

CITY OF BAYOU VISTA
*****AGENDA*****
REGULAR MEETING
TUESDAY, OCTOBER 25, 2022 – 6:30 PM



NOTE: When there is a “starred” item on this Agenda, it designates that the City of Bayou Vista has uploaded materials for a particular agenda item on the City’s Official Website for public review prior to the meeting.

The City of Bayou Vista’s Mayor and City Council hereby gives public notice of their Regular Meeting to be held on Tuesday, October 25, 2022, at 6:30 p.m., at the **Bayou Vista Community Center**, located at 783”C” Marlin (the corner of Neptune and Marlin) Bayou Vista, Texas. The items to be discussed or considered and possibly acted upon are the following:

1. **CALL MEETING TO ORDER**
2. **ROLL CALL**
3. **FIRST ORDER OF BUSINESS**

The Mayor Announces:

- A. A quorum of the City Council is present,
- B. City officials duly called this meeting, and
- C. City Secretary posted the Meeting Notice in the manner prescribed by law.

4. **PLEDGE OF ALLEGIANCE AND PLEDGE TO THE TEXAS FLAG**
5. **DISCUSSION ONLY – Stating the time DISCUSSION ONLY Opens**



- A. Presentation by the legal counsel for the City of Bayou Vista, Dick Gregg III, regarding a **PROPOSED DRAFT** of Short-Term Rental (STR) Ordinance for the possibility of amending Chapter 7 entitled;

Offenses and Nuisances, by repealing a portion of section 07.09.02 entitled Residential Lot Restrictions And Development Standards to strike language prohibiting short term rentals and hereby to provide for the regulation of Short-Term Rentals in the City of Bayou Vista.

Providing for:

- A STR Permit Required
- STR Permit Fee Required
- STR Application Contents and Process
- STR Permit Requirements
- Annual Inspection of STR Prior to Permit Issuance
- Orientation on STR Best Practices Required
- No STR Permit will be issued if Deed Restrictions ban STR
- Civil “Call-out” Fee if nuisance conviction at STR
- STR Operation Requirements
- Notification of Complaints at STR

- B. **Citizens' Comments Concerning the PROPOSED DRAFT Ordinance** for the possibility of amending Chapter 7 entitled; **Offenses and Nuisances**, by providing for **regulation** of Short-Term Rentals in the City of Bayou Vista.
- C. **Close DISCUSSION ONLY on presentation of possible Regulation of Short-Term Rentals**

6. **CITIZEN'S COMMENTS ON AGENDA ITEMS ONLY**

7. **CONSENT AGENDA: All of the following items on the Consent Agenda are routine by the City Council and will be enacted in one motion. There will not be separate discussion of these items unless a Council Member requests.**

- A. Approval of Minutes of all prior meetings not yet approved including but not limited to:
 - 1. Regular Meeting of September 27, 2022

8. **SPECIAL REPORTS AND PRESENTATIONS**

- A. None at this time.

B. **City Departmental Activity Reports for September 2022**

- Police Department
- Municipal Court
- Building Permit
- Code Enforcement
- Building Inspector

- C. Discuss and accept the Financial Statement ending September 2022, as submitted by Ray Tax Group as presented by Lydia Cook, CPA – Ray Tax Group.

D. **Mayor's Report:**

- 1. Rescheduled Texas Parks and Wildlife to assist with requirements to re-engage in the Bayscape 2020 Grant process.
- 2. Bayou Vista, Tiki Island and Jamaica Beach will be co-hosting the Galveston County Mayors and Councilmembers Association dinner on November 9, 2022.
- 3. Election Cost for 2023
- 4. There will be no December meeting.

E. **Aldermen Reports:**

- 1. Mayor-Pro Tem Christie – No report at this time.
- 2. Alderman Mitchell – No report at this time.
- 3. Alderman Bass – No report at this time.
- 4. Alderman Beard – No report at this time.

9. **ACTION ITEMS**

- A. Consider and take possible action to approve the proposal from Blazek and Vetterling to conduct the Fiscal Year end audit for 2020-2021 in the amount of \$22,945.00 and the Fiscal Year end audit for 2021-2022 in the amount of \$21,905, for the City of Bayou Vista.

- B. Consider and take possible action to approve the Declaration of Local State of Disaster as a requirement for inclusion for the Operation Lonestar Grant.
- C. Consider and take possible action to approve Resolution 2022-10R for Operation Lone Star be operated for the 2022-2023 fiscal year.

10. DISCUSSION

- A. Requirements to place a proposition on the May 2023 Ballot to increase our existing sales tax from 8% to 8 ¼%, what the ¼% can be designated for, and the amount of additional revenue that ¼% will generate for the City of Bayou Vista.

11. COMMENTS

- Citizen's Comments
- Aldermen Comments
- Mayor's Comments

12. EXECUTIVE SESSION

- A. Executive Session: under Texas Government Code, Section 551.071: A governmental body may conduct a closed session when the governmental body seeks the advice of its attorney on (A) pending or contemplated litigation; or (B) a settlement offer; or (2) a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict.

B. RECONVENE IN OPEN SESSION FOLLOWING EXECUTIVE SESSION

Reconvene from Executive Session into Open Session and take the appropriate action, if any.

13. ADJOURNMENT

Lillian Salinas, City Administrator/City Secretary

As part of my duties, I hereby certify that this Agenda was posted on Friday, October 21, 2022, by 5:00 p.m.

The City Council reserves the right to meet in closed session on any agenda item if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Gov't Code.

Mayor and Councilmember Comments:

Pursuant to Texas Government Code § 551.0415, City Councilmembers may make a report about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

1. Expressions of thanks, congratulations, or condolences;
2. Information regarding a holiday schedule;
3. An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; A reminder about an upcoming event organized or sponsored by the governing body. Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
4. Announcements involving an imminent threat to the public health and safety of people in the municipality.