



# City of League City, TX

300 West Walker  
League City TX 77573

## Meeting Agenda City Council

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Tuesday, September 28, 2010

6:00 PM

Council Chambers - 200 West Walker Street

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### Regular Meeting

1. **CALL TO ORDER AND ROLL CALL OF MEMBERS**
2. **INVOCATION, PLEDGE OF ALLEGIANCE TO THE U.S. FLAG AND PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG**

Invocation given by Ralph Bryant, Minister of League City Church of Christ

3. **APPROVAL OF MINUTES**

3A [10-0168](#) August 24, 2010 Regular Meeting  
*Attachments:* [August 24, 2010 Regular Meeting](#)

3B [10-0176](#) August 31, 2010 Special Meeting  
*Attachments:* [August 31, 2010 Workshop](#)

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

4A [10-0177](#) Consider and take action on appointments to the Zoning Board of Adjustment (Mayor Randall)  
  
Mayor recommends Elaine Kosty, Alternate No. 2, for Position No. 1 Term expires December 31, 2010 and Richard Stephenson, Alternate No. 1, for Position No. 5 Term expires December 31, 2010.

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

5A [10-0170](#) Hold a public hearing on 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)

**Attachments:**    [Excerpt of P&Z Minutes from September 13, 2010](#)  
[Staff Report](#)  
[PON Map with Petition Area](#)  
[Petition](#)  
[Photographs of Site](#)  
[Aerial Map](#)  
[Applicant Response to Compliance with Chapter 42](#)  
[Report on Land Subsidence](#)  
[Noise Survey](#)  
[Traffic Routing and Management Plan](#)  
[Exhibit of Proposed Buffer Yard and Site Plan](#)  
[Photo of Valve Site for Natural Gas Pipeline](#)  
[Easement Agreements for Pipeline Crossing](#)  
[Opposition Letters](#)

**5B      10-0171**

Consider and take action on an ordinance amending Ordinance No. 2005-24 to rezone approximately 2.8 acres (Z10-05 South Hammock #5) 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)

Planning and Zoning Commission recommended denial 6-2-0 on September 13, 2010.

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[Traffic Routing and Management Plan](#)  
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[Photo of Valve Site for Natural Gas Pipeline](#)  
[Easement Agreements for Pipeline Crossing](#)  
[Opposition Letters](#)  
[Proposed Ordinance - Rezone So Hammock](#)  
[Ordinance Exhibit A](#)

**5C**      [10-0172](#)

Hold a public hearing on 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)

**Attachments:**

[Excerpt of P&Z Minutes from September 13, 2010](#)

[Staff Report](#)

[PON Map with Petition Area](#)

[Petition](#)

[Photographs of Site](#)

[Aerial Map](#)

[Applicant Response to Compliance with Chapter 42](#)

[Report on Land Subsidence](#)

[Noise Survey](#)

[Traffic Routing and Management Plan](#)

[Exhibit of Proposed Buffer Yard and Site Plan](#)

[Photo of Valve Site for Natural Gas Pipeline](#)

[Opposition Letters](#)

[Easement Agreements for Pipeline Crossing](#)

**5D**      [10-0173](#)

Consider and take action on an ordinance amending Ordinance No. 2005-24 for a Special Use Permit (SUP) on approximately 2.8 acres (SUP10-04 South Hammock #4) 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)

Planning and Zoning Commission recommended denial 5-3-0 on September 13, 2010.

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[Opposition Letters](#)  
[Proposed Ordinance](#)  
[Ordinance Exhibit A](#)

**5E**        [\*\*10-0174\*\*](#)

Hold a public hearing on 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 6,580 feet in length and containing approximately 0.8 acres on property zoned “OS” (Open Space), “RSF-5” (Single-family residential with a minimum lot size of 5,000 square feet) and “RSF-10” (Single-family residential with a minimum lot size of 10,000 square feet), legally described as portions of Lots 24-2, 24-3, 24-6, 24-7, 24-8, 24-9, 31-4, 33-2, 33-6, 33-7, 34-2, 34-4 and 35-3 of League City Division B and also portions of Lots 26-6, 26-7, 26-8, 26-9, 27-2, 27-4, 27-5 and 27-6 of League City Division C, generally located north of Hewitt Street and east and west of Texas Avenue (Director of Planning and Research)

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[Petition](#)  
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[Aerial Map](#)  
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[Photo of Valve Site for Natural Gas Pipeline](#)  
[Easement Agreements for Pipeline Crossing](#)  
[Opposition Letters](#)

- 5F      [10-0175](#)      Consider and take action on an ordinance amending Ordinance No. 2005-24 for a Special Use Permit (SUP) for a “minor utility” use [natural gas pipeline] within a 5-foot wide corridor being approximately 6,580 feet in length and containing approximately 0.8 acres (SUP10-03 South Hammock #3) on property zoned “OS” (Open Space), “RSF-5” (Single-family residential with a minimum lot size of 5,000 square feet) and “RSF-10” (Single-family residential with a minimum lot size of 10,000 square feet), legally described as portions of Lots 24-2, 24-3, 24-6, 24-7, 24-8, 24-9, 31-4, 33-2, 33-6, 33-7, 34-2, 34-4 and 35-3 of League City Division B and also portions of Lots 26-6, 26-7, 26-8, 26-9, 27-2, 27-4, 27-5 and 27-6 of League City Division C, generally located north of Hewitt Street and east and west of Texas Avenue (Director of Planning and Research)

Planning and Zoning Commission motion to recommend denial failed 4-4-0 on September 13, 2010.

Attachments:

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[Petition](#)

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[Aerial Map](#)

[Applicant Response to Compliance with Chapter 42](#)

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[Easement Agreements for Pipeline Crossing](#)

[Proposed Ordinance](#)

[Ordinance Exhibit A](#)

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.

**7. COUNCIL MEMBERS COMMENTS/REPORTS**

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

**8. MAYOR COMMENTS/ REPORT**

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

**9. REPORTS FROM STAFF MEMBERS**

[10-0185](#) Staff Report

Attachments: [Staff Report](#)

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

**10. CONSENT AGENDA**

- 10A**     [10-0169](#)     Consider and take action on a resolution authorizing suspension of the effective date of the Texas-New Mexico Power Company's rate increase and the intervention in the Public Utility Commission Docket No. 38480, authorizing the City to join with the Alliance of Texas-New Mexico Power Municipalities (ATM), and authorizing provision of experts and legal representation (Assistant City Manager, Management Services)

Staff recommends approval.

Attachments:     [Proposed Resolution](#)

- 10B**     [10-0156](#)     Consider and take action on a resolution consenting to the sale and issuance of Unlimited Tax Bonds, Series 2010A for Galveston County Municipal Utility District No. 46 and authorizing and directing the Mayor to execute and the City Secretary to attest same for and on behalf of the City (Assistant City Manager, Management Services)

Staff recommends approval.

Attachments:     [GCMUD46 Bond Resolution](#)  
[Letter from First Southwest 090710](#)  
[Cash Flow Analysis GCMUD 46](#)  
[Use of Bond Proceeds GCMUD 46](#)

- 10C**     [10-0180](#)     Consider and take action to grant a variance to Chapter 90 of the Code of Ordinances for the City of League City allowing the Bay Area Charter School to hang a banner across FM 518 advertising enrollment for Ed White Memorial High School (Assistant City Manager, Public Works)
- The Special Events Committee supports the variance pending approval from TxDOT.
- Attachments:     [Letter to TxDOT w/Application](#)
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- 10D**     [10-0181](#)     Consider and take action to grant a variance to Chapter 90 of the Code of Ordinances for the City of League City allowing the Watershed Church to hang a banner across FM 518 advertising their community wide festival event being held on October 31, 2010 (Assistant City Manager, Public Works)
- The Special Events Committee supports the variance pending approval from TxDOT.
- Attachments:     [Letter to TxDOT w/application](#)
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- 10E**     [10-0178](#)     Consider and take action on a request from the Gilmore Elementary Parent Teachers Association (PTA) to grant a variance to Chapter 110, Article I, Section 110-5 of the Code of Ordinances for the City of League City entitled "Parades and Processions Generally" for their 5th Annual 1K Fun Run on October 16, 2010 (Assistant City Manager, Public Safety)
- Staff has no recommendation.
- Attachments:     [2010 Gilmore Fun Run Application](#)  
                              [Fun Run Map](#)
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- 10F**     [10-0192](#)     Consider and take action to award the construction contract for the Emergency Generators at 12 Lift Stations project (City of League City Bid No. 10-0020) and provide funding (Director of Planning and Research)
- Staff recommends award of construction project to McDonald Electric for the bid amount.
- Attachments:     [PBK letter of recommendation with bid tabulation](#)  
                              [TDRA award letter, with Contract DRS0100096](#)  
                              [Approved Agenda items 05/26/09,06/23/10,07/13/10](#)  
                              [Copy of Resolution 2010-22](#)  
                              [Location exhibit](#)

### **END OF CONSENT AGENDA**

### **11.     OLD BUSINESS**

**12. NEW BUSINESS**

- 12A     [10-0194](#)     Consider and take action on a request from League City Proud to waive costs incurred by the City associated with Holiday in the Park events and to approve a parade permit for Saturday, December 4, 2010 as required by Chapter 110, Section 110-5 (Council Member Baron)
- Attachments:*     [Ordinance No. 2010-11 regarding Parades](#)
- 12B     [10-0195](#)     Consider and take action on a resolution amending Resolution No. 2010-26 regarding the placement of matters on agendas for City Council regular meetings, special meetings, workshops or other called meetings (Mayor Randall)
- Attachments:*     [Proposed Resolution](#)  
                              [Resolution No. 2010-26 dated July 27, 2010](#)

**13. FIRST READING OF ORDINANCES**

- 13A     [10-0157](#)     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, 2011; directing the assessment and collection thereof; providing for a severability clause; and providing for an effective date (Assistant City Manager, Management Services)
- Staff recommends approval of ordinance on first and final reading with a tax rate of \$0.616.
- Attachments:*     [Tax Rate Ordinance FY2011](#)

**14. TABLED ITEMS SUBJECT TO RECALL****15. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED****16. EXECUTIVE (CLOSED) SESSION (S)****17. ACTION ITEM(S) FROM EXECUTIVE SESSION(S)****18. ADJOURNMENT**

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TONI RANDALL  
MAYOR



**CERTIFICATE OF NOTICE**

This is to certify that the above Notice of Meeting was posted on the bulletin board of City Hall of the City of League City, Texas, on or before the 24th day of September, 2010 prior to 12:30 p.m. and was posted in accordance with the Texas Open Meetings Act.

The City Council of the City of League City, Texas reserves the right to meet in closed session on any of the items listed above should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code: 551.071 Consultations with Attorney, 551.072 Deliberations about Real Property, 551.073 Deliberations about Gifts and Donations, 551.074 Personnel Matters, 551.076 Deliberations about Security Devices, and 551.087 Deliberations Regarding Economic Development Negotiations.

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**BARBARA F. LONG**  
**CITY SECRETARY**

(SEAL)

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**NOTE: In compliance with the Americans With Disabilities Act, this facility is wheel chair accessible and accessible parking spaces are available. Requests for special accommodations or interpretive services must be made at least 48 hours prior to this meeting. Please contact the City Secretary's Office at 281-554-1030 or by FAX 281-554-1035.**

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