



Meeting Minutes
City Council

Tuesday, May 9, 2023

5:00 PM

Council Chambers
200 West Walker Street

Council Work Session

The City Council of the City of League City, Texas, met in a work session in Council Chambers at 200 West Walker Street on the above date at 5:00 p.m.

Mayor:

Nick Long

City Council Members:

Andy Mann
Tommy Cones
Tom Crews
John Bowen
Justin Hicks
Chad Tressler
Sean Saunders

City Manager:

John Baumgartner

Assistant City Manager

Rick Davis

Assistant City Manger-CFO

Angie Steelman

City Attorney:

Nghiem Doan

City Secretary:

Diana M. Stapp

Chief of Police:

Gary Ratliff

Executive Director of Capital Projects

Ron Bavarian

Director of Engineering:

Christopher Sims

Director of Finance:

Kimberly Corell

Director of Human Resources/Civil Service:

James Brumm

Director of Parks & Cultural Services:

Chien Wei

Director of Public Works:

Jody Hooks

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Long called the meeting to order at 5:00 p.m. and called the roll. All members of Council were present. Mayor Pro Tem Mann arrived at 5:30 p.m. Council Member Hicks arrived at 5:31 p.m.

Present 8 - Mayor Nick Long, Mr. Andy Mann, Mr. Tommy Cones, Mr. Tom Crews, Mr. John Bowen, Mr. Justin Hicks, Mr. Chad Tressler and Mr. Sean Saunders

2. **PUBLIC COMMENTS**

3. **ROBERT'S RULES OF ORDER AND ETHICS TRAINING**

Part I: Robert's Rules of Order

City Code Sec. 2-32

- **Adopts Robert's Rules of Order, 11th Edition**
- **Designates the City Attorney as parliamentarian**
- **Provides that the Mayor shall decide all questions of parliamentary procedure, subject to appeal to the rest of the Council**

Quorum needed

- **Charter Art. II, Sec. 11 sets the quorum at 5, unless vacancies leave fewer than 5 members of Council remaining**
- **Quorum must be established and maintained during the entire meeting**
- **A member participating by videoconference does not count toward the quorum**

Taking Action

City Council conducts business by adopting:

- **Ordinances**
- **Resolutions**
- **Minute orders**

A motion and a second are required to propose an action

- **Motions should be made in the affirmative**
- **Motions should clearly state the action proposed to be taken**

Types of Motions

Main motion

- **Adopts ordinance/resolution/minute order**
- **Only one main motion allowed at a time**

Subsidiary motions

Procedural motions that modify the main motion

- **Must be voted on before moving to main motion or another subsidiary motion**

Common subsidiary motions**Motion to amend**

- Amends the pending main motion (which becomes an amended motion if the MTA passes)

Motion to postpone

- To/for a time certain (no later than next regular meeting)
- Indefinitely: effectively kills the main motion without a vote on the merits thereof

Suspend the rules: allows an action ordinarily not allowed by Robert's Rules or rules of procedure

- Not debatable
- Move the previous question ("call the question")
- Ends debate and forces immediate vote on the pending question
- Not debatable
- Requires 2/3 vote

Motion to reconsider

- Brings back for further consideration a motion already voted on
- Only made by someone on the prevailing side, made at the same session as the vote to be reconsidered

Voting

A motion only passes upon receiving Yes votes from a majority of the members of Council
A 4/5 supermajority of Council present needed to:

- Adopt an ordinance upon one reading (Art. II, 22)
- Publish just the caption of an ordinance that imposes a penalty, fine or forfeiture (Art. II, 23)
- Appoint the presiding judge of the court (Art. V, 4)
- Make emergency appropriations (Art. VII, 8)

Part II: Code of Ethics**Conflicts of Interest**

- Governed by state law (LGC Ch. 171), and
- Code of Ethics (Code of Ordinances, Ch. 2, Article II)

Two-prong test for conflict of interest**Substantial interest**

- In a business entity
- 10% ownership or \$15,000 fair market value; or
- Received >10% of person's income from entity

- In real property (ownership of \$2,500+)
- Council action would have a special economic effect on the business entity or real property

Other conflict situations:

- Substantial interest in Entity A;
- Entity A did \$10k+ worth of business with Entity B in the prior 12 months; and
- Council action would have a special economic effect on Entity B

Other conflict situations:

- Member of Council received more than \$1,500 in campaign contributions from person/entity;
- In the two-year contribution cycle for that Member's election date; and
- Council action would have a special economic effect on that person/entity

If a conflict exists under state law or the Code of Ethics:

- Conflicted member of Council must file an affidavit with the City Secretary stating the nature of the interest
- Conflicted member of Council must leave the room during discussion of and vote on the matter

Voluntary recusal sometimes appropriate

- Even if actual conflict does not exist, to avoid the mere appearance of impropriety

Other Ethical Constraints

State law prohibits accepting any item worth \$50 or more, or money in any amount

Under the Code of Ethics:

- A city official must file a written disclosure of any gift of food, lodging, transportation, or entertainment that reasonably appears to exceed \$500 in value
- A member of Council may not represent another person's (except spouse or minor children) or entity's interests before Council or any City board
- City officials cannot disclose confidential info

Under the Code of Ethics:

- No former member of Council may disclose confidential information obtained during his/her term of service
- No former member of Council may have a financial interest in a contract with the City worth >\$1,000 within 13 months of the end of his/her term
- If a former city official becomes unemployed by an entity within two years of the execution of a contract between the City and said entity, and the former official was involved in negotiating the contract, the contract is voidable and the entity may be banned

for 3 years

Part III: Open Government Requirements Texas Open Meetings Act

Requirements of the Act:

Meetings are public and notice must be posted in advance for public

- **A “meeting” consists of a quorum of the body, which is 5**
- **Cannot meet in numbers less than a quorum to circumvent the Act**
- **Cannot discuss City business in a setting where a quorum is present**
- **Cannot discuss City business via email amongst a quorum**
- **Can only discuss items on the agenda that was posted in advance**

The Act provides criminal sanctions for violations

- **Fine between \$100 and \$500**
- **Confinement in jail for 30-180 days**
- **Public officials must complete Open Meetings training within 90 days of taking office**

Texas Public Information Act

Requirements of the Act:

- **Records held by the City, the Council, or individual members of Council are presumed to be public**
- **Such records are subject to state retention guidelines**
- **Any person can make a public information request seeking access to public information**
- **City handles responses to PIRs**
- **Gather records for release**
- **Seek AG opinion if an exception might apply**

The Act provides criminal sanctions for destruction, alteration, or concealment of public records

- **Fine between \$25 and \$4,000**
- **Confinement in jail for 3-90 days**
- **Public officials must complete Public Information Act training within 90 days of taking office**

4. **ADJOURNMENT**

At 5:32 p.m. Mayor Long said, there being no further business this meeting is adjourned.

NICK LONG
MAYOR

DIANA M. STAPP
CITY SECRETARY

(SEAL)

MINUTES APPROVED: