

Kurt Otten, Mayor
Alex Scanlon
Randy Chronister

AGENDA
CITY OF CLEAR LAKE SHORES
CITY COUNCIL
REGULAR MEETING
February 7, 2023, at 6:30 pm

Monica Ledet
Steve Wirtes
Rick Fisher

NOTICE is hereby given of a Regular Meeting of the City Council for the City of Clear Lake Shores, County of Galveston, State of Texas, to be held on the above-mentioned date and time at Clear Lake Shores Clubhouse located at 931 Cedar Rd., Clear Lake Shores, TX 77565 for the purpose of considering the following numbered items. The City Council of the City of Clear Lake Shores, Texas, reserves the right to meet in a closed council session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

1. CALL TO ORDER & DETERMINATION OF QUORUM

2. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE TEXAS FLAG

3. REPORTS FROM COUNCIL:

Councilman Steve Wirtes
Councilman Rick Fisher
Councilwoman Monica Ledet
Councilman Alex Scanlon
Councilman Randy Chronister
Mayor Kurt Otten

4. STAFF REPORTS:

Police Department – Interim Chief D. Donaldson

PUBLIC COMMENTS: At this time, any person with city-related business may speak to the City Council. If the topic of discussion is related to an item on the agenda, the comments may be made now or at the time the agenda item is discussed. If the topic of discussion is not related to an item on the agenda, the City Council cannot deliberate or take any action at this time. Comments from the public should be limited to a maximum of three (3) minutes per individual.

5. CONSENT AGENDA:

- a. Check Register 01/18/23 thru 02/01/23
- b. Council Meeting Minutes 01/07/23 (special)
- c. Council Meeting Minutes 01/26/23 (special)

6. NEW BUSINESS: Discussion and action may be taken on the following items:

- a. **RESOLUTION NO. 2023-03:** A RESOLUTION OF THE CITY OF CLEAR LAKE SHORES, TEXAS, PROVIDING THAT A GENERAL MUNICIPAL ELECTION BE HELD ON MAY 6, 2023 FOR THE PURPOSE OF ELECTING ONE (1) MAYOR TWO (2) ALDERMAN; AND A SPECIAL ELECTION FOR THE ADOPTION OF THE STATE LAW APPLICABLE TO POLICE OFFICERS THAT ESTABLISHES COLLECTIVE BARGAINING IF A MAJORITY OF THE AFFECTED EMPLOYEES FAVOR REPRESENTATION BY AN EMPLOYEES ASSOCIATION, PRESERVES THE PROHIBITION AGAINST STRIKES AND LOCKOUTS, AND PROVIDES PENALTIES FOR STRIKES AND LOCKOUTS; DESIGNATING THE POLLING PLACE; PROVIDING THE FORM OF THE BALLOT FOR SUCH ELECTION; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; AND PROVIDING FOR DETAILS RELATING TO THE HOLDINGS OF SUCH ELECTION. *Mayor Otten*

- b. **ORDINANCE 2023-02:** AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CLEAR LAKE SHORES, TEXAS TO ADOPT GENERAL CHANGES TO THE CODE OF ORDINANCES BY AMENDING CHAPTER 2 – ARTICLE III – DIVISION 2 – SECTION 2-68: SPENDING AUTHORITY OF MAYOR AND CITY ADMINSTRATOR. *Councilman Fisher*
- c. Consider and approve the EDC to procure replacement of the palm trees in the Town Center per the plan presented by the EDC and attached proposal from Palms of Paradise. *Mayor Otten*
- d. **EXECUTIVE SESSION:** The City Council will meet in closed executive session pursuant to Section 551.071 of the Texas Government Code to consult with the City Attorney regarding pending or threatened litigation or a matter that the duty of the attorney requires to be discussed in closed session.
- e. **EXECUTIVE SESSION:** The City Council will meet in closed executive session pursuant to Section 551.074 of the Texas Government Code to deliberate regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.
- f. **EXECUTIVE SESSION:** The City Council will meet in closed executive session pursuant to Section 551.074 of the Texas Government Code to deliberate regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Interim Chief of Police and Assistant Chief of Police.
- g. **Action from Executive Session:** The City Council will meet in closed executive session pursuant to Section 551.074 of the Texas Government Code to deliberate regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Interim Chief of Police and Assistant Chief of Police

7. ADJOURNMENT

CERTIFICATION:

I, **Angie Galvan, Assistant City Secretary**, certify this Notice of Meeting was posted on the outside bulletin board at 931 Cedar Drive on or before Friday, February 3, 2023.



Angie Galvan, TRMC
Assistant City Secretary

In compliance with the American with Disabilities Act, the City of Clear Lake Shores will provide reasonable accommodations for disabled persons attending City Council meetings. Requests for interpretive services must be made 48 hours prior to this meeting by calling 281-334-2799 or by faxing to 281-334-2866.

City Council encourages positive public comment and discussion during its meetings and reserves time during most Council meetings to hear such comments from members of the audience. HB 2840 was placed into effect September 1, 2019, by the Texas State Legislature which states, "A governmental body shall allow each member of the public who desires to address the body regarding an item on the agenda for an open meeting of the Municipal body, to address the body regarding the item at the meeting before or during the body's consideration of the item". Each member in the audience will be limited to 3 minutes for commenting on the specific subject matter of the agenda item.

Texas Open Meetings Act places certain constraints on topics raised by such visitors where such discussions are not related to an item that has been placed on the Council's posted Agenda (Attorney General Opinion JC-0169). The most effective way for an individual to have their voice heard and receive feedback at a City Council meeting is to contact the City Secretary no later than Noon on the Wednesday prior to an upcoming Council meeting and request that their name be placed on a future agenda as a Scheduled Visitor. When you make this request, please state specifically the subject you wish to discuss. The City Secretary will place your name on the agenda along with a specific description of the subject to be discussed. If you fail to provide a specific description of the subject of your requested discussion, then Council will have no choice but to refer the matter to City staff for response or defer any feedback or discussion on the matter until a future Council meeting when the subject can be placed on the agenda. Comments by a scheduled visitor should be limited to five (5) minutes and directed to the entire Council, not individual members. Engaging in verbal attacks or comments intended to insult, abuse, malign or slander any individual shall be cause for termination of speaking privileges and expulsion from Council Chambers.