



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, August 11, 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.

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. Kyra Baehr of Unity Church of the Bay Area. Mayor Paulissen led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A. 15-0474 January 13, 2015 Regular Meeting (Revised)

3B. 15-0481 June 22, 2015 Council Work Session

3C. 15-0482 July 9, 2015 Special Council Meeting

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

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

4A. 15-0477 Consider and take action on a resolution for appointment of a representative to the Galveston County Transit District Board of Directors (Mayor Paulissen)

A motion was made by Mr. Kinsey, seconded by Mr. Long, to approve Resolution No. 2015-34 reappointing Mayor Paulissen as representative to the Galveston County Transit District Board of Directors for 2016 and 2017. 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

4B. 15-0476 Consider and take action on appointment to the Planning & Zoning Commission (Mayor Paulissen)

Mayor's Appointment:

Position 1. William Arnold Term to expire 12/31/16

A motion was made by Ms. Bentley, seconded by Mr. Becker, to approve the appointment of William Arnold to Position 1 of the Planning & Zoning Commission. 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**Presentation of the Barracuda Swim Team's Season and Championships (Mayor Paulissen)**

The League City Barracuda Swim Team is a nonprofit, tax-exempt organization, with a mission to field and support a competitive summer swim team. The League City Barracuda Swim Team's goal is to provide a quality program for the promotion, growth, training, enjoyment, good sportsmanship, and participation of children and youth in the sport of swimming.

Michelle Kapfer, President of the League City Barracudas Swim Team gave a slide show presentation.

6. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING**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
John Bowen	6121 Southwell Ln.	Municipal Dist./Candidate Disclosures
Roxanne Jennes	2739 Domenico Lane	Zone Change (Z15-07)
Diane Dolson	712 Reynolds	Senior Program
Jay Ewend	1013 E. Main St.	Resumes for candidates/boards
Linda McKillip	210 Lago Vista	Senior Programs
Jessica Hembree	2102 Kemper Dr.	Girl Scout project/senior program
Chuck DiFalco	2118 Eastland Court	Water Rates

8. COUNCIL MEMBERS COMMENTS/REPORTS

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

Tommy Cones said I would just like to thank everyone for coming out here tonight and also congratulate the Barracudas for a great season.

Geri Bentley said I would also like to thank the Barracudas before they totally leave the building for all the hard work for the parents, the swimmers, and the coaches. Congratulations on your season. It was an awesome time. Also, for Jessica Hembree, what you're doing is awesome. Thank you for what you do. That is so important. I know a lot of people get confused by all the gadgets and stuff that's going on. Thank you very much for what you do. It's very important for the seniors to be able to run these devices and thank you for your time for doing that and for the idea.

Heidi Hansing had no comments.

Keith Gross said I would just like to welcome everybody to the City Council meeting and I would like to thank the staff for preparing our agenda.

Nick Long said on October 23, the Resolve It Inc. is doing a skeet shoot to raise money. What Resolve It Inc. does, is they provide counselors for abused children in most of the schools around Galveston County and some in south Harris County. They're a charity based here in Galveston County. They do a whole lot of work, especially some of the disadvantaged schools in the county. They are trying to raise some money to go along with a big grant that they got, so if they are able to raise \$10,000 they will receive a \$100,000 grant from a private foundation. So obviously, it's a pretty good deal. But on October 23, we're having the skeet shoot. It's going to be at the Clear Creek Gun Range in League City. We're looking for four man teams. There are all kinds of different events. It is \$100 per shooter, so \$400 per team. There's barbecue and drinks and everything out there, so if you're interested you can contact Patricia at ResolveIt.org and I've got more flyers if you're looking to sponsor.

Dan Becker had no comments.

Todd Kinsey said in the Library, the Marketing and Publishing Group will meet in the theater on August 13 from 11:45 a.m. to 1:00 p.m. The Book Discussion Club will meet in the theater to discuss the *Handmaid's Tale* by Margaret Atwood on August 17 from 7:00 p.m. to 8:00 p.m. and the Library anticipates opening its Friends Book Store in October and volunteers are needed. Anyone interested should contact Jenny Brewer at the Library. Her number is 281-554-1108 or you can email her at jenny.brewer@leaguecity.com.

9. MAYOR COMMENTS/ REPORT

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

Mayor Paulissen said I would like to say thanks to the American Legion Post 554. They recently had their Spirit of '45 Remembrance and it's an event that was initiated by Congress back 5 years ago in 2010 to recognize our "Greatest Generation", and that's for the anniversary of the end of World War II. We've been spending a lot of time over the last year and a half recognizing some of these veterans because they're slowly but surely passing, and it's just an event to bring a little bit of a spotlight on them. It's not going to be too much longer and we're going to be missing this "Greatest Generation", so thanks American Legion for reminding us about a different time in this world we live in.

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**

A motion was made by Ms. Bentley, seconded by Mr. Cones, to approve Consent Agenda Items 11A through 11E. 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. 15-0464 Consider and take action on final acceptance of municipal infrastructure for Bay Colony Point West Section 9 (Deputy City Manager)

Approved on the Consent Agenda

- 11B. 15-0461 Consider and take action on the award of a construction contract to S.J. Louis Construction of Texas, Ltd. in the amount of \$2,601,767.75 for the Calder Road 30-inch Sanitary Sewer Improvements Project - Phase 2 (WW1301), approval of Change Order No. 1 in the amount of \$87,000, and authorization of a Work Change Directive budget of \$195,133 (Deputy City Manager)

Approved on the Consent Agenda

- 11C. 15-0462 Consider and take action on a Miscellaneous Easement (Pipelines) Agreement, ME20150111 from the State to the City for the City's proposed 36-inch water line crossing under Clear Creek and Robinson Bayou Project associated with the City's WT1109 36-Inch Water Line (from the State Highway 3 Water Booster Station to the South Shore Water Booster Station) (Deputy City Manager)

Approved on the Consent Agenda

- 11D. 15-0480 Consider and take action on Ordinance No. 2015-28 amending Ordinance No. 2005-24 for Z15-13 (Cypress Bay Commercial) to rezone approximately 2.4 acres from "RSF-7" (Single-family residential with a minimum lot size of 7,000 square feet) to "CG" (General Commercial), generally located north of Marina Bay Drive (FM 2094), east of Twin Oaks Boulevard and west of Seminole Drive, with the approximate address being in the 2100 block of Marina Bay Drive in League City, Texas - Second Reading (Director of Planning and Development)

Planning and Zoning Commission recommended approval 6-1-0 on July 6, 2015.
Council approved first reading 8-0-0 on July 28, 2015.

Ordinance No. 2015-28 Second Reading was approved on the Consent Agenda

- 11E. 15-0466 Consider and take action on Ordinance 2015-29 abolishing Galveston County Municipal Utility District No. 3 - Second Reading (Director of Finance)

Council approved first reading 8-0-0 on July 28, 2015

Ordinance No. 2015-29 Second Reading was approved on the Consent Agenda

END OF CONSENT AGENDA

12. OLD BUSINESS

- 12A. 15-0475 Consider and take action on an ordinance amending Ordinance No. 2005-24 for (Z15-07 Kenwood [Tuscan Lakes] CGR Amendment), a request to amend approximately 9.2 acres of the existing Kenwood PUD overlay from "CGR-PUD" (Commercial General Residential with a Planned Unit Development Overlay) to "RSF-PUD" (Residential Single Family with a Planned Unit Development Overlay), generally located north of League City Parkway and east of Louisiana Street in League City, Texas (Director of Planning and Development)

Planning & Zoning Commission recommended approval 7-0-0 on May 4, 2015.

Council tabled 8-0-0 on May 26, 2015.

Council postponed to July 14, 2015 7-0-0 with 1 absent on June 9, 2015.

Council postponed to August 11, 2015 7-0-0 with 1 absent on July 14, 2015.

Staff recommends that the current CGR-PUD zoning remain in place.

No Action

- 12B. 15-0465 Consider and take action on Ordinance 2015-30 amending Chapter 114 of the Code of Ordinances of the City of League City, Texas entitled "Utilities" by amending Article IV therein entitled "Rates and Charges" - Second Reading (Director of Finance)

Council approved first reading 6-2-0 on July 28, 2015

A motion was made by Mr. Kinsey, seconded by Mr. Cones, to approve Ordinance No. 2015-30 Second Reading, amending Chapter 114 of the Code of Ordinances of the City of League City, Texas entitled "Utilities" by amending Article IV therein entitled "Rates and Charges". The motion passed by the following vote:

For: 6 - Mr. Becker, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

Opposed: 2 - Mayor Paulissen and Mr. Cones

- 12C. 15-0473 Consider and take action on approval of the Payment in Lieu of Tax (PILOT) agreement between the City of League City and Happy Harbor Methodist Home, Inc., doing business as MRC the Crossings (Deputy City Manager)

Council postponed to August 11, 2015 8-0-0 on July 28, 2015.

Mayor Paulissen announced this item would be postponed until after executive session.

13. **NEW BUSINESS**

- 13A. 15-0478 Consider and take action to approve the employee insurance benefit program for the period October 1, 2015 to September 30, 2016 and authorize the City Manager to execute all documents related thereto (Director of Human Resources and Civil Service)

A motion was made by Mr. Long, seconded by Mr. Becker, to approve the FY2015-2016 Employee Benefit Plan Summary and authorize the City Manager to execute all documents that are required to implement the plan as described. 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

14. **FIRST READING OF ORDINANCES**

15. **TABLED ITEMS SUBJECT TO RECALL**

16. **ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED**

- 16A. 15-0485 Consider and take action on an ordinance to amend Section 2-51 of the Code of Ordinances of the City of League City to increase the disclosures that must be filed by a candidate for City Council and sitting Council Members (Council Member Becker and Council Member

A motion was made by Mr. Becker, seconded by Mr. Kinsey, to approve.

An amended motion was made by Mr. Gross, seconded by Ms. Bentley, that this agenda item be postponed to the next meeting. . The motion passed by the following vote:

For: 7 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Ms. Bentley, Mr. Gross and Mr. Long

Opposed: 1 - Mr. Kinsey

- 16B. 15-0486 Consider and possibly take action to amend Section 4.13 of the City of League City Governance Policy and Rules of Procedure (Council Member Becker and Council Member Hansing)

A motion was made by Mr. Long, seconded by Mr. Becker, that this agenda item be postponed indefinitely. 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

17. EXECUTIVE (CLOSED) SESSION (S)

At 6:43 p.m. Mayor Paulissen announced the City Council will now go into executive session to discuss the following items:

- 17A. 15-0459 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. 15-0483 Texas Open Meetings Act, Section 551.071 Government Code - Consultation with City Attorney**
Consultation with the City Attorney to discuss contract issues (City Attorney)
- 17C. 15-0484 Texas Open Meetings Act, Section 551.071 Government Code - Consultation with City Attorney**
Consultation with the City Attorney to discuss potential litigation (Deputy City Manager)

At 7:19 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. 15-0460 Consider and take action on discussion concerning potential purchase or sale of real property interests (Deputy City Manager)**
No Action
- 12C. 15-0473 Consider and take action on approval of the Payment in Lieu of Tax (PILOT) agreement between the City of League City and Happy Harbor Methodist Home, Inc., doing business as MRC the Crossings (Deputy City Manager)**
Council postponed to August 11, 2015 8-0-0 on July 28, 2015.
A motion was made by Mr. Becker, seconded by Mr. Long, to approve. The motion failed by the following vote:
- For: 0**
- Opposed: 8 - Mayor Paulissen, Mr. Becker, Mr. Cones, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long**

19. ADJOURNMENT

At 7:20 p.m. Mayor Paulissen said there being no further business, this meeting is adjourned.

TIMOTHY PAULISSEN
MAYOR

JEANNE HAMMACK
DEPUTY CITY SECRETARY

(SEAL)

MINUTES APPROVED: