



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, May 23, 2017

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/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 Pro Tem Kinsey called the meeting to order at 6:01 p.m. and called the roll. All members of Council were present except Mayor Hallisey, Larry Millican and Dan Becker. Hank Dugie attended by videoconference call from Washington, DC.

Absent 3 - Mayor Pat Hallisey, Mr. Dan Becker and Mr. Larry Millican

Present 5 - Mr. Hank Dugie, 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 Milton N. Guillory Jr. of Greater Mt. Carmel Baptist Church. Mayor Pro Tem Kinsey led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A. 17-0343 April 11, 2017 Regular Meeting

3B. 17-0344 April 24, 2017 Council Work Session

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

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

4A. 17-0340 Presentation of a proclamation recognizing May 23, 2017 as Clear Creek Intermediate Boys Golf Team Day (Mayor Hallisey and Council Member Gripon)

5. **COMMUNITY SPOTLIGHT**

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

6A. 17-0332 Hold a public hearing on a Special Use Permit Application, SUP16-08 (League City Car Care), to permit a light vehicle service use [vehicle oil / lube / tire facility] on approximately 0.83 acres zoned "CM" (Mixed Use Commercial), generally located south of League City Parkway, north of Turner Street, east of Butler Road and west of Calder Road with the address of 2020 Butler Road in League City, Texas (Director of Planning and Development)

Mayor Pro Tem Kinsey opened the public hearing at 6:08 p.m.

No one signed up to speak

Paul Menzies gave a brief overview.

Mayor Pro Tem Kinsey closed the public hearing at 6:10 p.m.

6B. 17-0333 Consider and take action on an ordinance amending Ordinance No. 2005-24 for a Special Use Permit, SUP16-08 (League City Car Care), to permit a light vehicle service use [vehicle oil / lube / tire facility] on approximately 0.83 acres zoned "CM" (Mixed Use Commercial), generally located south of League City Parkway, north of Turner Street, east of Butler Road and west of Calder Road with the address of 2020 Butler Road in League City, Texas (Director of Planning and Development)

Planning and Zoning Commission recommended approval subject to conditions, 6-0-0 with 1 absent, on May 15, 2017.

A motion was made by Mr. Long, seconded by Mr. Gripon, to approve Ordinance No. 2017-14 amending Ordinance No. 2005 24 for a Special Use Permit, SUP16 08 (League City Car Care), to permit a light vehicle service use [vehicle oil / lube / tire facility] on approximately 0.83 acres zoned "CM" (Mixed Use Commercial). The motion passed by the following vote:

For: 5 - Mr. Dugie, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

Absent: 3 - Mayor Hallisey, Mr. Becker and Mr. Millican

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
David Overland	120 Park Ave	Creatorspace Grand Opening

8. COMMENTS/REPORTS FROM MEMBERS OF COUNCIL

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

Nick Long said thanks for everybody coming out tonight. I have a couple of things to talk about, first thing when I was on the golf team at Clear Creek Intermediate we weren't nearly as successful. I think we took dead last every time and that is why I don't play golf anymore. I want to introduce Dillon Rasmussen, a longtime resident of League City, graduate of Clear Springs High School and he is our new intern in the Legal Department for this summer. He is a graduate of the University of Texas at Austin, with a major in Government and minor in History. He just finished his first year at the University of Houston Law Center. He is interested in municipal, constitutional and criminal law and excited to be here and looking forward to work in his hometown this summer. Thanks Dillon, we are looking forward to all what you can learn here. Lastly, I wanted to say that both my son and Keith Gross' daughter are in the middle of the talent show right now at Ferguson Elementary. I got to catch the first part of it and it was pretty awesome. The Beach Boys had a successful lip singing demonstration and it was really cute. This was a good timing for a meeting so I didn't have to sit through the rest of the talent show that was not with my kid in it.

Keith Gross said good afternoon and welcome to League City. Dillon, as our newest intern in the Legal Department I was hoping you could come up here and brief everybody about the parole evidence rule as it relates to contract deeds and the water issues. It is good to be here.

Hank Dugie said thank you for allowing me this opportunity to come to Washington, DC and represent the City. Tomorrow and the next day I will be meeting with different Congressman and their staffers to talk with them about the space exploration program. I look forward to representing all of you here in DC.

Greg Gripon said good evening, first of all I want to give my monthly reminder about the Lions Club Senior Breakfast. It is Sunday, May 28 at 7:30 a.m. Also, I attended the Galveston County Mayors and Councilmembers Association that was held in Santa Fe. We had a great time representing the City there. Last, I would like to say today I lost a friend. Poncho was shot in front of his house on FM517. He had worked at Bradshaw's Nursery for 40 years and treated that business like it was his own. It is a great loss in the landscaping industry losing Poncho. My prayers are definitely with his family.

Mayor Pro Tem Todd Kinsey said most of you know that I am a proud veteran of the US Army and next weekend is Memorial Day. I know that most people think of it as a 3-day weekend, but while you are enjoying family and friends over that long weekend I ask that you take a minute just to think about the soldiers that have died protecting America's freedom. Over at the library, the Summer Reading Programs begin June 5. Children, teens, and adults can earn or win prizes for reading. You can get your reading logs from the Helen Hall Library. Children's events are scheduled throughout the summer in the mornings, Monday through Thursday. Teen events are scheduled on Mondays and Tuesdays, in the afternoons and evenings. Interested participants should visit leaguecitylibrary.org for full details.

9. REPORTS FROM STAFF MEMBERS

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

- 9A. 17-0325 Presentation of the Investment Report of the City of League City for the quarter ended March 31, 2017 (Assistant City Manager)**

The report was presented by Assistant City Manager Rebecca Underhill.

John Baumgartner, City Manager, said building on the veterans' day theme, at the Fairview Cemetery there will be a ceremony at 10:00 a.m. It is a great event if you have time.

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

A motion was made by Mr. Long, seconded by Mr. Gross, to approve Consent Agenda Items 10A through 10G. The motion passed by the following vote:

For: 5 - Mr. Dugie, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

Absent: 3 - Mayor Hallisey, Mr. Becker and Mr. Millican

- 10A. 17-0324 Consider and take action on a resolution appointing authorized signatories for Community Development Block Grant Disaster Recovery funds awarded to League City by the Texas General Land Office (Assistant City Manager)**

Approved on the Consent Agenda - Resolution No. 2017-87

- 10B. 17-0326 Consider and take action on a resolution amending Resolution No. 2012-33 appointing officers who are authorized to sign on behalf of the City in banking and other monetary transactions. (Assistant City Manager)**

Approved on the Consent Agenda - Resolution No. 2017-88

- 10C. 17-0329 Consider and take action on final acceptance of municipal infrastructure for Tuscan Lakes Subdivision, Section SF 50-6 SE (Director of Public Works)**

Approved on the Consent Agenda

- 10D. 17-0330 Consider and take action on a resolution authorizing a construction contract with Lucas Construction Company, Inc. for the Sportsplex Access Improvements Project - right turn lane on SH 96 (PK1502), in an amount not to exceed \$229,320, and authorizing a construction work change directive budget of \$22,932 and a construction material testing services budget of \$8,117 (Director of Public Works)**

Approved on the Consent Agenda - Resolution No. 2017-89

- 10E. 17-0336 Consider and take action on a resolution authorizing the purchase of one police non-patrol vehicle and one ambulance remount for Emergency Medical Services through various state contract vendors in an amount not to exceed \$154,387.89 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2017-90

- 10F. 17-0331 Consider and take action on a resolution authorizing a professional services agreement with ARKK Engineers for the 2017 Sanitary Sewer Rehabilitation Project - Wastewater System Evaluation (WW1201A), in an amount not to exceed \$417,967.94 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2017-91

- 10G. 17-0335 Consider and take action on a resolution authorizing a standard utility agreement with the Texas Department of Transportation (TxDOT) for the relocation and reimbursement of City-owned water and wastewater facilities in conflict with the IH-45 expansion project from Harris County Line to 0.452 miles south of FM 518 (TxDOT Right-of-Way Project No. CSJ 0500-04-120) (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2017-92

END OF CONSENT AGENDA

11. OLD BUSINESS

12. NEW BUSINESS

- 12A. 17-0320 Consider and take action on a resolution authorizing an agreement with the Bay Area Coastal Protection Alliance for marketing services related to the creation of a regional coastal barrier system in an amount not to exceed \$15,000 (Council Member Long and Council Member Millican)

A motion was made by Mr. Long, seconded by Mr. Gripon, to approve Resolution No. 2017-93 authorizing an agreement with the Bay Area Coastal Protection Alliance for marketing services related to the creation of a regional coastal barrier system in an amount not to exceed \$15,000. The motion passed by the following vote:

For: 5 - Mr. Dugie, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

Absent: 3 - Mayor Hallisey, Mr. Becker and Mr. Millican

A motion was made by Mr. Kinsey, seconded by Mr. Long, to suspend the rules and address Item 12B last. Council will discuss in executive session, pursuant to Section 551.071, Consultation with City Attorney.

The motion passed by the following vote:

For: 5 - Mr. Dugie, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

Absent: 3 - Mayor Hallisey, Mr. Becker and Mr. Millican

- 12B. 17-0341 Consider and take action on a resolution authorizing an agreement with SER Construction Partners, LLC for the emergency repair of the landing ditch slope failure in an amount not to exceed \$347,936 (Public Works Director)

- 12C. 17-0342 Consider and take action on a resolution supporting a No Wake Zone in and around the League City Clear Lake area for an event to be held on June 23, 2017 (Mayor Hallisey and Council Member Gross)

A motion was made by Mr. Gross, seconded by Mr. Long, to approve Resolution No. 2017-94 supporting a No Wake Zone in and around the League city Clear Lake area for an event to be held on June 23, 2017. The motion passed by the following vote:

For: 5 - Mr. Dugie, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

Absent: 3 - Mayor Hallisey, Mr. Becker and Mr. Millican

13. FIRST READING OF ORDINANCES

- 13A. 17-0334 Consider and take action on an ordinance amending Chapter 54 of the Code of Ordinances of the City of League City entitled "Health and Sanitation" by adding language granting relief from ditch and/or easement maintenance in certain situations, and other minor administrative amendments (Director of Planning and Development)

A motion was made by Mr. Long, seconded by Mr. Gross, to approve first and final reading of the proposed ordinance. The motion passed by the following vote:

For: 5 - Mr. Dugie, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

Absent: 3 - Mayor Hallisey, Mr. Becker and Mr. Millican

A motion was made by Mr. Long, seconded by Mr. Gross, to approve Ordinance No. 2017-15 amending Chapter 54 of the Code of Ordinances of the City of League City entitled "Health and Sanitation" by adding language granting relief from ditch and/or easement maintenance in certain situations, and other minor administrative amendments. The motion passed by the following vote:

For: 5 - Mr. Dugie, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

Absent: 3 - Mayor Hallisey, Mr. Becker and Mr. Millican

14. TABLED ITEMS SUBJECT TO RECALL

15. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED

16. EXECUTIVE(CLOSED) SESSION(S)

At 6:30 p.m. Mayor Pro Tem Kinsey announced the City Council will now go into executive session to discuss the following items:

- 16A. 17-0327 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)

- 12B. 17-0341 Consider and take action on a resolution authorizing an agreement with SER Construction Partners, LLC for the emergency repair of the landing ditch slope failure in an amount not to exceed \$347,936 (Public Works Director)

At 7:19 p.m. Mayor Pro Tem Kinsey 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. 17-0328 Consider and take action on discussion concerning potential purchase or sale of real property interests (Director of Public Works)

No Action

- 12B. 17-0341 Consider and take action on a resolution authorizing an agreement with SER Construction Partners, LLC for the emergency repair of the landing ditch slope failure in an amount not to exceed \$347,936 (Public Works Director)

A motion was made by Mr. Dugie, seconded by Mr. Kinsey, to approve for the sake of a vote. The motion failed by the following vote:

For: 0

Opposed: 5 - Mr. Dugie, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

Absent: 3 - Mayor Hallisey, Mr. Becker and Mr. Millican

18. ADJOURNMENT

At 7:24 p.m. Mayor Pro Tem Kinsey said, there being no further business this meeting is adjourned.

TODD KINSEY
MAYOR PRO TEM

DIANA M. STAPP
CITY SECRETARY

(SEAL)

MINUTES APPROVED: