

Surfside Beach City Council Meeting

Tuesday May 13, 2025

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 a Council meeting scheduled for **7:00 p.m. on Tuesday May 13, 2025**. To view the meeting electronically please use the following website:

<https://us02web.zoom.us/j/84253545017?pwd=VHFGMXRoZmJHNG5lcDBSIjJ3MldjUT09>

Meeting ID: 842 5354 5017 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) Discuss and take possible action on Ordinance 2025.05.13GE canvass of the 2025 General Municipal Election
- 4) SWEARING IN OF COUNCIL MEMBERS and MAYOR
- 5) Mayor/council/department head reports
- 6) Business of visitors not on the agenda
- 7) 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 April 08, 2025.
 - B. Consider approval of accounts payable from April 2025.
- 8) Discuss and take possible action to appoint a Mayor Pro Tem.
- 9) Discuss and take possible action to create an ordinance prohibiting digging and leaving large holes in the sand on the beach. *Hines/Hester*
- 10) Discuss and take possible action to approve Ordinance 2025.05.13A amending section 12-5 of the Code of Ordinances regarding wetland and upland delineation, in response to the recent decision of the USACE. *Hart*

- 11) Discuss and take possible action to purchase new equipment and procure maintenance services for existing water treatment equipment used by our First Responders at the Emergency Center. *Gerber*
- 12) Discuss and take possible action to approve Ordinance 2025.05.13B Beach recreation area rules ordinance Section 28-62 of the Surfside Code of Ordinances, specifically, 'No mobile vendors are allowed'. *Parsch*
- 13) Discuss and take possible action to donate \$250,000.00 to the Cradle of Texas Conservancy for the purpose of building a replica of the old Fort Velasco site
- 14) Discuss and take action to appoint Frank DeMarco as our Emergency Manager, replacing Tony Scharp. *Parsch*
- 15) Discuss and take possible action regarding RV parking on the beach. *Hester*
- 16) EXECUTIVE SESSION: Sec. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING. 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.
- 17) Action, if any, out of executive session.
- 18) Adjourn

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, May 8, 2025 at or before 6:00 PM and remained posted continuously for at least 72 hours before the scheduled time and date of the meeting.


Amanda Davenport, City Secretary

ORDINANCE 2025.05.13GE

AN ORDINANCE DECLARING THE RESULTS OF THE GENERAL AND SPECIAL ELECTION HELD IN THE VILLAGE OF SURFSIDE BEACH ON MAY 5, 2025 FOR THE ELECTION OF MAYOR AND THREE ALDERMEN; FINDING COMPLIANCE WITH THE OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE HERE OF.

WHEREAS, the Village of Surfside Beach held a general election on the 5TH day of May, 2025, for the purpose of electing the position of Mayor for the remaining unexpired term of one year and three alderman; and

WHEREAS, three Alderman positions were unopposed and thereby declared elected to the Village of Surfside Beach City Council: Oscar Jalifi, Marsha Hines and Jennie Green-Prats, and

WHEREAS, there were cast at said election for the following listed persons the number of votes opposite their respective names:

MAYOR

Zach Parsch	108
Milo Wilson	12
David Williams	16

as shown in the official election returns heretofore delivered by the Election Manager and officials to the Mayor and City Council of the Village of Surfside Beach and submitted to the City Council.

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

Section 1. That said election was duly called and notice thereof given in accordance with law; that said election was held in the manner required by law; that due returns of said election have been made by the proper officers; that said returns have been canvassed by the City Council of the Village of Surfside Beach; that said election has resulted in the election of the following named persons for the position of Alderman **Oscar Jalifi, Marsha Hines and Jennie Green-Prats**; and for the position of Mayor: **Zach Parsch**;

Section 2. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 3. This Ordinance shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED, this 13th day of May 2025.

Zach Parsch, Mayor

ATTEST:

Amanda Davenport

Mayor, Unexpired Term

Choice	Party	Absentee		Early Voting		Election Day		Total	
David Williams		0	0.00%	6	18.18%	10	9.71%	16	11.76%
Milo Wilson		0	0.00%	4	12.12%	8	7.77%	12	8.82%
Zach Parsch		0	0.00%	23	69.70%	85	82.52%	108	79.41%
Cast Votes:		0	0.00%	33	100.00%	103	100.00%	136	100.00%
Undervotes:		0		0		0		0	
Overvotes:		0		0		0		0	

*** End of report ***

Minutes of Regular Meeting of the City Council

Tuesday, April 8, 2025 – 7:00 PM

Village of Surfside Beach

1304 Monument Drive

Surfside Beach, TX 77541

1) CALL TO ORDER, QUORUM IN ATTENDANCE

Meeting was called to order by Mayor Parsch at 7:00 p.m.

2) INVOCATION, PLEDGE OF ALLEGIANCE

Alderman Jalifi gave the invocation and Mayor Parsch led the pledge.

3) Mayor/council/department head reports

Mayor Parsch – gave an update on the Human Resources department and actions regarding posting for Finance Director and EMS personnel; TCEQ update and update on Village finances; St. Patrick's Day committee presented the annual donation to the PD/EMS and VFD;

John Gerber – updated on Planning Committee work regarding beach parking possibilities and signs and also reported on the Historical Monument Square; always available, ready to help at any time.

Steve Kedlarchuk – Thanks to Toby and the street crew for the repairs;

Erick Ingram – monthly public works activity report; painted fire hydrants; reported on status of TCEQ violations;

Chief Hester – gave the monthly activity report for the Police Department;

Oscar Jalifi – Village won the Keep Texas Beautiful Silver Star designation; Tourism Friendly Certification and working on bringing more events to town;

Tony – EMS – monthly EMS report;

Josh Hart – reported the monthly activity for the Building/Code Enforcement department, and the status of the Palm Point Subdivision;

Toby Bolinger – Trash barrels and signage still being placed on the beach; beach permit sales are steady;

Janet Solis – gave an update on the open positions in the Village employ.

Amanda Davenport – gave an update on the pending grants and grant applications.

4) Business of visitors not on the agenda.

Jonathan Burnsnill, Tammy and Eric Eckstrand, Randy Toomy and Clare Dunn spoke regarding the Palm Pint Subdivision and private roads. Rick Sublett is concerned about Coral Court entrance and Chrissy Daley is concerned about enforcement of beach rules.

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 February 11, 2025 and March 11, 2025.

- B. Consider approval of accounts payable from March 2025.
- C. Consider approval of expenditure from the Court Technology Fund for the purchase of a new court computer and (2) computer monitors not to exceed \$1200.00 in total.
- D. Proclamation declaring April 2025 as Fair Housing Month
- E. Proclamation declaring April 21, 2025 San Jacinto Day
- F. Approve the Brazoria Militia to stage the historical re-enactment on Saturday May 3, 2025 at the monument site

Motion was made by Jenni Green-Prats to approve items A-E on the consent agenda. Motion was seconded by Kedlarchuk and passed unanimously.

Motion was made by Green-Prats to approve item F with Canon fire. Motion was seconded by Jalifi and failed with 2 voting for and 3 against.

Motion was made by Gerber to approve item F without canon fire, muskets only. Motion was seconded by Green-Prats and passed with 4 for, 1 against (Kedlarchuk)

- 6) Discuss and take possible action amending Sec. 48-172. - Construction of sanitary sewer system. striking the wording in: (a) (3) No person who connects to the sewer system shall ever reconnect to a septic system and striking the wording in: (b) (1) All persons, or their successors and assigns, owning property with connections as shown on Exhibit "A" are required to connect to the sewer system, and to disconnect and dispose of their septic systems as required by state law and regulations. No person who is required to connect to the sewer system shall ever reconnect to a septic system.

Motion was made by Gerber to modify section 48-172 of the Municipal Code striking the wording in (a)(3) and (b)(1). Motion was seconded by Kedlarchuk, no vote was taken

Discussion ensued regarding section 206

Motion was modified by Gerber to table this item. Motion was seconded by Hines and passed unanimously.

- 7) Discuss and take action to approve Ordinance 2025.04.08A eliminating the provision for regulation of pictorial record of meetings.

Motion was made by Gerber to approve Ordinance 2025.04.08A eliminating the provision for regulation of pictorial record of meetings. Motion was seconded by Kedlarchuk and passed unanimously.

- 8) Discuss and take possible action to amend section 12-5 of the Code of Ordinances regarding wetland and upland delineation, in response to the recent decision of the USACE.

Motion was made by Gerber to change section 12-5 to either a topographical survey showing the mean high tide or delineation. Motion was seconded by Green-Prats

Discussion ensued

Motion was amended by Gerber to direct the City Attorney to do an ordinance to change section 12-5 to either a topographical survey showing the mean high tide or delineation. Motion was seconded by Green-Prats and passed unanimously.

- 9) Discuss the Comprehensive Work Plans signed onto by the Village of Surfside Beach with the nonprofit organization Communities Unlimited regarding sewer and water rates and infrastructure, as well as other discussions and progress made with associated entities, and related research.

Discussion only presented by John Gerber that Communities Unlimited is working with us to find funding for our water and sewer problems.

- 10) Discuss and take possible action regarding Sec 12-2. - Registration requirements for building permits. Registration of Builders, Remodelers, and Contractors who intend to obtain building permits for construction projects in an amount exceeding the sum of \$20,000.00.

Discussion presented by Gerber to help pay for infrastructure loans through developer fees, etc..

Motion was made by Jalifi to table this item and send it to the Planning Committee for recommendation based upon the template provided in the Council packet. Motion was seconded by Green-Prats and passed unanimously.

- 11) Discuss and take possible action to adopt simple guidelines as well as a recusal, abstention, attendance form to streamline the process for council members on agenda items that may represent a conflict of interest, and to start the enforcement of state laws regarding the conduct of local governing bodies.

Motion was made by Jalifi to enforce the state law and use the Council form for conflicts and attendance issues TLGC 171. Motion was seconded by Gerber and passed 4 for, 1 against (Green-Prats)

- 12) Discuss and take possible action in Beach recreation area rules ordinance Section 28-62 of the Surfside Code of Ordinances, specifically, 'No mobile vendors are allowed.

Motion was made by Jalifi to instruct the City Attorney to remove from our vending ordinance Section 28-62 "no mobile vending allowed". Motion was seconded by Gerber and passed with 4 for 1 against (Kedlarchuk)

- 13) Discuss and take possible action regarding Flood Insurance for City Buildings.

Motion was made by Gerber to cancel flood insurance policies. Motion was seconded by Jalifi and passed unanimously.

- 14) Request approval of the Village of Surfside Beach City Council to authorize the Mayor to transact on an electricity contract for the Village to lock in an optimal supply rate for a 72-month term that begins July 1, 2025.

Motion was made by Green-Prats to allow Mayor Parsch to make the electricity contract decisions. Motion was seconded by Hines and passed unanimously.

Adjourn at 9:54 p.m.

Passed and approved this 13th day of May 2025.

Zach Parsch
Mayor

Amanda Davenport,
City Secretary

Ordinance 2025.05.13A

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE I, OF THE CODE OF ORDINANCES OF THE VILLAGE OF SURFSIDE BEACH, TEXAS; MODIFYING WETLAND AND UPLAND DELINEATION REQUIREMENTS; 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 12, Article 1, Section 12-5 of the Code of Ordinances of the Village of Surfside Beach, Texas, is hereby modified as follows:

Sec. 12-5. – Wetland and upland delineation.

- (a) The city council specifically finds that all building permits on the northern side of Bluewater Highway, Treaty Drive and Monument Drive, require a jurisdictional determination and may require either a topographic survey showing the mean high tide line from a State of Texas licensed surveyor or a delineation from a qualified coastal geologist or biologist with Army Corps of Engineers permit experience determining boundaries between uplands and wetlands before any building permit is issued by the village building official.

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.

SEVENTH, This Ordinance shall take effect and be in force immediately upon its passage and publication of its descriptive caption twice in the Brazosport Facts.

READ, PASSED, AND ADOPTED THIS _____ DAY OF _____, 20____.

ZACH PARSCH, MAYOR
VILLAGE OF SURFSIDE BEACH, TEXAS

ATTEST: _____
AMANDA DAVENPORT
CITY SECRETARY

Ordinance 2025.05.13B

AN ORDINANCE AMENDING CHAPTER 28, ARTICLE III, OF THE CODE OF ORDINANCES OF THE VILLAGE OF SURFSIDE BEACH, TEXAS; REMOVING THE PROHIBITION OF MOBILE VENDORS ON THE BEACH; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; CREATING A PENALTY; 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 Section 62 (2)(i), Chapter 28, Article III, of the Code of Ordinances of the Village of Surfside Beach, Texas, is hereby removed:

(2) Health and sanitation.

i. ~~———— No mobile vendors are allowed.~~

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 Ordinances 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.

SEVENTH, This Ordinance shall take effect and be in force immediately upon its passage and publication of its descriptive caption twice in the Brazosport Facts.

READ, PASSED, AND ADOPTED THIS _____ DAY OF _____, 20____.

**ZACH PARSCH, MAYOR
VILLAGE OF SURFSIDE BEACH, TEXAS**

ATTEST: _____
AMANDA DAVENPORT
CITY SECRETARY

Amanda Davenport

From: Jon Gerber
Sent: Thursday, May 8, 2025 9:36 AM
To: Amanda Davenport
Subject: Agenda

Please add this to the agenda:

Discuss and take possible action to purchase new equipment and procure maintenance services for existing water treatment equipment used by our First Responders at the Emergency Center.

Thank you
Jonathan Gerber
Alderman At Large
Get [Outlook for iOS](#)

Amanda Davenport

From: Zach Parsch
Sent: Thursday, May 8, 2025 12:39 PM
To: Amanda Davenport
Subject: Agenda item

Discuss and take action to appoint Frank DeMarco as our Emergency Manager, replacing Tony Scharp.

With the hiring of our full time EMS Director we should also officially move Frank into the role of Emergency Manager replacing his direct report, Tony Scharp.

Thanks,
Zach