

**REGULAR MEETING AND PUBLIC HEARING
CITY COUNCIL
CITY OF NASSAU BAY, TEXAS
JUNE 8, 2020
7:00 PM
VIA TELECONFERENCE**

MEMBERS OF COUNCIL PRESENT: Mayor Mark Denman, Mayor Pro Tem Don Matter, Councilmembers Ashley Graves, Bob Wartens, and Matt Prior, and Councilmember- Elect Phil Johnson

MEMBERS OF COUNCIL ABSENT: Councilmember John Mahon (arrived 7:22pm)

OTHERS PRESENT: City Attorney Dick Gregg Jr., City Manager Jason Reynolds, City Secretary Sandra Ham, Assistant City Manager Mary Chambers, Finance Director Csilla Ludanyi, Police Chief Tim Cromie, Emergency Management Coordinator Dena Mahon, Fire Chief Tom George, and Planning Commission Chairman Roscoe Lee

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 six elected officials in attendance.

CITIZENS' REQUEST FOR HEARING BEFORE CITY COUNCIL

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

The Public Hearing was opened at 7:01 p.m.

There being no one wishing to speak, the Public Hearing was immediately closed.

COUNCILMEMBERS' COMMENTS/REPORTS

Councilmember Ashley Graves expressed her appreciation to City staff for efficiently adapting to the new course of action needed as the City entered the third month of the pandemic. Additionally, she thanked the Nassau Bay Police Department Marine Patrol Operations, in conjunction with the Nassau Bay Volunteer Fire Department, for their patrol efforts on the water. Lastly, Councilmember Graves encouraged all to complete the 2020 Census, especially as the City continues to grow with the expansion of Houston Methodist Clear Lake Hospital.

MAYOR'S COMMENTS/REPORTS

Mayor Mark Denman invited all to attend the Roscoe Lee Pavilion naming ceremony on Friday, June 12th at 9am. Continuing his comments, he also remarked on the City during COVID-19, and stated despite the pandemic that the City remains secure, with very little downturn effect on the City's sales tax revenue.

REPORTS FROM STAFF MEMBERS & COMMITTEES

City Manager

City Manager Jason Reynolds began his comments by announcing that Coffee with the City Manager would be held in person on Friday, to coincide with the Roscoe Lee Pavilion naming ceremony. He continued by reminding all that June 1st was the official start of hurricane season and encouraged Nassau Bay residents to register with the City's emergency alert system, Swift 911.

City Manager Reynolds continued by highlighting the 2020 Census and noted Nassau Bay's participation rate was currently at 55%, which is below some of the area neighboring cities. Mr. Reynolds also remarked on the November 2020 Election, stressing voter participation and acknowledging that Nassau Bay's election would be at the bottom of a very long presidential ballot.

Continuing, City Manager Reynolds highlighted upcoming special events, and remarked on the changes for the Fourth of July festivities, with the parade route differing for 2020 to assist with more City coverage and prevent any large gatherings. Additionally, after previously postponing the 50th Anniversary Gala, Mr. Reynolds announced the event had been rescheduled to August 22nd. He asked everyone to stay tuned for any new developments.

Mr. Reynolds expressed his appreciation to all those involved in the Nassau Bay Art Spire project, specifically thanking NASA's Johnson Space Center, TxDOT, Harris County Precinct 2 Commissioner Adrian Garcia, Paul Engineering, Inc, SWA Group, and the NASA Area Management District.

Ending his comments, City Manager Reynolds recognized several employees for their service to the City, including Public Works Director Paul Lopez for 10 years of service, Nassau Bay Police Department Office Manager Tiffany Hatton for 16 years of service, and Parks Supervisor Raul Lozoya for 20 years of service to the City.

Police Department

Chief Tim Cromie provided the Police Department monthly report. For May, the Department responded to 383 calls, made 30 reports, issued 79 warnings, and issued 36 citations. He continued by remarking on the City's marine operations, as the Police Department, Fire Department and Public Works Department have been working to keep the Nassau Bay waterways safe. They continue to address vessels with excessive wakes on the water. The Department received 34 reports for loud music complaints, with only four of those reports being complaints of loud music on the cove. The Department did have a musical event on the cove, which was promoted on social media, but overall it proved to not be a nuisance to operations.

Fire Department

Fire Department President Matt Roper presented the Fire Department's May status report. Mr. Roper stated the Department responded to 27 calls with 1,078 man hours. There are multiple projects that the Department is working on, including conversion of a high-water

rescue vehicle to a brush fire truck, which will make the vehicle more multi-use for the Department.

CONSENT AGENDA

Approval of Minutes of Regular Meeting on April 13, 2020

Approval of Minutes of Special Meeting on April 27, 2020

It was moved by Councilmember Ashley Graves, seconded by Councilmember Bob Warters, to approve the Consent Agenda.

Motion passed 6 – 0.

NEW BUSINESS

Award RFQ to ARKK Engineering LLC in response to RFQ 2020-02 Sand Filter Mitigation Engineering Services

Public Works Director Paul Lopez indicated the City received three (3) electronic proposals after publication of RFQ No. 2020-02 in local newspapers on April 29, 2020 and May 6, 2020. The engineering services requested are for the rehabilitation and repair of the City's existing sand filter unit at the waste water plant facility. The work is being partially funded through a FEMA grant, as a result of damages to this unit caused by Hurricane Harvey. Based on the scoring of the proposals, it is the recommendation to award the RFQ to ARKK Engineers, Inc.

ARKK Engineers initially completed an assessment of the sand filter for FEMA and has been working alongside the Public Works Department and FEMA representatives. The sand filter does not have to be assessed by a different engineering firm. Additionally, Mr. Lopez noted that ARKK Engineers recently completed a similar sand filter project for the City of Pearland. Overall, ARKK Engineers has extensive knowledge of the City's wastewater treatment plant and sand filter. Dave Kasper of ARKK Engineers has completed extensive engineering projects for the City over the last 18 years.

Mayor Pro Tem Don Matter inquired on the value of the contract, with Mr. Lopez indicating the amount was submitted as a requirement of the proposal. Councilmember Bob Warters indicated it was against the law to require a price in a bid for professional services. Mayor Pro Tem indicated he was interested in the approximate amount, with Councilmember Matt Prior also inquiring on the City's financial contribution for the project. City Manager Reynolds noted the project will be paid with grant funding, with Emergency Management Coordinator responding that the City would be required to contribute 10% towards the project. Ms. Mahan indicated the total amount to be approximately \$15,000.

It was moved by Councilmember Bob Warters, seconded by Mayor Pro Tem Don Matter, to award the RFQ to ARKK Engineering in response to RFQ 2020-02 Sand Filter Mitigation Engineering Services

Motion passed 6 – 0.

Consider and take action on a resolution authorizing the Mayor to sign a Cost Sharing Water Project Contract by and between the Clear Lake City Water Authority and the City of Nassau Bay

Finance Director Csilla Ludanyi provided an overview of the agreement with the Clear Lake City Water Authority. She indicated there are various contracts have superseded this original contract, but some provisions of the original contract have not been accounted for or memorialized despite their persistent validity and necessity. This agreement re-affirms the necessary components of the original agreement, addresses operations and maintenance costs related to applicable CLCWA infrastructure, clarifies roles and obligations, re-affirms SEWPP co-participation, and extends the term for 40 years.

Finance Director Ludanyi indicated specifics of the agreement state that potential cost increases over the 40-year term must not exceed an average of 3% per year. Ms. Ludanyi also noted that average costs over the past five years were approximately \$3,077 per year. Additionally, Finance Director Ludanyi remarked that the maximum cost increases permitted in the agreement cap the annual costs at approximately \$11,000/year by year 40.

Ms. Ludanyi ended the discussion by noting this agreement is necessary for the City to issue debt for the Southeast Transmission Line project, as currently there is not a legally valid document that ties the City to this project via the CLCWA.

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, AUTHORIZING THE MAYOR TO SIGN A COST SHARING WATER PROJECT CONTRACT BY AND BETWEEN CLEAR LAKE CITY WATER AUTHORITY AND CITY OF NASSAU BAY.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2020-2199.)

It was moved by Mayor Pro Tem Don Matter, seconded by Councilmember Matt Prior, to approve a resolution authorizing the Mayor to sign a Cost Sharing Water Project Contract by and between the Clear Lake City Water Authority and the City of Nassau Bay.

Motion passed 6 – 0.

Councilmember John Mahon arrived at 7:22pm.

EXECUTIVE SESSION

Meeting recessed to Executive Session at 7:22 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 – Discuss the employment, evaluation, compensation, goals, and duties of the City Manager.

2. §551.071 Consultation with Attorney – Discussion of possible litigation pertaining to code enforcement.
3. §551.072: Deliberations Regarding Real Property – Discussion of Real Estate Matters pertaining a residential property within the City limits.

Meeting returned to Open Session at 8:35 p.m.

ACTION ITEMS FROM EXECUTIVE SESSION

Action regarding personnel matter(s) as discussed in Executive Session – City Manager

No action was taken on this agenda item.

Action regarding litigation matter as discussed in Executive Session

No action was taken on this agenda item.

Action regarding real estate matter as discussed in Executive Session – 18706 Martinique, Nassau Bay, Texas

It was moved by Councilmember Bob Warters, seconded by Councilmember Ashley Graves, to authorize the City Manager to negotiate the real estate matter as discussed in Executive Session.

Motion passed 7 – 0.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:37 p.m.

Minutes approved as submitted and/or amended this 10th day of August A.D. 2020.

CITY OF NASSAU BAY, TEXAS



Mark A. Denman
Mayor

ATTEST:



Sandra V. Ham
City Secretary