

**REGULAR MEETING AND PUBLIC HEARING
CITY COUNCIL
CITY OF NASSAU BAY, TEXAS
JUNE 10, 2019
7:00 PM**

MEMBERS OF COUNCIL PRESENT: Mayor Mark Denman, Mayor Pro Tem Don Matter, Councilmembers Ashley Graves, John Mahon, Bryce Klug, Jonathan Amdur, Matt Prior, and Councilmember-Elect Bob Warters

MEMBERS OF COUNCIL ABSENT: None

OTHERS PRESENT: City Attorney Dick Gregg Jr., City Manager Jason Reynolds, City Secretary Sandra Ham, Police Chief Tim Cromie, Fire Chief Tom George, Building Official Mark Stelly, and Human Resources & Special Events Manager Chani Honeycutt

PRESIDING: Mayor Mark Denman

CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Mark Denman called the meeting to order at 7:00 p.m. and announced a quorum of Council was present with all elected officials in attendance.

INVOCATION AND PLEDGES OF ALLEGIANCE

A special prayer was given by Pastor Dan Schepmann of Gloria Dei Lutheran Church in honor of former City Manager Chris Reed. The invocation was given by Father Wencil Pavlovsky of St. Paul the Apostle Catholic Church. The Pledges to the American and Texas flags were led by the Nassau Bay Nauticats coaches.

APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS AND AWARDS

Recognition of Officer Hank Hughes for 35 Years of Service with the Nassau Bay Police Department

Chief Tim Cromie recognized Police Officer Hank Hughes for his 35 years of service with the Nassau Bay Police Department. Officer Hughes worked for the City of Nassau Bay for six years prior to joining the Nassau Bay Police Department. During his time, he has been assigned as an investigator and patrol officer. Chief Cromie indicated Officer Hughes is known for protecting the students in the Nassau Bay community, with his specific focus on school bus traffic. Chief Cromie thanked Officer Hughes for his continued service and commitment to the Nassau Bay community. Chief Cromie presented a proclamation from Senator Larry Taylor's office commemorating his years of service. Mayor Denman, City Manager Jason Reynolds, Chief Cromie, and Officer Hughes posed for a photo.

Presentation in Recognition of Service to Outgoing Councilmember Jonathan Amdur

Mayor Mark Denman presented a plaque of recognition to outgoing Councilmember Jonathan Amdur for his dedicated service to the City. Mayor Denman followed by noting

a tree will be planted in Howard Ward Park in Mr. Amdur's honor, with the cast iron plaque to be installed adjacent to the tree.

Former Councilmember Amdur expressed appreciation to all for his eight years of service on Council. He also voiced a call to action, asking those in attendance to continue Chris Reed's legacy of service. A photo was taken of Mayor Denman and Mr. Amdur.

Issuance of Certificates of Election and Administering Oaths of Office

Mayor Denman presented Don Matter, John Mahon, and Bob Wartors with Certificates of Election, as required by the Election Code. No candidates drew an opponent; therefore, no election was held by the City.

City Attorney Dick Gregg, Jr. administered the oaths of office to incumbent Councilmembers Don Matter and John Mahon, and new Councilmember Bob Wartors. All posed for a photo.

Due to the recent passing of former City Manager Chris Reed, Mayor Mark Denman declined the customary short recess in honor of the new and outgoing elected officials. Regular session continued with Councilmember Bob Wartors seated at the dais.

PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING: None

CITIZENS' REQUEST FOR HEARING BEFORE CITY COUNCIL

Mayor Denman announced a Public Hearing for citizens to address Council regarding any issues and concerns.

The Public Hearing was opened at 7:16 p.m.

Rebecca Kadel, 18579 Martinique Drive, noted there would be an upcoming Nassau Bay Homes Association meeting on Thursday, June 20th at 6:00pm.

Win Weber, 18523 Point Lookout Drive, congratulated Officer Hughes on his recognition and years of service. Additionally, she commended Officer Hughes for his assistance with the mock trial program at the University of Houston Clear Lake, of which Officer Hughes has served as bailiff for the last five years. Mrs. Weber stated Officer Hughes has provided a wonderful impression to all participants who have gone through the mock trial program.

There were no other public comments and the Public Hearing was closed at 7:18 p.m.

COUNCILMEMBERS' COMMENTS/REPORTS

Councilmember Matt Prior echoed former Councilmember Amdur's comments regarding former City Manager Chris Reed. Additionally, he noted the abundance of positive comments about Mr. Reed, which greatly illustrates his tremendous impact on the community. Continuing, Councilmember Prior recognized Jonathan Amdur for his service to Nassau Bay. He ended by stating it was an honor to be seated next to Mr. Amdur, and it will be another honor to sit next to Councilmember Bob Wartors.

Councilmember Bob Wartors indicated he was pleased to be back on Council and thanked those who did not run against him in the City election. He also extended sympathy to the

Reed family at this time of loss. Councilmember Warters continued by indicating his desire to address several concerns throughout the City, including the City's debt obligation to the City of Houston for the water treatment plant, sand filter issues and associated costs of repair, and reconsideration of the utilization of the City's reserve funds. Additionally, he voiced a concern regarding Clear Creek's water height, and a need to drive political forces to assist in remedying this situation.

Councilmember John Mahon expressed appreciation for the opportunity to continue his service on the Nassau Bay City Council. He also remarked on the passing of Chris Reed, and noted his legacy will be a reminder to those who are called to serve in a public position. He noted he considered Mr. Reed a personal friend, and indicated it was a pleasure to work with him in Nassau Bay.

Councilmember Ashley Graves began her comments by congratulating Officer Hank Hughes on 35 years with the Nassau Bay Police Department and for making Nassau Bay a safer place to live. She also commended exiting Councilmember Jonathan Amdur for his eight years of service, and in addition, welcomed Councilmember Bob Warters to Council. Councilmember Graves continued by recalling the story of how she first met Chris Reed and expressed the amount of encouragement she received from him. She remarked on his community service and indicated she was grateful for his inspiration to be a better person.

Mayor Pro Tem Don Matter spoke briefly about Chris Reed, noting he was on the original committee which hired him as the City Manager of Nassau Bay. He commented on Mr. Reed's sense of humor and his ability to provide outstanding leadership to the staff of Nassau Bay. Mayor Pro Tem Matter ended by reiterating the loss to the community, and by stating he knows Mr. Reed will be greatly missed.

MAYOR'S COMMENTS/REPORTS

Mayor Mark Denman echoed similar sentiments, noting the fragility of life. He noted the Reed family lost power for 12 hours, and commended City Manager Jason Reynolds for assisting in restoring the power. He spoke on his initiative to get the surrounding cities to lower their flags in honor of Chris Reed, and in addition commented on the blue lights on City Hall in honor of Mr. Reed's service.

REPORTS FROM STAFF MEMBERS & COMMITTEES

City Attorney

City Attorney Dick Gregg, Jr. respectfully requested a moment to express his thoughts regarding the passing of former City Manager Chris Reed, as he worked with Mr. Reed when he was the City Manager in League City, City Manager of Nassau Bay, and as the Police Chief of Kemah. He stated he will be missed by all.

City Manager

City Manager Jason Reynolds began his comments by announcing the City's upcoming events. Although the David Braun Park pavilion is under construction, the Fourth of July festivities will continue at David Braun Park. He announced the upcoming 50th anniversary of the Apollo 11 mission and extended an invitation to all to attend the City's two events

on July 20th and July 21st. In addition, he provided caution to all, as Space Center Houston is anticipating crowds to reach 50,000 visitors. Residents should expect lane closures on NASA Parkway. City Manager Reynolds ended by commenting on Mr. Reed's passing, noting "paratroopers lead the way."

Fire Department

Fire Chief Tom George presented the Fire Department's May status report. Chief George stated the Department responded to 40 calls and logged 800 man hours. Current membership holds at 35 members. City Manager Reynolds expressed appreciation to the NBVFD for assisting in the Chris Reed search efforts over the weekend.

Planning Commission

Planning Commission Vice Chairman John Nugent presented the Planning Commission report. He stated the Commission met on June 3rd to discuss an ordinance regarding parking restrictions in the Urban District. As there is insufficient parking availability in the Urban District, the Planning Commission recommended the District be modified to include low grade options.

Additionally, Vice Chairman Nugent stated the Commission discussed the need for an ordinance regarding lapsed building permits. Currently, there are several residential homes which have been in construction for years. The Commission recommends an ordinance which restricts the validity of a building permit to one year, effective on the issuance date. There will be no grandfathering for issued permits.

CONSENT AGENDA

The Consent Agenda listed the following items for approval:

Approval of Minutes of Regular Meeting on May 13, 2019

Mayor Pro Tem Don Matter requested the May 13, 2019 minutes be amended to include the PowerPoint presentation he presented regarding the storm water issues in the City.

It was moved by Mayor Pro Tem Don Matter, seconded by Councilmember Ashley Graves, to approve the Consent Agenda with the amendment to the May 13, 2019 Regular Meeting minutes.

Motion passed 7 – 0.

NEW BUSINESS

Resolution electing Don Matter as Mayor Pro Tem

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS ELECTING A MAYOR PRO TEM PURSUANT TO SECTION 3.05 OF THE CITY CHARTER.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2019-2175.)

It was moved by Councilmember Bob Warters, seconded by Councilmember Bryce Klug, to elect Don Matter as Mayor Pro Tem.

Motion passed 7 – 0.

Authorization of the City Manager to sign an agreement with Fire Recovery EMS, LLC, for ambulance billing and related professional services

City Manager Reynolds indicated this agreement to be an updated contract put forth by EMS Chief Shawn Doyle and Finance Director Csilla Ludanyi. It is recommended by staff to change EMS ambulance billing providers based on support, service, and cost. The new provider, Fire Recovery EMS, LLC, will provide billing services for 8.5% of all payments collected. This is a savings of approximately 2.5% over the City's current contract, which is an anticipated \$4,000 per year in savings. Mr. Reynolds also clarified this contractor is not performing delinquent collections on EMS accounts, as EMS delinquent collections are being handled through Linebarger, Goggan, Blair, & Sampson LLP. There was a brief discussion on the cost savings of the new contract, expectations of increased revenue, and typical collection rates.

It was moved by Councilmember Bryce Klug, seconded by Mayor Pro Tem Don Matter, to authorize the City Manager to sign an agreement with Fire Recovery EMS, LLC, for ambulance billing and related professional services.

Motion passed 7 – 0.

Approval of a resolution repealing Resolution No. R2019-2170 and adopting a New Fee Schedule for fees charged by the Building Department

Building Official Mark Stelly began discussions by noting the Building Department's proposed fee schedule is a response to recent Texas legislation, specifically House Bill 852. House Bill 852 changes the method a municipality may use to determine the amount of certain building permit and inspection fees. The City of Nassau Bay is now prohibited from basing building permit fees and related inspection fees on the valuation of the project or home. The current Building Department's fee schedule will become null and will be replaced by the proposed fee schedule. Mr. Stelly indicated this new schedule is an attempt for the Building Department to obtain a similar revenue stream as the previous fee schedule. Mr. Stelly indicated the proposed new schedule applies only to building permits or inspection fees assessed on or after the effective date of HB852 on May 21, 2019.

Councilmember Bryce Klug questioned if the new fee schedule would result in a loss of revenue. City Manager Reynolds indicated the new proposed fees have been adjusted to ensure the City does not lose revenue, with the fee schedule covering all costs to the Department. There was a brief discussion on addressing rising costs, with Mr. Stelly stating the fee schedule is flexible, and is able to be updated yearly. Mr. Reynolds indicated the City will market the new fee schedule on the City's website and social media.

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, REPEALING RESOLUTION NO. R2019-2170, AND ADOPTING A NEW FEE SCHEDULE FOR FEES CHARGED BY THE BUILDING DEPARTMENT.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2019-2176.)

It was moved by Councilmember Bob Warters, seconded by Councilmember John Mahon, to approve a resolution repealing Resolution No. R2019-2170 and adopting a new fee schedule for fees charged by the Building Department.

Motion passed 7 – 0.

Authorization of the City Manager to execute an agreement with the Bay Area Houston Convention & Visitor’s Bureau (BAHCVB)

City Manager Reynolds indicated Nassau Bay is currently in a contract with the Bay Area Houston Convention & Visitor’s Bureau (BAHCVB), which is set to expire September 30, 2019. Nassau Bay staff recommend renewal of the contract, as the BAHCVB has redirected their efforts from a personnel heavy organization to a more marketing focused firm. Additionally, he stated the proposed contract is currently in draft form and is a three-year agreement (October 1, 2019 through September 30, 2022).

Mayor Denman emphasized the contract allows Nassau Bay the right to terminate the contract each year of the three-year agreement. Additionally, termination may occur if the measurements are not met or exceeded. Overall, Mr. Reynolds noted the BAHCVB is amplifying the footprint of the Bay Area Houston region, which is beneficial to Nassau Bay with the expected tourism growth of Space Center Houston.

Councilmembers continued discussions regarding the contract, with Mr. Reynolds clarifying the City will compensate the BAHCVB at a rate equal to 15% of the respective Hotel Occupancy Tax (HOT) revenues collected by the City. Additionally, it was agreed upon that City Manager Reynolds will only execute the final draft of the agreement with the stipulation the contract could be terminated on a year by year case.

It was moved by Councilmember Bryce Klug, seconded by Councilmember Ashley Graves, to authorize the City Manager to execute an agreement with the Bay Area Houston Convention & Visitor’s Bureau (BAHCVB).

Motion passed 7 – 0.

EXECUTIVE SESSION

Meeting recessed to Executive Session at 7:53 p.m. as authorized by Texas Government Code, Chapter 551, Open Meetings, Subchapter D, Exceptions to Requirement that Meeting be Open, with Mayor Denman reading from the posted agenda the following topic to be discussed in Executive Session:

1. §551.074 Personnel – Discussion of membership of the Nassau Bay Economic Development Corporation Board of Directors.

2. §551.072: Deliberations Regarding Real Property – Discussion of Real Estate Matters pertaining to property within the City limits.

Meeting returned to Open Session at 8:57 p.m.

ACTION ITEMS FROM EXECUTIVE SESSION

Approval of a resolution reappointing John Mahon, Tony Quezada, and Cindy Harreld-DeWease and appointing Bob Warters to the Nassau Bay Economic Development Corporation for two-year terms of office to expire May 31, 2021

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, APPOINTING/REAPPOINTING MEMBERS TO THE NASSAU BAY ECONOMIC DEVELOPMENT CORPORATION.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2019-2177.)

It was moved by Councilmember Bryce Klug, seconded by Mayor Pro Tem Don Matter, to approve a resolution reappointing John Mahon, Tony Quezada, and Cindy Harreld-DeWease and appointing Bob Warters to the Nassau Bay Economic Development Corporation as discussed in executive session.

Motion passed 7 – 0.

Action regarding Real Property – Discussion of Real Estate Matters pertaining to property within the City limits

No action was taken on this agenda item.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:57 p.m.

Minutes approved as submitted and/or amended this 12th day of August, A.D. 2019.



CITY OF NASSAU BAY, TEXAS

Mark A. Denman
Mayor

ATTEST:

Sandra V. Ham
City Secretary