



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, September 25, 2018

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:

Pat Hallisey

City Council Members:

**Dan Becker
Hank Dugie
Larry Millican
Todd Kinsey
Greg Gripon
Keith Gross
Nick Long**

City Manager:

John Baumgartner

Assistant City Manager

Bo Bass

Assistant City Manager

Michael Kramm

City Attorney:

Nghiem Doan

City Secretary:

Diana M. Stapp

Chief of Police:

Gary Ratliff

Director of Budget/Project Management

Angie Steelman

Director of Engineering:

Christopher Sims

Director of Finance:

Allena Portis

Director of Human Resources/Civil Service:

Janet Shirley

Director of Parks & Cultural Services:

Chien Wei

Director of Planning/Development:

David Hoover

Director of Public Works:

Jody Hooks

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Hallisey called the meeting to order at 6:00 p.m. and called the roll. All members of Council were present Council Member Gripon. Mr. Becker arrived at 6:04 p.m.

Absent 1 - Mr. Greg Gripon

Present 7- Mayor Pat Hallisey, Mr. Dan Becker, Mr. Hank Dugie, Mr. Larry Millican, Mr. Todd Kinsey, Mr. Keith Gross and Mr. Nick Long

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

The invocation was given by Pastor Clint deGroot of the Dominion Church. Mayor Hallisey led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

- 3A. [18-0576](#) June 11, 2018 Special Council Meeting
- 3B. [18-0573](#) July 23, 2018 Budget Work Session
- 3C. [18-0540](#) July 24, 2018 Regular Meeting
- 3D. [18-0577](#) July 30, 2018 Budget Work Session
- 3E. [18-0578](#) July 31, 2018 Budget Work Session - CIP
- 3F. [18-0574](#) August 14, 2018 Regular Meeting

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

4. **PROCLAMATIONS, PRESENTATIONS, AWARDS, AND COMMUNITY SPOTLIGHT**

5. **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. 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 Act. Comments should be directed to the entire Council, not individual members of Council or staff. If addressing a specific agenda item, speakers must keep their remarks specific to the item being considered by the City Council. Any speaker making personal attacks or using vulgar or profane language shall forfeit his/her remaining time and shall be seated.

NAME	ADDRESS	SUBJECT
Marika Fuller	2920 Marlin Ct.	Bayridge Flooding
David Johnson	2426 Thorndon Park	Dickinson Bayou Watershed

6. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

- 6A. [18-0561](#) Hold a public hearing on the submission of a grant application to the Texas Parks and Wildlife Department for a 50%/50% City/State matching grant supporting the Bayridge Park Redevelopment Project (PK11), due to be submitted on or before October 1, 2018 (Director of Parks and Cultural Services)

Mayor Hallisey opened the public hearing at 6:12 p.m.

NAME	ADDRESS
Marika Fuller	2920 Marlin Ct.

Mayor Hallisey closed the public hearing at 6:15 p.m.

- 6B. [18-0563](#) Consider and take action on a resolution authorizing the submission of grant application to the Texas Parks and Wildlife Department for a 50%/50% State/City matching grant supporting the Bayridge Park Redevelopment Project (PK11) (Director of Parks and Cultural Services)

A motion was made by Mr. Long, seconded by Mr. Dugie, to approve Resolution No. 2018-140 authorizing the submission of grant application to the Texas Parks and Wildlife Department for a 50%/50% State/City matching grant supporting the Bayridge Park Redevelopment Project. The motion passed by the following vote:

- For:** 6 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gross and Mr. Long
- Absent:** 1 - Mr. Gripon
- Out of Room:** 1 - Mr. Becker

7. COMMENTS/REPORTS FROM MEMBERS OF COUNCIL

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

Mayor Pro Tem Todd Kinsey – It is good to be back. Last week Mr. Dugie joined me for a good meeting of the Library Board and we talked about what we have in the budget for future planning of the Library beyond 2019, whether to build a new one or expand this one. It was a really good meeting. Briefly over at the library, Learn about electricity and engineering with Snap Circuits on Wednesday, September 26 from 5:00 to 6:00 p.m. in the Theater. This program is part of our STEAM for Tweens series and is for participants from the ages of 8 to 13 years. Create beautiful Mandala designs as a local crafter shares her skills with us. This program is on Monday, October 1 from 6:30 to 8:30 in the Theater and is limited to 20 participants. Sign up at the library or call to register. This program is for adults. Don't miss our annual Star Wars Reads Day! The excitement happens on Saturday, October 7 from 1:30 to 2:30 p.m. in the Library Theater. Come in costume, play games, make crafts and meet Stormtroopers! This event is especially for elementary-aged children, teens and adults. Afterwards, watch Star Wars: The Force Awakens from 3 to 6 p.m. This movie is rated PG-13.

Keith Gross had no comments.

Nick Long – Thanks to everyone for coming out tonight. I want to thank the Mayor for allowing my son to open the meeting. It is his 6th birthday tonight and when he heard I had a council meeting he asked me if I would ask the Mayor if he could hit the hammer to start the meeting. So, he was pretty excited about that. A couple of events coming up, the Chamber is hosting forums for all the people running in the upcoming election. There are various ones, but the most important one that I am participating in is on October 3. There will be another one at noon on October 5 at LaBrisas. Check the Chamber website for all the locations and times. I-45 Now, which is a Facebook newspaper, will have all of them on video so you can look them up from the convenience of your home as well.

Dan Becker was out of the room.

Hank Dugie – Thank you everyone for being here tonight and for tuning in at home. For those boy scouts in the audience, yes, we are on tv and you would be surprised how many people watch. I hear that it is at least dozens. I would like to direct a very important thank you to Ms. Fuller, Mr. Bowman, Ms. Zahler, and Mr. Johnson as well as the countless other citizens who have been keeping the pressure on council and other elected officials to follow through on drainage projects. Over the last year we have discovered that after other natural disasters in the past there has been momentum immediately after and has dissipated with time. There are a lot of people who are disenchanted with the process of getting things done and it takes people like you and many others to hold feet to the fire so we can be successful. In the last couple of weeks there have been some major studies and opportunities that have presented themselves and I think we will be excited to hear more about them as we go into the future. So continue to apply the pressure, continue to work with your neighbors. We have found that League City is going to have to lead the

charge and I think this council is the right group to do it. So keep working with us and we will hopefully find a solution that is suitable for everyone and that will have real and substantial impact so that in the future we won't have to experience another Harvey.

Larry Millican had no comments.

Mayor Hallisey – As you go out into the lobby you will see a sheet of paper from the Fire Marshal's office about what is going on in League City to try to set a Guinness Book World Record. It is called Stop, Drop & Roll and it will be held Friday, October 12 at 8:45 pm at the CCISD Challenger Columbia Stadium 1995 West Nasa Blvd. Courtney Zavala, co-host of KPRC's Houston Life, will emcee the event. They are expecting thousands to turn out.

Tommy Cones, League City Fire Marshal said we started this about three years ago and last year we were hit with Harvey and had to cancel the attempt. This year we are attempting the Guinness World Record again at the Columbia Challenger Stadium on the west side of League City on October 12. That is Fire Prevention Week and we are trying to make this a fun event for children and adults alike. Right after the game we are attempting to get everybody on the football field, and once on the field we are going to stomp down to the ground, we are going to roll to the right, roll to the left and do that for about 30 seconds, get back up and hopefully beat the world record. The current record is 1,719 individuals. We are hoping to have about 3,000 people attempting the record. We are asking everyone to come out to participate and you will receive a free tee shirt provided by some of our sponsors. We need about 150 volunteers to help with the count so if you do not want to get on the ground we have a place for you to participate.

Mayor Hallisey continued, if you saw the front page of the Galveston Daily News today Chico our police dog is retiring after so many years. I don't know what a police dog does after it retires but we wish him well and thank his for his service. And Boy Scouts, if you all can come up and tell us your name, the troop you are part of, how long you have been a scout, and how you are doing on your merit badges. William, age 14, has been in scouts for 3 years and almost a star scout. Ray, age 12, just joined boy scouts from cub scouts and about to get Tenderfoot rank. Jonathan, age 13, has been in boy scouts since the end of fifth grade and have completed 5 merit badges.

8. REPORTS FROM STAFF MEMBERS

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

John Baumgartner, City Manager – just wanted to make one announcement, League City CVB in partnership with Clear Creek Independent School District (CCISD) is happy to announce that League City will be hosting the 20th Annual Texas Basketball Classic tournament April 26-28, 2019. The tournament is operated by Nelson Brand Sports and owner Rick Nelson is here with us this evening. Tournament sites will be grouped around CCISD’s Clear Creek and Clear Falls High School campuses. The three-day tournament will bring more than 125 teams, tournament officials, parents and college scouts into League City and the Bay Area Houston Region. The tournament is expected to generate more than \$500,000 in local economic impact. The CVB will also be partnering with the League City Regional Chamber of Commerce to recruit ambassadors to man information booths at the tournament to provide visitors with a first-class experience.

- 8A. [18-0457](#) Presentation of the Investment Report of the City of League City for the quarter ended June 30, 2018 (Director of Finance)
- 8B. [18-0532](#) Presentation of the final audit report for the Galveston County Municipal Utility District #13 (Director of Finance)

9. **CONSENT AGENDA**

Approval of the Consent Agenda

A motion was made by Mr. Dugie, seconded by Mr. Kinsey, to approve Consent Agenda Items 9A through 9K. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gross and Mr. Long

Absent: 1 - Mr. Gripon

- 9A. [18-0556](#) Consider and take action on a resolution authorizing a contract renewal with Acescapes for City-wide Manicured Mowing Services from October 1, 2018 to September 30, 2019 in an amount not to exceed \$267,906 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2018-141

- 9B. [18-0557](#) Consider and take action on a resolution authorizing a final renewal agreement with Yellowstone Landscape dba BIO Landscape and Maintenance for City-wide Mowing Services in an amount not to exceed \$646,612.81 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2018-142

- 9C. [18-0539](#) Consider and take action on a resolution authorizing an interlocal agreement between the City of League City and the Harris-Galveston Subsidence District (HGSD) for participation in the “Learning to be Water Wise” Program for an amount not to exceed \$11,302.60 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2018-143

- 9D. [18-0541](#) Consider and take action on a resolution authorizing an Interlocal Agreement with Galveston County Health District (GCHD) for certain water pollution control and abatement services in an amount not to exceed \$32,087 (Director of Public Works)
- Approved on the Consent Agenda - Resolution No. 2018-144**
- 9E. [18-0543](#) Consider and take action on a resolution authorizing an Interlocal Agreement with the Harris County Sheriff's Office and the Harris County Central Technology Services for access to the Harris County's Automated Fingerprint Identification System (Chief of Police)
- Approved on the Consent Agenda - Resolution No. 2018-145**
- 9F. [18-0575](#) Consider and take action on a resolution authorizing an agreement with Vertiv Services, Inc. for the replacement of batteries for the (UPS) Uninterrupted Battery Backup System for the Public Safety Building in an amount not to exceed \$78,957.70 (Director of Information Technology and Facilities Services)
- Approved on the Consent Agenda - Resolution No. 2018-146**
- 9G. [18-0559](#) Consider and take action on a resolution authorizing the acceptance for funding, in the amount of \$30,000, from the Texas Commission on Environmental Quality through the Houston Galveston Area Council for the Solid Waste Grant (Fire Marshal)
- Approved on the Consent Agenda - Resolution No. 2018-147**
- 9H. [18-0562](#) Consider and take action to excuse absences (City Secretary)
- Approved on the Consent Agenda**
- 9I. [18-0567](#) Consider and take action on a resolution authorizing the execution of a certificate for the Southeast Texas Housing Corporation (SETH) for the Bayshore Towers Apartments Project (Mayor Hallisey)
- Approved on the Consent Agenda - Resolution No. 2018-148**
- 9J. [18-0571](#) Consider and take action on a resolution authorizing an interlocal agreement with Galveston County and the Galveston County Tax Assessor Collector (GCTO) for Public Improvement District assessor collector services (Director of Finance)
- Approved on the Consent Agenda - Resolution No. 2018-149**
- 9K. [18-0548](#) Consider and take action on Ordinance 2018-28 amending Chapter 102 of the Code of Ordinances of the City of League City, entitled "Subdivisions", deleting Section 102-12 and adopting a new Article III to contain regulations for tree preservation and maintenance - Second Reading (Director of Planning and Development)
- Council approved first reading, 7-0-0 with 1 absent, on September 11, 2018.
- Approved on the Consent Agenda - Ordinance No. 2018-28 Second Reading**

END OF CONSENT AGENDA

10. OLD BUSINESS

10A. 18-0549 Consider and take action on an ordinance amending Ordinance No. 2005-24, to rezone approximately 37.5 acres, PUD-17-0006 (Town Harbour Estates PUD), legally described as Tracts 2, 2-1, 2-2 and 4 of the M. Muldoon Survey, Lot 35 and the southern 10 feet of Lot 34, Block 5 of the Lakeside Addition Subdivision, Lot 34, Block 6 of the Lakeside Addition Subdivision and Lots 1 thru 16, Block 9 of the Lakeside Addition Subdivision, from “CM” (Commercial Mixed Use), “RSF-7” (Residential Single-Family with a minimum lot size of 7,000 square feet) and “RSF-5” (Residential Single-Family with a minimum lot size of 5,000 square feet) to “RSF-7-PUD” (Residential Single-Family with a minimum lot size of 7,000 square feet within a Planned Unit Development Overlay) and “RSF-5-PUD” (Residential Single-Family with a minimum lot size of 5,000 square feet within a Planned Unit Development Overlay), generally located on the west side of Lakeside Drive, north of Marina Bay Drive (FM 2094) and east of South Shore Boulevard in the 600 block of Lakeside Drive in League City, Texas (Director of Planning and Development)

Council postponed the item 7-0-0 with 1 absent on September 11, 2018.

A motion was made by Mr. Becker, seconded by Mr. Dugie, to approve Ordinance No. 2018-30 amending Ordinance No. 2005 24, to rezone approximately 37.5 acres, PUD-17-0006 (Town Harbour Estates PUD), legally described as Tracts 2, 2-1, 2-2 and 4 of the M. Muldoon Survey, Lot 35 and the southern 10 feet of Lot 34, Block 5 of the Lakeside Addition Subdivision, Lot 34, Block 6 of the Lakeside Addition Subdivision and Lots 1 thru 16, Block 9 of the Lakeside Addition Subdivision, from “CM” , “RSF-7” and “RSF-5” to “RSF-7 PUD” and “RSF-5 PUD”.

A motion to amend was made by Mr. Dugie, seconded by Mr. Millican, to allow all of the variances except for the tree mitigation on the front lawns and to add the split drainage plan as part of the approval. The motion to amend passed by the following vote:

For: 6 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Kinsey, Mr. Gross and Mr. Long

Opposed: 1 - Mr. Millican

Absent: 1 - Mr. Gripon

The motion to approve the ordinance as amended passed by the following vote:

For: 6 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Kinsey, Mr. Gross and Mr. Long

Opposed: 1 - Mr. Millican

Absent: 1 - Mr. Gripon

11. NEW BUSINESS

11A. 18-0531 Consider and take action on a resolution denying the Texas-New Mexico Power Company’s proposed rate increase in connection with its statement of intent submitted on or about May 30, 2018 (City Attorney)

A motion was made by Mr. Kinsey, seconded by Mr. Millican, to approve Resolution No. 2018-150 denying the Texas New Mexico Power Company’s proposed rate increase in connection with its statement of intent submitted on or about May 30, 2018. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gross and Mr. Long

Absent: 1 - Mr. Gripon

12. FIRST READING OF ORDINANCES

- 12A. [18-0530](#) Consider and take action on an ordinance approving an ad valorem tax rate for the City of League City, Texas, upon all taxable property within the corporate limits of the City for the Fiscal Year ending September 30, 2019; directing the assessment and collection thereof; providing for a severability clause; and providing for an effective date (Director of Finance)

Staff requests first and final reading.

A motion was made by Mr. Long, seconded by Mr. Kinsey, to approve Ordinance No. 2018-31 approving an ad valorem tax rate for the City of League City, Texas, upon all taxable property within the corporate limits of the City for the Fiscal Year ending September 30, 2019; directing the assessment and collection thereof; providing for a severability clause; and providing for an effective date. The motion passed by the following vote:

For: 6 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gross and Mr. Long

Opposed: 1 - Mr. Becker

Absent: 1 - Mr. Gripon

A motion was made by Mr. Kinsey, seconded by Mr. Gross, to approve first and final reading of Ordinance No. 2018-31. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gross and Mr. Long

Absent: 1 - Mr. Gripon

13. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED

14. EXECUTIVE(CLOSED) SESSION(S)

At 7:05 p.m. Mayor Hallisey announced the City Council will now go into executive session to discuss the following items:

- 14A. [18-0554](#) Texas Open Meetings Act, Section 551.072 Government Code - Deliberations about real property
- Discuss potential purchase or sale of real property interests (Director of Budget & Project Management)
- 14B. [18-0535](#) Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters
- Discuss employment, appointment or evaluation of a public officer or employee, to-wit: Municipal Court Judge(s) (Assistant City Manager)

- 14C. [18-0569](#) Texas Open Meetings Act Section 551.071 Government Code - Consultation with Attorney
- Consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct to the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, to-wit: legal issues related to Public Improvement Districts 2 and 3 (City Attorney)
- 14D. [18-0580](#) Texas Open Meetings Act Section 551.071 Government Code - Consultation with Attorney
- Consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct to the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, to-wit: legal issues related to Public Improvement District 1 (City Attorney)

At 7:45 p.m. Mayor Hallisey 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.

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

- 15A. [18-0555](#) Consider and take action on discussion concerning potential purchase or sale of real property interests (Director of Budget & Project Management)
- A motion was made by Mr. Kinsey, seconded by Mr. Millican, to authorize staff to proceed with negotiations and approve an Offer to Sell and Purchase for a right-of-way acquisition at 2155 Gulf Freeway South, Houston Garden Center, as discussed in executive session. This acquisition supports the Calder Road Improvements Project, CIP #ST1002. The motion passed by the following vote:**
- For:** 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gross and Mr. Long
- Absent:** 1 - Mr. Gripon
- 15B. [18-0536](#) Consider and take action on the employment, appointment or evaluation of a public officer or employee, to-wit: Municipal Court Judge(s) (Assistant City Manager)
- No Action**
- 15C. [18-0570](#) Consider and take action on legal issues related to Public Improvement Districts 2 & 3 (City Attorney)
- A motion was made by Mr. Kinsey, seconded by Mr. Long, to direct city staff to move forward with processing refunds of assessments for PID's 2 and 3 as discussed in executive session, using the proportionate methods as used for the PID 1 Interpleader Funds. The motion passed by the following vote:**
- For:** 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gross and Mr. Long
- Absent:** 1 - Mr. Gripon

- 15D. [18-0581](#) Consider and take action on legal issues related to Public Improvement District 1 (City Attorney)
No Action

16. **ADJOURNMENT**

At 7:48 p.m. Mayor Hallisey said, there being no further business this meeting is adjourned.

**PAT HALLISEY
MAYOR**

**DIANA M. STAPP
CITY SECRETARY**

(SEAL)

MINUTES APPROVED: November 27, 2018