



Meeting Minutes City Council

City of Clear Lake Shores City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 281-334-2799 or write to 1006 South Shore Drive, Clear Lake Shores, Texas 77565, at least 48 hours in advance of the meeting.

Tuesday, March 5, 2019

7:00 p.m.

Clubhouse - 931 Cedar

Present: Mayor Michael McNamara, Mayor Pro-Tem Amanda Fenwick, Councilwoman Christy Lyons, Councilwoman Angie Terrell, Councilwoman Jan Bailey, Councilman Kurt Otten, City Administrator Brent Spier, Chief Kenneth Cook, Fire Chief Brent Hahn, City Secretary Christy Stroup

Absent: Bldg. Official Kevin Harrell

1. CALL TO ORDER & DETERMINATION OF QUORUM:

Mayor McNamara called meeting to order at 6:15 p.m.

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

Mayor McNamara lead the Pledge of Allegiance to the Flag of the United States of America and the Texas Flag

3. WORKSHOP:

- a. Fire Chief Brent Hahn to educate, discuss and present information related to the fire department.**

Fire Chief Hahn reviewed handouts provided by fire department (attached). No other discussion was made by city council or fire department

- b. Answer questions City Council may have related to the two agenda items from the previous agenda that were postponed.**

Councilwoman Terrell had submitted questions to Fire Chief Hahn and requested his answers be presented at the meeting. Fire Chief Hahn had the questions and proceeded to answer.

In a nutshell:

Fire Chief Hahn is requesting 6 full time fire fighters. Funding for the positions will come from the fire department. Salary for 5 positions is \$42,500.00 each employee and a Captain position at \$52,500.00. Numbers were not provided for medical benefits or retirement for the positions.

Fire Chief Hahn stated that the Fire Department had a budget of \$830,000.00 last year. If needed the fire department could propose an increase in TAP fees to the residents through the Water District or propose a bond to be voted.

The fire department has no contingency plan if the City of Clear Lake Shores denies this request.

Fire Chief Hahn said that they would look for other options.

Councilman Otten asked Fire Chief Hahn about volunteer firefighters and stated that he had not noticed any campaigning or advertising for volunteers. Fire Chief Hahn said that they have been at a few events advertising and that they advertise at the fire station but due to lack of people they are not able to get out a lot to try and recruit.

Emergency medical services provider license:

Fire Chief Hahn is requesting a letter from the City allowing them to obtain their medical services provider license. They are making no changes with CLEMC. They are not changing any policies. Would like to have the license so they could have their own ambulance at the station. This is a request from the Emergency Services Board that they have tasked Fire Chief Hahn to present to the City of Kemah and Clear Lake Shores.

WORKSHOP CLOSED AT: 7:37 pm

4. REPORTS FROM COUNCIL:

Councilman Otten – Thanked Mark Thompson and Lisa Bennigan for their help and support with Gumbofest.

Councilwoman Terrell – Animal Bayou Services Board cancelled meeting. Next meeting will be in April.

Councilwoman Lyons – hand out referencing CLEMC financials

Councilwoman Bailey – out of town and missed the Mardi Gras festivities

Mayor Pro Tem Fenwick – ready to go to Galveston County Day at the Capital tomorrow

Mayor McNamara – Hwy 146 project has placed the barricades on the bridge but have not closed the road under the bridge; Texas Court of Criminal Appeals struck down a part of the Open Meetings Act concerning "walking quorums". Legislative will review and possibly make changes to provide more clarity.

4. STAFF REPORTS:

City Administrator Brent Spier: Report attached

Chief Cook: Stats for February 2019; commended Officer Jeremy Blanchard on a pursuit that took place that ended in apprehending the suspects. (report attached)

Building Official Kevin Harrell: Absent

Fire Chief Brent Hahn: Stats for the month of February; attended several meetings over the previous Weeks

5. PUBLIC COMMENTS:

Matt Wiggins, resident of Kemah, talked about budget for ambulance/fire fighter services

5. OLD BUSINESS:

a. Establishing Kemah Volunteer Fire Department personnel as Clear Lake Shores Employees.

Councilwoman Terrell made motion to discuss
Mayor Pro Tem Fenwick second the motion

Councilman Otten wants to propose a 6 month period for the Fire Department to campaign for volunteers and see if they can cover their shortage with volunteers.

Councilwoman Bailey is requesting a formal budget with salaries, positions, benefits, liability costs, etc. that can be reviewed.

Councilwoman Terrell amended motion to table item a for 6 months until Fire Chief Hahn bring back to City Council ESB budget information and a detailed financial plan including but not limited to workman's comp, disability, unemployment, training and equipment and report to City Council detail statistics concerning the volunteer recruitment campaign.

Councilwoman Bailey second the motion

4 yes – Councilwoman Terrell, Councilwoman Bailey, Councilwoman Lyons and Councilman Otten

1 nay – Mayor Pro Tem Fenwick

MOTION PASSED

- b. Approval of Kemah Volunteer Fire Department application for emergency medical services provider license.

Mayor Pro Tem Fenwick made motion to approve as stated
Councilwoman Terrell second the motion

Councilwoman Lyons asked if Fire Chief Hahn has already applied for the license

Fire Chief Hahn said no

2 yes – **Mayor Pro Tem Fenwick and Councilwoman Terrell**

3 nay – **Councilman Otten, Councilwoman Lyons and Councilwoman Bailey**

MOTION FAILED

10. **NEW BUSINESS:**

CONSENT AGENDA:

- a. **Check Register 2/14/19 thru 2/27/19**
b. **Minutes form Council meeting 02/19/19**

There were no minutes provided – Mayor McNamara pulled from the consent agenda

Councilman Otten made motion to approve consent agenda
Councilwoman Terrell second the motion

MOTION PASSED UNANIMOUS

12. **ADJOURNMENT:**

Mayor McNamara adjourned the meeting at 8:28 p.m.

3-19-19
Date Approved

Michael McNamara
Mayor Michael McNamara

Attest:



Christy Stroup
Christy Stroup, City Secretary

03/05/19 City Council Workshop

Attachment A: Handout from Fire Chief Brent Hahn

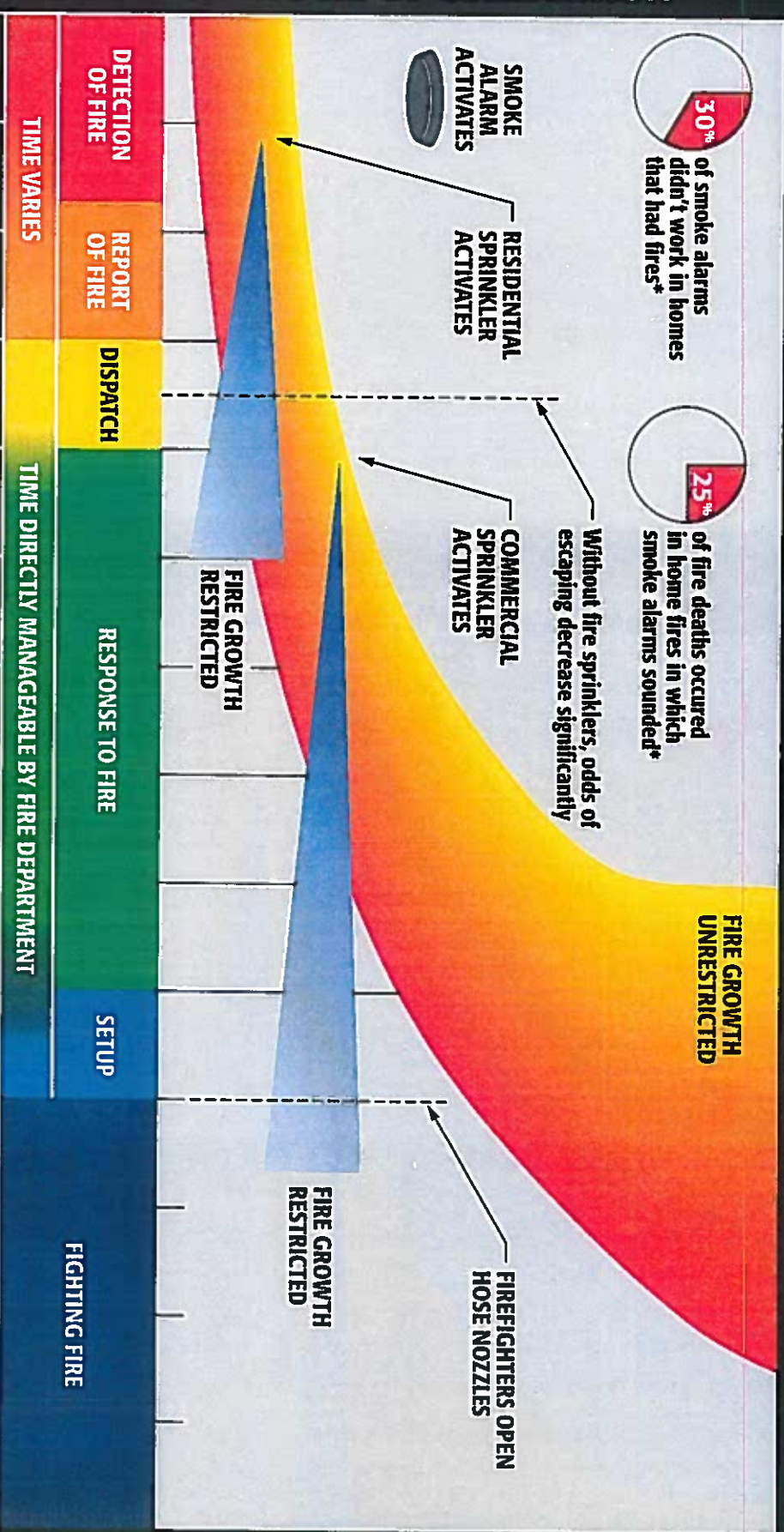
TIME VS. PRODUCTS OF COMBUSTION

FLASHOVER
No one survives flashover

30% of smoke alarms didn't work in homes that had fires*

25% of fire deaths occurred in home fires in which smoke alarms sounded*

Without fire sprinklers, odds of escaping decrease significantly



SMOKE ALARM ACTIVATES

RESIDENTIAL SPRINKLER ACTIVATES

COMMERCIAL SPRINKLER ACTIVATES

FIRE GROWTH RESTRICTED

FIRE GROWTH UNRESTRICTED

FIRE GROWTH RESTRICTED

FIREFIGHTERS OPEN HOSE NOZZLES

ACTIONS BEFORE FIRE

- 1) TEST SMOKE ALARMS
- 2) CONDUCT FIRE ESCAPE DRILLS

DETECTION OF FIRE

REPORT OF FIRE

DISPATCH

RESPONSE TO FIRE

SETUP

FIGHTING FIRE

0 1 2 3 4 5 6 7 8 9 10 TIME (in minutes)

Based upon national averages

NOTE: See NFPA Fire Protection Handbook for time and temperature information.



Northern Illinois Fire Sprinkler Advisory Board
FireSprinklerAssoc.org



*U.S. Experience With Smoke Alarms and Other Fire Alarms, NFPA, September 2001.

Fire Department Staffing: A Need, Not a Want

08/01/2009

BY KEVIN "WILLY" WILSON

The saying "Do more with less" seems to have been the unofficial motto of the fire service for more than 200 years. The fire service has continued to be a very talented and resourceful group of individuals. No problem is too big or too small for us to solve; if for some reason we get stumped, we use our resources to find the answer. However, one serious dilemma we face regularly is acquiring adequate staffing to do our job safely and protect our community. When the public calls for our help, we run to their aid, but who will run to our aid when we need help?

We can call an additional alarm or rely more on mutual aid, but only if the companies are available. Will they be readily available when we need them? There will come a time when we will be able to do only so much before our resources are depleted. From fires to EMS calls and everything in between, no matter how you look at it, the fire service is the last line of defense when it comes to a community in an emergency situation. So the mentality of doing more with less is not appropriate in our job.

When fewer than four firefighters arrive on a fire scene, the first company is faced with a critical decision. Does it initiate an interior attack without adequate staffing and unnecessarily risk firefighters' safety, or does it delay the interior fire attack until additional resources arrive, causing further fire damage? Neither response is appropriate.

The U.S. Occupational Safety and Health Administration (OSHA) two-in/two-out rule (CFR 29 1910.134(g)(4)1-3) is also cited in National Fire Protection Association (NFPA) 1500, *Standard on Fire Service Occupational Safety and Health Program*, 2007 edition, and in NFPA 1410, *Standard on Training for Initial Emergency Scene Operations*, 2005 edition.

The 2007 edition of NFPA 1500, page 24, section 8.5.7, states: "In the initial stages of an incident where only one crew is operating in the hazardous area at a working structure fire, a minimum of four individuals shall be required, consisting of two individuals working as a crew in the hazardous area and two individuals present outside this hazardous area available for assistance or rescue at emergency operations where entry into the danger area is required."

Section 8.5.8 states: "The standby members shall be responsible for maintaining a constant awareness of the number and identity of members operating in the hazardous area, their location and function, and time of entry."

Section 8.5.9 states: "The standby members shall remain in radio, visual, voice, or signal line communication with the crew."

The NFPA and the National Institute for Occupational Safety and Health (NIOSH) have reported that fire departments across the nation lack adequate staffing, which has contributed to millions of dollars in time-lost injuries, thousands of on-the-job injuries, and dozens of line-of-duty deaths (LODDs) each year. Unfortunately, several firefighters will pay with their lives before the staffing issue will be brought up again for serious discussion.

In 1990, the Providence (RI) Fire Department conducted a study that showed that the only nationally recognized staffing standard at that time was from the NFPA.¹ It recommended a minimum of four firefighters responding on or with each apparatus. The NFPA reported at that time a 71-percent decrease in time lost because of injury using four-person staffing when compared with three-person staffing. Even though the study is more than 18 years old, it shows that the staffing level today throughout the United States is an issue that still has not been resolved.

Labor boards and at least one court have found that a minimum staffing agreement or ordinance is reasonable for ensuring the protection of the public and personnel. However, many fire departments in the past made no provisions in their staffing rosters for covering scheduled absences; fire companies were allowed to run shorthanded, seriously compromising their operating efficiency and firefighter safety.²

An increasing number of fire departments, in recent years, have established minimum staffing levels for each fire company or each duty shift. Many fire departments have established policies that state engine or ladder companies will not operate with fewer than four firefighters, including an officer, on duty. In rare cases, the minimum is five persons on duty per company because of the workload and the population and values protected per company. (2)

- **NFPA Fire Protection Handbook, 20th edition (2008)⁴**: recommends the following minimum numbers of firefighters/officers to do the job safely. If this sounds like a lot, keep in mind that firefighters will always work in pairs, if not more, to complete the several tasks to get the job done as safely as possible. This includes such tasks as water supply, search and rescue, ventilation, rapid intervention, and so on.

Between 19 and 23 personnel typically constitute the first-alarm assignment to a confirmed single-family dwelling fire, as observed by evaluation teams.

Not fewer than 24 firefighters and two chief officers, one or more safety officers, and a rapid intervention team(s) should respond to high-hazard occupancies (schools, hospitals, nursing homes, explosive plants, refineries, high-rise buildings, and other high-life hazard or occupancies with large fire potential).

Not fewer than 16 firefighters, one chief officer, a safety officer, and a rapid intervention team should respond to medium-hazard occupancies (apartments, offices, mercantile, and industrial occupancies not normally requiring extensive rescue or firefighting forces).

Not fewer than 14 firefighters, one chief officer, a safety officer, and a rapid intervention team should respond to low-hazard occupancies (one-, two-, or three-family dwellings and scattered small businesses and industrial occupancies).

At least 12 firefighters, one chief officer, a safety officer, and a rapid intervention team shall respond to rural alarms (scattered dwellings, small businesses, and a farm building).

- **U.S. Fire Administration (USFA)**: recommends that a minimum of four firefighters respond on or with each apparatus.⁵

- **The International Association of Fire Chiefs (IAFC)**: advocates a minimum of five persons on engine and ladder companies. Noting that the reduction of members per unit and that the number of units has reached dangerously low levels, the IAFC says it would be "inappropriate" to accept or support further reductions.⁶

- **The International City Management Association (ICMA)**: states in "Managing Fire Services" that at least four and often eight or more firefighters, each under the supervision of an officer, "should respond to fire suppression operations." Further, it says, "If about 16 trained firefighters are not operating at the scene of a working fire within the critical time period, then dollar loss and injuries are significantly increased, as is fire spread." It has found five-person companies 100-percent effective, four-person companies 65-percent effective, and three-person companies 38-percent effective.⁷

- **National Institute for Occupational Safety and Health (NIOSH) LODD Reports**: almost every NIOSH LODD report recommends to "provide adequate firefighter staffing to ensure safe operating conditions."

- **The International Association of Fire Fighters (IAFF)**: views inadequate staffing and crew size as contributing factors to LODDs and advocates maintaining adequate staffing as proposed in NFPA 1500, NFPA 1710, and NFPA 1720; the *NFPA Fire Protection Handbook*, 18th edition (1997), Section 10/Chapter 1 (1-34); and OSHA 29 CFR 1910.134 (two-in/two-out).⁸

CONSEQUENCES OF INADEQUATE STAFFING

Fireground effectiveness may be compromised when staffing falls below four firefighters per company. Tests conducted with the Houston (TX) Fire Department indicated that staffing below a crew size of four can overtax the operating force and lead to higher losses. Jurisdictions with minimum staffing levels may have to take units out of service if they do not have the funds to support the additional personnel overtime. (2)

The District Chiefs' Technical Advisory Committee (DCTAC) conducted a study of the Houston Fire Department, which determined that fire apparatus staffing is an even greater citizen safety issue than a firefighter safety matter.⁹ The report termed the understaffing situation a "crisis situation that demands immediate intervention." Decreasing the number of firefighters without eliminating any of the tasks fire departments are to accomplish causes the department to delay some of the required tasks or to try to perform all tasks unsafely with inadequate staff, according to the study.

The study also noted the following:

- Look to the standards. NFPA 1500, 2002 edition, A.8.4.11, presented the following examples of how a fire department could deploy a team of four members initially at the scene of a structure fire, regardless of how the team members are assembled:
 1. The team leader and one firefighter could advance a firefighting hoseline into the immediately dangerous to life and health (IDLH) atmosphere, and one firefighter and the pump operator become the standby members.
 2. The team leader could designate the pump operator to be incident commander. The team leader and one firefighter enter the IDLH atmosphere, and one firefighter and the pump operator remain outside as the standby members.
 3. Two firefighters could advance the hoseline in the IDLH atmosphere, and the team leader and pump operator remain outside as standby members.
- Train. Attend Strategy and Tactics for Initial Company Officers (STICO) classes locally or at the National Fire Academy. Have your department do hands-on training evolutions to determine what works and what does not work. You won't know if a drill will go according to plan until after it has taken place. Never give up; keep trying.

...

I was taught early in my military career that if there is a problem, I should help to find the solution. The above information is presented to help resolve some of the staffing problems but not all of them. No one has all the answers. It may not be easy, but we have the resources, grants, and facts to aid us in this journey. It may take a little work and creative thinking, but I am confident that the solutions are there. We cannot continue to ask our fire departments to protect our communities with inadequate resources. We will continue to see the number of injuries and fatalities of firefighters and civilians increase in future years until we get the staffing we need, not just want.

References

1. Varone, J, Curtis, "Providence [RI] Fire Department Staffing Study Revisited. An applied research project submitted to the National Fire Academy as part of the Executive Fire Officer Program," August 1995, http://www.usfa.dhs.gov/downloads/pdf/tr_95v.pdg/.
2. National Fire Protection Association (NFPA), *Fire Protection Handbook*, 2003, 19th Edition (1:7), Quincy, Mass.
3. Shannon, James, "NFPA president testifies in support of SAFER Act," June 2003, www.nfpa.org/ItemDetail.asp?categoryID=651&itemID=18999&URL=Research%20&%20Reports/Fact%20sheets/Homeland%20Security/NFPA%20resources/Testimon
4. NFPA, *Fire Protection Handbook*, 2008, 20th Edition, (2:12), Quincy, Mass.
5. USFA, FEMA, "Historical Overview," June 2008, [usfa.dhs.gov/fireservice/fatalities/statistics/history.shtml](http://www.usfa.dhs.gov/fireservice/fatalities/statistics/history.shtml).
6. International Association of Fire Chiefs, "IAFC 2005 Issues Assessment Survey," December 2005, iafc.org/associations/4685/files/2005_ChallengesSurvey_Results.pdf.
7. Compton, Dennis and John Granito, eds., "Managing Fire and Rescue Services," 2nd Edition, International City Management Association, Municipal Management Series, 2002.
8. Moore-Merrell, Lori; Sue McDonald, Ainong Zhou, et al, "Contributing Factors to Firefighter Line-of-Duty Deaths in the United States," September 2006, International Association of Fire Fighters, iaff.org/Tech/PDF/Contributing%20Factors%20to%20FFF%20Line-of-Duty%20Death_IAFFand%20USFA.pdf.
9. Houston (TX) Fire Department, The District Tactical Advisory Committee, "Staffing Report Averting a Crisis," October 2001, monroefirefighters.org/Houstonstaffing.pdf.
10. USFA, FEMA, "Study of Risk Management Program Development for the Fire Service," December 2006, [usfa.dhs.gov/fireservice/research/safety/EMS_response_study.shtml](http://www.usfa.dhs.gov/fireservice/research/safety/EMS_response_study.shtml).
11. Hurt, Charles and Melvin Claxton "Wilson pledges to fix staffing problems," *The Detroit News*, Michigan, November 2000, detnews.com/specialreports/2000/firedept/tueswilson/tueswilson.html. "Detroit council to restore 19 EMS jobs," *Detroit News*, May 2009, <http://michiganfireservice.com/detroit-council-to-restore-19-ems-jobs/338/>.
12. Vista (CA) Fire Department 2006 Annual Report. www.vistafiredepartment.com/documents/2006_annual_report.pdf.
13. FEMA, USFA, National Fire Academy, "Advanced Fire Administration," August 2002.

MINIMUM STAFFING RECOMMENDATIONS FROM VARIOUS SME AND GUIDELINES

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than a firefighter safety matter.⁹ The report termed the understaffing situation a “crisis situation that demands immediate intervention.” Decreasing the number of firefighters without eliminating any of the tasks fire departments are to accomplish causes the department to delay some of the required tasks or to try to perform all tasks unsafely with inadequate staff, according to the study.

The study also noted the following:

- “Firefighters working in understaffed environments are too often expected to perform beyond their capabilities.”
- Inadequate staffing creates “a cumulative effect” caused by combined delays and lost functions of crews, resulting “in an even greater loss of overall effectiveness.”
- Understaffing increases physiological stress on firefighters, as they try to compensate.

Another effect of understaffing is that “fire companies with serious staff reduction generally are limited to using small hose streams until additional help arrives, which may adversely affect containment of even a small fire and conducting effective rescue operations.” (4)

Over the past three decades, fire department response has expanded to include emergency medical services, terrorism response, hazardous materials response and mitigation, natural disaster response, specialized rescue, and responses to other community needs. Fire departments need adequate firefighting resources to be able to design an acceptable level of resource deployment based on risks and service commitment and to continually evaluate emergency response systems, which are crucial to enhancing firefighter operational safety and occupational health and reducing civilian fire fatalities.¹⁰

Fire Engineering Magazine (2009)



City Administrator Report

February 20 -March 5, 2019.

ROADS/DRAINAGE: 2017 Drainage projects will be accepted by the City with some noted irregularities. These issues are going to be revisited in November 2019 prior to the end of the warranty period. It is anticipated that weather (heat and sunlight) as well as regular traffic during that time will help the final surface. Additional punch-list items are being handled now including striping, hydrant marking and irrigation repair.

ECONOMIC DEVELOPMENT CORP (EDC): Dror Ave soil boring completed. Anticipate starting sidewalk and Target/Home Depot approach work when weather cooperates.

PLANNING/ZONING: None.

WATERFRONT COMPLIANCE: None.

PLAZA TEN 06: None.

WATERFRONT REVIEW: None.

CITY HALL: None.

PUBLIC WORKS: Artwork at Clear Lake Shores sign near bridge has been repaired. You may have noted a single refurbished black street light and some others missing. This is an on-going project to help improve the historical lights. Councilman Otten is the driving force.

Red coyote devices have been removed from city r-o-w and others that were put of mailbox posts have been removed, but not by the City.

Other Items:

Interviews have concluded regarding Court Clerk II. The new employee is anticipated to start on March 18, 2019, after a background that was submitted today. I will wait until then start to formally introduce.

The City Election will have a single unopposed candidate for Mayor, Kurt Otten after Vern Johnson withdrew. Candidate for two available council positions, Christy Lyons, Jan Bailey and Ralph Kliza. Due to election law changes and requirements we will have several days for early voting available at City Hall and the standard election day at the Clubhouse.

SH146 project lanes have been adjusted and traffic is impacted. Be careful when travelling SH146 with the new traffic pattern.

Lazy Bend Bridge replacement meeting was held in Galveston. Concerns about bulkhead stability/need for repair as well as utility relocation were discussed. You will notice survey on site in April and Conceptual Design should be completed by June 2019. This will impact school traffic and Lazy Bend Homeowners Association will likely open a normally closed gate to help with golf cart/pedestrian traffic. Any sidewalk improvements on 2094 being done with funding from the EDC will also help this anticipated problem area.

AGENDA ITEMS:

Only have one item that does not need discussion (OLD BUSINESS) regarding Parking near Shell Bottom Park/ Boat Ramp. I direct you to definitions 78-86 (below) and highlighted areas of code. Basically, signs may be placed by the Police Chief or your designee (78-144), a fine is applicable between \$10 and \$200 (78-146), and section of code Separately upon towing of the vehicle under fire lane no-parking code (78-121) release of vehicle upon payment of a fee of \$20.00 to the clerk of the municipal court of the city and the payment of the fee charged by the towing service and the charges for storing the vehicle.

I recommend placement of additional signage five (5) total, four (4) on roads adjacent to Shell Bottom Park where parking was an issue and a single custom sign upon exit from park warning of no parking subject to tow on all city streets.

If it is problematic for the public to pass, or emergency vehicles to access locations (78-142), it could be subject to tow.

- **ARTICLE V. - STOPPING, STANDING AND PARKING⁶¹**

- **DIVISION 1. - GENERALLY**

- **Sec. 78-86. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Motor vehicle shall mean a self-propelled vehicle, including a golf cart or similar vehicle.

Recreational vehicle shall mean a motor vehicle or trailer primarily designed as temporary living quarters for recreational camping or travel use. The term includes a travel trailer, camping trailer, truck camper and motor home.

Street shall mean the width between the boundary lines of a publicly maintained way any part of which is open to the public for vehicular travel, including paved and unpaved portions of the right-of-way.

Trailer shall mean a vehicle, with or without motive power, designed to be drawn by a motor vehicle and to transport persons or property. The term includes, without limitation, a boat trailer, equipment trailer, camping trailer, travel trailer, and utility trailer.

Vehicle shall mean a device that can be used to transport or draw persons or property on a street.

(Ord. No. 2008-21, § 2, 12-6-2008; Ord. No. 2009-08, § 2, 3-3-2009)

- **Secs. 78-87—78-100. - Reserved.**

- **DIVISION 2. - NO PARKING/TOW-AWAY ZONES**

- **Sec. 78-101. - No parking—Clear Lake Road.**

(a)

Purpose. In order to improve the flow of traffic, decrease congestion on city streets and protect the public safety and general welfare within the city:

(1)

No parking. It is unlawful for any person, beginning each day at sundown and continuing until sunrise the following day, to park or permit a vehicle to stand on the paved portion of any city street or so close to the paved portion of any city street so as to constitute a condition dangerous to the safe passage of other vehicles and emergency equipment, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control device.

(2)

Tow away zones. The areas described in this section are hereby designated as a "No Parking—Tow Away Zone".

(3)

Signs. The chief of police or any other person authorized by the mayor and city council shall cause signs to be posted, where necessary, indicating such prohibitions.

(4)

Any peace officer of the city is authorized to remove or to have removed, or to require the driver or other person in charge of a vehicle to remove a vehicle parked or left standing in violation of subsection (a)(1) of this section. A vehicle removed by a peace officer under the provisions of this subsection may be removed to the nearest garage or storage facility or to a garage or storage facility designated by the city. The owner of a vehicle that is removed under this subsection is liable for all reasonable towing and storage fees incurred in the removal or storage.

(5)

When a person is charged with having parked or left standing a vehicle in the "No Parking—Tow-Away Zone" designated in subsection (a)(1) of this section, proof that the vehicle was, at the date of the offense, allegedly owned by the person charged with the offense shall constitute prima facie evidence that the vehicle was parked or left standing at the place by the owner, but the owner shall have the right to introduce evidence to show that such vehicle was not parked by him as charged in the complaint.

(6)

In order to obtain possession of a vehicle stored under the provisions of this section, the claimant must produce satisfactory evidence of ownership or right of possession and is liable for all reasonable towing and storage fees incurred in the removal or storage.

(b)

Violation and penalty. Any person intentionally, knowingly, recklessly, or with criminal negligence violating any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum, not less than \$10.00, and not more than \$200.00.

(Code 1999, § 10.20.010; Ord. No. 2008-21, § 3, 12-6-2008; Ord. No. 2009-08, § 3, 3-3-2009)

- **Sec. 78-102. - Reserved.**

Editor's note— Ord. No. 2009-08, § 3, adopted Mar. 3, 2009, repealed § 78-102, which pertained to tow-away zones and derived from Code 1999, § 10.20.020; and Ord. No. 2004-15, § 1, adopted Oct. 7, 2004.

- **Sec. 78-103. - Same—Ivy Street.**

(a)

The city council has determined that "No Parking" signs should be placed along Ivy Street from its intersection with Blue Point west along Ivy Street for a distance of 200 feet.

(b)

Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision contained in this article, or who shall commit or perform any act declared herein to be unlawful, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount of not less than \$1.00 and not more than \$200.00.

(Ord. No. 2007-15, § 3, 6-19-2007)

- **Secs. 78-104—78-120. - Reserved.**

- **DIVISION 3. - NO PARKING FIRE ZONES**

- **Sec. 78-121. - Authority of fire marshal, police; zone designations.**

In order to promote fire protection within the city and to protect the public safety and general welfare within the city:

(1)

The police department and all members thereof assigned to traffic duty and the fire marshal are authorized to remove and tow away, or have removed and towed away by commercial towing service, any car or other vehicle parked in a no parking fire zone or any vehicle parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, or obstructs or may obstruct the movement of any emergency vehicle.

(2)

The fire marshal or any other person designated by the mayor and the city council shall post or cause to be posted suitable no parking fire zone signs at the locations hereinafter designated no parking fire zones in the city.

(3)

The city council designates the following locations as no parking fire zones within the city:

a.

The area between piers 5 and 6 at Watergate Yachting Center;

b.

The areas between piers 7 and 9 at Watergate Yachting Center;

c.

The areas between piers 2 and 3 at Watergate Yachting Center;

d.

The area at the north end of pier 18 at Watergate Yachting Center;

e.

All of West Marina Drive;

f.

The turnaround area in the restaurant area at East Marina Drive;

g.

The turnaround area (circle) at Legend Point Management Office;

h.

The turnaround area (circle) at Legend Point Marina Office;

i.

The area in front of all fire hydrants throughout Legend Point Property.

(4)

Cars so towed away for illegal parking shall be stored in a safe place and shall be restored to the owner or operator of such car upon payment of a fee of \$20.00 to the clerk of the municipal court of the city and the payment of the fee charged by the towing service and the charges for storing the vehicle.

(Code 1999, § 10.24.010)

- **Secs. 78-122—78-140. - Reserved.**

- **DIVISION 4. - TRAILER AND RECREATIONAL VEHICLE PARKING**

- **Sec. 78-141. - Reserved.**

Editor's note— Ord. No. 2009-08, § 5, adopted Mar. 3, 2009, repealed § 78-141, which pertained to definitions and derived from Ord. No. 2004-16, § 2(10.28.010), adopted Oct. 7, 2004.

- **Sec. 78-142. - Prohibited parking.**

It shall be unlawful for any person, having registered in his name or owning or operating or having charge of any recreational vehicle or trailer, to cause, allow, suffer or permit the same, to be parked or left standing upon the paved portion of any city street or so close to the paved portion of any city street so as to constitute a condition dangerous to the safe passage of other vehicles and emergency equipment, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control device.

(Code 1999, § 10.28.010; Ord. No. 2004-16, § 2(10.28.020), 10-7-2004; Ord. No. 2008-21, § 6, 12-6-2008; Ord. No. 2009-08, § 6, 3-3-2009)

- **Sec. 78-143. - Evidence of ownership.**

In any prosecution charging a violation of this division governing the standing or parking of a recreational vehicle or trailer, proof that such vehicle described in the complaint was parked in violation of this division, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such a vehicle at that point where, and for the time during which, such violation occurred.

(Code 1999, § 10.28.020; Ord. No. 2004-16, § 2(10.28.030), 10-7-2004)

- **Sec. 78-144. - Signs.**

The chief of police or any other person designated by the mayor and the city council shall post or cause to be posted suitable no parking and tow away signs on the streets in the city.

(Code 1999, § 10.28.030; Ord. No. 2004-16, § 2(10.28.040), 10-7-2004)

- **Sec. 78-145. - Towing.**

The police department and all members thereof are authorized to remove and tow away, or have removed and towed away by commercial towing service, any prohibited vehicle illegally parked.

(Code 1999, § 10.28.040; Ord. No. 2004-16, § 2(10.28.050), 10-7-2004)

- **Sec. 78-146. - Penalty.**

Persons who intentionally, knowingly, recklessly, or with criminal negligence violate any provision contained in this division shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$10.00, nor more than \$200.00.

(Code 1999, § 10.28.060; Ord. No. 2004-16, § 2(10.28.060), 10-7-2004; Ord. No. 2008-21, § 7, 12-6-2008; Ord. No. 2009-08, § 7, 3-3-2009)

- **Secs. 78-147—78-165. - Reserved.**



SKU#1384 HIP \$17.98



SHU#1374 HIP \$17.98



SKU#1380 HIP \$17.98



SKU#R7-201HIA3 \$8.83

CLEAR LAKE SHORES POLICE DEPARTMENT

1006 South Shore Dr.
Clear Lake Shores, TX 77565

Kenneth G. Cook
Chief of Police

March 05, 2019

Subject: Report for Council Meeting

STATS: For the month of February 2019, the Police Department:

Traffic Contacts: 610

Driving While Intoxicated: 9

Possession of Controlled Substance: 5

Possession of Drug Paraphernalia: 8

Burglary of a Building: 1

Burglary of a Motor Vehicle: 3

Unauthorized use of a Motor Vehicle (Stolen Vehicle): 1

Theft: 5

Assault on a Public Servant: 1

Unlawful Carry of a Weapon: 1

Sex Offender Registration: 1

Residential Checks while on Vacation Watch: 144

Business Checks: 2,683

Other Infor:

This past (Saturday morning) March 02, 2019 at about 4:16am, Officer Jeremy Blanchard observed a speeding vehicle (W/B) on FM 2094. As Officer Blanchard attempted to stop this vehicle, it failed to stop and a Pursuit ensued. This vehicle tried to lose Officer Blanchard inside the Glen Cove Subdivision, but ended at a dead end street where both occupants fled on foot and then ran into the cold waters of Clear Lake.

Kemah PD and Galveston County SO arrived to assist.

Eventually, both suspects emerged from the cold waters and successfully taken into custody.

During inventory of the vehicle, more than \$6,100 worth of stolen electronics was recovered confirmed stolen from several nearby WalMart stores, along with some narcotics.

Good job Officer Blanchard..!!

That's all I have for tonight.

Chief K.G. Cook