



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, August 14, 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

City Manager: **Michael Loftin**
City Attorney: **Arnold Polanco**
City Secretary: **Diana M. Stapp**
Assistant City Manager, Public Works **John Baumgartner**
Acting Chief of Police: **Doug Wologo**
Director of Engineering: **Linc Wright**
Director of Human Resources/Civil Service: **Iisha Patterson**
Director of Parks & Cultural Services: **Chien Wei**
Director of Planning & Development: **Tony Allender**

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Paulissen called the meeting to order at 6:02 p.m. and called the roll. All members of Council were present except Mr. Lee.

Absent 1 - Mr. Mike Lee
Present 7 - Mayor Tim Paulissen, Mr. Dan Becker, Mr. Dennis O'Keeffe, Mr. Mick Phalen, Ms. Phyllis Sanborn, 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 Rev. LaVern Watters of Unity Church of the Bay Area. Mayor Paulissen led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

- 3A. [12-0415](#) May 15, 2012 Workshop
Approved
- 3B. [12-0416](#) May 16, 2012 Workshop
Approved
- 3C. [12-0417](#) May 29, 2012 Workshop
Approved
- 3D. [12-0418](#) May 30, 2012 Workshop
Approved
- 3E. [12-0427](#) June 5, 2012 Workshop
Approved
- 3F. [12-0419](#) June 25, 2012 Work Session
Approved
- 3G. [12-0420](#) June 26, 2012 Regular Meeting
Approved
- 3H. [12-0421](#) July 9, 2012 Work Session
Approved
- 3I. [12-0426](#) July 10, 2012 Regular Meeting
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. [12-0440](#) Consider and take action on nominations for the Growth and Development Advisory Committee (Mayor Paulissen)

Nominees previously confirmed:

Mayor Paulissen	–	Penny Ignazio and Chuck DiFalco
Dan Becker	–	Geri Bentley
Mick Phalen	–	David Hake
Mike Lee	–	Jason Ebey
Phyllis Sanborn	–	Yvette Jones
Andy Mann	–	Todd Kinsey
Joanna Dawson	–	Ernie Randall

Due to City Council candidate filing, Geri Bentley, David Hake and Todd Kinsey have resigned their positions on City boards.

Council Member nomination:

Dennis O’Keeffe nominated Bonnie Benkula.

A motion was made by Ms. Dawson, seconded by Mr. O’Keeffe, to approve appointment of Bonnie Benkula to the Growth and Development Advisory Committee. The motion passed by the following vote:

For: 6 -
Mr. Becker, Mr. O’Keeffe, Mr. Phalen, Ms. Sanborn, Mr. Mann and Ms. Dawson

Absent: 1 -
Mr. Lee

5. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

- 5A. [12-0410](#) Hold a public hearing on Special Use Permit Application SUP12-02 (Genesis Pipeline), for a SUP to construct a pipeline [oil and other hydrocarbons] within an existing 100 foot wide Centerpoint Energy / Interurban Right-of-Way easement being approximately 16,310 feet in length and containing approximately 32.4 acres on property zoned “OS” (Open Space) and “OS-CRC” (Open Space with a Commercial Revitalization Overlay), legally described as portions of Lots 1 thru 3 (1-14), Block A, of the Clear Creek Subdivision, Tract 106, 107, and 108 of the Stephen F Austin Survey and Tracts 1 and 132 of the Perry & Austin Survey, generally located north and south of Farm to Market Road 518, League City Parkway and Farm to Market Road 646, west of Highway 3 in the City of League City (Director of Planning and Development)

The Planning and Zoning Commission recommended approval, with conditions, by a vote of 8-0-0 on August 6, 2012.

Mayor Paulissen opened the public hearing at 6:10 p.m.

No one was present to speak for or against this item.

Mayor Paulissen closed the public hearing at 6:10 p.m.

- 5B. [12-0411](#) Consider and take action on an ordinance amending Ordinance No.2005-24 for a Special Use Permit (SUP12-02 Genesis Pipeline) to construct a pipeline [oil and other hydrocarbons]

within an existing 100 foot wide Centerpoint Energy / Interurban Right-of-Way easement being approximately 16,310 feet in length and containing approximately 32.4 acres on property zoned "OS" (Open Space) and "OS-CRC" (Open Space with a Commercial Revitalization Overlay), legally described as portions of Lots 1 thru 3 (1-14), Block A, of the Clear Creek Subdivision, Tract 106, 107, and 108 of the Stephen F Austin Survey and Tracts 1 and 132 of the Perry & Austin Survey, generally located north and south of Farm to Market Road 518, League City Parkway and Farm to Market Road 646, west of Highway 3 in the City of League City (Director of Planning and Development)

The Planning and Zoning Commission recommended approval, with conditions, by a vote of 8-0-0 on August 6, 2012.

A motion was made by Mr. OKeefe, seconded by Mr. Phalen, to approve Ordinance No. 2012-16 with conditions, amending Ordinance No. 2005 24 for a Special Use Permit (SUP12 02 Genesis Pipeline) to construct a pipeline [oil and other hydrocarbons] within an existing 100 foot wide Centerpoint Energy / Interurban Right of Way easement being approximately 16,310 feet in length and containing approximately 32.4 acres on property zoned "OS" (Open Space) and "OS CRC" (Open Space with a Commercial Revitalization Overlay), legally described as portions of Lots 1 thru 3 (1-14), Block A, of the Clear Creek Subdivision, Tract 106, 107, and 108 of the Stephen F Austin Survey and Tracts 1 and 132 of the Perry & Austin Survey, generally located north and south of Farm to Market Road 518, League City Parkway and Farm to Market Road 646, west of Highway 3 in the City of League City.

Conditions:

- 1. The Contractor must provide at least 24 hours notice to the Oil & Gas Coordinator prior to crossing any 24-inch or 42-inch water mains to support Water Production's request to be on-site during these crossings.**
- 2. Bollards shall be installed at the perimeter, outside of the fencing, of the valve station.**

The motion was amended by Mr. OKeefe to approve the ordinance with conditions as recommended by the Planning & Zoning Commission and also include requesting compensation from Genesis Pipeline for the privilege of crossing the City's roadway. The second was withdrawn by Mr. Phalen. The amended motion died due to lack of a second.

A motion was made by Mr. Phalen, seconded by Mr. Mann, to approve the ordinance for a Special Use Permit with conditions as recommended by Planning & Zoning Commission.

The motion passed by the following vote:

For: 6 -

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

Absent: 1 -

Mr. Lee

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
R.E. "Ernie" Butcher	1008 Azalea Pointe	Eagles Nest Project
Monica Millican	934 Plantation	Animal Control Shelter
Larry Millican	934 Plantation	Trash Contract
Jeremy Winter		Update on progress at Strawberry

7. **COUNCIL MEMBERS COMMENTS/REPORTS**

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

Phyllis Sanborn said I want to welcome everyone tonight. It looks like we've got a good crowd and I know we have lots of people that watch at home. I want to first of all welcome our young scout member that's sitting in the back on the left. Thank you for being here tonight. Depending on how long you stay, depending on how long we stay, you'll see your government at work tonight, believe me. And the other thing I wanted to say was Jason Ebey's here in the front row. I haven't had an opportunity to talk with him. He was our CEO of the Chamber of Commerce. He has resigned that position and we're going to miss you a lot. You truly brought a lot to League City and I'm sure your presence will continue to be felt here. I'm sorry that you resigned but I understand the reason behind you resigning, but we appreciate the fine work you did.

Dan Becker had no comments.

Dennis O'Keeffe said I would like to echo some of the same sentiments of my colleague Ms. Sanborn about the departure of Mr. Ebey as our CEO of the local League City Chamber of Commerce. Jason, you did a fantastic job during your tenure here at the Chamber. We're going to miss you. Seems like every time I was at a place of business I would see something that came from under your leadership, a place card or brochure. I just received a newspaper in the mail the other day as a matter of fact that had some pictures of things happening around town. It's all great promotional material as League City's trying to focus more on Economic Development to try and diversify the tax base and dependency on the home owners that we've been reliant on in the past. Coming up soon is another festival event at Walter Hall Park to be called Boogie Brews and Blues at which, again Jason, we wish you were going to continue to be a part of, but we feel comfortable that there's going to be adequate marketing to get this event in the hands of the people. Thank you, sir for your time. We're going to miss you.

Andy Mann had no comments.

Joanna Dawson said this is message is for all of you in the audience who have been just dying to figure out how you can come up here and be one of us. The City is now accepting applications for people who would like to run for City Council and we would welcome you if you have some great ideas for our City. So give it a thought and let's get with it.

Mick Phalen said for those of you who would like to sit up here with us. Monday the 20th is the last day you can file so if you are interested seriously to Joanna's point this is a way for you to help make decisions for your city. We're growing. We're approaching 90,000 people. We have a two-hundred million dollar a year budget. If you don't want to be up here you should at least make sure that you pay attention to the candidates, what they're saying this coming cycle and vote. We have moved elections to November. We hope to see 10X the number of turn outs that we've typically had in past elections. I think it's a good thing. Monday the 20th last day to file if you want to be on council. Tuesday the 21st you should start seeing signs pop up and people knocking on your door so it's going to be a fun time for the next few months.

8. MAYOR COMMENTS/ REPORT

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

Mayor Paulissen said Phyllis I'm going to fill in for you. I've got my computer here and I'm going to say these for you. We don't want to short change the library. Library happenings- the summer reading program ended last week with a very successful super readers party. All had fun including the parents, grandparents, aunts and uncles and library staff. Many city staff had a hand in making this party one of the best ever. EMS, Fire Department, Police Department, Facilities Maintenance and Vehicle Maintenance constructed a wonderful little train for the kiddos. We'd like to thank all the departments for making this a successful event. Also, join library patrons as they discuss "Room" by Emma Donahue on Monday August 20th at 7:00 p.m. in the library theater.

We got some really exciting news today in reference to an exciting new business that's going to be coming to League City. Now you won't have to go to Webster to go to the movies because Cinema Movie Grill has just announced today that they are going to be building a new 8-plex at the Victory Lakes Town Center, right behind the new Chimichangas and a stone's throw from Best Buy. That's one of the things that our planning staff is working to create, an entertainment and eating venue there and I think once Studio Movie Grill moves in that's going to be the falling of the first block that's going to make a lot of additional things happen in that area. It's going to bring about \$9 million dollars of investment in League City, increase sales tax and just a great place to bring your family, so look out Webster we're going to take some of your sales taxes. We're very excited to have Studio Movie Grill and I want to thank our planning department, Tony Allender and Owen Rock, our new Economic Development staff and all of our staff for doing this because the more sales taxes we get in this town the more things we can do and we can keep your taxes low and take care of all the things we have to take care of. Again, that's a big thing and we look forward to great things down at Victory Lakes.

9. **REPORTS FROM STAFF MEMBERS**

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

Update on awards received by City departments.

Update on public hearing regarding new water meters.

Mike Loftin said it's one of the great pleasures of my job to work with one of the finest groups of city employees I've ever been associated with and it's a pleasure tonight to announce a couple of awards recently received by some of our staff in the financial area. The Government Finance Officers Association Awards, the Distinguished Budget Presentation Award, once a year, this is for last year's budget, it is the fifth year in a row that the City has received it. The staff that put together last year's budget included Caron Park, who's our Budget Manager now, Kelly Halko, who has retired to become a full time mom, Stephanie Russell and we include Angie Steelman in this group because in a very short sighted way the G.F.O.A. does not recognize CIP. I think they should and we take a section from the CIP each year and include it in the budget towards satisfaction of some of the requirements. The budget is graded as a policy document, as a financial tool, an operations document and a communications document. This year's staff that I'm sure will win the award for the budget that's in front of the Council now again includes Caron Park, Chelsea Teltschik, who recently joined us from NASA, Jamaal Parker, our intern, and Angie Steelman doing CIP. We're very proud of that group and that award. Also, our Purchasing Department was just recently notified that they have won the Achievement of Excellence and Procurement Award. This is based on innovation, professionalism, e-procurement productivity and leadership. League City is one of only 38 government agencies in Texas and one of only 54 cities in the United States to receive the award. This is a quite distinguished award for our Purchasing group, led by Cherell Daeumer and Jeff Spears and Billie Hall also work there. As an example of their work, we have some news on mosquitoes. Our Purchasing staff has researched the possibility of contracting for additional spraying to supplement efforts by Galveston County. We really again compliment the Mosquito Control District of Galveston County for their responsiveness. Based on two quotes, we found a contractor that can spray 300 miles of streets in League City over three days for less than \$2000 dollars. The actual low quote is \$1875.00. I told you they were good. The low quote has indicated a willingness to establish an on-call arrangement. The City can call for extra spraying when it's needed most and we plan to initiate a contract for on-demand spraying to be utilized based on need and citizen calls. I'll be signing that shortly. Put out the word. We have a bad problem because of rains. We'll be prepared to address it. That concludes my announcements. Now I'd like to call on Kristi Wyatt to speak to our planned public meeting on our water meter project.

Kristi Wyatt said we have shared with you, Mayor and Council, all of the information about the water meter replacement program and now we plan to share that with our citizens as well. We have a public meeting set for August 29th at 6:00 p.m. in the Civic Center. We plan to share with our residents what this program means for them. What the process will be like, how people will come to your home and replace your meter and also what the difference is between the meters that they currently have and the new meters and also that it will not be an extra cost to them for this. As some of the smart meters that were replaced earlier in the year by the utility company, there was a charge for that. There will not be one for our meter. We encourage everyone who's interested in this replacement project to come to that public meeting on August 29th at the Civic Center. We have this information posted on our website and Channel 16 for all those

who are interested in coming and we will also do a call out closer to the date of the meeting, as well as put information on our social networks.

10. CONSENT AGENDA

Approval of the Consent Agenda

Mayor Paulissen pulled Item 10C and City Attorney Polanco pulled Item 10K.

A motion was made by Ms. Sanborn, seconded by Mr. Phalen, to approve Consent Agenda Items 10A through 10K, with the exception of 10C and 10K. The motion passed by the following vote:

For: 6 -

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

Absent: 1 -

Mr. Lee

10A. 12-0413

Consider and take action on the award of a construction contract for the Beamer Road Waterline - Phase 1 (CIP Project No. WT 1002); and authorization of a Work Change Directive Budget and Procedure (Assistant City Manager, Public Works)

Staff recommends approval.

Approved on the Consent Agenda.

10B. 12-0414

Consider and take action on the award of a construction contract for the Sanitary Sewer Annual Rehabilitation - Phase 1 Glen Cove (CIP Project No. WW1201), and authorization of a Work Change Directive Budget and Procedure (Assistant City Manager, Public Works)

Staff recommends approval.

Approved on the Consent Agenda.

10C. 12-0428

Consider and take action on terminating the Calder Road Pump Station Improvements Project (CIP WT 1205) contract with Wasteline Engineering and entering into a professional services agreement with Binkley and Barfield, Inc. for design services for the Calder Road Pump Station Improvements Project (Assistant City Manager, Public Works)

Staff recommends approval.

A motion was made by Mr. Phalen, seconded by Mr. OKeefe, to approve terminating the Calder Road Pump Station Improvements Project (CIP WT 1205) contract with Wasteline Engineering and entering into a professional services agreement with Binkley and Barfield, Inc. for design services for the Calder Road Pump Station Improvements Project.

The motion was amended by Mr. Phalen, seconded by Mr. OKeefe, to approve and to adjust the amount of the contract to \$901,650. The motion passed by the following vote:

For: 6 -

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

Absent: 1 -

Mr. Lee

- 10D. [12-0438](#) Consider and take action on the renewal of the contract for manicured mowing with Acescapes.(City Manager)
- Staff recommends approval.
- Approved on the Consent Agenda.**
- 10E. [12-0402](#) Consider and take action on a resolution consenting to the sale and issuance of Unlimited Tax Refunding Bonds, Series 2012 for South Shore Harbour Municipal Utility District No. 7 and authorizing and directing the Mayor to execute and the City Secretary to attest same for and on behalf of the City (City Manager)
- Staff Recommends approval.
- Resolution No. 2012-29 was approved on the Consent Agenda.**
- 10F. [12-0407](#) Consider and take action on a request on behalf of the Clear Lake International Triathlon 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" (Acting Chief of Police)
- Staff recommends approval.
- Approved on the Consent Agenda.**
- 10G. [12-0430](#) Consider and take action on a request on behalf of the Boogie, Blues and Brews Festival 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 lane closures along north SH3 at Walter Hall Park for the Boogie, Blues and Brews Festival (Acting Chief of Police)
- Staff recommends approval.
- Approved on the Consent Agenda.**
- 10H. [12-0431](#) Consider and take action on a resolution to enter into an agreement with the Texas Department of Transportation (TxDOT) for the temporary closure of a State right-of-way for the purpose of providing safe ingress and egress of traffic at Walter Hall Park for the Boogie, Blues and Brews Music Festival on September 21-23, 2012 (Acting Chief of Police)
- Staff recommends approval.
- Resolution No. 2012-30 was approved on the Consent Agenda.**
- 10I. [12-0403](#) Consider and take action on acceptance of a donation for a scoreboard from the League City Cowboys Youth Football organization (LCYFA) (Director of Parks & Cultural Services)
- Staff recommends approval
- Approved on the Consent Agenda.**
- 10J. [12-0422](#) Consider and take action to approve a contract for election services between the Election Officer of the County of Galveston, the County of Galveston and the City of League City for the General-Special Election on November 6, 2012 (City Secretary)
- Approved on the Consent Agenda.**

10K. [12-0424](#)

Consider and take action on Ordinance No. 2012-14 ordering a General-Special Election for the City of League City, Texas on Tuesday, November 6, 2012, to elect Council Members to Positions 3, 4 and 5; ordering a Runoff Election on Saturday, December 15, 2012, if necessary; providing for the registered voters of the City to vote on separate propositions for the amendment of the City Charter; and establishing procedures therefor - Third Reading (City Secretary)

Council approved first reading 7-0-0 on July 10, 2012.

Council approved second reading with changes on July 24, 2012.

A motion was made by Mr. O'Keeffe, seconded by Mr. Phalen, to approve for discussion, Ordinance No. 2012-14 third reading, ordering a General Special Election for the City of League City, Texas on Tuesday, November 6, 2012, to elect Council Members to Positions 3, 4 and 5; ordering a Runoff Election on Saturday, December 15, 2012, if necessary; providing for the registered voters of the City to vote on separate propositions for the amendment of the City Charter; and establishing procedures therefor.

City Attorney Arnold Polanco explained proposed changes in proposition language to comply with the County's request for shorter ballot propositions.

A motion was made by Mr. Phalen, seconded by Mr. Becker, to direct staff to continue discussions, but to express our interest that we will use the proposition language as previously approved.

The motion was amended by Mr. O'Keeffe to accept the original language as presented in the current propositions with revised language on Proposition 2, changing the word "councilor" to "council person" and on Proposition 5 changing the word "preclude" to "prohibit". Mr. Phalen withdrew his second. Mr. Becker seconded the amended motion. The motion to accept the amendment passed by the following vote:

For: 4 -
Mr. Becker, Mr. O'Keeffe, Mr. Mann and Ms. Dawson

Opposed: 2 -
Mr. Phalen and Ms. Sanborn

Absent: 1 -
Mr. Lee

The amended motion to approve Ordinance 2012-14 with revised language on Propositions 2 and 5 passed by the following vote:

For: 4 -
Mr. Becker, Mr. O'Keeffe, Mr. Mann and Ms. Dawson

Opposed: 2 -
Mr. Phalen and Ms. Sanborn

Absent: 1 -
Mr. Lee

END OF CONSENT AGENDA

11. OLD BUSINESS

- 11A. [12-0437](#) Consider and take action on Ordinance No. 2012-15 amending Chapter 2, Article II, Division 2 of the Code of Ordinances of the City of League City, Texas entitled "Code of Ethics" - Second Reading (City Attorney)

Council approved first reading 5-1-0 with 1 absent on July 24, 2012.

A motion was made by Mr. Phalen, seconded by Mr. Mann, to approve Ordinance No. 2012-15 second reading, amending Chapter 2, Article II, Division 2 of the Code of Ordinances of the City of League City, Texas entitled "Code of Ethics." The motion passed by the following vote:

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

Opposed: 1 -
Mr. OKeefe

Absent: 1 -
Mr. Lee

12. NEW BUSINESS

- 12A. [12-0429](#) Consider and take action to enter into an Interruptible Treated Water Supply Agreement between the City of League City and the Gulf Coast Water Authority (Assistant City Manager, Public Works)

Staff recommends approval.

A motion was made by Ms. Sanborn, seconded by Ms. Dawson, to approve entering into an Interruptible Treated Water Supply Agreement between the City of League City and the Gulf Coast Water Authority . The motion passed by the following vote:

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

Absent: 1 -
Mr. Lee

- 12B. [12-0412](#) Consider and take action on a request from Genesis Pipeline Texas, LP for a variance to Chapter 42, Article V, Section 42-383 of the League City Code of Ordinances entitled "Pipeline Installation" requiring that pipelines be cased under city right-of-ways. (Director of Planning and Development)

A motion was made by Mr. OKeefe, seconded by Mr. Phalen, to approve a request from Genesis Pipeline Texas, LP for a variance to Chapter 42, Article V, Section 42 383 of the League City Code of Ordinances entitled "Pipeline Installation" requiring that pipelines be cased under city right of ways. The motion passed by the following vote:

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

Absent: 1 -
Mr. Lee

- 12C. [12-0433](#) Consider and take action on approval of the PY2012 Consolidated Plan and Annual Action Plan for the Community Development Block Grant funds (Director of Planning and Development)

A motion was made by Mr. Phalen, seconded by Ms. Sanborn, to approve the PY2012 Consolidated Plan and Annual Action Plan for the Community Development Block Grant funds. The motion passed by the following vote:

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

Absent: 1 -
Mr. Lee

- 12D. [12-0444](#) Consider and take action setting the date for the public hearing of the FY 2013 Proposed Budget for August 28, 2012. (City Manager)

Staff recommends approval.

A motion was made by Ms. Sanborn, seconded by Mr. Phalen, to approve setting the date for the public hearing of the FY 2013 Proposed Budget for August 28, 2012. The motion passed by the following vote:

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

Absent: 1 -
Mr. Lee

- 12E. [12-0381](#) Consider and take action on the approval of the scope of services for a Request for Proposal(RFP) for Solid Waste and Recycling Services. (Assistant City Manager, Public Works)

Staff recommends approval.

A motion was made by Mr. Becker, seconded by Mr. OKeefe, to approve for discussion.

The motion was amended by Mr. Becker, seconded by Mr. OKeefe, to extend the Request for Proposal (RFP) deadline to September 28, 2012, make sure to address issued regarding roll-off dumpsters, leave management of the Dickinson recycling center in place. The motion passed by the following vote:

For: 4 -
Mr. Becker, Mr. OKeefe, Mr. Mann and Ms. Dawson

Opposed: 2 -
Mr. Phalen and Ms. Sanborn

Absent: 1 -
Mr. Lee

12F. [12-0439](#)

Consider and take action on inclusion of a ballot proposition for the November 6, 2012 General-Special Election to amend Article II, Section 7 of the City Charter governing councilmember absences from consecutive meetings of City Council (Council Member Dawson and Council Member Phalen)

A motion was made by Ms. Dawson, seconded by Mr. Phalen, to approve inclusion of a ballot proposition for the November 6, 2012 General Special Election to amend Article II, Section 7 of the City Charter governing councilmember absences from consecutive meetings of City Council .

A motion was made by Mr. O'Keeffe, seconded by Mr. Becker, to move to executive session to discuss language pursuant to this agenda item.

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

For: 6 -
Mr. Becker, Mr. O'Keeffe, Mr. Phalen, Ms. Sanborn, Mr. Mann and Ms. Dawson

Absent: 1 -
Mr. Lee

The motion to go into executive session failed by the following vote:

For: 2 -
Mr. Becker and Mr. O'Keeffe

Opposed: 4 -
Mr. Phalen, Ms. Sanborn, Mr. Mann and Ms. Dawson

Absent: 1 -
Mr. Lee

A motion was made by Mr. Phalen, seconded by Mr. Mann, to approve the language as proposed under current propositions.

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

For: 5 -
Mr. O'Keeffe, Mr. Phalen, Ms. Sanborn, Mr. Mann and Ms. Dawson

Opposed: 1 -
Mr. Becker

Absent: 1 -
Mr. Lee

The motion to approve the language as proposed passed by the following vote:

For: 5 -
Mr. O'Keeffe, Mr. Phalen, Ms. Sanborn, Mr. Mann and Ms. Dawson

Opposed: 1 -
Mr. Becker

Absent: 1 -
Mr. Lee

Mayor Paulissen called for a break at 8:05 pm
Mayor Paulissen reconvened the meeting at 8:20 pm

13. FIRST READING OF ORDINANCES

- 13A. 12-0443** 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. 2011-48, No. 2011-66, No. 2012-05, No. 2012-08 and No. 2012-13 to adjust the operating budget for actual and projected expenditures (City Manager)

Staff recommends approval and requests first and final reading.

A motion was made by Mr. Phalen, seconded by Ms. Sanborn, to approve first and final reading. The motion passed by the following vote:

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

Absent: 1 -
Mr. Lee

A motion was made by Mr. Phalen, seconded by Ms. Sanborn, to approve Ordinance No. 2012-17 amending the City of League City, Texas, Governmental, Proprietary, and Capital Funds Budget for the Fiscal Year 2012 by amending Ordinance No. 2011 48, No. 2011 66, No. 2012 05, No. 2012 08 and No. 2012 13 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, Ms. Sanborn, Mr. Mann and Ms. Dawson

Absent: 1 -
Mr. Lee

- 13B. 12-0434** Consider and take action on an ordinance authorizing the issuance of City of League City, Texas, General Obligation Refunding Bonds, Series 2012; levying an ad valorem tax; approving an Official Statement, authorizing the execution of a bond purchase agreement, a transfer and paying agency agreement, and an escrow agreement; authorizing officials to approve the amounts, interest rates, prices and terms thereof and certain other matters relating thereto; and other matters in connection therewith (City Manager)

State law requires one reading only.

A motion was made by Mr. Phalen, seconded by Ms. Dawson, to approve Ordinance No. 2012-18 authorizing the issuance of City of League City, Texas, General Obligation Refunding Bonds, Series 2012; levying an ad valorem tax; approving an Official Statement, authorizing the execution of a bond purchase agreement, a transfer and paying agency agreement, and an escrow agreement; authorizing officials to approve the amounts, interest rates, prices and terms thereof and certain other matters relating thereto; and other matters in connection therewith. The motion passed by the following vote:

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

Absent: 1 -
Mr. Lee

13C. [12-0435](#)

Consider and take action on an ordinance authorizing the issuance of City of League City, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2012A; and levying an ad valorem tax; pledging certain net revenues; approving an official statement, authorizing the execution of a bond purchase agreement, a transfer and paying agency agreement, authorizing officials to approve the amounts, interest rates, prices and terms thereof and certain other matters relating thereto; and other matters in connection therewith (City Manager)

State law requires one reading only.

A motion was made by Mr. Phalen, seconded by Ms. Dawson, to approve Ordinance No. 2012-19 authorizing the issuance of City of League City, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2012A; and levying an ad valorem tax; pledging certain net revenues; approving an official statement, authorizing the execution of a bond purchase agreement, a transfer and paying agency agreement, authorizing officials to approve the amounts, interest rates, prices and terms thereof and certain other matters relating thereto; and other matters in connection therewith.

An amended motion was made by Mr. O'Keeffe, seconded by Mr. Becker, to deduct the new public safety/jail facility from the \$38 million Certificates of Obligation and reduce the CO to \$11 million and to give voters the opportunity to vote on the project. The motion failed by the following vote with Mayor Paulissen voting to break a tie:

For: 3 -

Mr. Becker, Mr. O'Keeffe and Mr. Mann

Opposed: 4 -

Mayor Paulissen, Mr. Phalen, Ms. Sanborn and Ms. Dawson

Absent: 1 -

Mr. Lee

The motion to approve the ordinance passed by the following vote with Mayor Paulissen voting to break a tie:

For: 4 -

Mayor Paulissen, Mr. Phalen, Ms. Sanborn and Ms. Dawson

Opposed: 3 -

Mr. Becker, Mr. O'Keeffe and Mr. Mann

Absent: 1 -

Mr. Lee

13D. [12-0436](#)

Consider and take action on an ordinance authorizing the issuance of City of League City, Texas, Combination Tax and Waterworks Sewer System Revenue Certificates of Obligation, Series 2012B; and levying an ad valorem tax; pledging certain net revenues; approving an official statement, authorizing the execution of a bond purchase agreement, a transfer and paying agency agreement, authorizing officials to approve the amounts, interest rates, prices and terms thereof and certain other matters relating thereto; and other matters in connection therewith (City Manager)

State law requires one reading only.

A motion was made by Mr. Phalen, seconded by Ms. Dawson, to approve Ordinance No. 2012-20 authorizing the issuance of City of League City, Texas, Combination Tax and Waterworks Sewer System Revenue Certificates of Obligation, Series 2012B; and levying an ad valorem tax; pledging certain net revenues; approving an official statement, authorizing the execution of a bond purchase agreement, a transfer and

paying agency agreement, authorizing officials to approve the amounts, interest rates, prices and terms thereof and certain other matters relating thereto; and other matters in connection therewith The motion passed by the following vote:

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

Absent: 1 -
Mr. Lee

14. TABLED ITEMS SUBJECT TO RECALL

- 14A. [12-0425](#)** Consider and take action for inclusion of a ballot proposition for the November 6, 2012 General-Special Election to reduce the number of Council positions from seven (7) to six (6) (City Attorney)

Council tabled 6-0-0 with 1 absent on July 24, 2012.

A motion was made by Mr. OKeefe, seconded by Ms. Sanborn, to pull this item from the table. The motion passed by the following vote:

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

Absent: 1 -
Mr. Lee

A motion was made by Mr. OKeefe, seconded by Mr. Phalen, to approve for discussion inclusion of a ballot proposition for the November 6, 2012 General-Special Election to reduce the number of Council positions from seven (7) to six (6).

The motion was withdrawn by Mr. OKeefe.

A motion was made by Ms. Dawson, seconded by Mr. Mann, to deny. The motion passed by the following vote:

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

Absent: 1 -
Mr. Lee

15. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED

16. EXECUTIVE (CLOSED) SESSION (S)

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

18. **ADJOURNMENT**

At 9:13 p.m. there being no further business this meeting is adjourned.

TIMOTHY PAULISSEN
MAYOR

DIANA M. STAPP
CITY SECRETARY

(SEAL)

MINUTES APPROVED: October 9, 2012