

**AGENDA – REGULAR MEETING AND PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, TO BE HELD ON DECEMBER 14, 2020 AT 7:00 PM IN THE COUNCIL CHAMBER, CITY HALL, 1800 SPACE PARK DRIVE, SUITE 200, NASSAU BAY, TEXAS.**

PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCIÓN 30.07 DEL CÓDIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO AL AIRE LIBRE CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO H, CAPITULO 411, CODIGO DE GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UNA ARMA DE FUEGO AL AIRE LIBRE.

*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.*

**Attendance at the meeting will be limited to 25 percent of the room's capacity.** Due to the COVID 19 pandemic and CDC's recommendation regarding social distancing measures, the room capacity will be limited for this meeting, however, members of the public can provide a comment, which will be read aloud to council members during the meeting. Additionally, members of the public can view the live stream of the City Council meeting at [www.facebook.com/NassauBay](https://www.facebook.com/NassauBay). Residents do not need a Facebook account to view the City's page or view the meeting video.

Any person interested in speaking on any item on the agenda must submit his/her request via email to the City Secretary at [sandra.ham@nassaubay.com](mailto:sandra.ham@nassaubay.com). The request must include the speaker's name, address, and phone number. Comments must be received before 1:00 p.m., Monday, December 14, 2020.

For more detailed instructions on how to participate in this meeting, please visit our website at [www.NassauBay.com/CityCouncil](http://www.NassauBay.com/CityCouncil). The meeting will also be recorded and uploaded to the City website following the conclusion of the meeting.

1. CALL TO ORDER AND ROLL CALL OF MEMBERS
2. APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS, AWARDS
  - A. Presentation of a Proclamation naming December 10th as Sergeant Kaila M. Sullivan Memorial Day in the City of Nassau Bay – Mayor Mark Denman.
  - B. Recognition of Cub Scout Pack 1965 for a Community Service Project in David Braun Park – Mayor Mark Denman.
  - C. Recognition of Sergeant Glenn Sharp for 15 Years of Service – Police Chief Tim Cromie.

- D. Presentation in Recognition of Service to Outgoing Councilmember Ashley Graves. <sup>Denman</sup>
- E. Issuance of Certificates of Election by Mayor Mark Denman to Councilmembers-Elect Phil Johnson, Bryce Klug, and Matt Prior. <sup>Denman</sup>
- F. Administering Oaths of Office by City Attorney Dick Gregg, Jr. to Councilmembers-Elect Phil Johnson, Bryce Klug, and Matt Prior. <sup>Gregg, Jr.</sup>

3. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

- A. Hold a Public Hearing on an ordinance providing for regulations and the registration for the operation and use of short-term rentals in the City of Nassau Bay. <sup>Reynolds</sup>
- B. Consider and take action on an ordinance of the City Council of the City of Nassau Bay, Texas, providing for regulations and the registration for the operation and use of short-term rentals and providing for a penalty and severability. <sup>Reynolds</sup>

4. CITIZENS' REQUEST FOR HEARING BEFORE CITY COUNCIL

*The privilege of speaking at this time is limited to the following persons: residents, persons having an ownership interest in property or a business located within the City, or their attorneys.*

*A statement of no more than 3 minutes may be made on items of general relevance. There will be no yielding of time to another person. 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 time privileges and removal from Council Chambers.*

5. COUNCILMEMBERS' COMMENTS/REPORTS

Announcements concerning items of community interest. No action will be taken or discussed.

6. MAYOR'S COMMENTS/REPORTS

Announcements concerning items of community interest. No action will be taken or discussed.

7. REPORTS FROM STAFF MEMBERS & COMMITTEES

Announcements concerning items of community interest. No action will be taken or discussed.

- A. City Manager

B. Police Department

C. Fire Department

8. CONSENT AGENDA

A. Approval of Minutes:

1. Regular Meeting on July 13, 2020
2. Regular Meeting on August 10, 2020

B. Consider and take action on a resolution reappointing individuals to the Planning Commission. <sup>Chambers</sup>

C. Consider and take action on a resolution adopting a Flood Warning and Response Plan for the City of Nassau Bay, Texas. <sup>Reynolds</sup>

D. Consider and take action on a resolution adopting an Emergency Operations Plan for the City of Nassau Bay, Texas. <sup>Reynolds</sup>

E. Consider and take action on a resolution approving the City's Manager's appointment of a Deputy City Secretary. <sup>Ludanyi</sup>

9. NEW BUSINESS

A. Consider and take action to accept the 2020 Annual Report of the Planning Commission. <sup>Chambers</sup>

B. Consider and take action on a resolution electing a Mayor Pro Tem. <sup>Ham</sup>

10. EXECUTIVE (CLOSED) SESSION

A. Executive Session as authorized by Texas Government Code, Chapter 551, Open Meetings, Subchapter D, Exceptions to Requirement that Meetings be Open.

1. §551.074 Personnel – Discuss the employment, evaluation, compensation, goals, and duties of the City Manager.
2. §551.071 Consultation with Attorney – Discussion of agreement regarding code enforcement litigation.
3. §551.071 Consultation with Attorney – Discussion of possible litigation pertaining to a possible negligence claim.

11. ACTION ITEMS FROM EXECUTIVE SESSION

1. Consider and take action(s) regarding personnel matter(s) as discussed in v – City Manager.

2. Consider and take action to accept the terms and authorize payment as described in the Parties' Settlement Agreement between the City of Nassau Bay and APTONB, LLC, as discussed in Executive Session.
3. Consider and take action regarding litigation matter as discussed in Executive Session.

12. ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Nassau Bay will provide for reasonable accommodations for disabled persons attending City Council Meetings. Requests should be received at least 24 hours prior to the scheduled meeting by contacting the City Secretary's office at 281.333.4211 or by Fax at 281.333.2301.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Nassau Bay is a true and correct copy of said Notice and that I posted said Notice on the bulletin board, in the City Hall of said City, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **Friday, December 11, 2020 by 11:00am** and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.



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Sandra V. Ham  
City Secretary