



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, November 16, 2010

6:00 PM

Council Chambers - 200 West Walker Street

Regular Meeting

The City Council of the City of League City, Texas met in a regular meeting in the Council Chambers at 200 West Walker Street on the above date at 6:00 p.m.

Mayor:	Toni Randall
City Council Members:	Neil Baron Mike Barber Mick Phalen Mike Lee Phyllis Sanborn Tim Paulissen Joanna S. Dawson
City Manager:	S. Marcus Jahns
City Attorney:	Arnold Polanco
City Secretary:	Barbara F. Long
Assistant City Manager-Mgmt. Services:	Michael Loftin
Assistant City Manager-Public Safety:	Chief of Police Michael Jez
Assistant City Manager-Public Works:	Rich Oller
Director of Human Resources/Civil Service:	Brian Hayes
Director of Parks & Cultural Services:	Chien Wei
Director of Planning & Research:	Tony Allender
Director of Information Technology:	Ryan Smith

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Randall called the meeting to order at 6:00 p.m. and called the roll.

Present 8 - Mayor Toni Randall, Mr. Neil Baron, Mr. Mike Barber, Mr. Mick Phalen, Mr. Mike Lee, Ms. Phyllis Sanborn, Mr. Tim Paulissen and Ms. Joanna Dawson

2. **INVOCATION, PLEDGE OF ALLEGIANCE TO THE U.S. FLAG AND PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG**

The invocation was given by Rev. Chris Harrison of League City United Methodist Church.

Junior Girl Scout Troup #26030, with leader Police Officer Christy Galyean, led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A October 12, 2010 Workshop

This item was Approved

3B October 12, 2010 Regular Meeting

This item was Approved

Mayor Randall asked if there were any corrections to the minute. She said, hearing none, these minutes are approved.

4. **APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS, AWARDS**

5. **PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING**

5A Hold a public hearing on Special Use Permit Application SUP10-07 (Clear Wireless) for an SUP on approximately 0.01 acres for a "communication towers and structures" use to colocate on an existing tower in the "OS" (Open Space) zoning district, legally described as portions of Lots 103 and 111 (103-3) Division D of League City, generally located southeast of Marina Bay Drive (FM 2094) with the approximate address being 2491 1/6 Marina Bay Drive (FM 2094) (Director of Planning & Research)

Mayor Randall opened the public hearing at 6:06 p.m.

No one spoke for or against this issue.

Mayor Randall closed the public hearing at 6:06 p.m.

5B Consider and take action on an ordinance amending Ordinance No. 2005-24 for a Special Use Permit (SUP10-07 (Clear Wireless) on approximately 0.01 acres for a "communication towers and structures" use to colocate on an existing tower in the "OS" (Open Space) zoning district, legally described as portions of Lots 103 and 111 (103-3) Division D of League City, generally located southeast of Marina Bay Drive (FM 2094) with the approximate address being 2491 1/6 Marina Bay Drive (FM 2094) (Director of Planning and Research)

Planning and Zoning Commission recommended approval 7-0-0 subject to conditions on October 18, 2010.

First and final reading requested.

Conditions:

- 1. In accordance with the Communications Tower Ordinance, prior to obtaining a building permit, the developer shall submit documentation from the Federal Aviation Administration (the "FAA") confirming the lighting is the minimum required by the FAA to the Building Department with a Building Permit Application.**
- 2. In accordance with the Communications Tower Ordinance, prior to obtaining a building permit, the developer shall submit documentation confirming the power density levels do not exceed federally approved levels or American National Standards Institute standards, whichever provides the stricter requirements.**
- 3. In accordance with the Communications Tower Ordinance, prior to obtaining a building permit, the developer shall submit documentation confirming the electromagnetic radiation levels do not exceed Federal Communications Commission standards.**
- 4. All outstanding annual fees for all existing communication antennae must be paid in full prior to second reading of ordinance by City Council.**

A motion was made by Mr. Paulissen, seconded by Mr. Phalen, to approve first and final reading. The motion passed by the following vote:

For: 7 -

Mr. Baron, Mr. Barber, Mr. Phalen, Mr. Lee, Ms. Sanborn, Mr. Paulissen and Ms. Dawson

A motion was made by Mr. Paulissen, seconded by Mr. Phalen, to approve Ordinance No. 2010-40 amending Ordinance No. 2005-24 for a Special Use Permit (SUP10-07 Clear Wireless) on approximately 0.01 acres for a "communication towers and structures" use to colocate on an existing tower in the "OS" (Open Space) zoning district, legally described as portions of Lots 103 and 111 (103-3) Division D of League City, generally located southeast of Marina Bay Drive (FM2094) with the approximate address being 2491 1/6 Marina Bay Drive (FM2094) subject to conditions. The motion passed by the following vote:

For: 7 -

Mr. Baron, Mr. Barber, Mr. Phalen, Mr. Lee, Ms. Sanborn, Mr. Paulissen and Ms. Dawson

5C Hold a public hearing to amend Chapter 90 of the Code of Ordinances of the City of League City, Texas entitled "Signs" (Director of Planning and Research)

This item was pulled by staff.

5D Consider and take action on an ordinance amending Chapter 90 of the Code of Ordinances of the City of League City, Texas entitled "Signs" regarding the regulation of signs within the City (Director of Planning and Research)

Zoning Board of Adjustments recommended approval 3-0-0 on October 7, 2010.

This item was pulled by staff.

- 5E Hold a public hearing on amendments to Sections 125-49 and 125-50 of Chapter 125 of the Code of Ordinances of the City of League City, Texas entitled "Zoning" by amending the time frame for written notice to surrounding property owners, posting of signs and publication notice in the newspaper for zoning cases and special use permits (Director of Planning and Research)

Mayor Randall opened the public hearing at 6:08 p.m.

No one spoke for or against this item.

Mayor Randall closed the public hearing at 6:08 p.m.

- 5F Consider and take action on an ordinance amending Ordinance No. 2010-29 to amend Sections 125-49 and 125-50 of Chapter 125 of the Code of Ordinances of the City of League City, Texas entitled "Zoning" by amending the time frame for written notice to surrounding property owners, posting of signs and publication notice in the newspaper for zoning cases and special use permits (Director of Planning and Research)

Planning and Zoning Commission recommended approval of a 21-day notification prior to public hearings by a vote of 7-1-0 on July 19, 2010

A motion was made by Mr. Phalen, seconded by Mr. Lee, to approve Ordinance No. 2010-41 amending Ordinance No. 2010-29 to amend Sections 125-49 and 125-50 of Chapter 125 of the Code of Ordinances of the City of League City, Texas entitled "Zoning" by amending the time frame for written notice to surrounding property owners, posting of signs and publication notice in the newspaper for zoning cases and special use permits. The motion passed by the following vote:

For: 7 -

Mr. Baron, Mr. Barber, Mr. Phalen, Mr. Lee, Ms. Sanborn, Mr. Paulissen and Ms. Dawson

6. 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 expulsion from Council Chambers.

Name	Address	Subject
Mark Edelman	4418 Pebblebeach	Sign Ordinance
Dennis O'Keeffe	Harris County	Agenda Item 10K Sewer Alignment

7. COUNCIL MEMBERS COMMENTS/REPORTS

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

Ms. Sanborn said the Library is going to be closed for Thanksgiving beginning at 5:00 p.m. on Wednesday, November 24, 2010 and will reopen on Monday, November 29, 2010 at 10:00 a.m. The Library's Annual Open House will be Thursday, December 2, 2010 from 5:00 p.m. to 6:00 p.m. The lighting of the Christmas Tree, co-sponsored by the League City Parks Department and the Knights of Columbus #9310, is immediately afterwards. Everyone is invited to come out, enjoy the refreshments, visit with Santa, and view the lighting of the Christmas Tree. Please mark your calendars December 2, 2010. We had an outstanding service at the Sportsplex on Veteran's Day, November 11, 2010. For the veterans out there, we thank you very much for your service. I did not realize there were so many men and women working for League City who had served our country. The Public Information Office did a great job putting together the Veterans tribute on Channel 16. And then, also on November 11, 2010, I took my daughter who is expecting a baby back to the doctor that afternoon. The doctor sent her on to the hospital and about 5:00 p.m. we had a beautiful, little, pre-mature baby girl, Emma Olivia Hudson. My daughter, her husband, and baby are all doing well.

Mr. Baron said congratulations, Grandma. I was not at the City's Veteran's Day celebration because I had already accepted an invitation from the American Legion Hall #554 to their celebration which took place at Walter Hall Park. It was also very nice and a wonderful tribute to our veterans from the wars. I would like to encourage staff to get together with the American Legion Hall #554 to talk about joining the ceremonies in the future. I know this same scheduling glitch occurs on Memorial Day. They would love to partner with the City and have one event or schedule them concurrently. Again congratulations to everybody for fine jobs on both of those ceremonies.

Mr. Barber said speaking of babies being born, it was three years ago to this very date that my son, Vincent, was born. Happy 3rd Birthday, Vincent. I hope to be home to see you very shortly.

Mr. Paulissen said in the spirit of helping Mr. Barber get out of here, everybody has covered most of the comments I had.

Mr. Lee said no comments tonight.

Ms. Dawson said I want to mention the Bay Area Council on Drugs and Alcohol (BACODA) exhibit in Walter Hall Park. All those 1,500 flags represented people killed by drug or alcohol accidents. We had an outstanding Veteran's Day celebration here in League City. Thanksgiving is next week. Then the first weekend in December is Holiday in the Park with the booths and parade. Mark your calendars.

Mr. Phalen said congratulations, Grandma, and Happy Birthday, Vincent. I have no more comments.

8. MAYOR COMMENTS/ REPORT

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

Mayor Randall said congratulations to Ms. Sanborn and to her family. We are pleased they are all doing well.

9. REPORTS FROM STAFF MEMBERS

Staff Report

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

Mr. Jahns said I do have a couple items. A number of you have talked to me about arranging a workshop on this drilling issue. To that end I have talked with some attorneys who are very knowledgeable in this area. Having some objective information would put you in a better position to make good decisions regarding this whole issue. I would like to propose setting a workshop on either November 30, 2010 or December 9, 2010. We need some direction in order to make arrangements for the speakers and get the word out to the public.

Mayor Randall said can we see if Council is available for November 30, 2010?

Mr. Jahns said we will schedule November 30, 2010, and, if that does not work, then we will try for December 9, 2010.

Mr. Jahns said I have a couple of other items as well. Just an FYI, senior staff is going to be out of the office tomorrow. We are going to try to huddle, do some planning for the next calendar year, talk about some organizational issues and that kind of thing. Also, I have asked Mr. Loftin to give us an update on where we stand financially and to give us an outlook of where we are from an economic point of view in terms of employment and those kinds of things. I would like to follow that up with a report from Mr. Oller on the progress of a number of Capital Improvement Projects. I want to thank, particularly, Ryan Smith. We have moved out of City Hall totally. That went about a week faster than we thought it would. And I do not think we lost anything on the way. Now here is Mr. Loftin and then Mr. Oller.

Mr. Loftin said you have a copy of this brief report. I am not going to cover every aspect of it but hit the high points. We are well into our financial close for the fiscal year ending September 30, 2010. It appears we had some very accurate estimates in our general fund budget. Consequently our fund balance looks like it will be about \$400,000 more than we had estimated. The Utility Fund did considerably better which I would owe to, frankly, conservatism towards the end of the summer. As we get into the hot months, we try to anticipate sufficient cost to cover electricity and chemicals. Our revenue did quite well as well. In that particular area, our fund balance is 36 days more than projected in the fiscal year 2011 budget. As far as some other financial bright spots we have reported in previous Council Meeting about the Health Benefits Program. Thanks to our employees, we have no cost increase there. So the money set aside for that will be available for other things this year. Also, we did negotiate a very attractive electricity savings beginning next November that will run for two years. It is about a 30% savings from our current contract that was negotiated when natural gas prices were so high. The local economic outlook is stable just as League City economic outlook is stable. We are seeing about a 3% growth in League City. However, employment in the metropolitan area is still about 100,000 off its peak of late 2008. We are also seeing some sluggishness in property tax collections. It is nothing specific but we need to watch it. We did have some programs funded for a portion of this year that we have to anticipate the cost next year. All in all we are doing really well. Conservative financial management will service us well if we adhere to that through the next couple of years as the economy continues to lag.

Mr. Oller said first I would like to introduce a new engineer to our staff, Linc Wright. He is a true traffic engineer and brings with him many years of experience. He graduated from Texas A&M. At his most recent position, he was in charge of traffic for all of Texas. We are very fortunate to have him on staff. Obviously his chore is to improve traffic flow and signalization for the City.

Mr. Oller continued. The Conoco Phillips drainage project is complete, was designed in house and working as designed. The Landing detention basin, another project done in house, is complete. It is collecting run off like it should, detaining it and helping to prevent ponding. We have some other Capital Improvement Projects coming up. Houston Avenue is close to the bid process. On the Louisiana Avenue project, we are about 120 days from having it bid and ready to go to construction. The design of Beamer Road is near completion and we will have that out to bid near the first of the year. A lot of things are happening in the Engineering and the Public Works sector. Coryell is under construction and going pretty well. We have had some dust issues that we are addressing with residents there.

Mr. Oller continued. We did have the Ribbon Cutting on the Dallas Salmon Wastewater Treatment Plant last week. With the time change, it was almost in the dark. What an asset that plant is for us.

Mr. Oller said the air conditioners at the Library are nearly complete. We may have those on next week ahead of schedule. And, of course, we had the City Hall move. I would like to thank Ryan Smith as well. He worked really hard for two weeks to make this move happen. We got everybody moved and hooked up so they could go to work as soon as we got to South Shore. That was all because of Ryan. He did a great job. The contractors have already started moving some of their equipment to the site. We might even see some things taking place soon. They will be doing the outside first. We are still about 90 days from bidding the inside work. We still have some plans to review and bring to Council for your approval which will probably in January or early February 2011.

Mr. Oller continued. We have a meeting scheduled with TxDot, the district engineering and the environmental people to discuss the Five Corners project and the current option. TxDot is very pleased with the current option and the process we went through. We are going to discuss the environmental issues and concerns and what we need to do. So after Monday, we will have a much better idea of what we need to do in order to move forward with that.

10. CONSENT AGENDA

Approval of the Consent Agenda

Mr. Paulissen pulled Agenda Item 10K, Mr. Phalen pulled Agenda Items 10D and 10M.

A motion was made by Mr. Paulissen, seconded by Ms. Sanborn, to approve Consent Agenda Items 10A through 10W with the exception of 10D, 10K and 10M. The motion passed by the following vote:

For: 7 -

Mr. Baron, Mr. Barber, Mr. Phalen, Mr. Lee, Ms. Sanborn, Mr. Paulissen and Ms. Dawson

- 10A** Consider and take action to approve the purchase of the DeltaSphere-3000IR 3D Scene Digitizer and of SceneVision-3D Visualization and Analysis Software, which is used to collect data from crime scenes(Assistant City Manager, Public Safety)
- Staff Recommends approval to purchase DeltaSphere-3000 3D Scanner from 3rdTech, Inc.
- This item was approved on the Consent Agenda.**
- 10B** Consider and take action on acceptance of a \$24,002 Loan Star Libraries Grant from the Texas State Library and Archives Commission (Director of Parks & Cultural Services)
- Staff recommends approval
- This item was approved on the Consent Agenda.**
- 10C** Consider and take action on the purchase of street materials through the Interlocal Agreement for Joint Purchasing with Galveston County (Assistant City Manager, Management Services)
- Staff recommends approval
- This item was approved on the Consent Agenda.**
- 10D** Consider and take action on renewing Section 1 of the annual contract for Streets, Sidewalks and Stormwater Facilities Drainage Repair with Teamwork Construction (Assistant City Manager, Management Services)
- Staff recommends approval.
- A motion was made by Mr. Phalen, seconded by Mr. Baron, to approve renewing Section 1 of the annual contract for Streets, Sidewalks and Stormwater Facilities Drainage Repair with Teamwork Construction. The motion passed by the following vote:**
- For:** 7 -
- Mr. Baron, Mr. Barber, Mr. Phalen, Mr. Lee, Ms. Sanborn, Mr. Paulissen and Ms. Dawson
- 10E** Consider and take action on the purchase of eight (8) replacement vehicles through the Motor Pool Capital Replacement Fund, and one (1) new vehicle and the equipment to outfit public safety vehicles as part of the FY2011 Budget. (Assistant City Manager, Management Services)
- Staff recommends approval.
- This item was approved on the Consent Agenda.**
- 10F** Consider and take action approving an “Electrical Facilities Extension Agreement” with Texas New Mexico Power Company for the extension of electrical distribution facilities to the City’s Southwest Water Reclamation Facility, and authorizing payment from the Construction Contingency Budget included in the Construction Manager at Risk Contract (Assistant City Manager, Public Works)
- Staff recommends approval.
- This item was approved on the Consent Agenda.**

- 10G** Consider and take action to convey an electrical distribution easement to Texas-New Mexico Power Company associated with franchised utility relocations for the Coryell Street Drainage Improvements Project (CIP ST 0901) (Assistant City Manager, Public Works)

Staff recommends approval.

This item was approved on the Consent Agenda.

- 10H** Consider and take action to authorize staff to proceed with the procurement of real property interests associated with the CIP ST 0903 Austin Street - FM 270 to Louisiana Avenue Improvements Project (Assistant City Manager, Public Works)

Staff recommends approval.

This item was approved on the Consent Agenda.

- 10I** Consider and take action to authorize staff to proceed with the procurement of real property interests associated with the CIP WT 1002 Beamer Road Water Line Extension Project (Assistant City Manager, Public Works)

Staff recommends approval.

This item was approved on the Consent Agenda.

- 10J** Consider and take action to authorize staff to proceed with the procurement of real property interests associated with the CIP ST 0904 Houston Avenue - FM 518 to SH 3 Improvements Project (Assistant City Manager, Public Works)

Staff recommends approval.

This item was approved on the Consent Agenda.

- 10K** Consider and take action to authorize staff to proceed with the procurement of real property interests associated with the CIP WW 1001 North Service Area Lift Station, Force Main, and Gravity Sewer Project (Assistant City Manager, Public Works)

Staff recommends approval.

A motion was made by Mr. Paulissen, seconded by Mr. Phalen to approve Agenda Item 10K for discussion.

A motion was made by Mr. Phalen, seconded by Mr. Paulissen, to approve authorizing staff to proceed with the procurement of real property interests associated with the CIP WW 1001 North Service Area Lift Station, Force Main, and Gravity Sewer Project.

The motion passed by the following vote:

For: 7 -

Mr. Baron, Mr. Barber, Mr. Phalen, Mr. Lee, Ms. Sanborn, Mr. Paulissen and Ms. Dawson

- 10L** Consider and take action to authorize staff to proceed with the procurement of real property interests associated with the CIP WT 1003 North Side Water Booster Station Project (Assistant City Manager, Public Works)

Staff recommends approval.

This item was approved on the Consent Agenda.

10M

Consider and take action on a resolution adopting a water conservation plan for the City of League City, Texas (Assistant City Manager, Public Works)

Staff recommends approval.

A motion was made by Mr. Baron, seconded by Mr. Paulissen, to approve Resolution No. 2010-41 adopting a water conservation plan for the City of League City, Texas. The motion passed by the following vote:

For: 6 -

Mr. Baron, Mr. Barber, Mr. Phalen, Mr. Lee, Ms. Sanborn and Ms. Dawson

Opposed: 1 -

Mr. Paulissen

10N

Consider and take action on the approval of a resolution declaring thirty-one (31) fleet vehicles surplus and approve the method to be used to dispose of the property (Assistant City Manager, Public Works)

Staff recommends approval and recommends a public auction for disposal of said items not being traded in.

Resolution No. 2010-42 was approved on the Consent Agenda.

10O

Consider and take action on a resolution to support the proposed ramp reversals on I-45 between FM 518 and FM 646 for the exiting of traffic from I-45 onto the existing frontage road (Assistant City Manager, Public Works)

Staff recommends approval.

Resolution No. 2010-43 was approved on the Consent Agenda.

10P

Consider and take action on a request to set a public hearing on December 14, 2010 for Zoning Change Application Z10-05 (South Hammock #5) to rezone approximately 2.8 acres from "RSF-5" (Single-family residential with a minimum lot size of 5,000 square feet) to "IL" (Limited Industrial), legally described as portions of Lot 27-1 and Lot 27-2 of League City Division C, generally located north of Austin Street and east of Texas Avenue, with the approximate address being 920 Texas Avenue (Director of Planning and Research)

This item was approved on the Consent Agenda.

10Q

Consider and take action on a request to set a public hearing on December 14, 2010 for Special Use Permit Application SUP10-04 (South Hammock #4) for an SUP on approximately 2.8 acres for a "mining and drilling" use [oil and gas] in the "IL" (Limited Industrial) zoning district, legally described as portions of Lot 27-1 and Lot 27-2 of League City Division C, generally located north of Austin Street and east of Texas Avenue, with the approximate address being 920 Texas Avenue (Director of Planning and Research)

This item was approved on the Consent Agenda.

- 10R** Consider and take action on a request to set a public hearing on December 14, 2010 for Special Use Permit Application SUP10-03 (South Hammock #3) for an SUP for a “minor utility” use [natural gas pipeline] within a 5-foot wide corridor being approximately 6,000 feet in length and containing approximately 0.7 acres on property zoned “OS” (Open Space), “RSF-5” (Single-family residential with a minimum lot size of 5,000 square feet), “RSF-10” (Single-family residential with a minimum lot size of 10,000 square feet) and “RSF-20” (Single-family residential with a minimum lot size of 20,000 square feet), legally described as portions of Lots 33-2, 33-4, 33-7, 33-8, 34-2, 34-4, 35-3, 38-3, 38-6, 38-8 and 38-11 of League City Division B; portions of Lots 26-7, 26-8, 26-9, 27-2, 27-4 and 27-5 of League City Division C; Reserve C-3-2 (3-200) of the Hewitt Acres No 3 Subdivision and a portion of the G.H. & H. (Union Pacific) Railroad right-of-way, generally located north and south of Hewitt Street and east and west of Texas Avenue (Director of Planning and Research)

This item was approved on the Consent Agenda.

- 10S** Consider and take action on a request to set a public hearing on December 14, 2010 for Zoning Change Application Z10-08 (Aztec Bolting) to rezone approximately 1 acre from “RSF-7” (Single-family residential with a minimum lot size of 7,000 square feet) to “CM” (Mixed Use Commercial), legally described as Lots 7-12 Interurban Addition, generally located north of 4th Street and east of Dallas Avenue, with the approximate address being 520 Dallas Avenue (Director of Planning and Research)

This item was approved on the Consent Agenda.

- 10T** Consider and take action on a request to set a public hearing on December 14, 2010 for Special Use Permit Application SUP10-09 (Aztec Bolting) for an SUP on approximately 1 acre for a "limited production industry" use in the "CM" (Mixed Use Commercial) zoning district, legally described as Lots 7-12 Interurban Addition, generally located north of 4th Street and east of Dallas Avenue, with the approximate address being 520 Dallas Avenue (Director of Planning and Research)

This item was approved on the Consent Agenda.

- 10U** Consider and take action on a request to set a public hearing on December 14, 2010 for Zoning Change Application Z10-09 (TNMP Distribution Substation #1) to rezone approximately 7.9 acres from “CO” (Office Commercial) to “PS” (Public / Semi-Public), legally described as a portion of Lots 3 and 4 (4-5) of the East Dickinson Subdivision, generally located south of Farm to Market Road 646 and west of South Shore Boulevard / Caroline Street, with the approximate address being in the 3500 block of Farm to Market Road 646 (Director of Planning and Research)

This item was approved on the Consent Agenda.

- 10V** Consider and take action on a request to set a public hearing on December 14, 2010 for Special Use Permit Application SUP10-08 (TNMP Distribution Substation #2) for an SUP for a “major utility” use [electrical substation] on approximately 7.9 acres, legally described as a portion of Lots 3 and 4 (4-5) of the East Dickinson Subdivision, generally located south of Farm to Market Road 646 and west of South Shore Boulevard / Caroline Street, with the approximate address being in the 3500 block of Farm to Market Road 646 (Director of Planning and Research)

This item was approved on the Consent Agenda.

- 10W Consider and take action on a request to set a public hearing on December 14, 2010 for Planned Unit Development Application Z10-10/P (Boyd PUD) for a Planned Unit Development Overlay on approximately 15.5 acres zoned "RSF-20" (Single-family residential with a minimum lot size of 20,000 square feet), legally described as a portion of the Rodney Anthony Survey, Abstract No. 630, generally located north of Farm to Market Road 646 and east of Whispering Lakes Ranch Drive with the approximate address being in the 2500 Block of FM 646 (Director of Planning and Research)

This item was approved on the Consent Agenda.

END OF CONSENT AGENDA

11. OLD BUSINESS

12. NEW BUSINESS

- 12A Consider and take action to approve a resolution authorizing publication of Notice of Intention to issue Certificates of Obligation (Assistant City Manager, Management Services)

Staff recommends approval.

A motion was made by Mr. Phalen, seconded by Mr. Paulissen, to approve Resolution No. 2010-44 authorizing publication of Notice of Intention to issue Certificates of Obligation. The motion passed by the following vote:

For: 7 -

Mr. Baron, Mr. Barber, Mr. Phalen, Mr. Lee, Ms. Sanborn, Mr. Paulissen and Ms. Dawson

13. FIRST READING OF ORDINANCES

- 13A Consider and take action on an ordinance amending Chapter 38, Article III, Section 38-101 of the Code of Ordinances of the City of League City, Texas entitled "Fee for City Emergency Medical Service" (Assistant City Manager, Public Safety)

Staff Recommends Approval.

A motion was made by Ms. Sanborn, seconded by Mr. Baron, to approve Ordinance No. 2010-42 amending Chapter 38, Article III, Section 38-101 of the Code of Ordinances of the City of League City, Texas entitled "Fee for City Emergency Medical Service". The motion passed by the following vote:

For: 7 -

Mr. Baron, Mr. Barber, Mr. Phalen, Mr. Lee, Ms. Sanborn, Mr. Paulissen and Ms. Dawson

14. TABLED ITEMS SUBJECT TO RECALL

15. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED**16. EXECUTIVE (CLOSED) SESSION (S)**

At 7:12 p.m. Mayor Randall announced an executive session would be held to discuss the following items:

- 16A** Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters
- Discuss employment or appointment of a public officer or employee, to-wit: Presiding Municipal Court Judge (Assistant City Manager, Management Services)
- 16B** Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters
- Discuss employment or appointment of a public officer or employee, to-wit: Municipal Court Prosecutor (Assistant City Manager, Management Services)
- 16C** Texas Open meetings Act, Section 551.072 government Code - Deliberations about real property
- Discussion concerning acquisition of property (Assistant City Manager, Public Works)

At 7:56 p.m. Mayor Randall reconvened the regular meeting and announced there was no final action, decision, or vote with regard to any matter considered in the executive session concluded.

17. ACTION ITEM(S) FROM EXECUTIVE SESSION(S)

- 17A** Consider and take action on the employment or appointment of a public officer or employee, to-wit: Presiding Municipal Court Judge (Assistant City Manager, Management Services)

A motion was made by Mr. Phalen, seconded by Mr. Baron, to direct staff to submit an RFQ for the position of Presiding Municipal Court Judge and to name a review subcommittee consisting of Council Members Phyllis Sanborn, Joanna Dawson and Mike Barber. The motion passed by the following vote:

For: 7 -

Mr. Baron, Mr. Barber, Mr. Phalen, Mr. Lee, Ms. Sanborn, Mr. Paulissen and Ms. Dawson

- 17B** Consider and take action on the employment or appointment of a public officer or employee, to-wit: Municipal Court Prosecutor (Assistant City Manager, Management Services)

No action.

17C Consider and take action on discussion concerning acquisition of property (Assistant City Manager, Public Works)

A motion was made by Mr. Paulissen, seconded by Ms. Dawson, to direct staff to proceed offering a rate that is at market appraised value. The motion passed by the following vote:

For: 6 -

Mr. Baron, Mr. Barber, Mr. Lee, Ms. Sanborn, Mr. Paulissen and Ms. Dawson

Opposed: 1 -

Mr. Phalen

18. ADJOURNMENT

At 7:58 p.m. Mayor Randall said there being no further business this meeting is adjourned.

**TONI RANDALL
MAYOR**

**BARBARA F. LONG
CITY SECRETARY**

(SEAL)

MINUTES APPROVED: January 25, 2011