

**Kurt Otten, Mayor
Alex Scanlon
Randy Chronister**

**AGENDA
CITY OF CLEAR LAKE SHORES
CITY COUNCIL
REGULAR MEETING
November 1, 2022 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

5. PUBLIC COMMENTS:

At this time, any person with city-related business may speak to the City Council. Topic of discussion must be consistent with an item listed on the agenda. In compliance with the Texas Open Meetings Act, City Council may not deliberate. Comments from the public should be limited to a maximum of three (3) minutes per individual.

6. CONSENT AGENDA:

- a. Check Register 09/15/2022 thru 09/28/2022
- b. Council Meeting Minutes 10/12/2022 (special)
- c. Council Meeting Minutes 10/18/2022 (regular)

7. OLD BUSINESS: Discussion and possible may be taken on the following items:

- a. **ORDINANCE 2022-08:** AN ORDINANCE OF THE CITY OF CLEAR LAKE SHORES, TEXAS AMENDING ARTICLE VII, SHORT-TERM RENTALS, OF CHAPTER 18, BUSINESSES AND BUSINESS REGULATIONS, BY AMENDING SECTION 18-133, SHORT-TERM RENTAL PERMIT REQUIRED TO LIMIT THE NUMBER OF SHORT-TERM RENTAL PERMITS TO TWENTY (20); BY AMENDING SECTION 18-134, SHORT-TERM RENTAL, COMPLIANCE WITH OTHER LAW, TO MAKE IT UNLAWFUL TO RENT A SHORT-TERM RENTAL UNIT TO ANY PERSON UNDER THE AGE OF TWENTY-FIVE AND PROHIBITING SPACE BELOW BASE FLOOD ELEVATION FROM BEING ELIGIBLE FOR A SHORT-TERM RENTAL PERMIT; BY AMENDING SECTION 18-135, PERMIT REGISTRATION FEE, APPLICATION AND OCCUPANCY REGULATIONS, BY CHANGING THE FEE AND TIMING OF A SHORT-TERM RENTAL PERMIT, REQUIRING ADDITIONAL INFORMATION IN A SHORT-TERM RENTAL PERMIT APPLICATION, MAKING OTHER CHANGES TO THE APPLICATION PROCESS AND PROVIDING FOR CIVIL PENALTIES FOR VIOLATION; BY AMENDING SECTION 18-136, NOTIFICATION OF COMPLAINTS,

TO REQUIRING NOISE AND CONDUCT COMPLAINTS TO BE DIRECTED TO THE POLICE DEPARTMENT AND PLACING A MAXIMUM OF FOUR (4) VIOLATIONS PER OWNER OR OPERATOR; BY AMENDING SECTION 18-137, COMPLIANCE AND PENALTY PROVISION, BY MANDATING THAT ALL SHORT-TERM RENTAL PERMITS ISSUED TO AN OWNER OR OPERATOR SHALL BE REVOKED UPON A 5TH CONVICTION OF A VIOLATION OF THIS ORDINANCE; BY AMENDING SECTION 18-138, PERMIT SUSPENSION OR REVOCATION; APPEAL, TO REMOVE THE REQUIREMENT OF A CONVICTION PRIOR TO SUSPENSION OR REVOCATION; BY AMENDING SECTION 18-139, MINIMUM STANDARDS OF CONDUCT, BY ADDING REQUIREMENTS TO THE MINIMUM STANDARDS OF CONDUCT TO BE PROVIDED TO ALL RENTERS OF A SHORT-TERM RENTAL UNIT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE, WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. *Councilwoman Monica Ledet*

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

- a. Appointment of 4 members to the Economic Development Corporation for Clear Lake Shores. Positions will expire October 31, 2024. Current members expiring are Jonny Boultinghouse, Thomas Haaland, Mike Pons and Shawn Dunegan. *Mayor Kurt Otten*
- b. **EXECUTIVE SESSION:** A governmental body may conduct an executive session to discuss matters dealing with individual officers or employees. Specifically, this exception allows governmental bodies to: Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Police Chief and City Administrator.
- c. **Action from EXECUTIVE SESSION:** A governmental body may conduct an executive session to discuss matters dealing with individual officers or employees. Specifically, this exception allows governmental bodies to: Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Police Chief and City Administrator.

9. ADJOURNMENT

CERTIFICATION:

I, Christy Stroup, City Secretary, certify this Notice of Meeting was posted on the outside bulletin board at 931 Cedar Drive on or before Friday, October 29, 2022.

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 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.