

## Regular Meeting of the City Council

Tuesday, January 10, 2023 – 7:00 PM

Village of Surfside Beach

1304 Monument Drive

Surfside Beach, TX 77541

An agenda information packet is available for public inspection on the website at [www.surfsidetx.org](http://www.surfsidetx.org)

**NOTICE IS HEREBY GIVEN** that the City Council of the Village of Surfside Beach will conduct its Regular Meeting scheduled for **7:00 p.m. on Tuesday, January 10, 2023**. To view the meeting electronically please use the following website:

<https://us02web.zoom.us/j/82804862016?pwd=M3Bma1hBTGFsOWdvUFJZaGN0MTZ6QT09>

Meeting ID: 828 0486 2016 Passcode: 1304

The City Council reserves the right to meet in closed session on any agenda item, should the need arise and if applicable, pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

### **COUNCIL MEETING:**

- 1) CALL TO ORDER, QUORUM IN ATTENDANCE
- 2) INVOCATION, PLEDGE OF ALLEGIANCE
- 3) Mayor/council/committee/departement head/organization reports
- 4) Business of visitors not on the agenda.
- 5) *ALL ITEMS UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE SELF-EXPLANATORY, AND THE COUNCIL WILL ENACT THEM WITH ONE MOTION. UNLESS A COUNCIL MEMBER SO REQUESTS, NO SEPARATE DISCUSSION OF THESE ITEMS WILL OCCUR.*

#### CONSENT AGENDA:

- A. Consider approval of minutes from the Council meeting on December 31, 2022.
  - B. Consider approval of the December 2022 financials.
- 6) Discuss and take possible action on approval to advertise for proposals for a grant writer. *Bisso*
  - 7) Discussion regarding a legislative update. *Bisso*

- 8) Discuss and take possible action regarding the Beach and Dune Plan proposed update as submitted by the Beach Advisory Committee. *Bisso*
- 9) Discuss and take possible action modify, or strike from the Code of Ordinances section 28-62 regarding disposal of caught or captured fish, crab or shrimp upon any beach or public place. *Gerber*
- 10) Discuss and take possible action requiring a copy of all original records of complaints involving misconduct against any departmental employee of the Village of Surfside Beach be retained and kept in the office of the City Secretary in accordance with the Texas State Library Archive retention schedule. *Gerber*
- 11) **Executive Session:**  
The City Council may convene into closed executive session pursuant to Texas Government Code, Sec. 551.074 PERSONNEL MATTERS, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing namely: **police chief position**
- 12) Action, if any, out of execution session.
- 13) Adjourn

#### CERTIFICATION

I hereby certify that a true and correct copy of the above and foregoing "Notice of Meeting" by the City Council was posted on the front bulletin board of the City Hall of the Village of Surfside Beach, Texas. Said notice was posted Thursday January 5, 2023 at or before 6:00 PM and remained so posted continuously for at least 72 hours before the scheduled time and date of the meeting.

  
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Amanda Davenport, City Secretary

**Minutes of Meeting of the City Council**

Tuesday, December 13, 2022 – 7:00 PM

Village of Surfside Beach

1304 Monument Drive

Surfside Beach, TX 77541

**COUNCIL MEETING:**

- 1) **CALL TO ORDER, QUORUM IN ATTENDANCE**  
Mayor Bisso called the meeting to order at 7:00 p.m. and recognized a quorum of the Council was present
- 2) **INVOCATION, PLEDGE OF ALLEGIANCE** - Jalifi gave the invocation
- 3) **Mayor/council/committee/departement head/organization reports**  
**Interim Police Chief Moncier** gave the monthly PD activity report; Mayor Bisso announced that Gary McClain resigned as of 12/13/22 and Captain William Moncier will be Interim Chief.  
**Robert King** gave the EMS monthly activity report; the a/c in the ambulance is having problems.  
**John Foster Public Works** – gave the monthly Public Works report; Freeport waterline should be operational by March.  
**Michelle Booth** – Tree Lighting and Night Kite event went great, Surfing Santas is Saturday the 17<sup>th</sup>.  
**Dortha Pekar** – Monument ground-breaking was very well attended.  
**Tom Hines** – cement cannon moved to the timeline circle; re-enactment of the signing of the treaty on May 6, 2023.  
**Sandy Shanks** – Food and Art Festival preparation is going well, donation of plants from Brookwood Nurseries.  
**Jon Gerber** –PD is becoming a very cohesive team; I am working on an EMS signage Board.  
**Gregg Bisso** – attended kickoff meeting for the groin project approximate start date in August 2024, Ike Dike update; FEMA Ike appeals coming back in positive determinations, injunction on sewer system; H/M Bill to legislative session for consideration via Cody Vasut.
- 4) **Business of visitors not on the agenda.**  
Scott McCracken – complaint regarding sound from Sharkies
- 5) **ALL ITEMS UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE SELF-EXPLANATORY, AND THE COUNCIL WILL ENACT THEM WITH ONE MOTION. UNLESS A COUNCIL MEMBER SO REQUESTS, NO SEPARATE DISCUSSION OF**

**THESE ITEMS WILL OCCUR.**

**CONSENT AGENDA:**

- A. Consider approval of minutes from the Council meetings on August 17, September 6, October 27 and November 9, 2022.
- B. Consider approval of the November 2022 financials.
- C. Allow the Wisconsin volunteers the use of Stahlman Park at no charge March 12 – April 1<sup>st</sup>, 2023.

Motion was made by Capretta to approve the consent agenda.  
Motion was seconded by Jalifi and approved unanimously.

- 6) **Discuss and take possible action to approve an Interlocal Agreement with Brazoria County regarding regulation of food service establishments.**

Motion was made by Capretta to approve the ILA with Brazoria County regarding regulation of food service establishments. Motion was seconded by Jalifi and passed unanimously.

- 7) **Discuss and take possible action to allocate a wheelchair accessible storage space/ closet for the Historical Commission's use.**

Discussion only, staff will be looking for space in City Hall.

- 8) **Discuss and take possible action to amend Section 12-98 of the Code of Ordinances: Fee, Right-of-Way rental charge.**

Motion was made by Capretta to table this item. Motion was seconded by Roberson and passed unanimously.

- 9) **Discuss and take possible action to broaden the scope of the Planning Commission to allow: Ongoing Commission Business discussions, research, and updates. Allowing Planning to revisit unresolved agenda items and act as a "think tank" at the direction of the Village Council.**

Discussion only.

- 10) **Discuss and take possible action to approve Resolution 20221209 regarding the submitted petition for election to reduce the approved tax rate.**

City Attorney Ritter read aloud the legal memo regarding the findings of the third submitted petition finding that the petition was not properly submitted and therefore the Village is not legally bound to call an election to rollback the 2022 tax rate.

Motion was made by Petty to adopt Resolution 20221209 regarding

the findings of the third submitted petition finding that the petition was not properly submitted and therefore the Village is not legally bound to call an election to rollback the 2022 tax rate. Motion was seconded by Capretta and passed unanimously.

**11) Discuss and take possible action to enter into a contract with Archive Social for social media retention.**

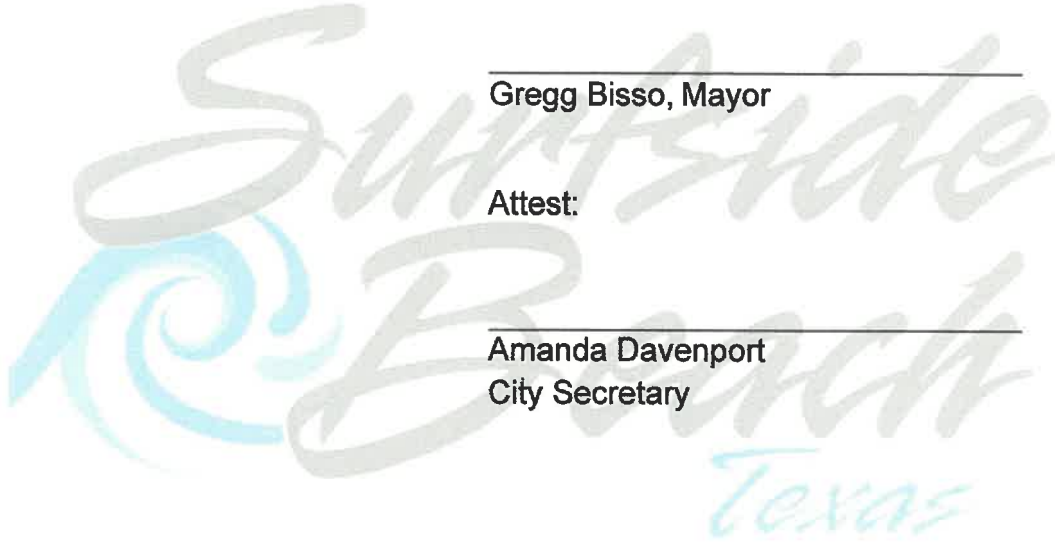
Motion was made by Capretta to instruct staff to choose a social retention plan no to exceed \$7000.00 annual payment. Motion was seconded by Petty and passed unanimously.

**12) ADJOURN 8:30 p.m.**

\_\_\_\_\_  
Gregg Bisso, Mayor

Attest:

\_\_\_\_\_  
Amanda Davenport  
City Secretary



## Amanda Davenport

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**From:** Jonathan Gerber <jonguber@yahoo.com>  
**Sent:** Monday, January 2, 2023 4:42 PM  
**To:** Amanda Davenport  
**Subject:** Agenda

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Discuss and take possible action to modify, or strike from Surfside Beach Code of Ordinances: ✓

### **Sec. 28-62. - Beach recreation area rules.**

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c.

It shall be unlawful for any person who shall catch or capture fish, crab, or shrimp in any waters in the incorporated Village of Surfside Beach or the Gulf of Mexico to leave any such fish, crab, or shrimp upon any beach or other public place in the village. It shall be the duty of any person catching or capturing such fish, crab, or shrimp to make such disposition of his catch or capture that the same will not be found upon any beach or other public place. A violation of this section shall be a Class C misdemeanor and upon conviction shall be punishable by a fine not to exceed \$2,000.00.

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Sent from my iPhone

## **Amanda Davenport**

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**From:** Jonathan Gerber <jonguber@yahoo.com>  
**Sent:** Tuesday, January 3, 2023 2:53 PM  
**To:** Amanda Davenport  
**Subject:** Agenda

I would like to try again with this.

Can we please bring back item 8 that was tabled, and add it to the January Agenda .

Sent from my iPhone

**Discuss and take possible action on  
complaints involving misconduct at  
Village of Surfside Beach be retained  
Secretary in accordance with the  
schedule.**

**Motion was made by Jalifi to table  
Capretta and passed with 4 for 1 :**