



## 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, February 15, 2022

6:30 p.m.

931 Cedar, CLS, TX 77565

**Present:** Mayor Kurt Otten, Councilman Rick Fisher, Councilman Alex Scanlon, Councilwoman Monica Ledet, Councilman Randy Chronister, Councilman Steve Wirtes, City Administrator Brent Spier, Police Chief Keele, Building Official Kevin Harrell, City Secretary Christy Stroup

**Absent:** Fire Chief Rob Suniga, G.C.H.D. Amy Weber

### 1. CALL TO ORDER & DETERMINATION OF QUORUM:

Mayor Otten called meeting to order at 6:30 p.m.

### 2. PRESENTATION:

Certificate of Accomplishment presented to Angie Galvan for her Texas Registered Municipal Clerk recertification.

Angie was not present – will be presented at a later date.

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

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

### 4. REPORTS FROM COUNCIL:

**Councilman Steve Wirtes:** Thanked those involved for mancakes breakfast

**Councilman Rick Fisher:** No report

**Councilwoman Monica Ledet:** No report

**Councilman Alex Scanlon:** Waterfront Compliance Committee awarded new chairperson at last meeting

**Councilman Randy Chronister:** Thanked the CLS/Kemah Fire Department and ambulance for their quick response to his house with an incident with father in law. They arrived in under 5 minutes.

**Mayor Otten:** Thanked Doug Whitmarsh and his crew for Mancakes; Cajun Day is coming up February 26<sup>th</sup>; Sales Tax is up 9% from last year; open positions on committees; 60<sup>th</sup> Anniversary committee is working hard to get events and swag moving along; state primaries are early voting now; last day to file for City election is Friday, Feb. 18<sup>th</sup>; Galveston County Food Bank is accepting donations – you can drop off your donation inside the door at City Hall.

### 5. STAFF REPORTS:

**Chief Keele:** Yachty Gras is coming up; Cajun Cook-off and golf cart parade is 02/26/22; presented the Racial Profiling Report as required by statute to City Council (attachment a)

**Building Official Kevin Harrell:** report attached (attachment b)

**CLS/Kemah Volunteer Fire Dept. Chief Suniga:** absent

**Galveston County Health District Amy Weber:** absent

**City Administrator Brent Spier:** report attached (attachment c)

## 6. COMMITTEE REPORTS:

**Parks and Pool:** Chris Richardson stated that there is damage at Grove Park; fill needs to be placed in the hole at the top of the boat ramp at Shell Bottom Park; there is a high bacteria count in the water warning.

**Roads and Drainage:** Thomas Haaland present for report (attachment d)

**Zoning Board of Adjustments** – Patrick Michaelski stated they have a meeting March 7, 2022 at 7:00 pm – 711 West Shore and 325 W. 6<sup>th</sup> Street – Public Hearing.

**Planning and Zoning** - Patrick Michaelski stated they have no meeting scheduled.

**Waterfront Compliance** – Liasion Councilman Scanlon stated the new Chairperson for WCC is Doug Whitmarsh; 10 year renewal on Waterfront Lease Agreements are coming up in June 2023; Workshop with City Council and WCC concerning lease agreement changes.

Councilman Wirtes asked how the residents would be notified of the lease agreement 10 year term ending?

Brent Spier stated that it would be placed on all social media sites and the City website.

Patrick Michaelski stated that some citizens may not be rehearsed in the use of social media. Suggested that a postcard could be sent and less expensive.

Brent Spier said that that may be a good way to alert the citizens. The city would look into it.

## 7. CIVIC CLUB

Georgette South said that mancakes sold 331 plates were sold; Cajun Day will be on the 26<sup>th</sup>; the 60<sup>th</sup> Anniversary celebration is still in the works and looking for volunteers to help with the upcoming events

## 8. CLS 60<sup>th</sup> ANNIVERSARY CELEBRATION COMMITTEE:

Adri Richey said that the new website is up and available for viewing CLS60.com. Residents can purchase items and view upcoming events and news concerning the 60<sup>th</sup> Anniversary; Stories of CLS will start up next week for viewing; picnic event will April 30<sup>th</sup>; Calendars are for sale right now and other promotional items will be available.

## 9. ECONOMIC DEVELOPMENT CORPORATION:

No report

## 10. PUBLIC COMMENTS:

Mark Atherton - 1034 South Shore: 60<sup>th</sup> Anniversary off-island event – concerned that a big enough response will come in to make the even self-funding.

## 11. SCHEDULED VISITOR:

Kari Kelley: Community Resource Assistance League of Bay Area.

Ms. Kelley explained in detail what this organization offers to the local communities and residents.

## 12. NEW BUSINESS:

### CONSENT AGENDA:

a. Check Register: 01/27/22 thru 02/09/22

**CONSENT AGENDA PASSED**

## 13. COUNCIL BUSINESS: Discussion and possible action may be taken on the following items:

a. **Resolution 2022-03: (should be 2022-04)** – Galveston County Mosquito Control Program

Councilman Scanlon made motion to accept Resolution 2022-03  
Councilwoman Ledet second the motion

**MOTION PASSED UNANIMOUS**

- b. **Resolution 2022-04: (should be 2022-05) – A resolution of the City of Clear Lake Shores, Texas designating the Galveston County Daily News as the official newspaper for the City of Clear Lake Shores, Texas and establishing an effective date of January 1, 2022.**

Councilman Scanlon made motion to accept Resolution 2022-04  
Councilwoman Ledet second the motion

**MOTION PASSED UNANIMOUS**

- c. **Apppointment of one member to the Waterfront Compliance Committee due to the vacancy left by Don Milbauer resignation. Term expires 09/30/22.**

Councilman Fisher made motion to appoint Craig Ramsey to the WCC  
Councilwoman Ledet second the motion

**MOTION PASSED UNANIMOUS**

- d. **Approval of Change Order No. 1 – Daniel Dror Avenue Project.**

Change order submitted by Galveston County Engineering Department for difference in original costs of signal arms and asphalt base. Cost to the City is \$2,716.00.

Councilwoman Ledet made motion to approve Change Order No. 1  
Councilman Wirtes second the motion

**MOTION PASSED UNANIMOUS**

- e. **EXECUTIVE SESSION: Pursuant to the Texas Local Government Code Section 551.072: Authorizing a government 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 detrimental effect on the position of the governmental body in negotiations with a third person: Acquisition of real estate.**

Recess: 7:17 pm

Reconvened: 7:59 pm

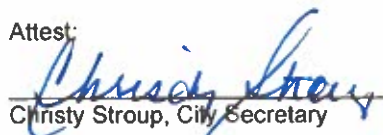
- f. **Action from EXECUTIVE SESSION: Pursuant to the Texas Local Government Code Section 551.072: Authorizing a government body to deliberate in executive session on certain matters concerning real property: A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have detrimental effect on the position of the governmental body in negotiations with a third person: Acquisition of real estate.**

**14. ADJOURNMENT:**

**Mayor Otten** adjourned the meeting at 7:59 pm

Date Approved: 3/1/22

Attest:

  
Christy Stroup, City Secretary



  
Mayor Kurt Otten



## CITY OF CLEAR LAKE SHORES

1006 South Shore Drive  
Clear Lake Shores, Texas 77565  
Office: 281-334-2799 Fax: 281-334-2866

**Building Official Report** February 2, 2022 – February 15, 2022

### **Building Department:**

**Eight new permits** were issued since our last meeting. All eight of the permits are minor construction.

**Current Residential Construction:** I currently have eight new homes being constructed in various states of construction. 830 Birch, 834 Birch, 819 Cedar, 627 Pine, 307 Clear Lake Rd, 227 West Shore, 103 Rosewood, and 1031 Juniper.

### **New Commercial Construction:**

**Galveston Bay Brewing Company:** The construction is continuing. The general contractor is working on the metal stud framing. The Plumbing contractors are working on the rough-in sanitary sewer and water service lines. The electrical contractor is working on the rough-in electric. The Mechanical contractor is working on the ductwork

### **Code Enforcement & Waterfront Leases:**

I have two code enforcements & 56 waterfront cases.

## City Administrator Report

February 2 - 15, 2022

COURT PROCESS: We will continue virtual court tomorrow. Currently using a software called PandaDoc to electronically sign court documents in real time. This is easier for the defendants and court staff, eliminating delays regarding scanning and returning. We will investigate how to incorporate into other user services, such as permitting, signed agreements, etc.

PARKS: TPWD Project plans are at 95%. A copy has been placed on the website. Staff has reviewed and returned again to the engineer with comments for revisions (today). During this most recent northerly winds this week, some of the submerged parts of the ramp was exposed and its condition is marginal. Photos taken, and will be included for bid/contractor. \*\*\*Updated grant portal with responsive documents, signed extension for planning grant, working with engineer to complete plans, start permitting.

Sunset/Lowell Brown Fishing Pier – Added new park signage with named sign. Expect to have dangerous Oak tree removed

DANIEL DROR AVE: On-site meeting last Friday, January 28, 2022. Construction progressing nicely, rain this week has slowed progress and was planned. FM518 island at D. Dror Ave to be removed in May timeframe, due to material delays. Roadway will be open prior and closer to the April 14, 2022 due date. Slight cost over run expected for traffic mast size upgrade (\$6k) and possible asphalt materials (\$8.5k).

ECONOMIC DEVELOPMENT CORP (EDC): Walker Parking Study received at EDC. Some additional data to be collected and evaluated. Looking at limited-term solutions to address parking burden in TC area. . Made contact with Mrs. Lee regarding amended agreement, her attorney (new one), has some questions regarding the agreement and has possible changes to be incorporated. I advised her of our contact at Olson and Olson.

SH146: Construction continues and ahead of schedule. Intermittent closures are anticipated and will be published through social media.

PLAZA TEN 06: I approved the quote to get elevations on the area prior to any design by C-F. Three design possibilities, one 60' to type A in from of Soulfreak, 80' run to type A structure already located within side yard area, and 215' run to stormwater drain on Aspen between Okies and Tamberella building and then through West parking lot. Smaller runs have conflicts with utilities, unknown until excavated. This will determine some aspects of design.

CITY HALL: New 60<sup>th</sup> anniversary banners have been received. Sourcing banner holders now.

City Hall closed Monday , February 21, 2022 for President's Day.

PUBLIC WORKS: Backhoe is nearly finished and should be delivered possibly this week. It was quite a transformation and I expect it to be featured in promotional materials for the company. Cost is below budget but higher than initial estimate. After replacing hoses and cylinders it identified weak hoses and they although looked good, were worn and weathered. They have been replaced. Excited to see the finished product. Final cost at \$25K, budgeted at \$35k. Should serve us well for many more years.

Still unable to order power supplies for decorative lighting standards on CLR, suppliers are looking for them as well. European made part, no stock. Will investigate a conversion to standard power with electricians. Electricians have been on site and are developing a quote to migrate to a more manageable system.

Had a furnace (one of three total) fail at Clubhouse during cold snap. An electrical issue was identified and corrected with new box, circuit breakers and primary cabling.

We will paint the PW containers when weather is more conducive.

P:\CITY COUNCIL\upcoming agenda items\CC MTG 02.15.22\City Administrator Report February 2 -15, 2022.docx

ROADS/DRAINAGE: Still trying to find a viable contractor for ditch profiling and cleanouts. Anticipate crack sealing on perimeter Shore Drives and Clear Lake Road as we have available funds. Meeting with surveying companies to get quotes for mapping of inlets and outfalls with elevation data in preparation of finding a vendor for ditch profiling and also confirming that flows are correct while confirming if structures are not at appropriate elevation. Such as under a drive, has one side lifted and created a issue. Narcissus is planned for this survey. Blue Point is anticipated to be a full depth reclamation late this year. These will be bid jobs due to cost, over \$50,000.

**OTHER ITEMS:**

Weather: expect another cold front to pass by, little to no impact.

Feb. 25, Web Meeting with TXDoT regarding Call for Needs Evaluation Process, have submitted some needs to them previously, sidewalks on FM2094, street lighting, vehicle detection on CLR light, Hanson Rd/FM2094 left and right turns.

Feb. 26, Cajun Day in CLS, fun run, cart parade and Cajun cooking at Okie's/Captain's Corner.

**AGENDA ITEMS:**

**13.**

a. Resolution 2022-03: Galveston County Mosquito Control Program. (CA Brent Spier)

**Aligns the city with the county for vector control flyovers and is required annually. Recommend approval.**

b. Resolution 2022-04: A resolution of the City of Clear Lake Shores, Texas designating the Galveston County Daily News as the official newspaper for the City of Clear Lake Shores, Texas and establishing an effective date of January 1, 2022. (CA Brent Spier)

**Official printed newspaper needs to be accepted by resolution. Annual requirement. Recommend approval.**

c. Appointment of one member to the Waterfront Compliance Committee due to the vacancy left by Don Milbauer resignation. Term expires 09/30/22 (CA Brent Spier)

**This is a short term, only serving to September 30, 2022.**

d. Approval of Change Order No. 1 – Daniel Dror Avenue Project. (CA Brent Spier)

**Galveston County has allotted at total of \$950,000 for this project, without expected contributions from city partners, Kemah and Clear Lake Shores. CLS purchased R-O-W for the roadway when anticipated development fell through prior to the owner donating the R-O-W for this use. Without the anticipated sale of the land he could not donate. The overrun of \$2716 results in total project cost of \$952,716.00. \$241,508 in engineering is included in that total. Recommend approval of change order #1.**

**EXECUTIVE SESSION: Presenting information regarding real estate to the council for consideration.**

## Roads and Drainage Report to City Council - 2/15/2022

This report covers the Roads and Drainage status for February.

Roads and Drainage met on January 20 and meeting minutes have been approved.

### **Road Maintenance and Drainage Culvert / Ditch Maintenance**

Status and possible action on road maintenance.

Invoices for Juniper work have been submitted and paid.

Review road patch repair.

Pavement Services did good job with patches and stop lines.

Status of crack seal program.

R&D agreed to get together on 2/16 to make a list of pavement cracks to seal.

Status and possible action on drainage culverts and ditch maintenance.

No action to report

Status and possible action on shooting elevations of storm water system.

Identify surveyors that can shoot elevations of culverts on Narcissus and Blue Point.

R&D & City met with Tri-Tech on 1/26 to discuss their capabilities.

R&D & City also met with High Tide on 2/5 to discuss their capabilities.

R&D recognizes the need to hire out ditch maintenance if it cannot be done inhouse.

Develop strategy to use previous drainage plan as framework for future.

Once we get the survey data, we need to add it to the master plan and maintain it.

R&D agreed that if the city cannot do this internally, then we need to hire a 3<sup>rd</sup> party.

Discussion and possible action on 2022 road maintenance on Blue Point and Narcissus.

Project name – “2022 Roads and Drainage Project”.

R&D recommended to resurface Blue Point now since limited drainage issues exist.

### **Continuation of work on City Right-of-Way (ROW) and Storm Water Ordinance**

Alex Scanlon to continue review of earlier work and way forward for the ordinance.

Alex needs input from R&D on city ROW restrictions like rocks, trees, and other encroachments.

A second need is how much of the ditch can a homeowner cover with a culvert.

### **Check Valves on Outflow Culverts**

Discussion and possible action on outflow check valve inspection and maintenance.

Tony is moving forward with the R&D strategy for maintaining the outfall check valves.

R&D had a preliminary discussion on wholesale replacement of check valves vs as needed.

Two of the likely areas for valves would be at CL Road and S. Shore and Ivy and N. Shore.

### **Additional Topics**

Discussion of streamlining the selection of contractors to reduce churn.

Randy Chronister brought up the practicality of hiring a pavement contractor without bidding.

Randy to consider contacting City Attorney or TML to see what alternatives exist.

Status and discussion of 830/834 Birch Rd drainage work.

The engineering design of the existing drainage plan at 830 Birch was discussed.

No R&D action items were adopted.

Status of drainage issues on SW Aspen Road and Clear Lake Road involving Soul Freak, Oakies etc.

This topic was deferred till next meeting.

Roads and Drainage long term strategy.

This topic was deferred till next meeting.

Next meeting will be on Thursday 2/17/2022 at 4:00 PM at the Club House.