



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, March 27, 2012

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: **Tim Paulissen**

City Council Members: **Dan Becker**
Dennis O'Keeffe
Mick Phalen
Mike Lee
Phyllis Sanborn
Andy Mann
Joanna S. Dawson

Acting City Manager: **Michael Loftin**
City Attorney: **Arnold Polanco**
City Secretary: **Diana M. Stapp**
Acting Chief of Police: **Doug Wologo**
Director of Human Resources/Civil Service: **Brian Hayes**
Director of Parks & Cultural Services: **Chien Wei**
Director of Planning & Research: **Tony Allender**

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Paulissen called the meeting to order at 6:05 p.m. and called the roll. All members of Council were present except Phyllis Sanborn.

Absent 1 - Ms. Phyllis Sanborn

Present 7 - Mayor Tim Paulissen, Mr. Dan Becker, Mr. Dennis O'Keeffe, Mr. Mick Phalen, Mr. Mike Lee, Mr. Andy Mann and Ms. Joanna Dawson

2. **INVOCATION, PLEDGE OF ALLEGIANCE TO THE U.S. FLAG AND PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG**

The invocation was given by Pastor Darren Tidwell of Life Point Church. Mayor Paulissen led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

- 3A. [12-0130](#) October 24, 2011 Work Session
Approved
- 3B. [12-0131](#) November 1, 2011 Planning Session
Approved
- 3C. [12-0132](#) November 7, 2011 Work Session
Approved
- 3D. [12-0133](#) December 6, 2011 Work Session
Approved
- 3E. [12-0134](#) December 6, 2011 Special Meeting
Approved
- 3F. [12-0135](#) January 9, 2012 Work Session
Approved
- 3G. [12-0136](#) January 10, 2012 Regular Meeting
Approved
- 3H. [12-0145](#) January 18, 2012 Workshop
Approved
- 3I. [12-0146](#) January 23, 2012 Work Session
Approved
- 3J. [12-0147](#) January 31, 2012 Workshop
Approved

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

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

- 4A. [12-0149](#) Presentation of a proclamation declaring March 29, 2012 as "Galveston County Food Bank Day" (Mayor Paulissen)

Representatives from the Galveston County Food Bank were present to receive the proclamation.

- 4B. [12-0148](#) Presentation of a proclamation declaring April 2012 as "Child Abuse Prevention and Awareness Month" (Mayor Paulissen)

Garet Nenninger of the Children's Services Board of Galveston County and Crystal Sargent, Assistant Director of Community Services Division of Galveston County, were present to receive the proclamation.

- 4C. [12-0151](#) Consider and take action on appointments to boards and committees (Mayor Paulissen)

ANIMAL SHELTER ADVISORY BOARD

Position 2. City Official/PD Chief Capt. James Spencer

A motion was made by Mr. Phalen, seconded by Ms. Dawson, to approve the Mayor's appointment. The motion passed by the following vote:

For: 5 -
Mr. OKeeffe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Opposed: 1 -
Mr. Becker

Absent: 1 -
Ms. Sanborn

HOUSTON-GALVESTON AREA COUNCIL TRANSPORTATION POLICY COUNCIL

Position 2. Alternate Voting Member Linc Wright

A motion was made by Mr. Lee, seconded by Mr. Phalen, to approve the Mayor's appointment. The motion passed by the following vote:

For: 6 -
Mr. Becker, Mr. OKeeffe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Absent: 1 -
Ms. Sanborn

HOUSTON-GALVESTON AREA COUNCIL TECHNICAL ADVISORY COMMITTEE

Position 1. Primary Voting Member Linc Wright (moved from Alternate Position)

Position 2. Alternate Voting Member Bonnie Moss

A motion was made by Mr. Phalen, seconded by Ms. Dawson, to approve the Mayor's

appointments. The motion passed by the following vote:

For: 6 -
Mr. Becker, Mr. OKeefe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Absent: 1 -
Ms. Sanborn

LEAGUE CITY ETHICS REVIEW BOARD
Council Position No. 2 Nominee Trey Schoellkopf
Council Position No. 6 Nominee Philip Topek

A motion was made by Mr. Phalen, seconded by Mr. Lee, to approve the Council Members' appointments. The motion passed by the following vote:

For: 6 -
Mr. Becker, Mr. OKeefe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Absent: 1 -
Ms. Sanborn

4D. [12-0137](#) Re-affirmation of Glenn Credeur and Mark A. Smith as City Manager's appointees to Civil Service Commission (Acting City Manager)

A motion was made by Mr. Phalen, seconded by Mr. Lee, to re-affirm Glenn Credeur and Mark A. Smith as the City Manager's appointees to the Civil Service Commission. The motion passed by the following vote:

For: 6 -
Mr. Becker, Mr. OKeefe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Absent: 1 -
Ms. Sanborn

5. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

5A. [12-0089](#) Hold a public hearing on Zoning Change Application Z12-01 (Wade #1), to rezone approximately 0.6 acres from "RSF-10" (Single-family residential with a minimum lot size of 10,000 square feet) to "CN" (Neighborhood Commercial), legally described as a portion of Lot 5 (5-4) of the Smalleys Subdivision, generally located south of West Main Street (Farm to Market Road 518) and east of Ellis Road, with the approximate address being 4409 West Main Street. (Director of Planning and Research)

Planning & Zoning Commission recommended denial 7-1-0 on February 6, 2012.

Mayor Paulissen opened the public hearing at 6:21 p.m.

NAME	ADDRESS
Myrna Luksa	4701 W. Main
Tasneem Abbasi	4413 W. Main
Randi Abbasi	4413 W. Main
Alison Brisco	4523 Williamhurst Ln.
Chuck DiFalco	2118 Eastland Ct.
Amy Arrowood	4525 Williamhurst Ln.

Mayor Paulissen closed the public hearing at 6:35 p.m.

5B. [12-0091](#)

Consider and take action on an ordinance amending Ordinance No. 2005-24 on Zoning Change Application Z12-01 (Wade #1), to rezone approximately 0.6 acres from "RSF-10" (Single-family residential with a minimum lot size of 10,000 square feet) to "CN" (Neighborhood Commercial), legally described as a portion of Lot 5 (5-4) of the Smalleys Subdivision, generally located south of West Main Street (Farm to Market Road 518) and east of Ellis Road, with the approximate address being 4409 West Main Street. (Director of Planning and Research)

Planning & Zoning Commission recommended denial 7-1-0 on February 6, 2012.

A motion was made by Mr. Lee, seconded by Mr. Phalen, to deny amending Ordinance No. 2005-24 on Zoning Change Application Z12-01 (Wade #1) to rezone approximately 0.6 acres from "RSF-10" (Single-family residential with a minimum lot size of 10,000 square feet) to "CN" (Neighborhood Commercial), legally described as a portion of Lot 5 (5-4) of the Smalleys Subdivision, generally located south of West Main Street (FM 518) and east of Ellis Road, with the approximate address being 4409 West Main Street.

A motion was made by Mr. Mann, seconded by Mr. Lee, to call the question. The motion passed by the following vote:

For: 5 -
Mr. Becker, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Opposed: 1 -
Mr. OKeeffe

Absent: 1 -
Ms. Sanborn

The motion to deny passed by the following vote:

For: 5 -
Mr. Becker, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Opposed: 1 -
Mr. OKeeffe

Absent: 1 -
Ms. Sanborn

5C. [12-0090](#)

Hold a public hearing on Zoning Change Application Z12-02 (Wade #2), to rezone approximately 0.9 acres from "RSF-10" (Single-family residential with a minimum lot size of 10,000 square feet) to "CN" (Neighborhood Commercial), legally described as a portion of Lot 5 (5-5) of the Smalleys Subdivision, generally located south of West Main Street (Farm to Market Road 518) and east of Ellis Road, with the approximate address being 4411 West Main Street. (Director of Planning and Research)

Planning & Zoning Commission recommended denial 7-1-0 on February 6, 2012.

The applicant requested that this item be postponed for 3 to 4 months.

5D. [12-0092](#)

Consider and take action on an ordinance amending Ordinance No. 2005-24 on Zoning Change Application Z12-02 (Wade #2), to rezone approximately 0.9 acres from "RSF-10" (Single-family residential with a minimum lot size of 10,000 square feet) to "CN" (Neighborhood Commercial), legally described as a portion of Lot 5 (5-5) of the Smalleys Subdivision, generally located south of West Main Street (Farm to Market Road 518) and east of Ellis Road, with the approximate address being 4411 West Main Street (Director of Planning and Research)

Planning & Zoning Commission recommended denial 7-1-0 on February 6, 2012.

No Action

5E. [12-0138](#) Hold a public hearing to amend Chapter 125 of the Code of Ordinances of the City of League City, Texas entitled "Zoning" by amending Section 125.81 which establishes land use regulations for the Residential neighborhood Conservation Overlay District (Director of Planning & Research)

Planning & Zoning Commission recommended approval with conditions 5-2-1 on March 19, 2012.

Mayor Paulissen opened the public hearing at 6:55 p.m.

NAME	ADDRESS
Rich Benoit	403 N. Kansas
Beth Eyre	1010 2nd Street
Tony Eyre	1010 2nd Street
Richard Davis	1507 7th Street
Dave Hake	820 3rd Street
Katie Benoit	820 3rd Street
Bob Edwards	801 Coryell
Marie Sessor	805 3rd Street
Denny Sessor	805 3rd Street
Trey Schoellkopf	102 7th Street
Lelon Willis	717 2nd Street
Bonnie Schoellkopf	102 7th Street

Mayor Paulissen closed the public hearing at 7:26 p.m.

5F. [12-0139](#) Consider and take action on an ordinance amending Chapter 125 of the Code of Ordinances of the City of League City, Texas entitled "Zoning" by amending Section 125.81 entitled "-RNC Residential neighborhood Conservation Overlay District" (Director of Planning & Research)

Planning & Zoning Commission recommended approval with conditions 5-2-1 on March 19, 2012.

A motion was made by Mr. O'Keeffe, seconded by Mr. Lee, to postpone to April 10, 2012 and to direct staff to prepare information on zoning options for Council consideration.

An amended motion was made by Mr. Phalen, seconded by Mr. Mann, to approve Ordinance No. 2012-04 amending Chapter 125 of the Code of Ordinances of the City of League City, Texas entitled "Zoning" by amending Section 125.81 entitled "-RNC Residential Neighborhood Conservation Overlay District" and to instruct staff to bring back a discussion in 1 month about what Council may be able to do about General Commercial base zoning. The amended motion was accepted by the following vote:

For: 4 -
Mr. Becker, Mr. Phalen, Mr. Lee and Mr. Mann

Opposed: 2 -
Mr. O'Keeffe and Ms. Dawson

Absent: 1 -
Ms. Sanborn

A motion was made by Mr. Phalen, seconded by Mr. Mann, to call the question. The motion passed by the following vote:

For: 6 - Mr. Becker, Mr. OKeefe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Absent: 1 - Ms. Sanborn

The amended motion to approve Ordinance No. 2012-04 with instructions to staff passed by the following vote:

For: 4 - Mr. Becker, Mr. Phalen, Mr. Lee and Mr. Mann

Opposed: 2 - Mr. OKeefe and Ms. Dawson

Absent: 1 - Ms. Sanborn

6. 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 on items of general relevance. 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 Law. Comments should be directed to the entire Council, not individual members. Engaging in verbal attacks or comments intended to insult, abuse, malign or slander any individual shall be cause for termination of time privileges and expulsion from Council Chambers.

NAME	ADDRESS	SUBJECT
Peggy Zahler	1802 Rampart	CRAC
Geri Bentley	4411 Pebble Beach	Charter Review Recommendations

Mayor Paulissen called for a break at 8:30 p.m.

Mayor Paulissen reconvened the meeting at 8:47 p.m.

7. COUNCIL MEMBERS COMMENTS/REPORTS

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

Mr. Becker had no comments.

Mr. O'Keeffe said I would like to mention that I have been struggling with intermittent Comcast Internet service for over a week and I would expect that many of you have had technical issues as well. Unfortunately, Comcast knows that they are the 500 pound gorilla in town. They kind of just take a number and get in line. I apologize for you all for not being as informed of some of the issues as I always am, I make a concerted effort to try and be as well informed as possible. I think that staff may entertain the idea that we have one place where City Council people at present in the temporary City Hall in South Shore Harbour for council people to access one city laptop computer off the city email service. And with the remodeled City Hall I think it might be worth consideration to make available to Council Members, in addition to the Mayor, some type of a cubicle atmosphere where Council Members can go and access city emails at any given time without having to rely on their home email provider. I think it's pretty much unanimous consensus on council that now we have a town of 85,000 people that this position of a city council person is a full part-time job and the demands are just incredible. We have committed ourselves to fulfill the wishes of the citizens and do our very best but we need to have the technical ability to access information when necessary. That's just a comment for staff or whoever's in charge of redesigning the remodeled City Hall to take that into consideration.

Mr. Mann said I just want to take a moment to thank everyone for coming out from the Historic District. Also, Phyllis is out sick. Wish she was here tonight and wanted to let her know we're thinking about her.

Mr. Lee had no comments.

Ms. Dawson said hello everybody, we are glad to have you tonight. I just want to tell you all who are left here that my comments regarding the Historic District Overlay were certainly nothing against Tony's work because his work is wonderful. We just need to tweak it a little bit. Thank you for being here tonight. We will carry on.

Mr. Phalen said get well quick, Phyllis.

8. MAYOR COMMENTS/ REPORT

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

Mayor Paulissen had no comments.

9. REPORTS FROM STAFF MEMBERS

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

- 9A. [12-0144](#) Presentation of the Comprehensive Annual Financial Report for FY2011, Single Audit Report, Required Auditor Disclosure Letter, and Management Letter (Acting City Manager)

Mike Loftin said the firm of Belt Harris Pechacek is the City's auditors. They receive and review information from our very capable accounting staff in preparation of this report every year. This report is required by State law. It does cover all city funds. It's for the 12-month period that ended September 30th of last year and the lag time necessary to prepare this comprehensive report I think would be self evident to anybody who goes out and takes a look at one of these reports on our website. At this point I'm going to turn it over to Stephanie Harris to talk about this years' Comprehensive Annual Financial Report for just a minute or two.

Stephanie Harris, partner with Belt Harris Pechacek, spoke briefly about the report and said I would like to recognize Mike Loftin and Lonna Stein and all the efforts that go on during the year that are reflected in this document. We are very pleased to be able to tell you that we are issuing a clean, unqualified opinion on the City's financial statement. This is the highest level of assurance we can provide to the City as your independent auditors, that the financial statements are materially correct and that all disclosures required by generally accepted accounting principles have been included.

- 9B. [12-0143](#) Presentation of the City's Quarterly Report for the Fiscal Year 2012 - March 2012 Report (Acting City Manager)

Mr. Loftin presented the City's Quarterly Report for FY 2012 through March 2012.

Mayor Paulissen requested that Item 13A be moved up at this time.

- 13A. [12-0156](#) Consider and take action on an ordinance amending the City of League City, Texas, Governmental, Proprietary, and Capital Funds Budget for the Fiscal Year 2012 by amending Ordinance No. 2011-048 and No. 2011-066 to adjust the operating budget for actual and projected expenditures (Acting City Manager)

A motion was made by Mr. Phalen, seconded by Ms. Dawson, to approve Ordinance No. 2012-05 amending the City of League City, Texas, Governmental, Proprietary, and Capital Funds Budget for the Fiscal Year 2012 by amending Ordinance No. 2011-48 and 2011-66 to adjust the operating budget for actual and projected expenditures. The motion passed by the following vote:

For: 6 -

Mr. Becker, Mr. OKeefe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Absent: 1 -

Ms. Sanborn

Mr. Phalen requested Item 12C be moved up.

12C. [12-0150](#) Consider and take action on providing direction to staff regarding preparation of charter amendment ballot propositions, and to Charter Review Advisory Committee regarding review of additional City Charter issues or provisions (Mayor Paulissen)

A motion was made by Mr. Phalen, seconded by Ms. Dawson, to direct the City Attorney to draft charter ballot language for the following propositions: elections to be held every 2 years on even numbered years, 4-year terms for Council Members and Mayor, Mayor as a voting member of Council with council positions reduced to 6, limit of two consecutive 4-year terms for Council Members and Mayor.

After discussion, a motion was made by Mr. Mann, seconded by Mr. Phalen, to call the question. The motion passed by the following vote:

For: 4 -
 Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Opposed: 2 -
 Mr. Becker and Mr. OKeefe

Absent: 1 -
 Ms. Sanborn

The motion made by Mr. Phalen, seconded by Ms. Dawson, to instruct the City Attorney to draft charter ballot language passed by the following vote:

For: 5 -
 Mr. OKeefe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Opposed: 1 -
 Mr. Becker

Absent: 1 -
 Ms. Sanborn

10. CONSENT AGENDA

Approval of the Consent Agenda

Mr. OKeefe pulled Item 10I.

A motion was made by Mr. Phalen, seconded by Mr. Lee, to approve Consent Agenda Items 10A through 10I with the exception of 10I. The motion passed by the following vote

For: 6 -
 Mr. Becker, Mr. OKeefe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Absent: 1 -
 Ms. Sanborn

10A. [12-0126](#) Consider and take action on the award of Bid 12-006 Auto Parts and Supplies to O'Reilly Auto Parts (Acting City Manager)

Staff recommends approval.

Approved on the Consent Agenda

- 10B.** [12-0152](#) Consider and take action on the renewal of the contract for sludge transportation and disposal with Sprint Logistics. (Acting City Manager)
- Staff recommends approval.
- Approved on the Consent Agenda**
- 10C.** [12-0119](#) Consider and take action on a resolution consenting to the sale and issuance of Unlimited Tax Refunding Bonds, Series 2012 for Tara Glen Municipal Utility District and authorizing and directing the Mayor to execute and the City Secretary to attest same for and on behalf of the City (Acting City Manager)
- Staff recommends approval.
- Resolution No. 2012-13 was approved on the Consent Agenda**
- 10D.** [12-0123](#) Consider and take action on the approval of the resale of properties resulting from a tax foreclosure for Lot 20 & Lot 22, Safari Mobile Home Park South, out of and part of Lot 11, Block C, Clear Creek Subdivision (Acting City Manager)
- Staff recommends approval.
- Approved on the Consent Agenda**
- 10E.** [12-0120](#) Consider and take action on the award of a construction contract for the Butler Road and West Main Street Lift Stations Projects (LC CIP Project No. WW1104 and WW1105), and authorization of a Work Change Directive budget and procedure (Director of Engineering)
- Staff recommends award of contract to CSA Construction and approval of a Work Change Directive budget.
- Approved on the Consent Agenda**
- 10F.** [12-0121](#) Consider and take action on approval of a Change Order for the construction of the Louisiana Avenue Project to include the addition of a municipal re-use waterline along Louisiana Avenue from FM 518 to Hewitt Street (Director of Engineering)
- Staff recommends approval.
- Approved on the Consent Agenda**
- 10G.** [12-0124](#) Consider and take action to enter into a professional services contract with Dannenbaum Engineering for Year 5 of the National Pollutant Discharge Elimination System (NPDES) Storm Water Management Plan [Project No.EN0018] (Director of Engineering)
- Staff recommends approval.
- Approved on the Consent Agenda**
- 10H.** [12-0125](#) Consider and take action on a resolution affirming the Interlocal Agreement between the County of Galveston and the City of League City to Partially Fund Improvements to City Streets known as Calder Road, Louisiana Avenue and Caroline Street within the City Limits of League City, Texas (Director of Engineering)
- Staff recommends approval.
- Resolution No. 2012-14 was approved on the Consent Agenda**

- 10I. [12-0127](#) Consider and take action to enter into a professional services agreement with Brown & Gay Engineers, Inc. for the Autumn Lakes Lift Station and Force Main Re-Route Project (Director of Engineering)

Staff recommends approval.

A motion was made by Mr. Phalen, seconded by Mr. O'Keeffe, to approve entering into a professional services agreement with Brown & Gay Engineers, Inc. for the Autumn Lakes Lift Station and Force Main Re-Route Project. The motion passed by the following vote:

For: 6 -

Mr. Becker, Mr. O'Keeffe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Absent: 1 -

Ms. Sanborn

END OF CONSENT AGENDA

11. **OLD BUSINESS**

12. **NEW BUSINESS**

- 12A. [12-0115](#) Consider and take action on a request from the Friends of League City Seniors Foundation and co-sponsored by the League City Parks Department for a variance to Chapter 110, Article I, Section 110-5 of the Code of Ordinances for the City of League City entitled "Parades and Processions Generally" for April 28, 2012 (Acting Chief of Police)

Staff has no recommendation.

A motion was made by Mr. Lee, seconded by Mr. O'Keeffe, to approve a request from the Friends of League City Seniors Foundation and co-sponsored by the League City Parks Department for a variance to Chapter 110, Article I, Section 110-5 of the Code of Ordinances for the City of League City entitled "Parades and Processions Generally" for April 28, 2012. The motion passed by the following vote:

For: 6 -

Mr. Becker, Mr. O'Keeffe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Absent: 1 -

Ms. Sanborn

- 12B. [12-0122](#) Consider and take action on a request from Gilmore Elementary School for a variance to Chapter 110, Article I, Section 110-5 of the Code of Ordinances for the City of League City entitled "Parades and Processions Generally" for April 21, 2012. (Acting Chief of Police)

Staff has no recommendation.

A motion was made by Mr. Lee, seconded by Mr. O'Keeffe, to approve a request from Gilmore Elementary School for a variance to Chapter 110, Article I, Section 110-5 of the Code of Ordinances for the City of League City entitled "Parades and Processions Generally" for April 21, 2012. The motion passed by the following vote:

For: 6 -

Mr. Becker, Mr. O'Keeffe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Absent: 1 -
Ms. Sanborn

- 12C. [12-0150](#) Consider and take action on providing direction to staff regarding preparation of charter amendment ballot propositions, and to Charter Review Advisory Committee regarding review of additional City Charter issues or provisions (Mayor Paulissen)

Item 12C was move forward and addressed before the Consent Agenda.

13. **FIRST READING OF ORDINANCES**

- 13A. [12-0156](#) Consider and take action on an ordinance amending the City of League City, Texas, Governmental, Proprietary, and Capital Funds Budget for the Fiscal Year 2012 by amending Ordinance No. 2011-048 and No. 2011-066 to adjust the operating budget for actual and projected expenditures (Acting City Manager)

Item 13A was move forward and addressed following Reports from Staff Members

- 13B. [12-0140](#) Consider and take action on an ordinance amending the boundaries of the Historic District. (Director of Planning and Research)

A motion was made by Mr. Phalen, seconded by Mr. Lee, to approve Ordinance No. 2012-03 amending the boundaries of the Historic District. The motion passed by the following vote:

For: 5 -
Mr. Becker, Mr. OKeefe, Mr. Phalen, Mr. Lee and Mr. Mann

Opposed: 1 -
Ms. Dawson

Absent: 1 -
Ms. Sanborn

14. **TABLED ITEMS SUBJECT TO RECALL**

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

- 15A. 12-0158 Consider and take action to direct City staff to prepare presentation for regular meeting on April 24, 2012, providing City Council with summary of existing regulations controlling pace of residential development, including update on possible revisions to park dedication and capital recovery fee ordinance requirements and regulations controlling future multi-family housing development (Council Member OKeefe and Council Member Becker)

A motion was made by Mr. OKeefe, seconded by Mr. Becker, to direct City staff to prepare a presentation for the regular meeting on April 24, 2012 providing City Council with a summary of existing regulations controlling pace of residential development, including update on possible revisions to park dedication and capital recovery fee ordinance requirements and regulations controlling future multi-family housing development.

After discussion a motion was made by Mr. Mann, seconded by Mr. Lee, to call the question. The motion passed by the following vote:

For: 5 -
Mr. Becker, Mr. OKeefe, Mr. Lee, Mr. Mann and Ms. Dawson

Opposed: 1 -
Mr. Phalen

Absent: 1 -
Ms. Sanborn

The motion made by Mr. OKeefe, seconded by Mr. Becker, to approve the item passed by the following vote:

For: 4 -
Mr. Becker, Mr. OKeefe, Mr. Lee and Mr. Mann

Opposed: 2 -
Mr. Phalen and Ms. Dawson

Absent: 1 -
Ms. Sanborn

15B. 12-0159 Consider and take action on a certificate of variances to Chapter 42 of the Code of Ordinances of the City of League City related to Langley No. 1 Well (Director of Planning and Research)

A motion was made by Mr. Phalen, seconded by Mr. OKeefe, to approve a certificate of variances to Chapter 42 of the Code of Ordinances of the City of League City related to Langley No. 1 Well. The motion passed by the following vote:

For: 6 -
Mr. Becker, Mr. OKeefe, Mr. Phalen, Mr. Lee, Mr. Mann and Ms. Dawson

Absent: 1 -
Ms. Sanborn

16. EXECUTIVE (CLOSED) SESSION (S)

At 9:48 p.m. Mayor Paulissen announced the City Council will now go into executive session to discuss the following item:

16A. 12-0154 Texas Open Meetings Act, Section 551.074 Government Code - Personnel

Deliberate the employment, appointment, or evaluation of a public officer or employee, to-wit: City Manager (Director of Human Resources and Civil Service)

At 11:03 p.m. Mayor Paulissen 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. 12-0155 Consider and take action on the employment, appointment or evaluation of a public officer or employee, to-wit City Manager (Director of Human Resources and Civil Service)

A motion was made by Mr. Mann, seconded by Mr. Becker, to bring back John Whitson for one last interview for position of City Manager. The motion passed by the following vote, with Mayor Paulissen voting to break a tie:

For: 4 -
Mayor Paulissen, Mr. Becker, Mr. Lee and Mr. Mann

Opposed: 3 -
Mr. O'Keeffe, Mr. Phalen and Ms. Dawson

Absent: 1 -
Ms. Sanborn

18. ADJOURNMENT

At 11:08 p.m. Mayor Paulissen said there being no further business, this meeting is adjourned.

**TIMOTHY PAULISSEN
MAYOR**

**DIANA M. STAPP
CITY SECRETARY**

(SEAL)

MINUTES APPROVED: May 22, 2012