



**MINUTES
FEBRUARY 1, 2017**

**Regular Kemah City Council Meeting
Kemah Public Facilities Corporation
Kemah Public Facility Transportation Corporation**

Mayor Carl Joiner called the Kemah Council Meeting/Kemah Public Facilities Corporation/Kemah Public Facility Transportation Corporation Meeting to order at 7:00 pm in the Council Chambers in Kemah City Hall. Present were City Council Members Teresa Vazquez-Evans, Wanda Zimmer, Kyle Burks, Robin Collins, and Matt Wiggins. Mayor Carl Joiner declared a quorum. Also in attendance were City Attorney Dick Gregg Jr., City Administrator Wendy Ellis, Community Services Director Nick Haby, Finance Director Ana Arévalo, Interim Civilian Chief Chris Reed, and City Secretary Carolyn E. Anderson. *(The time in italics on each item indicates the approximate start time of the section in the associated audio file.)*

1. 00:00:18 Pledges

Pledges led by Sylvia Streater

2. 00:01:04 Moment of Silence

3. 00:01:21 Invitation to Address Council

Sylvia Streater – Lions Club – Thank you to the City of Kemah for the use of Community Center. She also updated Council on the recent Lions Club Convention. She expressed the need for a center in Kemah that would accommodate 200 people
deSha Norwood – Thanks to the City of Kemah for a great neighborhood meeting

4. 00:02:45 Council Members Comments and Announcements

Council Member Matt Wiggins - none
Council Member Robin Collins - none
Council Member Kyle Burks – none
Council Member Wanda Zimmer – Welcome everyone. She stated that she has submitted her application for re-election for Council Member Position 2 in the May election
Council Member Teresa Vazquez-Evans – none

The Mayor requested that Item 11 be addressed at this time.

Motion: Change the agenda and take item 11 at this time
Made By: Council Member Matt Wiggins
Seconded By: Council Member Robin Collins
Vote: **Motion carried** unanimously by all Council Members present.

11. 00:04:15 Consideration and Possible Action: Select a Construction Manager at Risk for Capital Project Program

Community Services Director Nick Haby provided an overview of the selection process for a Construction Manager at Risk. He stated that the Review Committee met and ranked the three companies submitting proposals. He stated that Durotech’s proposal included the city hall, parks, etc. Mr. Haby addressed the questions of Council, and he stated that all projects will come before council for approval and will then be negotiated



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with the Construction Manager. He stated that Durotech will be the Construction Manager during the design phase and then serve as the Construction Manager at Risk. City Administrator Wendy Ellis also shared with Council that there will be a cost savings to the City and a better use of staff time.

A Durotech representative was introduced and addressed questions of Council regarding cost and scope of work parameters.

Motion: Select Durotech as the Construction Manager at Risk
Made By: Council Member Matt Wiggins
Seconded By: Council Member Kyle Burks
Vote: **Motion carried** unanimously by all Council Members present.

5. 00:21:10 Mayor's Comments

Later Ron Cox will speak about our planning process. We will also be working on documenting our core values.

6. 00:23:28 City Administrator Report

- A. CIP –
 - Jarboe Ditch update (including photos) – saved about \$2500 on cost of project
 - Kipp waterline project start up - 6th of Feb
 - Meadow and Cien – under way – milled material will be paced in 57 Acre Park
 - Anders Road – Kickoff meeting with LJA was on January 9th
 - Restrooms and Train Depot at Visitors Center are being designed
 - City Hall renovation update
 - Turn lane on 518 and Kemah Village road – HOA has removed the request and considers it closed
 - Park improvements – photos
 - Foster park – buried cable line and picnic tables
- B. Downtown Revitalization Update – SWA is ready to schedule the next meeting – possibly as a Joint Workshop with KCDC on Feb 8
- C. Annual Work Plan – will be discussed later
- D. Upcoming Events:
 - The Krewe du Lac parade were last Saturday
 - Filing for place on the ballot continues to be open until Feb 17
 - BACVB – interviewing marketing firms
 - Triathlon (3/4-3/5)
 - Kemah Crawfish Festival (3/24-3/26)
 - Yachty Gras boat parade coming up 2/18
 - Galveston County Day at the Capitol (3/1)
- E. Day-to-Day Activity
 - Carolyn has passed her last test and is now Certified
- F. Financials



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Financial statements reconciled through December 2016
Since Incode was installed for Court in 2013, the part of the DOT fines that are supposed to be paid to the State were not being paid, so that has been corrected in this report with a payment of \$26,000
Update on sales tax revenues
Update on hotel/motel funds

7. 00:43:43 Police Department Report

- A. General Overview of Operations – later in meeting
- B. Monthly Statistics – later in meeting
- C. Upcoming Events
Coffee with a Cop – 2/3/17 at 7:30 am at Chick-fil-A

8. 00:44:30 Consent Agenda

- A. Approval of Minutes:
2016-09-21 Minutes
2016-09-28 Special Meeting Minutes
2016-10-19 Workshop Minutes
- B. Emergency Services Board Appointment
- C. Quarterly Investment Report
- D. May 6, 2017 Galveston County Election Services Contract
- E. Use of City of Kemah Parking Lot – Galveston Bay Songwriters Festival

Mayor Joiner asked if any items should be removed from the consent agenda. A Council Member requested that Item E be removed

Motion: To approve consent agenda items A-D
Made By: Council Member Teresa Vazquez-Evans
Seconded By: Council Member Wanda Zimmer
Vote: **Motion carried** unanimously by all Council Members present.

- E. Use of City of Kemah Parking Lot – Galveston Bay Songwriters Festival
Scheduled for 9/29/2017 – 10/1 /2017 and is expected to use about half of the parking lot, which should be completed by then

Motion: To approve the use of public property for the Galveston Bay Songwriters Festival
Made By: Council Member Matt Wiggins
Seconded By: Council Member Kyle Burks
Vote: **Motion carried** unanimously by all Council Members present.



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OLD BUSINESS

9. 00:48:16 Consideration and Possible Action: Ordinance of the City of Kemah Amending and Establishing Revisions to the City of Kemah's Fee Schedule for Various Services, Inspections and Licenses (Second Reading)

Motion: Approve the new Fee Ordinance Second Reading with Option B including a cap of \$10,000,000
Made By: Council Member Matt Wiggins
Seconded By: Council Member Wanda Zimmer
Vote: **Motion carried** unanimously by all Council Members present.

NEW BUSINESS

10. 00:49:00 Consideration and Possible Action: Approval of the McCall Swedlund 2015-2016 Annual Audit

Motion: Approve the McCall Swedlund 2015-2016 Annual Audit Report
Made By: Council Member Matt Wiggins
Seconded By: Council Member Robin Collins
Vote: **Motion carried** unanimously by all Council Members present.

12. 00:50:15 Consideration and Possible Action: Authorize Expenditure and Select a Vendor to Replace/Update LED Sign at Community Center

Four proposals were received. Evaluation and reference checks led to staff recommendation of a local company Sign of the Times from Seabrook to supply the sign.

Motion: Authorize selection of Sign of the Times and expenditure to match their quote
Made By: Council Member Teresa Vazquez-Evans
Seconded By: Council Member Wanda Zimmer
Vote: **Motion carried** unanimously by all Council Members present.

13. 00:55:46 Consideration and Possible Action: Authorize the Establishment of a Capital Projects Bank Account at and Transfer of the General Fund Account to Texas First Bank

Motion: Authorize the Establishment of a Capital Projects Bank Account at and Transfer of the General Fund Account to Texas First Bank
Made By: Council Member Wanda Zimmer
Seconded By: Council Member Robin Collins
Vote: **Motion carried** unanimously by all Council Members present.



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14. 00:56:45 Consideration and Possible Action: A Variance Request for Mobile Food Truck Vendors at 930 FM 518 (at FM 518 and Melba Ln.)

After discussion about the situation related to the requested variance and the existing ordinance, staff was requested to review the existing ordinance for revision.

Motion: Approve A Variance Request for Mobile Food Truck Vendors at 930 FM 518 (at FM 518 and Melba Ln.)

Made By: Council Member Matt Wiggins

Seconded By:

Vote: **Failed for lack of a second**

15. 01:14:20 Consideration and Possible Action: Amendment to the Animal Control Ordinance

Motion: Approve the Amendment to the Animal Control Ordinance with the change of the maximum fine to \$250

Made By: Council Member Kyle Burks

Seconded By: Council Member Wanda Zimmer

Vote: **Motion carried** 3-2 with Council Members Matt Wiggins and Robin Collins voting NAY.

16. 01:23:20 Consideration and Possible Action: Ordering the May 6, 2017 City of Kemah General Election

Motion: Order the May 6, 2017 City of Kemah General Election

Made By: Council Member Kyle Burks

Seconded By: Council Member Teresa Vazquez-Evans

Vote: **Motion carried** unanimously by all Council Members present.

17. 01:23:48 Consideration and Possible Action: Reschedule or Cancel the March 1, 2017 Regular Council Meeting

Because several members are planning to attend the Galveston County Day at the Capitol on March 1, the meeting needs to be rescheduled.

Motion: Reschedule the March 1 Regular Meeting to March 2, 2017.

Made By: Council Member Teresa Vazquez-Evans

Seconded By: Council Member Matt Wiggins

Vote: **Motion carried** unanimously by all Council Members present.

18. 01:30:26 Consideration and Possible Action: Sponsor Reception at BAHEP Galveston County Legislative Tour



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Motion: Sponsor Reception at BAHEP Galveston County Legislative Tour
Made By: Council Member Matt Wiggins
Seconded By: Council Member Robin Collins
Vote: **Motion carried** unanimously by all Council Members present.

19. 01:32:30 Presentations and Proclamations:

- A. Status Report of Kemah Police Department Operations
Interim Civilian Police Administrator Chris Reed presented his report on the anonymous survey of the Kemah Police Department. The key concern is officer retention which is related to the issue of competitive pay. Chris addressed questions of Council regarding staffing and statistics in his report. Chris commented on recent improvements (such as including Police staff in all City Hall Staff Meetings). Finally, Chris recommended moving forward to retain current staff and indicated the next step would be to place an action on the agenda of an upcoming meeting.
- B. Presentation of Work Product Created as a Result of Community, Council, and Staff Planning Activities
Ron Cox reviewed the draft report on the activities of Council and Staff in developing the strategic plan together. He commended Council and staff on their work. He also reviewed the Operations Plan and Strategic Implementation Plan. The Mayor indicated that we will all get together one more time to complete the missing pieces. He offered Thanks to Ron from the Council and Staff. Wendy Ellis then commented that the reference number included in the Strategic Implementation Plan and the Operations Plan would start appearing on item in the upcoming agendas so we could track progress on these items.

20. 02:18:15 EXECUTIVE SESSION: adjourned to Executive Session at 9:22 pm

The Council held a closed executive meeting pursuant to the provisions of Chapter 551 of the Texas Government code, Vernon's Texas Codes annotated, in accordance with the authority contained in:

- A. Section 551.087 – Deliberate Issues Regarding Economic Development:
Negotiations for an Economic Development Project Being Considered on Property Adjacent to Wal-Mart on Hwy 518

02:18:52

OPEN SESSION:

Mayor Joiner reconvened the regular meeting into open session at 10:20 pm.

**21. 02:19:04 Consideration and Possible Action: Economic Development
Negotiations for an Economic Development Project Being Considered
on the Property Adjacent to Wal-Mart on Hwy 518**



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Motion: Authorize the Mayor to negotiate an economic development project being considered on the property adjacent to Wal-Mart on highway 518
Made By: Council Member Kyle Burks
Seconded By: Council Member Teresa Vazquez-Evans
Vote: **Motion carried** unanimously by all Council Members present.

22. 02:19:40 Council Members Closing Comments

None

23. 02:19:45 Mayor's Closing Comments

None

24. 02:19:50 Adjourn

Motion: Adjourn
Made By: Council Member Wanda Zimmer
Seconded By: Council Member Robin Collins
Vote: **Motion carried** 4-1 with Council Member Matt Wiggins voting NAY

Council was adjourned at 10:21 pm.



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Signature Page:

APPROVED: Case G. Jiri

DATE: 4/6/17

ATTEST: M. C. C. C. C.