

1 The City Council of the City of Seabrook met in regular session on Tuesday, September 3, 2019
2 at 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 | MAYOR PRO TEM |
| 11 | COUNCIL PLACE NO. 4 |
| 12 BUDDY HAMMANN – Ex. Abs | 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 LENIO | CITY SECRETARY |

18
19 Mayor Kolupksi called the meeting to order at 7:00 p.m. and led the audience in the United States
20 and Texas Pledge of Allegiance.
21

22 **1. PRESENTATIONS**

23
24 **1.1** Presentation of the Post Event Report for the Texas Outlaw Challenge Event held on June 19-
25 23, 2019. (Robinson)
26

27 Paul Robinson, organizer of the Texas Outlaw Challenge, thanked Council for sponsoring
28 the event for the past twelve (12) years, starting with the inaugural year of the Texas Outlaw
29 Challenge. Mr. Robinson explained that the state and the country knows were Seabrook is and
30 knows the Outlaw Challenge. The goal is to have an event that is high caliber and repeatable
31 quality to the community. Mr. Robinson explained that the HOT funds allocated by the City to
32 this event helps pay for marketing and advertising locally and nationally through trade magazines
33 (including several front page cover stories), radio spots, television coverage, social media, and
34 newspaper. Mr. Robinson stated that local businesses such as Marine Max have helped make the
35 awards dinner and festivities special for participants and the overall competitive and fun
36 atmosphere continues to bring people to Seabrook and the surrounding area every year.

37
38 **2. PUBLIC COMMENTS AND ANNOUNCEMENTS**
39

40 Carol Schneider, City Outreach Pastor with Grace Church, 40505 Gulf Freeway, stated that
41 she wanted to thank each City Council and staff member on behalf of the church. The church
42 stated the “Grace Loves” campaign in August to honor area cities. The first week was city services,
43 2nd week medical community, 3rd week education system, 4th week was first responders. Grace

44 Church knows that people who serve communities do not always get the recognition that they
45 deserve. Grace honors, appreciates, and love City volunteers and staff.

46
47 **2.1** Mayor, City Council, and/or members of City staff may make announcements about
48 City/Community events. (Council)

49
50 Councilmember Davis announced several upcoming events: Coffee with a Cop; Bird
51 Count; Kids' Fish; and Celebration Seabrook.

52
53 Mayor Kolupski announced that Seabrook Dispatch sent a resolution to declare September
54 11, 2019 as 9-1-1 day to recognize 911 dispatchers for their hard work and dedication.

55
56 **3. CONSENT AGENDA**

57
58 **3.1** Approve on second of two readings Seabrook Economic Development Corporation and
59 Seabrook City Council Joint Resolution 2019-18, "Proposed SEDC Project - Hiring of an
60 Independent Consultant for Professional Consulting Services for Retail Recruitment to be included
61 in EDC Projects Fund Budget Line Items 707-5617 and 707-5227 for Fiscal Year 2019/20". This
62 joint resolution has been approved by the SEDC Board of Directors. (Chavez)

63
64 *Motion was made by Mayor Pro Tem Picha and seconded by Councilmember Davis*

65
66 *To approve the Consent Agenda, as presented.*

67
68 **MOTION CARRIED BY UNANIMOUS CONSENT**

69
70 **4. NEW BUSINESS**

71
72 **4.1** Consider and take all appropriate action on first reading of proposed Ordinance 2019-19,
73 "Amending the City of Seabrook City Code of Ordinances to Update 'Appendix B' 'Master Fee
74 Schedule'. (Lenio)

75
76 AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, TO UPDATE
77 "APPENDIX B", ENTITLED, "MASTER FEE SCHEDULE" BY ADDING EMERGENCY
78 MEDICAL SERVICES FEES AND NOTARY PUBLIC SERVICES FEES; UPDATING AND
79 AMENDING FEES FOR PUBLIC INFORMATION RECORDS, PARKS FACILITY
80 RENTALS, PARK ENTRANCE, COMMUNITY DEVELOPMENT,
81 RESIDENTIAL/COMMERCIAL CONSTRUCTION, CONTRACTOR REGISTRATION,
82 BUILDING DEPARTMENT ADMINISTRATIVE, PLAN REVIEW, PUBLIC WORKS -
83 STREETS, SANITATION/GARBAGE COLLECTION AND UTILITY; MAKING FINDINGS
84 OF FACT; REPEALING AND REPLACING ALL REFERENCES TO SUCH FEES AND
85 CHARGES IN ALL ORDINANCES OR RESOLUTIONS IN CONFLICT WITH THIS
86 ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE AND
87 EFFECTIVE DATE

88

89 Robin Lenio, City Secretary, explained that Council approved an ordinance a couple of
90 years ago to create a document where citizens could find all of the City’s fees in one location.
91 Each year before the beginning of the fiscal year staff will take a look at City fees and bring an
92 updated/amended ordinance to Council for updating those fees, removing any fees that are no
93 longer needed or current, and add fees that are required by new legislation or new procedures.

94
95 Sean Landis, Deputy City Manager, explained that the Plan Review fee has been added so
96 that if a developer brings forward a development plan that is unique and requires review of a
97 customized sign ordinance, there is some compensation back to the City for the work needed to
98 review and approve the customized ordinance.

99
100 *Motion was made by Councilmember Klein and seconded by Councilmember Machol*

101
102 *To approve on first reading proposed Ordinance 2019-19, "Amending the City of Seabrook City*
103 *Code of Ordinances to Update 'Appendix B' 'Master Fee Schedule'.*

104
105 **MOTION CARRIED BY UNANIMOUS CONSENT**

106
107 **4.2** Consider and take all appropriate action on a three (3) year Professional Services Agreement
108 between the Seabrook Economic Development Corporation and Retail Strategies, LLC for retail
109 recruitment, in an amount not to exceed \$45,000.00 in 2019; \$40,000.00 in 2020; and \$40,000.00
110 in 2021. This agreement has been approved by the SEDC Board of Directors. (Chavez)

111
112 Paul Chavez, Director of Economic Development, explained that this agreement does not
113 lock the City in for three years. Each year EDC will evaluate the effectiveness of the services
114 provided and will decide whether to renew the agreement.

115
116 *Motion was made by Councilmember Klein and seconded by Councilmember Machol*

117
118 *To approve a three (3) year Professional Services Agreement between the Seabrook Economic*
119 *Development Corporation and Retail Strategies, LLC for retail recruitment, in an amount not to*
120 *exceed \$45,000.00 in 2019; \$40,000.00 in 2020; and \$40,000.00 in 2021.*

121
122 **MOTION CARRIED BY UNANIMOUS CONSENT**

123
124 **5. ROUTINE BUSINESS**

125
126 **5.1** Update on various capital improvement projects, road projects, and/or general operational
127 activities where no action is required. (Cook)

128
129 Gayle Cook, City Manager, gave an update on several items as follows:

130
131 The wastewater treatment plan project is still waiting on approval of the grant application
132 and engineering services is proceeding on that project. Everything is moving along with the SH
133 146 utilities relocation project. There have been some communication issues with the SCADA

134 project, but it is moving along very well. The Nasa Rd 1 and Old Seabrook and the Pine Gully
135 and Hester's Gully waterline improvements projects are underway. The Marvin Circle project is
136 on track to complete the paving and street improvements in 3-4 weeks. The next big project kickoff
137 is the Red Bluff Road expansion in mid-October, so everyone should start seeing activity along
138 that corridor.

139

140 For the SH 146 Expansion Project staff met with TXDOT and went over what was to be
141 expected over the Labor Day Holiday for Kemah closures. TXDOT opened up both lanes for
142 boating traffic and as far as staff knows there were not too many issues with the channel over the
143 weekend. The signs for the ordinance Council passed for no access out of Old Seabrook will be
144 coming soon. EDC is also helping with this issue. The EDC Board looked at an electronic sign
145 program. TXDOT has given a green light to test pylon signs at the intersections to prevent left
146 turns out of Old Seabrook. Finally, TXDOT has initiated a number of discussion on the boat
147 ramp, and TXDOT wants to look at the steps needed to establish a boat ramp.

148

149 Paul Chavez, the Director of Economic Development, recently attended the Retail Live
150 conference, and was very successful, in coordination with the Retail Strategies Consulting Firm,
151 to get one-on-one meetings with potential retail establishments. Therefore, the firm that was
152 approved in Item 4.2 is already connecting and providing assistance.

153

154 The Carothers Task force is still moving forward and is looking at a date in October for its
155 next meeting.

156

157 The City received its loaner ambulance today for the start of the In-house EMS Department.
158 The new department will have a used truck and a new truck. The new truck will be here in several
159 months. The loaner has the City logo on it. The State license approval is still in line with the
160 October 1 start date, but the City has not heard yet on the final approval. Finally, the City received
161 word today that MUD 55, the last entity that had not given notice of termination of the CLEMC
162 contract, has now given their notice.

163

164 The consultant for the Parks Master Plan will be putting a survey together and will be
165 coming back to Council in December to discuss the results.

166

167 Finally, the Charter Review Commission will have their last meeting on September 17 and
168 will present the Final Report to Council on October 15.

169

170 **5.2** Update on recently passed and adopted legislation regarding the Texas Open Meetings Act
171 and the Texas Public Information Act. (Lenio)

172

173 Robin Lenio, City Secretary, went over SB 1640 regarding legislative amendments to the
174 Texas Open Meetings Act and SB 944 regarding legislative amendments to the Texas Public
175 Information Act.

176

177 SB 1640 now defines a “deliberation” of a governing body as including both verbal and
178 written communication, and replaces the violation of “Conspiracy to Circumvent the Act” with a
179 violation known as “Series of Communications”.

180
181 SB 944 now formally defines “temporary custodians” of public information and requires
182 that temporary custodians either submit any public information in their possession to the governing
183 body or the governing body’s designee or retain the public information for the required/adopted
184 retention period.

185
186 **5.3** Establish future meeting dates and agenda items. (Council)

187
188 The City Council will hold a regular meeting on Tuesday, September 17, 2019, at 7:00
189 p.m. at City Hall City Council Chambers.

190
191 **6. CLOSED EXECUTIVE SESSION**

192
193 **6.1 Section 551.072**

194 Conduct a closed executive session to discuss the purchase, lease, or exchange of real property in
195 closed session due to potential detrimental effect on City in negotiations with third party if
196 conducted in open session, as provided by Section 551.072 of the Texas Government
197 Code. (Cook)

198
199 At 7:44 p.m., Mayor Kolupski announced that the City Council will now hold a closed
200 executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551 Government
201 Code, and Vernon’s Texas Codes Annotated, in accordance with the authority contained in
202 Sections 551.017, Consultation with Attorney.

203
204 **7. OPEN SESSION**

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

207
208 At 8:40 p.m., Mayor Kolupski reconvened the meeting in open session and stated that
209 item 6.1 had been discussed, but that no action had been taken in executive session.

210 Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 8:41 p.m.

211
212 Approved this 17th day of September, 2019.

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218

219 Robin Lenio, TRMC
220 City Secretary

DocuSigned by:
Thomas G. Kolupski
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Thomas G. Kolupski
Mayor


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