



SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, NOVEMBER 19, 2019 - 7:00 PM
For city information visit www.seabrooktx.gov
For SH 146 updates visit www.sh146.com

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY NOVEMBER 19, 2019 AT 7:00 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) 291-5443 OR CITYSECRET@SEABROOKTX.GOV FOR FURTHER INFORMATION.

PLEDGE OF ALLEGIANCE

1. INTERVIEW CANDIDATE

1.1 Interview candidate for a position on the Seabrook Board of Adjustment. City Council
ATTACHMENT: Application_Moore

1.2 Interview candidate for a position on the Seabrook Ethics Review Commission. City Council
ATTACHMENT: Application_fryday

2. PRESENTATIONS

2.1 Presentation of the Post Event Report for Yachty Gras 2019. Dr. Maurine Howard

2.2 Presentation of the Open Space and Trails Committee Quarterly Report. Helen Burton, Chair

3. PUBLIC COMMENTS AND ANNOUNCEMENTS

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

3.1 Mayor, City Council, and/or members of City Staff may make announcements about City/Community events, including other agency events and meetings attended by City Council members. City Council
ATTACHMENT: Events Memo

4. SPECIFIC PUBLIC HEARINGS

4.1 Conduct a Public Hearing on a Request to change the zoning classification of land described below from the current classification of R 2 Single-Family Detached Residential (Small Lots) to 146-M (SH 146 Main Commercial District). Owner: Jason Moran, P.O. Box 188, Seabrook, Texas 77586. Legal Description: Seabrook Island, Section 4, Reserve C, being a 10.3586 Acre Tract situated in Abstract 52 in the Ritson Morris Survey, Harris County, Texas. This property is located east of Palm Bay Circle, south of Scenic Shore Drive, and immediately west of State Highway 146. Sean Landis, Deputy City Manager
ATTACHMENTS: Agenda Briefing Public Hearing Notice P2 Report Plot Plan Map

4.2 Conduct a Public Hearing on a Request for a Master Sign Plan for the property located at 2000 - 2100 Highway 146 (Miramar Shopping Center). Sean Landis, Deputy City Manager
ATTACHMENTS: Agenda Briefing Public Hearing Notice P2 Report Master Sign Plan

4.3 Conduct a Public Hearing on a Request to add "Restaurant Fast Food" and "Restaurant - Full Service" to the Comprehensive Parking Regulation Matrix (Section 5.05) of the Code of Ordinances of the City of Seabrook and creating new associated parking regulations and a Request to create definitions for "Restaurant Fast Food" and "Restaurant Full Service" to the Zoning Ordinance in Appendix A of the Code of Ordinances, in Section 1.10. Sean Landis, Deputy City Manager
ATTACHMENTS: Agenda Briefing_Parking Agenda Briefing_Definitions Public Hearing Notice P2 Reports

5. BID AWARD

5.1 Consider and take all appropriate action on a Bid Award to lowest bidder, Gemini Contracting Services, Inc. for a City-Wide conversion of the chemical disinfecting equipment at City Water Plant 1 and City Water Plant 2 (City owned Water Wells) from free chlorides to chlorine for Project No. 2019-317-01. Brian Craig, City Engineer and Assistant Director of Public Works
ATTACHMENTS: Agenda Briefing Contract 1295 Form Letter of Recommendation CIP 913

6. CONSENT AGENDA

6.1 Approve a contract between the City of Seabrook and TDI Industries for A/C Replacement at the Seabrook Volunteer Fire Department and EMS Station under CIP FAC 13, in an amount not to exceed \$160,000.00. The Bid Award was approved and awarded to TDI Industries at the November 5, 2019 Regular City Council meeting for an amount not to exceed \$160,000.00.
Brian Craig, City Engineer and Assistant Director of Public Works
ATTACHMENTS: Agenda Briefing Contract 1295 Form CIP Summary Base Bid/Proposal

6.2 Approve on second reading proposed Ordinance 2019-20, "Restaurant - Fast Food." Sean Landis, Deputy City Manager
ATTACHMENTS: Ordinance 2019-20 Land Use Matrix P2 Report

AN ORDINANCE 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 "RESTAURANT - FAST FOOD" AS A "PERMITTED" USE WITHIN THE FOLLOWING LAND USE DISTRICTS: "MEDIUM COMMERCIAL (C-2)", "HEAVY COMMERCIAL (C-3)", "SH 146 SOUTH COMMERCIAL (146-S)", "SH 146 MAIN COMMERCIAL (146-M)", "LIGHT INDUSTRIAL (LI)", "SEABROOK TOWN CENTER OVERLAY DISTRICT (STOCD)", AND AS A "CONDITIONAL USE" WITHIN THE FOLLOWING LAND USE DISTRICTS: "LIGHT COMMERCIAL (C-1)", "WATERFRONT ACTIVITY (WVA)", "MARINE ORIENTED MIXED USE (OMU)", 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.

6.3 Approve on second reading proposed Ordinance 2019-21, "SH 146 S - deleting architectural standards." Sean Landis, Deputy City Manager
ATTACHMENTS: Ordinance 2019-21 Exhibit SH 146S P2 Report

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.09, "SH 146 SOUTH COMMERCIAL DISTRICT (146-S)", BY DELETING SECTION 3.09.13 "ARCHITECTURAL STANDARDS"; 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.

6.4 Approve on second reading proposed Ordinance 2019-22, "SH 146 M - deleting architectural standards." Sean Landis, Deputy City Manager
ATTACHMENTS: Ordinance 2019-22 Exhibit SH 146M P2 Report

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.16, "SH 146 MAIN COMMERCIAL DISTRICT (146-M)", BY DELETING SECTION 3.16.13 "ARCHITECTURAL STANDARDS"; 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.

6.5 Approve proposed Resolution 2019-27, "Appointment to the Harris Galveston Subsidence District Board of Directors." City Council
ATTACHMENTS: Agenda Briefing Resolution 2019-27 Nacusa Bay Resolution Harris-Galveston Subsidence District Letter

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, APPOINTING A PERSON TO THE BOARD OF DIRECTORS OF THE HARRIS GALVESTON SUBSIDENCE DISTRICT.

6.6 Approve proposed Resolution 2019-25, "Casting a Ballot for Harris County Appraisal District Board of Directors." City Council
ATTACHMENTS: Letter from HCAD Letter from Mike Sullivan Resolution 2019-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, CASTING ITS BALLOT FOR THE ELECTION OF A PERSON TO THE BOARD OF DIRECTORS OF THE HARRIS COUNTY APPRAISAL DISTRICT.

6.7 Approve the minutes of the November 5, 2019 regular City Council meeting. Robin Lenio, City Secretary
ATTACHMENT: November 5, 2019 Meeting Minutes

6.8 Approve the corrected June 18, 2019 City Council meeting minutes. Robin Lenio, City Secretary
ATTACHMENTS: Agenda Briefing Corrected June 18, 2019 Minutes

7. NEW BUSINESS

7.1 Consider and take all appropriate action on first reading of proposed Ordinance 2019-28, "Mobile Food Vendor Regulations." Sean Landis, Deputy City Manager
ATTACHMENTS: Agenda Briefing Ordinance 2019-28 Section 22-51

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 22, "BUSINESSES", ARTICLE II, "FOOD SERVICES" BY CREATING A NEW SECTION 22.51 ENTITLED "MOBILE FOOD VENDORS"; WITH ASSOCIATED REGULATIONS UNDER THIS TITLE; REPEALING ALL ORDINANCES OF PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; AND PROVIDING FOR SEVERABILITY AND NOTICE.

7.2 Consider and take all appropriate action on first reading of proposed Ordinance 2019-30, "Miramar Shopping Center (2000-2100 Block of State Highway 146) Master Sign Plan."
Sean Landis, Deputy City Manager
ATTACHMENTS: Agenda Briefing Ordinance 2019-30 Exhibit A - Master Sign Plan P2 Report

AN ORDINANCE APPROVING A MASTER SIGN PLAN FOR THE PROPERTY LOCATED AT THE 2000 TO THE 2100 BLOCK OF STATE HWY 146, "MIRAMAR SHOPPING CENTER", LOCATED IMMEDIATELY EAST OF STATE HIGHWAY 146, NORTH OF HIALEAH DRIVE, SOUTH OF EL MAR LANE, AND WEST OF BAHAMA DRIVE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR EACH DAY OF VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; AND PROVIDING FOR SEVERABILITY.

7.3 Consider and take all appropriate action on first reading of proposed Ordinance 2019-31, "Amendment to the Official Zoning Map to Rezone Seabrook Island, Section 4, Reserve C, Being a 10.3586 Acre Tract situated in Abstract 52, Ritson Morris Survey, Harris County, Texas, located East of Palm Bay Circle, South of Scenic Shore Drive and immediately West of State Highway 146 from R 2 to 146-M." Sean Landis, Deputy City Manager
ATTACHMENTS: Agenda Briefing Ordinance 2019-31 Exhibit A - Map P2 Report Plot Plan Location Map

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING SEABROOK ISLAND, SECTION 4, RESERVE C, BEING A 10.3586 ACRE TRACT SITUATED IN ABSTRACT 52, RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS, AS MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE, FROM R 2 ("SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT (SMALL LOTS)") TO 146-M ("SH 146 MAIN COMMERCIAL DISTRICT"), REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS REZONING; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH TRACT; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$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.

7.4 Consider and take all appropriate action on first reading of proposed Ordinance 2019-32, "Restaurant - Fast Food and Restaurant - Full Service, Parking Regulations."
Sean Landis, Deputy City Manager
ATTACHMENTS: Agenda Briefing Ordinance 2019-32 P2 Report

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 5, "OFF-STREET PARKING, LOADING, INGRESS, AND EGRESS", SECTION 5.05, "COMPREHENSIVE PARKING REGULATION MATRIX", TABLE 5-C, "REQUIRED PARKING SPACES BY LAND USE CATEGORY" BY ADDING RESTAURANT - FAST FOOD AND RESTAURANT - FULL SERVICE, AND CREATING NEW ASSOCIATED PARKING REGULATIONS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000.00 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.

7.5 Consider and take all appropriate action on first reading of proposed Ordinance 2019-33, "Creation of Definitions for Restaurant - Fast Food and Restaurant Full Service."
Sean Landis, Deputy City Manager
ATTACHMENTS: Agenda Briefing Ordinance 2019-33 P2 Report Fast Food P2 Report Full Service

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 1, "IN GENERAL", SECTION 1.10, "DEFINITIONS", BY CREATING DEFINITIONS FOR RESTAURANT - FAST FOOD AND RESTAURANT - FULL SERVICE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000.00 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.

7.6 Consider and take all appropriate action on first and final reading of proposed Ordinance 2019-34, "Amendment No. 1 Amending the Budget for the Fiscal Year Beginning October 1, 2019 and ending September 30, 2020 for \$20,056,000." Michael Gibbs, Director of Finance
ATTACHMENTS: Agenda Briefing Ordinance 2019-34 Exhibit A

AN ORDINANCE AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 BY AUTHORIZING CERTAIN ADDITIONS IN THE AMOUNT OF \$20,056 FOR ENTERPRISE FUND; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO FACILITATE THE CHANGES IDENTIFIED; AND FINDING AVAILABLE UNENCUMBERED FUNDS FOR THE SUPPLEMENTAL APPROPRIATION AND/OR RESERVE REDUCTION.

7.7 Consider and take all appropriate action on Resolution 2019-26, "Amendment of the Terms of Office for the Members of the Seabrook Open Space and Trails Committee." Robin Lenio, City Secretary
ATTACHMENTS: Agenda Briefing Resolution 2019-26

A RESOLUTION AMENDING THE TERMS OF OFFICE FOR THE MEMBERS OF THE OPEN SPACE AND TRAILS COMMITTEE BY ESTABLISHING A TERM EXPIRATION IN JANUARY AND CONFIRMING THAT ALL OTHER ITEMS PERTAINING TO THIS COMMITTEE CONTAINED IN RESOLUTIONS 2009-05, 2009-17, AND 2012-30 SHALL REMAIN IN FULL EFFECT.

7.8 Consider and take all appropriate action on first of two readings of Resolution 2019-24, "EDC Project Designation for Moshe Allen Doing Business as American's Cafe and Approval of EDC Expenditures for Construction Improvements of New Restaurant pursuant to Performance Agreement." Paul Chavez, Director of Economic Development
ATTACHMENTS: Agenda Briefing Resolution 2019-24 Performance Agreement Business Plan

A RESOLUTION OF THE CITY COUNCIL OF CITY OF SEABROOK, TEXAS, APPROVING A PROJECT OF THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE BUSINESS INCENTIVES TO MOSHE ALLEN DOING BUSINESS AS AMERICAN'S CAFE IN AN AMOUNT NOT TO EXCEED \$68,800.00 FOR CONSTRUCTION AND IMPROVEMENTS FOR A NEW RESTAURANT, PURSUANT TO THE TERMS AND CONDITIONS OF THE "ECONOMIC DEVELOPMENT AGREEMENT", ATTACHED HERETO.

7.9 Consider and take all appropriate action on a contract between the City of Seabrook and Gemini Contracting Services, Inc. for a City-Wide conversion of the chemical disinfecting equipment at the City Water Plant 1 and City Water Plant 2 (City owned Water Wells) from Free Chlorides to Chloramine, in an amount not to exceed \$198,750.00.
Brian Craig, City Engineer
ATTACHMENTS: Agenda Briefing Contract 1295 Form

7.10 Consider and take all appropriate action on the appointment of Terry Moore to a regular position on the Seabrook Board of Adjustment for a term to expire January 1, 2021.
Robin Lenio, City Secretary
ATTACHMENT: Application_Moore

7.11 Consider and take all appropriate action on the appointment of Marcy Fryday to a regular position on the Seabrook Ethics Review Commission for a term to expire October 31, 2021.
Robin Lenio, City Secretary
ATTACHMENT: Application_fryday

8. ROUTINE BUSINESS

8.1 Update and report on various items that require no action, including SH 146 Expansion Project, City of Seabrook CIP Projects, and City of Seabrook Grant Administration.
Gayle Cook, City Manager

8.2 Establish future meeting dates and agenda items, including a discussion on whether to hold the regular City Council meeting on December 17, 2019. City Council

9. CLOSED EXECUTIVE SESSION

9.1 Section 551.072

Conduct a closed executive session to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have detrimental effect on the position of the governmental body in negotiations with a third person. Gayle Cook, City Manager

10. OPEN SESSION

Conduct a closed executive session to allow for possible action on any of the agenda items listed above under "Closed Executive Session".

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

I certify that this notice was posted on the bulletin board on or before Friday, November 15, 2019 no later than 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Stephanie Martinez,
Executive Administrative Assistant