



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, April 10, 2018

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

Bo Bass

Assistant City Manager

Michael Kramm

City Attorney:

Nghiem Doan

City Secretary:

Diana M. Stapp

Interim Chief of Police:

Gary Ratliff

Director of Budget/Project Management

Angie Steelman

Director of Engineering:

Christopher Sims

Director of Finance:

Allena Portis

Director of Human Resources/Civil Service:

Janet Shirley

Director of Parks & Cultural Services:

Chien Wei

Director of Planning/Development:

David Hoover

Director of Public Works:

Jody Hooks

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 with Nick Long attending by videoconference call.

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 Brian Young of Word Power Church. Mayor Hallisey led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A. 18-0181 February 27, 2018 Regular Meeting

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

4. **PROCLAMATIONS, PRESENTATIONS, AWARDS, AND COMMUNITY SPOTLIGHT**

4A. 18-0168 Presentation by the TIRZ #2 (Victory Lakes) and TIRZ #4 (Westwood) Boards (Director of Finance)

David Hawes gave an introduction, Scott Bean presented. TIRZ No. 2 was created in 1999 to assist with the public infrastructure costs in the Victory Lakes subdivision. The city, county and school district contribute their ad valorem tax dollars on the increase in taxable value from the development toward the construction of Walker Road and other roadways and utilities. City participates at 100%. To date the city has contributed \$14,463,876. It is estimated that all obligations and projects will be complete by FY2020 and the TIRZ be dissolved.

David Hawes presented TIRZ No. 4, was created in 2003 and recreated in 2006 to assist with construction of Maple Leaf Drive and League City Parkway, two major thoroughfares adjacent to and through the new Westwood subdivision. The TIRZ also pays for regional detention. The city and county contribute their ad valorem tax dollars. The City participates at 75%.

4B. 18-0180 Recognition of the 2017 Texas Amateur Athletic Federation League City Male and Female Athletes of the year (Mayor Hallisey)

Kenny Walsh presented the following awards:
Drew Viner was recognized as the 2017 TAAF League City Male Athlete of the Year and
Mariah Jackson was recognized as the 2017 TAAF League City Female Athlete of the Year.

4C. 18-0166 Presentation of certificates and patches to nine (9) Volunteers In Policing (VIP) recognizing their earned Master VIP status; the highest achievable VIP certification (Chief of Police)

Officer Todd Young presented VIP Certificates to the following 10 volunteers – Jack Compton, Jennifer Cook, Frank DiBello, Ray Elam, Shari Ferguson, Bill Keogh, Walt Lovercheck, John Paul, Tom Staff, and Beverly Williams.

- 4D. 18-0169 Presentation of Telecommunicator awards and a proclamation declaring April 8-14, 2018 as National Public Safety Telecommunicators Week (Mayor Hallisey)
- Mayor Hallisey presented the proclamation to LCPD Telecommunicators and Chief Ratliff presented certificates to Texas NENA Silent Hero Award winner Ashley Neumann and Texas NENA Telecommunicator of the Year Award winner Rebekah Schwartz.
- 4E. 18-0178 Presentation of a proclamation declaring May 6-12, 2018 as American Water Works Association (AWWA) "National Drinking Water Week" (Director of Public Works)
- 4F. 18-0158 Presentation of the City of League City's Citizen University Certificates (Mayor Hallisey)

5. **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
Marika Fuller	2920 Marlin Ct.	Bayridge/Animal Shelter
David Johnson	2426 Thorndon Park Ct.	Drainage
Justin Gripon	2060 Pecan Orchard Rd.	LC Musical Festival
Diane Turski	719 Marbrook Saddle	Animal Shelter

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

7. **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 will be very brief. Just real quick going on at the Library, their new ESL conversation group meets on Mondays at 6:30 p.m. and Wednesdays at 10:30 a.m. in the Board Room. This group is for native speakers of any language who wish to sharpen their English conversation skills. Teens interested in summer volunteering may pick up applications beginning May 1. Applicants will then be notified regarding training and orientation. Finally, the League City Book Club will be discussing E.L. Doctorow's story "Wakefield" and they'll also be screening the movie. That will be on April 16 from 7:00 p.m. to 8:00 p.m. The discussion and then the movie will be seen at 10:00 a.m. on Saturday, April 14. Everybody have a great week.

Keith Gross had no comments.

Nick Long had no comments.

Dan Becker had no comments.

Hank Dugie had no comments.

Larry Millican said just real quick, I thank everybody for coming. I appreciate, very much, the attendance and everybody at home. I wanted to remind everybody that the State of Texas is having their Regional Transportation Plan and we have an opportunity as Galveston County to participate in that in a public meeting. It'll be held in two weeks at the Helen Hall Library and I urge everybody to attend that doesn't want to come back to the council meeting. I can't attend because I'll be here in this meeting but it will be held and it will be an excellent opportunity to see what the whole region has for traffic and where they're thinking that we're going to be going in the state of Texas in this region and also offer your input as far as if you are satisfied with the traffic that is in the region. At any rate, I urge everybody to go that has the ability to go. Thank you.

Greg Gripon said what a beautiful day we had today. These are the type of days you just love in League City. I just want to say that our council staff planning retreat was a huge success. A lot of great things came out of it. I will keep this short. Justin did forget to tell you there's posters up at the front so take some home, put them up, get them out and let everybody know. I'm now being told the posters are not up front. I guess they went with him. We'll get you some posters.

Mayor Pat Hallisey said Mr. Millican is older than I am, and I am just following suit with him. A couple of things, we spent all day down here Saturday going through a strategic planning exercise. I thought it was productive. I think there is one underlying thing, priorities may have changed a little bit, but we are one growing community and we have a lot of challenges in front of us. One of them of course is drainage. I think everybody recognizes that. I'm proud of John because within a couple of days of the storm, he had started on a process to get seven neighborhoods, getting engineering done on seven neighborhoods.

I can tell you that I know that everybody would like to say the animal shelter will solve your problem but I have to tell you, by the time we get the data in and we decide what course of action we can take, it's going to take a while to muster the money to do the things that seven neighborhoods want done. We also had the county in our office the other day, talking about what they're doing on Gum Bayou so they are starting at the back end and they will be working up towards you and we were all a little surprised at Chris Stevens walk down Gum Bayou. It was probably the first time in a while some of us have had a good view of that bayou all the way down to FM 646 and on to Dickinson Bayou. We could fix every drainage problem that there is and yet we're not guaranteed or every neighborhood drainage problem that there is, and I'm not sure that we are afforded of the luxury of saying that we've done it all because until we figure out how to deal with Dickinson Bayou and Clear Creek, which are both subject to tidal flows, no matter how many ditches we build, no matter how many storm sewers we clear out, until we can get a more regional approach to what to do about that, I'm not sure that we're going to, we're talking about gaining a mile, I don't know that we will do that. I'm proud of John because I think he's taking a measured approach to this. I think seven engineering studies within the first couple of weeks after the storm is pretty remarkable on our staffs' part. Figuring out how we're going to pay for any of the things that are going to be recommended to us will be the second challenge that will come from this. I think that we have finished two engineering studies and we're expecting the third one shortly but that's still another four to go and to try to put that into a comprehensive plan, let me tell you, every neighborhood thinks theirs was destroyed worse than the other. There is no perfect answer to it but getting started on drainage issues and moving it considerably up the priority list is happening as we speak and will continue to happen. I know it's easy to reach out and pick at another project and say that's not worth doing but in three, four, five, or six years of waiting for that to get done and other things that are on our list, drainage is certainly moved up. We are a sophisticated city with \$200 million for the things that have to get done next year and we're just now starting to think about where we begin with that now that the storm is over and people have had the opportunity to kind of sit back and say how do we go about solving these problems. It's going to happen. It probably will never happen as fast as any neighborhood wants it to happen but I doubt seriously that anybody within this institution is going to drag their feet on public safety, no matter how you slice the pie. So anyway, I thought we made a really good shot at getting all the staff and all the council members, for probably the first time ever if not in a long time, to come together to talk about what's in front of us and believe me, it's a daunting task and nobody is ducking that up here, so when you come and you tell us that your neighborhood is pretty important, we agree with you. I can tell you that every one of my neighbors where I live are just the same and they don't miss an opportunity to tell me every time they see me, when everybody was flooded down along that creek. And all those people that live in the Oaks of Clear Creek that were devastated don't miss an opportunity to tell us how important they are and we agree with everything that everybody is saying. Everybody is important.

Coming up with a plan of how to approach this, and I hope that all of you are still here with us when the only way we can pay for this, is to come out and ask for you for a sizable tax increase because what we're looking at certainly exceeds well-over, just for Bayridge alone is probably \$20 million worth of work that has to be done. \$20 million to us is somewhere between 10 and 15 cents on the rate. At the end of the day, it comes down to how much money we have to spend and how much you're willing to spend to get all this done. It's not something that you can just pull a rabbit out of the hat. We got hit hard. We got hit harder than we have ever been hit in the history of this town and we're making every effort meeting every challenge that comes at us trying to come up with a reasonable way to get going forward. Just remember that at the end of the day, all of this costs money and the problem is so big, it's not a matter of priorities, it's not a matter of what you're going to do without, because all of you for the most part, you don't want us to cut policemen because you want to feel safe in your neighborhoods, and you don't want us to cut firemen because when your house catches on fire, you expect that somebody will show up to put it out. I'm not picking at anyone and I'm not making fun of anyone, I'm just trying to express to you, the daunting nature of the task in front of us and I think everyone at this table is taking it serious, as serious as a heart attack. That gave me a pain.

8. REPORTS FROM STAFF MEMBERS

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

John Baumgartner said I would like to one more time introduce Sarah Greer Osborne. She's our new Communications Director. She would like to stand up and make sure everybody sees her. I don't have a bio of her but we're glad she's here. Bryan and Nora are especially glad she's here. A special thanks to them for holding things together as Sarah got here. I think she's fully staffed. As of today, there's five members in the communication department, up from two for over the last several months and so again, I appreciate her efforts on making our communications better.

9. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Mr. Millican, seconded by Mr. Gross, to approve Consent Agenda Items 9A through 9C. 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

- 9A. 18-0165 Consider and take action to approve a request, by the League City Lions Club, 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 partial lane closures and to waive City costs associated with traffic control for the "64th Annual League City Music Fest and BBQ Cook Off" to be held May 4 and 5, 2018 (Chief of Police)

Approved on the Consent Agenda

- 9B. 18-0163 Consider and take action to approve a request, by the League City Lions Club to grant a variance to Chapter 42, Article II of the Code of Ordinances of the City of League City entitled "Noise" for extending end time and to waive City permit fees for the "64th Annual League City Music Fest and BBQ Cook Off" to be held May 4 and 5, 2018 (Chief of Police)

Approved on the Consent Agenda

- 9C. 18-0160 Consider and take action on a resolution consenting to the sale and issuance of Unlimited Tax Bonds, Series 2018 for the Galveston County Municipal Utility District No. 44 in an amount not to exceed \$3,650,000 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)

Approved on the Consent Agenda - Resolution No. 2018-39

END OF CONSENT AGENDA

10. OLD BUSINESS

- 10A. 18-0172 Consider and take action on a resolution authorizing the annual internal audit plan for the City of League City for the fiscal year ending September 30, 2018 (City Auditor)

Council postponed item 8-0-0.

A motion was made by Mr. Millican, seconded by Mr. Kinsey, to approve Resolution No. 2018-40 authorizing the annual internal audit plan for the fiscal year ending September 30, 2018. 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

- 10B. 18-0173 Consider and take action on an ordinance authorizing an amended and restated utility agreement with Forestar (USA) Real Estate Group, Inc. regarding Galveston County Municipal Utility District No. 36 (Director of Planning & Development)

Council postponed 6-2-0 on March 27, 2018.

A motion was made by Mr. Dugie, seconded by Mr. Millican, to suspend the rules and address Item 10B after the executive session. 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

11. NEW BUSINESS

- 11A. 18-0176** Consider and take action on a resolution authorizing staff to proceed with the design and construction of the Animal Shelter Project (PD1502) of approximately 15,080 square feet in an amount not to exceed \$7,500,000 (Chief of Police)

A motion was made by Mr. Kinsey, seconded by Mr. Dugie, to approve Resolution No. 2018-41 authorizing staff to proceed with the design and construction of the Animal Shelter Project of approximately 15,080 square feet in an amount not to exceed \$7,500,000.

A motion to amend was made by Mr. Becker, seconded by Mr. Long, to approve putting this on a referendum ballot in November. The motion to amend failed by the following vote:

For: 2 - Mr. Becker and Mr. Long

Opposed: 6 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

A motion to amend was made by Mr. Becker, seconded by Mr. Long, to cap the expenses at \$3.5 million. The motion failed by the following vote:

For: 2 - Mr. Becker and Mr. Long

Opposed: 6 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

A motion was made by Mayor Hallisey, seconded by Mr. Kinsey, to call the question. 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

The motion by Mr. Kinsey to approve the resolution passed by the following vote:

For: 6 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Opposed: 2 - Mr. Becker and Mr. Long

12. FIRST READING OF ORDINANCES**13. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED**

- 13A. 18-0187** Consider and take action on a resolution approving the City of League City's Emergency Pumping Policy (Director of Engineering)

A motion was made by Mr. Dugie, seconded by Mr. Gripon, to approve Resolution No. 2018-42 approving the City of League City's Emergency Pumping Policy. The motion passed by the following vote:

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

Out of Room: 1 - Mr. Becker

Following Item 13A, Mayor Hallisey reopened the discussion on Item 10B. Justine Klinke of Forestar Group gave a presentation and answered Council questions.

14. EXECUTIVE(CLOSED) SESSION(S)

At 8:29 p.m. Mayor Hallisey announced that Item 14C and 15C have been pulled and that the City Council will now go into executive session to discuss the following items:

- 14A. 18-0174 Texas Open Meetings Act, Section 551.072 Government Code - Deliberations about real property
- Discuss potential purchase or sale of real property interests (Director of Engineering, Director of Budget & Project Management and Director of Economic Development)
- 14B. 18-0184 Texas Open Meetings Act Section 551.071 Government Code - Consultation with Attorney
- Consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct to the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, to-wit: legal issues related to MUD utility Agreements (City Attorney)
- 14C. 18-0182 Texas Open Meetings Act, Section 551.071 Government Code - Consultation with City Attorney
- Consultation with City attorney regarding pending/contemplated litigation, to wit: CenterPoint Energy 2018 Annual GRIP Adjustment (City Attorney)
- Pulled

At 9:22 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.

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

- 15A. 18-0175 Consider and take action on discussion concerning potential purchase or sale of real property interests (Director of Engineering, Director of Budget & Project Management and Director of Economic Development)
- No Action
- 15B. 18-0185 Consider and take action regarding legal issues related MUD utility agreements (City Attorney)
- No Action
- 15C. 18-0183 Consider and take action on consultation with City Attorney regarding pending/contemplated litigation, to wit: CenterPoint Energy 2018 Annual GRIP Adjustment (City Attorney)
- Pulled

- 10B. 18-0173 Consider and take action on an ordinance authorizing an amended and restated utility agreement with Forestar (USA) Real Estate Group, Inc. regarding Galveston County Municipal Utility District No. 36 (Director of Planning & Development)

Council postponed 6-2-0 on March 27, 2018.

A motion was made by Mr. Dugie, seconded by Mr. Kinsey, to approve Ordinance No. 2018-09 authorizing an amended and restated utility agreement with Forestar (USA) Real Estate Group, Inc. regarding Galveston County Municipal Utility District No. 36 with conditions as read by staff.

Deputy City Attorney Michelle Villarreal read the following conditions to be added to the utility agreement:

1. Requirement for the dedication for a fire station to be located on 3 acres within the MUD
2. Requirement for the dedication of a water tower to be located on 2 acres within the MUD
3. Requirement for 2 lanes of Maple Leaf going north
4. Requirement for 2 lanes of Maple Leaf going south to McFarland Road
5. Final placement of all the four mentioned items to be determined by the City Manager at his discretion

The motion passed by the following vote:

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

Absent: 1 - Mr. Long

16. **ADJOURNMENT**

At 9:25 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: