



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, June 11, 2013

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
Heidi Thiess
Todd Kinsey
Geri Bentley
Andy Mann
Joanna S. Dawson

City Manager: **Michael Loftin**
City Attorney: **Arnold Polanco**
City Secretary: **Diana M. Stapp**
Deputy City Manager: **John Baumgartner**
Chief of Police: **Michael Kramm**
Director of Engineering: **Linc Wright**
Director of Finance: **Rebecca Underhill**
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 6:00 p.m. and called the roll. All members of Council were present.

Present 8 - Mayor Tim Paulissen, Mr. Dan Becker, Mr. Dennis O'Keeffe, Ms. Heidi Thiess, Mr. Todd Kinsey, Ms. Geri Bentley, 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. Dustin Oebel of Dominion Church. Mayor Paulissen led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A.. [13-1070](#) April 23, 2013 Regular Meeting

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

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

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

5A. [13-1060](#) Hold a public hearing on amending Chapter 125 of the Code of Ordinances of the City of League City entitled "Zoning", specifically Section 125-3 (Purpose and Intent), Section 125-23 (Historic Commission), Section 125-51 (Certificate of Appropriateness), Section 125-60.C (Establishment of Overlay Zoning Districts), Section 125-81.B (Zoning Map Designator), Section 125-81.C (Applicability), and Section 125-85 (Historic District Conservation Overlay District) and amending the Zoning Map to include the Historic Conservation Overlay District on approximately 181.6 acres legally described as portions of the SF Austin League, M. Muldoon 2 League Grant and League City Townsite, generally described as north of Lewis Street, west of Wisconsin Avenue, east of Perkins Avenue, and south of Clear Creek excluding properties on 7th Street and the Township Subdivision commonly known as the League City Historic District. (Director of Planning & Development)

Mayor Paulissen opened the public hearing at 6:04 p.m.

Name	Address
Dave Hake	820 3rd Street
Trey Schoellkopf	102 7th Street
Jim Weibling	512 Township
Randy Brandt	2207 Webster St.
Peter Guglielmo	221 Michigan Ave
Katie Benoit	820 3rd Street

Mayor Paulissen closed the public hearing at 6:15 p.m.

5B. 13-1061

Consider and take action on an ordinance amending Chapter 125 of the Code of Ordinances of the City of League City entitled "Zoning", specifically Section 125-3 (Purpose and Intent), Section 125-23 (Historic Commission), Section 125-51 (Certificate of Appropriateness), Section 125-60.C (Establishment of Overlay Zoning Districts), Section 125-81.B (Zoning Map Designator), Section 125-81.C (Applicability), and Section 125-85 (Historic District Conservation Overlay District) and amending the Zoning Map to include the Historic Conservation Overlay District on approximately 181.6 acres legally described as portions of the SF Austin League, M. Muldoon 2 League Grant and League City Townsite, generally described as north of Lewis Street, west of Wisconsin Avenue, east of Perkins Avenue, and south of Clear Creek excluding properties on 7th Street and the Township Subdivision commonly known as the League City Historic District. (Director of Planning & Development)

Historic District Commission recommended approval by a vote of 5-0-0 on April 18, 2013.

Planning & Zoning Commission recommended approval by a vote of 6-0-0 on May 6, 2013.

Staff request first and final reading.

A motion was made by Mr. Becker, seconded by Ms. Dawson, to approve on first and final reading. The motion failed due to lack of a 4/5 vote by the following vote:

For: 6 -

Mayor Paulissen, Mr. Becker, Mr. O'Keefe, Ms. Bentley, Mr. Mann and Ms. Dawson

Opposed: 2 -

Ms. Thiess and Mr. Kinsey

A motion was made by Ms. Dawson, seconded by Mr. Becker, to approve Ordinance No. 2013-24 amending Chapter 125 of the Code of Ordinances of the City of League City entitled "Zoning", specifically Section 125-3 (Purpose and Intent), Section 125-23 (Historic Commission), Section 125-51 (Certificate of Appropriateness), Section 125-60.C (Establishment of Overlay Zoning Districts), Section 125-81.B (Zoning Map Designator), Section 125-81.C (Applicability), and Section 125-85 (Historic District Conservation Overlay District) and amending the Zoning Map to include the Historic Conservation Overlay District on approximately 181.6 acres legally described as portions of the SF Austin League, M. Muldoon 2 League Grant and League City Townsite, generally described as north of Lewis Street, west of Wisconsin Avenue, east of Perkins Avenue, and south of Clear Creek excluding properties on 7th Street and the Township Subdivision commonly known as the League City Historic District. The motion passed by the following vote:

For: 7 -

Mayor Paulissen, Mr. Becker, Mr. O'Keefe, Ms. Thiess, Ms. Bentley, Mr. Mann and Ms. Dawson

Opposed: 1 -

Mr. Kinsey

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
Dave Hake	820 3rd St	Internal Auditor
Chuck DiFalco	2118 Eastland Ct.	Internal Auditor
Jeff Fink	213 Williamsburg Ct. S.	Skate park

**Mayor Paulissen suspended the rules and move up item 10B at this time
Mr. Becker requested to move up item 11A**

- 10B.** [13-1058](#) Consider and take action on award of a construction contract to Teamwork Construction in the amount of \$220,860 for the Skatepark addition at Big League Dreams project; and authorization of a work change directive budget of \$22,086 (Director of Parks & Cultural Services)

Staff recommends approval

A motion was made by Mr. Mann, seconded by Ms. Dawson, to approve award of a construction contract to Teamwork Construction in the amount of \$220,860 for the Skatepark addition at Big League Dreams project; and authorization of a work change directive budget of \$22,086. The motion passed by the following vote:

For: 7 -

Mayor Paulissen, Mr. OKeefe, Ms. Thiess, Mr. Kinsey, Ms. Bentley, Mr. Mann and Ms. Dawson

Opposed: 1 -

Mr. Becker

- 11A.** [13-1048](#) Consider and take action on Ordinance No. 2013-22 amending Chapter 2, Article IV of the Code of Ordinances of the City of League City to establish a position and job duties for a City Internal Auditor (Council Member Bentley and Council Member Kinsey)

Council approved on first reading 6-2-0 on May 28, 2013

A motion was made by Mr. Becker, seconded by Ms. Bentley, to approve Ordinance No. 2013-22 amending Chapter 2, Article IV of the Code of Ordinances of the City of League City to establish a position and job duties for a City Internal Auditor.

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

For: 6 -

Mayor Paulissen, Mr. Becker, Ms. Thiess, Mr. Kinsey, Ms. Bentley and Mr. Mann

Opposed: 2 -

Mr. OKeefe and Ms. Dawson

The vote on the motion by Mr. Becker to approve the ordinance passed by the following vote:

For: 6 -

Mayor Paulissen, Mr. Becker, Ms. Thiess, Mr. Kinsey, Ms. Bentley and Mr. Mann

Opposed: 2 -

Mr. O'Keefe and Ms. Dawson

7. COUNCIL MEMBERS COMMENTS/REPORTS

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

Todd Kinsey said the Summer Reading Program is in full swing at the Helen Hall Library. First reading logs may be picked up at the Helen Hall Library or downloaded online at www.leaguecitylibrary.org. A full brochure of activities for children and teens may be found online as well. Helen Hall Library's Marketing and Publishing group will host Marvin Cloud, owner of My Best Seller Publishing Company and they will meet on Thursday, June 13 at 11:45 a.m. The Book Discussion Club will meet to discuss The Gorilla Man and The Empress of Steak and A New Orleans Family Memoir by Randy Fertel.

Dan Becker had no comments.

Geri Bentley said thank you everybody for coming today. It's always a pleasure to see people in the audience. It's too bad the young men that were here for the skate park left. It always thrills us to see people that are engaged in what we're trying to do up here. We are here to serve you so thank you very much. Thank you, Council Members who voted for the internal auditor. It was a tough struggle. It's going to be good for the City and I thank you very much.

Andy Mann said I want to thank my colleagues for their vote on the skate park. Also, I want to talk about the city auditor position. I fully support the position of the city auditor. We must be vigilant about the actual implementation of this because it does change the balance of power within the system and I look forward to crafting the procedures that we will use to examine our city finances and I hope that we will continue to move forward in spirit of cooperation.

Heidi Thiess said thank you everybody for being here today. I want to give huge kudos to Clear Springs High School and to their engineering project, their aerospace project and if you don't mind I'm going to read their press release because I was out there when they had their maiden voyage on May 26. It was a big day for Lead The Way Aerospace Engineering students at League City's Clear Springs High School. It was the day the Eagles Nest RV-12 that they spent the last seven and a half months building inside the school, was going to fly. In attendance were thirty plus student builders. Aerospace Engineering Instructor Mr. Roger Elder, Assistant School Principal Mr. Troy Scott, City Council Representative, yours truly, ABC Channel 13 and numerous other news reporters. Nighthawk banner towing circled the field during the event with a message congratulating the student builders for their outstanding accomplishment and Bruce Bohannon and Rick Carr made several precision formation passes with smoke on to set the stage. Project Mentor and airline Captain, Mr. David Grover performed the honors of the inaugural flight with student builder Sam Pritchett who was selected by drawing straws in the right seat performing his duties as student pilot. Rain was on the horizon but before it arrived Mr. Grover had time to take five of the student builders to the skies in the airplane they crafted with their own hands. It was far more than a good day. It was a spectacular day so special thanks go out to the members of the Lone Star Squadron for their support in assistance in making this event a huge success, to Mr. David Grover for his untiring efforts and expertise mentoring the project, to Mike Harris for generously opening his home at Pearland Regional Airport and for providing an outstanding venue and to Mr. Roger Elder and the entire staff at Clear Springs High School for their confidence and support of Eagles Nest. The Elder One, which is what they dubbed the plane, went to GLO Custom today for paint and it will be painted white with the colors of Clear Springs with the royal blue and Clear Springs will begin their second Eagles Nest project in the fall. I just really want to commend Mr. Elder and the student builders and especially Ernie. This was his vision. He brought Eagles Nest to Clear Springs High School and it gave those students a chance to excel. It truly proves exceptionalism at every level and I could not be prouder of these high school students who actually took to the skies in the plane that they built themselves, so huge congratulations to those students, huge congratulations to their teachers that have the vision and the drive to push for excellence and League City gets to reap some of those benefits just by being near all of that exceptionalism. Thanks to everybody. The website to go and look at the video and the pictures taking flight is at www.eaglesnestprojects.org and I believe you are also going to have some video and pictures on www.leaguecity.com. So please take the time, it's just a quick video and go see what the kids of League City are doing.

Joanna Dawson said I want to say thank you to everybody who is here tonight. And thank you for everybody who spoke. Your opinions are very important in the creation of what we do and we just can't say thank you enough for your two bits worth. The Butler Longhorn Museum is now open seven days a week. The newest addition in their time is Sunday afternoon. So if you haven't been out there, go out there. It's a fascinating place and very well done. Entrance fee is \$5.00 dollars. You will enjoy it and spend a couple of hours probably.

Dennis O'Keefe said I want to thank all of you for attending tonight. What you saw on this last item, in my opinion, I think is something that you should pay special attention to and hold your elected officials accountable. What you saw, if I was sitting in the audience, I would have been extremely upset. When you see your elected officials do not want to engage in productive debate and call a question because a debate may jeopardize the survivability of an agenda. I think that's unfortunate. This section 17 of the City Charter talks about appointed offices, I was talking about a throwback to the Council/Manager to the strong mayor form of government, it says, it talks about the City Secretary. This whole chapter is talking about creating a position for the City Secretary. It's not intended to create a position for the internal auditor. It says the City Council shall appoint a competent person...who? The City Secretary. To do what? Who may also be the Treasurer and collector of taxes and may perform other such duties. But at this point in the Charter there is not a position for the City Secretary. The following paragraph that was reinterpreted is intended for to create the position of City Secretary and not the internal auditor. Let's read what it says. It says the City Council shall also have the power of authority by ordinance to create such boards. The internal auditor is not a board. The commission. The internal auditor is not a commission. Agencies. The City Secretary is not an agency. And offices. Offices of what? The City Secretary. We should have had more discussion about this because the proof is in the pudding. It's in the City Charter so the decision, in my opinion tonight, was a direct violation of the City Charter and it will be a long time before I'm convinced that the approval of this item will stand a test of time. I would also like to see the Charter Review Committee consider this item and bring forward a recommendation to City Council. I'm not quite sure how to initiate that discussion, but if this item brings forth the recommendation by Charter Review Advisory Committee to eliminate this section of the City Charter and put it out there on the ballot as a referendum in 16 months, we're going to find ourselves in quite a predicament, aren't we? We just hired an internal auditor that doesn't have a job, can't be directed by Council. The City Charter says we can't do it. We just spend \$120,000 to \$200,000 dollars on a professional search and training exercise. Money has not been appropriated for this position for three and a half more months when the budget is approved. Can't even start a search until then. Can't start a search until then because we don't know how much to pay the person. It will probably take three months to go through the executive search, now we're at six and a half months. Probably take four to six months for this new person to get their feet wet before they bring forward any recommendations. That puts us right on top of the time for the election next November. We really haven't accomplished anything. It's just pushing for an agenda to get the saddle before the horse without looking at all the different variables that we need to consider before we start making decisions like these. It's unfortunate that we have to take this opportunity during councilmen's comments to express these concerns before someone chooses to call the question to end all productive debate.

8. MAYOR COMMENTS/ REPORT

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

Mayor Paulissen said I just have a couple of things to say. Roger Elder, who is the instructor that helped build that plane and get that project started at Clear Springs, was recently recognized by CCISD as one of their Outstanding Instructors in Secondary Education. We have some fine folks teaching our kids in League City. I would also like to say, I think it was last Friday night, I had the opportunity to go and welcome everybody for the Relay for Life that was held at our Eastern Regional Park. We had that scheduled for the Sportsplex but due to severe thunderstorms we were forced to move that over to Eastern Regional Park and with the walking trails over there it made for an excellent opportunity. There were lots of survivors of cancer, there were lots of health care providers and people who have nourished and taken care of people with cancer. All I would say with that is if you had relatives or friends and family that have suffered through cancer, this is just a yearly event that the City of League City is a proud host and we were glad to do it. I did get a card from Geri Bentley and it says Dear Mayor, Council and Staff, thank you for the kind thoughts and prayers and the beautiful plant in memory of our beloved mother. This is from the family of Helen Bentley and to John and Geri, extreme thoughts on the loss of your loved one. It's always hard when you lose your mom. I lost mine a couple of years ago. It kind of breaks that tie of the parents that raised you and you kind of feel like you have lost something but you never lose them because they're always there in your thoughts and prayers so again, extreme condolences to you guys.

9. REPORTS FROM STAFF MEMBERS

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

City Manager Mike Loftin said I would like to start out by announcing that our Public Information Office last week went to the Texas Association of Municipal Information Officers annual conference. It was held in College Station this year. For what Kristi and I believe is the fourth year in a row, they won a pretty distinguished award, which you can see sitting here. Kristi Wyatt, Jaree Hefner and Jenna Simson received the Award of Excellence that is like the silver medal for Best Marketing Plan for their marketing of last years' Boogie Blues and Brews event. Also, the City produced commercial for Boogie Blues and Brews was among videos singled out at the conference for delivering the highest quality at the lowest cost with an overall budget of \$65 dollars.

I look forward to working with another fine professional as a member of League City's team in the internal auditor and let me speak about this. On the heels of the decision, the debate about the Charter notwithstanding, I think it's all of our responsibilities to make the most out of what the tax payers give us to save money, to identify and prevent fraud, waste and abuse. And we will be looking to really assist this individual with their responsibilities. I think the care with which Ms. Bentley and the other people who worked on this ordinance was very thorough, very impressive and I'm convinced that we'll get another fine professional member of our team, which allows me to segue into my next announcement. Two weeks ago, you all said some very nice, almost embarrassing things, about Mr. Baumgartner and I think it helped us convince him to stay. I and the staff, are very happy about this. In the time that he's been here he's proven to be a very productive individual who really, I think, adheres to the philosophy that it's what gets done and not who does it, so we're happy for him to stay. Now at that point, let me introduce John, bring him up to talk to you about the worksheets that he's handed out tonight on the tax supported CIP considerations that we have underway.

Deputy City Manager John Baumgartner said last week as you recall, we had talked a lot about the CIP projects. We told you we'd bring you back a worksheet, not to make any decisions tonight, but to aid you in reviewing the CIP, what's appropriate for League City and where do we go to go forward. The purpose of this initiative is to gather input from the council regarding funding priorities for the tax supported programs in the FY2014-2018 Capital Improvement Plan. This requires that some projects approved last year be modified or reduced in order to provide funds for newer or higher priority projects. Some key thoughts for council as we go forward, is the Council satisfied with the program? Are we investing and reinvesting enough resources in our infrastructure to meet the needs of the community? As we look at the CIP, are there projects or needs that need to be added, deleted or reprioritized? What we presented to you is really a reduced program and anticipates the issuance of debt in the out years but no debt issuance in FY2014. Is this consistent with the Council objectives regarding the debt for FY 2014? In order to formalize the CIP, staff recommends that council members meet with us individually or together to articulate their goals related to the 5 year plan and the above questions. Again, our steps are to get input on the CIP, what projects do we like? Are we happy with the funding and the prioritization? After getting input from the council then our goal is to come back on July 15, 16, 17 and go through that program again one by one to get as close as we can to what the goals of the Council are. Some of the assumptions in moving forward were that we would cash finance some projects about \$3 million dollars. Again that's going to get integrated into the budget discussion. How much cash is there to invest in the CIP in 2014 and about a million dollars a year going forward. There were several changes in the plan required to accomplish this. They're detailed in the Attachment D. Total wise the program anticipates the issuance of \$35 million dollars in debt over the 5 year course of the plan, again assuming nothing is added or nothing is changed and that may happen from year to year.

In your hand out today you've got four attachments. Attachment A includes projects

approved in the FY2013 CIP that will still be in some stage of completion from 2014-2018. Attachment A includes current costs estimates for each project by fiscal year with potential funding sources shown including prior bonds, future bonds dedicated funds, 4B, park dedication fees, grants from the county, HGAC, or TxDOT. Attachment B includes portions of projects approved in the FY2013 CIP representing a change in scope or costs significantly beyond that included originally. Attachment C includes new projects proposed by staff and in Attachment D, and I would like to go over that briefly to let you understand. Attachment D is a one page exhibit and it lists a number of projects with costs that we moved from the funded CIP in order to get to the point where we would issue no debt in FY2014 and they include a re-scope of Texas Avenue. At this time we anticipate rehabilitation by City forces. \$400,000 is included in the FY2014 operating budget at this time. And we've delayed any improvements to Butler/Turner that work in conjunction with Calder Road to create the couplet. We've delayed construction of traffic signal at League City Parkway and Bay Area Boulevard which was a new project. We moved it from 2014 to 2015. We've delayed a number of the storm water projects. Fundamentally for permitting reasons, anticipating that we would get through that permitting process perhaps they could have gone forward in 2014 and 2015. Historic District Drainage Improvements, we spent a lot of time scoping what those would be. We've pushed those out to the out years of the CIP, they're included in the CIP. That will give us time to develop a consensus what we need to do, particularly the Kansas Avenue portion of that. The purchase of land for Fire Station 3, Fire Station 6 and the Public Works facility has been pushed out from 2013 to 2015 and then the renovation of the police department, the old Walker station, which is where we will put the Land Management Office. Possibly could have been done in late 2014, now we anticipate what we'll do is the engineering in 2014, ready to go to construction in October 2015 and that will bring all those people back together, in essence making a one-stop shop for the development community. If you look at those projects, if you take out Kansas Avenue, there's about \$5 million dollars of projects pushed out from 2014 to 2015 or 2016. And then lastly, the attachment identified as Table 2 is a number of projects we've talked about before that are out there, that haven't been funded but we've recognized there's some need in perhaps looking forward at some point and time. So the next steps for us is to sometime between June 11 and July 3, meet with the Council Members individually, together, however they want, look at the plan, make sure we've identified what's important to you. Based on that input, come back with a revised, enhanced plan July 15, 16 and 17 and go over those projects individually. We look forward in meeting with you in next few weeks and continue to work on the CIP and integrate that with the rest of the budget process.

10. CONSENT AGENDA

Approval of the Consent Agenda

Item 10B was addressed previously.
Mr. Okeeffe pulled Items 10I and 10M.

A motion was made by Mr. OKeeffe, seconded by Mr. Mann, to approve Consent Agenda Items 10A through 10M, with the exception of 10B, 10I and 10M. The motion

passed by the following vote:**For:** 8 -

Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley, Mr. Mann and Ms. Dawson

- 10A.** [13-1049](#) Consider and take action on a request from League City Proud for a variance to Chapter 74, Section 74-1 of the Code of Ordinances of the City of League City, Texas entitled “Hours for use of city parks and boat ramps” for use of the Chester L. Davis Sportsplex for parking and overnight stay of the carnival equipment and personnel from December 2 2013 to December 9, 2013 (Director of Parks & Cultural Services)
- Staff recommends approval.
- Approved on the Consent Agenda**
- 10B.** [13-1058](#) Consider and take action on award of a construction contract to Teamwork Construction in the amount of \$220,860 for the Skatepark addition at Big League Dreams project; and authorization of a work change directive budget of \$22,086 (Director of Parks & Cultural Services)
- Staff recommends approval
- 10C.** [13-1057](#) Consider and take action on acceptance of the municipal infrastructure and approval of the private street improvements to serve the Villages at Tuscan Lakes Section 3, Phase 1, within Galveston County Municipal Utility District No. 44 (Assistant City Manager, Public Works)
- Staff recommends approval.
- Approved on the Consent Agenda**
- 10D.** [13-1056](#) Consider and take action on acceptance of the municipal water system infrastructure to serve Tuscan Lakes Commercial Section 6A, within Galveston County Municipal Utility District No. 44 (Assistant City Manager, Public Works)
- Staff recommends approval.
- Approved on the Consent Agenda**
- 10E.** [13-1054](#) Consider and take action on acceptance of a Utility Conveyance and Security Agreement from/with Galveston County Municipal Utility District No. 46 for water, wastewater, and drainage facilities to serve Mar Bella, Section 12A (Assistant City Manager, Public Works)
- Staff recommends approval.
- Approved on the Consent Agenda**
- 10F.** [13-1050](#) Consider and take action to amend a professional services agreement with Brown & Gay Engineers, Inc. in the amount of \$46,006 for the design phase of the 30-inch Gravity Sewer on Calder Road project (Assistant City Manager, Public Works)
- Staff recommends approval.
- Approved on the Consent Agenda**
- 10G.** [13-1052](#) Consider and take action on award of a construction contract to J. W. Kelso Company, Inc. in the amount of \$2,329,500 for the Fire Station #2 Addition Project (ES 0302); and

authorization of a Work Change Directive budget of \$116,475 (Assistant City Manager, Public Works)

Staff recommends approval.

Approved on the Consent Agenda

- 10H. [13-1045](#) Consider and take action on a resolution consenting to the sale and issuance of Unlimited Tax Bond, Series 2013A for the Galveston County MUD #39 in the amount of \$3,045,000, 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)

Staff recommends approval.

Resolution No. 2013-25 was approved on the Consent Agenda

- 10I. [13-1042](#) Consider and take action on the approval of a resolution declaring property surplus and approve the method to be used to dispose of the property (Director of Finance)

Staff recommends approval

A motion was made by Mr. OKeefe, seconded by Ms. Dawson, to discuss this item.

The motion was amended by Mr. OKeefe, seconded by Ms. Dawson, to approve Resolution No. 2013-26 declaring property surplus and approve the method to be used to dispose of the property, with inclusion of the 1991 pumper truck. The motion passed by the following vote:

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. OKeefe, Ms. Thiess, Mr. Kinsey, Ms. Bentley, Mr. Mann and Ms. Dawson

- 10J. [13-1040](#) Consider and take action on a request on behalf of the Boogie, Blues and Brews 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. (Chief of Police)

Staff recommends approval.

Approved on the Consent Agenda

- 10K. [13-1039](#) Consider and take action on authorizing the Mayor to sign a resolution to enter into a five-year agreement with the Texas Department of Transportation (TXDOT) for the temporary closure of a State right-of-way for the purpose of holding the Boogie Blues and Brews Event and authorizing the City Manager to sign the agreement. (Chief of Police)

Staff recommends approval

Approved on the Consent Agenda

- 10L. [13-1041](#) 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" for lane closures. (Chief of Police)

Staff recommends approval.

Approved on the Consent Agenda

- 10M. [13-1059](#) Consider and take action on Ordinance No. 2013-19 regarding a Special Use Permit Application, SUP13-02 (Mike & Jr. Food Store), for a gas and service stations use [gas station with convenience store] on approximately 1.02 acres on property zoned "CM" (Commercial Mixed Use), legally described as a portion of Lots 4, 5 and 6 of the Webster Outlots 5 Subdivision, generally located south of FM 528 and east of West NASA Boulevard, with the approximate address being 1595 FM 528 in League City, Texas - Second Reading (Director of Planning and Development)

Planning & Zoning Commission recommended approval by a vote of 6-0-0 on May 6, 2013. Council approved first reading 8-0-0 on May 28, 2013 with a condition.

A motion was made by Mr. O'Keeffe, seconded by Ms. Dawson, to approve Ordinance No. 2013-19 Second Reading approving a Special Use Permit Application, SUP13-02 (Mike & Jr. Food Store), for a gas and service stations use [gas station with convenience store] on approximately 1.02 acres on property zoned "CM" (Commercial Mixed Use), legally described as a portion of Lots 4, 5 and 6 of the Webster Outlots 5 Subdivision, generally located south of FM 528 and east of West NASA Boulevard, with the approximate address being 1595 FM 528 in League City, Texas and including the condition imposed on first reading that the number of ingress/egress accesses be limited to two (2) on W. NASA Road, and one (1) access on FM 528. The motion passed by the following vote:

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. O'Keeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley, Mr. Mann and Ms. Dawson

- 10N. [13-1067](#) Consider and take action on Ordinance No. 2013-23 amending Chapter 46, Article III of the Code of Ordinances of the City of League City entitled "Codes" - Second Reading (Fire Chief)

Council approved first reading 8-0-0 on May 28th, 2013.

Ordinance No. 2013-23 Second Reading was approved on the Consent Agenda

END OF CONSENT AGENDA

11. OLD BUSINESS

- 11A. [13-1048](#) Consider and take action on Ordinance No. 2013-22 amending Chapter 2, Article IV of the Code of Ordinances of the City of League City to establish a position and job duties for a City Internal Auditor (Council Member Bentley and Council Member Kinsey)

Council approved on first reading 6-2-0 on May 28, 2013

Items 10B and 11A were move forward on the agenda and addressed prior to Item 7. Council Members Comments/Reports.

- 11B. [13-1051](#) Consider and take action on Ordinance No. 2013-20 amending Ordinance No. 2006-72 approving updated land use assumptions and capital improvements plan for water and wastewater facilities, and amending impact fees pursuant to the Texas Local Government Code Section 395.052 - Second Reading (Assistant City Manager, Public Works)

Council approved first reading 7-1-0 on May 28, 2013.

A motion was made by Mr. Becker, seconded by Mr. Kinsey, to approve Ordinance No. 2013-20 Second Reading amending Ordinance No. 2006-72 approving updated land use assumptions and capital improvements plan for water and wastewater facilities, and amending impact fees pursuant to the Texas Local Government Code Section 395.052. The motion passed by the following vote:

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. O'Keeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley, Mr. Mann and Ms. Dawson

- 11C. [13-1053](#) Consider and take action approving \$53,730.40 payment to Galveston County in accordance with the inter-local agreement between the City and Galveston County, approved by Council on July 28, 2009 and reaffirmed by Resolution 2012-14 on March 27, 2012, for Calder Road - Ervin to League City Parkway [CIP Project ST1002] (Assistant City Manager Public Works)

Staff recommends no action.

Council postponed to June 11, 2013 on May 28, 2013.

A motion was made by Mr. Mann, seconded by Mr. Becker, to approve \$53,730.40 payment to Galveston County in accordance with the inter-local agreement between the City and Galveston County, approved by Council on July 28, 2009 and reaffirmed by Resolution 2012-14 on March 27, 2012, for Calder Road - Ervin to League City Parkway [CIP Project ST1002] . The motion passed by the following vote:

For: 5 -

Mayor Paulissen, Mr. Becker, Mr. Kinsey, Ms. Bentley and Mr. Mann

Opposed: 3 -

Mr. O'Keeffe, Ms. Thiess and Ms. Dawson

12. NEW BUSINESS

- 12A. [13-1068](#) Consider and take action to provide feedback and direction regarding the FY2014 General Fund Pre-Budget (City Manager)

A motion was made by Mayor Paulissen, seconded by Mr. Becker, to approve a schedule of meetings regarding the FY2014 General Fund Pre-Budget not more than three weeks in advance (first 5 meetings June 12 - July 2). The motion passed by the following vote:

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. O'Keeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley, Mr. Mann and Ms. Dawson

- 12B. [13-1071](#) Consider and take action to designate the deputy city manager as acting city manager in the event that the city manager's position becomes vacant without opportunity for a replacement to be named (City Manager)

A motion was made by Mr. Mann, seconded by Ms. Dawson, to approve designating the deputy city manager as acting city manager in the event that the city manager's position becomes vacant without opportunity for a replacement to be named. The motion passed by the following vote:

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley,
Mr. Mann and Ms. Dawson

13. FIRST READING OF ORDINANCES

13A. 13-1062

Consider and take action on an ordinance extending a moratorium on amendments to the Historic District boundary until 11:59 p.m. July 26, 2013 (Director of Planning & Development)

Staff recommends approval and first and final reading.

A motion was made by Mr. OKeeffe, seconded by Mr. Mann, to approve first and final reading of this ordinance. The motion passed by the following vote:

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley,
Mr. Mann and Ms. Dawson

A motion was made by Ms. Dawson, seconded by Mr. Mann, to approve Ordinance No. 2013-25 extending a moratorium on amendments to the Historic District boundary until 11:59 p.m. July 26, 2013. The motion passed by the following vote:

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley,
Mr. Mann and Ms. Dawson

13B. 13-1063

Consider and take action on an ordinance amending the City of League City, Texas, Governmental, Proprietary, and Capital Funds Budget for the Fiscal Year 2013 by amending Ordinance No. 2012-21, No. 2013-12, No. 2013-15, and No. 2013-21 to adjust the operating budget for actual and projected expenditures (City Manager)

Staff recommends approval.

A motion was made by Mr. Mann, seconded by Mr. Kinsey, to approve Ordinance No. 2013-26 amending the City of League City, Texas, Governmental, Proprietary, and Capital Funds Budget for the Fiscal Year 2013 by amending Ordinance No. 2012-21, No. 2013-12, No. 2013-15, and No. 2013-21 to adjust the operating budget for actual and projected expenditures. The motion passed by the following vote:

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley,
Mr. Mann and Ms. Dawson

13C. 13-1046

Consider and take action on an ordinance establishing a residence homestead exemption for calendar year 2013 and subsequent years. (Director of Finance)

A motion was made by Ms. Dawson, seconded by Ms. Thiess, to approve Ordinance No. 2013-27 establishing a residence homestead exemption for calendar year 2013 and subsequent years at 12%. The motion passed by the following vote:

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley,
Mr. Mann and Ms. Dawson

- 13D. [13-1055](#) Consider and take action on an ordinance amending Chapter 114 of the Code of Ordinances for the City of League City by revising Section 114-141 entitled "Water Connections" (Assistant City Manager, Public Works)

Staff recommends approval.

A motion was made by Mr. Mann, seconded by Mr. Becker, to approve Ordinance No. 2013-28 amending Chapter 114 of the Code of Ordinances for the City of League City by revising Section 114-141 entitled "Water Connections". The motion passed by the following vote:

For: 8 -

Mayor Paulissen, Mr. Becker, Mr. OKeefe, Ms. Thiess, Mr. Kinsey, Ms. Bentley, Mr. Mann and Ms. Dawson

14. **TABLED ITEMS SUBJECT TO RECALL**

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

- 15A. [13-1074](#) Conduct a public hearing on proposed amendments to the League City Comprehensive Plan 2035 (Council Member Kinsey and Council Member Mann)

Mayor Paulissen opened the public hearing at 8:26 p.m.

Name	Address
Chuck DiFalco	2118 Eastland Ct.

Mayor Paulissen closed the public hearing at 8:31 p.m.

- 15B. [13-1075](#) Consider and take action on an ordinance amending the League City Comprehensive Plan 2035 (Council Member Kinsey and Council Member Mann)

A motion was made by Mr. Mann, seconded by Mr. Becker, to approve first and final reading. The motion failed due to lack of a 4/5 vote by the following vote:

For: 6 -

Mayor Paulissen, Mr. Becker, Ms. Thiess, Mr. Kinsey, Ms. Bentley and Mr. Mann

Opposed: 2 -

Mr. OKeefe and Ms. Dawson

A motion was made by Mr. Mann, seconded by Mr. Becker, to approve Ordinance No. 2013-29 amending the League City Comprehensive Plan 2035.

An amended motion was made by Mr. OKeefe, seconded by Ms. Dawson, to postpone until the Growth and Development Advisory Committee reviews. The motion failed by the following vote:

For: 2 -

Mr. OKeefe and Ms. Dawson

Opposed: 6 -

Mayor Paulissen, Mr. Becker, Ms. Thiess, Mr. Kinsey, Ms. Bentley and Mr. Mann

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

For: 6 -
Mayor Paulissen, Mr. Becker, Ms. Thiess, Mr. Kinsey, Ms. Bentley and Mr. Mann

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

- 15C. [13-1076](#) Consider and take action to set a Council workshop to discuss and develop a total compensation and budgetary support policy for City Council, and to instruct staff to conduct research and make necessary preparations in advance of the workshop (Council Member Dawson and Council Member O'Keeffe)

A motion was made by Mr. O'Keeffe, seconded by Ms. Dawson, to approve setting a work shop for July 22, 2013 to discuss and develop a total compensation and budgetary support policy for City Council, and to instruct staff to conduct research and make necessary preparations in advance for the workshop. The motion passed by the following vote:

For: 7 -
Mayor Paulissen, Mr. O'Keeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley, Mr. Mann and Ms. Dawson

Opposed: 1 -
Mr. Becker

16. **EXECUTIVE (CLOSED) SESSION (S)**

At 8:55 p.m. Mayor Paulissen announced the City Council will now go into executive session to discuss the following items:

- 16A. [13-1064](#) Texas Open Meetings Act, Section 551.072 Government Code - Deliberations about real property
Discuss potential purchase or sale of real property interests (City Manager)
- 16B. [13-1091](#) Texas Open Meetings Act, Section 551.087 Government Code - Deliberations Concerning Economic Development Negotiations
Discussion of commercial information received from, and possible offers of incentives to, business prospects seeking location within the City of League City, Texas (City Manager)
- 16C. [13-1066](#) Texas Open Meetings Act, Section 551.071 Government Code - Consultation with City Attorney
Consultation with City Attorney to receive legal advice on options for enforcement of City's Oil and Gas production permit regulations (City Attorney)

At 9:30 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. **13-1069** Consider and take action on consultation with City Attorney regarding options for enforcement of City's Oil and Gas production permit regulations (City Attorney)
- No Action**

18. **ADJOURNMENT**

At 9:30 p.m. Mayor Paulissen said there being no further business this meeting is adjourned.

**TIMOTHY PAULISSEN
MAYOR**

**DIANA STAPP
CITY SECRETARY**

(SEAL)

MINUTES APPROVED: July 23, 2013