



**SEABROOK CITY COUNCIL
NOTICE OF MEETING
TUESDAY, APRIL 20, 2021 - 6:00 PM**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL WILL MEET ON **TUESDAY, APRIL 20, 2021 AT 6:00 PM** BY TELECONFERENCE TO DISCUSS, CONSIDER, AND IF APPROPRIATE, TAKE ACTION WITH RESPECT TO THE ITEMS LISTED BELOW.

THIS MEETING WILL BE OPEN TO THE PUBLIC VIA REMOTE ACCESS THAT ALLOWS FOR TWO-WAY COMMUNICATIONS FOR THOSE DESIRING TO PARTICIPATE. **MEMBERS OF THE PUBLIC MAY ATTEND THE MEETING BY REGISTERING AT THE FOLLOWING LINK:** <http://seabrooktx.gov/public-mtg-042021>

In order to view all exhibits during the meeting, members of the public can use a desktop PC, laptop, tablet, or iPad to enter the above address into the Google Chrome address bar to be taken directly into the meeting, or may download the GoToWebinar app on their Android or iPhone free of charge and use Meeting ID: 322-746-683 when prompted.

MEMBERS OF THE PUBLIC MAY ACCESS THE AGENDA AND ATTACHMENTS ONLINE AT WWW.SEABROOKTX.GOV/AGENDAS.

1. PUBLIC COMMENTS AND ANNOUNCEMENTS

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

2. SPECIFIC PUBLIC HEARINGS

2.1 Conduct a Public Hearing on a Request for an amendment to Appendix A, "Comprehensive Zoning", Article 3, "Establishment of Zoning Districts and Associated Regulations", by adding supplementary provisions for fencing by revising Sections 3.03.13 ("R-1"), 3.04.11 ("R-2"), 3.05.11 ("R-3"), 3.06.13 ("C-1"), 3.07.13 ("C-2"), 3.09.12 ("146-S"), 3.10.13 ("WAD"), 3.11.10 ("MMU"), 3.12.03 (H) ("OS"), and 3.13.13 ("MH"), all under the subtitle "Supplementary Regulations" to such sections, to create prohibition of the use of Hazardous Materials for fencing construction; to

include, but not limited to Barbed Wire, Concertina Wire, Razor Wire, Electrically Charged Wire, and/or the use of Glass or other Sharp Objects or Dangerous Structures or Objects. *Sean Landis, Deputy City Manager*

ATTACHMENTS: [Agenda Briefing](#) [Public Hearing Notice](#)

2.2 Conduct a Public Hearing on a Request for a Conditional Use Permit to Establish a "Gasoline Service Station/Convenience Store" at 1304 Bayport Blvd., Seabrook, TX 77586, as per the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4, "Special Use Regulations", Section 4.11, "Conditional use permit criteria and procedures". *Sean Landis, Deputy City Manager*

ATTACHMENTS: [Agenda Briefing](#) [Public Hearing Notice](#) [Application](#)

Owner: 146 Real Estate Investment, LLC< 15406 Driftwood Oak Ct., Houston, TX 77059

Applicant: RNCI LLC, P.O. Box 1624, Magnolia, TX 77753

Legal Description: A 0.4386 ACRE TRACT OR PARCEL OF LAND, MORE OR LESS, BEING LOTS 1, 2, AND 3 AND PARTS OF LOTS 4, 5, 6, 7, 8, AND 9, IN BLOCK 4 OF SEABROOK, AND ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 1, PAGE 50 OF THE MAP AND/OR PLAT RECORDS OF HARRIS COUNTY, TX.

Location: This property is located east of Bayport Blvd, south of First Street, north Second Street and west of Anders Street.

3. CONSENT AGENDA

3.1 Approve on second reading Ordinance 2021-04, "Feeding of Wildlife and Nuisance Animals Prohibited". *Dwayne Vanselous, Animal Control Officer*

ATTACHMENTS: [Ordinance 2021-04](#)

AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, CHAPTER 10, "ANIMALS", ARTICLE 1, "GENERAL", CREATING NEW SECTIONS 10-11, "FEEDING OF WILDLIFE PROHIBITED", AND SECTION 10-12, "NUISANCE ANIMALS", ALL AS DEFINED AND PROVIDED HEREIN, WITH RELATED UPDATES; PROVIDING PENALTIES FOR VIOLATION BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, NOTICE AND ESTABLISHING AN EFFECTIVE DATE

3.2 Approve the minutes of the March 16, 2021 regular City Council Meeting. *Robin Lenio, City Secretary*

ATTACHMENT: [March 16 2021 minutes](#)

3.3 Approve the minutes of the April 9, 2021 special City Council meeting. *Robin Lenio, City Secretary*

ATTACHMENT: [April 9 2021 minutes](#)

4. NEW BUSINESS

4.1 Consider and take all appropriate action on first reading of Ordinance 2021-09, "Issuance of Conditional Use Permit to allow for a "Gas Service Station/Convenience Store" at 1304 Bayport Blvd in the 146-M Zoning District". *Sean Landis, Deputy City Manager*

ATTACHMENTS: [Agenda Briefing](#) [Application](#) [PZ Report](#)
[Presentation](#) [Ordinance 2021-09](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 13, "TEMPORARY AND NONTEXT CHANGES," SECTION 13.03, BY ADDING A NEW PARAGRAPH TWENTY EIGHT (28), GRANTING A CONDITIONAL USE PERMIT ALLOWING FOR A "GASOLINE SERVICE STATION/CONVENIENCE STORE" AT 1304 BAYPORT BLVD. WITHIN A 146-M (SH 146 MAIN COMMERCIAL) DISTRICT OF THE CITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY

4.2 Consider and take all appropriate action on first reading of Ordinance 2021-10, "Prohibition of use of Hazardous Materials in Fencing Construction". *Sean Landis, Deputy City Manager*

ATTACHMENTS: [Agenda Briefing](#) [PZ Report](#) [Presentation](#) [Ordinance 2021-10](#)

AN AMENDMENT TO APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS". BY ADDING ADDITIONAL SUPPLEMENTARY PROVISIONS FOR FENCING BY REVISING SECTIONS 3.03.13, ("R-1"), 3.04.11, ("R-2"), 3.05.11, ("R-3"), 3.06.13, ("C-1"), 3.07.13, ("C-2"), 3.09.12, ("146-S"), 3.10.13, ("WAD"), 3.11.10, ("MMU"), 3.12.03 (H), ("OS"), AND 3.13.13, ("MH") ALL UNDER THE SUBTITLE "SUPPLEMENTARY REGULATIONS" TO SUCH SECTIONS, TO CREATE PROHIBITION OF THE USE OF HAZARDOUS MATERIAL FOR FENCING CONSTRUCTION; TO INCLUDE; BUT NOT LIMITED TO, BARBED WIRE, CONCERTINA WIRE, RAZOR WIRE, ELECTRICALLY CHARGED WIRE, AND/OR THE USE OF GLASS OR OTHER SHARP OBJECTS OR DANGEROUS STRUCTURES OR OBJECTS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

4.3 Consider and take all appropriate action on Resolution 2021-07, "Opposition to HB 1869". *Gayle Cook, City Manager*

ATTACHMENT: [Resolution 2021-07](#)

RESOLUTION PROVIDING OPPOSITION TO HOUSE BILL 1869, AN ACT RELATING TO THE REDEFINING OF DEBT FOR THE PUPOSES OF CALCULATING CERTAIN AD VALOREM TAX RATES OF A TAXING UNIT

5. DISCUSSION ITEMS

5.1 Discuss, consider, and if appropriate, take action on an update to the Noise Ordinance, possible modifications and status of noise study requested by City Council on April 6, 2021. *Gayle Cook, City Manager*

5.2 Discuss, consider, and if appropriate, take action on the installation of Ground Flagpole Sleeves along Main Street for the display of American and other flags for special events. *Joe Machol, Council Position 6*

6. ROUTINE BUSINESS

6.1 Update and report on various items that require no action, including SH 146 Expansion Project, City of Seabrook CIP Projects, City of Seabrook Grant Administration, May 1, 2021 General Election, and 2021 State Legislative Session. *Gayle Cook, City Manager and Robin Lenio, City Secretary*

6.2 Update and discuss report by City Manager on COVID related issues. *Gayle Cook, City Manager and Brad Goudie, Director of Emergency Services*

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

7. CLOSED EXECUTIVE SESSION

7.1 Section 551.071

Conduct a Closed Executive Session to consult with City Attorney to discuss legal issues only associated with the City Code, rules, procedures, statutes and related regulations governing General Election called for May 1, 2021, all as provided under Texas Government Code, Section 551.071. *Steven L. Weathered, City Attorney*

8. OPEN SESSION

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

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

I certify that this notice was posted on the bulletin board on or before Saturday, April 17, 2021 no later than 6:00 p.m. and that this notice will remain posted until the meeting has ended.

Robin Lenio, TRMC /RL/
City Secretary

