



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, June 23, 2015

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
Tommy Cones
Heidi Hansing
Todd Kinsey
Geri Bentley
Keith Gross
Nick Long**

City Manager:

Mark Rohr

Deputy City Manager:

John Baumgartner

City Attorney:

Nghiem V. Doan

City Secretary:

Diana M. Stapp

Chief of Police:

Michael Kramm

Director of Engineering:

Earl Smith

Director of Finance:

Rebecca Underhill

Director of Human Resources/Civil Service:

Queenell Fox

Director of Parks & Cultural Services:

Chien Wei

Director of Planning & Development:

Paul Menzies

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Paulissen called the meeting to order at 6:00 p.m. and called the roll. All members of Council were present with Council Member Tommy Cones attending remotely by videoconference from the Sheraton Chicago Hotel, 301 E. North Water Street, Chicago, IL 60611.

Present 8 - Mayor Tim Paulissen, Mr. Dan Becker, Mr. Tommy Cones, Ms. Heidi Hansing, Mr. Todd Kinsey, Ms. Geri Bentley, 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 Rev. Lance Richards of the Watershed Church. Mayor Paulissen led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A. 15-0374 June 9, 2015 Regular Meeting

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

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

4A. 15-0368 Consider and take action on appointments to the Finance Committee (Mayor Paulissen)

Position 1. Mayor's Appointee - Council Member Nick Long - Term to expire 06/30/16

A motion was made by Mayor Paulissen, seconded by Ms. Bentley, to approve the reappointment of Nick Long. The motion passed by the following vote:

For: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

Position 5. Council Position 3 (Heidi Hansing) Appointee - Tom Dill - Term to expire 06/30/16

A motion was made by Mayor Paulissen, seconded by Ms. Bentley, to approve the reappointment of Tom Dill. The motion passed by the following vote:

For: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

Position 6. Council Position 4 (Todd Kinsey) Appointee - Juan Guerrero - Term to expire 06/30/16

A motion was made by Mayor Paulissen, seconded by Ms. Bentley, to approve the reappointment of Juan Guerrero. The motion passed by the following vote:

For: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

5. **COMMUNITY SPOTLIGHT**

6. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

City Manager Mark Rohr said just to provide some context in terms of what we are doing and where it fits in with the big picture of where the City's heading, when I first got here we set about the task of trying to analyze all the property that the City owned and to make a listing of those and review that listing to evaluate whether or not that was property we needed to retain going forward. Through that process we determined that there are several properties that we no longer needed and there's a three-fold process or reason behind trying to move those properties out into the private sector. Number one, it generates a little revenue for us in selling the property that we can use toward some new City initiatives, more specifically those that are outlined in the Road Map to the Future, which is the community's plan that we developed back in January and Council approved in February. Number two, you put those properties back on the tax rolls and the City can generate some revenue as a result of doing so. Number three, you reduce the amount of operations and maintenance because you don't have to maintain those properties any more. So what you see here tonight are four of those properties that have been determined as no longer needed by the City, valuable properties, but not necessarily for what we're working on. And the request is before Council this evening to rezone those properties so that we can advertise those and get those back on the market.

- 6A. 15-0383 Hold a public hearing on Zone Change Application, Z15-08 (2103 Austin Street), a request to rezone approximately 2.9 acres from "OS" (Open Space) to "RSF-20" (Single Family Residential with a minimum lot size of 20,000 square feet), generally located south of Austin Street, east of Texas Avenue and west of South Egret Bay Boulevard (FM 270), with the approximate address being 2103 Austin Street in League City, Texas (Director of Planning and Development)

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

No one signed up to speak.

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

- 6B. 15-0384 Consider and take action on an ordinance amending Ordinance No. 2005-24, to rezone approximately 2.9 acres (Z15-08 2103 Austin Street) from "OS" (Open Space) to "RSF-20" (Single Family Residential with a minimum lot size of 20,000 square feet), generally located south of Austin Street, east of Texas Avenue and west of South Egret Bay Boulevard (FM 270), with the approximate address being in 2103 Austin Street in League City, Texas (Director of Planning and Development)

Planning & Zoning Commission recommended approval, 7-0-0 on May 18, 2015.

A motion was made by Mr. Becker, seconded by Mr. Kinsey, to approve Ordinance No. 2015-19 amending Ordinance No. 2005 24, to rezone approximately 2.9 acres (Z15-08 2103 Austin Street) from "OS" (Open Space) to "RSF 20" (Single Family Residential with a minimum lot size of 20,000 square feet). The motion passed by the following vote:

For: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

- 6C. 15-0386 Hold a public hearing on Zone Change Application, Z15-09 (Marina Bay / Davis Road), a request to rezone approximately 1.3 acres from "PS" (Public / Semi-Public) to "CG" (General Commercial), generally located south of the GENCO cooling canal, east of Davis Road and west of Marina Bay Drive (FM 2094), with the approximate address being in the 2400 block of Marina Bay Drive in League City, Texas (Director of Planning and Development)

Mayor Paulissen opened the public hearing at 6:07 p.m.

NAME	ADDRESS
Al Parrish	1011 Westcott, Houston

Mayor Paulissen closed the public hearing at 6:10 p.m.

- 6D. 15-0387 Consider and take action on an ordinance amending Ordinance No. 2005-24, to rezone approximately 1.3 acres (Z15-09 Marina Bay/Davis Road) from "PS" (Public / Semi-Public) to "CG" (General Commercial), generally located south of the GENCO cooling canal, east of Davis Road and west of Marina Bay Drive (FM 2094), with the approximate address being in the 2400 block of Marina Bay Drive in League City, Texas (Director of Planning and Development)

Planning & Zoning Commission motion to recommend approval failed, 3-5-0 on June 1, 2015.

A motion was made by Mayor Paulissen, seconded by Mr. Kinsey, to approve Ordinance No. 2015-20 amending Ordinance No. 2005-24, to rezone approximately 1.3 acres (Z15-09 Marina Bay/Davis Road) from "PS" (Public / Semi Public) to "CG" (General Commercial). The motion passed by the following vote:

For: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

- 6E. 15-0393 Hold a public hearing on Zone Change Application, Z15-10 (2002 Marina Bay Dr.), a request to rezone approximately 0.3 acres from "PS" (Public / Semi-Public) to "CN" (Neighborhood Commercial), generally located north of Marina Bay Drive (FM 2094), east of Seminole Drive and west of Glen Cove Boulevard with the approximate address being 2002 Marina Bay Drive in League City, Texas (Director of Planning and Development)

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

No one signed up to speak

Mayor Paulissen closed the public hearing at 6:12 p.m.

- 6F. 15-0394 Consider and take action on an ordinance amending Ordinance No. 2005-24, to rezone approximately 0.3 acres (Z15-10 2002 Marina Bay Drive) from "PS" (Public / Semi-Public) to "CN" (Neighborhood Commercial), generally located north of Marina Bay Drive (FM 2094), east of Seminole Drive and west of Glen Cove Boulevard with the approximate address being 2002 Marina Bay Drive in League City, Texas (Director of Planning and Development)

Planning and Zoning Commission recommended approval, 7-0-0 on May 18, 2015.

A motion was made by Mayor Paulissen, seconded by Ms. Bentley, to approve Ordinance No. 2015-21 amending Ordinance No. 2005-24, to rezone approximately 0.3 acres (Z15-10 2002 Marina Bay Drive) from "PS" (Public / Semi Public). The motion passed by the following vote:

For: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

- 6G. 15-0392 Hold a public hearing on Zone Change Application, Z15-12 (355 Newport Blvd.), a request to rezone approximately 0.4 acres from "PS" (Public / Semi-Public) to "CG" (General Commercial), generally located south of West Main Street (FM 518), east of Ellis Landing and west of Newport Boulevard, with the approximate address being 355 Newport Boulevard in League City, Texas (Director of Planning and Development)

Mayor Paulissen opened the public hearing at 6:13 p.m.

No one signed up to speak.

Mayor Paulissen closed the public hearing at 6:13 p.m.

- 6H. 15-0389 Consider and take action on an ordinance amending Ordinance No. 2005-24, to rezone approximately 0.4 acres (Z15-12 355 Newport Boulevard), from "PS" (Public / Semi-Public) to "CG" (General Commercial), generally located south of West Main Street (FM 518), east of Ellis Landing and west of Newport Boulevard, with the approximate address being 355 Newport Boulevard in League City, Texas (Director of Planning and Development)

Planning and Zoning Commission recommended to amend and approve the zoning of the property to "CN" (Neighborhood Commercial), 7-0-0 on May 18, 2015.

A motion was made by Mayor Paulissen, seconded by Mr. Long, to approve Ordinance No. 2015-22 amending Ordinance No. 2005-24, to rezone approximately 0.4 acres (Z15-12 355 Newport Boulevard), from "PS" (Public / Semi Public) to "CG" (General Commercial). The motion passed by the following vote:

For: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

7. 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
Lisa Switoyus	2120 Emerald Cove Dr.	MarBella
Monica Millican	934 Plantation	Animal Shelter Food
Brad Northcutt	4813 Palomar Lane	MarBella
Mike Bohn	1001 Enterprise Blvd	Veranda Townhomes
Joy Yarbrough	4621 Miramar	MarBella
Keith Hardcastle	4613 Miramar	MarBella

8. COUNCIL MEMBERS COMMENTS/REPORTS

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

Todd Kinsey said all kinds of good stuff happening over at the Library. On Wednesday, June 24, come to the library to cool down with an ice cream cone craft. No real food is used. Drop in between 10:15 a.m. and 11:15 a.m. for ages 2 ½ to 5 years, including children entering kindergarten. Free tickets are required and are distributed fifteen minutes before the event. No registration is required. Programs are for individuals, not groups or daycares. On June 25, check out Captain America's All American Reading Show. Steve Rogers of Incredible Events will be on hand to talk about his super hero friends, reading, and some of the coolest technology ever invented. Free tickets are required and are distributed fifteen minutes before the event. Space is limited so parents and younger siblings will not be admitted. Programs are for individuals, not groups or day cares. And finally, on Sunday, July 12, there will be a stage production of Robin Hood. The Hampstead Stage Company from New Hampshire will present a two person show with audience participation. All family events are free. Adults must be accompanied by a child. Free tickets are distributed 15 minutes before the event.

Dan Becker had no comments.

Nick Long said if there's one complaint I hear about probably the most in League City, besides currently power lines, it is traffic and specifically the five corners intersection. Well, the City is finally getting off dead center and kind of moving forward on this, so I would have encourage anybody that's interested that wants to learn more there is a five corner public information meeting on July 23 from 5:30 p.m. to 7:30 p.m. at the Arolfo Civic Center next door. It'll present the plan, lay out what we're going to do, give everybody a good idea, kind of dispel some of the misnomers out there so I encourage you to go. Put it on your calendars now.

Keith Gross said I want to welcome all of you to the city council meeting today. I would to thank Mark Rohr, John Baumgartner, Diana Stapp, and Bridget Kramer for preparing the agenda for this session. You can see how long it is so you can see how hard they work so I wanted to give my thanks and appreciation and I appreciate you all coming here to participate in your government.

Heidi Hansing said I do want to thank everyone who continues to come from MarBella to speak to us. It is invaluable and it has forced a lot of progress and for that I'm very grateful. I do have something different to do tonight. I don't know if many of you have been to League City Park or maybe Hometown Heroes, but you will notice that there are families and community members that are able to work with the American Legion to recognize those who live in League City who've served. It doesn't matter how long ago they've served or how they served or where, we just want to notice and to emphasize our Hometown Heroes. Tonight I have the significant honor of being able to present one of those banners which we haven't had an opportunity to do before and I'm so glad we are able to do it tonight and not wait until after the 4th of July because that's when our next meeting would be. I would like to tell you a little bit about the man that I have a banner for tonight. His name is David Frazier. He's a resident of League City as is many of his family members and he's here tonight with his wife, Toni, his daughter, Paula, his son Rick, and little Lily. David entered the Army when he was eighteen years old in Fort Ord, California and he served as a Spec 4 in the U.S. Army honorably from 1969 through 1975 in the Vietnam War. He was awarded the Bronze Star for his meritorious achievement in ground operations in Vietnam and he received the Army Commendation Medal in 1970. David is currently active in our community here in League City and his church. I think there are some of his church members here as well as some of his veteran brothers. He's being honored with one of these Hometown Hero banners that will be hung and permanently displayed in League City Park or along the Hometown Heroes Walk.

Geri Bentley said I would like to welcome everybody here today and thank all of you MarBella or future MarBella folks for coming. Hopefully we can get you in your homes quick. We appreciate all of your comments and your participation in city politics. That's what this is all about. We hear you. We're working with you. I would like to let you know that one of the items on our agenda tonight is the refunding of a bond. Those things usually go by pretty fast and you don't always know about them but in refunding this bond we are saving the City \$1.5 million. That's a great effort to our finance department for always keeping an eye out on these things and when they can be done. Also, I would like to say that under the direction of City Council, City Manager and City Auditor, we have established a Policies and Procedures Manual over the last year in all of our departments. These are for all the employees who run under all of our departments. We are trying to run our City compassionately, efficiently, and with sound business practices and that what our auditor has helped bring to our City.

Tommy Cones had no comments.

9. MAYOR COMMENTS/ REPORT

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

Mayor Paulissen said I want to reiterate the comments from my colleagues about all the citizens of MarBella and future citizens of MarBella out there. This has been an eye-opening situation and I do want to say special thanks to our staff because they have put in lots of hours, our attorney has put in lots of hours and we're doing everything we can to come up with some solutions to this problem and I think we're getting real close. I appreciate all your comments and that's what we have the dais for, to give your comments to our colleagues here. I do want to say that one of the fun things we do here is we have the 4th of July Citizen Appreciation Day. This year it's going to be from 10:30 a.m. to 4:00 p.m. at League Park. I'm not going to be in town on the 4th but Mayor Pro Tem Bentley will be there to make any remarks on my behalf and the City's behalf. There will be lots of hot dogs. I think we give out two or three thousand hot dogs that day. We have our League City Symphony, a lot of entertainment, and it's just a fun event so if you don't have anything to do on the 4th of July, please come out to League Park.

10. REPORTS FROM STAFF MEMBERS

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

11. CONSENT AGENDA**Approval of the Consent Agenda**

Agenda Item 11F was pulled by staff, Item 11H was pulled by Ms. Hansing

A motion was made by Mayor Paulissen, seconded by Mr. Kinsey, to approve Consent Agenda Items 11A through 11J, with the exceptions of 11F and 11H. The motion passed by the following vote:

For: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

- 11A. 15-0366 Consider and take action on a request on behalf of the League City International Triathlon 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, and to use Hotel Occupancy Taxes to fund the city costs associated with traffic control for the event (Chief of Police)

Approved on the Consent Agenda

- 11B. 15-0388 Consider and take action on a resolution determining a public necessity to acquire real property interests in certain properties for the Calder Road - Ervin to League City Parkway Project, the Butler/Turner Improvements Project, and the 30-Inch Gravity Sewer on Calder Road Project, and authorizing the use of eminent domain powers for the acquisition of the acquisition of real property interests in the properties (Deputy City Manager)

Resolution No. 2015-27 was approved on the Consent Agenda

- 11C. 15-0382 Consider and take action on acceptance of a "Utility Conveyance and Security Agreement" with Galveston County Municipal Utility District No. 45 for water, sanitary sewer, and drainage facilities associated with the following developments: (1) Hidden Lakes, Section 6; (2) Hidden Lakes, Section 7; (3) Bishop's Bridge (formerly Emerald Way); and (4) South Shore Boulevard, Phase 4 (Deputy City Manager)

Approved on the Consent Agenda

- 11D. 15-0385 Consider and take action on acceptance of a "Utility Conveyance and Security Agreement" with Galveston County Municipal Utility District No. 46 for water, wastewater, and drainage facilities to serve Mar Bella, Section 15C (Deputy City Manager)

Approved on the Consent Agenda

- 11E. 15-0378 Consider and take action on the approval of a "Right of Entry and Temporary Use Agreement" with West Oak Development for temporary access to The City's Southwest Water Reclamation Facility (SWWRF) (Deputy City Manager)

Approved on the Consent Agenda

- 11F. 15-0371 Consider and take action on final acceptance of a municipal infrastructure to approve the private streets and storm sewer to serve Veranda Townhomes Phase One (Deputy City Manager)

No Action

- 11G. 15-0372 Consider and take action to approve a release of service area for water and sanitary utilities to Galveston County Water Control and Improvement District Number 1, for the service area of: lots 1A, 2A, 3A & 2 of Monsant Villas (Bess Road #1060, #1070, #1080 & #1090) (Deputy City Manager)

Approved on the Consent Agenda

- 11H. 15-0373 Consider and take action to approve a resolution to support the creation of the Lower Brazos River Coalition (Deputy City Manager)

A motion was made by Mayor Paulissen, seconded by Mr. Long, to approve Resolution No. 2015-28 supporting the creation of the Lower Brazos River Coalition. The motion passed by the following vote:

For: 5 - Mayor Paulissen, Mr. Becker, Mr. Cones, Mr. Gross and Mr. Long

Opposed: 3 - Ms. Hansing, Mr. Kinsey and Ms. Bentley

- 11I. 15-0376 Consider and take action to award a bid for the purchase of petroleum products to Apache Oil (Director of Finance)

Approved on the Consent Agenda

- 11J. 15-0375 Consider and take action on a resolution consenting to the sale and issuance of Unlimited Tax Refunding Bonds, Series 2015C for the Galveston County MUD #43 in an amount not to exceed \$6,890,000 and authorizing the Mayor to execute and the City Secretary to attest same for and on behalf of the City of League City (Director of Finance)

Resolution No. 2015-29 was approved on the Consent Agenda

END OF CONSENT AGENDA

12. OLD BUSINESS

13. NEW BUSINESS

14. FIRST READING OF ORDINANCES

- 14A. 15-0367 Consider and take action on an ordinance approving the delegation to certain city officers of the City Council's authority to approve certain contracts for budgeted items (Director of Finance)

A motion was made by Mayor Paulissen, seconded by Mr. Kinsey, to approve Ordinance No. 2015-23 approving the delegation to certain city officers of the City Council's authority to approve certain contracts for budgeted items. The motion passed by the following vote:

For: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

- 14B. 15-0395 Consider and take action on an ordinance to amend Chapter 102 of the Code of Ordinances of the City of League City entitled "Subdivisions" (Director of Planning and Development)

Staff recommends approval on first and final reading.

A motion was made by Mayor Paulissen, seconded by Ms. Hansing, to approve first and final reading of the ordinance. The motion passed by the following vote:

For: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

A motion was made by Mr. Long, seconded by Mr. Kinsey, to approve Ordinance No. 2015-24 with the following changes:

Sec. 102-14 (b) to include copy of ordinance with the notification that is mailed by the application; Sec. 102-14 (F) extend amount of time for appeal by Council from 30 to 45 days

The motion passed by the following vote:

For: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

15. TABLED ITEMS SUBJECT TO RECALL**16. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED****17. EXECUTIVE (CLOSED) SESSION (S)**

At 6:54 p.m. Mayor Paulissen announced the City Council will now go into executive session to discuss the following items:

- 17A. 15-0369 Texas Open Meetings Act, Section 551.072 Government Code - Deliberations about real property**
- Discuss potential purchase or sale of real property interests (Deputy City Manager)**
- 17B. 15-0380 Texas Open Meetings Act, Section 551.071 Government Code - Consultation with City Attorney**
- Consultation with City Attorney regarding potential litigation to enforce the City's ordinance related to overhead power lines (City Attorney)**

At 7:55 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.

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

- 18A. 15-0370 Consider and take action on discussion concerning potential purchase or sale of real property interests (Deputy City Manager)**
- No Action**
- 18B. 15-0381 Consider and take action on consultation with City Attorney regarding potential litigation to enforce the City's ordinance related to overhead power lines (City Attorney)**
- Mayor Paulissen said the City of League City and Taylor Morrison have met and are working on a resolution of the power service issues in MarBella.**
- No Action**

19. ADJOURNMENT

At 7:57 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: