



Kemah City Council Meeting

June 3, 2020

7:00pm



AGENDA

June 3, 2020 7:00P.M.

CITY OF KEMAH - CITY COUNCIL AND KEMAH PUBLIC FACILITIES CORPORATION

**Council Chambers, Kemah City Hall,
1401 State Hwy 146, Kemah, Texas**

Terri Gale – Mayor

Teresa Vazquez-Evans	Wanda Zimmer	Kyle Burks	Robin Collins	Isaac Saldaña
Council Position 1	Council Position 2	Council Position 3	Council Position 4	Council Position 5

In accordance with the Texas Open Meetings Act the agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located on the front exterior wall of the City Hall Building, except in case of emergency meetings or emergency items posted in accordance with law.

Texas Criminal and Traffic Law Handbook Penal Code Sec. 38.13 Hindering Proceedings by Disorderly Conduct. A person commits an offense if he intentionally hinders an official proceeding by noise or violent or tumultuous behavior or disturbance. Penal Code Section 42.05 Disrupting Meeting or Procession. A person commits an offense if, with intent to prevent or disrupt a lawful meeting, procession, or gathering, he obstructs or interferes with the meeting, procession, or gathering by physical action or verbal utterance.

The City Council reserves the right to meet in closed 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. Pledges

2. Prayer

3. Invitation to Address Council

(State law prohibits the Mayor and members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law. Comments should be 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. Your comments are limited to two (2) minutes.)

4. Council Members Comments and Announcements (Items of Community Interest Only)

5. Mayor's Comments

6. City Administrator Report:

- Financials
- Economic Development

- Events and Operations
- Technology Department

7. CIP

8. Police and Emergency Management Report

- Events and Operations
- Emergency Services

9. Communications and Marketing Report

10. Consent Agenda

The following items are considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion on these items unless a Council member requests it, in which event the item will be removed from the consent agenda and discussed after the consent agenda.

A. Ordinance to amend Chapter 46, FLOODS (Second Reading)

11. Consideration and Possible Action: To establish an ordinance for Short Term Rentals, including all associated policies, procedures, and administration(Gale)

12. Consideration and Possible Action: To establish an ordinance for No Wakes(Gale)

13. Consideration and Possible Action: To establish ordinance(s) to manage transient food vendors and food sales after bar closing time(Gale)

14. Consideration and Possible Action: To establish accounting and financial policies for the city of Kemah, including but not limited to the management and oversight of capital projects and reserve requirements and usage(Gale)

15. Consideration and Possible Action: To establish a conflict of interest policy for the City of Kemah(Gale)

16. Consideration and Possible Action: To schedule the final review and adoption of the City of Kemah Master Drainage Plan(Gale)

17.: Consideration and Possible Action: To establish or revise methods to recover internal and external costs of Public Information Requests(Gale)

18. Consideration and Possible Action: on KCDC Board Member Appointment

19. Consideration and Possible Action: to deposit the \$750,000 to be transferred from KCDC related to Shoppes of Kemah into the Growth Fund, not the General Fund. (Burks)

20. Consideration and Possible Action: to change residential trash service to one day per week to save money. (Burks)

21. Consideration and Possible Action: to implement impact fees on new developments. (Burks)

22. Discussion: the City of Kemah soliciting bids for insurance that would cover for loss of sales tax and HOT tax in the event of a pandemic, hurricane, or other natural disaster. (Burks)

23. Consideration and Possible Action: to re-open City Hall and city services and remove or amend the Coronavirus disaster declaration. (Burks)

24. Consideration and Possible Action: to review the current policy regarding overtime pay and to amend the policy to ensure adequate internal controls are in place to prevent fraud and promote transparency. (Burks)

25. Update regarding reimbursement from the federal government for city spending during the Coronavirus pandemic. (Burks)

26. Consideration and Possible Action: on any budget adjustments or spending adjustments for 2019-2020 fiscal year. (Burks)

27. Consideration and possible action to review the current policy regarding council members' authority to speak to city staff and request information from city staff and to amend the policy to ensure council members have the ability to obtain the necessary information to serve the citizens of kemah effectively and to promote transparency in city operations. (Burks)

28. Council Members' Closing Comments

29. Mayor's Closing Comments

30. Adjourn

ONLINE: <https://global.gotomeeting.com/join/724242373>

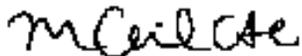
PHONE: United States (Toll Free): **1 866 899 4679**

United States: **+1 (224) 501-3318**

ACCESS CODE: **724-242-373**

CERTIFICATION

This is to certify that a copy of the Notice of the Regular City Council meeting for **Wednesday, June 3, 2020**, was posted on the bulletin board at City Hall, 1401 Highway 146, Kemah, Texas, on this the 29th day of May, 2020, prior to 7:00 p.m.



Melissa Chilcote, City Secretary

__05/29/2020__

Date

I certify this notice was removed by me from the Kemah City Hall bulletin board on the ____ day of _____, 2020. _____

Kemah City Council Agenda Item

#10A Ordinance to amend Chapter 46, FLOODS (2nd Reading)

Once form is complete and departmental clearances are obtained, this form should be forwarded to the City Secretary as soon as possible prior to the date that the item is expected to be placed on the City Council agenda.

Date requested for Council consideration: 06/03/2020

Prepared by: Jimmy Thompson/Jessica Koutney

Subject: 2nd Reading to amend Chapter 46, FLOODS

Proceeding: Ordinances

Originating Department: Admin

Texas Ethics Commission Form 1295 required? *n/a*

If YES, is copy of Form attached? Contract Identification Number on Form:

City Attorney Review: *Yes*

Expenditure Required: *n/a* Amount Budgeted:

Appropriation Required: Source of Funds:

Finance Approval: *n/a*

City Administrator Approval: (Walter Gant)

SUMMARY / ORIGINATING CAUSE

See draft ordinance

RECOMMENDATIONS

Approve 2nd reading

ATTACHMENTS

Ordinance 1175

ORDINANCE NO. 1175

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KEMAH, TEXAS TO AMEND MUNICIPAL CODE CHAPTER 46 – FLOODS, SECTION 46-1. – REAL ESTATE SIGNS TO DESIGNATE FLOOD PLAIN ZONES AND COMMUNITY RATING SYSTEM, SECTION 46-2. - CRITICAL FACILITIES, SECTION 46-29. – INTERPRETATION AND CONFLICT WITH OTHER LAWS, SECTION 46-51. – DESIGNATION OF LOCAL ADMINISTRATOR, SECTION 46-110. – ENCROACHMENTS, SECTION 46-111. – FILL MATERIAL; SECTION 46-313. – ALLOCATION OF RESPONSIBILITIES, SECTION 46-314. – JURISDICTION, SECTION 46-316. – IDENTIFICATION OF PROBLEMS, SECTION 46-317. - MAINTENANCE; REPEALING ORDINANCE NO. 7-93, PROVIDING FOR A PENALTY, PROVIDING FOR SEVERABILITY AND PROVIDING FOR CODIFICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEMAH, TEXAS THAT THE MUNICIPAL CODE CHAPTER 46 IS HEREBY AMENDED AS FOLLOWS:

Chapter 46 - FLOODS, ARTICLE I. – IN GENERAL, Section 46.1. – “Real estate signs to designate flood plain zones and community rating system” **is hereby deleted in its entirety. The deletion of Section 46.1. – Real estate signs to designate flood plain zones and community rating system hereby Repeals Ordinance No. 7-93.**

Chapter 46 - FLOODS, ARTICLE I. – IN GENERAL, Section 46.2. – “Critical facilities” is hereby **changed to be renamed as Section 46.1. – Critical facilities.**

Chapter 46 - FLOODS, ARTICLE II. – FLOOD DAMAGE PREVENTION, DIVISION 2. - ADMINISTRATION, Section 46.29. – “Interpretation and conflict with other laws” currently reads as follows:

This article includes all revisions to the National Flood Insurance Program through November 1, 1989, and shall supersede all previous laws adopted for the purposes of flood damage prevention. All ordinances in conflict with this article are hereby repealed to the extent of the conflict; in addition city Ordinance No. 5-92 is hereby repealed. In their interpretation and application, the provisions of this law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this local law are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standard, shall govern.

Chapter 46 - FLOODS, ARTICLE II. – FLOOD DAMAGE PREVENTION, DIVISION 2. - ADMINISTRATION, Section 46.29. – “Interpretation and conflict with other laws” shall be amended to read as follows:

This article includes all revisions to the National Flood Insurance Program through November 1, 1989, and shall supersede all previous laws adopted for the purposes of flood

damage prevention. All ordinances in conflict with this article are hereby repealed to the extent of the conflict; In their interpretation and application, the provisions of this law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this local law are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standard, shall govern.

Chapter 46 - FLOODS, ARTICLE II. – FLOOD DAMAGE PREVENTION, DIVISION 2. - ADMINISTRATION, Section 46.51. – “Designation of the local administrator” currently reads as follows:

The director of public works is hereby appointed the local administrator to administer and implement this local law by granting or denying floodplain development permits in accordance with its provisions.

Chapter 46 - FLOODS, ARTICLE II. – FLOOD DAMAGE PREVENTION, DIVISION 2. - ADMINISTRATION, Section 46.51. – “Designation of the local administrator” shall be amended to read as follows:

The City Administrator shall appoint the City’s local Floodplain Administrator to administer and implement this local law by granting or denying floodplain development permits in accordance with its provisions.

Chapter 46 - FLOODS, ARTICLE II. – FLOOD DAMAGE PREVENTION, DIVISION 3. – CONSTRUCTION STANDARDS, Subdivision II. – Standards for All New Development, Section 46-110. – “Encroachments” currently reads as follows:

(a) Within flood zones A1-A30 and AE, on streams without a regulatory floodway, no new construction, substantial improvements to other development, including fill, shall be permitted unless:

(1) The applicant demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base more than one foot at any location; or

(2) The floodplain administrator agrees to apply to the Federal Emergency Management Agency (FEMA) for a conditional FIRM revision; FEMA approval is received and the applicant provides all necessary data, analyses and mapping; and reimburses the city for all fees and other costs in relation to the application. The applicant must also provide all data, analyses and mapping and reimburse the city for all costs related to the final map revision.

Chapter 46 - FLOODS, ARTICLE II. – FLOOD DAMAGE PREVENTION, DIVISION 3. – CONSTRUCTION STANDARDS, Subdivision II. – Standards for All New Development, Section 46-110. – “Encroachments” shall be amended to read as follows:

(a) Within flood zones A1-A30 and AE, on streams without a regulatory floodway, no new construction, substantial improvements to other development, including fill in excess of 60 cubic yards, shall be permitted unless:

(1) The applicant demonstrates that the cumulative effect of the proposed development including fill in excess of 60 cubic yards, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base more than one foot at any location; or

(2) The Floodplain Administrator agrees to apply to the Federal Emergency Management Agency (FEMA) for a conditional FIRM revision; FEMA approval is received and the applicant provides all necessary data, analyses and mapping; and reimburses the City for all fees and other costs in relation to the application. The applicant must also provide all data, analyses and mapping and reimburse the City for all costs related to the final map revision.

The addition of Chapter 46 - FLOODS, ARTICLE II. – FLOOD DAMAGE PREVENTION, DIVISION 3. – CONSTRUCTION STANDARDS, Subdivision II. – Standards for All New Development, Section 46-111. – “Fill Material” shall read as follows:

- (a) For land in flood zones A1-A30 and AE within the floodplain, the owner must notify the Floodplain Administrator at City Hall for every instance of fill material brought onsite. The Floodplain Administrator may require an engineer certified drainage plan.
- (b) For land outside the floodplain a permit is required for fill material if the single or aggregate amount of fill to be placed is more than 5 loads (60 cubic yards) of soil per ½ acre of platted lot. Each ½ acre of platted lot may not contain more than 5 loads of fill. Property owner is required to equally disperse and spread the fill material to ensure no more than 5 loads of fill are being place on each ½ acre of platted lot.
- (c) For land in flood zones A1-A30 and AE within the floodplain, fill material for landscaping and garden improvements is permitted without a permit at 1 load (12 cubic yards) or less per ½ acre of platted lot per year with notification provided to the Floodplain Administrator.
- (d) For land in flood zones A1-A30 and AE within the floodplain, if 1 to 5 loads (60 cubic yards) of fill material are to be placed per ½ acre of platted lot, a permit must be obtained from the Floodplain Administrator and the property owner shall be required to provide a drainage plan prepared and sealed by a registered professional engineer as to its compliance with code.
- (e) For land in flood zones A1-A30 and AE within the floodplain, if more than 5 loads of fill (60 cubic yards) of fill material is to be placed per ½ acre of platted lot, a permit must be obtained from the Floodplain Administrator and the property owner will be required to provide a drainage plan and fill mitigation plan prepared and sealed by a registered professional engineer as to its compliance with code.
- (f) Placement of fill in the regulatory floodway is prohibited.
- (g) Fill material shall be placed no closer than five feet from the edge of the property line.
- (h) If the fill is placed on property in which the natural flow of water is conveyed on the proposed fill site, then the property owner is required to mitigate for the altered flow to equal or better conveyance than pre-filled condition. Natural flow may be by sheet flow, swale, ditch, slough, or other natural or manmade means of conveyance of water. Mitigation could include ditches, swales, detention ponds and any other means of conveyance/detention that mitigates the impacts due to fill placement. The

mitigation plan must be prepared and sealed by a registered professional engineer as to its compliance with code.

- (i) All fill material shall be spread evenly and as per permit represents within 180 days of the permit issuance date. If the fill material is not spread within this time period, the property owner shall remove the material from the property if so directed by the Floodplain Administrator.

Chapter 46 - FLOODS, ARTICLE III. – DRAINAGE MAINTENANCE, Section 46-313.
– “Allocation of responsibilities” currently reads as follows:

- (a) The director of public works is responsible for the administration of this standard operating procedure (SOP). He shall inspect the creeks, ditches and retention basins and ensure that they are cleaned in accordance with the SOP.
- (b) The director of public works is responsible for maintenance of all ditches and creeks on park property.
- (c) The director of public works is responsible for enforcing this article which prohibits dumping materials in the creeks of the city.
- (d) Property owners are responsible for maintaining the ditches on their properties. City personnel shall not enter onto private property unless an easement has been obtained or unless the problem is deemed an emergency and guidance has been provided by the city attorney.

Chapter 46 - FLOODS, ARTICLE III. – DRAINAGE MAINTENANCE, Section 46-313. – “Allocation of responsibilities” shall be amended to read as follows:

- (a) The Floodplain Administrator is responsible for the administration of this standard operating procedure (SOP). He or she shall inspect the creeks, ditches and retention basins and ensure that they are cleaned in accordance with the SOP.**
- (b) The Floodplain Administrator shall supervise the proper maintenance of all ditches and creeks on park property.**
- (c) The Floodplain Administrator is responsible for enforcing this article which prohibits dumping materials in the creeks of the City.**
- (d) Property owners are responsible for maintaining the ditches on their properties. City personnel shall not enter onto private property unless an easement has been obtained or unless the problem is deemed an emergency and guidance has been provided by the City Attorney.**

Chapter 46 - FLOODS, ARTICLE III. – DRAINAGE MAINTENANCE, Section 46-314.
– “Jurisdiction” currently reads as follows:

- (a) This standard operating procedure (SOP) covers all creeks and ditches in the city.
- (b) This SOP covers the following retention basins:
 - (1) Kemah Oaks.
 - (2) Third Street pump station.

Chapter 46 - FLOODS, ARTICLE III. – DRAINAGE MAINTENANCE, Section 46-314. – “Jurisdiction” shall be amended to read as follows:

- (a) This standard operating procedure (SOP) covers all creeks, retention basins and ditches in the City.**

Chapter 46 - FLOODS, ARTICLE III. – DRAINAGE MAINTENANCE, Section 46-316. – “Identification of problems” currently reads as follows:

- (a) The director of public works or his designee shall inspect all the watercourses and basins. One inspection will run in February, one in April before the spring flood season, and one in July.
- (b) After each major storm, the director of public works, or his designee, shall inspect the following choke points where debris has been known to accumulate:
- (1) 3rd Street pump station.
 - (2) 518 drainage system.
 - (3) 8th Street alley lift station.
 - (4) Arrla drainage system.
- (c) The director of public works, or his designee, shall inspect all complaints submitted by residents, the health inspector, the floodplain administrator or other offices.
- (d) If an inspection identifies a problem, the inspector shall describe it on the city drainage problem report form, a copy of which is found in [section 46-318](#).
- (1) The top portion of the form shall be completed by whoever identifies the problem.
 - (2) The director of public works shall complete the middle portion of the form and assign a work priority to the project. A copy shall be kept by the department secretary to assist in tracking the city's response to the problem.
 - (3) The maintenance crew chief assigned to the project shall complete the bottom portion of the form.
 - (4) When the form is completed it shall be filed in the public works department work order files. If the problem was identified by someone outside the department, a copy of the form shall be sent to the person or office who reported the problem.

Chapter 46 - FLOODS, ARTICLE III. – DRAINAGE MAINTENANCE, Section 46-316. – “Identification of problems” shall be amended to read as follows:

- (a) The Floodplain Administrator or his or her designee shall inspect all the watercourses and basins. One inspection will run in February, one in April before the spring flood season, and one in July.**
- (b) After each major storm, the Floodplain Administrator, or his or her designee, shall inspect choke points where debris has been known to accumulate.**
- (c) The Floodplain Administrator, or his or her designee, shall inspect all complaints submitted by residents, the Health Inspector, the Floodplain Administrator or other offices.**
- (d) If an inspection identifies a problem, the inspector shall describe it on the City’s Drainage Problem Report Form, a copy of which is found in [section 46-318](#).**

- (1) **The top portion of the form shall be completed by whoever identifies the problem.**
- (2) **The Floodplain Administrator shall complete the middle portion of the form and assign a work priority to the project. A copy shall be kept by the department secretary to assist in tracking the City's response to the problem.**
- (3) **The maintenance crew chief assigned to the project shall complete the bottom portion of the form.**
- (4) **When the form is completed it shall be filed in the public works department work order files. If the problem was identified by someone outside the department, a copy of the form shall be sent to the person or office who reported the problem.**

Chapter 46 - FLOODS, ARTICLE III. – DRAINAGE MAINTENANCE, Section 46-317.

– “Maintenance” currently reads as follows:

- (a) *Problems.* Maintenance problems are defined as:
 - (1) **Trash:** manmade objects, such as garbage, shopping carts, fires, lumber, furniture and appliances. Animal carcasses are also included as trash.
 - (2) **Minor problems:** vegetable growth, tree limbs and other naturally occurring debris. Sedimentation in a retention basin is also included.
 - (3) **Obstruction:** fallen trees, culvert damage, logjam, large appliance or car body, etc., that by itself obstructs the flow of the ditch or stream.
 - (4) **Major problem:** culvert damage, sedimentation, failure of concrete lining, etc.
- (b) *Duties.*
 - (1) **On public property:** The director of public works shall schedule a maintenance crew to remove all obstructions expeditiously.
 - (2) **On private property with drainage maintenance easements:** removal of trash, minor problems, and obstructions shall be the responsibility of the owner. Resolution of major problems shall be the responsibility of the city.
 - (3) **On private property without drainage easements:** removal of trash, minor problems, and obstructions shall be the responsibility of the owner. With the owner's permission and at the city's option, the city shall resolve major problems.
- (c) *Completion of project.* Upon completion of a maintenance project, the responsible crew chief shall complete the drainage problem report form and provide it to the department of public works secretary for filing. The city floodplain administrator may periodically inspect projects and note their findings on the form.

Chapter 46 - FLOODS, ARTICLE III. – DRAINAGE MAINTENANCE, Section 46-317. – “Maintenance” shall be amended to read as follows:

- (a) ***Problems.* Maintenance problems are defined as:**
 - (1) **Trash:** manmade objects, such as garbage, shopping carts, fires, lumber, furniture and appliances. Animal carcasses are also included as trash.
 - (2) **Minor problems:** vegetable growth, tree limbs and other naturally occurring debris. Sedimentation in a retention basin is also included.
 - (3) **Obstruction:** fallen trees, culvert damage, logjam, large appliance or car

body, etc., that by itself obstructs the flow of the ditch or stream.

(4) Major problem: culvert damage, sedimentation, failure of concrete lining, etc.

(b) *Duties.*

(1) On public property: The City of Kemah shall schedule a maintenance crew to remove all obstructions expeditiously.

(2) On private property with drainage maintenance easements: removal of trash, minor problems, and obstructions shall be the responsibility of the owner. Resolution of major problems shall be the responsibility of the City of Kemah.

(3) On private property without drainage easements: removal of trash, minor problems, and obstructions shall be the responsibility of the owner. With the owner's permission and at the City of Kemah's option, the City shall resolve major problems.

(c) *Completion of project.* Upon completion of a maintenance project, the responsible crew chief shall complete the Drainage Problem Report Form and provide it to the City of Kemah for filing. The City Floodplain Administrator may periodically inspect projects and note their findings on the form.

Penalty. Any person violating the terms of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined a sum not to exceed the maximum allowable by law.

Severability. If any sentence, phrase, clause or any part of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, and it is hereby declared to be the intention of this City Council to have passed each sentence, phrase or clause, or part thereof, irrespective of the fact that any other sentence, phrase or clause, or part thereof, may be declared invalid.

Codification. This Ordinance is hereby incorporated into and made a part of the Kemah City Municipal Code.

AND IT IS SO ORDERED.

PASSED ON THIS FIRST READING ON THE 20TH DAY OF MAY, 2020.

PASSED AND APPROVED THIS SECOND READING ON THE 3RD DAY OF JUNE, 2020. CITY OF KEMAH, TEXAS

Terri Gale, Mayor

ATTEST:

Melissa Chilcote, City Secretary



Kemah City Council Agenda Item #11 Short Term Rentals

Once form is complete and departmental clearances are obtained, this form should be forwarded to the City Secretary as soon as possible prior to the date that the item is expected to be placed on the City Council agenda.

Mayor generated Agenda Item



Kemah City Council Agenda Item #12 No Wake Ordinance

Once form is complete and departmental clearances are obtained, this form should be forwarded to the City Secretary as soon as possible prior to the date that the item is expected to be placed on the City Council agenda.

Mayor generated Agenda Item



Kemah City Council Agenda Item #13 transient food vendors/food sales after bar closing time Ordinance

Once form is complete and departmental clearances are obtained, this form should be forwarded to the City Secretary as soon as possible prior to the date that the item is expected to be placed on the City Council agenda.

Mayor generated Agenda Item



Kemah City Council Agenda Item

#14 establish accounting and financial policies for the city of Kemah, including but not limited to the management and oversight of capital projects and reserve requirements and usage

Once form is complete and departmental clearances are obtained, this form should be forwarded to the City Secretary as soon as possible prior to the date that the item is expected to be placed on the City Council agenda.

Mayor generated Agenda Item



Kemah City Council Agenda Item #15 Conflict of Interest Policy

Once form is complete and departmental clearances are obtained, this form should be forwarded to the City Secretary as soon as possible prior to the date that the item is expected to be placed on the City Council agenda.

Mayor generated Agenda Item



Kemah City Council Agenda Item #16 Master Drainage Plan

Once form is complete and departmental clearances are obtained, this form should be forwarded to the City Secretary as soon as possible prior to the date that the item is expected to be placed on the City Council agenda.

Mayor generated Agenda Item



Kemah City Council Agenda Item #17 Public Information Requests

Once form is complete and departmental clearances are obtained, this form should be forwarded to the City Secretary as soon as possible prior to the date that the item is expected to be placed on the City Council agenda.

Mayor generated Agenda Item



Kemah City Council Agenda Item #18 Appointment to KCDC Board

Once form is complete and departmental clearances are obtained, this form should be forwarded to the City Secretary as soon as possible prior to the date that the item is expected to be placed on the City Council agenda.

Date requested for City Council consideration: 06/03/2020

Prepared by: Melissa Chilcote

Subject: Appointment to KCDC

Proceeding: Consideration and Possible Action

Originating Department: Administration

City Attorney Review:

Expenditure Required: NA Amount Budgeted: NA Appropriation Required: NA

Source of Funds: NA Finance Approval: NA

City Administrator Approval: (Walter Gant)

SUMMARY / ORIGINATING CAUSE

Filling Board Member Steve McGough’s position. The term is until Feb. 2024.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Keeping a full board of KCDC members allows for the maximum participation.

RECOMMENDATIONS

ATTACHMENTS

David Alcorn Resume

Robert Kelly Resume

Matt Wiggins Resume

From: [Doug Meisinger](#)
To: [Melissa Chilcote](#)
Subject: Fwd: Open Position On KCDC
Date: Thursday, May 28, 2020 2:06:41 PM
Attachments: [image001.png](#)

Sent from my Verizon, Samsung Galaxy smartphone

From: David Alcorn <dalcorn@nerdstogo.com>
Sent: Tuesday, May 19, 2020 11:15:30 AM
To: Doug Meisinger <dmeisinger@kemah-tx.com>
Subject: Open Position On KCDC

God morning Doug,

I would like to discuss the potential open position on the KCDC Board. I would like to apply for the vacancy, as I feel able to immediately contribute to the team.

I have been a Kemah business since September 2019, and NerdsToGo is rapidly growing, building relationships with many local businesses. I, personally have tried(with intentions) to be as involved in the community as possible.

Accomplishments and groups I am proud to declare contribute to are

- Secretary of KMA,
- Chamber Partner(Ambassador) with the League City Chamber of Commerce
- Strategic Alliance Leader with League City Chamber of Commerce
- Ambassador with Clear Lake Chamber
- BNI Houston – Referral Masters Chapter member

I am also very proud to call the Kemah Fire Department, The League City Chamber, and Galveston Bay Power and Sail Squadron as a few of my trusted clients. I am really excited to learn more about the organization, but from what I have heard, I think I can make a big difference.

David Alcorn
NerdsToGo Franchise Owner – League City, TX
Locally Owned. Locally Trained. Locally Trusted.

903 FM 518 Ste. J · Kemah, TX · 77565
1-800-390-NERD (6373)
Cell: 409-682-3988
www.NerdsToGo.com

Ask about our FREE Small Business Technology Evaluation

DAVID ALCORN

League City, TX · 409-682-3988

dalcorn@nerdstogo.com · [LinkedIn](#) · www.nerdstogo.com

A industrial computer programmer-turned small business owner in September 2019. Highly motivated and results-oriented leader that places emphasis on growing the community from within.

ACCOMPLISHMENTS & MEMBERSHIPS

- LC Regional Chamber Partner & Strategic Alliance Leader
- Clear Lake Area Chamber Ambassador
- Secretary – Kemah Merchant’s Association
- Business Network International(BNI) – Referral Masters

EXPERIENCE

9/2019 – PRESENT

OWNER, NERDSTOGO COMPUTER SERVICE

Overseer of all day-to-day operations, as well as marketing, advertising, and forecasting. Attend all meetings and most events sponsored by network group members as well as host. Meeting with small business owners daily to find ways to work together to build relationships and aligning other businesses to do the same. Lead technology advisor to all subscribing clients and acting CIO when network is potentially affected. Also serves as Customer Server Manager, ensuring all customer needs are met and fulfilled, maintaining a 4.8(5.0) star rating.

3/2020 – PRESENT

SECRETARY, KEMAH MERCHANT’S ASSOCIATION

Regularly attend meetings, ensuring all records and minutes are maintained and communicated effectively amongst Board members. Record all motions, decisions, and any information pertaining to. Engaging with other organizations within the city to continue developing new business.

4/2020 – PRESENT

STRATEGIC ALLIANCE LEADER, LEAGUE CITY REGIONAL CHAMBER OF COMMERCE

Creatively developing ways to grow new members businesses, by creating “warm” relationships with other Chamber members. Ensure membership retention resulting from the increase in new business for new and legacy members. Align members with other networking groups, as necessary, while aligning outside network groups with the Chamber.

EDUCATION

APRIL 2019

BACHELOR’S OF SCIENCE – INFORMATION TECHNOLOGY, AMERICAN INTERCONTINENTAL UNIVERSITY

Cum laude, Specialization in Software Development

Robert Michael Kelly

1126 Lake View Bend Lane
Kemah Texas 77565

Objective

Serve the board for the betterment of the community. Provide assistance in research, seeking knowledge to make educated decisions for the people of Kemah.

Experience

Kelly Industries L.L.C. Kemah Texas Owner operator. Fourteen Years.

Building Envelope, Underground Utility, Commercial and Industrial Construction and coatings, House lifting. Industrial support for refinery building envelopes.

Land Title Insurance, Under Written by Chicago Title Insurance. Four years.

Operator of five realtor owned title insurance offices. Orchestrating closing for the sale of restate transactions. Managing title insurance plant, dealing with surveys, meets and bounds, HUD One.

General Motors Minority Management, Eight years.

Operations Director for Minority Dealer Program. Responsible for taking failing automotive dealerships throughout the country and rehabilitating the dealerships to a profitable entity.

American National Insurance Agency, League City Texas Six years

Producer of Property & Causality, Workers Accident & Occupation, General Liability.

National Director of training for American National Insurance Company Galveston Texas. Four years. Overseeing training curriculum, Speaker for speaking engagements for Dealer groups, Hold training engagements throughout the county.

Matthew D. Wiggins, Jr.

Matthew D. Wiggins, Jr.
P.O. Box 139
Kemah, TX 7756-0139

Home Address:
704 Bay Avenue
Kemah, TX 77565

Telephone: 281/334-3636
Telecopier: 888/328-6288
Home Phone: 281/334-3474
Cell Phone: 832/721-8031
E-Mail: MattWiggins@me.com

Education:

Cleveland (MS) High School
Mississippi State University--BS Accounting
University of Mississippi--Juris Doctor

Employment:

1975 - 1997 West Publishing Company, St. Paul, Minnesota
Manager of State Governmental Relations. 50 state responsibility
for all governmental affairs and lobbying efforts.

Activities:

Founding President--Kemah Economic Development Corporation--1992
President--Kemah Fire Department--Emergency Services Board--2005 to 2007
Member--Emergency Services Board--2007-2011
President--Galveston County WCID#12--2004 to 2006
Kemah City Council--2006 to 2009
Mayor--City of Kemah--2009 to 2011
President--Kemah Community Development Corporation--2011 to 2012
President--Kemah Oaks Homeowners Association--2013 to 2017
Kemah Community Development Corporation--2015 to 2017
Kemah City Council--2016 to 2019
President--WCID#12--2019 to Date
President--Emergency Services Board--2019 to Date

Kemah City Council Agenda Item
#19 Transfer \$750,000 from KCDC to Kemah Growth Fund

Council Member generated Agenda Item

Kemah City Council Agenda Item #20 Residential Trash Service

Council Member generated Agenda Item

- Contacted AmeriWaste to set up a meeting to discuss the change to one day a week
Once that meeting is scheduled – information will be sent out

**Kemah City Council Agenda Item
#21 to implement impact fees on new developments**

Council Member generated Agenda Item

Kemah City Council Agenda Item

#22 Insurance bids to cover loss of Sales Tax and HOT Tax During a pandemic, hurricane, or other natural disaster

Council Member generated Agenda Item

**Kemah City Council Agenda Item
#23 to re-open City Hall and city services and remove or amend the
Coronavirus disaster declaration.**

Council Member generated Agenda Item

Kemah City Council Agenda Item #24 Overtime Policy

Council Member generated Agenda Item

SECTION 7**OVERTIME****POLICY**

The City of Kemah schedules employees to work overtime consistent with operational needs. Employees are expected to work reasonable amounts of overtime when requested. Exempt employees while generally not compensated for overtime, will be so compensated when local disasters are declared by the Chief Elected Official or when the City Administrator orders such overtime to meet a specified deadline.

OVERTIME. Overtime shall be defined as that **authorized** time worked by an employee which exceeds 40 hours in a 7-day work period, claimed to the nearest quarter hour and paid at one and one-half times the employee's regular rate of pay.

- **OVERTIME RATE OF PAY.** Overtime compensation will be paid to all employees in non-exempt positions who work overtime as defined above, unless they are granted compensatory time as set forth below.
- **FLSA STATUS.** The City Administrator is responsible for determining the exempt/non-exempt status of positions in accordance with the laws and regulations under the Fair Labor Standards Act (FLSA) and the entitlement to overtime of certain employees by virtue of state law.
- **APPROVAL OF OVERTIME.** Approval of overtime pay may be granted for a specified period of time or on a regular basis as operating circumstances warrant.
- All police officers shall be paid for overtime or given compensatory time, regardless of FLSA classifications, if required by law.

COMPENSATORY TIME. Compensatory time is not available to employees in exempt positions. Compensatory time may be given to non-exempt employees required to work overtime and **may only** be given during the 14-day pay period in which the overtime hours occur to minimize overtime according to the following guidelines.

- 1) If work occurs in the first week of the pay period, hours may be exchanged one time unit for one time unit during the first week or one time unit to one and one-half time unit during the second week of the pay period.
- 2) If the work occurs in the second week of the pay period, only exchange hours of one time unit to one time unit may occur.

Example: Options During 14 Day Pay Period

If work occurs in first week of the pay period: Exchange 1 for 1 time unit during the same 40-hour workweek;
or
1 to 1 ½ during the second 40-hour workweek;
or
Pay overtime.

If work occurs in the second week of:
the pay period Exchange 1 for 1 time unit;
or
Pay overtime.

- 3) If compensatory time off cannot be arranged during the same pay period that the overtime occurs, employees must be paid at one and one-half times the regular rate pay for the hours worked over 40 hours.

SECTION 8

HOLIDAYS

POLICY

The government operates 24 hours a day, seven days a week. Employees may be required to work holidays and weekends. Some positions in the City may require employees to regularly work on weekends and holidays. All employees are expected to work on weekends and holidays as required to provide essential municipal services.

- **HOLIDAY PAY.** Employees who are not required to work on holidays will receive eight hours regular pay for the holidays, provided they work their regularly scheduled workday before and after the holiday. If a holiday falls on an employee's scheduled day off, the employee will be paid for an additional eight straight hours. If an employee's regular day off is on a holiday and that employee is required to work, the employee will be paid the additional eight straight hours plus the hours worked will be calculated as overtime. When computing overtime pay, time off for a holiday will be considered as time worked.

CITY OF KEMAH PERSONNEL TIME SHEETS

Name:
DEBI HART

Department:
COMMUNICATIONS & MARKETING

3/9/20 - 3/20/20

Pay
Period:

Day	Date	Time In	Time Out	Reg. Hrs	Sick Hrs		COVID		OT Hrs
MON	3/9	6:00 am	8:00 pm	9			X		5
TUES	3/10	6:00 am	6:00 pm	9			X		3
WED	3/11	6:00 am	5:00 pm	9			X		2
THURS	3/12	6:00 am	5:00 pm	9			X		2
FRI	3/13	6:00 am	4:00 pm	4			X		6
MON	3/16	4:00 am	8:00 pm	9			X		5
TUES	3/17	7:00 am	5:00 pm	9			X		1
WED	3/18	6:00 am	6:00 pm	9			X		3
THURS	3/19	4:00 am	10:00 pm	9			X		9
FRI	3/20	5:00 am	7:00 pm	4			X		10
				80					40
				Total Reg. Hrs	Total Sick Hrs	Total Vac. Hrs	Total Hol. Hrs		Total OT Hrs

KEMAH POLICE DEPARTMENT Time Sheets

NAME: HURMAN, BOBBY
PAY PERIOD FROM: 03-07-2020

TO: 03-20-2020

	DATE	TIME IN	TIME OUT	REG HRS	SICK	VACA	HOLID	O/T	FTO/OIC	BAILIFF	OTHER	COMMENTS
SAT	07-March											
SUN	08-March											
MON	09-March	16:00	6:00	8				0				
TUES	10-March	7:00	6:00	8				1.0				
WED	11-March	10:00	6:00	8				0				
THUR	12-March	8:30	5:30	8				1.0				
FRI	13-March	8:30	16:30	8				5.0				
SAT	14-March											
SUN	15-March											
MON	16-March	10:00	6:30	8				0.5				
TUE	17-March	9:00	7:30	8				2.5				
WED	18-March	9:00	9:00	8				3.0				
THUR	19-March	9:00	7:00	8				2.0				
FRI	20-March	9:00	5:00	8								
TOTALS				80				15				

Bobby Hurman
 EMPLOYEE SIGNATURE

LIEUTENANT SIGNATURE
Walter Dent
 CHIEF POLICE

CITY OF KEMAH PERSONNEL TIME SHEETS

Name: DEBI HART				Department: COMMUNICATIONS				
Pay Period:	From: 03/21/2020			To: 04/03/2020				
Day	Date	Time In	Time Out	Reg. Hrs	Sick Hrs	Vac. Hrs	Hol. Hrs	OT Hrs
SAT	03/21/2020	10:00 am 4:00 pm	12:00 pm 6:00 pm	4				
SUN	03/22/2020	10:00 am 4:00 pm	12:00 pm 6:00 pm	4				
MON	03/23/2020	9:00 am	7:00 pm	10				
TUES	03/24/2020	9:00 am	9:00 pm	10	(2 hour break)			
WED	03/25/2020	9:00 am	7:00 pm	9	(1 hour break)			
THURS	03/26/2020	9:00 am	7:00 pm	3	(1 hour break)			6
FRI	03/27/2020	8:00 am	7:00 pm		(1 hour break)			10
SAT	03/28/2020	9:00 am	9:00 pm	11	(1 hour break)			
SUN	03/29/2020	9:00 am	9:00 pm	11	(1 hour break)			
MON	03/30/2020	9:00 am	9:00 pm	11	(1 hour break)			
TUES	03/31/2020	9:00 am	9:00 pm	7	(1 hour break)			4
WED	04/01/2020	9:00 am	8:00 pm		(1 hour break)			10
THURS	04/02/2020	9:00 am	8:00 pm		(1 hour break)			10
FRI	04/03/2020	9:00 am	9:00 pm		(1 hour break)			11

	Total Reg. Hrs	Total Sick Hrs	Total Vac. Hrs	Total Hol. Hrs	Total OT Hrs
	80				51

Debi Hart 4/6/20

Employee Signature



Supervisor Signature

3/21-24 GCHD Case Updates 2x/day; 3/24 requested RECOVERED cases from GCHD;
3/25 GCHD Case Update 1x/day

3/23 Studio, in office website w/ Bobby, Extra Monday w/ Mayor, #stopthespread concert

3/24 Began contacting artists for booking #stopthespread concert series, we have the entire month of April booked except 3 well known artists are pending confirmation

4/3 Developing ideas for Easter Bunny visit around town (safety, routes etc w/Clear Lake Shores and Keman Fire Dept)

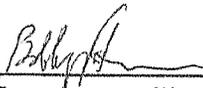
#stopthespread concert series = giving hope, distraction from isolation and artists push the message of social distancing and encouragement

OTHER: working on content for newsletter, blog, designing graphics, educational series on COVID-19 personal hygiene, keeping homes safer, and work place precautions, fielding website request for community services, and taking calls from citizens, business owners, and handling Ms Streater's negative comment as well as encouragement from many other elderly citizens.

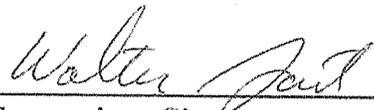
PREPARED to reflect 40 hours each week and documenting overtime.

CITY OF KEMAH PERSONNEL TIME SHEETS

Name: Bobby Hurman				Department: IT				
Pay Period:	From: 03/21/2020			To: 04/03/2020				
Day	Date	Time In	Time Out	Reg. Hrs	Sick Hrs	Vac. Hrs	Hol. Hrs	OT Hrs
SAT	03/21/2020							
SUN	03/22/2020							
MON	03/23/2020	8 AM	8 PM	12				
TUES	03/24/2020	8 AM	8 PM	12				
WED	03/25/2020	8 AM	8:30 PM	12.5				
THURS	03/26/2020	8 AM	6 PM	3.5				6.5
FRI	03/27/2020	9 AM	6 PM					9
SAT	03/28/2020	7:30 AM	12:30 PM					5
SUN	03/29/2020							
MON	03/30/2020	8:30 AM	7:00 PM	10.5				
TUES	03/31/2020	9 AM	6 PM	9				
WED	04/01/2020	8:30 AM	8:30 PM	12				
THURS	04/02/2020	7:30 AM	6 PM	8.5				2
FRI	04/03/2020	9 AM	4 PM					7
I certify that the total hours marked, and all other entries recorded on this sheet are true and correct.				Total Reg. Hrs	Total Sick Hrs	Total Vac. Hrs	Total Hol. Hrs	Total OT Hrs
				80				29.5



 Employee Signature



 Supervisor Signature

4-3-2020

CITY OF KEMAH PERSONNEL TIME SHEETS

Name: DEBI HART					Department:			
Pay Period:	From: 04/04/2020				To: 04/17/2020			
Day	Date	Time In	Time Out	Reg. Hrs	Sick Hrs	Vac. Hrs	Hol. Hrs	OT Hrs
SAT	04/04/2020	5:00PM	9:00PM	4				
SUN	04/05/2020	5:00PM	8:00PM	3				
MON	04/06/2020	12:00PM	8:00PM	8				
TUES	04/07/2020	12:00PM	8:00PM	8				
WED	04/08/2020	12:00PM	8:00PM	8				
THURS	04/09/2020	3:00PM	8:00PM	5				
FRI	04/10/2020	4:00PM	8:00PM	4			9	4
SAT	04/11/2020	3:00PM	8:00PM	5				
SUN	04/12/2020	8:00PM	10:00PM	2				
MON	04/13/2020	9:00AM	8:00PM	11				
TUES	04/14/2020	10:00AM	8:00PM	10				
WED	04/15/2020	9:00AM	9:00PM	12				
THURS	04/16/2020	11:00AM	5:00PM					6
FRI	04/17/2020	10:00AM	2:00PM					4
I certify that the total hours marked, and all other entries recorded on this sheet are true and correct.				Total Reg. Hrs	Total Sick Hrs	Total Vac. Hrs	Total Hol. Hrs	Total OT Hrs
				80 71			9	10 14

DEBI HART
Employee Signature

Walter Paul
Supervisor Signature

CLOSED OUT PENDING EMAILS, CLEARED AND CLEANED OFFICE. FINAL TIMESHEET DUE TO COUNCIL BUDGET CUTS DUE TO COVID-19

CITY OF KEMAH PERSONNEL TIME SHEETS

Name: <i>Bobby Hurman</i>				Department: <i>Technology</i>				
Pay Period:		From: 04/04/2020			To: 04/17/2020			
Day	Date	Time In	Time Out	Reg. Hrs	Sick Hrs	Vac. Hrs	Hol. Hrs	OT Hrs
SAT	04/04/2020							
SUN	04/05/2020							
MON	04/06/2020	8:30	5:30	8				1
TUES	04/07/2020	8:00	5:00	8				1
WED	04/08/2020	9:00	7:00	8				2
THURS	04/09/2020	8:30	7:30	8				3
FRI	04/10/2020	—	—				8	
SAT	04/11/2020							
SUN	04/12/2020							
MON	04/13/2020	9:00	3:30	6.5				
TUES	04/14/2020	7:00	5:00	10				
WED	04/15/2020	10:00	10:00	12				
THURS	04/16/2020	9:00	6:00	9				
FRI	04/17/2020	9:00	5:00	2.5				5.5
				80				12.5
I certify that the total hours marked, and all other entries recorded on this sheet are true and correct.				Total Reg. Hrs	Total Sick Hrs	Total Vac. Hrs	Total Hol. Hrs	Total OT Hrs
				72			8	12.5

Employee Signature

Walter Stett
Supervisor Signature

Kemah City Council Agenda Item

#25 Update regarding reimbursement from the federal government for city spending during the Coronavirus pandemic.

Council Member generated Agenda Item

**Kemah City Council Agenda Item
#26 budget adjustments/spending adjustments for 2019-2020 fiscal
year**

Council Member generated Agenda Item

**Kemah City Council Agenda Item
#27 City Staff talking to Council Members**

Council Member generated Agenda Item

From: [Terri Gale](#)
To: [Kyle Burks](#)
Cc: [Dick Gregg Jr.](#); [Dick Gregg III](#); [Walter Gant](#); [Melissa Chilcote](#)
Subject: RE: Council Member Requests
Date: Friday, May 29, 2020 4:59:57 PM
Attachments: [image002.png](#)

Forwarding to Council on BCC

Melissa – please be sure this is included in the email chain on the related agenda item.

Thanks!



Terri Gale
Mayor
City of Kemah, Texas
281.798.8533



From: Terri Gale
Sent: Friday, May 29, 2020 4:58 PM
To: Kyle Burks <kyleburks@kemah-tx.com>
Cc: Dick Gregg Jr. <dgreggj@gregg-gregg.com>; Dick Gregg III <dgregg3@gregg-gregg.com>; Walter Gant <wgant@kemah-tx.com>; Melissa Chilcote <mchilcote@kemah-tx.com>
Subject: RE: Council Member Requests

Kyle – in the spirit of transparency, let's be clear about a few items:

- I have never objected to council access to information; my issue is with the cost to the city and the disrespect to the staff time, based on the volume and timing of the requests, particularly given a much more limited staff and the current disaster conditions in place. I was and am asking for you to consider the overtime costs, staff stress, and other priorities of the city as well as the current conditions when you make a high volume of requests in a short period of time, which is what you did.
- The distribution of the detailed check and credit card information was started under the previous administration, at the request/demand of Councilman Matt Wiggins, not because it was offered up or provided as a means of transparency voluntarily. Let's place the credit for transparency where it is due in an honest manner.
- You have made requests of the staff and police relative to the additional budget cuts of the city, directly to them, expressly counter to the decision of City Council to leave it to staff to make recommendations (reference the 5/20 meeting). You have also added agenda items that Council has previously voted on (e.g., again voting on the re-opening of City Hall, which

was left to Mayor/staff discretion, per the 5/20 meeting). Your actions do not reflect the respect for the elected positions that you profess.

I have offered to meet and discuss your concerns; it seems that you prefer not to address them in a constructive way but rather in a very public and potentially destructive way, as reflected in the new Public Information Request from an outside consultant received less than 24 hours following this email chain. I find that regrettable and not reflective of actions taken in the best interest of the city. That makes me extremely sad and disappointed in your actions, and I hope that you will reconsider your approach for these and other issues you have, since we have neither the time nor the resources to expend unnecessary cycles on internal bickering. Kemah deserves better than that.

Thanks!



Terri Gale
Mayor
City of Kemah, Texas
281.798.8533



From: Kyle Burks <kyleburks@kemah-tx.com>
Sent: Thursday, May 28, 2020 10:35 AM
To: Terri Gale <mayorgale@kemah-tx.com>
Cc: Dick Gregg Jr. <dgreggj@gregg-gregg.com>; Dick Gregg III <dhgregg3@gregg-gregg.com>; Walter Gant <wgant@kemah-tx.com>; Melissa Chilcote <mchilcote@kemah-tx.com>
Subject: Re: Council Member Requests

Bcc Council

Melissa, I have spoken to Dick. I am requesting the below information as a member of Council for legislative purposes. The mayor is not allowed to ask why I am requesting the information other than that it is for legislative purposes but I'm happy to discuss, although not required. Dick please correct me if I'm wrong. Dick has also advised me that I am not banished and that I am still allowed to speak to city staff so you are allowed to call me if you have any questions.

For my agenda item regarding council's authority to request information, I have discussed with Dick and I would like for you to include this email chain as my backup for the agenda item and include it in the packet.

I apologize that I did not first check to see if we received January-February cc statements. Mayor, cc statements have been distributed and reviewed by council members for at least the last two years under Carl's administration. We did this so we could increase transparency of city financials.

I have not made any requests that are in regards to police budget cuts counter to city council's actions. I respect the city council and their duly elected position and the authority granted to them.

Kyle

On May 28, 2020, at 9:03 AM, Terri Gale <mayorgale@kemah-tx.com> wrote:

BCC to Council

Kyle – to be clear, my objective is not to suppress information visibility to council members; my objective IS to stop the staff overtime and stress that all of the micromanagement of staff decisions and operations that is occurring. As a city, we do not need to be expending additional overtime and attrition costs that result from our own council not being sensitive to the limitations of their bandwidth and additional duties that they have already absorbed. Some of what you are requesting, Council already receives (e.g., January and February credit card information had already been distributed) and/or would not normally be reviewed by a council member (e.g., the FEMA application). Some of what you had requested (e.g., decisions on what budget changes would be made in police department staff) were already addressed in our last council meeting, and your actions were counter to the decision that council made. I'm asking you to respect the staff and the processes. That is certainly within my purview to do.

Thanks!

<image001.jpg>

Terri Gale

Mayor

City of Kemah, Texas

281.798.8533

<image002.png>

From: Kyle Burks <kyleburks@kemah-tx.com>

Sent: Thursday, May 28, 2020 8:42 AM

To: Terri Gale <mayorgale@kemah-tx.com>

Cc: Dick Gregg Jr. <dgreggjir@gregg-gregg.com>; Dick Gregg III <dhgregg3@gregg-gregg.com>; Walter Gant <wgant@kemah-tx.com>; Melissa Chilcote <mchilcote@kemah-tx.com>

Subject: Re: Council Member Requests

Bcc Council

Wow. Quite a stance you are taking here. I will follow up in due course. Dick I would

please apply for a position when it opens up. If you want to run for mayor, please feel free to do so when election time returns. Until one of those things happen, your actions are taxing already constrained resources and reflect a lack of sensitivity to the situation Kemah is in. Please act in the best interest of Kemah and support using our constrained resources wisely. If you have questions or ideas, please use the procedures that Dick and the law have set forth. Please stand down on trying to manage the financial and operational aspects of the city at a detailed level; that is not a council member role. I will not tolerate further disrespect of staff time, further budget impacts (staff overtime) from excessive and unplanned information requests or attrition from non-constructive staff conversations, or disrespect to the roles of other council members, staff, and myself as mayor.

I'm happy to meet with you to discuss your concerns about the operations of Kemah, since clearly you have some, and it is MY role to address them. I will bring whatever staff is needed. I suggest that we meet before the next council meeting so that we can work this out. If you are not willing to meet, we can discuss in the open council meeting instead; I am more than well prepared for that.

Please let me know a convenient time to meet. I'd like to get this back on a constructive track and realign your focus to what's best for the city instead of what's best for a political agenda.

Thanks!

<image001.jpg>

Terri Gale

Mayor

City of Kemah, Texas

281.798.8533

<image002.png>

like to speak when you have time as I have some things to discuss. Is this allowed Mayor?

Kyle

On May 28, 2020, at 8:29 AM, Terri Gale <mayorgale@kemah-tx.com> wrote:

BCC to Council

Kyle – you are making a lot of council member requests to the staff, which is already constrained. Just this week, I understand that you have requested the following pieces of information:

- All credit card statements since January 2020
- Timesheets for Hart and Hurman for overtime
- All police overtime timesheets
- Application forms for FEMA reimbursement
- Details on payments to Vincent Ruscelli (who performs the psych evals for the police department new hires)
- Written overtime policy and additional items regarding overtime approval

You have also placed additional phone calls to discuss the budget requests and staff adjustments to our staff, which is expressly counter to the decisions made in our last council meeting, upon which council votes were taken.

While as a council member, you are entitled to this information, it is to be sent to you outside of process for Legislative purposes only. So please state the legislative purpose of your information requests; until that is provided, I am instructing staff to forward your requests to Dick. I will also be setting a new operational policy that all information requests follow the process of being directed to the city administrator, with copies to the mayor and to the city attorney, and they will not be addressed without their legislative purpose being stated and validated by agenda items. Also, as you know, the staff is already extremely constrained. Your additional requests for information need to follow proper process. Please consult with Dick on what that is if you do not already know; my understanding is that this process was also enforced during the previous administration, and as a multi-year council member, you should already be well aware of both your role as a council member and of these information request procedures.

Your role as a council member is to set policy for the city and provide direction, not to set operational policies or to manage operations. That is the role of the mayor and staff. If you want to be in a staff leadership role,