



City of League City, TX

300 West Walker
League City TX
77573

Meeting Minutes City Council

Tuesday, March 9, 2021

5:00 PM

Johnnie Arolfo Civic Center
400 West Walker Street

Council Work Session

The City Council of the City of League City, Texas, met in a work session in Johnnie Arolfo Civic Center at 400 West Walker Street on the above date at 5:00 p.m.

Mayor:

Pat Hallisey

City Council Members:

**Andy Mann
Hank Dugie
Larry Millican
John Bowen
Justin Hicks
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

Chief of Police:

Gary Ratliff

Executive Director of Development Services

David Hoover

Director of Budget/Project Management

Angie Steelman

Director of Engineering:

Christopher Sims

Director of Finance:

Kristine Polian

Interim Director of Human Resources/Civil Service:

James Brumm

Director of Parks & Cultural Services:

Chien Wei

Director of Public Works:

Jody Hooks

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Hallisey called the meeting to order at 5:07 p.m. and called the roll. All members of Council were present except Mayor Pro Tem Dugie.

Absent 1 - Mr. Hank Dugie

Present 7 - Mayor Pat Hallisey, Mr. Andy Mann, Mr. Larry Millican, Mr. John Bowen, Mr. Justin Hicks, Mr. Chad Tressler and Mr. Nick Long

2. **ROBERTS RULES OF ORDER AND ETHICS TRAINING**

Nghiem Doan, City Attorney gave a presentation.

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 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

Common parliamentary motions (cont.)

Move the previous question ("call the question")

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 only 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

Governed by state law (LGC Ch. 171), and

Code of Ethics (Code of Ordinances, Ch. 2, Article II)

Conflicts of Interests

Two-prong test for conflict of interest
Substantial interest
In a business entity (by ownership or income)
In a real property (ownership of \$2,500+)

Council action would have a special economic effect on the business entity or real property

Other conflict situations:
Substantial interest in Entity A;
Entity A did \$10K+ worth of business with Entity B in the prior 12 months; and
Council action would have a special economic effect on Entity B

Other conflict situations:
Member of Council received more than \$1,500 in campaign contributions from person/entity;
In the two-year contribution cycle for that Member's election date; and
Council action would have a special economic effect on that person/entity

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 Code of Ethics:
A city official must submit 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 info

Under the Code of Ethics:
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 TOMA may not during a meeting “deliberate” via cell phone

Under the Code of Ethics:

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 worth >\$1,000 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 items 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 AG 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

**PAT HALLISEY
MAYOR**

**DIANA M. STAPP
CITY SECRETARY**

(SEAL)

MINUTES APPROVED: