



# City of League City, TX

300 West Walker  
League City TX 77573

## Meeting Minutes City Council

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Tuesday, April 25, 2017

6:00 PM

Council Chambers  
200 West Walker Street

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### 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/Director of Finance:**

**Rebecca Underhill**

**City Attorney:**

**Nghiem Doan**

**City Secretary:**

**Diana M. Stapp**

**Chief of Police:**

**Michael Kramm**

**Director of Human Resources/Civil Service:**

**Janet Shirley**

**Director of Parks & Cultural Services:**

**Chien Wei**

**Director of Planning/Development:**

**Paul Menzies**

**Director of Public Works:**

**Gabriel Menendez**

### 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. Mr. Gross arrived at 6:05 p.m.

Present    8 -    Mayor Pat Hallisey, Mr. Dan Becker, Mr. Hank Dugie, Mr. Larry Millican, Mr. Todd Kinsey, Mr. Greg Gripon, 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 Dylan Johnston of the Dominion Church. Mayor Hallisey led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

- 3A. 17-0279 February 27, 2017 Council Work Session
- 3B. 17-0280 March 13, 2017 Council Work Session
- 3C. 17-0286 March 14, 2017 Regular Meeting
- 3D. 17-0281 March 27, 2017 Council Work Session

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

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

- 4A. 17-0271 Presentation of the Texas Municipal Clerk, Level Three Certification Plaque to Jessica Utton to be made by Pat Riffel, Co-Chair of the Texas Court Clerk's Association Education Committee (Assistant City Manager)
- 4B. 17-0269 Presentation of a proclamation declaring May 7 - 13, 2017 as American Water Works Association (AWWA) "National Drinking Water Week" (Director of Public Works)
- 4C. 17-0285 Presentation of a proclamation recognizing May 2017 as Motorcycle Safety Awareness Month (Mayor Hallisey and Council Member Gross)

5. **COMMUNITY SPOTLIGHT**

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

- 6A. 17-0263 Hold a public hearing on proposed Certificates of Obligation (CO), Series 2017 (Assistant City Manager)  
  
Mayor Hallisey opened the public hearing at 6:16 p.m.  
  
No one signed up to speak.  
  
Mayor Hallisey closed the public hearing at 6:16 p.m.

- 6B. 17-0262 Consider and take action on a resolution authorizing the publication of notice of intention to issue certificates of obligation (Assistant City Manager)

A motion was made by Mr. Millican, seconded by Mr. Kinsey, to approve Resolution No. 2017-70 authorizing the publication of notice of intention to issue certificates of obligation. The motion passed by the following vote:

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, 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. 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
Janice Hallisey	2205 Acacia	Village Fair Parade
Sebastian Lofaro	123 Coral Bay Dr.	League City Music Festival
Kim Harmon	5204 Cross Creek Ct.	Magnolia Creek PID
Monica Millican	934 Plantation	Safe Paws Event "Dogs and Divas"
Sandra Kelly	Brittany Bay	Dog Park Event "Claws for Paws"

8. **COMMENTS/REPORTS FROM MEMBERS OF COUNCIL**

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

Mayor Pro Tem Todd Kinsey said I had the honor of pinch hitting for you at the dedication of the new Memorial Herman facility. When it opens it's going to have our first 24-hour emergency room, imaging, diagnostics, primary care, and several other services right there in one building. I'm really excited that this is coming to League City. I got to share the stage with Randy Weber and it was a really good event. We dedicated an oak tree keeping in League City's theme and it was just a great event. It's going to be an incredible facility for our residents. At the Library, for the next couple of weeks, this week's computer class is "Introduction to PowerPoint" on Wednesday, April 26 at 10:00 a.m. At 10:15 and 11:00 a.m., also on Wednesday, April 26, the popular preschool "Yoga Time" program will return. Antiques Roundtable meets Monday, May 1 at 1:00 p.m. This month's topic is Vintage Clothing. Saturday, May 6 is Free Comic Book Day. Teens are invited to pick up free comics, play games, and compete in a costume contest from 10:15 a.m. to 12:15 p.m. in the Library Theater.

Dan Becker had no comments.

Nick Long said thanks everybody for coming out tonight. I am going to rehash the dog park fundraiser and thank you to my wife, Sandra and Mel Kelly. They've worked tirelessly on setting this up. The best part about this entire project has been the community involvement from the start. We around and round in circles, it was really a community project that was generated out of the Dog Park Association, just dedication to finding the right place to put it. They worked tirelessly with staff to get inside of a very tight budget. We set the budget at \$150,000 and they are taking a piece of land that used to be a disposed of water treatment plant and they're turning it into an awesome facility for the City of League City and an awesome amenity for the City. This thing will have everything from a swimming park, a big dog, a little dog area. So now, the next part comes with it, and that's the community involvement to try to add the little things to it. The stuff that we didn't have in the City's budget, and these are the agility things for the dogs, the nice benches, the shade structures, the waste disposal bins. We've had great participation so far and people are coming in to sponsor these things and to participate. So for \$25 you can help out. Come to the event, eat a bunch of crawfish, learn about the park, walk around. There's going to be tours and everything. I'm also going to be handing out tickets to all the Councilmen tonight, and I've talked to some of them already, to try to sell 10 of them each. All you guys got thousands of votes when you ran and you at least have 10 friends to buy some tickets for the dog park. Thank you.

Keith Gross said good afternoon everybody, thank you for coming. With the motorcycle awareness, May 23, 1994, some drunk driver ran a red light and hit me head-on on a motorcycle. I was life-flighted to Herman Hospital, I stayed there for a couple of months. I know how hard it is to see the motorcycles, as a driver, and I know what it feels like to get hit on a motorcycle. I think I had 12 operations and survived. I think I remember when I was running somebody said I had brain damage from it. I just want to encourage you to stay off your cell phones and try to keep an eye out for the motorcycle, because whatever constitutes a fender-bender in a motor vehicle accident is a life threatening situation for a motorcyclist.

The next thing, I met with the residents citizens and the residents of Magnolia Creek today, at least a selected few who wanted to learn more and get caught up to speed with the Magnolia Creek litigation. I wanted to tell you all the things that happen in the district court in Galveston County are reviewable on line. If you know the cause number or the parties to the litigation, you can access if you go to the Galveston County District Clerks' website. If you enter the cause number, or if you don't know the cause number, if you enter one of the parties' names, to the litigation in the appropriate box you can click and see the events that have transpired in that particular case. I believe you will be able to pull up and review some of the documents that have been signed, you'll be able to keep up with court dates and maybe what's expected of you. As most of you know, I'm a lawyer and I do feel for you all because it wasn't your fault that the money was taken from you and you should get a return on that money. If there's any way I can help, or provide you with information, I'll do my best to keep up with the litigation. If you want to elect a few people or come by my office or give me a call to find out what's going on I'd be happy to assist.

Hank Dugie said over the weekend I was able to attend the Citizens Police Academy Alumni Association annual picnic, which is always a great time. At the picnic they ran some domestic violence scenarios and allowed the alumni to participate as police officers and kind of get a feel for what it takes to be an officer and how much unexpectedness goes into each scenario. I really appreciate Officers Gabe Gonzales and Todd Young for putting that together, and really for all their work with the citizens over at the PD. Right before that event I was able to go over to the Sportsplex and get a nice barbecue lunch at the fundraiser for the young girl that lost her life just a couple of weeks ago. While there, while it was a very tragic event that happened, it was just another sign of how great the community is and how important our ball fields and our parks overall are to the fabric of the community, because not only are there people from all over town showing up to participate and help out with the fundraiser, but there are children in our community who are learning by example what it means to show humanity and to extend a helping hand to those in need. Every time I see something happens that's very tragic in town, my heart breaks, but League City always does more than I expect. They always pleasantly surprise me with their generosity and friendships with one another. When I think these parks and the park system we have is so crucial for community gatherings and that was just one example of it. That has a very similar feel to when Joseph Fleming came before us and the community rallied around him. I'm proud to be your Council Member and I'm proud to be a citizen of League City. We also over the weekend had the first of two League City Legends Quidditch team tryouts. We had about 40 people come out, we expect to have another 40 people come out this weekend. So if you yourself would like to try out, or you know someone a little bit more athletic than yourself that would like to come and try out, send them our direction or they can look us up on line, or they can just come out the Hometown Heroes Park Sunday afternoon. I see Sebastian pointing toward Peggy, Peggy you're more than welcome to come and try out. I might even save a spot for you on the team. Not guaranteeing anything, but I might. We'll talk afterward.

To echo what Keith said earlier, we met with the Mag Creek residents earlier today and I want to thank them for being a part of that on such short notice, but also for staff being able to come together and meet with residents. It's happened a couple of time where an issue arose and we've been able to sit down in a conference room and hash things out. I think those are always more effective, where you can have a little bit of a back and forth dialog, so if there's any resident from Mag Creek or any other community that has an issue, know that there are Council Members and staff members who are willing to sit down and meet with you and have dialog. You're not restricted to just your three minutes every two weeks at a Council Meeting. We're very open to hearing you any other day of the week also.

Larry Millican had no comments.

Greg Gripon said first I would like to thank Janice for doing such an extremely great job putting this parade back together for the Lions Club. You know I've been here 51 years and we've always had a Village Fair Parade and it's all about community and I think that's so awesome. Another announcement, we will not be having our monthly senior breakfast next Sunday due to the fact that we will all be out at the park working putting on the League City Music Festival. I'd like to have everybody come out and have a great time, listen to some great music, and eat some really good food. Also, this Sunday I will be out at Lynn Gripon Park eating crawfish because I love crawfish and I definitely will buy a brick out there.

Mayor Hallisey said let me encourage all the citizens in League City, please go to the fair. It's great family fun, it's been in this town for over 60 years and it is one of the major events that we have here. So, go enjoy yourself, it's supposed to be a pretty weekend. I want to congratulate Commander Eric Doyle who was a League City native. He was picked to be the commanding officer and flight leader of the Navy's Blue Angels team in 2018 and 2019. I'm sure he's off serving wherever in the world they train the Blue Angels, but I'm sure his mother and dad who live here are just bursting with pride. So we share that pride with them and we wish Commander Doyle well in his tenure. I want to thank the League City Police Officers Association for inviting me, I think Mr. Gripon went as well, to their crawfish boil at Gripon Park. I'm a cheap date. These sweet Irish lips never tasted a mudbug and I don't suppose that they will any time soon, but I know everybody else enjoyed them and I enjoyed the camaraderie. I want to remind everybody that the League City Police Department has their upcoming Annual Saul Balderas Golf Tournament, which is Monday, May 8. Call Chief Kramm at the PD, he has all the information for you. Of course, Saul Balderas was a lot of our good friend for many years in League City and they do this in honor of him. So if you're a golfer, it's a great place to go. This is National Volunteer Week. We send a salute to those who give up their time and talent for a cause or to their community. So join me in a salute to all those people who do that. Thank you. We have a lot of them in League City who give their time and their talent for good causes. I attended the Chamber Economic Development lunch last week where we heard some exciting news about what's going on at UTMB. A lot of you may or may not know, by the time UTMB builds out it will be 3.2 million square feet, which is quite huge. There research, development will be up here. It's going to be quite an operation, we're happy to have them in our community.

I spoke to the Compass Rose Homeowners Association, a delightful bunch of people. I got to them about the highways that are going to be an impact to them, what's going on with the roads. I heard more questions about when is that 120 miles of jogging trails going to be done around town because that was of more interest to them than anything. They're a healthy bunch out there. I hope everyone got their taxes in this week and if you didn't I hope you got an extension. If you didn't, talk to Mr. Dugie. He's the finance director, maybe he can help you with that. Last Wednesday, myself and Mr. Long, Mr. Baumgartner, Scott Livingston, made a trip to Austin to testify on behalf of the bill that Rep. Greg Bonnen is introducing on our behalf that deals with hotel/motel tax. We were treated well, I think was a good way to put it, as we walked the halls of the Ways and Means Committee, or the offices of the Ways and Means Committee, and made a case for the bill. If this passes, we're going to give Scott Livingston all the credit because he got to do most of the talking that day and did an exceptionally good job. We are proud of him, so Scott, thank you. We also want to thank Dr. Bonnen for his time and attention, he gave us plenty of time with his staff in the morning and spent a couple of hours with us at dinner after we testified. It was a good trip. I also want to thank Steph McDougal, who is chair of the Historic Commission, for taking the time with me last Friday to driver me through the Historic District. I thought I knew a lot about the Historic District, but Steph McDougal is somewhat of an expert at historical preservation and I got the architectural styles on every house in the district, everything from Victorian, to all these quasi-this and that, to the ranch houses that line the streets back there, and it was fascinating. I talked to Nora today, maybe we're going to get a video so what she said to me can be conveyed to you through video and I would also encourage you Thursday night to make the Historical Commission down at the one-room schoolhouse, because she's giving a presentation on the League City Historical District. Excellent if you have an interest in that. I want to encourage everybody to go and support the dog park this Sunday. I particularly want to thank Councilman Long and his wife who popped for the funds for the crawfish, another thing these lips won't be tasting, but I'll be there in support in heart and spirit. Hot dogs will be there for people like us. Go support it, it's a good opportunity to make it better than what we could do with just tax funds. I hope everybody at home is listening to that. Also, buy a ticket. I will have several for sale right after the meeting and I'll be at the back door. Nobody escapes until you buy a ticket from me or one of the other Council Members. Also this week for Janice, since she didn't mention it, League City Proud, their proceeds from this last Holiday in the Park venue that was rained out, we still made a little bit of money and they provided \$2,000 to the Friends of League City Animal Shelter which will go to the animal shelter in terms of food or whatever their needs are. Thanks for that, Janice.

## **9. REPORTS FROM STAFF MEMBERS**

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

John Baumgartner said building on the dog park theme, as you know the City staff is self-performing a lot of the work. The next big step is award of a bid that Council will see at the next Council Meeting for the fencing. We continue to make progress out there.

## **10. CONSENT AGENDA**

### **Approval of the Consent Agenda**

Item 10H was pulled by Mr. Long.

A motion was made by Mr. Kinsey, seconded by Mr. Dugie, to approve Consent Agenda Items 10A through 10J with the exception of 10H. The motion passed by the following vote:

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

**10A. 17-0282** Consider and take action on a resolution authorizing an interlocal and triparty agreement between the City of League City, Reinvestment Zone Number Four and Westwood Development, LTD (Assistant City Manager)

Approved on the Consent Agenda - Resolution No. 2017-71

**10B. 17-0260** Consider and take action on a resolution authorizing an Interlocal Agreement with the Texas Department of Public Safety to retain the services of a Breath Alcohol Technical Supervisor (Chief of Police)

Approved on the Consent Agenda - Resolution No. 2017-72

**10C. 17-0259** Consider and take action on a resolution authorizing an Interlocal Agreement with a consortium of local governmental entities regarding the funding of a Breath Alcohol Technical Supervisor (Chief of Police)

Approved on the Consent Agenda - Resolution No. 2017-73

**10D. 17-0256** Consider and take action on a resolution authorizing an agreement with LifeQuest Services to perform Delinquent Collection Services for Emergency Medical Services (EMS) from May 1, 2017, to April 30, 2019, for an amount not to exceed \$50,000 (Fire Chief)

Approved on the Consent Agenda - Resolution No. 2017-74

**10E. 17-0276** Consider and take action on a resolution authorizing a three-year agreement with SwiftReach (through SHI BuyBoard Contract 498-15) for a mass notification system in an amount not to exceed \$96,916 (Interim Director of Communications)

Approved on the Consent Agenda - Resolution No. 2017-75

**10F. 17-0268** Consider and take action on a resolution authorizing a one-year agreement with Republic Services on grit screening, sludge transportation and disposal services in an amount not to exceed \$286,340 for the period June 1, 2017 through May 31, 2018 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2017-76



- 10G. 17-0270 Consider and take action on a resolution: 1) authorizing a construction contract to AAA Asphalt Paving for Package 1 of the 2017 Asphalt Streets Rehabilitation Project (RE1704A) in an amount not to exceed \$418,656.60, 2) authorizing a work change directive budget in an amount not to exceed \$41,865.66 and 3) authorizing a construction material testing services budget in an amount not to exceed \$13,600 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2017-77

- 10I. 17-0275 Consider and take action on Ordinance No. 2017-11, amending Chapter 125 of the Code of Ordinances of the City of League City entitled "Zoning" by amending Section 125-20.D entitled "Powers and Responsibilities" to allow minor deviations to the Zoning Ordinance to be administrative adjustments to be permitted by the City Planner - Second Reading (Director of Planning and Development)

Council approved the first reading, 8-0-0 on April 11, 2017.

Approved on the Consent Agenda - Ordinance No. 2017-11 Second Reading

- 10J. 17-0258 Consider and take action on Ordinance No. 2017-12, amending the Code of Ordinances, Chapter 2, Article VI entitled "Disposition of Surplus Property", repealing all ordinances or parts of ordinances inconsistent or in conflict; providing for severability - Second Reading (Assistant City Manager)

Council approved first reading 8-0-0 on April 11, 2017.

Approved on the Consent Agenda - Ordinance No. 2017-12 Second Reading

- 10H. 17-0257 Consider and take action on a resolution authorizing the City Manager to execute an agreement with Segal Waters Consulting in the amount of \$100,000 to perform a compensation and classification study (Director of Human Resources and Civil Service)

Mr. Long stated that he pulled the item because he might have a potential business conflict of interest so he would abstain and leave the room during the discussion.

A motion was made by Mr. Kinsey, seconded by Mr. Millican, to approve Resolution No. 2017-78 authorizing the City Manager to execute an agreement with Segal Waters Consulting in the amount of \$100,000 to perform a compensation and classification study. The motion passed by the following vote:

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

Out of Room: 1 - Mr. Long

### **END OF CONSENT AGENDA**

## **11. OLD BUSINESS**

- 11A. 17-0274 Consider and take action on an ordinance amending Chapter 125 of the Code of Ordinances of the City of League City entitled "Zoning" by amending Section 125-120.B entitled "Accessory Structures" to allow shipping containers to be permitted as an accessory structure in certain instances (Director of Planning and Development)

Planning and Zoning Commission recommended approval of an amended ordinance, 6-2-0, on April 5, 2017.

Council postponed for a minimum of two weeks, 7-1-0, on April 11, 2017.

A motion was made by Mr. Long, seconded by Mr. Becker, to approve Ordinance No. 2017-13 amending Chapter 125 of the Code of Ordinances of the City of League City entitled "Zoning" by amending Section 125-120.B entitled "Accessory Structures" to allow shipping containers to be permitted as an accessory structure in certain instances. The motion passed by the following vote:

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

12. **NEW BUSINESS**

13. **FIRST READING OF ORDINANCES**

14. **TABLED ITEMS SUBJECT TO RECALL**

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

- 15A. 17-0277 Consider and take action on a resolution authorizing the submittal of a list of projects for the future county-wide bond issue for mobility, drainage and facility improvements proposed for November 2017 to Galveston County, Texas (Director of Public Works)

A motion was made by Mr. Dugie, seconded by Mr. Kinsey, to approve Resolution No. 2017-79 authorizing the submittal of a list of projects for the future county-wide bond issue for mobility, drainage and facility improvements proposed for November 2017 to Galveston County, Texas. The motion passed by the following vote:

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

16. **EXECUTIVE(CLOSED) SESSION(S)**

Mayor Hallisey announced that Items 16A and 17A have been pulled by staff, and that at 7:19 p.m. the City Council will now go into executive session to discuss the following items:

- 16A. 17-0266 Texas Open Meetings Act, Section 551.072 Government Code - Deliberations about real property

Discuss potential purchase or sale of real property interests (Director of Public Works)

PULLED

- 16B. 17-0283 Texas Open Meetings Act, Government Code Section 551.087 - Deliberations Regarding Economic Development Negotiations

Discuss the offer of a financial or other incentive to a business prospect that seeks to locate, stay, or expand within the City of League City, Texas (Director of Economic Development)

- 16C. 17-0294 Texas Open Meetings Act, Section 551.071 Government Code - Consultation with City Attorney

Consultation with City Attorney regarding pending or contemplated litigation, to wit: Cause No. 14-15-00457-CV; MHI Partnership, Ltd. and Mag Creek Partners, LP v. City of League City, Texas, Kari Lynn Bowen-Zilkenat (City Attorney)

At 8:15 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.

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

- 17A. 17-0267 Consider and take action on discussion concerning potential purchase or sale of real property interests (Director of Public Works)

PULLED

- 17B. 17-0284 Consider and take action on the offer of a financial or other incentive to a business prospect that seeks to locate, stay, or expand within the City of League City, Texas (Director of Economic Development)

No Action

- 17C. 17-0295 Consider and take action regarding consultation with City Attorney regarding pending or contemplated litigation, to wit: Cause No. 14-15-00457-CV; MHI Partnership, Ltd. and Mag Creek Partners, LP v. City of League City, Texas, Kari Lynn Bowen-Zilkenat (City Attorney)

No Action

18. **ADJOURNMENT**

At 8:15 p.m. Mayor Hallisey said, there being no further business this meeting is adjourned.

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**PAT HALLISEY**  
**MAYOR**

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**DIANA M. STAPP**  
**CITY SECRETARY**

(SEAL)

**MINUTES APPROVED:**