



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, July 25, 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

Assistant City Manager:

Bo Bass

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 except Mr. Gross.

Absent 1 - Mr. Keith Gross

Present 7 - Mayor Pat Hallisey, Mr. Dan Becker, Mr. Hank Dugie, Mr. Larry Millican, Mr. Todd Kinsey, Mr. Greg Gripon 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 Mayor Hallisey. Mayor Hallisey led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

- 3A. 17-0447 June 12, 2017 Council Work Session
- 3B. 17-0456 June 26, 2017 Council Work Session
- 3C. 17-0462 June 27, 2017 Regular Meeting
- 3D. 17-0463 July 10, 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. 17-0465 Presentation by the Planning and Zoning Commission Chairman (Mayor Hallisey)
- 4B. 17-0464 Consider and take action on appointments to boards and commissions (Mayor Hallisey)

Mayor's Appointments:

BAY AREA HOUSTON CONVENTION AND VISITORS BUREAU

Position 1. (Council) Pat Hallisey – term to expire 12/31/17

Position 2. (City Staff) Bryan Roller – term to expire 12/31/18

Position 3. (Hotel) Bridget Bear – term to expire 12/31/17

A motion was made by Mr. Kinsey, seconded by Mr. Gripon, to approve the Mayor's appointments to the Bay Area Houston Convention and Visitors Bureau. The motion passed by the following vote:

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

Absent: 1 - Mr. Gross

5. **COMMUNITY SPOTLIGHT**

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. 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
John Bowen	6121 Southwell Ln.	Single Member Districts/Taxes
Lynn Watkins		Oil/Gas Drilling Permit

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 want to thank Mr. Gripon for facilitating the meet and greet we had with the City of Webster. It was a really good time, surpassed my expectations. The evening was extremely well attended. There had to be at least 50 people, really enjoyed getting to know a lot more of their staff and elected officials. That was a great time. Mr. Gripon is the one responsible for getting the ball rolling. At the Library the next couple of weeks, on Thursday, July 27, The Texas A&M Chemistry Road Show will appear at the Johnnie Arolfo Civic Center from 10:15 to 11:15 a.m. This activity is most appropriate for children grades K-5, who will learn through safe and visual demonstrations that chemistry can be both exciting and fun! Irene B. Walters, of the Clayton Library Center for Genealogical Research, presents "Genealogy Tips and Tricks: Finding Ancestors by NOT Searching the Known Information." This event will be held in the theater on Monday, July 31 from 6-7:00 p.m. Participants are welcome to bring tablets and laptops. The Antiques Round Table meets in the Board room at 1:00 p.m. on Monday, August 7. The topic for this week is Early American Portraits, and it will be presented by Mary Opascar.

Hank Dugie said thank you, everyone, for being here tonight and for those of you watching from home. Government works best when citizens participate and provide input. So we really do appreciate all of you being here and speaking on matters that are important to you. I'm happy to announce that I made it back safely from Haiti. It was a great trip, I got some sun. I think we were able to have an impact in the native Haitian people's lives as well as the people who were on the trip. I think we were impacted probably just as much, if not more than the people we were going there to serve. Probably the biggest thing I picked up during my time was that there is great need in the world. When we look around League City and we live our lives on a daily basis, we have our individual struggles and hardships, but we have everything that we need. There are people around the world that don't have the basic necessities, they don't have clothing and water and food. So it really opens my eyes to real need. On that note, they were some of the most true risk people I've ever met. It just goes to show that you don't need much to be happy. You just need family, friends, community and a purpose. Keep that in mind as you go about your week this week and again, thank you all for being here.

Larry Millican had no comments.

Greg Gripon said recently I did some landscaping for the Mayor of Webster, Donna Rogers, and we got into a discussion about our two cities never really getting together. I thought that was something that would be really important for our two councils to do a meet and greet. She took it upon herself to host it and have us all out, but she also included the wives and she included the directors in the city. It was a really great meet and greet for all of us to get together and be able to talk and share our interests and share how we can work together. Looks like League City will probably be hosting the next one next year. Also, our League City Lions Club, our monthly senior breakfast will be coming up on August 6 at Hometown Heroes Park. League City Police Department is hosting a blood drive this Friday from 8:30 to 11:30 and don't forget your free beach towel as a thank you. So if you give blood at the Police Department you'll get a beach towel.

Nick Long said thanks for everybody coming out tonight. Last night we had a big discussion about the budget and that kind of dovetails into what Mr. Bowen said. I would say that not everybody on Council feels, or is opposing the property tax caps. I, for one, am completely in support of the Governor's idea to cap property tax gains. We have not had that problem here in League City. For the last four years, five years, we've experienced these soaring appraisals, but the City of League City itself has brought the tax rate down to account for those soaring appraisals. However, if you look across the state, it simply isn't happening. A lot of cities are taking advantage of the rising appraisals and just saying we're not raising the tax rate, but then reaping the benefit of all this money coming in. So once again we experience large appraisal increases across the county, and particularly in League City. Once again, thanks to the staff, they presented us a budget that will get us down near the effective rate, so essentially on average people would pay about what they paid last year.

So we're still working through the budget, but we've taken proactive steps to make sure that while the appraisals keep going up, the actual dollars that you pay out of your pocket really won't go up as well. So we're working through the process, but I think everybody up here has been diligent and especially the staff to not just run out and try to grab all the cash that was thrown at us from the CAD.

Dan Becker had no comments.

Mayor Pat Hallisey said I want to start with, I announced at the meeting after June 5 that we had lost a former councilman here in town, James Davis, and his wife Nancy Guthrie and his daughter Kelly Boyd are here tonight. They had called for James' service and asked me if I'd do a proclamation, which I was happy to do. James was a friend of mine for well over 40 years. There's not a building in this complex that when you look at the plaque on the corner that you don't see the name J.W. Davis. He came along through this town, showed some great strength. There's an old funny story about it, that he and Johnnie Arolfo used to joke back and forth about this facility, before it was built, would accommodate a city of 50,000. And people scoffed at them, they laughed at them. They thought they were being clownish about it, that the city would never be 50,000. It got to be about 1995, we were passing 50,000 and here we are 2017 passing 103,000, so it far exceeded their expectations. In the proclamation I'm going to tell you some stuff about James, but he was, along with Jack Rowe, the Village Fair here in town. That was before Greg Gripon and his son were even born. They put the Village Fair on the map, biggest two-day fair in Texas. James sold real estate, he built houses, he sold insurance, he did a lot of things. But for his friends it was a big loss to know that he was gone. I had just seen he and Nancy out at dinner at the country club, I think maybe a year or so ago. He looked great, he looked happy and things were going good. He'll be missed. I've already presented this proclamation to them, this is kind of a throwdown, but I'm going to give it to you anyway. (Mayor Hallisey read the proclamation.)

Mayor Hallisey continued, thanks everybody for being here. I know you could be a lot of different places tonight. We're happy that you're here. I want to echo Councilman Gripon's comments about the City of Webster. It was a bold move on their part, and I'm glad Greg initiated that, to invite us over for dinner. One of the things that happens as you get bigger you get busy and you don't pay attention to your neighbors nearly as much as you should. In this county and in this Clear Lake area, we need one another to be able to move forward on economic development projects, legislative projects. Thanks, Mayor Rogers, I thought that was a bold move, a great move. We had a good number of the Council and staff there. The food was great, our guys kind of settled out at the golf course and they were trying to beat each other at Top Golf. Some of us sat back and watched. Mr. Millican, did you take a swing at the ball, but your wife took a swing at it. She was good. I think Greg mentioned it, but the Police Department blood drive, if you are able to give blood, please do. There are a lot of folks who need blood, please do it. Mr. Bowen, I want to say one thing about the property tax, I'm not against the property tax.

Whatever we set a tax rate at you can remove us if you think it's too bad one way or the other. What I take exception to is, local control is best control and if you want Austin running your business down here, we're going to debate later this evening about drilling because of House Bill 40. The State preempted us making any decisions on oil drilling in our own community. I would argue with anyone that us having a word in that or having a legitimate say is appropriate. But they took that away from us and we have been to every state agency, we don't get answers to questions and I suspect that as the state moves to control tax limits and every other thing, we'll have the same problems. The State of Texas gave cities the opportunity to determine their own futures within State Law and within Federal Law. That's what I'm opposed to and I think the legislature is overstepping its bounds of control and has done nothing that I can see but cause problems for us. If you think we raise taxes too much, and we're a 25-year city of dropping our rates, proportionally to try to balance out the appraisals, we've done pretty good at it. Let me give you an example. If we get hit with another Ike, if we reduce our fund balances to take care of people in this town, we run out of money, what they'd like us to do is to go to a vote when people need help immediately. I still think that local control is the best control and I think you won't find anybody in Texas who will argue that taxes need to go down. That's a given. We're trying to do it as cheaply as we can, but I think we're doing a pretty darn good job of it in this city. In fact, every city in this county and obviously from the response across the state of Texas, most cities feel the same way. They know that if you don't like what we do, you can replace us every 2, 3 or 4 year, whatever the term being. I just want to straighten it out, it's really not about taxation, that's the buzzword that the press gives it. It's about local control. That's what it's about. You don't have to agree, that's just my take on it. There are 11 students from the League City area who attend Clear Falls, Clear Springs, Clear Creek High Schools that are participating in the Water Polo Junior Olympics in Orange County, California. The boys are competing July 20-25 and the girls from July 25-31. They are part of when schools not in session, it's called club teams. They are associated with the West Houston Water Polo program and their club team is the Viper Pigeons. We wish them the best of luck and hope they come back victorious and make all League City Proud. Good luck to the guys.

9. REPORTS FROM STAFF MEMBERS

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

John Baumgartner said just a quick reminder for the public. There will be a budget public hearing on August 8, it's the first of two. It will be in the Council Chambers and the proposed budget is available on line for those of you who want to look at it. We encourage you to send any comments or participate in the public hearing on August 8. Secondly, the Art Hewitt Volunteer Spirit Award nominations are due by August 4. You can contact Bridget Kramer for directions on how to fill out an application for that.

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

Item 10G was pulled by Staff for revision
Item 10C was pulled by Mr. Gripon

A motion was made by Mr. Kinsey, seconded by Mr. Long, to approve the remaining Consent Agenda items. The motion passed by the following vote:

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

Absent: 1 - Mr. Gross

- 10A. 17-0439 Consider and take action on a resolution authorizing a one-year agreement (second renewal) with Boundtree Medical to purchase medical supplies for an amount not to exceed \$120,000 (Fire Chief)

Approved on the Consent Agenda - Resolution No. 2017-116

- 10B. 17-0448 Consider and take action a resolution authorizing the Five Year Consolidated Plan related to the Community Development Block Grant Program (Director of Planning and Development)

Approved on the Consent Agenda - Resolution No. 2017-117

- 10D. 17-0444 Consider and take action on a resolution authorizing the purchase of one Ford F350 with a service body truck for the fleet department and one Ford F150 super cab truck for the water department from Silsbee Ford through a cooperative purchasing agreement with TxSmartBuy in an amount not to exceed \$60,861.65 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2017-119

- 10E. 17-0451 Consider and take action on a resolution authorizing a professional services agreement with the Ardurra Group for the water, wastewater, and reuse master plans update and other matters in an amount not to exceed \$538,818 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2017-120

- 10F. 17-0446 Consider and take action on a resolution authorizing of a professional services agreement with HR Green, Inc. for package 3 of the 2017 Asphalt Street Rehabilitation Project (RE1704A) in an amount not to exceed \$151,388 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2017-122

END OF CONSENT AGENDA**11. ITEMS REMOVED FROM CONSENT AGENDA**

- 10C. 17-0445 Consider and take action on a resolution declaring twenty-eight (28) vehicles, one (1) motorcycle, five (5) pieces of equipment, one (1) boat, one (1) outboard motor and one (1) boat trailer as surplus property and authorizing city staff to dispose of the surplus property through public auction or through direct sale (Director of Public Works)

A motion was made by Mr. Millican, seconded by Mr. Kinsey, to approve Resolution No. 2017-118 declaring 28 vehicles, 1 motorcycle, 5 pieces of equipment, 1 boat, 1 outboard motor, and 1 boat trailer as surplus property and authorizing disposal through public auction or direct sale. The motion passed by the following vote:

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

Absent: 1 - Mr. Gross

10G. 17-0449

Consider and take action on a resolution authorizing an encroachment agreement with Tirupati, Inc. for proposed private potable water and sanitary sewer force main service lines within a dedicated 8-foot utility easement (Director of Public Works)

A motion was made by Mr. Millican, seconded by Mr. Long, to approve Resolution No. 2017-122 authorizing an encroachment agreement with Tirupati, Inc. for proposed private potable water and sanitary sewer force main service lines within a dedicated 8-foot utility easement, as amended to reflect all trenchless installation. The motion passed by the following vote:

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

Absent: 1 - Mr. Gross

12. OLD BUSINESS

12A. 17-0452

Consider and take action on Ordinance No. 2017-18 amending Article IV of Chapter 74 of the Code of Ordinances of the City of League City, to create a single standard for alcoholic beverages in city parks - Second Reading (Council Member Gripon and Council Member Dugie)

Council approved 7-1-0 on July 11, 2017.

A motion was made by Mr. Long, seconded by Mr. Millican, to approve Ordinance No. 2017-18, Second Reading, to amend Article IV of Chapter 74 of the Code of Ordinances of the City of League City to create a single standard for alcoholic beverages in city parks. The motion passed by the following vote:

For: 5 - Mayor Hallisey, Mr. Becker, Mr. Millican, Mr. Kinsey and Mr. Long

Opposed: 2 - Mr. Dugie and Mr. Gripon

Absent: 1 - Mr. Gross

12B. 17-0455

Consider and take action on a request by Lynn Watkins of Venture 2, LLC. for variances to Chapter 42, Article III, of the Code of Ordinances of the City of League City, entitled "Oil and Gas Well Drilling" related to a proposed drilling permit application for a site generally located south of the Magnolia Creek Golf Course, southwest of the Brittany Lakes Subdivision, east of Bay Area Boulevard, and west of Landing Boulevard (Director of Planning and Development)

Council postponed 7-0-0 with 1 absent on June 27, 2017.

Council postponed 7-1-0 on July 11, 2017.

A motion was made by Mr. Dugie, seconded by Mr. Becker, to suspend the rules and address this item after the council has met in executive session. The motion passed by the following vote:

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

Absent: 1 - Mr. Gross

13. **NEW BUSINESS**

14. **FIRST READING OF ORDINANCES**

15. **TABLED ITEMS SUBJECT TO RECALL**

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

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

Items 17A and 17B were pulled.

17A. 17-0441 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)

17B. 17-0458 Texas Open Meetings Act, Section 551.087 Government Code - 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 (City Manager)

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

17C. 17-0459 Texas Open Meetings Act, Section 551.071 Government Code - Consultation with Attorney

Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act (City Attorney)

At 8:12 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.

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

Mayor Hallisey announced that Items 18A and 18B have been pulled.

- 18A. 17-0443 Consider and take action on discussion concerning potential purchase or sale of real property interests (Director of Public Works)

Pulled

- 18B. 17-0461 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 (City Manager)

Pulled

- 12B. 17-0455 Consider and take action on a request by Lynn Watkins of Venture 2, LLC. for variances to Chapter 42, Article III, of the Code of Ordinances of the City of League City, entitled "Oil and Gas Well Drilling" related to a proposed drilling permit application for a site generally located south of the Magnolia Creek Golf Course, southwest of the Brittany Lakes Subdivision, east of Bay Area Boulevard, and west of Landing Boulevard (Director of Planning and Development)

Council postponed 7-0-0 with 1 absent on June 27, 2017.

Council postponed 7-1-0 on July 11, 2017.

A motion was made by Mr. Long, seconded by Mr. Dugie, to approve the variance to allow for a 3 RAM BOP stack that includes a blind shear, provided the applicant can provide certification from a professional engineer that the 3 RAM BOP stack that includes a blind shear will provide sufficient safety for onshore drilling for this specific well. The motion passed by the following vote:

For: 6 - Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Long

Opposed: 1 - Mayor Hallisey

Absent: 1 - Mr. Gross

19. **ADJOURNMENT**

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

PAT HALLISEY
MAYOR

DIANA M. STAPP
CITY SECRETARY

(SEAL)

MINUTES APPROVED: