



**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, FEBRUARY 5, 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 FEBRUARY 5, 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) 291-5663 OR citysec@seabrooktx.gov FOR FURTHER INFORMATION.

PLEDGE OF ALLEGIANCE

1. PRESENTATIONS

- 1.1** Presentation of the post event report for the 2018 Christmas Boat Lane Parade on December 8, 2018. (Sweeney)
ATTACHMENT: [Post Event Report](#)

2. 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.

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

3. CONSENT

- 3.1** Approve on second reading proposed Ordinance 2019-01, "Issuance

of conditional use permit to allow a "Tattoo Parlor" at 2622 Nasa Road 1, Suite H in the C-2 Medium Commercial District." (Landis)

ATTACHMENT: [Ordinance 2019-01](#) [CUP Application](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX "A", COMPREHENSIVE ZONING, ARTICLE 12, "TEMPORARY AND NONTEXT CHANGES," SECTION 12.03, "CONDITIONAL USE PERMITS GRANTED", BY ADDING A NEW PARAGRAPH TWENTY FIVE (25), GRANTING A CONDITIONAL USE PERMIT ALLOWING FOR A TATTOO PARLOR AT 2622 NASA ROAD ONE, SUITE H., WITHIN A C-2 (MEDIUM COMMERCIAL) DISTRICT OF THE CITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 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.

3.2 Approve on second reading **proposed Ordinance 2019-02**, "Amendment to the Zoning Code of the City of Seabrook, deleting in its entirety Section 3.09 "C-S Commercial Special District" creating and replacing such section for creation of a newly created zoning district "SH 146 South Commercial District" revising the Official Zoning Map and Land Use Matrix for such purpose. (Landis)

ATTACHMENTS: [Ordinance 2019-02](#) [Official Zoning Map](#) [Land Use Matrix](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX "A", "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", REPEALING IN ITS ENTIRETY SECTION 3.09 "C-S COMMERCIAL SPECIAL DISTRICT" AND REPLACING THE TITLE FOR SAID SECTION TO PROVIDE FOR A NEW ZONING DISTRICT ENTITLED "146-SH 146 SOUTH COMMERCIAL DISTRICT," SUCH DISTRICT BEING LOCATED ON BOTH THE EAST AND WEST SIDES OF HWY 146, STARTING AT HWY 146 AND 10TH STREET HEADING NORTH TO THE NASA PARKWAY/MAIN STREET INTERSECTION AS REFERENCED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE, WITH CORRESPONDING AMENDMENTS TO SECTION 3.01, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", AND SECTION 3.15 "COMPREHENSIVE LAND USE MATRIX", TABLE 3-A "USES PERMITTED BY RIGHT AND CONDITIONAL USES" FOR SUCH DISTRICT, AS PROVIDED HEREIN; REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS NEW REZONED DISTRICT; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH PROPERTY WITHIN THE DISTRICT; 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 NOTICE AND SEVERABILITY.

3.3 Approve on second reading **proposed Ordinance 2019-03**, "Amendment to the Zoning Code of the City of Seabrook, creating new zoning district 'SH 146 Main Commercial District', revising the Official Zoning Map and Land Use Matrix for such purpose." (Landis)

ATTACHMENTS: [Ordinance 2019-03](#) [Official Zoning Map](#) [Land Use Matrix](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", CREATING A NEW SECTION 13.6 ENTITLED "146-M SH 146 MAIN COMMERCIAL DISTRICT," SUCH DISTRICT BEING LOCATED ON THE EAST SIDE OF HWY 146, STARTING AT THE NASA PARKWAY/MAIN STREET INTERSECTION HEADING NORTH TO BAYVIEW DRIVE, ON THE WEST SIDE ONLY, STARTING AT SEABROOK SHIPYARD HEADING NORTH AND ENCOMPASSING ALL OF THE COMMERCIAL PROPERTY FROM ELEVENTH STREET TO HWY 146 TO THE NORTHERN SEABROOK CITY LIMITS AS REFERENCED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE, WITH CORRESPONDING AMENDMENTS TO ADD THE NEW DISTRICT TO SECTION 3.01, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", AND SECTION 3.15 "COMPREHENSIVE LAND USE MATRIX", TABLE 3-A "USES PERMITTED BY RIGHT AND CONDITIONAL USES", AS PROVIDED HEREIN; REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS NEW REZONING DISTRICT; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH PROPERTY WITHIN THE DISTRICT; 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 NOTICE AND SEVERABILITY.

3.4 Approve on second reading **proposed Ordinance 2019-04**, "Amendment to the **code of the City of Seabrook, Comprehensive Zoning Ordinance**, repealing in its entirety current provisions for Off-Street Parking, Loading, Ingress and Egress, and providing for a new title." (Landis)

ATTACHMENT: [Ordinance 2019-04](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 5, "OFF-STREET PARKING, LOADING, INGRESS AND EGRESS; AND LANDSCAPING AND SAFETY REQUIREMENTS " TO REPLACE IN ITS ENTIRETY AND PROVIDE NEW COMPREHENSIVE REQUIREMENTS UNDER A REVISED TITLE "OFF-STREET PARKING, LOADING, INGRESS AND EGRESS"; 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; AND PROVIDING FOR NOTICE AND SEVERABILITY.

3.5 Approve on second reading **proposed Ordinance 2019-05**, "Amendment to the code of the City of Seabrook, Comprehensive Zoning Ordinance, deleting landscaping and buffering requirements from Article 5, "Off-Street Parking, Loading, Ingress and Egress" and **recodifying such requirements by creation of a new Article 7 entitled "Landscaping and Buffering Requirements."** (Landis)

ATTACHMENT: [Ordinance 2019-05](#)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", REPEALING IN ITS ENTIRETY THE PROVISIONS PERTAINING TO LANDSCAPING AND BUFFERING

REQUIREMENTS SECTIONS 5.05 AND 5.06, CONTAINED IN ARTICLE 5, "OFF-STREET PARKING, LOADING, INGRESS AND EGRESS, AND LANDSCAPING AND SAFETY REQUIREMENTS", AND CREATING A NEW ARTICLE 7, ENTITLED "LANDSCAPING AND BUFFERING REQUIREMENTS" FOR SUCH SUBJECT TO PROVIDE FOR NEW UPDATED AND COMPREHENSIVE REGULATIONS OF THIS SUBJECT MATTER; 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; AND PROVIDING FOR NOTICE AND SEVERABILITY.

3.6 Approve the minutes of the August 13, 2018 special City Council meeting. (Hicks)

ATTACHMENT: [August 13, 2018 Minutes](#)

3.7 Approve the minutes of the December 4, 2018 regular City Council meeting. (Hicks)

ATTACHMENT: [December 4, 2018 Minutes](#)

3.8 Approve the minutes of the December 18, 2018 regular City Council meeting. (Hicks)

ATTACHMENT: [December 18, 2018 Minutes](#)

4. NEW BUSINESS

4.1 Consider and take all appropriate action on first and final reading of proposed Ordinance 2019-06, "Amending the budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019 for city department encumbrances." (Gibbs)

ATTACHMENTS: [Agenda Briefing](#) [Ordinance 2019-06](#) [Amendment Summary](#) [CIP Summary](#)

AN ORDINANCE AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019 BY AUTHORIZING CERTAIN ADDITIONS AND REDUCTIONS IN THE AMOUNT OF \$804,170.23 FOR GENERAL FUND, ENTERPRISE FUND AND HOTEL OCCUPANCY 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 TRANSFER.

4.2 Consider and take all appropriate action on first reading of proposed Ordinance 2019-07, "Flood Damage Prevention." (Cook)

ATTACHMENTS: [Ordinance 2019-07](#) [Ordinance 2016-27](#)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS, CHAPTER 38, "FLOOD", ARTICLE II, "FLOOD DAMAGE PREVENTION", DIVISION 2, "ADMINISTRATION, VARIANCE PROCEDURES AND PENALTIES", BY DELETING IN ITS ENTIRETY ONLY SECTION 38-60, "PENALTIES FOR NONCOMPLIANCE", TO COMPLY WITH JURISDICTIONAL LIMITS OF MUNICIPAL COURT; PROVIDING FOR A PENALTY IN AN AMOUNT OF \$500.00, OR THE MAXIMUM

PROVIDED BY LAW FOR VIOLATION OF ANY PROVISIONS OF THE SUBJECT CHAPTER; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH, SPECIFICALLY INCLUDING SECTION 38-60 OF ORDINANCE 2016-27 RELATING TO PENALTIES FOR NONCOMPLIANCE; AND PROVIDING FOR SEVERABILITY AND NOTICE.

4.3 Consider and take all appropriate action on proposed Resolution 2019-02, "Supporting Legislation to amend Texas Tax Code Chapter 351." (Hicks)

ATTACHMENTS: [Agenda Briefing](#) [Resolution 2019-02](#) [HB 1259](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK SUPPORTING THE INTRODUCTION AND PASSAGE OF LEGISLATION THAT WOULD AMEND THE TEXAS TAX CODE CHAPTER 351 TO AUTHORIZE THE CITY OF SEABROOK TO UTILIZE THE FUTURE COLLECTION OF HOTEL OCCUPANCY TAX FUNDS AND OTHER RELATED TAXES FOR EXPANDED ECONOMIC DEVELOPMENT PURPOSES AUTHORIZED BY CHAPTER 351 OF THE TEXAS TAX CODE; AND FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

4.4 Consider and take all appropriate action on a Resolution regarding Grand Parkway - Segment B to be signed by the cities of Galveston County and Harris County. (Kolupski)

ATTACHMENT: [Resolution Regarding Grand Parkway - Segment B](#)

4.5 Consider and take all appropriate action on the TML 86th Legislative Agenda to support legislation affecting Bay Area Houston Region cities. (Kolupski)

ATTACHMENT: [TML 86th Legislative Agenda](#)

5. OLD BUSINESS

5.1 Consider and take all appropriate action on replacing Mayor Thom Kolupski as Council representative to participate in the Economic Alliance Advocacy trip to Washington D.C. April 1-4, 2019. (Kolupski)

6. DISCUSSION ITEM

6.1 Discussion and direction on the FY2018-19 Strategic Plan accomplishments and updates.

ATTACHMENTS: [Agenda Briefing](#) [Strategic Plan 2018-19](#) [Strategic Plan Update FY19 Q1](#)

7. ROUTINE BUSINESS

7.1 Approve the Action Items Checklist which is attached and made a part of this Agenda. (Council)

ATTACHMENT: [Action Items Checklist](#)

7.2 Establish future meeting dates and agenda items, including Charter Review Commission appointments. (Council)

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, February 1, 2019 no later than 7:00 p.m. and that this notice will remain posted until the meeting has ended.

 /s/ Stephanie Martinez
Stephanie Martinez
Executive Administrative Assistant