

Regular Meeting of the City Council

Tuesday, August 8, 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

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, August 8, 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/department head 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:

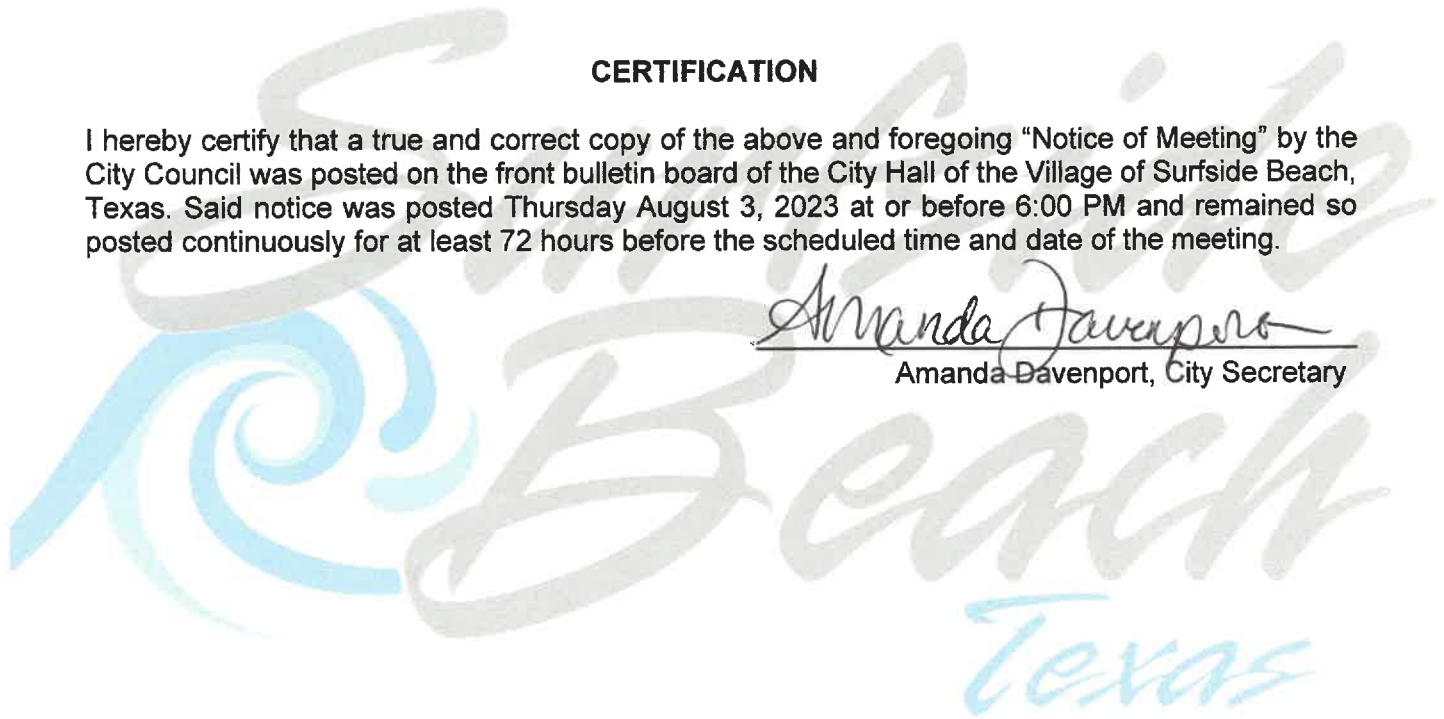
- A. Consider approval of minutes from the Council meeting and budget workshops on July 11, 18 & 31, 2023.
 - B. Consider approval of financials for June 2023.
 - C. Consider approval of a Resolution Amending Authorized Representatives for TexPool Investment accounts for the Village of Surfside Beach.
- 6) Discuss and take possible action on a lighting ordinance as recommended by the Planning Commission. *Gerber/Maribel Hill*
 - 7) Discussion and presentation by Erick Ingram regarding the odor in the Village water. *Bisso*
 - 8) Discuss and take possible action on Ordinance 2023.08.08A amending the Code of Ordinance regarding Council agenda items. *Jalifi*

- 9) Discuss and take possible action on Ordinance 2023.08.08B amending the Code of Ordinances regarding political signage to comply with State law. *Bisso*
- 10) Review and discuss replat of Lot 1 Tract 215 of BCIC 1 on Bluewater Highway; Geographical #:2101-0233-000; out of the Brazos Coast Investment Company Subdivision No. 1. creating four individual lots. *Garrett Davison*
- 11) Enter into General Fund Budget workshop if time allows.
- 12) 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 August 3, 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.


Amanda Davenport, City Secretary



Minutes of Meeting of the City Council

Tuesday, July 11, 2023 – 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 Council members were present. Jennie Green-Prats was absent, Gerber was not in attendance at this time. Gerber arrived at 7:05 p.m.

2) INVOCATION, PLEDGE OF ALLEGIANCE

Jalifi gave the invocation.

3) Mayor/council/committee/department head/organization reports

Police Chief Moncier- gave the monthly PD activity report;

Robert King – gave the EMS monthly activity report;

Sean Robertson – Kudos to the city leadership and city department heads;

Zach Parsch – Recognized Erick Ingram – thanks for all you do;

Gregg Bisso – We fielded questions from the GLO regarding the groin project; still waiting on the sewer grant from the HGAC/GLO, we have been preparing for emergency management and the budget workshops.

Erick Ingram – gave monthly activity report.

4) Business of visitors not on the agenda.

Coral Court and Gulfway residents reported that they have really smelly water.

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:

Consider approval of minutes from the Council meeting on June 13, 2023.

Motion was made by Jalifi to approve the consent agenda. Motion was seconded by Parsch and passed unanimously.

6) Discuss and make recommendations to add or change ordinance to provide more opportunities for business development within city limits and beach to increase general fund revenue and build/appoint an Economic Development Committee.

Motion was made by Parsch to create an Economic Development Committee. Motion was seconded by Robertson and passed 4 for, 1 against (Gerber).

- 7) Discuss and take possible action to adopt Ordinance 2023-05-16A 2018 IBC to address commercial development of property.**

Motion was made by Robertson to approve Ordinance 2021-05-16A adopting the 2018 IBC. Motion was seconded by Gerber and passed 4 for, 1 against (Gerber).

- 8) Discuss and take action to create a workshop to discuss plans for city buildings such as City Hall, Stahlman Park and barn storage for heavy equipment.**

Jalifi asked to plan a workshop for these issues to avoid filling a regular meeting agenda.

- 9) Discuss and take action regarding the leasing or purchasing of heavy equipment by the city.**

Robertson summarized his detailed research and recommended the purchase of a mini excavator and gave some suggestions for leasing such as length of term for lease, etc., and Parsch recommended corrosion protection on all equipment.

- 10) Discuss and take action to limit agenda item submissions to 3 items per alderman per month.**

Motion was made by Jalifi to limit agenda items to 3 per Alderman per meeting. Motion was seconded by Gerber.

Amended motion was made by Jalifi to limit agenda items to 3 items per Alderman per Regular meeting. Motion was seconded by Robertson and passed 3 for; 1 against (Gerber).

- 11) Discuss and take action to create an ordinance that declares that donations of any kind that are made to the city then become property of the city and can be dealt with as needed by city officials.**

City Attorney Ritter explained that there is already an ordinance in place addressing this issue and read it aloud. Mr. Jalifi accepted this and the meeting moved on.

- 12) Discuss and take action to approve amendments to the Beach User Fee and Dune Protection and Beach Access Plan, Section 6 & 8 and forward on to the General Land Office for review and comments.**

Motion was made by Parsch to approve the amendments to section 6 & 8 of the Dune Protection and Beach Access plan and forward on to the GLO for consideration. Motion was seconded by Gerber and passed unanimously.

13) Discuss and take action on a lighting ordinance as recommended by the Planning Commission.

Motion was made by Jalifi to table this item. Motion was seconded by Parsch and it passed 3 for; 1 against (Gerber).

14) Set possible dates for FY 2023-24 budget workshops.

Budget workshop dates were discussed and set.

15) 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 subject of the deliberations or hearing request a public hearing namely: city secretary Amanda Davenport and Jedidiah Smith.

Motion by Robertson to have Davenport and Ritter, Janet Solis and Moncier, Josh Hart and Erick Ingram invited to the session. Motion was seconded by Jalifi and passed unanimously.

16) Action, if any out of executive session.

Motion was made by Jalifi to take a vote regarding the Council's support and acknowledgment of Amanda Davenport's excellent leadership within City Hall. Motion was seconded by Robertson and passed with 3 for, 1 against. Mayor Bisso called for this to be roll call vote as follows: Gerber – opposed; Robertson – agree with the motion yes; Jalifi – yes, Parsch – yes

17) Adjourn 10:32 pm

Gregg Bisso, Mayor

Attest:

Amanda Davenport
City Secretary

Minutes of Special Meeting of the City Council

Tuesday, July 18, 2023 – 5:30 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 Council members were present. Jennie Green-Prats and Zack Parsch absent.

2) Executive Session: Sec. 551.071. CONSULTATION WITH ATTORNEY; A governmental body may not conduct a private consultation with its attorney except:

(1) when the governmental body seeks the advice of its attorney about:(A) pending or contemplated litigation; or (B) a settlement offer; or(2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

Council recessed into executive session at 5:30 p.m. Jalifi made the motion to invite Davenport into executive session and Robertson seconded the motion and it passed unanimously. Patton Ritter attended the session via telephone.

Council reconvened into open session at 5:55 p.m. and no action was taken out of executive session.

3) Preliminary Budget Workshop including all department heads.

Police Chief Moncier, EMS Director Robert King, Court Clerk Janet Solis, Tourism Specialist Michelle Booth were in attendance.

Chief discussed with Council the need for ticket writers, a full-time officer position, 4WD vehicles and a drone with a heat sensor. EMS needs a new stretcher for the ambulance.

Public Works needs heavy equipment, staffing and a truck and trailer. Discussion regarding adding a parks supervisor position.

4) Adjourn - the workshop adjourned at 6:43 p.m. due to lack of quorum, Jalifi left the workshop.

Passed and approved this 8th day of August, 2023.

Gregg Bisso, Mayor

Amanda Davenport, City Secretary

Minutes of Budget Workshop

Tuesday, July 31, 2023
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 Council members were present.

2) Budget Workshop regarding the Hotel/Motel Fund.

Discussion regarding Stahlman Park rental rates, short-term rental tax collections, etc.

3) Adjourn 7:30 p.m.

Passed and approved this 8th day of August, 2023.

Gregg Bisso, Mayor

Amanda Davenport, City Secretary



Resolution Amending Authorized Representatives

Please complete this form to amend or designate Authorized Representatives. This document supersedes all prior Authorized Representative forms.

*** Required Fields**

1. Resolution

WHEREAS,

The Village of Surfside Beach

77159

Participant Name*

Location Number*

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool / Texpool Prime"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool Prime account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representative(s) of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

1. GREGG BISSO MAYOR

Name

Title

9792331531

Phone

Fax

GBisso@aol.com

Email

[Signature]

Signature

2. Amanda Davenport City Secretary

Name

Title

9792331531

Phone

Fax

amanda@surfside.tx.org

Email

[Signature]

Signature

3. Sarah Stapleton Bookkeeper

Name

Title

9792331531

Phone

Fax

bookkeeper@surfside.tx.org

Email

[Signature]

Signature

1. Resolution (continued)

4. Jenni Green-Prats Mayor Pro Tem
 Name Title
9179123311531 jogreen1950@hotmail.com
 Phone Fax Email
Jenni Green-Prats
 Signature

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Amanda Davenport
 Name

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

Name Title

 Phone Fax Email

D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the day of , 20.

Note: Document is to be signed by your Board President, Mayor or County Judge and attested by your Board Secretary, City Secretary or County Clerk.

The Village of Seaside Beach
 Name of Participant*

SIGNED
[Signature]
 Signature
Gregg Bisso
 Printed Name
Mayor
 Title*

ATTEST
[Signature]
 Signature*
Amanda Davenport
 Printed Name*
City Secretary
 Title*

2. Delivery Instructions

Please return this document to **TexPool Participant Services:**
Email: texpool@dtsystems.com
Fax: 866-839-3291

ORDINANCE 2023.08.08A

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE II, OF THE CODE OF ORDINANCES OF THE VILLAGE OF SURFSIDE BEACH, TEXAS; AMENDING AGENDA PREPARATION ORDINANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the Village of Surfside Beach, Texas, has determined that adoption of this Ordinance is necessary to the health, safety, and general welfare of the inhabitants of said City and the members of the general public; and

WHEREAS, the City Council finds that this Ordinance was adopted at a meeting which was open to the public and preceded by proper notice, as required by Chapter 551 of the Texas Local Government Code (the Open Meetings Act).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE VILLAGE OF SURFSIDE BEACH, TEXAS:

FIRST, the findings and recitations set out in the Preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made part hereof for all purposes.

SECOND, That Chapter 2, Article 2, Section 2-92 of the Code of Ordinances of the Village of Surfside Beach, Texas, is amended as follows:

Sec. 2-92. – Agenda.

- (b) *Preparation.* The agenda for all regular meetings shall be prepared by the secretary under the direction of the mayor or the mayor pro tem. The agenda for any special or emergency meeting shall be prepared by the secretary under the direction of the person calling such meeting. The agenda for any regular meeting shall contain any item of old business tabled from a previous meeting and **up to three (3) new agenda items per councilmember, which that member determines to place thereon**; provided that any item of new business is given to the secretary for placement on the agenda not later than 12:00 noon on the Thursday next, preceding the regular meeting. The agenda for any emergency or any special meeting shall contain such items of old business or new business as the person calling such meeting desires to place thereon.

THIRD, This Ordinance shall be and is hereby declared to be cumulative of all other Ordinances of the Village of Surfside Beach and this Ordinance shall not operate to repeal or affect any of such other Ordinances except insofar as the provisions thereof might be inconsistent or in conflict

with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinance or Ordinances are hereby repealed.

FOURTH, If any section, subsection, sentence, clause, or phrase, of this Ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.

FIFTH, All of the regulations provided in this Ordinance are hereby declared to be governmental and for the health, safety, and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this Ordinance, acting for the Village of Surfside Beach in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

SIXTH, Any violation of this Ordinance can be enjoined by a suit filed in the name of the Village of Surfside Beach in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this Ordinance or in the Code of the Village of Surfside Beach.

READ, PASSED, AND ADOPTED THIS 8TH DAY OF August, 2023.

GREGG BISSO, MAYOR
VILLAGE OF SURFSIDE BEACH, TEXAS

ATTEST: _____
AMANDA DAVENPORT
CITY SECRETARY

ORDINANCE 2023.08.08B

AN ORDINANCE AMENDING CHAPTER 36 OF THE CODE OF ORDINANCES OF THE VILLAGE OF SURFSIDE BEACH, TEXAS, AMENDING THE SIGN ORDINANCE AND BRINGING THE POLITICAL SIGN SECTION INTO COMPLIANCE WITH THE TEXAS ELECTION CODE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council finds that this Ordinance was adopted at a meeting which was open to the public and preceded by proper notice, as required by Chapter 551 of the Texas Local Government Code (the Open Meetings Act).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE VILLAGE OF SURFSIDE BEACH, TEXAS:

FIRST, the findings and recitations set out in the Preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made part hereof for all purposes.

SECOND, That Chapter 36-13 of the Code of Ordinances of the Village of Surfside Beach, Texas, is amended as follows:

Sec. 36-13. – Exceptions and exemptions.

(9) Political signs.

Temporary political campaign signs shall comply with the Texas Election Code.

THIRD, If any section, subsection, sentence, clause, or phrase, of this Ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.

READ, PASSED, AND ADOPTED THIS 8th DAY OF August, 2023.

**GREGG BISSO, MAYOR
VILLAGE OF SURFSIDE BEACH,
TEXAS**

ATTEST: _____
**AMANDA DAVENPORT
CITY SECRETARY**