



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, February 12, 2019

5:00 PM

Council Chambers
200 West Walker Street

Council Work Session

The City Council of the City of League City, Texas, met in a work session in Council Chambers at 200 West Walker Street on the above date at 5:00 p.m.

Mayor:

Pat Hallisey

City Council Members:

**Andy Mann
Hank Dugie
Larry Millican
Todd Kinsey
Greg Gripon
Chad Tressler
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:

Vacant

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 5:00 p.m. and called the roll. All members of Council were present except Todd Kinsey. Nick Long arrived at 5:05 pm.

Absent 1 - Mr. Todd Kinsey

Present 7 - Mayor Pat Hallisey, Mr. Andy Mann, Mr. Hank Dugie, Mr. Larry Millican, Mr. Greg Gripon, Mr. Chad Tressler and Mr. Nick Long

2. CITY COUNCIL ANNUAL ETHICS AND ROBERT'S RULES OF ORDER TRAINING

City Attorney Nghiem Doan gave a presentation to the Council.

PART I – ROBERT'S RULES OF ORDER

City Code Sec. 2-32

- **Adopts Robert's Rules of Order, 11th Edition**
- **Designates the City Attorney as parliamentarian**
- **Provides that the Mayor shall decide all questions of parliamentary procedure, subject to appeal to the rest of the Council**

Quorum Needed

- **Charter, Art. II, Sec. 11 sets the quorum at 5, unless vacancies leave fewer than 5 Members of Council remaining**
- **Quorum must be established and maintained during the entire meeting**
- **A member participating by videoconference does not count toward the quorum**

Taking Action:

City Council conducts business by voting on: ordinances, resolutions, minute orders

A motion and a second are required to vote to take an action

- **Motions should be made in the affirmative**
- **Motions should clearly state the action proposed to be taken**

Types of Motions:

Main Motion

- **Transacts the City's Business**
- **Only one main motion allowed on the floor at a time**

Parliamentary motions

- **Procedural motions that modify the main motion**
- **Must be voted on before moving to main motion or another parliamentary motion**

Common parliamentary motions:

Motion to amend

- **Amends the pending main motion (which becomes the amended motion)**

Motion to postpone

- To/for a time certain (no later than the next regular meeting)
- Indefinitely: effectively kills the main motion without a vote on the merits thereof

Suspend the rules: allows an action ordinarily not allowed by Robert's Rules or rules of procedure

- Not debatable

Move the previous question (call the question)

- Requires a second
- Ends debate and forces immediate vote on the pending question
- Not debatable
- Requires 2/3 vote

Motion to reconsider

- Brings back for further consideration a motion already voted on
- Can only be made by someone on the prevailing side, made at the same session as the vote to be reconsidered

VOTING

A motion passes upon receiving a majority vote of the members of council participating

- Charter, Art. II, § 13 requires each member to cast a vote unless the question involves his/her conduct, financial interests, or "other good and valid reasons"

4/5 Supermajority of Council present needed to:

- Adopt an ordinance upon one reading (Art. II, §22)
- Publish just the caption of an ordinance that imposes a penalty, fine, or forfeiture (Art. II, §23)
- Appoint the presiding judge of the court (Art. V, §4)
- Make emergency appropriations (Art. VII, §8)

PART II – CODE OF ETHICS**Conflicts of Interests**

- Governed by state law (Local Government Code Ch. 171, and
- Code of Ethics (Code of Ordinances, Ch.2, Art. II, Div. 2)

Two-prong test for conflict of interest:

- Substantial interest
 - In a business entity
 - In real property
- Council action would have a special economic effect on the business entity or real property

If a conflict exists under state law or the Code of Ethics:

- **Conflicted member of Council must file an affidavit with the City Secretary stating the nature of the interest**
- **Conflicted member of Council must leave the room during discussion of and vote on the matter**

Voluntary recusal sometimes appropriate

- **Even if actual conflict does not exist, to avoid the mere appearance of impropriety**

Other Ethical Constraints

State law prohibits accepting any item worth \$50 or more, or money in any amount

Under the Code of Ethics:

- **A city official must provide a written disclosure of any gift of food, lodging, transportation, or entertainment that reasonably appears to exceed \$500 in value**
- **A member of Council may not represent another person's (except spouse or minor children) or entity's interests before the Council or any City board**
- **City officials cannot disclose confidential information**
- **No city official or Council candidate may meet with a City employee for political campaigning when that employee is on duty**
- **No city official may pressure a City employee to engage in or refrain from political activity**
- **City assets (facilities, personnel, equipment, supplies) may not be used to promote a position in a political campaign**
- **City officials subject to Texas Open Meetings Act (TOMA) may not during a meeting "deliberate" via cell phone**
- **No former member of Council may disclose confidential information obtained during his/her term of service**
- **No former member of Council may have a financial interest in a contract with the City work over \$1000 within 13 months of the end of his/her term**
- **If a former city official becomes employed by an entity within two years of the execution of a contract between the City and said entity, and the former official was involved in negotiating the contract, the contract is voidable and the entity may be banned for 3 years**

PART III: OPEN GOVERNMENT REQUIREMENTS

TEXAS OPEN MEETINGS ACT

Requirements of the Act:

- Meetings are public and notice must be posted in advance for public
a “meeting” consists of a quorum of the body, which is 5
cannot meet in numbers less than a quorum to circumvent the Act
cannot discuss City business in a setting where a quorum is present
cannot discuss City business via email amongst a quorum
- Can only discuss item on the agenda that was posted in advance

The Act provides criminal sanctions for violations

- Fine between \$100 and \$500
- Confinement in jail for 30-180 days

Public officials must complete Open Meetings training within 90 days of taking office

TEXAS PUBLIC INFORMATION ACT**Requirements of the Act:**

- Records held by the City, the Council, or individual members of Council are presumed to be public
- Such records are subject to state retention guidelines
- Any person can make a public information request seeking access to public information
- City handles responses to PIRs

Gather records for release

Seek Attorney General opinion if an exception might apply

The Act provides criminal sanctions for destruction, alteration, or concealment of public records

- Fine between \$25 and \$4,000
- Confinement in jail for 3-90 days

Public officials must complete Public Information Act training within 90 days of taking office

3. PUBLIC COMMENTS

4. ADJOURNMENT

At 5:44 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: