meetings:

Councilmember Llorente – yay
Councilmember Giangrosso – nay
Councilmember Johnson – nay
Councilmember Botkin – nay
Councilmember Miller – yay
Mayor – nay

Motion was made by Councilmember Llorente and seconded by Councilmember Johnson

To approve on first reading Ordinance 2016-03, Prohibiting Licensed Carry of Handguns in Governmental Meetings, with an amendment to prohibit open carry and only allow licensed concealed carry in Governmental Meetings.

MOTION CARRIED BY UNANIMOUS CONSENT

5.2 Consider approval on first reading of Ordinance 2016-04, "Revision to Personnel Policy - Prohibiting carry of firearms/Dangerous Weapons Except by Law Enforcement Officers." (Cook)

AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, AMENDING THE CITY OF SEABROOK "PERSONNEL POLICIES", CHAPTER 7 "BEHAVIOR AND CONDUCT", BY ADDING A NEW SECTION "FIREARMS AND WEAPONS" TO DISALLOW LICESNSED CARRY OF FIREARMS AND WEAPONS BY NON-PEACE OFFICER EMPLOYEES ON CITY PREMISES; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Motion was made by Councilmember Miller and seconded by Councilmember Giangrosso

To approve on first reading Ordinance 2016-04, "Revision to Personnel Policy - Prohibiting carry of firearms/Dangerous Weapons Except by Law Enforcement Officers."

MOTION CARRIED BY UNANIMOUS CONSENT

5.3 Consider approval on first reading of Ordinance No. 2016-05, "Amendment to the Firearms Ordinance." (Cook)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 44, "LAW ENFORCEMENT AND OFFENSES", ARTICLE III, "OFFENSES", DIVISION 1, "GENERALLY" BY AMENDING SECTION 48-78, "DISCHARGE OF WEAPONS AND EXCEPTIONS", ADDING A NEW SECTION 48-79, "REGULATION OF FIREARMS AND AIRGUNS; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $500 OR THE MAXIMUM AMOUNT PERMITTED BY LAW FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE AND EFFECTIVE DATE.

Motion was made by Councilmember Giangrosso and seconded by Councilmember Johnson

To approve on first reading Ordinance No. 2016-05, "Amendment to the Firearms Ordinance."

MOTION CARRIED BY UNANIMOUS CONSENT

5.4 Consider Approval on Budget Supplemental Appropriation 2016-01, for Security Measures for the City Hall and Municipal Court customer service areas in the amount of $47,000.00. (Cook)

Gayle Cook, City Manager, stated this proposal is for fortifying the City Hall upstairs lobby area. There is currently one type of shielding in front of the Municipal Court offices, and the other customer service areas in the Building Department and the Water Department are open, and unshielded. Notice was published for taking bids, and after physically looking at the location, Total Security Solutions submitted a base bid to include all three customer service areas with closed glass and a middle tray, much like many banks now have. The Building Department will have a sliding, hinged door, so plans can pass through. There will be new protective shielding in the doors leading to the Community Development Department and the City Secretary's Office. The counters

underneath the shielding will be ballistic as well, so that the total area is protected. The bid package also includes ballistic material on the dias in the Council Chamber. Because this expenditure was not originally in the budget, Council will need to approve a supplemental appropriation.

Myra Bergeron, Billing Department Supervisor, and Jessica Ancira, Municipal Court Administrator, both expressed to Council that the protective glass is needed for employees to have a sense of safety and to have an opportunity to take appropriate measures in the case of a threat, rather than having to react.

Motion was made by Councilmember Miller and seconded by Councilmember Giangrosso

To approve Budget Supplemental Appropriation 2016-01, for Security Measures for the City Hall and Municipal Court customer service areas in the amount of $47,000.00.

MOTION CARRIED BY UNANIMOUS CONSENT

5.5 Consider designation of council representative to the Citizens for Space Exploration visit to Washington, D.C. May 24-26, 2016. This is a budgeted item for one representative. (Royal)

Mayor Royal opened the floor for Councilmembers to volunteer or express an interest in attending this trip to Washington in May.

Councilmember Llorente stated he has gone on this trip for the past 3 years and would not mind going again this year.

Motion was made by Councilmember Johnson and seconded by Councilmember Giangrosso

To designate Councilmember Llorente as council representative to the Citizens for Space Exploration visit to Washington, D.C. May 24-26, 2016.

MOTION CARRIED BY UNANIMOUS CONSENT

6.0 ROUTINE BUSINESS

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

Highway 146 – Gayle Cook, City Manager, stated there is nothing official and formal to report at this time. Staff is hearing that the gap in negotiations with Union Pacific is getting smaller. There is no new information from TXDOT. Paul Chavez, Economic Development Director, reports that all businesses have received their letter from TXDOT,

but no face to face meetings have occurred yet. Paul is updating the real estate log daily to help with businesses with relocation options.

Strategic plan – Ms. Cook explained that staff will be working on the official Strategic Plan update for this year, and at this time April 29 has been targeted for an all day strategic planning workshop starting around 8:00 or 8:30 a.m. and wrapping up about 3:30 p.m. Breakfast and lunch will be provided.

Project updates – Ms. Cook stated that staff is continuing to work on the temporary road, the parking lot, and the restroom at the new splash pad. The fiber optics project is almost complete. Ms. Cook will send a link to Council with pictures of the new fire truck in progress. After the bids were rejected on the Public Works facility project, staff and the architect have had many discussions back and forth regarding restructuring of the bid package. Staff is waiting on the architect's recommendations, including change of scope and alternates, and more time for bidders to submit bids of about 4 weeks.

Motion was made by Councilmember Giangrosso and seconded by Councilmember Botkin

To approve the Action Items Checklist

MOTION CARRIED BY UNANIMOUS CONSENT

6.2 Establish future meeting dates and agenda items, including discussion for date for Strategic Planning session. (Council)

Mayor Royal stated that the Council Strategic Planning Session will be April 29. The joint meeting with the Open Space and Trails Committee will be February 9 at 6:00p.m. The regular meeting on February 16 will begin at 4:00p.m. Councilmembers Johnson and Botkin stated they will be absent on February 16. Approval of issuance of the Certificates of Obligation will be on the February 16 agenda, as well as an update on the Bay Area Convention and Visitors Bureau.

Upon motion duly made and seconded, Mayor Royal adjourned the meeting at 8:27 p.m.

Approved this 1st day of March, 2016.

_____
Glenn Royal
Mayor

_____
Robin Hicks, TRMC
City Secretary

The City Council of the City of Seabrook met in regular session on Tuesday, February 16, 2016 at 4:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN R. ROYAL	MAYOR
ROBERT LLORENTE - absent	COUNCIL PLACE NO. 1
MIKE GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON – ex. abs.	MAYOR PRO TEM & COUNCIL PLACE NO. 3
MELISSA BOTKIN – ex. abs.	COUNCIL PLACE NO. 4
GLENNA ADOVASIO	COUNCIL PLACE NO. 5
O.J. MILLER	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	ASSISTANT CITY MANAGER
STEVE WEATHERED	CITY ATTORNEY
ROBIN HICKS	CITY SECRETARY

Mayor Royal called the meeting to order at 4:00 p.m. and led the audience in the United States and Texas Pledge of Allegiance.

1.0 PRESENTATIONS

1.1 Presentation on update on Bay Area Convention and Visitors Bureau Activities. (Giangrosso)

Council member Giangrosso stated that Houston First has offered Pam Summers, President, and Rebecca Thompson, Sales and Service Manager, positions to take over responsibility at Houston First, called Houston and Beyond. Pam and Rebecca's positions are now open and the board has received 45 applications. Houston First has offered $141,000 to keep the Bay Area Convention and Visitors Bureau funded through the end of this fiscal year and into next year, until the positions are filled. Pam and Rebecca will remain on staff until the end of March. The President and Sales and Service Manager's positions were paid by Houston First, but BACVB will have to pay the salaries when the positions are filled. Other cities have not talked to their Councils yet, so it is unknown at this time if other cities will choose to dissolve the Bureau. The BACVB has been in existence for 14 years.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

No speakers came forward to speak during the Public Comments and Announcements portion of the agenda.

Mayor Royal announced that there will be a meeting on March 3 at 6:00pm at the new San Jacinto College Maritime facility in Shore Acres to address storm surge protection. The City would like residents to attend. The Gulf Coast Community Protection and Recovery District has released the phase II findings of the Storm Surge Suppression Study. Phase II findings suggest two mitigation options, which are: 1) a coastal spine and 2) the elevation of State Highway 146 to make a dike out of the berm, which is not in TXDOT's plan. The Mayor stated that he is on record in strong opposition to the elevation of Highway 146. Large public turnout will be beneficial.

3.0 CONSENT AGENDA

3.1 Approve on second and final reading Ordinance 2016-03, "Prohibiting Licensed Open Carry of Handguns in Governmental Meetings. " (Cook)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE I, "IN GENERAL," OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS BY ADDING A NEW SECTION 2-3 "PROHIBITION OF LICENSED OPEN CARRY IN GOVERNMENTAL MEETINGS SUBJECT TO THE OPEN MEETINGS ACT"; PROVIDING FOR A PENALTY IN AN AMOUNT OF $500 OR THE MAXIMUM AMOUNT PERMITTED BY LAW FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE AND EFFECTIVE DATE.

3.2 Approve on second and final reading Ordinance 2016-04, "Revision to Personnel Policy - Prohibiting Carry of Firearms/Dangerous Weapons Except by Law Enforcement Officers." (Cook)

AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, AMENDING THE CITY OF SEABROOK "PERSONNEL POLICIES", CHAPTER 7 "BEHAVIOR AND CONDUCT", BY ADDING A NEW SECTION "FIREARMS AND WEAPONS" TO DISALLOW LICENSED CARRY OF FIREARMS AND WEAPONS BY NON-PEACE OFFICER EMPLOYEES ON CITY PREMISES; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

3.3 Approve on second and final reading Ordinance No. 2016-05, "Amendment to the Firearms Ordinance." (Cook)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 44, "LAW ENFORCEMENT AND OFFENSES", ARTICLE III, "OFFENSES", DIVISION 1, "GENERALLY" BY AMENDING SECTION 48-78,

"DISCHARGE OF WEAPONS AND EXCEPTIONS", ADDING A NEW SECTION 48-79, "REGULATION OF FIREARMS AND AIRGUNS; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $500 OR THE MAXIMUM AMOUNT PERMITTED BY LAW FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE AND EFFECTIVE DATE.

END OF CONSENT AGENDA

Motion was made by Councilmember Giangrosso and seconded by Councilmember Miller

To approve the Consent Agenda as presented.

MOTION CARRIED BY UNANIMOUS CONSENT

4.0 NEW BUSINESS

4.1 Consider approval on first and final reading of Ordinance No. 2016-07, "Issuance of Certificates of Obligation Series 2016" (Lab/Robuck)

ORDINANCE AUTHORIZING AND ORDERING THE ISSUANCE OF CITY OF SEABROOK, TEXAS CERTIFICATES OF OBLIGATION, SERIES 2016 IN AN AGGREGATE PRINCIPAL AMOUNT OF $2,500,000 FOR THE ACQUISITION, CONSTRUCTION AND IMPROVEMENTS OF CERTAIN PUBLIC WORKS; PRESCRIBING THE TERMS AND FORM THEREOF AND INTEREST THEREON; AWARDING THE SALE THEREOF; AND MAKING OTHER PROVISIONS REGARDING SUCH CERTIFICATES, INCLUDING USE OF THE PROCEEDS THEREOF; AND MATTERS INCIDENT THERETO

Marcus Dietz, Bond Attorney, explained that five bids were received, with the winning bid being First National Bank of Texas with a 2.13% interest rate. The market trend over the last 20 years has shown the lowest rate to be 3.27%. The principal amount of bonds and expenses is $2,466,350 at a true interest rate of 2.303% for an average life of 8.846 years. There will be an interest payment of $25,000 this year, and in the following years, the debt is paid off with payments of $195,000 to $198,000 each year. If the issuance is approved, closing and funding will be March 8, and after September 1 the bonds will be callable. The Seabrook Economic Development Corporation has agreed to pay for this bond, so that taxpayers are not burdened, and EDC may choose to pay the debt off early.

Motion was made by Councilmember Miller and seconded by Councilmember Adovasio

To approval on first and final reading Ordinance No. 2016-07, "Issuance of Certificates of Obligation Series 2016."

MOTION CARRIED BY UNANIMOUS CONSENT

4.2 Consider approval on first and final reading of Ordinance No. 2016-08, "Budget Ordinance FY 2014-15." (Lab)

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2014 AND ENDING ON SEPTEMBER 30, 2015 FOR THE CITY OF SEABROOK.

Gayle Cook, City Manager, stated this ordinance is to clean up the budget for Fiscal Year 2014/15, with the City auditors being on site in a couple of weeks, and the annual financial report soon due. The Finance Department looks to see if there is any surplus or deficit in each department's individual line items, and adjusts the budget accordingly. The Enterprise fund ended with a lower than anticipated balance due to a significant infrastructure breach on the lift station and the CIP project on the wastewater and sewer plant, which created an impact to the reserves of $702,000. The General Fund balance had a surplus of $1.2 million due to higher than anticipated sales tax; higher than anticipated franchise and mixed beverage revenues; and vacancies in Public Safety. The earlier estimated General Fund final balance was around $750,000, being conservative in the estimated impact of the Compensation Study. The surplus funds will go into reserves.

Motion was made by Councilmember Giangrosso and seconded by Councilmember Adovasio

To approve on first and final reading Ordinance No. 2016-08, "Budget Ordinance FY 2014-15."

MOTION CARRIED BY UNANIMOUS CONSENT

Upon motion duly made and seconded, Mayor Royal adjourned the meeting at 4:29 p.m.

Approved this 1st day of March, 2016.

_____
Glenn Royal
Mayor

_____
Robin Hicks, TRMC
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 ☐

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

Fiscal Impact:

Budgeted	___ Yes	___ No	Finance Officer Review:
Budget Amendment Required	___ Yes	___ No	
Future/Ongoing Impact	___ Yes	___ 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.

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 X **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.**

VOTE:	AYE	NAY	ABSTAINED	ABSENT	INITIAL
Rosebud Caradec	X				
Laura Davis	X				
Mike DeHart	X				
Buddy Hammann				X	
Dodie Miller	X				
Michael Potts	X				MP
Michael Sharpe	X				MDS

Michael Potts, Chairman
Planning & Zoning Commission

ATTEST:
~~Alesia 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 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;

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

SECTION 1. FINDINGS OF FACT.

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

SECTION 2. USE PERMITTED.

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

SECTION 3. AMENDMENT TO THE CODE.

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

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

SECTION 4. INCORPORATION INTO THE CODE; PENALTY CLAUSE.

This Ordinance is hereby incorporated into and made a part of the Seabrook City Code and violation of any provision hereof shall be subject to the penalty described in said Code, Section 1-15 "General Penalty; continuing violations" which provides that 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 not to exceed $2,000. Each day of violation shall constitute a separate offense.

SECTION 5. 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.

SECTION 6. 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.

SECTION 7. NOTICE.

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 to take effect upon publication.

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

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

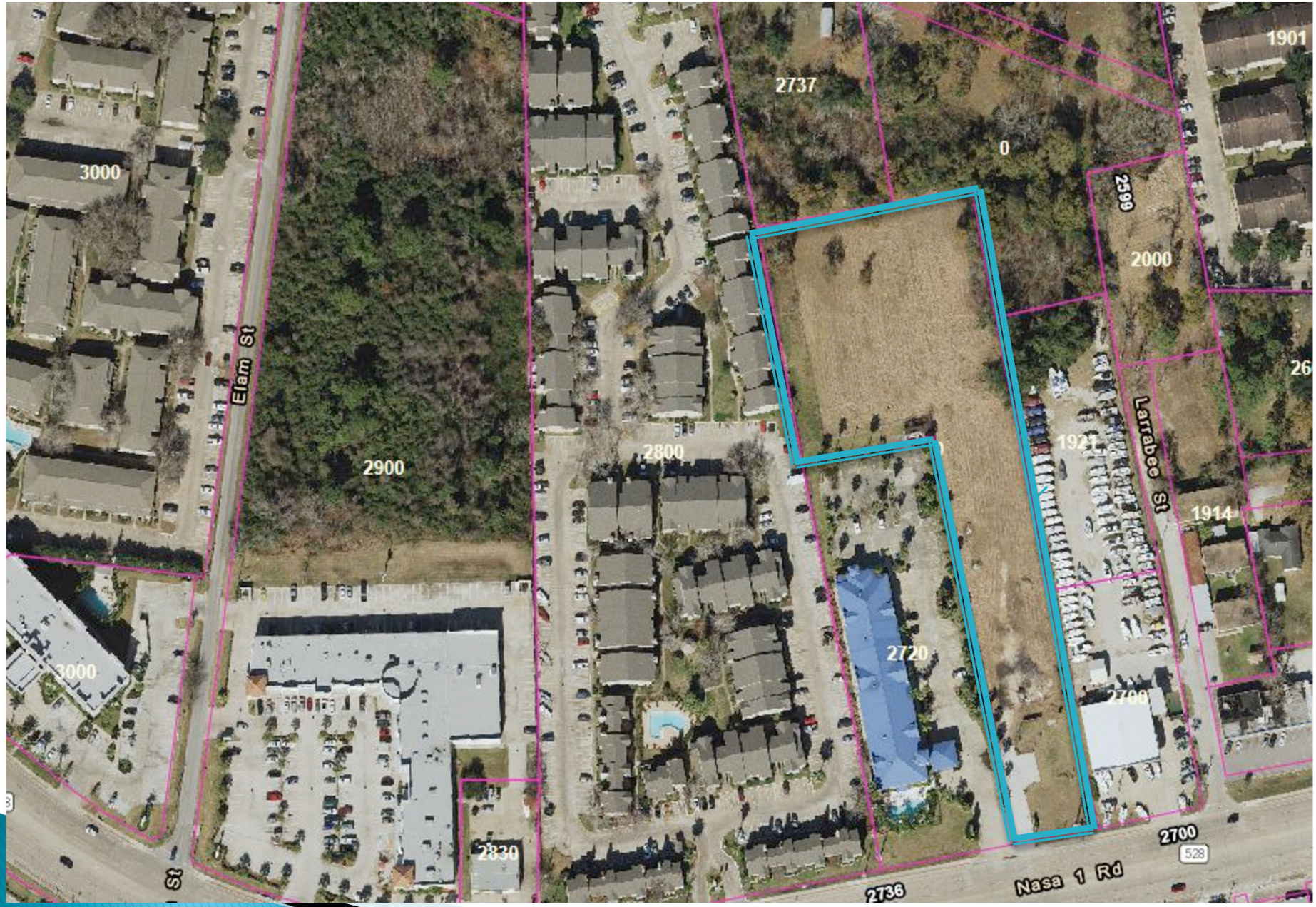
By: _____
Glenn Royal
Mayor

ATTEST:

By: _____
Robin Hicks, TRMC
City Secretary

Approved as to form:

_____
Steven L. Weathered
City Attorney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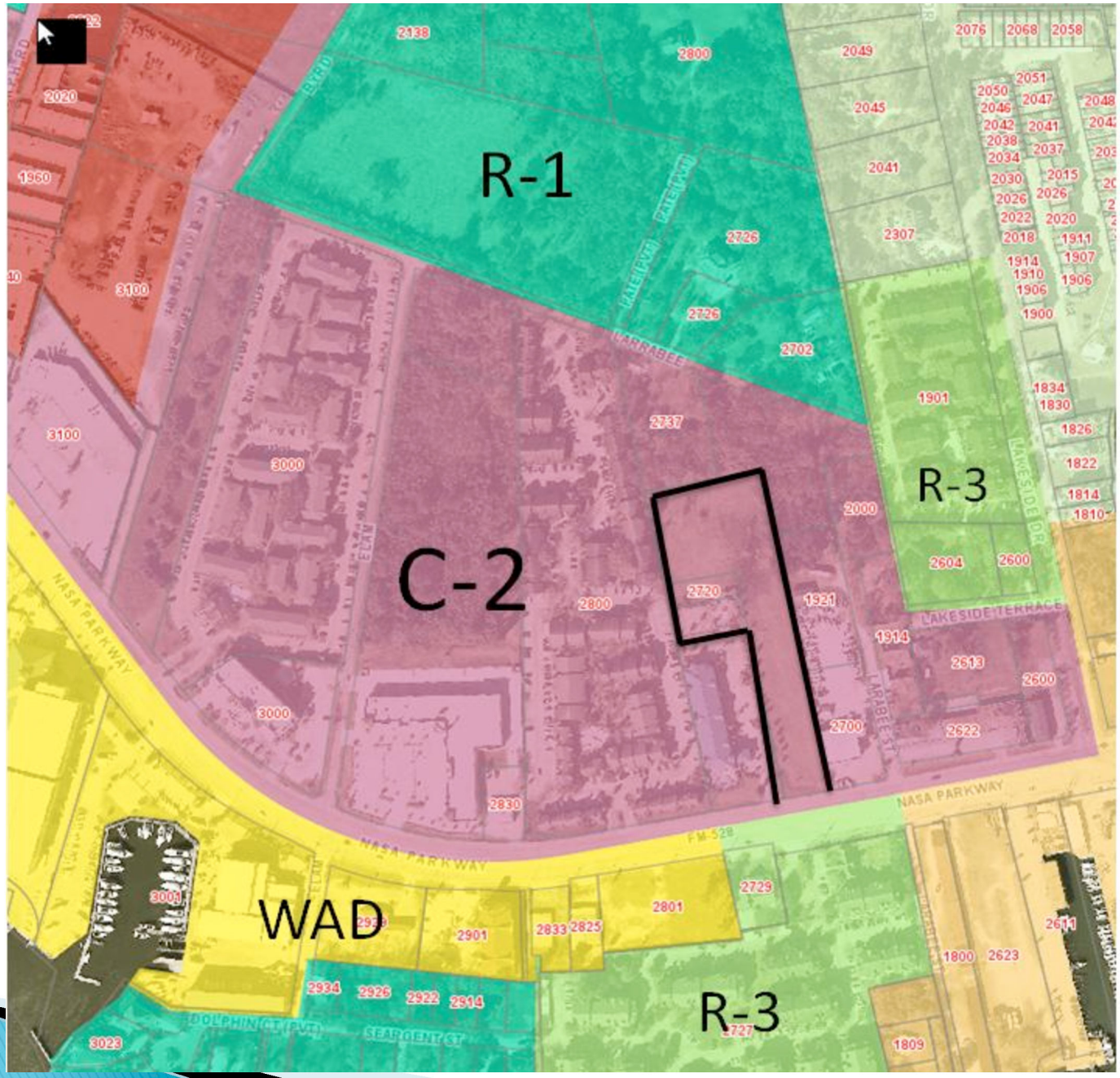
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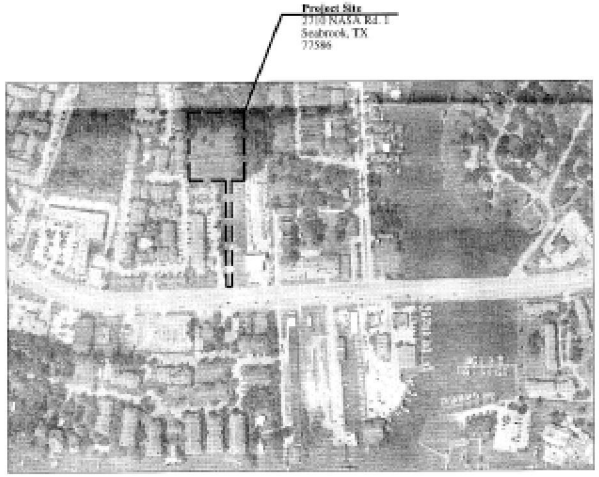
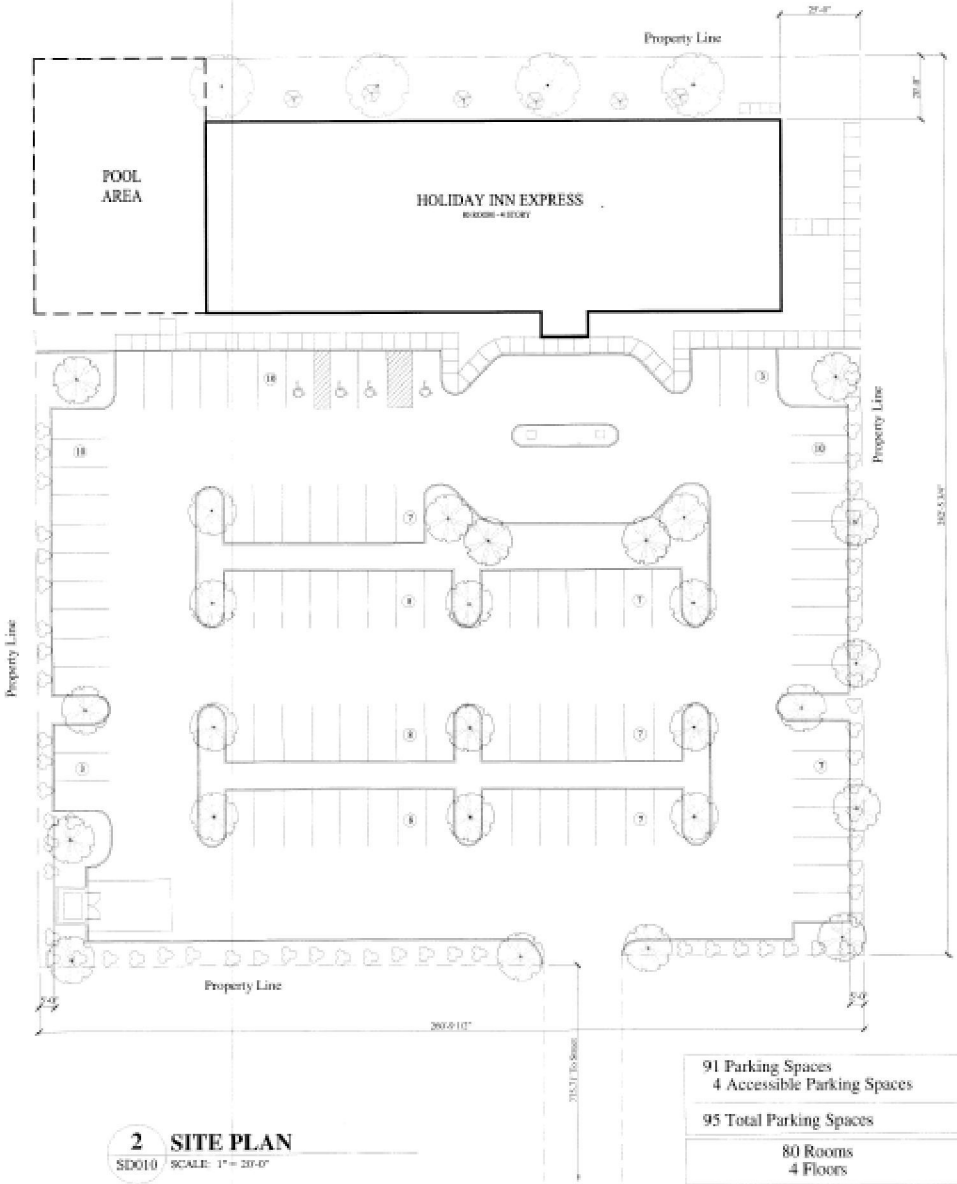


1 SITE MAP
SD010 NOT TO SCALE



2 SITE PLAN
SD010 SCALE: 1" = 20'-0"

91 Parking Spaces
4 Accessible Parking Spaces

95 Total Parking Spaces

80 Rooms
4 Floors

[redacted]

MICHAEL GA

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authorized by M
(Reg. #9347), i
regulatory appr

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CONSULTANT

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CITY OF SEABROOK
ORDINANCE NO. 2016-10

ALTERING SPEED LIMITS ALONG SH 146 FRONTAGE RED BLUFF ROAD/SEABROOK CIRCLE

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 90 "TRAFFIC AND VEHICLES" ARTICLE II, "SPEED RESTRICTIONS", SECTION 90-31 "ENUMERATION OF LIMITS" BY ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 545.356, TEXAS TRANSPORTATION CODE, UPON BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, WITHIN THE CORPORATE LIMITS OF THE CITY OF SEABROOK, ALONG SH 146, FRONTAGE ROAD NORTH AND SOUTH OF RED BLUFF ROAD, AND SEABROOK CIRCLE, AS SET OUT IN THIS ORDINANCE; AND PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED TWO HUNDRED DOLLARS ($200.00) FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

WHEREAS, Section 545.356, Vernon's Texas Civil Statutes, provides that whenever the governing body of the city shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street of highway within the city, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street of highway;

WHEREAS, the City Council of the City of Seabrook has determined the necessity for this Ordinance to alter the prima facie speed limits along SH 146, frontage roads north/south of Red Bluff Road, and south of Seabrook Circle from the results of an engineering and traffic investigation/Speed Zone Study from the Texas Department of Transportation, as provided for therein, and

WHEREAS, the City Council of the City of Seabrook has determined the necessity for this Ordinance in order to comply with statutory law and preserve the health, safety and well-being of the residents, citizens and inhabitants of the City;

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

SECTION 1. FINDINGS OF FACT.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. COMPLIANCE WITH TRANSPORTATION CODE.

Upon the basis of an engineering and traffic investigation conducted by the Texas Department of Transportation heretofore made for the following amendments, attached hereto and as authorized by the provisions of Section 545.356, Texas Transportation Code, the following amended prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described in the amendments below.

SECTION 3. AMENDMENT TO THE CODE.

The Seabrook City Code, Chapter 90 "Traffic and Vehicles", Article II. "Speed Restrictions", Section 90-31 "Enumeration of Limits", is hereby amended as follows:

"Sec. 90-31. Enumeration of limits.

Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Section 545.352 et seq, **specifically including Section 545.356,** Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

(1) Maximum speed limit established. The maximum speed limit on any road, street, avenue, boulevard or highway within the city limits shall be **30** miles per hour, unless specifically excepted by this section.

(2) Exceptions. Notwithstanding the provisions of subsection (a) of this section, the maximum speed limits on the following roads, streets, boulevards and highways or portions of same, shall be as follows:

NASA Road 1 (formerly F. M. 528), for its entire length within the city, being from the western city limits to its intersection with State Highway 146, 45 miles per hour.

Red Bluff Road, from the west city limits to State Highway 146, a distance of approximately 0.90 mile, 45 miles per hour.

Red Bluff Road, from a point 400 feet west of Park Drive to Todville Road, 35 miles per hour.

Repsdorph Road, for its entire length, a distance of 1.40 miles, 35 miles per hour.

[~~SH 146 from the northern limits of the City of Seabrook to 1367 feet north of Repsdorph Road, a distance of approximately 1.369 miles, 50 MPH~~.]

[~~SH 146 from 1367 feet north of Repsdorph Road to the centerline of Third Street, a distance of approximately 1.000 mile, 35 MPH~~.]

[~~SH 146 from the centerline of Third Street to the southern limits of the City of Seabrook, a distance of approximately 0.902 miles, 45 MPH.~~]

Todville Road, from a point 600 feet north of East Meyer Avenue to the north city limits, a distance of 1.60 miles, 35 miles per hour.

El Mar Lane, between Bahama Drive and North Meyer Avenue of 25 miles per hour.

Along SH 146, two-way west frontage road, from the 2455 feet north of Red Bluff Road (north city limit of the City of Seabrook) to the 1821 feet north of Red Bluff Road, a distance of approximately 0.120 mile; the speed limit shall be 35 miles per hour.

Along SH 146, one-way west frontage road, from the 1821 feet north of Red Bluff Road to the 960 feet south of Red Bluff Road, a distance of approximately 0.527 mile, the speed limit shall be 35 miles per hour.

Along SH 146 main lane from 1367 feet south of Red Bluff Road to the 68 feet south of Seabrook Circle, a distance of approximately 0.320 mile; the speed limit shall be 50 miles per hour.

Along SH 146 main lane from 68 feet south of Seabrook Circle. to the south city limit of the City of Seabrook, a distance of approximately 2.416 miles; the speed limit shall be 45 miles per hour."

SECTION 3. 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 not more than Two Hundred Dollars ($200.00) per offense. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

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

SECTION 5. 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.

SECTION 6. NOTICE BY PUBLICATON

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 to take effect upon publication and posting of signs in accordance with law.

SECTION 7. NOTICE BY ERECTION OF SIGNS

This Ordinance shall become effective upon appropriate erection of speed zone signage to establish and provide additional notice of the establishment of the subject school zones speed limit during school-designated times as provided for herein.

PASSED AND APPROVED on first reading on this _____day of _____, 2016.

PASSED AND APPROVED on second and final reading on this ____ day of _____, 2016.

By:_____
Glenn Royal, Mayor

ATTEST:

By:_____
Robin Hicks, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Steven Weathered, City Attorney

CITY OF SEABROOK
ORDINANCE NO. 2016-11

ORDINANCE UPDATING HOTEL OCCUPANCY TAX DELINQUENT TAX INTEREST RATE

AN ORDINANCE AMENDING CHAPTER 85 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, ENTITLED "TAXATION AND FINANCE," ARTICLE II, ENTITLED "HOTEL OCCUPANCY TAX," SECTION 85-32 "FAILURE TO PAY; REMEDIES", BY AMENDING SUCH SECTION TO CLARIFY THE INTEREST RATE ON DELINGQUENT TAXES, PROVIDING AN INTEREST RATE OF 15%; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED $500 FOR VIOLATION OF ANY PROVISION HEREOF, TOGETHER WITH RELATED PENALTIES AND REMEDIES AS SPECIFIED HEREIN, BY INCLUSION INTO THE CODE OF ORDINANCES; PROVIDING FOR NOTICE, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council of the City of Seabrook is continually reviewing its programs and the provisions of the Code of Ordinances (Code) to more effectively fund the promotion of tourism, maintenance of City existing programs that promote tourism, and new programs for the attraction of out of town visitors; and

WHEREAS, the City Council of the City of Seabrook has investigated, reviewed and considered the need to clarify the specific interest rate on delinquent taxes as 15%, as provided in Texas Tax Code 351.0042 in addition to the statutory penalty provided in 351.004 and law; and

WHEREAS, Section 2.11(b) of the Seabrook City Charter provides that ordinances relating to taxes do not require two readings, as referenced therein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS:

Section 1. That the City Council of the City of Seabrook adopts the preceding preamble paragraphs as if repeated verbatim herein and find them as matters of fact.

Section 2. That Chapter 85, "Taxation and Finance", Article II, "Hotel Occupancy Tax," be amended by revising Section 85-32 to clarify the specific interest rate of 15% on delinquent taxes on the hotel occupancy tax as follows:

"Sec. 85-28. - Levy of tax; rate.

There is hereby levied a tax upon the cost of occupancy of any room or space furnished by any hotel where such costs of occupancy is at the rate of $2.00 or more per day. Such tax shall be equal to 7 percent of the consideration paid by the occupant of such rooms to such hotel. The price of a room in a hotel does not include the cost of food served by the hotel and the cost of personal services performed by the hotel for the person except for those services related to cleaning and readying the room for use or possession.

(Code 1976, § 10-22; Code 1996, § 66-28; Ord. No. 97-22, 1-20-1998; Ord. No. 2012-21, § 2, 11-6-2012)

Sec. 85-29. - Exceptions.

(a) No tax shall be imposed under this article upon the consideration paid by the occupant of such room who is a permanent resident as provided in § 156.001, Texas Tax Code.

(b) No tax shall be imposed on a governmental entity of the United States or an officer or employee of a governmental entity of the United States when traveling on or otherwise engaged in the course of official duties for the governmental entity; however, the State of Texas or a Texas agency, institution, board, or commission must pay the tax. There is no exemption for city or county officers and employees even if traveling on official business.

(c) A state officer or employee of a state governmental entity for whom a special provision or exception to the general rate of reimbursement under the General Appropriations Act applies and who is provided with photo identification verifying the identity and exempt status of the person is not required to pay the tax. All individuals claiming this exemption are required to fill out a hotel occupancy exemption certificate.

(d) The right to use or possess a room or space in a hotel is exempt from taxation under this chapter if the person required to collect the tax receives, in good faith from a guest, a properly completed exemption certificate stating that the guest is qualified for an exemption under V.T.C.A., Tax Code §§ 156.102 or 156.103. An exemption certificate must be supported by the documentation required under rules adopted by the comptroller.

(Code 1976, § 10-23; Code 1996, § 66-29; Ord. No. 2012-21, § 2, 11-6-2012)

Sec. 85-30. - Use of tax collected.

(a) Any revenues from the tax may only be used for purposes specified in accordance with V.T.C.A., Tax Code § 351.101, including:

(1) The acquisition of sites for any construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both;

(2) The furnishing of facilities, personnel and materials for the registration of convention delegates or registrants;

(3) Advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;

(4) The encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms; and

(5) Historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:

a. At or in the immediate vicinity of convention center facilities or visitor information centers; or

b. Located elsewhere in the municipality or its vicinity that would be frequented by tourists and convention delegates.

(6) Subject to V.T.C.A., Tax Code § 351.1076, the promotion of tourism by the enhancement and upgrading of existing sports facilities or fields, including facilities or fields for baseball, softball, soccer, and flag football, if the city owns the facilities or fields and the sports facilities and fields have been used, in the preceding calendar year, a combined total of more than ten times for district, state, regional, or national sports tournaments;

(7) Signage directing the public to sights and attractions that are visited frequently by hotel guests in the municipality.

(b) The City Council may, by contract, delegate to a person, including another governmental entity or a private organization, the management or supervision of programs and activities funded with revenue from the tax authorized by this article. The City Council in writing shall approve in advance the annual budget of the person to which it delegates those functions and shall require the person to make periodic reports to the City Council at least quarterly listing the expenditures made by the person with revenue from the tax authorized by this article. The person must maintain revenue provided from the tax authorized by this article in a separate account established for that purpose and may not commingle that revenue with any other money. The City may not delegate to any person the management or supervision of its convention and visitors programs and activities funded with revenue from the tax authorized by this article other than by contract as provided by this subsection. The

approval by the City Council of the annual budget of the person to whom the City Council delegates those functions creates a fiduciary duty in the person with respect to the revenue provided by the tax authorized by this article.

(Code 1976, § 10-24; Code 1996, § 66-30; Ord. No. 2012-21, § 2, 11-6-2012)

State law reference— Use of tax revenue, power to contract for services, V.T.C.A., Tax Code § 351.101.

Sec. 85-31. - Collection of taxes.

Any person owning, operating, managing or controlling any hotel shall collect the tax imposed by this article for the city and make payment as provided in Section 85-34.

(Code 1976, § 10-25; Code 1996, § 66-31; Ord. No. 2012-21, § 2, 11-6-2012)

Sec. 85-32. - Failure to pay; remedies.

(a) The city attorney or other attorney acting for the city may bring suit against a person who is required to collect the tax imposed by this article and pay the collections over to the city and who has failed to file a tax report or pay the tax when due, to collect the tax not paid or to enjoin the person from operating a hotel in the city until the tax is paid or the report filed, as applicable, as provided by the court's order. In addition to the amount of any tax owed under this article, the person is liable to the city for the city's reasonable attorney's fees, the costs of an audit and a penalty equal to 15 percent of the total amount of the tax owed and all other remedies provided by V.T.C.A., Tax Code § 351.004.

(b) **A person who fails to pay a tax due under this chapter is liable to the City for interest on the unpaid amount at the rate of 15%, and interest under this section accrues from the first day after the date due until the tax is paid.**

(**c**[~~b~~]) V.T.C.A., Civil Practice and Remedies Code § 16.061, applies to the collection of a tax under this article. A limitation period provided by Title 2 of the Tax Code (V.T.C.A., Tax Code § 101.001 et seq.) relating to the time allowed to assess taxes and bring a suit to collect taxes does not apply to a tax imposed under this article or to a suit brought under this section.

(**d**[~~c~~]) The remedies provided for in this section are in addition to other available remedies.

(Code 1976, § 10-29(b); Code 1996, § 66-32; Ord. No. 2001-24, § 2, 10-2-2001; Ord. No. 2012-21, § 2, 11-6-2012)

State law reference— Tax collection and penalty, V.T.C.A., Tax Code § 351.004.

Sec. 85-33. - Records.

Every person who is required by the provisions of this article to collect the tax imposed in this article shall have a record of the following information:

(1) The names and addresses of all occupants of the establishment;
(2) The period of time for which each room is rented; and
(3) The consideration paid for such rental.

(Code 1976, § 10-26; Code 1996, § 66-33)

Sec. 85-34. - Quarterly reports to city director of finance.

(a) On the last day of the month following each quarterly period, every person required in this article to collect the tax imposed in this article, shall file a report with the city director of finance showing the consideration paid for all room occupancies in the preceding quarter, the amount of the tax collected on such occupancies, and any other information the city director of finance may reasonably require. Such person shall pay the tax due on such occupancies at the time of filing such report. There shall also be furnished to the director of finance at the time of payment of such tax, a copy of the quarterly tax report filed with the state controller in connection with the state hotel occupancy tax.

(b) The failure of any person owning, operating, managing or controlling such hotel to collect sufficient monies from the occupants to satisfy the tax shall not excuse his or her obligation to pay the tax to the city.

(Code 1976, § 10-27; Code 1996, § 66-34; Ord. No. 2012-21, § 2, 11-6-2012)

Sec. 85-35. - Rules and regulations; access to books and records.

The city director of finance shall have the authority to require an operator to provide documentation regarding information contained in a tax report filed pursuant to this article in order to verify the information provided in such tax report and to verify the amount of municipal hotel occupancy taxes due. Upon such request of the director of finance, an operator shall do one of the following:

(1) Produce all records requested and deliver such records to the director of finance in a form acceptable to him/her; or

(2) Make all records requested available for inspection during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

(Code 1976, § 10-28; Code 1996, § 66-35; Ord. No. 2012-21, § 2, 11-6-2012)

Sec. 85-36. - Violation of article a misdemeanor.

If any person required by the provisions of this article to collect the tax imposed in this article, make reports as required in this article, and pay to the city director of finance the tax imposed in this article, shall fail to collect such tax, shall fail to file such report, or shall fail to pay such tax, or if such person shall file a false report, such person shall be deemed guilty of a misdemeanor.

(Code 1976, § 10-29(a); Code 1996, § 66-36; Ord. No. 2012-21, § 2, 11-6-2012)
State Law reference— Penalty, V.T.C.A., Tax Code § 351.004(c).

Sec. 85-37. - Appeal of tax.

(a) Upon a determination by the city director of finance that an operator has not paid the full amount of the municipal hotel occupancy tax due, s/he shall notify such operator in writing of such deficiency and of the operator's right to appeal the determination. Such notice shall be sent by first class mail.

(b) Upon receipt of written notice of a determination by the city director of finance that a balance is due for the municipal hotel occupancy tax, the operator may either pay the amount due or appeal in writing to the city manager.

(c) An appeal must be filed within 14 days after receipt of the notice of determination from the city director or finance.

(d) The city manager/designee shall grant or deny the appeal and shall notify the operator of his/her decision in a written notice sent by first class mail within 14 days of receiving the request.

(Ord. No. 2012-21, § 2, 11-6-2012)

Secs. 85-38—85-65. - Reserved."

SECTION 3. INCORPORATION INTO THE CODE; PENALTY CLAUSE.

This Ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this Ordinance is subject to the penalty section of said Code of Ordinances, Section 1-15 "General penalty; continuing violations" which provides that 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 not to exceed $500. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

In the event any clause phrase, provision, sentence, or 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 of 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.

SECTION 5. NOTICE.

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 to take effect upon publication.

PASSED AND APPROVED on first and final reading this the 1ST day of March, 2016.

By:_____
Glenn Royal
Mayor

ATTEST:

By:_____
Robin Hicks, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Steven L. Weathered
City Attorney

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	
34		OPEN/IN WORK	2/5/2016			City Manager				Tabled item on rezone of property at Old Hwy 146 and Red Bluff	

March 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 **Regular City Council meeting 7:00pm**	*2*	*3* **Open Space & Trails 5:00pm**	*4*	*5*
6	*7*	*8*	*9*	*10* **EDC 7:00pm**	*11*	*12*
13	*14*	*15* **Regular City Council meeting 7:00pm**	*16*	*17* **PZ 7:00pm**	*18* **Lucky Trail Marathon**	*19* **Lucky Trail Marathon**
20 **Lucky Trail Marathon**	*21*	*22*	*23*	*24*	*25* **Good Friday—City Offices Closed**	*26* **Easter Egg Hunt**
27 **Easter**	*28*	*29*	*30*	*31*		

April 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	*2* **Trash Bash 2016**
3	*4*	*5* **Regular City Council Meeting 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* **Keels and Wheels**
24 **Keels and Wheels**	*25*	*26*	*27*	*28*	*29*	*30*