



SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, AUGUST 15, 2023 - 6:00 PM

For city information visit www.seabrooktx.gov

For SH 146 updates visit www.sh146.com

For Seabrook Economic Development visit www.seabrooktx.gov/463/SEDC

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NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY AUGUST 15, 2023 AT 6:00 PM** IN THE CITY HALL CITY COUNCIL CHAMBERS, 1700 1ST STREET, SEABROOK, TEXAS, **TO DISCUSS, CONSIDER, AND IF APPROPRIATE, TAKE ACTION** WITH RESPECT TO THE ITEMS LISTED BELOW.

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

PLEDGE OF ALLEGIANCE

1. PUBLIC COMMENTS AND ANNOUNCEMENTS

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

REGISTER ONLINE TO SPEAK IN PERSON DURING PUBLIC COMMENTS:

www.seabrooktx.gov/speaker-registration

1.1 Mayor, City Council and/or members of the City staff may make announcements about City/Community events. City Council

ATTACHMENT(S): [Event Memo](#)

2. **SPECIFIC PUBLIC HEARING**

2.1 Conduct a public hearing on a request to amend the Code of Ordinances of the City of Seabrook, Texas, by revising Chapter 38, "Flood", Article II, "Flood Damage Prevention", to provide for the creation of new general provisions, definitions, permitting and variance procedures, and flood damage reduction regulations; allowing for compliance with the National Flood Insurance Program regulations. *Nick Kondejewski, Building Official and Floodplain Administrator*

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

2.2 Conduct a public hearing on a request to amend the Seabrook Code of Ordinances by revising Chapter 18, "Buildings and Building Regulations" and Chapter 34, "Fire Prevention and Protection" to provide for registration for all contractors, to adopt updated versions of various building and trade codes; to enumerate City amendments to such codes; to renumber sections and subsections as necessary and to provide for other related miscellaneous amendments. *Nick Kondejewski, Building Official and Floodplain Administrator*

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

3. **BID AWARDS**

3.1 Consider and take all appropriate action on a Bid Award and execution of a contract between the City of Seabrook and Faith Utilities, LLC for CIP W29, Project 2023-10, for the replacement of approximately 1,130 feet of aging six inch water main line, services, and fire hydrants along Shady Lake Drive, in an amount not to exceed \$91,980.00. *Kevin Padgett, Director of Public Works*

ATTACHMENTS: [Agenda Briefing](#) [Bid Tab](#) [CIP W29](#) [Contract](#)

3.2 Consider and take all appropriate action on a Bid Award and execution of a contract between the City of Seabrook and Alcott, Inc. dba TCH for CSB 2023-20-337, for Taylor Lake Water Line Crossing at Red Bluff, in an amount not to exceed \$2,523,206.00. *Kevin Padgett, Director of Public Works*

ATTACHMENTS: [Agenda Briefing](#) [Bid Tab](#) [Contract](#) [Letter of Recommendation](#)

4. CONSENT AGENDA

4.1 Approve on second reading of Ordinance 2023-16, "Establishing Definition of "(CBD) Cannabidiol Sales" and Permitted Districts of Use. *Sean Landis, Deputy City Manager*

ATTACHMENT(S): [Ordinance 2023-16](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX "A", "COMPREHENSIVE ZONING", ARTICLE 1, "IN GENERAL" SECTION 1.10 "DEFINITIONS", BY CREATING A DEFINITION FOR "(CBD) CANNABIDIOL SALES"; AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX "A", "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE REGULATION MATRIX", BY ADDING "(CBD) CANNABIDIOL SALES" TO TABLE 3-A "USES PERMITTED BY RIGHT AND CONDITIONAL USES", AS A "USE BY RIGHT" WITHIN THE (C-2), (C-3), AND (LI) ZONING DISTRICTS; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000.00 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY

4.2 Approve on second reading of Ordinance 2023-18, "Amendment and Update to Personnel Policies for Employee Assistance Program and Holidays" *Yesenia Garza, Director of Human Resources*

ATTACHMENT(S): [Ordinance 2023-18](#) [Holidays](#) [EAP](#)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK UPDATING AND AMENDING CITY OF SEABROOK PERSONNEL POLICIES, CHAPTER 5, "COMPENSATION AND BENEFITS" BY ADDING SECTION 29, "EMPLOYEE ASSISTANCE PROGRAM" POLICY AND SECTION 10, "HOLIDAYS" BY REPLACING THAT SECTION WITH AN UPDATED "HOLIDAYS" POLICY

4.3 Approve the City auction items list, pursuant to State law and City policies, to dispose of assets that have reached the end of their life or have a planned termination of service with the City. *Michael Gibbs, Director of Finance*

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

4.4 Approve the appointment of Deputy City Secretary, Maria Lawler, as Acting

City Secretary, effective immediately, until such time as a City Secretary is appointed. *Gayle Cook, City Manager*

5. NEW BUSINESS

5.1 Consider and take all appropriate action on first reading of Ordinance 2023-22, "Revising Code of Ordinances to add required microchipping for Equine, Ferrets, Dogs and Cats". *Bryan Brand, Interim Chief of Police and Dwayne Vanselous, Animal Control Supervisor*

ATTACHMENT(S): [Ordinance 2023-22](#)

AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS, ENTITLED "ANIMALS," ARTICLE III, "DOGS AND CATS", DIVISION 2, "LICENSE," BY AMENDING SECTION 10-91 TO REQUIRE MICROCHIPPING AND BY DELETING AND RESERVING SECTIONS 10-92 THROUGH 10-95; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO THOUSAND DOLLARS (\$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; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

5.2 Consider and take all appropriate action on first reading of Ordinance 2023-21, "Flood Damage Prevention". *Nick Kondejewski, Building Official and Floodplain Administrator*

ATTACHMENT(S): [Agenda Briefing](#) [Ordinance 2023-21](#) [Exhibit A Presentation](#)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS BY REVISING CHAPTER 38, "FLOOD", ARTICLE II, "FLOOD DAMAGE PREVENTION", TO PROVIDE FOR THE CREATION OF NEW GENERAL PROVISIONS, DEFINITIONS, PERMITTING AND VARIANCE PROCEDURES, AND FLOOD DAMAGE REDUCTION REGULATIONS; ALLOWING FOR COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS. THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$500.00 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDES FOR SEVERABILITY.

5.3 Consider and take all appropriate action on first reading of Ordinance 2023-20, "Amendment to Chapter 18, "Building and Building Regulations" and Chapter 34, "Fire Prevention and Protection" update and amendments to various building and fire codes". *Nick Kondejewski, Building Official and Floodplain Administrator*

ATTACHMENT(S): [Agenda Briefing](#) [Ordinance 2023-20](#) [Presentation](#)
[Exhibit A](#) [Exhibit B](#)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE BY REVISING CHAPTER 18 "BUILDINGS AND BUILDING REGULATIONS" AND CHAPTER 34, FIRE "PREVENTION AND PROTECTION", TO PROVIDE FOR REGISTRATION OF ALL CONTRACTORS, TO ADOPT UPDATED VERSIONS OF VARIOUS BUILDING, FIRE AND TRADE CODES; TO ENUMERATE CITY AMENDMENTS TO SUCH CODES; TO RENUMBER SECTIONS AND SUBSECTIONS AS NECESSARY AND TO PROVIDE FOR OTHER RELATED MISCELLANEOUS AMENDMENTS. THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDES FOR SEVERABILITY.

5.4 Consider and take all appropriate action on Resolution 2023-13, "City Manager authority to Supervise the City Secretary". *Gayle Cook, City Manager*

ATTACHMENT(S): [Agenda Briefing](#) [Resolution 2023-13](#)

A RESOLUTION OF THE CITY OF SEABROOK, TEXAS, ASSIGNING THE CITY MANAGER THE AUTHORITY TO SUPERVISE THE CITY SECRETARY.

5.5 Consider and take all appropriate action on acceptance of the relocation of the public 10" gravity sewer main within the Edge property. *Brian Craig, City Engineer and Assistant Director of Public Works*

ATTACHMENT(S): [Agenda Briefing](#) [Updated PSI](#) [Acceptance Letter](#)

5.6 Consider and take all appropriate action on the approval of an Agreement between the City of Seabrook and Randall Scott Architects to provide Conceptual Architectural Services for the City of Seabrook's Proposed new Police and Municipal Court Complex for the November 7, 2023 Bond Election in an amount not to exceed \$85,000.00 and authorize the City Manager to execute

all associated documents. *Gayle Cook, City Manager*

ATTACHMENT(S): [Agenda Briefing](#) [Agreement](#)

6. ROUTINE BUSINESS

6.1 Quarterly Strategic Plan Update. *Gayle Cook, City Manager*

6.2 City Manager update and report to City Council on various items that require no action, including Seabrook Boards and Commissions, SH 146 Expansion Projects, Port of Houston Rail Spur, Gulf Coast Protection District, City of Seabrook CIP Projects, Legislative Update, and any City of Seabrook Grant Administration. *Gayle Cook, City Manager*

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

ATTACHMENT(S): [Calendar](#)

7. CLOSED EXECUTIVE SESSION

7.1 Section 551.074

Conduct a closed executive session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, pertaining to: City Secretary. *Gayle Cook, City Manager*

7.2 Section 551.071

Conduct a closed executive session to consult with the City Attorney regarding City of Pasadena Water Contract. *Gayle Cook, City Manager*

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.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

I certify that this notice was posted on the City of Seabrook website, www.seabrooktx.gov/agendacenter, pursuant to Texas Government Code, Section 551.043(b)(1)-(3), on or before Friday, August 11, 2023 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Maria Lawler
Deputy City Secretary

