



SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 5, 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

For Agenda Center visit www.seabrooktx.gov/agendacenter

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY SEPTEMBER 5, 2023 AT 6:00 PM** AT SEABROOK PUBLIC WORKS TRAINING FACILITY, 1100 RED BLUFF ROAD, 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. **BID AWARDS**

2.1 Consider and take all appropriate action on a Bid Award and execution of a contract between the City of Seabrook and D. Wagner Construction Co. Inc, for construction of the Carothers Grading and Drainage Project; an aspect of CIP P20 in an amount not to exceed \$243,440.25. Brian Craig, *City Engineer and Assistant Director of Public Works*

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

3. **CONSENT AGENDA**

3.1 Approve on second 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.

4. **NEW BUSINESS**

4.1 Consider and take all appropriate action on first reading of Ordinance 2023-23, "Revising Code of Ordinances to Delete Curfew Hours for Minors". *Bryan Brand, Interim Chief of Police*

ATTACHMENT(S): [Agenda Briefing](#) [Ordinance 2023-23](#)

AN ORDINANCE AMENDING CHAPTER 44 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS, ENTITLED "LAW ENFORCEMENT AND OFFENSES," ARTICLE III, "OFFENSES," DIVISION 2, "MINORS," BY

DELETING SECTION 44-95 ENTITLED "CURFEW HOURS FOR MINORS" AND RESERVING SUCH SECTION FOR FUTURE AMENDMENT TO THE CODE OF ORDINANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR OPEN MEETINGS COMPLIANCE.

4.2 Consider and take all appropriate action on an Interlocal Agreement between the City of Seabrook and Clear Creek Independent School District (CCISD) for the School Crossing Guard Program and authorize the City Manager to execute agreement. *Bryan Brand, Interim Chief of Police*

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

4.3 Consider and take all appropriate action on a contract between the City of Seabrook and Cobb Fendley & Associates, Inc. for professional engineering services for CIP W9 Red Oak Acres Subdivision Water Line project, in an amount not to exceed \$189,208.00. *Brian Craig, City Engineer and Assistant Director of Public Works*

ATTACHMENT(S): [Agenda Briefing](#) [Contract](#) [CIP W9](#)

4.4 Receive an update of the A/V Council Chambers Upgrade progress and consider and take all appropriate action on an internal policy for the AV Project Pilot Program. *Amanda Alvarado, Director of Public Affairs*

ATTACHMENT(S): [Agenda Briefing](#) [AV Policy Update](#) [AV Pilot Program](#)

5. OLD BUSINESS

5.1 Consider and take all appropriate action on second 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.

5.2 Consider and take all appropriate action on second 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](#) [Presentation](#)

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.

6. ROUTINE BUSINESS

6.1 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*

6.2 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 for deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee - 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*

7.3 Section 551.087

Conduct a Closed Executive Session to discuss potential financial incentive(s) and financial information received from a business prospect that the City seeks to have locate, stay, or expand for which the City is conducting economic development negotiations. *Gayle Cook, City Manager*

7.4 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 elections, all as provided under Texas Government Code, Section 551.071. *David Olson, 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".

8.1 Consider and take all appropriate action on approving a Chapter 380 Grant Agreement with Seabrook Plaza One, LP finding that such agreement and grant constitutes a program to make grants and loans of public money pursuant to Section 380.001 of the Texas Local Government Code to promote economic development and to stimulate business and commercial activity within the City, authorizing the City Manager to execute the agreement and providing an effective date.

ATTACHMENT(S): [Agenda Briefing](#) [Agreement](#) [Exhibit E - PUD](#)

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 bulletin board on or before Friday, September 1, 2023 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Maria Lawler
Acting City Secretary

