Surfside Beach City Council Meeting Tuesday September 9, 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 September 9, 2025**. To view the meeting electronically please use the following website:

https://us02web.zoom.us/j/84253545017?pwd=VHFGMXRoZmJHNG5lcDBISIJ3MldjUT09

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 To The United States & The Texas Flag
- 3) Mayor/council/department head reports
- 4) Business of visitors not on the agenda/Present Proclamation designating Texian Navy Day
- 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 August 12, 2025
- B. Consider approval of accounts payable from August 2025.
- C. Appoint Chet Davidson to the Beach Advisory Committee.
- 6) Discuss and take possible action to purchase a replacement ambulance. Parsch
- 7) Take action to Open Public hearing for discussion to adopt TMRS employee retirement option of 8% matching maximum (from 7%) and 20 years service (from 25). This will improve the VOSB employee retirement benefits at a total cost of \$20,713 annually if we have 100% participation. Parsch
- 8) Take action to Close public regarding increasing the TMRS contribution.
- 9) Discuss and take possible action on **Ordinance 2025.09** regarding the Village of Surfside Beach Texas Municipal Retirement System benefits authorizing (1) 20-year retirement

- eligibility; (2) an increase to the employee contribution rate; and (3) removal of the statutory maximum contribution rate. *Parsch*
- **10)** Take action to Open Public hearing regarding the proposed tax rate for 2025. *Parsch*
- 11) Take action to close the tax rate public hearing. *Parsch*
- 12) Discuss and take possible action to amend Section 8-22 of the Code of Ordinances to allow up to three egg-laying hens on private property within the city limits. *Gerber*
- 13) Discuss and take possible action on **Ordinance 2025.09.09B** to allow mobile vending on the beach per the Beach Advisory Committee vending guidelines. *Parsch*
- 14) Discussion with Council, and a presentation by Chris Kneupper about the new down-sized project plan we are currently calling the Fort Velasco Discovery Center. *Gerber*
- 15) Discuss and take possible action to amend Chapter 46, Article V, Of The Code Of Ordinances Of The Village Of Surfside Beach, Texas, Adopting A Truck Routes Ordinance. *Gerber*
- **16)** Discuss and take possible action on Waste Connections rate increase and potential service modification options. *Parsch*
- 17) Discuss and take possible action to appoint two alternate municipal court judges, namely Janet Solis and Tammy King Odom.

Adjourn

Certification of Posting

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 September 4, 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 Daverport, City Secretary

Minutes of Regular Meeting of the City Council

Tuesday, August 12, 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. Jalifi was absent and Green-Prats attended via telephone for discussion purposes only.

2) INVOCATION, PLEDGE OF ALLEGIANCE

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

3) Mayor/council/department head reports

Mayor Parsch – Update on budget, and groin and sewer projects

John Gerber – gave an update on Historical Committee activities; appreciates everyone on Council;

Erick Ingram- Public works daily reports; monthly activity reports; filled the supervisor position;

Hester – gave the monthly activity report for the Police Department; recognized Donnie Cox and Tiffany Colquit for life-saving on an emergency call;

Frank- awarded Tiffany Colquitt as Medic of the Month;

Josh Hart - reported the monthly activity for the Building/Code Enforcement department,

Janet Solis - still working on FEMA;

- 4) Business of visitors not on the agenda. NONE
- 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 July 8, 2025
 - B. Consider approval of accounts payable from July 2025.
 - C. Consider approval of canon fire for the Ghosts around the Coast event in October 2025.

Motion was made by Hines to accept the consent agenda as presented. Motion was seconded by Kedlarchuk and passed unanimously

6) Discuss and take possible action to amend Sec. 48-204 On-Site Sewage Facilities, Ordinance 2025.08.12A.

Motion was made by Gerber to accept Ordinance 2025.08.12A OSSF as written. Motion was seconded by Hines and passed unanimously.

7) Discuss and take possible action to amend Sec. 38-44 Solid Waste section (i), Ord 2025.08.12B regarding removal of dumpsters and roll-off containers during storm season.

Motion was made by Hines to approve Ordinance 2025.08.12B. Motion was seconded by Gerber and passed unanimously.

8) Discuss and take possible action in regard to replacing/removing GULF OF MEXICO from all billboards/signs and literature and changing it to TEXAS GULF.

Motion was made by Kedlarchuk to make these changes. Motion was seconded by Gerber and the motion failed with 2 against and 1 for (Kedlarchuk).

9) Discuss and take possible action to amend Section 8-22 of the Code of Ordinances to allow up to three egg-laying hens on private property within the city limits.

Motion was made by Gerber to table this item. Motion was seconded by Kedlarchuk and passed unanimously.

10) Discuss and take possible action to amend Article V of the Code of Ordinance – Pipeline Regulations.

Motion was made by Gerber to adopt revisions as presented and change page 2 # 12 to say "shall". Motion was seconded by Hines and passed unanimously.

11) Discuss and take possible action to accept a gift from OGSR of a granite surfboard bench to be placed in the Bird and Butterfly Park.

Motion was made by Gerber to accept the bench. Motion was seconded by Hines and passed unanimously.

12) Discuss and take possible action to allow mobile vending on the beach per the Beach Advisory Committee vending guidelines.

Motion was made by Gerber to amend the current ordinance to allow vending on the beach with certain stipulations as directed by the BAC committee. Motion was seconded by Hines and passed 2 for, 1 against.

13) Adjourn 8:24 pm

Passed and approved this 9th day of September 2025.

Zach Parsch	
Mayor	
Amanda Davenport,	

PROCLAMATION

City of Surfside Beach, Texas

TEXIAN NAVY DAY September 20, 2025

WHEREAS, in January 1836, the first Texas Navy, the official navy of the Republic of Texas, was organized with four hastily purchased schooners — Invincible, Brutus, Independence, and Liberty — to protect the Texas coast, prevent Mexican resupply, and secure vital war provisions; and

WHEREAS, under Commodore Charles Edward Hawkins, the Texas Navy won distinction by breaking the attempted Mexican blockade at Velasco, securing supplies essential to the survival of the Texian Army; and

WHEREAS, the Port of Velasco, in present-day Surfside Beach, was the first major port utilized by the Texian Navy, making Southern Brazoria County the birthplace of Texian naval history; and

WHEREAS, the Texian Navy continued service under Commodore Edwin W. Moore with a second fleet of six ships beginning in 1839, further cementing the Navy's reputation for boldness, sacrifice, and skill in the defense of Texas independence; and

WHEREAS, Texian Navy Day was established in Texas Government Code §662.052 to be observed annually on the third Saturday of September; and

WHEREAS, Texian Navy Day was first formally celebrated in Brazoria County in 1954, recognizing the vital role the Navy played in securing Texas liberty and shaping our state's destiny; and

WHEREAS, Southern Brazoria County proudly continues this legacy, honoring the Texas Navy as proof that 'Fortune Favors the Bold' — Audentes Fortuna Iuvat;

NOW, THEREFORE, BE IT RESOLVED that I, <u>Zach Parsch</u>, Mayor of the City of Surfside Beach, Texas, together with the Old Velasco/Surfside Beach Historical Committee, do hereby proclaim September 20, 2025, as and encourage all citizens to commemorate, celebrate, and honor the Texas Men of Iron, Sailing in their Ships of Wood.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the City of Surfside Beach to be affixed this 9th day of September, 2025.

test:	Zach Parsch
	Mayor, City of Surfside Beach
	Mayor, City of Surisit

Amanda Davenport
City Secretary

Amanda Davenport

From:

Zach Parsch

Sent:

Wednesday, September 3, 2025 9:02 AM

To: Subject: Amanda Davenport Agenda item for 9/9/25

Follow Up Flag:

Follow up

Flag Status:

Flagged

Discuss and take possible action to adopt TMRS employee retirement option of 8% matching maximum (from 7%) and 20 years service (from 25). This will improve the VOSB employee retirement benefits at a total cost of \$20,713 annually if we have 100% participation.

Thanks, Zach



September 4, 2025

Janet Solis HR/Court Administrator Village of Surfside Beach 1304 Monument Dr Surfside Bch, TX 77541-9522

Dear Ms. Solis:

We are pleased to enclose a model ordinance for your city to adopt:

8% Employee Contribution Rate Removal of the Statutory Maximum Contribution Rate Limit 20-Year Retirement Eligibility

All Effective October 1, 2025

When the ordinance becomes effective, the city must begin deducting the new contribution rate from each employee's gross monthly compensation.

Additionally, by adopting this ordinance, your city agrees to fully fund the cost of the pension benefits included in the city's plan.

Prior to adopting the 20-Year Retirement eligibility provision, the TMRS Act (Texas Government Code, Chapters 851 - 855) requires that the city holds a public hearing pursuant to the notice provisions of the Texas Open Meetings Act (Texas Government Code, Chapter 551). Please have your city attorney review these and any other related necessary actions.

As reflected in the Plan Change Study you previously received, the city's contribution rate will be 6.48% starting October 1, 2025. Beginning January 1, 2026, the city's contribution rate remains at 6.48%.

Please make sure the ordinance is adopted and signed before the effective date. When the ordinance is adopted, please send a copy to City Services at <u>cityservices@tmrs.com</u>.

If you have any questions about the city's employee contribution rate or the model ordinance, please call me at 512-225-3742.

Sincerely,

Colin Davidson

Director of City and Member Services

Ordinance 2025.09.09A

AN ORDINANCE REGARDING THE VILLAGE OF SURFSIDE BEACH TEXAS MUNICIPAL RETIREMENT SYSTEM BENEFITS AUTHORIZING (1) 20-YEAR RETIREMENT ELIGIBILITY; (2) AN INCREASE TO THE EMPLOYEE CONTRIBUTION RATE; AND (3) REMOVAL OF THE STATUTORY MAXIMUM CONTRIBUTION RATE LIMIT.

Whereas, the Village of Surfside Beach, Texas (the "City"), elected to participate in the Texas Municipal Retirement System (the "System" or "TMRS") pursuant to Subtitle G of Title 8, Texas Government Code, as amended (which subtitle is referred to as the "TMRS Act"); and

Whereas, each person who is or becomes an employee of the City on or after the effective date of the City's participation in the System in a position that normally requires services of 1,000 hours or more per year ("Employee") shall be a member of the System ("Member") as a condition of their employment; and

Whereas, House Bill 3161, 89th Texas Legislature, R.S., 2025, amended TMRS Act §855.401(a) to read that each municipality participating in the System shall designate the rate of Member contributions for Employees and shall elect a rate of five, six, seven, or – effective September 1, 2025 – eight percent of the Employees' compensation; and

Whereas, the City Council finds that it is in the public interest to (1) adopt twenty-year retirement eligibility; (2) increase the Employee contribution rate contributed to TMRS; and (3) authorize actuarially determined city contribution rate payments and remove the statutory maximum contribution rate ("StatMax") limit; now:

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

Section 1. Authorization of Twenty (20) Year Retirement Eligibility.

- (a) Pursuant to TMRS Act §854.202(g), the City authorizes any Member of the System who is or was an Employee of the City to retire and receive a service retirement benefit if the Member has at least twenty (20) years of credited service in the System performed for one or more municipalities, including the City, that have adopted a like provision under TMRS Act §854.202(g).
- (b) Prior to adopting this Ordinance, the City has: (1) prepared an actuarial analysis of Member retirement annuities at twenty (20) years of service; and (2) held a public hearing pursuant to the notice provisions of the Texas Open Meetings Act (Chapter 551, Texas Government Code).
- (c) The retirement eligibility authorized in this Ordinance shall be in addition to the plan provisions previously adopted by the City and in force at the effective date of this Section pursuant to the TMRS Act.
- (d) The retirement eligibility authorized by this Section shall be effective on the first day of the month of October, 2025.

Section 2. Increased Employee Contribution Rate.

(a) The rate of Employee contributions to be made by the City to the System shall be 8% of the compensation of Employees who are Members, in accordance with TMRS Act §855.401. The City shall

submit a monthly payroll report and deposit the amounts deducted from Employees' compensation to the System in accordance with TMRS Act §855.402.

(b) The increased Employee contribution rate under this Section shall be effective on the first day of the month of October, 2025.

Section 3. Removal of Maximum Contribution Rate Limit.

- (a) Pursuant to TMRS Act §855.407, the City elects to make normal service and prior service contributions to the City's account in the benefit accumulation fund of the System (the "City's BAF") at the combined rate of the total compensation paid to its Employees who are Members as the System's actuary annually determines is necessary to fund all obligations chargeable to the City's BAF, within the amortization period determined as applicable to the City under the TMRS Act and regardless of other TMRS Act provisions limiting the combined rate of City contributions.
- (b) The removal of the maximum contribution rate limit under this Section shall be effective on the first day of the month of October, 2025.

Passed and approved	, 20
ATTEST:	APPROVED:
City Secretary	

ORDINANCE 2025.09.09B

AN ORDINANCE AMENDING CHAPTER 30, ARTICLE II, OF THE CODE OF ORDINANCES OF THE VILLAGE OF SURFSIDE BEACH, TEXAS; CREATING THE PERMIT FOR MOBILE VENDORS ON THE BEACH; CREATING RULES FOR 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 FEE; 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 30-21, Chapter 30, Article II, of the Code of Ordinances of the Village of Surfside Beach, Texas, is hereby created to read as follows:

Section 30-21. Mobile Beach Vendors.

- (a) Mobile Beach Vendors shall be allowed to operate on the beach, subject to the provisions of this section. To qualify as a Mobile Beach Vendor, a Vendor shall meet the following qualifications:
 - a. The Vendor must have a physical storefront location registered with the Village of Surfside Beach. Each physical storefront location shall be allowed one mobile vehicle.
 - b. The Vendor's vehicle must have no more than four wheels, and must be self-propelled. The Vendor's vehicle shall not pull a trailer, nor shall the vehicle be a trailer.
 - c. Sales are limited to the area of the beach between the Yucca Entrance and the city limits of the Village. Vendors shall not operate on any other area of the beach.
 - d. Mobile Beach Vendors shall not obstruct traffic flow. Nothing in this section prohibits a law enforcement officer from citing a Mobile Beach Vendor for obstruction of a roadway at his or her discretion. Neither a permit under this

section, nor operating under this section, shall serve as a defense to prosecution for obstruction, blocking, or otherwise impeding the roadway or the flow of traffic.

e. All Mobile Beach Vendors must be registered with the Village of Surfside Beach and pay the registration fee as set forth in the Village's table of fees. Further, all Mobile Beach Vendors must obtain the necessary permit from the State of Texas.

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

Ordinance:	2025.
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AN ORDINANCE AMENDING CHAPTER 46, ARTICLE V, OF THE CODE OF ORDINANCES OF THE VILLAGE OF SURFSIDE BEACH, TEXAS, ADOPTING A TRUCK ROUTES ORDINANCE; 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;

WHEREAS, the City Council of the Village of Surfside Beach, Texas, has determined that adoption of this Ordinance is not inconsistent with state law and is necessary for the government, interest, welfare, and good order of the municipality as a body politic; and

WHEREAS, the City Council 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 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 46, Article V, of the Code of Ordinances of the Village of Surfside Beach, Texas, is hereby adopted to read as follows:

ARTICLE V. - TRUCK ROUTES

Sec. 46-202. - Affirmative defenses to operation of trucks, truck tractors and other self-propelled vehicles.

It is an affirmative defense to prosecution of a violation of this article if the motor vehicle in question:

(7) Is one which has displayed thereon a valid permit, issued by the city secretary or mayor village building official and has a gross vehicle weight of pounds or less. In this connection, in authorizing the issuance of such special permit, the secretary or mayor of the village village building official shall specify, and there shall be included in such special permit, a description of the exact route such motor vehicle shall take in traveling to and from any street specified in subsection (3) of this section: information about the use of the roads and the duration of the project; information about the specific trucks and cargo, including their weight, that will be engaged in hauling, and documentation

of the condition of the entire length of road prior to the start of the project. Further, the secretary or mayor of the village village building official shall require the posting of a bond by the permittee, with good and sufficient surety to be approved by the mayor of the village village building official, with the condition that such permittee and his sureties will pay such sum of money as the county engineer or village building official-indicates will be reasonably necessary to reconstruct or maintain such street in excess of the normal maintenance cost as a result of such operation. This affirmative defense to the application of section 46-201 only applies if the motor vehicle in question is being operated along the route specified in the permit;

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, 2025
	ZACH PARSCH, MAYOR