

Kurt Otten, Mayor  
Amanda Fenwick  
Mark Thompson

**AGENDA**  
**CITY OF CLEAR LAKE SHORES**  
**CITY COUNCIL**  
**REGULAR MEETING**  
October 7, 2020 at 6:30 pm

Angie Terrell  
Christy Lyons  
Jan Bailey

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 via videoconference 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. **PUBLIC HEARING:**

**A PUBLIC HEARING IS BEING HELD FOR THE POSSIBLE REVOCATION OF WATERFRONT LEASE(S) FOR NONPAYMENT:**

**B-022: WILLIAM COMEE IV**  
**C-059B: MARK & TERILYNN ZUTECK**  
**C-080: NANCY SCHWARTZ**  
**C-086: LANCE BEAUCHAMP**  
**E-107: TOM HORD**

4. **REPORTS FROM COUNCIL:**

**Councilman Mark Thompson**  
**Councilwoman Christy Lyons**  
**Councilwoman Angie Terrell**  
**Councilwoman Jan Bailey**  
**Councilwoman Amanda Fenwick**  
**Mayor Kurt Otten**

5. **STAFF REPORTS:**

**Police Department Chief Keele - "T.K."**  
**Building Official Kevin Harrell**  
**Kemah Volunteer Fire Dept. – Chief Rob Steckler**  
**Galv. County Health Distr. - Amy Weber**  
**City Administrator Brent Spier**

6. **PUBLIC COMMENTS:** At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, The City Council may not deliberate. Comments from the public should be limited to a maximum of three (3) minutes per individual.

7. **NEW BUSINESS:**

**CONSENT AGENDA:**

- a. **Check Register: 09/10/2020 thru 09/30/2020**
- b. **Council Meeting Min. 09/01/2020 (Regular Mtg)**
- c. **Council Meeting Min. 09/15/2020 (Regular Mtg)**

8. **COUNCIL BUSINESS - Discussion and possible action may be taken on the following items:**
- a. **Discussion of temporary stop signs at Hanson Road and Dror Road during construction at FM 2094 and Hwy. 146.** *(City Admin. Brent Spier)*
  - b. **Action from Public Hearing for possible revocation of waterfront leases B-022, C-059B, C-080, C-086 and E-107.** *(City Admin. Brent Spier)*
  - c. **Designation of Representative and Official Alternate to the General Assembly of the Houston-Galveston Area Council.** *(Mayor Kurt Otten)*
  - d. **ORDINANCE 2020-20: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEAR LAKE SHORES, TEXAS, CREATING ARTICLE VI., SHORT TERM RENTALS, OF CHAPTER 18, BUSINESSES AND BUSINESS REGISTRATION, OF THE CODE OF ORDINANCES, ESTABLISHING REGULATIONS AND A PERMITTING REQUIREMENT FOR OPERATION OF A SHORT TERM RENTAL, AND PROVIDING A PENALTY CLAUSE FOR VIOLATIONS.** *(City Admin. Brent Spier)*
  - e. **ORDINANCE 2020-21: AN ORDINANCE OF THE CITY OF CLEAR LAKE SHORES, TEXAS AMENDING ITS CODE OF ORDINANCES BY DELETING CERTAIN LANGUAGE REFERRING TO MAXIMUM SPEED AND NUMBER OF WHEELS FROM THE DEFINITION OF GOLF CART IN SECTION 78-175, DEFINITIONS, OF ARTICLE VII, OPERATION OF GOLF CARTS ON PUBLIC STREETS, OF CHAPTER 78, TRAFFIC AND VEHICLES; AMENDING SECTION 78-176, GOLF CARTS PERMITTED AND RESTRICTED, OF ARTICLE VII, OPERATION OF GOLF CARTS ON PUBLIC STREETS, OF CHAPTER 78, TRAFFIC AND VEHICLES, TO ALLOW GOLF CARTS WITHIN THE CITY LIMITS SOUTH OF FM 2094; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$200.00; PROVIDING FOR SEVERABILITY; AND MAKING CERTAIN FINDINGS OF FACT.**
  - f. **ORDINANCE 2020-22: AN ORDINANCE OF THE CITY OF CLEAR LAKE SHORES AMENDING ITS CODE OF ORDINANCES TO ADD A NEW SECTION 78-104, PARKING ON WATERFRONT LOTS LIMITED TO LESSEES AND GUESTS, OF DIVISION 2, NO PARKING/TOW AWAY ZONES, OF ARTICLE V, STOPPING, STANDING AND PARKING, OF CHAPTER 78, TRAFFIC AND VEHICLES, PROVIDING THAT IT SHALL BE UNLAWFUL FOR ANY PERSON OTHER THAN THE WATERFRONT LESSEE OR A GUEST OF THE WATERFRONT LESSEE TO PARK A MOTOR VEHICLE, VEHICLE, OR TRAILER ON A WATERFRONT LOT; ESTABLISHING TOW AWAY ZONES; PROVIDING FOR A PENALTY IN AN AMOUNT NOT LESS THAN \$10.00 AND NOT MORE THAN \$200.00 FOR ANY VIOLATION HEREOF; PROVIDING FOR SEVERABILITY, AND MAKING CERTAIN FINDINGS OF FACT.**
  - g. **Approach TXDoT regarding changes to FM 2094 in light of recent construction on SH 146 and Birch Road Bridge.** *(City Admin. Brent Spier)*
  - h. **EXECUTIVE SESSION: Pursuant to Section 551.074 concerning Personnel Matters it authorizes certain deliberation about officers and employees of the governmental body to be held in executive session (1)to deliberate the appointment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Administrator Brent Spier, Chief of Police Tracy Keele and City Secretary Christy Stroup.**

- i. **EXECUTIVE SESSION: Pursuant to Section 551.72 authorizes a governmental body to deliberate in executive session on certain matters concerning real property: A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person**
  
- j. **Action from EXECUTIVE SESSION: Pursuant to Section 551.074 concerning Personnel Matters it authorizes certain deliberation about officers and employees of the governmental body to be held in executive session (1)to deliberate the appointment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Administrator Brent Spier, Chief of Police Tracy Keele and City Secretary Christy Stroup.**
  
- k. **Action from EXECUTIVE SESSION: Pursuant to Section 551.72 authorizes a governmental body to deliberate in executive session on certain matters concerning real property: A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**

**9. Adjournment**

**CERTIFICATION**

I, Christy Stroup, City Secretary, certify that this Notice of Meeting was posted on the outside bulletin board at 931 Cedar Drive on or before Friday, October 2, 2020.

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**Christy Stroup**  
**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 an agenda for an open meeting of the 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.