

**Minutes of
Regular Meeting of the City Council**

Tuesday, 4-12-16 – 7:00 PM

VILLAGE OF SURFSIDE BEACH

1304 Monument Drive
Surfside Beach, TX 77541

1) QUORUM IN ATTENDANCE, CALL TO ORDER

Mayor Davison called the meeting to order at 7:00 pm and announced that a quorum of council was present including Mayor Larry Davison, Councilwoman E. Elizabeth Brown, Councilman Troy McMinn, Councilwoman Peggy Llewellyn, Councilwoman Toni Capretta, and Councilman Dave Guzman. Present employees were Police Chief Gary W. Phillips and City Secretary Amanda Davenport.

2) MOMENT OF SILENCE, PLEDGE OF ALLEGIANCE

Mayor Davison asked everyone to pause for a moment of silence and led the Pledge of Allegiance and the Pledge to the Texas flag.

3) BUSINESS OF VISITORS NOT ON THE AGENDA

Dortha Pekar spoke to council and stated that the Ft. Velasco committed needed more participation from the Community.

Mr. Jim Glover spoke to Council regarding the right of way on Swan Court and the drainage problems.

Scott McCracken inquired about the future plans for Ft. Velasco Road and wanted to know if the stop sign at Oyster could be removed.

Clare Dunn talked about the disrepair of the walkover at Gulfway Court.

4) Mayor/council/committee/department head/organization reports

Police Chief Phillips gave the monthly report regarding the PD activity.

Councilwoman Capretta and the ST. Patrick's Day Committee presented donations to the police and fire departments.

Ronnie Grant stated that the Planning Commission did not meet this month. He also spoke for the Historical Committee and stated that they are already working on the September event.

Councilman Guzman inquired on the status of the beach plan

Councilwoman Brown discussed the historical data that she provides for the police department's report.

Read and sign proclamation declaring April as "Fair Housing Month"

Mayor Davison read and signed the Fair Housing Proclamation.

5) ALL ITEMS UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE SELF-EXPLANATORY, AND THE COUNCIL WILL ENACT THEM WITH ONE MOTION. UNLESS A COUNCIL MEMBER SO REQUESTS, NO SEPARATE DISCUSSION OF THESE ITEMS WILL OCCUR.

CONSENT AGENDA:

- A. Consider approval of minutes from the March 8, 2016, council meeting.**
- B. Consider approval of the March 2016 financials.**

Councilwoman Llewellyn made the motion to accept the consent agenda as presented. Councilwoman Brown seconded the motion and the motion passed unanimously.

6) Discuss and take possible action to award banking depository bid.

Councilman Guzman made the public statement that he would recuse himself from this discussion and the vote due to the fact that his wife, Freda, works for Amegy Bank, and in no way will Freda or himself benefit monetarily or otherwise from the Village business being awarded to Amegy Bank.

Mayor Pro Tem McMinn made the motion to accept the depository bid from Amegy Bank. Councilwoman Brown seconded the motion and the motion passed with 4 for and 1 recused (Councilman Dave Guzman).

7) Discuss and take possible action on Ordinance 2016-03-08B regarding Below BFE Home Surrounds.

Councilwoman Llewellyn made the motion to adopt ordinance 2016-03-08B regarding below BFE home surrounds. Councilwoman Capretta seconded the motion and it passed unanimously.

8) Discuss and take possible action on a waiver to the noise ordinance for live music by The Weeds during the Old Guys Surf Reunion, taking place at Ocean Village on April 30, 2016.

Mrs. Charlotte Moore was in attendance representing the OGSR.

Councilwoman Brown made the motion to allow the outside amplified sound. Councilwoman Llewellyn seconded the motion and it passed unanimously.

9) Discuss and take possible action regarding waiving fees at Stahlman Park on April 23, 2016 for the Save Our Beach Association.

Mayor Pro Tem McMinn motioned to approve waiving the fees at Stahlman Park for the SOBA for April 23, 2016. Councilwoman Capretta seconded the motion and it passed with 3 voting for and 2 voting against.

10) Discuss and take possible action approving applying for Restore Act Funds for CEPRA match to fund the nourishment and groin project.

Mayor Pro Tem McMinn made the motion to move forward and apply for the Restore Act Funds. Councilwoman Brown seconded the motion and it passed unanimously.

11) Discuss and take possible action to commit the 2016 CDBG funds for the Surfside Shores sewer system.

Councilwoman Llewellyn motioned to commit the 2016 CDBG funds for the Surfside Shores sewer system. Councilwoman Capretta seconded the motion and it passed unanimously.

12) Discuss and take possible action on approval to join the Houston Coalition of Cities in the CenterPoint Energy Houston Electric, LLC Distribution Cost Recovery Factor Proceeding and authorizing the Mayor to sign Resolution 2016-0412 declaring the Village's intent to participate in the Coalition.

Mayor Pro Tem McMinn made the motion to approve resolution 2016-0412 regarding the Village's intent to participate in the Coalition of Cities in the CenterPoint Energy Houston Electric, LLC. Councilwoman Llewellyn seconded the motion and it passed unanimously.

13) Executive Session

The City Council may convene into closed executive session pursuant to Texas Government Code, Section 551.071, **CONSULTATION WITH ATTORNEY:** specifically regarding pending litigation pertaining to Cause No. 82207-CV; Schwall, et al. v. Davison, et al.

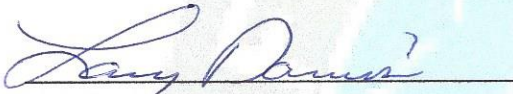
The council recessed into executive session at 8:30 p.m. and reconvened in regular session at 8:43 p.m.

14) Action, if any, out of executive session.

Councilwoman Brown made the motion to reject the settlement offer in Cause No. 82207-CV. Councilwoman Llewellyn seconded the motion and it passed unanimously.

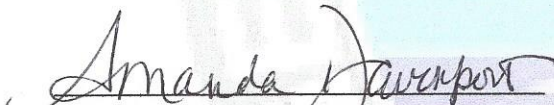
15) ADJOURNED at 8:45 p.m.

PASSED AND APPROVED this 12th day of April 2016.



Larry Davison
Mayor

Attest:


Amanda Davenport, City Secretary