



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, April 23, 2013

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: **Tim Paulissen**

City Council Members: **Dan Becker**
Dennis O'Keeffe
Heidi Thiess
Todd Kinsey
Geri Bentley
Andy Mann
Joanna S. Dawson

City Manager: **Michael Loftin**
City Attorney: **Arnold Polanco**
City Secretary: **Diana M. Stapp**
Assistant City Manager, Public Works: **John Baumgartner**
Chief of Police: **Michael Kramm**
Director of Engineering: **Linc Wright**
Director of Finance: **Rebecca Underhill**
Director of Human Resources/Civil Service: **Iisha Patterson**
Director of Parks & Cultural Services: **Chien Wei**
Director of Planning & Development: **Tony Allender**

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Paulissen called the meeting to order at 6:01 p.m. and called the roll. All members of Council were present.

Present 8 - Mayor Tim Paulissen, Mr. Dan Becker, Mr. Dennis O'Keeffe, Ms. Heidi Thiess, Mr. Todd Kinsey, Ms. Geri Bentley, Mr. Andy Mann 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. Dr. Tom Day of St. Christopher Episcopal Church. Cub Scout Pack 603, Den 6 led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A. [13-0975](#) March 12, 2013 Regular Meeting

Approved

3B. [13-0972](#) March 25, 2013 Work Session

Approved

Mayor Paulissen asked if there were any corrections. He said hearing none, these minutes are approved.

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

4A. [13-0956](#) Presentation of a proclamation declaring April 21-27, 2013 National Crime Victims' Rights Week in the City of League City (Mayor Paulissen)

Capt. Pat Bitner and Crime Victims Advocate Stephanie R. Jones from League City Police Department, and Candi Gonzalez, Intern from University of Houston-Clear Lake were present to accept the proclamation.

4B. [13-0959](#) Presentation of a proclamation declaring April 22-27, 2013 Medical Laboratory Professionals Week in the City of League City (Mayor Paulissen)

Representatives from UTMB were available to accept the proclamation.

4C. [13-0982](#) Presentation of a proclamation declaring May "Motorcycle Safety and Awareness Month" in League City (Mayor Paulissen)

Members of the Bay Area V-Twins Motorcycle Riders Club of Galveston County were available to accept the proclamation.

4D. [13-0960](#) Presentation of a proclamation declaring May 5-11, 2013 Drinking Water Week in the City of League City (Mayor Paulissen)

Jody Hooks, Public Works Manager, Water/Wastewater, and Captain H2O were available to receive the proclamation.

Mr. Hooks announced the Third Annual Drinking Water Week Poster Contest for local schools with the theme "What Do You Know About H2O?" The entry deadline is May 6 and the winners will be brought before Council on May 14 for an award presentation.

- 4E. [13-0958](#) Presentation of a proclamation declaring May 6-12, 2013 STEM Education Week in the City of League City (Mayor Paulissen)
- Students from Clear Creek ISD gave a presentation.

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

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
Jeremy Winter	1350 Strawberry	Shellside Drainage
Gaylynn Wenzel	1300 Coryell	Noise, BLM
Steve Duncombe	1303 Coryell	Noise, BLM
Michael Hokom	4703 La Escalona	Proposed Apt complex (MarBella)
Cindy Duncombe	1303 Coryell	Noise, BLM
Jon Rice	2222 Formentera Pl.	Proposed Apt complex
Scott Brown	2397 Santa Cruz	Proposed Apt complex

7. **COUNCIL MEMBERS COMMENTS/REPORTS**

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

Dennis O'Keeffe said I'd like to thank everyone for coming out to the meeting tonight. We could not respond during the public comments, but I can make some responses now during my time on the queue. As far as Shellside, you have City Council's attention and we're doing everything we can to try and resolve that situation. The Historical District, BLM, that's been a big transition for the City to get Butler Longhorn Museum to stand on its own two feet. I was unaware of some of the things that were brought to our attention tonight, and I will have a conversation with the City Manager and see what we can do to rectify some of those issues. As far as MarBella, I hear what you are saying loud and clear. That's one of the reasons I ran for City Council, I felt that some of the concerns I had about my neighborhood were not being reciprocated and now the shoe is on the other foot. You have an ally on City Council in MarBella. I campaigned on never voting for an apartment complex, and never will. Also, I'm the only one on City Council who has never voted to accept municipal infrastructure for an apartment complex, and never will. Anything I can do to help you in MarBella, please feel free to contact me. I've received many of your emails and responded to some. My email is dennis.okeeffe@leaguecity.com. Feel free to contact me any time.

Joanna Dawson said we are so glad that you came to tell us your concerns tonight. It is really important that we hear your voices. To the MarBella people, this is not the first time that a developer has done something like that in League City. If you will go back and do a little research, you will find out that the last time we had something like this we turned it down. So, have hope. I think most of us up here don't want multi-family housing anymore. There are still many units that were approved five or six year ago that have not been built yet, so we don't need a new one. To the people of Butler Longhorn Museum, we are going to find a solution for that, whatever it may be. Shellside, I think you have some engineering attention for your problems. But thank you for coming and telling us. We do appreciate it.

Heidi Thiess said I wanted to add and basically second what they've said. It's really all about community engagement and getting involved and in the case of MarBella you've gotten involved preemptively and that is probably the most effective place to be. I have taken extensive notes on everything that everybody has said on all of their issues. I'd like to echo what Councilman O'Keeffe said and give you my personal email heidi.thiess@leaguecity.com. I enjoy hearing from people. My email has not been my own lately. I will return and reply to you as soon as Galveston Daily News gets out of my business. But I did want you to know that we are listening, and I live in South Shore, so I've heard everything that you said loud and clear. Every time we hear a developer wants to come up with apartments, it is something that immediately gets a negative response. The Butler Longhorn Museum, it is one thing when you expect a quiet nice museum and you're thinking it's going to be very elegant and quiet and when it turns into something else, yes this definitely needs to be addressed. I have spoken with Ms. Wenzel and I too will help with the City and the Museum and the residents out there. We're going to find a solution as fast as we possibly can. On another topic, I would like to remind everyone we have another election coming up. On May 11 is the school board election and bond election. That affects every single person in this room,

so I want to remind you that probably there is no bigger tax on your home than your school district. So please make sure that you are paying attention to the school board election. Make sure you get out and vote. The early voting starts at the end of April.

Andy Mann said I actually wrote out this one page thing where I was going to rail against the Galveston Daily News and all of you showed up tonight to talk about things completely not related. So I will just quickly talk to you all. The MarBella people, don't worry about this, we will take care of it. We're talking about a rezoning application that just went through P & Z a few weeks ago, didn't it? It hasn't even hit P & Z? Don't worry about it.

Mayor Paulissen said the application hasn't even been filed.

Mr. Loftin said that's right. There's a good chance it won't get to P & Z.

Mr. Mann continued. It's okay. You all should show up if for no other reason than this is your city at work. Trust me, tonight you guys will go home, maybe crack open an adult beverage or something, but a few months from now one or two of you will probably get curious about what is going on and you will find yourself back up here learning the process. And two or three years from now one of you is going to be running, hopefully, for one of our seats. Welcome to the process and thank you so much for coming out. This will be resolved. As for those of you complaining about the Butler situation, we will resolve that too, but it is a little tougher. MarBella is easy. I'm positive our team will find something we can do together that will take care of that. I remember the Dempsey's situation. There was a pub on the west side that had lots of problems. I feel kind of bad because we kind of minimized their concerns at first. We won't do that with you all. We will definitely listen closely and we will do everything legal to try and take care of that. Shellside, remember when you started this, I told you the machine doesn't always give you exactly what you want, but the machine is definitely turning for you. We're committing millions to that area and at the end of the day it might not be exactly what you want, but it is what we are capable, what the whole machine is capable of giving you and the citizens out there. If it's not enough, we will try our best. The team is already committing sizeable resources to address your issue. Today's Galveston Daily News featured an article on the RedFlex agreement we will be ratifying this evening. Lost in this article was the fact that the settlement actually saved the taxpayers more than a quarter million dollars over the life of the contract. This agreement actually saved the citizens \$315,000 over the life of the contract. Staff and Council did an excellent job on a task that could have turned into a real legal nightmare. I'm always hard on staff, but everyone did a great job on that. They really did. It's one of these things as citizens you all read about it in the paper a few times, you won't see the hundreds of thousands of dollars of legal bills that pile up whenever something like this gets going. That wave was averted. I can't thank staff enough for the work they did. But also on a personal note, Councilman Dan Becker advocated a very aggressive negotiating position during the process. He personally is responsible for a very large percentage of the money that was saved. I did not want that to go unnoticed by our friends at the Galveston Daily News.

Geri Bentley said these are tough acts to follow. Sir, in Shellside, I am cognizant of the problem that you have. I'll pay attention to it like I do every problem that comes before my desk. MarBella, I feel your pain. I understand that there have been a few meetings that have happened. We have had no notices. We are kind of in the dark as much as you are. If I find out anything I will try to notify anybody that I can. I understand what you are saying. I don't want that to happen to me as well, so we will pay attention. The whole Council really tries to do the best we can, and we're kind of in the dark as much as you are. I feel bad that you all are here under a misconception tonight, but as he said it is great to have you all here anyway to see how we work. This is your city, this is your money. It's my money, it's your money. This is how we work. I came on Council for that reason. Ms. Wenzel, we've talked. I will try to do everything that I can. I did speak to the Chief last night and he said that he would personally do something. I would like to try to get a meeting between the neighbors, the police and the people from Butler Longhorn to sit down and work this out. I think that would be a good solution. I'll try to get a good solution for you. Please feel free to email me or call me anytime. Our emails and phone numbers are listed with the City. Mine hasn't been confiscated as yet. It's pick on Galveston Daily News day. I would like to congratulate the graduates from the Citizens Police Academy. I was at their graduation the other day, and how proud I was of the people who have taken their time all these weeks to do this program, as well as our Police Department and the people who are in these departments who help teach these cadets. It was so moving. They had their family there. It was just really good. If you would like to get involved in the community at all, Citizens Police Academy is something that is really awesome. The people that were there were just great. Congratulations to everybody who went through that in the past and for this last class.

Dan Becker said first comment, none of you all could run fast enough to give me another apartment complex in League City. You folks are doing the right thing by coming out and addressing us. You do need to keep after it and keep your eye on the ball when the agendas come out. They usually come out on Wednesday before our Council Meetings, which are the second and fourth Tuesdays of every month. It is on the City website. Any of you that would like to talk to me, unfortunately, we won't take a break where I can talk to you. If you are going to hang around to the end of the meeting, I'll be glad to give you my direct contact information. It so happens that there are at least two members of the Growth and Advisory Committee here tonight. You can talk to either of these two folks. They have a significant impact on these sorts of issues. I can tell you that I have talked to one of them and another member that sits on that panel, and told them that I think this is an issue we need to take up here in League City. There are some measures that can be taken that can do the sort of things that I think you folks are looking for. On another topic, I hope people will keep in mind the catastrophic accident that happened in West, Texas. The first responders in the volunteer fire department from the City of West ended up being a lot of the fatalities. We have a volunteer fire department here in League City. Keep those folks in mind too, because these folks are volunteering to literally put their life on the line to save people here in League City and to try to mitigate damage to their property.

It's a bit of an irony that here we are in April. April 16, 1947 we had an even worse catastrophic accident right here on our doorsteps almost, in Texas City. It was an ammonium nitrate explosion. The references that I have seen indicate that the Port of Houston wouldn't allow permits to load ammonium nitrate in the Port of Houston, it's so dangerous. So even then were people that recognized that this was a hazardous operation. 27 out of 28 of the volunteer firefighters in the City of Texas City died. There were 405 people killed that they were able to identify, 63 people that they never identified, and 113 people that were never found. They speculate that there were actually more casualties because there is no way of knowing about casual workers, people that might have been traveling. This is generally recognized as the worst industrial accident in the history of the country. Keep that in mind when you think about our volunteer firefighters here in League City and what they do for us.

Todd Kinsey said pretty much all the thunder has been stolen, but I'll echo Mr. Becker's sentiment on the volunteer fire department. It amazes me that for a city our size that we have an all volunteer fire department. As a veteran myself, and I thank you for your service, sir, I always equate firefighters and police officers, veterans, they are men and women that risk their lives every day to protect us. I will tell the people at MarBella, you are doing the right thing by being here and communicating with us. I've returned every email that I've received. My email address and personal cell phone number are on the City website. Contact me any time. We were talking about outreach last night and the City is full of boards and committees that are made up of citizens just like you. That's how I started in the political process. Those boards are filled at the end of the year and we have over 60 openings this year. The application is online. If you are interested in getting involved, there are all kinds of things, from Planning & Zoning to Parks & Recreation. You name it, there is a committee for it in the City. We rely on those committees to make recommendations to us because we're part-time employees. This is not our full-time job and we cannot be a subject matter expert on everything, so we rely on the citizens of League City to fill those boards and give us good advice. Shellside, we have passed a number of resolutions over the last couple of weeks. As Councilman Mann said, we have committed considerable funds and I hope it solves the problem. I also sit on the Library Board and there is always great stuff happening over there. There's the popular Webkinz and preschool story time. Great programming for teens and adults, like computer classes, book clubs, networking groups. For more information check out leaguacitylibrary.org or 281-554-1111.

8. MAYOR COMMENTS/ REPORT

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

Mayor Paulissen said starting with Shellside, through the second round with CDBG money I think, we are going to spend between \$4 and \$5 million in the Shellside subdivision. We are going to be buying out twelve 50 foot by 135 foot lots. We are going to be building a 4 to 5 foot deep retention pond that's 200 feet by almost 4,000 feet long. We know you are in a bowl there. There is no way to get rid of that water, we have to retain it and then pump it out. I have also been talking with the County. They've got about \$22 million extra in their second round that they are looking for some additional things for drainage in that vicinity. I know this is in hurricane season, we know that these things take a long time, but we're really close. We are fixing to start buying those properties so hopefully within the year we can start moving some dirt. The League City Friends of the Seniors Foundation this Saturday at League Park is going to have our 5th or 6th Annual Wellness Walk. This is provided by the Senior Citizens Foundation and this foundation was created specifically to raise money to supplement the seniors programs at Eastern Regional Park and the funds that it raises go directly to adding additional recreational programs for our senior citizens. That event will take place at 9:00 a.m. at League Park. It is a 1K walk and a 5K run. If you have a chance to get out and dedicate funds to that, it will be great. To the people of MarBella, I can't speak to how the miscommunication with your developer happened. All I can tell you is it hasn't made it into any agenda on P & Z. One of the reasons that got me involved in politics in the first place is I live in the Oaks of Clear Creek and when we moved in FM96 was just a two-lane blacktop road. Then we ended up getting a four-lane divided roadway that was less than 80 feet from the back of those people's houses. When the developer agreed with TxDOT and signed off on all those documents, then it was the residents of the Oaks that had to petition City Council to get some kind of noise abatement wall to get some relief from that traffic. Your voices are heard. Redlight cameras, I am the only member still sitting that was here when the votes to initiate redlight cameras came about and I was one of the three votes against four votes that passed this. I have never been in favor of them, I voted against them with two other Council Members. This is a minority/majority thing and the majority brought those in place. I would say that other cities, Houston and the City of Baytown both ended their programs with contracts outstanding. And both of those cities ended up in lengthy legal battles. A lot of money was spent, a lot of energy was spent, so I congratulate staff and this City Council for working on a program to get these cameras removed without substantial legal costs. Like Geri said, the Citizens Police Academy just had their graduation class. One of our senior citizens, Ralph Gracia, who is 82 years old, just completed that Citizens Police Academy. His wife was telling me now he wants to have a handgun. I will say he had to bring his target practice up to me to show he is very proficient in the use of a firearm. The thing I would say is you are never too young and you're never too old to serve on a board in the city. We have 30 or 60 different boards so there are lots of opportunities. You can go on the website and fill out a volunteer application for a board. I encourage you to do that. Dan talked a little bit about our hearts are with those folks in West, Texas. Chief Goudie told me that we were sending one of our fire trucks up there with some of our volunteers. I didn't know until recently when we had one of our volunteers pass away during an exercise, volunteers from all those fire departments and police departments will be out there on the grounds of West. A member of some type of

organization first responder will be there until all of the bodies are found and all of those bodies are interred. Those guys put their lives on the line every day.

Like Dan said, back in 1947 the Texas City Fire Department was out there with hoses and the ship went up and all those first responders didn't think twice about going out there. The first responders in West didn't worry about their lives, they went out to protect yours. I will say that we have excellent volunteers in this city and our Police Department first responders that put their life on the line for you guys every day. Our hearts go out to them.

Council Member Thiess said since we have some residents from MarBella, it sounds like maybe you came from out of the city limits and are new to the city and welcome. But certainly I would be remiss if I didn't let you know that there is a long-standing tradition happening on May 3-5. It's the League City Village Fair and Music Festival. It is right out here at Walter Hall Park. We would really love to have you come out there. There are all kinds of safari runs, there's a kids day, kids jump, great music ranging from country, I even saw a tribute band for the Stones which should be really hilarious. There is music for everybody, there is a barbecue cook-off. We'd like to welcome you to the community, this is a long-standing tradition and it is sponsored by our local Lions Club and I would hope that you could find a day to come out there. Tickets are available online at lvillagefair.com or you can get them at the gate. So welcome to League City.

9. REPORTS FROM STAFF MEMBERS

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

- 9A. [13-0978](#) Presentation and discussion on staff progress on Council priorities from January 26 strategic planning session (City Manager)
Chief of Staff David Benson gave an update on various projects.
- 9B. [13-0962](#) Presentation of the 2nd Quarter CIP Status Report for Fiscal Year 2013, as of March 2013 (Assistant City Manager, Public Works)
John Baumgartner discussed highlights of the 2nd Quarter CIP Status Report for Fiscal Year 2013, as of March 2013.

10. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Mr. O'Keeffe, seconded by Mr. Mann, to approve Consent Agenda Items 10A through 10I with the exception of 10A, 10C and 10D. The motion passed by the following vote:

For: 8 -
Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley,
Mr. Mann and Ms. Dawson

10A. [13-0979](#) Consider and take action to excuse absences (City Secretary)

Council Member Andy Mann was absent at the April 8, 2013 Work Session.

A motion was made by Mayor Paulissen, seconded by Mr. Becker, to excuse Mr. Mann's absence. The motion passed by the following vote:

For: 8 -
Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley,
Mr. Mann and Ms. Dawson

10B. [13-0964](#) Consider and take action on acceptance of the municipal water system infrastructure to serve Tuscan Lakes Commercial Section 9-A within Galveston County Municipal Utility District No. 44 (Assistant City Manager, Public Works)

Staff recommends approval.

Approved on the Consent Agenda

10C. [13-0965](#) Consider and take action on acceptance of the municipal infrastructure and approval of the private streets improvements to serve The Villages at Tuscan Lakes Section 4 - Phase 1 within Galveston County Municipal Utility District No. 44 (Assistant City Manager, Public Works)

Staff recommends approval.

A motion was made by Mr. OKeeffe, seconded by Mr. Kinsey, to approve the acceptance of the municipal infrastructure and approval of the private streets improvements to serve The Villages at Tuscan Lakes Section 4 - Phase 1 within Galveston County Municipal Utility District No. 44. The motion passed by the following vote:

For: 8 -
Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley,
Mr. Mann and Ms. Dawson

10D. [13-0966](#) Consider and take action on a request for a water well permit regarding the property located at 2949 Megan Lynn Lane (Assistant City Manager, Public Works)

Staff recommends approval.

A motion was made by Mr. OKeeffe, seconded by Ms. Dawson, to approve a request for a water well permit regarding the property located at 2949 Megan Lynn Lane . The motion passed by the following vote:

For: 8 -
Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley,
Mr. Mann and Ms. Dawson

10E. [13-0967](#) Consider and take action on a consent to encroach request from Jean Butler Wood for a private sanitary sewer force main line to encroach within the City's Cedar Gully drainage right-of-way and Fire Station #4 property located at 175 West Bay Area Boulevard (Assistant City Manager, Public Works)

Staff request approval, including fee imposition.

Approved on the Consent Agenda

- 10F. [13-0968](#) Consider and take action to grant an Electric Distribution Line Easement to Texas New Mexico Power Company within property owned by the City for the purpose of providing electric distribution service to the public safety facility (Assistant City Manager, Public Works)

Staff recommends approval.

Approved on the Consent Agenda

- 10G. [13-0973](#) Consider and take action on a resolution determining a public necessity to acquire real property interests in certain properties; giving notice of an official determination to acquire real property interests in properties for the Shellside Storm Water Management System Project; and establishing procedures for the acquisition of real property interests in the properties (Assistant City Manager, Public Works)

Staff recommends approval.

Resolution No. 2013-23 approved on the Consent Agenda

- 10H. [13-0953](#) Consider and take action on a request on behalf of the Village Fair and Texas Music Festival (League City Lion's Club) to grant a variance to Chapter 110, Article I, Section 110-5 of the Code of Ordinances of the City of League City entitled "Parades and Processions Generally" for lane closures. (Chief of Police)

Staff recommends approval.

Approved on the Consent Agenda

- 10I. [13-0888](#) Consider and take action to approve the award of Bid 13-015 Hot Mix Asphalt to Century Asphalt. (Director of Finance)

Staff recommends approval

Approved on the Consent Agenda

END OF CONSENT AGENDA

11. **OLD BUSINESS**

- 11A. [13-0970](#) Consider and take action to set a date to hold a public hearing on approving updated land use assumptions and capital improvements plan for water and wastewater facilities, and amending impact fees pursuant to the Texas Local Government Code Section 395.052 (Assistant City Manager, Public Works)

Staff recommends setting the public hearing date for May 28, 2013.

A motion was made by Mr. Mann, seconded by Mr. Kinsey, to approve setting the date for a public hearing on approving updated land use assumptions and capital improvements plan for water and wastewater facilities, and amending impact fees pursuant to the Texas Local Government Code Section 395.052. The motion passed by the following vote:

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley,
Mr. Mann and Ms. Dawson

12. NEW BUSINESS

13. FIRST READING OF ORDINANCES

13A. 13-0971

Consider and take action on an ordinance altering the prima facie speed limits established for vehicles under the provisions of Section 545.356, Texas Transportation Code, upon the basis of an engineering and traffic investigation, upon certain streets and highways, or parts thereof, within the corporate limits of the City of League City, as set out in this ordinance; and providing a penalty of a fine not to exceed \$200 for the violation of this ordinance; reducing the posted speed limit on SH 96 (from SH 3 to FM 270) from 55 MPH to 45 MPH (Assistant City Manager, Public Works)

Staff recommends approval.

Mayor Paulissen said the updated ordinance you have takes into account that it will be 45 mph from Highway 3 to Tuscan Lakes Villages and then from there it will be 55 mph. Whoever makes the motion needs to include that caveat.

A motion was made by Mr. OKeeffe, seconded by Mr. Kinsey, to discuss.

The motion was amended by Mr. OKeeffe, seconded by Mr. Kinsey, to deny. The motion failed by the following vote:

For: 3 -

Mr. OKeeffe, Mr. Kinsey and Ms. Bentley

Opposed: 5 -

Mayor Paulissen, Mr. Becker, Ms. Thiess, Mr. Mann and Ms. Dawson

A motion was made by Mr. Mann, seconded by Mr. Becker, to approve Ordinance No. 2013-17 altering the prima facie speed limits established for vehicles under the provisions of Section 545.356, Texas Transportation Code, upon the basis of an engineering and traffic investigation, upon certain streets and highways, or parts thereof, within the corporate limits of the City of League City, as set out in this ordinance; and providing a penalty of a fine not to exceed \$200 for the violation of this ordinance; reducing the posted speed limit on SH 96 (from SH 3 to FM 270) from 55 MPH to 45 MPH. The motion passed by the following vote:

For: 5 -

Mayor Paulissen, Mr. Becker, Ms. Thiess, Mr. Mann and Ms. Dawson

Opposed: 3 -

Mr. OKeeffe, Mr. Kinsey and Ms. Bentley

14. TABLED ITEMS SUBJECT TO RECALL

14A. 13-0969

Consider and take action to enter into a professional services agreement with Fox and Bubela, Inc. for real property appraisal services for the Texas Avenue - Phase 1 Improvements Project [ST1103] (Assistant City Manager, Public Works)

Council tabled 6-2-0 on April 9, 2013.

Staff recommends no action.

No Action**15. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED**

- 15A. [13-0984](#) Consider and take action on proposed agreement with Redflex for early termination of the contract for photographic red light enforcement (Mayor Paulissen)
- A motion was made by Mayor Paulissen, seconded by Mr. OKeeffe, to approve a proposed agreement with Redflex for early termination of the contract for photographic red light enforcements. The motion passed by the following vote:**

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley, Mr. Mann and Ms. Dawson

- 15B. [13-0983](#) Consider and take action on a request from the League City Lions Club for a variance to Chapter 42, Article II of the Code of Ordinances for the City of League City entitled "Noise" for May 3 and May 4, 2013. (Chief of Police)
- A motion was made by Mr. Kinsey, seconded by Mr. Mann, to approve a request from the League City Lions Club for a variance to Chapter 42, Article II of the Code of Ordinances for the City of League City entitled "Noise" for May 3 and May 4, 2013. The motion passed by the following vote:**

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley, Mr. Mann and Ms. Dawson

- 15C. [13-0987](#) Discussion regarding potential amendments to City requirements regarding eligibility and confirmation of appointees to City boards and commissions (Council Member Kinsey and Council Member Bentley)

Pulled

16. EXECUTIVE (CLOSED) SESSION (S)

At 8:45 p.m. Mayor Paulissen announced the City Council will now go into executive session to discuss the following items:

- 16A. [13-0974](#) Texas Open Meetings Act, Section 551.072 Government Code - Deliberations about real property
- Discuss potential purchase or sale of real property interests (Assistant City Manager, Public Works)
- 16B. [13-0981](#) Texas Open Meetings Act, Section 551.087 Government Code - Deliberations Concerning Economic Development Negotiations
- Discussion of commercial information received from, and possible offers of incentives to, business prospects seeking location within the City of League City, Texas (Director of Planning and Development)

- 16C. [13-0986](#) Texas Open Meetings Act, Section 551.071 Government Code - Consultation with City Attorney
- Consultation with City Attorney to receive legal advice on issues associated with contract for SafeLight League City Program (Mayor Paulissen)
- No Discussion**

At 9:25 p.m. Mayor Paulissen reconvened the regular meeting and announced there was no final action, decision, or vote with regard to any matter considered in the executive session just concluded.

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

18. **ADJOURNMENT**

At 9:25 p.m. Mayor Paulissen said there being no further business this meeting is adjourned.

**TIMOTHY PAULISSEN
MAYOR**

**DIANA M. STAPP
CITY SECRETARY**

(SEAL)

MINUTES APPROVED: June 11, 2013