

1 The City Council of the City of Seabrook met in regular session on Tuesday, June 18, 2019 at
2 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if
3 appropriate, take action on the items listed below.

4
5 THOSE PRESENT WERE:

- | | |
|-------------------------|---------------------|
| 6 THOM KOLUPSKI | MAYOR |
| 7 ED KLEIN | COUNCIL PLACE NO. 1 |
| 8 LAURA DAVIS | COUNCIL PLACE NO. 2 |
| 9 JEFF LARSON | COUNCIL PLACE NO. 3 |
| 10 NATALIE PICHA Ex abs | MAYOR PRO TEM |
| 11 | COUNCIL PLACE NO. 4 |
| 12 BUDDY HAMMANN | COUNCIL PLACE NO. 5 |
| 13 JOE MACHOL | COUNCIL PLACE NO. 6 |
| 14 GAYLE COOK | CITY MANAGER |
| 15 SEAN LANDIS | DEPUTY CITY MANAGER |
| 16 STEVE WEATHERED | CITY ATTORNEY |
| 17 ROBIN HICKS | CITY SECRETARY |

18
19 Mayor Kolupski called the meeting to order at 7:00 p.m. and led the audience in the United
20 States and Texas Pledge of Allegiance.

21
22 **1. PRESENTATIONS**

23
24 **1.1** Moment of Silence in honor of Kemah Police Chief, Chris Reed. (Council)

25
26 Mayor Kolupski asked the Council, staff and audience to stand and take a moment of
27 silence to honor Kemah Police Chief, Chris Reed. Mayor Kolupski stated that our hearts and
28 thoughts go out to Chief Reed’s family and friends.

29
30 **1.2** Presentation to honor and recognize Clear Creek Independent School District (CCISD) 2019
31 Teacher of the Year, Ms. Lyzette Ruiz, Kindergarten Teacher at Ed White Elementary
32 School. (Kolupski / Davis)

33
34 Mayor Kolupski read the proclamation honor Ms. Ruiz as the CCISD 2019 Elementary
35 Teacher of the Year.

36
37 Councilmember Davis stated that she had the honor of sitting with Lyzette at the banquet
38 when the award was revealed, and the recognition that she gave to her mother as being an
39 influencer was tremendous. I wanted to recognize Ms. Ruiz because about 50% of Seabrook kids
40 go to Ed White Elementary.

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46 **2. PUBLIC COMMENTS AND ANNOUNCEMENTS**

47
48 **2.1** Mayor, City Council, and/or members of City staff may make announcements about
49 City/Community events. (Council)
50

51 Councilmember Davis announced several upcoming events, including: the Texas Outlaw
52 Challenge; State of the Bay; 4th of July Kids’ Parade; and Movie in the Park to celebrate the 50th
53 Anniversary of the Moon Landing. There are no special event permits pending.
54

55 Councilmember Machol read a letter from the French Consulate General France that was
56 presented to Mayor Kolupski’s father, Eugene Kolupski, and awarding Mr. Eugene Kolupski with
57 the French Legion of Honor for his “personal and precious contribution to the allies’ decisive role
58 in WWII and courage and devotion to this great cause of freedom.” Mayor Kolupski stated that
59 his dad served in France and Joe was instrumental in getting this award. Mayor Kolupski further
60 stated that my dad is 95 year old and very proud of this award.
61

62 **3. CONSENT AGENDA**

63
64 **3.1** Approve the final acceptance of the street, water, sanitary sewer, and storm sewer
65 infrastructure that has been dedicated by the developer of the new Ashley Oaks residential
66 subdivision for public use and maintenance. (Craig)
67

68 **3.2** Approve the minutes of the June 4, 2019 regular City Council meeting. (Hicks)
69

70 *Motion was made by Councilmember Hammann and seconded by Councilmember Klein*

71
72 *To approve the Consent Agenda as presented.*
73

74 *MOTION CARRIED BY UNANIMOUS CONSENT*
75

76 **4. NEW BUSINESS**

77
78 **4.1** Consider and take all appropriate action on the purchase of a granite slab to be engraved in
79 tribute to Kemah Police Chief, Chris Reed, at the Bay Area Veterans' Memorial. (Cook / Petersen)
80

81 Gayle Cook, City Manager, stated that staff worked closely with Chief Reed on a number
82 of veterans’ projects and he was plugged into many organizations throughout Seabrook and the
83 area and staff wanted to pass this information /suggestion on to Council. Supplies are available.
84

85 *Motion was made by Councilmember Davis and seconded by Councilmember Klein*
86

87 *To approve the purchase of a granite slab to be engraved in tribute to Kemah Police Chief, Chris*
88 *Reed, at the Bay Area Veterans' Memorial.*
89

90 *MOTION CARRIED BY UNANIMOUS CONSENT*

91 **4.2** Consider and take all appropriate action on a request for an extension of the project
92 completion date pursuant to the Economic Development Agreement between the Seabrook
93 Economic Development Corporation and Clay Cat Studios from June 21, 2019 to October 21,
94 2019. This extension has been approved by the SEDC. (Chavez)

95
96 *Motion was made by Councilmember Hammann and seconded by Councilmember Larson*
97
98 *To approve an extension of the project completion date pursuant to the Economic Development*
99 *Agreement between the Seabrook Economic Development Corporation and Clay Cat Studios from*
100 *June 21, 2019 to October 21, 2019.*

101
102 *MOTION CARRIED BY UNANIMOUS CONSENT*

103
104 **4.3** Consider and take all appropriate action on proposed Resolution 2019-14, "Amending
105 Community Development Fees and Residential and Commercial Construction Fees" to become
106 effective with the passage of this resolution, and updated on the Master Fee Schedule at the annual
107 update in September, 2019.

108
109 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS
110 AMENDING COMMUNITY DEVELOPMENT FEES AND RESIDENTIAL AND
111 COMMERCIAL CONSTRUCTION FEES TO BECOME EFFECTIVE UPON THE PASSAGE
112 OF THIS RESOLUTION, AND UPDATED ON THE MASTER FEE SCHEDULE AT THE
113 ANNUAL UPDATE IN SEPTEMBER, 2019. THIS RESOLUTION REPLACES
114 RESOLUTIONS 2003-26 AND 2007-13

115
116 *Motion was made by Councilmember Hammann and seconded by Councilmember Machol*
117
118 *To approve Resolution 2019-14, "Amending Community Development Fees and Residential and*
119 *Commercial Construction Fees" to become effective with the passage of this resolution, and*
120 *updated on the Master Fee Schedule at the annual update in September, 2019.*

121
122 *MOTION CARRIED BY UNANIMOUS CONSENT*

123
124 **4.4** Consider and take all appropriate action on proposed Resolution 2019-15, ""Authorization
125 for Acquisition of Property for Further Development of Old Seabrook". (Chavez)

126
127 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, AUTHORIZING
128 PROCEEDING FOR THE ACQUISITION OF CERTAIN REAL PROPERTY FOR FURTHER
129 DEVELOPMENT OF "OLD SEABROOK"; CONSISTING OF LAND LOCATED AT 1110
130 HALL AVENUE, LOT THREE (3), BLOCK TWENTY-THREE (23), SEABROOK, HARRIS
131 COUNTY, TEXAS (THE "PROPERTY"); DETERMINING THE PUBLIC NECESSITY AND
132 JUST COMPENSATION FOR THE PROPERTY FOR SUCH PROJECT; AUTHORIZING THE
133 MAYOR TO EXECUTE THE "CONTRACT FOR SALE OF REAL PROPERTY",
134 ("CONTRACT") ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE CITY
135 MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE PROPERTY,

136 INCLUDING IDENTIFYING FUNDS FOR PAYMENT AND PURCHASE, INCLUDING ALL
137 ASSOCIATED DUE DILIGENCE AND CLOSING COSTS IN ACCORDANCE WITH THE
138 CONTRACT AND IN COMPLIANCE WITH ALL APPLICABLE LAWS AND
139 REGULATIONS AND CHARTER; AND FINDING AND DETERMINING THAT THE
140 MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS
141 REQUIRED BY LAW

142

143 *Motion was made by Councilmember Klein and seconded by Councilmember Davis*

144

145 *To approve Resolution 2019-15, ""Authorization for Acquisition of Property for Further*
146 *Development of Old Seabrook" and the funding agreement with the Seabrook EDC.*

147

148 *MOTION CARRIED BY UNANIMOUS CONSENT*

149

150 **4.5** Consider and take all appropriate action on allocation of funds for events to be funded with
151 Hotel Occupancy Tax (HOT) for FY 19/20. (Petersen)

152

153 Hotel Occupancy Tax allocation was approved as follows:

154

Applicant	Amount Requested	Allocation for FY 19/20	Approved
Bay Access	\$40,000	\$25,000	Unanimous
BAHBT	\$8,000	\$6,000	Unanimous
Christmas Boat Parade	\$2,000	\$2,000	Unanimous
Gulf Coast Film Festival	\$5,000	\$5,000	Unanimous
JFest	\$15,000	\$15,000	Unanimous
KW	\$50,000	\$50,000	Unanimous
Lucky Trail	\$30,000	\$25,000	Unanimous
Saltwater Derby	\$12,000	\$10,000	Unanimous
TX Outlaw Challenge	\$50,000	\$25,000	Unanimous
Yachty Gras	\$20,000	\$10,000	Unanimous

155

156

157 **4.6** Consider and take all appropriate action on appointment of a Mayor Pro Tem for the term
158 2019/2020. (Council)

159
160 *Councilmember Davis nominated Natalie Picha and the nomination was seconded by*
161 *Councilmember Hammann.*

162
163 *By unanimous consent of all Councilmembers present, Natalie Picha was named as Mayor Pro*
164 *Tem for the term 2019/2020.*

165
166 **4.7** Consider and take all appropriate action on the selection/appointment/confirmation of
167 Council Members as members of / representatives / liaisons to various boards and organizations
168 as outlined in the attached table.

169
170 By discussion and consensus, Council liaisons were named as follows:
171

Organization	Primary Liaison	Alternate Liaison
Bay Area Houston Convention and Visitors Bureau (BACVB)	Thom Kolupski	n/a (staff position is filled by LeaAnn Petersen)
Bay Area Houston Economic Partnership (BAHEP)	Ed Klein	Joe Machol
Bay Area Houston Transportation Partnership (BATRAN)	Thom Kolupski	Natalie Picha
Clear Lake Area Chamber of Commerce	Ed Klein	Joe Machol
Economic Alliance Port Region	Natalie Picha	Buddy Hammann
Galveston Bay Foundation	Joe Machol	Ed Klein
Houston Galveston Area Council (HGAC)	Natalie Picha	Thom Kolupski
Public Safety Task Force	Laura Davis	N/A
Seabrook Economic Development Corporation (SEDC)	Jeff Larson	N/A
Veterans' Memorial Task Force	Joe Machol	Laura Davis

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179 **5. ROUTINE BUSINESS**

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181 **5.1** Review of the Clear Lake Emergency Medical Corps (CLEMC) monthly report for May
182 2019. (Goudie)

183
184 Brad Goudie, Director of Emergency Services, explained that there were 245 calls overall
185 for CLEMA with 104 of those calls in Seabrook. Average response time is just shy of 8 minutes
186 with 11.9 % in excess of the contract requirement.

187
188 On a positive note, CLEMC was recognized by EMS Lifeline for the 2019 EMS award.
189 The bar is not set low on this award and it is not given to just anybody.

190
191 Mayor Kolupski stated that the crews do a phenomenal job, but there are still concerns
192 regarding the over 10% lag in response times. Mr. Goudie explained that those delays were across
193 district responses.

194
195 Mr. Goudie stated that there are some serious challenges with the 146 construction on the
196 bridge. There are times that it is gridlock on the bridge if there is an accident or incident up there.
197 CLEMC is having to consider coverage on that side over there because there is no place to get
198 over and get out of the way so there is some response time delay.

199
200 **5.2** Review of the Seabrook Volunteer Fire Department (SVFD) monthly report for May
201 2019. (White)

202
203 Robby White, President of SVFD, explained that SVFD handled 54 calls in April and 75
204 calls in May, which is a 67% increase in the number of calls. Average response time is 3 minutes,
205 59 seconds, with an average of 5 crew responding. We are trying to address traffic issues and find
206 alternate ways to get to Seabrook, with the 146 construction.

207
208 **5.3** Review of the Seabrook Police Department monthly report for May 2019. (Wright)

209
210 Chief Sean Wright stated that because summer is here, the officers have been inundated
211 with traffic issues. Seabrook shares the burden with Kemah. Seabrook PD is working together
212 with SVFD on fire calls for traffic control. No matter how busy the PD gets, quality and
213 professionalism does not decrease.

214
215 Mayor Kolupski thanked Chief Wright for the response on the recent drowning on Main
216 Street and said that police and fire did an outstanding job of recovery.

217
218 Chief Wright stated that water is a powerful force, so anyone with boat or pool, please be
219 mindful.

220
221
222
223

224 **5.4** Review of the Seabrook Animal Control monthly report for May 2019. (Vanselous)
225

226 Dwayne Vanselous, Animal Control Officer, explained that the wildlife calls have
227 increased dramatically as summer is here. Animals are trying to find places to nest and the snakes
228 are everywhere. Adoptions and walk-ins are up. Stewart Elementary declared the month of April
229 as Seabrook Animal Control month. There are pictures on Facebook for the Stewart Elementary
230 event. Two different Girl Scout Troops toured the facility and brought donations. The 3rd Grade
231 Field Trip was a hit again this year. Burke's sponsored an adoption event and during the month
232 of May, when people checked out at Burke's, they were asked about donating toys or towels to the
233 Seabrook Animal Shelter. Staff received four large refrigerator boxes full of toys and towels from
234 Burke's. Last week staff was contacted by DSHS, the veterinarians in charge of Regions 5 and 6
235 about holding training in Seabrook for the Animal Control Society and October 8-9, 2019 is now
236 locked in for the certification course for Animal Control Officers. That training will be held at the
237 Public Works Building. Also, the Texas Animal Control Academy in Giddings will hold satellite
238 classes in Seabrook, which is a huge deal because if Seabrook can hold testing and classes then it
239 will bring more people to the area. Both classes and testing require hotel stays. Finally, Good
240 Sense Provision wants to do an adoption event in the near future.

241
242 **5.5** Review of the Seabrook Building Department monthly report for May 2019. (Landis)
243

244 Sean Landis, Deputy City Manager, stated that in May there were no new residential
245 permits issued, but partially due to the legislation on building permits that recently passed. One
246 new commercial permit was issued for Life Storage for \$4.8 million. The Department issued three
247 new commercial addition permits. Overall there were 124 permits issued with a value to the
248 community of just over \$6 million. Revenues in May were just over \$37,000.

249
250 **5.6** Review of the Seabrook Communications Department monthly report for May 2019.
251 (Petersen)
252

253 LeaAnn Petersen, Director of Communication, stated that the Communications
254 Department has been extremely busy with the barge collision, motor vehicle accidents, and other
255 unexpected events. Recent communications events included the 3rd grade field trip; the birding
256 seminar at public works; the hurricane town hall meeting; Seabrook Ready newsletter; and the
257 Memorial Day event. The official Volunteer Fire Department website went live with Amanda
258 Alvarado handling the entire website design, and she continues to work with the Fire Department
259 on tweaking the design and managing the website. www.SH146.com is chugging along. The
260 Department is currently also working on a Seabrook Love website for this summer. There are
261 several pelicans in production, and hopefully the newsletter will come out this month.

262
263 **5.7** Review of the Seabrook Finance Department monthly report for May 2019. (Gibbs)
264

265 Michael Gibbs, Director of Finance, stated that revenues are all over the board, some in the
266 red and some in the black. Overall the forecast is promising and showing a surplus over budgeted
267 revenues of \$645,000.00. Considering the current ad valorem tax collection is down a little over
268 1%, the sales tax has taken a dip into the red for the first time in a while as far as the overall

269 projection, which is largely due to some businesses that were budgeted to be stay in Seabrook, but
270 ultimately left. Overall sales tax is still in fairly good shape and the hope is that businesses that
271 are relocating to another location in Seabrook and new businesses that are locating to Seabrook
272 will bring the sales tax deficit up.
273

274 Mr. Gibbs continued that franchise tax in strong shape. DOT is currently down until PD is
275 able to hire officer replacements. Expenditures are positive with staff working to control expenses,
276 so that expenditures are under budget in several categories. Part of the expenditures numbers are
277 due to personnel savings. There is a little over \$1 million going into reserves, which is still a
278 healthy reserve of about 60%, including the recent budget amendment of \$533,000.00 for start up
279 of the in-house EMS Department.
280

281 Mr. Gibbs explained that the City is seeing a 30% decrease in Hotel Occupancy Tax funds.
282 EDC and Crime District were budgeted conservatively, so the surplus will be corrected in next
283 year’s budgets. LeaAnn Petersen, Director of Communications, added that hotel occupancies are
284 down across the lake, not just in Seabrook, and one of the contributing factors might be that
285 numbers were higher immediately after Harvey because of the number of construction workers in
286 the region. In addition, the new RV Park and the Holiday Inn Express will be coming online soon
287 for additional revenue streams.
288

289 **5.8** Approve the Action Items Checklist which is attached and made a part of this
290 Agenda. (Council)
291

292 **TXDOT** – Gayle Cook, City Manager, stated that next Thursday is the next monthly
293 meeting. The City will continue to push out information on all of the road closures. All of the
294 culverts have been delivered on the north side, and drivers will see closures in front of The Towers
295 on the north side. The framing is up on the Kemah side of the bridge for getting the piers built.
296 The phasing seems to be on schedule. Public Works has been working with Cobb Fendley and
297 meeting in the field with the subcontractors for the utility relocates. One of the storage facilities
298 on the north side is 30 days out for demolition start and no further demo updates on the west side
299 at this point. Finally, on the aesthetics agreement there were some tight areas coming off the
300 expressway where the sailboat design had to be modified slightly. What was seen on the
301 renderings for the sailboat design is not off conceptually, and staff will be revealing the modified
302 design soon.
303

304 **PROJECTS** – Kevin Padgett, Director of Public Works, stated that the City received
305 notification that the revised HMGP grant application for the Wastewater Treatment Plant was
306 received and is under review with FEMA. Staff had a meeting with the TXDOT Contractor and
307 they will be setting up a large boar on the south end by Tookie’s on Thursday for the largest
308 sanitary sewer force main. The large drainage boxes that are seen on the south end, will be starting
309 on the north end near Red Bluff, and a lane closure will occur during the day. The SCADA project
310 will start on Monday, June 24. The Marvin Circle water and street project has the whole area
311 under construction on the north end of the street as the water line and storm drain culvert go in,
312 with street work beginning immediately after the line and drainage work is completed. The street
313 work on this project will be phased to accommodate traffic. The Marvin Circle project should be

314 completed in August or September. Staff met with the contractor for a pre-construction meeting
315 on the 2nd phase of the Lighthouse Daycare project. Phase II is drainage, pavement and structure.
316 A revised contract is being finalized for the fiber optic project. Finally, acceptance of the Ashley
317 Oaks infrastructure by Council tonight will allow the developer to start getting permits for home
318 construction.

319
320 **GRANTS** – Gayle Cook, City Manager, stated that there have not been many updates on
321 Grants since the last City Council meeting. The HMGP Grant for the wastewater treatment plant
322 has been accepted and is being reviewed by FEMA. The Texas Parks and Wildlife grant was
323 denied, but the City was advised to reapply, as this is just the first round of reviews.

324
325 **COUNCIL EVENTS**

326 Councilmember Klein attended the Citizens for Space Exploration trip to Washington D.C.
327 to promote NASA. It was the 28th annual trip and participants met with Congressmen and Senators
328 to talk about support for the space industry. They were positive bi-partisan meetings that went
329 very well. It’s good to get out there and talk about how Seabrook is affected by the space industry.

330
331 Mayor Kolupski noted that most of the past couple of weeks has been devoted to keeping
332 up with the State legislative session, and in the interest of time, no other Council Events reports
333 are needed at this time.

334
335 **LEGISLATIVE UPDATE** – City Manager, Gayle Cook, and Deputy City Manager, Sean
336 Landis, will be traveling to Austin on Monday, June 24, for a TML Legislative Wrap-Up. Ms.
337 Cook will put together a packet for Council on all bills that were passed and signed by the Governor
338 that are Seabrook related.

339
340 **EMERGENCY COMMUNICATION PROTOCOLS** – LeaAnn Petersen, Director of
341 Communications, explained that Jeff Galyean, Director of the Office of Emergency Management,
342 received notification from Kirby that cities are invited to a meeting on Monday, June 24, to discuss
343 communication during the barge collision event. Jeff Galyean and LeaAnn Petersen will be
344 attending this meeting. The East End Mayors are meeting with their Emergency Management
345 people and are going to be talking about ITC and the barge incident. Mayor Kolupski and Jeff
346 Galyean will be attending this meeting. On Thursday, June 27, Harris County Judge Hidalgo had
347 called a meeting at TranStar on Emergency Management Communications. Judge Hidalgo plans
348 to discuss a number of items with a focus group on how to communicate better to the cities during
349 emergency events.

350
351 **CELEBRATION SEABROOK** – LeaAnn Petersen, Director of Communications, stated
352 that the preparation for the 2019 Celebration Seabrook event is in full swing. Food trucks and
353 other food booths have been secured. Several sponsors are on board. Vendors have turned in their
354 vendor packets. The Celebration Seabrook is being updated to reflect the current status of vendors,
355 sponsors, and food booths/trucks. Staff is in the process of getting entertainers under contract, and
356 in the process of writing up the rules and procedures for a chili cook-off. The event date is October
357 12, 2019.

358

359 *Motion was made by Councilmember David and seconded by Councilmember Machol*

360

361 *To approve the Action Items Checklist.*

362

363 *MOTION CARRIED BY UNANIMOUS CONSENT*

364

365 **5.9** Establish future meeting dates and agenda items. (Council)

366

367 City Council will hold a Strategic Planning Session on Friday, June 21, 2019 at 8:00a.m.
368 at the Public Works Building.

369

370 The next regular City Council meeting will be held on Tuesday, July 2, 2019, at 7:00p.m.
371 in City Council Chambers.

372

373 There will be a joint City Council / Planning & Zoning Commission meeting on Tuesday,
374 July 16, 2019 at 6:00p.m. in City Council Chambers, followed by the regular City Council meeting
375 at 7:00p.m.

376

377 **6. CLOSED EXECUTIVE SESSION**

378

379 **6.1 Section 551.071**

380 Conduct a closed executive session to consult with the City Attorney on legal issues associated
381 with the creation of an industrial district. (Cook)

382

383 At 8:44 p.m. Mayor Kolupski announced that the City Council will now hold a closed
384 executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551 Government
385 Code, and Vernon’s Texas Codes Annotated, in accordance with the authority contained in
386 Sections 551.017, Consultation with Attorney.

387

388 **7. OPEN SESSION**

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

391

392 At 9:10 p.m. Mayor Kolupski reconvened the meeting in open session and stated that item
393 6.1 had been discussed, but that no action had been taken in executive session.

394

395 Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 9:10 p.m.

396

397 Approved this 2nd day of July, 2019.

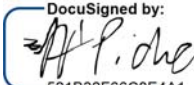
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Robin Hicks, TRMC, City Secretary

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Natalie Picha
Mayor Pro Tem

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