

**REGULAR MEETING AND PUBLIC HEARING  
CITY COUNCIL  
CITY OF NASSAU BAY, TEXAS  
FEBRUARY 8, 2021  
7:00 PM**

**MEMBERS OF COUNCIL PRESENT:** Mayor Bob Warters, Mayor Pro Tem Don Matter, Councilmembers Phil Johnson, John Mahon, Bryce Klug, Sandra Mossman, and Matt Prior

**MEMBERS OF COUNCIL ABSENT:** None

**OTHERS PRESENT:** City Attorney Dick Gregg Jr., City Manager Jason Reynolds, City Secretary Sandra Ham, Assistant City Manager Mary Chambers, Finance Director Csilla Ludanyi, Public Works Director Paul Lopez, Police Chief Tim Cromie, Fire Chief Tom George, Human Resources Manager Chani Honeycutt, and Planning Commission Chairman Roscoe Lee

**PRESIDING:** Mayor Bob Warters

**CALL TO ORDER AND ROLL CALL OF MEMBERS**

Mayor Bob Warters called the meeting to order at 7:02 p.m. and announced a quorum of Council was present with all elected officials in attendance.

**APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS, AWARDS**

**Presentation of a Check to the Clear Creek Environmental Foundation**

Mayor Bob Warters recognized the Clear Creek Environmental Foundation for their annual efforts in the peninsula cleanup. He announced a \$2,000 contribution to the CCEF for this year's volunteer efforts on February 20th and invited Mike Stone and Lloyd Thorton to both provide additional comments on the event.

Mr. Mike Stone expressed his appreciation to Mayor Warters and the citizens of Nassau Bay for the contribution and the volunteer enthusiasm for the event. Social media efforts have greatly enhanced the interest in the efforts over the years. He recognized the extent of trash and debris collected with their involvement, as the event is now in its 25th year.

**Presentation and Update on the Palm Tree Landscaping Task Force**

Councilmember Phil Johnson, serving as the Palm Tree Landscaping Task Force Chairman, provided a status update of the Task Force's meetings. Thus far, the Task Force has discussed options based on desires of the community and based on practicality, as the goal is to be consistent with the original landscaping and branding of Nassau Bay. Councilmember Johnson indicated there are close to 90 palm trees that have been damaged or will be removed. Each palm tree has an approximate cost of replacement of \$15,000, providing for a total replacement project cost of over \$1 million. Currently, the City is not focusing on a whole replacement approach at this estimated

cost and is reviewing alternatives, creative approaches, and possible partnerships to pay for this project.

The Task Force has pinpointed six locations with palm tree features in order to review comparable palm trees in the region. Trends thus far include movement away from palm trees, specifically due to the high risk of damage caused by extreme weather and disease infestation. Many other cities are considering a combination of live oaks and crape myrtles, with the exception of the Galleria area. The Galleria installed sable palm trees but received negative feedback and has overtime reintroduced the Medjool palm tree into their landscaping. The Task Force emphasized the need to investigate lower cost palm tree options and is anticipating assistance from the Economic Development Corporation for funds to complete a master plan study. The Task Force will meet to further discuss on February 22nd.

### **CITIZENS' REQUEST FOR HEARING BEFORE CITY COUNCIL**

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

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

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

### **COUNCILMEMBERS' COMMENTS/REPORTS**

Councilmember Sandra Mossman cited interest in recent mail-outs regarding the 2020 Census. The Census information provided a comparison of the City of Nassau Bay to other communities in the region, including Clear Lake Shores and League City. Although the City's population has decreased minimally, the City's educational levels have increased, and is the highest amongst the region. Referencing the Parks & Recreation Committee, Councilmember Mossman voiced concerns regarding the status of the baseball fields. The baseball fields and soccer fields are of great importance to the community and allow a great opportunity for children to be outdoors. Councilmember Mossman requested additional consideration be given to refurbishing at least one of the baseball fields.

Councilmember Bryce Klug also indicated he has received a number of emails regarding the status of the baseball fields, and he also requests consideration by Council to restore the fields to their former glory.

Councilmember John Mahon reflected on his time as a baseball coach and asked that the Parks & Recreation Committee consider support of the restoration of the baseball fields. He also noted that a previous youth baseball player that utilized the baseball fields now plays for the New York Yankees.

Councilmember Phil Johnson agreed with the previous comments regarding the baseball fields and indicated a desire for the baseball field upgrades. He continued by citing concerns on noise levels, specifically on Sunday mornings, where it was reported bulkhead work was being performed early in the morning. He indicated a need for additional restrictions on timing for Sundays. Lastly, he had continued overall concerns regarding the short-term rentals within the City.

Mayor Pro Tem Don Matter echoed all previous sentiments stated by his Councilmember colleagues.

## **MAYOR'S COMMENTS/REPORTS**

Mayor Bob Warters remarked on the comments of Council regarding refurbishment of the baseball fields. Although Mayor Warters is encouraged by the support to restore the fields, he voiced caution on the actual usage, and requested further evidence that the fields would be used. He was not aware of any baseball leagues requesting utilization of the fields.

## **REPORTS FROM STAFF MEMBERS & COMMITTEES**

City Manager Jason Reynolds commented on the May 1st City Officers' Election. Council Position 1 is a contested race, with four submitted applications submitted for three positions. The last day for an individual to submit an application for a place on the ballot is Friday, February 12th by 5:00pm.

### **Police Department**

Chief Tim Cromie provided the Police Department monthly report. For January, the Department responded to 332 calls, took 55 reports, issued 60 written and verbal warnings, and issued 56 citations. Officers patrolled 5,077 miles in the City for the month.

Chief Cromie also congratulated Officer Perry Henderson on his one-year anniversary with the Nassau Bay Police Department. Officer Perry has a total of three and half years of law enforcement service in the State of Texas.

Continuing, Chief Cromie provided a friendly reminder regarding ending of waivers for driver's license and vehicle registration expirations. He indicated Governor Greg Abbott's waiver for renewing expired driver's license and vehicle registrations will end on April 14, 2021. All driver's license and vehicle registrations are required to be renewed and updated after April 14th. Renewal information for both can be found on the front page of the City's website.

Ending his comments, Chief Cromie indicated City Council has received the 2020 Racial Profiling Report, which is required to be submitted report to TCOLE. This report will be available on the Police Department webpage. Over the 1,394 traffic stops made in 2020, the report details race statistics for each traffic stop. In 2020, there were zero complaints related to officers for racial profiling.

Mayor Warters inquired if the Department is fully staffed. Chief Cromie responded that the Department is currently accepting applications for one open position.

### **Fire Department**

Fire Department President Matt Roper presented the Fire Department's January status report. Mr. Roper stated the Department responded to 30 calls. Membership numbers are on the decline at 38, with younger members moving out of the area and unable to

maintain their commitment with the NBVFD. Three members are in the application process.

### **Parks & Recreation / Keep Nassau Bay Beautiful**

Parks & Recreation Committee Chairman Roscoe Lee provided an overview of the most recent Parks & Recreation Committee meeting held on January 20th. With 23 participants, the meeting lasted over three hours. He continued by acknowledging the continued great work by the Public Works Department and the Christmas décor installed by the Garden Club. He also expressed appreciation to the Nassau Bay Homes Association for restoring some of the brick entry walls, along with Herman Alvarez, who power washed both sides of the Nassau Bay entrance wall on Point Lookout.

Mr. Lee continued with park updates for each of the City's parks and indicated all were in good shape. He indicated crushed granite will be added to Howard Ward Park in the coming weeks. As for David Braun Park, Public Works Director Paul Lopez is in the process of soliciting bids for new playground equipment.

Chairman Lee continued with the Parks & Recreation Committee candidate park projects, which serves essentially as a wish list to be presented to City Council for budget considerations. The potential projects included an additional pickleball court, lighting for the pickleball courts, playground equipment for older children, LED lights at the tennis courts, and a skateboard park. He highlighted the playground equipment for older children, as this was a specific request from resident Jacob Forde to have a design similar to a "ninja" style course. This type of equipment may not be budget permitted, as cost estimates are over \$300,000.

As there is much feedback about the dog park, there was a recommendation for an additional dog park to allow recovery of the current large dog park, but the Committee does not support this idea. One option is to consider an artificial surface for the entryway to assist with mud issues.

Mr. Lee indicated there has been recent interest in restoration of the baseball fields. He believes this to be a complex problem, as he is unsure if local demographics support the need for this project. Additionally, there is damage on the fields from Harvey's flooding that is extensive. The City has declined free restoration offers recently because restoration work is too much for volunteer organizations.

Lastly, the Committee requests consideration for a survey for park improvements and a parks master plan. The last park survey was conducted in 2002, which led to comprehensive plans for David Braun Park and Swan Lagoon Park.

Continuing, he overviewed Keep Nassau Bay Beautiful and announced the Annual Peninsula Cleanup will be held on February 20th, from 8:30am to 11:30am. He received supplies from Keep Texas Beautiful, which recommend implementing COVID smart practices. An online registration form has been created and there have already been 18 signups.

Ending his comments, he detailed a recent complaint by a resident about bicyclists speeding on sidewalks from the peninsula gate to the baseball fields, forcing pedestrians off the sidewalk. Currently, City ordinance prohibits motorized vehicles on sidewalks but does not prohibit bicycles. There are a number of residents who are bike riders and

would not want bicycles banned from the sidewalk, especially along clear creek. Emphasizing proper biking etiquette, he noted pedestrians have the right-of-way on sidewalks, although it is still not clear what the protocol is for bicyclists maneuvering around pedestrians on sidewalks. Overall, the general thought is not to prohibit bicycles riding on sidewalks, but to publicize proper bicycle etiquette on sidewalks on the City's website and in the Compass Rose Newsletter.

## **CONSENT AGENDA**

**Approval of Minutes of Regular Meeting on October 12, 2020**

**Approval of Minutes of Council Workshop on November 5, 2020**

**Approval of Minutes of Regular Meeting on November 9, 2020**

**Approval of the Economic Development Corporation Minutes of October 26, 2020 as approved by the EDC at its meeting held on February 1, 2021.**

**Approval of an ordinance calling the May 1, 2021 City General Election for the purpose of electing three Councilmembers, Positions 1, 3 and 5; said election to be held jointly with Clear Creek ISD (second and final reading)**

The caption of the ordinance reads as follows (second and final reading):

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, ORDERING A REGULAR CITY ELECTION TO BE HELD IN SAID CITY ON THE 1ST DAY OF MAY 2021, FOR THE PURPOSE OF ELECTING THREE MEMBERS OF COUNCIL; DESIGNATING THE DAY(S) OF THE ELECTION(S) AND THE POLLING PLACE; APPOINTING ELECTION OFFICIALS THEREFORE; PROVIDING THAT ALL DULY QUALIFIED RESIDENT ELECTORS SHALL BE QUALIFIED TO VOTE; PRESCRIBING A FORM OF THE BALLOT; PROVIDING A NOTICE OF ELECTION; CONTAINING OTHER PROVISIONS RELATING TO SAID ELECTION; AND PROVIDING FOR SEVERABILITY.

(Said Ordinance is of record in Ordinance Book No. 13 of the City of Nassau Bay, Texas, being Ordinance No. O2021-808.)

**Approval of an ordinance amending the Nassau Bay Municipal Code Section 19-28 dealing with areas where parking is limited or prohibited by adding additional streets or places to the designated areas where parking is to be limited or prohibited; and providing a penalty; and for severability; and providing for codification (second and final reading)**

The caption of the ordinance reads as follows (second and final reading):

AN ORDINANCE AMENDING THE NASSAU BAY MUNICIPAL CODE SECTION 19-28 DEALING WITH AREAS WHERE PARKING IS LIMITED OR PROHIBITED BY ADDING ADDITIONAL STREETS OR PLACES TO THE DESIGNATED AREAS WHERE PARKING IS TO BE LIMITED OR

PROHIBITED; AND PROVIDING A PENALTY; AND FOR SEVERABILITY; AND PROVIDING FOR CODIFICATION.

(Said Ordinance is of record in Ordinance Book No. 13 of the City of Nassau Bay, Texas, being Ordinance No. O2021-807.)

**Approval of a resolution designating Sandra Mossman as an Alternate to the Houston-Galveston Area Council (HGAC) 2021 General Assembly**

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, DESIGNATING A REPRESENTATIVE AND AN ALTERNATE TO THE 2021 HOUSTON-GALVESTON AREA COUNCIL GENERAL ASSEMBLY.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2021-2217.)

**Approval of a resolution in support of Greater Harris County 9-1-1 Legislation**

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, IN SUPPORT OF THE GREATER HARRIS COUNTY (GHC) 9-1-1 EMERGENCY NETWORK'S LEGISLATIVE EFFORT TO CONTINUE THE TECHNOLOGICAL ENHANCEMENTS AND OPERATIONAL ADVANCEMENTS OF THE 9-1-1 SYSTEM TO BETTER SERVE THE 9-1-1 EMERGENCY NEEDS IN HARRIS AND FORT BEND COUNTIES.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2021-2218.)

**Authorization of the City Manager to execute the Leeward Lane Demolition and Removal Project Site Stabilization agreement, an amendment to the Bid No. 2020-04 Leeward Lane Demolition contract**

It was moved by Councilmember Bryce Klug, seconded by Councilmember John Mahon, to approve the Consent Agenda.

Motion passed 7 – 0.

**EXECUTIVE (CLOSED) SESSION**

Meeting recessed to Executive Session at 7:38 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.

Meeting returned to Open Session at 7:52 p.m.

**ACTION ITEMS FROM EXECUTIVE SESSION**

**Action regarding personnel matters as discussed in Executive Session – City Manager**

No action was taken on this agenda item.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 7:57 p.m.

Minutes approved as submitted and/or amended this 12th day of April A.D. 2021.

CITY OF NASSAU BAY, TEXAS

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Robert L. Warters  
Mayor

ATTEST:

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Sandra V. Ham  
City Secretary