

**REGULAR MEETING AND PUBLIC HEARING  
CITY COUNCIL  
CITY OF NASSAU BAY, TEXAS  
March 13, 2017  
7:00 PM**

**MEMBERS OF COUNCIL PRESENT:** Mayor Pro Tem Sandra Mossman and Councilmembers John Mahon, Bryce Klug, Jonathan Amdur, and Bob Warters.

**MEMBERS OF COUNCIL ABSENT:** Mayor Mark Denman and Councilmember Harry Dollar.

**OTHER CITY OFFICIALS PRESENT:** City Manager Jason Reynolds, City Attorney Dick Gregg, Jr., Interim City Secretary Pat Jones, Assistant City Manager Mary Chambers, Finance Director Csilla Stiles, Police Chief Kenneth Campbell, Fire Chief Tom George, Public Works Director Paul Lopez, and Communications Director Kristi Sykora.

**PRESIDING:** Mayor Pro Tem Sandra Mossman.

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

Mayor Pro Tem Mossman called the meeting to order at 7 pm and announced a quorum was present. Mayor Mark Denman and Councilmember Harry Dollar were absent.

**INVOCATION AND PLEDGES OF ALLEGIANCE**

The invocation was given by Father Wencil Pavlovsky of St. Paul the Apostle Catholic Church.

City Manager Reynolds led the Pledges to the American and Texas flags.

Dr. Mossman thanked former City Secretary Pat Jones for filling in as Interim City Secretary at the meeting. (City Attorney Gregg had administered the Oath of Office to Ms. Jones just prior to the meeting.)

**APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS AND AWARDS**

A proclamation recognizing Blinded Veterans Day was to be presented but there was no one to receive it at this time. The Veterans were thanked for their service.

Mayor Pro Tem Mossman read a proclamation expressing gratitude from the City to the Swan Lagoon Property Owners' Association. POA President Steve Remko accepted the document and was joined by several other long-term officers and Swan Lagoon residents at the front of the Chamber as they posed for a photo with Mrs. Mossman. Mr. Remko thanked the City for the recognition.

Mayor Pro Tem Mossman read a proclamation entitled "Buck Gay Day" which listed Mr. Gay's many contributions and accomplishments in his long service to the City.

At this time a brief recess was called for a reception honoring Mr. Gay so that those attending the Council meeting could extend their personal thanks to him.

**PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING:** None

**CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL**

No one spoke and the hearing was closed.

**COUNCILMEMBERS' COMMENTS/REPORTS**

Councilmembers had nothing to report at this time.

**MAYOR'S COMMENTS/REPORTS**

Mayor Pro Tem Mossman thanked Communication Director Sykora for her work on the Compass Rose.

Mrs. Mossman also noted the entrances to the City, especially at Point Lookout Drive, were looking especially nice and thanked the Public Works Department employees for their efforts.

**REPORTS FROM STAFF MEMBERS & COMMITTEES**

**City Manager**

City Manager Reynolds reported the dedication of the David Braun Park at Lake Nassau will take place on April 1<sup>st</sup>. At 10:45 am, a plaque will be unveiled in former Councilmember Braun's honor.

Continuing his comments, Mr. Reynolds informed CANBE will hold a fundraiser with a goal of raising at least \$5,000. An anonymous donor has pledged to donate up to \$5,000 to match that amount with those matching funds to be dedicated to the animal shelter.

Mr. Reynolds also thanked Public Works crews for their work on City entrances. The solar lights at the park will soon be operational, he said.

Continuing his comments, City Manager Reynolds said a third class, Nassau Bay 101, is to begin soon. The informative class lasting six weeks is already full, and participants will learn a lot about the City.

Demolition of the current Wendy's site will begin soon. A new modernized Wendy's will be built at the current site, Mr. Reynolds said.

Closing his comments, City Manager Reynolds reported that Houston Methodist St. John Hospital will start demolition soon at the site of the old shopping center.

**Fire Department**

President Matt Roper reported the Department recently celebrated its 50<sup>th</sup> anniversary at its annual banquet. Those attending had a great time, he said.

Mr. Roper said the Department responded to 21 calls in February and logged 1,598 man hours at the station last month.

## **Planning Commission & Parks Committee**

Both of these reports were provided in written form in the agenda packet as Roscoe Lee was out of town. Mr. Lee serves as Chair of the Planning Commission and Interim Chair of the Parks Committee.

### **CONSENT AGENDA**

The Consent Agenda consisted of the following items:

#### **Minutes of Regular Meeting of February 13, 2017**

#### **Resolution Cancelling May 6, 2017 City Officers' Election**

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, DECLARING EACH UNOPPOSED CANDIDATE IN THE MAY 6, 2017 REGULAR CITY ELECTION TO BE ELECTED TO OFFICE; ORDERING SAID ELECTION NOT BE HELD; ORDERING POSTING OF THIS RESOLUTION AT CITY HALL AND AT THE POLLING PLACE ON ELECTION DAY; AND MAKING OTHER PROVISIONS RELATED THERETO.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2017-2095.)

Those unopposed candidates for positions 1, 3, and 5 will be filled by Donald C. Matter, John Mahon, and Jonathan Amdur, respectively.

*(Because of requirements of the Texas Election Code, the official canvassing period will not begin until after the May 8<sup>th</sup> Council meeting. Candidates will take their oaths of office at the June 12<sup>th</sup> meeting.)*

#### **Ordinance Authorizing Stop Sign at Intersection of Port Royal Drive and Upper Bay Road (second and final reading)**

The caption of the ordinance reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, AUTHORIZING THE INSTALLATION OF A STOP SIGN AT THE INTERSECTION OF PORT ROYAL DR. AND UPPER BAY; AUTHORIZING ENFORCEMENT BASED UPON A TRAFFIC STUDY, AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE MAXIMUM ALLOWED BY LAW.

(Said Ordinance is of record in Ordinance Book No. 13 of the City of Nassau Bay, Texas, being Ordinance No. O2017-754.)

**Resolution Accepting Annual Anti-Fraud Policy**

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, ADOPTING AN ANNUAL ANTI-FRAUD POLICY DESIGNED TO ENFORCE CONTROLS AND TO AID IN THE PREVENTION AND DETECTION OF FRAUD, THEFT, WASTE, OR ABUSE AGAINST THE CITY.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2017-2096.)

**Resolution Adopting Annual Investment Policy**

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, ADOPTING AN ANNUAL 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. R2017-2097.)

**Resolution Designating Representatives to Transmit Funds for Investment in TexPool**

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, AMENDING RESOLUTION NO. R2015-2051 DESIGNATING REPRESENTATIVES TO TRANSMIT FUNDS FOR INVESTMENT IN TEXPOOL AND FURTHER AUTHORIZING OTHER ACTIONS AS DEEMED NECESSARY OR APPROPRIATE FOR THE INVESTMENT OF LOCAL FUNDS.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2017-2098.)

**Resolution Designating Signatories for City's Primary Depository Checking Account and Associated Accounting Structure**

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.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2017-2099.)

**Resolution Designating Representatives to Transmit Funds for Investment in the Local Government Cooperative (LOGIC)**

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, CHANGING AUTHORIZED REPRESENTATIVES FOR LOCAL GOVERNMENT INVESTMENT.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau, Bay, Texas, being Resolution No. R2017-2100.)

**Resolution Designating Representatives to Transmit Funds for Investment in TexSTAR**

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, SUBMITTING AN APPLICATION AND AGREEING TO BECOME A PARTICIPANT IN THE TEXAS SHORT TERM ASSET RESERVE PROGRAM (TEXSTAR).

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2017-2101.)

**Resolution Approving City Manager’s Appointment of Pat Jones as Interim City Secretary**

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, APPROVING THE CITY MANAGER’S APPOINTMENT OF AN INTERIM CITY SECRETARY.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2017-2102.)

**Resolution Recommending Denial of CenterPoint Energy Resources d/b/a as CenterPoint Energy Entex and CenterPoint Energy Texas Gas’ Statement of Intent to Increase Rates**

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, FINDING THAT CENTERPOINT ENERGY RESOURCES D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS (“CENTERPOINT” OR “COMPANY”) STATEMENT OF INTENT TO INCREASE RATES FILING WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY’S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. 2017-2103).

This concluded the items on the Consent Agenda.

Upon call for a motion, it was moved by Councilmember Amdur, seconded by Councilmember Mahon, that all items be approved.

Motion passed 5 – 0.

Councilmember Klug reminded that the items on the Consent Agenda were routine housekeeping matters.

## **OLD BUSINESS**

### **Request of Arafat Abdullatif for Specific Use Permit to Operate Automotive Repair Shop at 1910 NASA Parkway**

Staff requested this item be pulled from consideration as procedural matters had not been completed.

## **NEW BUSINESS**

### **Resolution for Parking Easement Agreement with Houston Methodist St. John Hospital**

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 ENTER INTO A PARKING EASEMENT AGREEMENT WITH THE METHODIST HOSPITAL (HOUSTON METHODIST ST. JOHN HOSPITAL).

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2017-2104.)

Background information on this item as noted in City Manager Reynolds' agenda fact sheet is that Methodist Hospital is willing to allocate fifteen floating parking spaces at the southwest corner of the shopping center, located on the north side of Space Park Drive. The new Fire and EMS facilities will be built across the street, and this thirty-five year agreement with the Hospital will provide convenient, needed additional parking for first responders and anticipated visitors. Mr. Reynolds said the parking spaces are intended to be those nearest the Fire/EMS facilities but may float depending upon growth and development of the shopping center. The agreement does, however, assure the City of fifteen spaces at all times.

Councilmembers briefly discussed that the City would not owe money to the Hospital and commented on the length of the lease.

It was moved by Councilmember Wartens, seconded by Councilmember Klug, that the resolution entering into a parking easement agreement with Houston Methodist St. John Hospital be approved.

Motion passed 5 – 0.

## **CHANGE IN THE ORDER OF BUSINESS**

The next item under New Business on the agenda was the presentation of the annual audit; however, Finance Director Stiles asked that the first item under First Reading of Ordinances, an Ordinance amending the FY16 budget, be acted upon as it was part of the annual audit to be presented next.

## **FIRST READING OF ORDINANCES**

### **ORDINANCE AMENDING THE FY16 BUDGET**

The caption of the ordinance reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, AMENDING THE FY16 BUDGET TO RECOGNIZE AN INCREASE IN THE GENERAL FUND OF \$12,500.

(Said Ordinance is of record in Ordinance Book No. 13 of the City of Nassau Bay, Texas, being Ordinance No. O2017-755.)

Finance Director Stiles explained the Fire Department experienced unexpected cost increases in its Department Vehicle Maintenance line item. This ordinance recognizes that increased expenditure in the General Fund.

It was moved by Councilmember Amdur, seconded by Councilmember Wartens, that the ordinance be approved on its first and only reading.

Motion passed 5 – 0.

## **NEW BUSINESS (CONTINUED)**

### **Presentation of Audited Financial Statements for Fiscal Year Ending September 30, 2016 by Belt Harris Pechacek LLLP and Acceptance of Same by Council**

Ms. Stephanie Harris of the financial firm presented highlights of the City's annual audit. The City has met the highest level of acceptable accounting standards and is to be considered for an award, she said.

Continuing her comments, Ms. Harris said there may be a possible increase of \$1 million reflected in the audit, due to FEMA federal grants funds awarded to the City for home elevations. This data, when complete, must be audited under the single audit act.

It was moved by Councilmember Klug, seconded by Councilmember Wartens, that the Audit for FY16 be accepted as presented.

Motion passed 5 – 0.

**FIRST READING OF ORDINANCES (CONTINUED)**

**Ordinance Authorizing and Ordering the Issuance of Combination Tax and Revenue Certificates of Obligation, Series 2017**

The caption of the ordinance reads as follows:

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF NASSAU BAY, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2017; PRESCRIBING THE TERMS AND FORM THEREOF; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL THEREOF AND INTEREST THEREON; AWARDING THE SALE THEREOF; MAKING OTHER PROVISIONS REGARDING SUCH CERTIFICATES, INCLUDING USE OF THE PROCEEDS THEREOF, AND MATTERS INCIDENT THERETO.

(Said Ordinance is of record in Ordinance Book No. 13 of the City of Nassau Bay, Texas, being Ordinance No. O2017-756.)

Mr. Joe Morrow, Financial Advisor for First Southwest, said that ten banks responded when there are usually only four to six bidders. JPMorgan Chase had the lowest fixed rate of 2.395%. Mr. Morrow said he was pleased with the interest rate which will cost well below what was projected.

Finance Director Stiles' agenda fact sheet on this item reflects that funds from the Certificates of Obligation will provide for the construction of the new Fire and EMS facilities at the corner of Space Park Drive and Upper Bay Road, public safety equipment to support the new facility, and related improvements to the future Public Works facility at 120 Surf Court. Additionally, the C/O's will include funding for the NASA Area Management District for a lighting program at the intersection of NASA Parkway and Saturn Lane.

It was moved by Councilmember Amdur, seconded by Councilmember Warters, that the ordinance be approved on its first and only reading.

Upon a roll call vote, Council voted as follows:

Voting "Aye" – Councilmembers Warters, Amdur, Klug, and Mahon, and Mayor Pro Tem Mossman.

Voting "No" – None.

Motion passed approved 5 – 0.

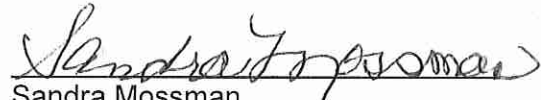


**ADJOURNMENT**


There being no further business, the meeting adjourned at 7:50 pm.

Minutes approved as submitted and/or corrected this 10 day of April A.D., 2017.

CITY OF NASSAU BAY, TEXAS

  
Sandra Mossman  
Mayor Pro Tem

ATTEST:

  
Pat Jones, TRMC/CMC  
Interim City Secretary