

**REGULAR MEETING AND PUBLIC HEARING
CITY COUNCIL
CITY OF NASSAU BAY, TEXAS
September 12, 2016
7:00 PM**

MEMBERS OF COUNCIL PRESENT: Mayor Mark Denman, Mayor Pro Tem Mossman Councilmembers Harry Dollar, John Mahon, Bryce Klug, Jonathan Amdur, and Bob Wartens.

MEMBERS OF COUNCIL ABSENT: None.

OTHER CITY OFFICIALS PRESENT: City Attorney Chris Gregg, City Manager Jason Reynolds, City Secretary Marisela Garcia, Assistant City Manager Mary Chambers, Finance Director Csilla Stiles, Police Chief Kenneth Campbell, Fire Chief Tom George, Communications Director Kristi Sykora, Public Works Director Paul Lopez, and Planning Commission Chair Roscoe Lee.

PRESIDING: Mayor Mark Denman.

CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Denman called the meeting to order at 7:01 p.m. and announced a quorum of Council was present with seven elected officials in attendance.

INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS

The invocation was given by the Director of Preschool and Children's Ministries Susan Bumpas of Nassau Bay Baptist Church.

The Pledges of Allegiance were led by First Responder Lindsey Bodeck.

APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS, AWARDS

Presentation of a Proclamation for Fire Prevention Week.

Mayor Denman proclaimed the week of October 9 – 15 as Fire Prevention Week. This year's theme is "Don't Wait – Check the Date! Replace Smoke Alarms Every 10 Years." Mayor Denman posed for a photo with First Responder Bodeck.

Presentation of a Proclamation for Constitution Week.

Mayor Denman proclaimed the week of September 17 – 23 as Constitution Week. Mayor Denman posed for a photo with members of the Sam Houston Chapter of the Daughters of the American Revolution. A member of the Sam Houston Chapter gave an overview of Constitution Week's history. Mayor Denman posed for a photo with chapter members.

Presentation of a Proclamation for National Night Out.

Mayor Denman proclaimed Tuesday, October 4 as National Night Out. Mayor Denman encouraged residents to become block captains.

Presentation of Proclamation to Jean Christophe' Yves Lamarre in Honor of Earning the Prestigious Rank of Eagle Scout in the Boy Scouts of America.

Mayor Denman recognized Jean Christophe' Yves Lamarre with a proclamation naming September 24, 2016 as a day in his honor. Christophe's Eagle Project was the building of benches and shelves, and installation of a sign for the Upward Bound Sports Program and the raising of \$1,700 for Clear Lake United Methodist Church. Mayor Denman posed for a photo with Eagle Scout Lamarre and family.

Presentation of the City Manager's Proposed Budget for Fiscal Year 2017.

City Manager Reynolds presented the proposed budget for Fiscal Year 2017 and reviewed Council's priorities as the following:

- Neighborhood of Dreams
- Recharge Our Corridor
- Safe and Peaceful Community
- Vibrant Environments
- Renewed Infrastructure

Mr. Reynolds stated having those priorities in place helps us establish what we need to do for the budget. He briefly discussed some of the budget highlights which included a new officer joining the ranks, transferring \$449,000 to Capital Projects, new civic partnership programs, new rehab programs, and dedicating \$1.5 mil in water and sewer capital projects to help with our water pressure and sewer lines throughout Nassau Bay. The revenues have remained relatively constant throughout the years and there is a slight bump in the general fund which will allow us to focus on the capital projects. He briefly discussed the expenditures in the upcoming budget. He stated there was a positive trend in the taxable values for the property values. Mr. Reynolds discussed the General Fund, noting that 61% came from property tax and discussed the breakdown of the revenues and expenditures. He gave an overview of the other funds including the Capital Fund, Water & Sewer Fund, General CIP Fund, Debt Service Fund, Tourism Fund, and Special Reserve Fund. At the end of FY2017 the city should have 102 days of reserves.

City Manager Reynolds highlighted the Council priorities and which projects would focus on those priorities as follows:

Neighborhood of Dreams

- Home Rehabilitation Program
- Joint City & HOA Venture – Neighborhood Matching Grant Program
- Continue Street Light Program
- Resurface Tennis Courts
- Increase & Support Civic Engagement Opportunities
- Comprehensive Code Compliance Plan

Recharging Our Corridor

- Project Along Nasa 1 Corridor
- Economic Development & Tourism Plan
- Commercial Revitalization Grant Program

Safe & Peaceful Community

- New Fire/EMS Station
- Additional Police/Code Officer
- Replace Aging Fleet for Fire
- More Training for Police & Fire

Vibrant Environment

- Lake Nassau Dredging
- Howard Ward Park Exercise Equipment
- Howard Ward Park & Lake Nassau Park Playground Equipment
- Continue Support for Park & Peninsula

Renewed Infrastructure

- Aggressive Plan to Replace All Water Lines in an Expedited Time Frame
- Continue Annual Sewer Line Replacement
- Surf Court Lift Station Rehabilitation
- Pothole Program
- Upper Bay & West Indies Drainage

What does this mean to the residents? This means that the tax rate will remain the same. City Manager Reynolds gave a breakdown of what the residents' tax dollars go to. He stated staff will maintain the current water/sewer rate, maintain the current sanitation and recycle services, will strive to provide more efficient services, increased safety, and improved home values.

PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

Public Hearing on the City Manager's Proposed Budget for Fiscal Year 2017

Mayor Denman opened the public hearing for anyone wishing to comment on the proposed budget.

Public Hearing was opened at 7:31 p.m.

Roscoe Lee, 1631 Antigua Lane, stated he participated and sat in during all the budget workshops and meetings that have been held and was very pleased to see that there were iterations between the Council and staff and tweaking of priorities. There is a focus on infrastructure improvements which are much needed. He agreed that the emphasis on maintaining an appropriate amount of reserve in the budget and everything is done without an increase in the tax rate and agreed with the proposed budget.

Councilmember Warters will vote to approve the budget but is still apprehensive about two of the programs included in the proposed budget which are the subsidizing the upgrades of resident's homes and subsidizing building on a vacant lot. He stated the valuation of the home has more to do with recent home sales in your area than what you do to fix it up.

Councilmember Amdur also intended to support the proposed budget and stated he was proud to serve on City Council, proud to live in Nassau Bay, and proud of staff who had worked on the budget. He wanted to congratulate those who have worked hard to make Nassau Bay a great place to live for a number of years.

Councilmember Klug reiterated that he too thought this was a great budget. City Manager Reynolds has done a great job leading staff. Staff is being very conservative and is being fiscally proper. The surplus from the property values is being used in the proper place with the focus on the replacement of water lines. There are several things that are being done that will not be taxed to the citizens such as the new fire station and economic development items.

Councilmember Mahon congratulated staff for the proposed budget. He stated there have been a number of lean years since Hurricane Ike and projects that have been deferred for a number of years but the high points for him were that the infrastructure needs were being addressed, maintaining a strong reserve, and hold a tax rate. He thanked staff for their hard work.

Councilmember Dollar stated his support for the proposed budget and echoed the previous comments by other Councilmembers.

Mayor Pro Tem Mossman voiced her support for the proposed budget and the need for focus on the aging infrastructure. She congratulated and thanked staff for their work on the budget.

Mayor Denman noted the resurgence began in the mid 90's led by former Mayors Don Johnson, Phil Johnson, Don Matter and great councilmembers, the late David Braun, Gary Mossman, John Haugen, Bette Johnson, to name a few. They have all be long-term thinkers, seen the vision, and worked together to continue on.

There being no one else wishing to speak, the public hearing was closed at 7:41 p.m.

CITIZENS' REQUEST FOR HEARING BEFORE CITY COUNCIL

Roscoe Lee, 1631 Antigua Lane, shared his experience with power outage and dealings with CenterPoint and stated the only lights illuminated that dark evening were the gas yard lights and the three solar lights that are on his streets. He stated they do live up to their expectation to be lit when there is no power.

Pamela Phillips, 18623 Prince William Lane, stated everything she had heard was very encouraging. There are many groups in Nassau Bay that are excited about living in Nassau Bay and would are excited to see the parks projects happening for their families and would like to provide input and become more involved.

COUNCILMEMBERS' COMMENTS/REPORTS

Mayor Denman recognized Councilmember John Mahon, Councilmember Bob Warters, and City Manager Reynolds for their previous military service.

REPORTS FROM STAFF MEMBERS & COMMITTEES

COMMITTEES

City Manager

City Manager Reynolds congratulated Sergeant Graham on his retirement.

John Grunden has been promoted Sergeant and will take Sergeant Graham's position.

City Manager Reynolds recognized Sergeant Glenn Sharp for going out of his way and purchasing some items for a gentleman in need.

He reminded everyone that National Night Out will be held on Tuesday, October 4 and encouraged residents to sign up to be a block captain.

Nassau Bay 101 has had a great turnout and has been very productive. There will be another session in the spring and encouraged others to participate and get involved.

The Street Eatz Party did get rained out but there was a great turnout and he thanked staff for being out there.

A parking input session was held in August. The second session will be held on September 21 from 2 pm – 8 pm with proposed solutions to vote on based on feedback left from citizens and will be presented to City Council in October.

Fire Department

Fire Department President Matt Roper reported the members logged 893 standby man hours and 43 calls at the station in August. Membership is at 42 members. There are currently three members in the queue. As of September 1, they were 26% ahead of their call volume ahead of last year and continuing a three year trend by end of year being about 25% incremental increase every year in the call volume.

Planning Commission

Planning Commission Chair Roscoe Lee gave an update on the Planning Commission meeting. The first topic was a review of an application for a Specific Use Permit for Automotive Services and Used Car Sales at the former location of the Shell Station. The applicant will continue automotive services and would like to have used car sales at this location. During the discussion with the Planning Commission it was identified that this location was at one of the City's gateways. There have been complaints about the unsightliness of the site currently and in the past. The ordinance allows the City to regulate Specific Use Permits to make sure there is no impact to the neighbors, abutting properties and there are some projects coming along that will take up the properties abutting this site and the commission felt we could establish some very stringent constraints on this particular use. Some proposed constraints were established with staff if Council approved the Specific Use Permit which included that servicing would be done only in enclosed bays, no cars being serviced left outside overnight, screening would be provided along both west and south property lines to cordon it off from adjacent properties, meet the parking regulations for both customers as well as employees per regulations, and signage would have to be in accordance with the ordinances. Failure to comply with these requirements would allow the City to revoke the Specific Use Permit if the City decided to allow it. One of the key deficiencies was the lack of a site plan therefore the item was tabled due to inadequate information to make a reasonable recommendation to City Council.

A planned unit development has previously been approved for Bucky's which has prompted some discussion on the zoning ordinance items that had previously been deleted and will be brought back at the October meeting.

The 2015 Comprehensive Master Plan update is currently being worked on in-house.

CONSENT AGENDA

The Consent Agenda listed the following items for approval:

- A. Approval of Minutes
 - 1. Regular Meeting on August 8, 2016; and
 - 2. Joint Workshop with NAMD on August 22, 2016; and
- C. Consider and take action to approve writing off Uncollectible Accounts Receivable Aged 360 Days or Older as identified in the June 30, 2016 Write-Off Report.
- D. Consider and take action on a resolution updating the Investment Policy.

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, UPDATING THE INVESTMENT POLICY IN ACCORDANCE WITH THE PUBLIC FUNDS INVESTMENT ACT AND THE PUBLIC FUNDS COLLATERAL ACT

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2016-2073.)

- E. Consider and take action on a resolution designating representatives to sign on behalf of the City in transactions with Allegiance Bank, and authorize the City Manager to execute all depository bank agreements and documents as required.

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, DESIGNATING REPRESENTATIVES TO SIGN ON BEHALF OF THE CITY IN TRANSACTIONS WITH ALLEGIANCE BANK AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DEPOSITORY BANK AGREEMENTS AND DOCUMENTS AS REQUIRED

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2016-2074.)

It was moved by Councilmember Amdur, seconded by Councilmember Mossman, that the above items on the Consent Agenda be approved with an informal task force with Councilmember Klug and the Mayor for item C to discuss and review the account receivable write-off policy in order to collect any more.

Motion passed 7 – 0.

The caption of the ordinance reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, AMENDING THE ZONING ORDINANCE BY GRANTING A CONCEPTUAL PLANNED UNIT DEVELOPMENT SOUGHT BY BSD BRIGHT SITE DEVELOPMENT LLP AND ALLON PROPERTY MGMT II LLC ON APPROXIMATELY 3.908 ACRES, AT THE SOUTHEAST CORNER OF NASA ROAD 1 AND NASSAU BAY DRIVE AS RECOMMENDED BY THE PLANNING COMMISSION, WHICH ACREAGE IS CURRENTLY ZONE C-1 (COMMERCIAL DISTRICT)

(Said Ordinance is of record in Ordinance Book No. 13 of the City of Nassau Bay, Texas, being Ordinance No. O2016-746.)

It was moved by Councilmember Klug, seconded by Councilmember Mossman, to approve the second reading of Ordinance No. O2016-746 to include on page 2 under Section 2 to include...All points of ingress and egress shall be so designated with visible, clear, and unambiguous signage.

Motion passed 7 – 0.

NEW BUSINESS

Resolution reappointing members to the Parks Committee.

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, REAPPOINTING MEMBERS TO THE PARKS & RECREATION COMMITTEE

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2016-2075.)

It was moved by Councilmember Amdur, seconded by Councilmember Mahon, to approve Resolution No. R2016-2075 reappointing Cammy Shay, Louis Nguyen, and James Locke to the Parks Committee and leaving one vacancy.

Motion passed 7 – 0.

Receive Certification of 2016 Anticipated Collection Rate from Mike Sullivan, Harris County Tax Assessor/Collector.

Finance Director Stiles gave an overview of the item noting the anticipated collection rate for tax year 2016 which is for Fiscal Year 2017 was 98.33% which means that is the percentage of all property tax collected in Nassau Bay. This rate needs to be accepted by City Council in order to calculate the effective and rollback rate.

It was moved by Councilmember Klug, seconded by Councilmember Warters, to receive and accept the 2016 Anticipated Collection Rate from Mike Sullivan, Harris County Tax Assessor/Collector.

Motion passed 7 – 0.

Receive the Tax Year 2016 Harris County Certified Appraisal Roll for City of Nassau Bay (Jurisdiction 073) and TIRZ No. 1 (Jurisdiction 278).

Finance Director Stiles gave an overview of the item stating the certified appraisal roll is received from Harris County Appraisal District letting us know what the values are on which our tax rate is based. The total appraised value in Nassau Bay is \$639,196,783 and of that only \$543,464,100. The taxable value on the TIRZ was \$226,576,306 and of that the increment is \$138,373,953.

It was moved by Councilmember Warters, seconded by Councilmember Klug, to receive and accept the 2016 Harris County Certified Appraisal Roll for City of Nassau Bay (Jurisdiction 073) and TIRZ No. 1 (Jurisdiction 278).

Motion passed 7 – 0.

Receive the Effective and Rollback Tax Rate Calculations for the 2016 Tax Year (Fiscal Year 2017).

Finance Director Stiles gave an overview of the item indicating the effective and rollback tax rates had been received from Harris County. The effective tax rate was .756713/\$100 value and the Rollback was .755803/\$100. She noted the Rollback was lower than the effective rate which happens when the debt starts falling off. She indicated the budget would be approved on September 19.

It was moved by Councilmember Mossman, seconded by Councilmember Amdur, to receive and accept the effective and rollback tax rate calculations for the 2016 tax year (Fiscal Year 2017).

Motion passed 7 – 0.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:11 p.m.

Minutes approved as submitted and/or amended this 10th day of October, A.D., 2016.



Marisela Garcia
Marisela Garcia, TRMC
City Secretary

CITY OF NASSAU BAY, TEXAS

Mark A. Denman
Mark A. Denman
Mayor