



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, September 10, 2013

6:00 PM

Council Chambers - 200 West Walker Street

Regular Council 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 6:02 p.m. and called the roll. All members of Council were present except Heidi Thiess.

Absent 1 - Ms. Heidi Thiess

Present 7 - Mayor Tim Paulissen, Mr. Dan Becker, Mr. Dennis O'Keeffe, Mr. Todd Kinsey, Ms. Geri Bentley, Mr. Andy Mann and Ms. Joanna Dawson

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

3. **APPROVAL OF MINUTES**

3A. [13-1249](#) August 12, 2013 Work Session

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

Heidi Thiess arrived at 6:05 p.m.

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

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

4A. [13-1259](#) Presentation of a proclamation declaring September 2013 "Library Card Sign-Up Month" in League City (Mayor Paulissen)

City Librarian Jeannie Kunzinger was present to receive the proclamation.

4B. [13-1260](#) Presentation of a proclamation recognizing "Constitution Week" (Mayor Paulissen)

Representatives from the Daughters of the American Revolution were present to receive the proclamation.

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

5A. [13-1269](#) Hold a public hearing on a Special Use Permit Application, SUP13-04 (Stripes Convenience Store), for a gas and service stations use (gas station with convenience store) on approximately 1.9 acres on property zoned "CM" - Commercial Mixed Use, legally described as Unrestricted Reserve "B", Replat of Clear Creek Crossing Subdivision, generally located north of Farm to Market Road 518 (West Main Street) and west of Wesley Drive, with the approximate address being 1520 Farm to Market Road 518 (West Main Street) in League City, Texas. (Director of Planning and Development)

Planning & Zoning Commission recommended approval 5-0-0, on August 19, 2013.

Mayor Paulissen opened the public hearing at 6:13 p.m.

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

Mayor Paulissen closed the public hearing at 6:13 p.m.

- 5B. [13-1270](#) Consider and take action on an ordinance amending Ordinance No.2005-24, for a Special Use Permit, SUP13-04 (Stripes Convenience Store), for a gas and service stations use (gas station with convenience store) on approximately 1.9 acres on property zoned "CM" - Commercial Mixed Use, legally described as Unrestricted Reserve "B", Replat of Clear Creek Crossing Subdivision, generally located north of Farm to Market Road 518 (West Main Street) and west of Wesley Drive, with the approximate address being 1520 Farm to Market Road 518 (West Main Street) in League City, Texas. (Director of Planning and Development)

Planning & Zoning Commission recommended approval 5-0-0 on August 19, 2013.

A motion was made by Mr. Mann, seconded by Mr. OKeefe, to approve Ordinance No. 2013-40 amending Ordinance No. 2005-24 for a Special Use Permit, SUP 13-04 (Stripes Convenience Store), for a gas and service stations use (gas station with convenience store) on approximately 1.9 acres on property zoned "CM" - Commercial Mixed Use, legally described as Unrestricted Reserve "B", Replat of Clear Creek Crossing Subdivision, generally located north of Farm to Market Road 518 (West Main Street) and west of Wesley Drive, with the approximate address being 1520 FM 518 (West Main Street) in League City, Texas. 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

A motion was made by Mr. Becker, seconded by Mr. Kinsey to suspend the rule and move up Item 15A.

The motion passed by the following vote:

For: 7 -

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

Opposed: 1 -

Mr. OKeefe

- 15A. [13-1273](#) Consider and take action to waive park rental fees and deposits for the use of facilities at Eastern Regional Park by the Galveston County Tea Party to defray City expenses related to the renaming of Eastern Regional Park with a fundraising event; and delegating to staff final authority regarding request for waiver of fees on specific dates (Council Member Thiess and Council Member Kinsey)

A motion was made by Mr. Becker, seconded by Ms. Bentley, to approve waiving park rental fees and deposits for the use of facilities at Eastern Regional Park by the Galveston County Tea Party to defray City expenses related to the renaming of Eastern Regional Park with a fundraising event; and delegating to staff final authority regarding request for waiver of fees on specific dates.

An amended motion was made by Mr. OKeefe, seconded by Ms. Dawson, to approve with the caveat that there will be no distribution of political materials.

A motion was made by Ms. Thiess, seconded by Mayor Paulissen, to call the question. The motion passed by the following vote:

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

Opposed: 1 -
 Ms. Dawson

The vote to accept the amended motion failed by the following vote:

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

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

The motion by Mr. Becker to approve the waiver 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

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
Kim Kitchen	2951 Marina Bay	Budget
Russell Roberts	2307 Acacia Ct.	Landing Blvd. project
Glenn Scott	2305 Acacia Ct.	Landing Blvd. project
Cyrus Tolman	2306 Acacia Ct.	Landing Blvd. project
Peter Guglielmo	221 Michigan Ave.	15A, 12A
Fred Bogar	2507 Clover Ridge	Pool at Eastern Regional Park

7. COUNCIL MEMBERS COMMENTS/REPORTS

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

Dennis O'Keeffe said first thank everyone for attending the council meeting. I want to change some of my comments to address some of the comments that were made just a few minutes ago about the Landing Boulevard bridge. Prior to 2005, Judge Criss in Galveston County threatened to hold this council in contempt and jail them if they did not give CCISD a permit to build a high school on a dead end street. That ended up costing us, how much was it Tim, four million dollars to build a road there? 3.2 million dollars to build a road. That was your money. Subsequently after that there was some well, what are we going to do now? There was a rumor started about connectivity to put a bridge across Clear Creek at Palomino. To where? That was the problem. To where is the other side, the Harris County side of Clear Creek is a residential neighborhood with homes that were build many, many, many years ago on a thirty foot right-of-way street that only has about ten or twelve foot of pavement on it, that would require a minimum of sixty foot right-of-way, and these folks only have twenty foot driveways. So you would be taking out an entire row of canal homes to acquire the necessary right-of-way to extend Palomino across Clear Creek. There has been some preliminary discussion, I understood, with El Franco Lee who is the County Commissioner for Challenger Seven Park and he said absolutely not. Not giving up any park space for your roadway. So they came up with another alternative to kind of veer off to the westerly direction through some unimproved acreage. That presented problems as well because the unimproved acreage led the roadway to nowhere and it is still nowhere. Nowhere is just further away from the where the destination is trying to go, to the NASA Bypass. So all this talk and adoption to the transportation plan which was never formally adopted, it was never signed into ordinance, it just kind of stalled out there, so essentially that piece of paper is worthless. Started looking at maybe we should find out if there's an alternative location that would present a better value for the investment, so the City hired a professional traffic engineer named Peter Polk out of Friendswood. Well known, well respected. He modeled the traffic scenario for Palomino. He modeled the traffic scenario for Landing Boulevard. He modeled the traffic scenario for Bay Area Boulevard. Turns out the Landing Boulevard extension for the cost we carry twice the traffic flow for the same price as attempting to put a bridge across Palomino. When these projects go to the County for funding they look at all of these things. If there's a better mousetrap they want to know what it is. So Palomino would have never passed the audition to begin with. Landing Boulevard is an option for one specific purpose, to alleviate the congestion on 518. I know none of you like that horrible traffic that you have going toward IH45 and I really feel sorry for you. We're trying to implement a 518 access management plan closer to 45, that's just a band aid. As development continues on the west side of town, your traffic scenario is going to continue to get worse, much worse, so something has to be done and I understand that change takes patience and sometimes it's painful.

I think the people over there in League City, Harris County have shouldered their fair share of pain. They built a regional lift station a short distance from a man's \$400,000 front yard. He was never down here talking about it. They built two 3 million gallon concrete above ground storage tanks behind another man's back yard just months after he closed on his home. He was only down here once. They realize that change is necessary for the betterment of the community and I would ask for your patience to participate in more of the process than go back and make assertions without having all the information in front of you because there's a lot more out there. Feel free to contact me anytime. I would be willing to share. I have a wealth of information on this project. I have been following this project along for many, many years and my comments tonight are just the tip of the iceberg, so those of you who spoke tonight, send me an email and I would be glad to follow up with you in more detail.

Joanna Dawson said hello everybody tonight. We're glad you came out to see us and help us use good judgment. I have one little comment to add to my comments about the fee free use of the park. The reason the City has rules is so that everybody will be treated the same, so that we don't have to be political. Everybody knows right off the bat how it is supposed to be. I truly regret that seemingly this turned into a political discussion because in my heart it is not a political discussion, it's merely a matter of following rules as I showed by offering to donate my prepaid rental in League Park. I am totally behind the veterans, totally. I have been all my life because my father was one. So much so that I have recently joined the American Legion Auxiliary to do what I can do through them, so it's not a political issue, it's a matter of following the rules and I will gladly provide them another site to do their fundraiser and make a donation to that fund as well and I bet I know some other people who would do that too.

Heidi Thiess said just to give you a little bit of context behind how this even came up into conversation is that was an email from our City's staff that went to the volunteers who are trying to organize this activity that just cautioned them if they wanted to hand out literature like sometimes they hand out constitutions, that if they were to choose to do so anybody else could also do so as well, and they agreed to that. They weren't asking for permission. They were not making it political. It was simply a response from our City staff saying exactly what Ms. Dawson just said, that to be fair if you do choose to hand something out, if you choose to hand something out, we can't infringe on your First Amendment Right by forbidding you to hand anything out, like constitutions, but if you were, you would also have to allow anyone else who showed up to hand out their material as well. Do you agree to those terms? That was the question posed from David Benson, to the organizer, the volunteer organizer of this fundraising event and it was agreed upon. That's how we got to this topic of conversation. They were not asking. They were not rallying. They were not attempting to make it political, you made it political. So onward, I would like to let you know, speaking of constitutions, we won't have another city council meeting until after this event passes by so I wanted to put it on your radar now.

We actually have two events, not this coming weekend but the following. On September 20, 21 and 22 we are hosting Boogie, Blues and Brews out at Walter Hall Park, and that's really been a lot of fun for families and get-togethers, so I wanted to invite you out there. Again, that's the 20th through the 22nd. Boogie, Blues and Brews. You'll probably see signs for that all over, now you'll start to notice the signs all over town for that. Also, on September 21 there is a Constitution Day Celebration that will be taking place out at the San Jacinto Battleground Monument State Park. That's a mouthful. It's an apropos site and everyone is invited. It's open to the public and I just wanted to put that on your radar as well because the ladies were here tonight from the Daughters of the American Revolution and I thought it would be apropos to mention that there is a Constitution Day Celebration at San Jacinto.

Andy Mann said just one quick comment for our friends from Clear Creek Village. Thank you all for coming out. Every time we get a group like you all in front of the council I'm always excited because, within you all's ranks, is the next council person or someone that we can drag into this, into the fist fight that is our democracy. I would point out that that is what makes the system great. If this was done just purely by bureaucracy, they would have paved right over someone's house, but having also seen the other side, and that is problems addressed purely politically, that does not always come up with the best possible outcome also. So what we have here is a system by which we can balance the two. As you advocate for your side, please help us to not just come up with a no, but to come up with an alternative that does address the problem because staff, watch this, these west side traffic issues are horrible and this is now a decade long fight to see who is going to get the bridge across the creek. I had given up. I'm really surprised that staff would actually put this back on the agenda after the Palomino discussion and I say "discussion" with quotes because that was quite a spirited discussion and I suppose you guys will put up the same spirited discussion. I would ask that you help the staff see, balance what staff is trying to do with your own interests and I would be more than happy to champion any compromise or if there's any way that we can smooth this out along the way.

Geri Bentley said first of all Mr. Roberts, thank you for your service. Appreciate it. The lady and the other gentleman from Clear Creek, I've got a couple of emails from you and I have been paying attention and I would like you to know that I'm following this if there is anything that I can do to help you resolve the problem. If it's best for you as far as good for the City and the citizens who travel those roads every day I would be happy to do whatever I can. Also, I contacted our staff this week and I made a request and you may hear me if things aren't put on our program, asking this question again and again and the question is I want to know who drafted the documents that we are looking to sign and approve. We have agreements, we have contracts, we have different ordinances of things that come before the City and I'm just asking so that we know when we look at these things and we read them from day to day that we know who's drafting them, they're either being drafted by somebody outside of the city or from our city staff. So that's something that I'll be looking forward to and if you hear me repeating that, that's what's going on. Thank you for attending.

Dan Becker said I would like to echo some of Mrs. Bentley's comments about accountability. Accountability is the end game here, who is accountable for decisions and what we do here. Second and perhaps more importantly I want to echo Mrs. Bentley's thanks to Mr. Roberts for his service to this country. Last, we've heard an interesting discussion from the other end of the dais about the selection of routing for bridges across Clear Creek. Now folks, there's errors of omission and there's errors of co-mission. An error of omission is not informing you of important facts that effect this selection, one way or another, and the fact is that the same council member who was telling you that this is the tip of the iceberg has a beneficial ownership interest in that undeveloped property, but didn't bother to tell you about that. Now that's a conflict of interest, so be careful. Be careful whether or not some comments may be biased and what you're hearing that's being reported as fact whether it's really correct or whether it's biased. I don't really care whether the ownership is hidden behind various layers of limited liabilities or companies or whatever, but the fact remains is that we have a person on council that has a beneficial interest in property.

Todd Kinsey said first, to our west side residents, bear in mind, you're going to get about 50,000 new neighbors on that side of town between now and the time the city is built out, so we're trying to figure out a solution to alleviate some of those traffic concerns over there. Next, over at the library, the public is invited to hear Larry Watts discuss his book entitled Cheating Justice on Thursday, September 12 at 10:15 a.m. during Local Author's Hour. Following local authors hour, the Marketing and Publishing Group will meet at 11:45 a.m. to discuss publishing your own book. On Crazy Thursdays, September 12, elementary children grades K-5 will make lava lamps and learn the science behind them. Monday, September 16, League City citizens will be discussing the book Defending Jacob, a novel by William Landay at 7:00 p.m. at the Helen Hall Library Theater. For more information about programs you can visit www.leaguecitylibrary.org. Also, tomorrow is the anniversary of the most heinous act of terrorism in our nation's history. Either by intention or ignorance our president has made the world a more dangerous place. He has turned the greatest nation mankind has ever known into a punch line around the world, so tomorrow I ask that you take time out of your busy schedules to remember those that died on that tragic day in 2001, and then take solace and give thanks that despite the incompetent leaders we have in Washington, we still have brave men and women who volunteered to defend liberty and fight the evil that exists in this world.

8. MAYOR COMMENTS/ REPORT

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

Mayor Paulissen said I want to give a mosquito report. Has anybody out in the audience has been outside lately? Has it been pleasant when you went outside? Well I just wanted to let you know that last week was the worst outbreak of mosquitos in probably the last ten or fifteen years. Most of that is driven by tidal high tides that have brought water into all the marshes in the area creating more mosquitos. Then we've had additional rains, the gestation period of these mosquitos is about eight to ten days so this was like the convergence of the perfect storm for mosquitos. I would like to send out appreciation to the Galveston County Mosquito Control District. We're lucky to have a county agency that sprays for pesky mosquitos. Not everyone does that and I would like to thank the mosquito control district and its director John Marshall, who's a League City resident and volunteer firefighter and he also flies the district spraying plane. The City last year chose to hire additional help, which means above and beyond what the Galveston County Health District does, and retain Northwest Pest Control to spray all over League City's public streets and roadways and that was done last night. I would like to thank the residents who have talked to us about all the trucks that are spraying and wrote to express their appreciation and the staff for getting the spraying lined up. I think we had upwards of eighty positive responses on our Facebook page of people saying thank you so much. We're also staying in close contact with Galveston County Mosquito Control District to coordinate our efforts so we're not spraying at the same time they're doing, so we are trying to alternate days. We are told that the county is bringing trucks back in to west League City tonight for more spraying and we just need everyone's help to keep this problem in check. Spray only works if it hits the mosquitos and we can all help keep the population down by making sure there's no standing water, even flower pots or the like, or in our back yards. I also want to thank the people of Clear Creek Village. I've been talking with staff several times about the alignment on the north end as it relates to your property. This is not a set in stone direction. With your help and with others, we will try to make positive strides forward and we appreciate your input. That ends my mayor's comments.

We are going to have a thing tomorrow to commemorate the September 11, designated as Patriot Day, a national day of service, in remembrance in memory of those killed in 2001 attacks on America. Our observance tomorrow includes League City Police to wear mourning badge covers. League City Volunteer Fire Department will hold their annual one hundred flight stair climb at the drill field over off of Kansas and I did participate in that last year and if my knee doesn't go out I will try to do again tomorrow. They are going to begin assembling tomorrow at 8:00 a.m. and we're going to do a moment of silence before beginning the stair climb at 9:00 a.m. The City employees will be wearing red, white and blue shirts and flags at all City buildings will be flown at half-staff, and then I will lead a community remembrance at the flag pole in front of Council Chambers at approximately 1:15 p.m. tomorrow afternoon. So if you have some time, if you're not at work, you can certainly come out to any one of these events and if you're not available please take some time to remember all those people that gave their lives in defense for the liberties that we enjoy in the U.S.A.

9. REPORTS FROM STAFF MEMBERS

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

- 9A. [13-1255](#) Report on certified tax roll, certified estimate of collection rate, certified excess debt collections, and effective tax rate and rollback rate calculations
(Director of Finance)

Rebecca Underhill, Director of Finance, presented the report.

- 9B. [13-1264](#) Report on rollout of the new City of League City website
(Director of Communications)

Kristi Wyatt, Director of Communications, gave a report on the new City of League City website.

- 9C. [13-1265](#) Report on Boogie, Blues and Brews (Director of Communications)

Kristi Wyatt gave a report on the Boogie, Blues and Brews event to be held September 20-21, 2013 at Walter Hall Park.

10. CONSENT AGENDA

Approval of the Consent Agenda

Item 10A was pulled by Staff for correction of contract amount, Item 10C was pulled by Ms. Bentley.

A motion was made by Ms. Bentley, seconded by Mr. Kinsey, to approve Consent Agenda Items 10A through 10F with the exception of 10A and 10C. 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

- 10A. [13-1271](#) Consider and take action on a three-year, \$62,000 contract for with Bay Area Houston Economic Partnership (BAHEP) for regional economic development services (Director of Planning and Development)

A motion was made by Mayor Paulissen, seconded by Ms. Thiess, to approve a three-year contract at \$82,000 with Bay Area Houston Economic Partnership (BAHEP) for regional economic development services.

An amended motion was made by Ms. Bentley, seconded by Mr. Mann, to approve a one-year contract at \$25,000 through September 30, 2014 and bring back next year. The amended motion was accepted by the following vote:

For: 8 -
Mayor Paulissen, Mr. Becker, Mr. O'Keeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley,
Mr. Mann and Ms. Dawson

A motion was made by Ms. Dawson, seconded by Ms. Bentley, to approve the contract as amended. 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

10B. [13-1251](#) Consider and take action on the award of a construction contract to Mar-Con Services, LLC in the amount of \$2,136,699.90 for the League City Parkway and Bay Area Boulevard Paving and Utilities Improvements (ST1301 and WT1301); and authorization of a Work Change Directive (contingency) budget of \$160,252.49 (Deputy City Manager)

Staff recommends approval.

Approved on the Consent Agenda

10C. [13-1233](#) Consider and take action on the award of a construction contract to 4-D Signworx in the amount of \$112,126.59 for the City Monuments Sign Projects-Bid No.13-032, including the base bid and alternates 2 and 3; and authorization of a Work Change Directive (contingency) budget of \$11,212.66 (Deputy City Manager)

Staff recommends approval.

A motion was made by Mr. Mann, seconded by Mayor Paulissen, to approve award of a construction contract to 4-D Signworx in the amount of \$112,126.59 for the City Monuments Sign Projects-Bid No.13-032, including the base bid and alternates 2 and 3; and authorization of a Work Change Directive (contingency) budget of \$11,212.66.

A motion was made by Mr. O'Keeffe to postpone to the next meeting. The motion failed for lack of a second.

The motion to approve passed by the following vote:

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

Opposed: 1 -
Mr. O'Keeffe

10D. [13-1266](#) Consider and take action on a resolution amending Resolution No. 2013-15 regarding the placement of matters on agendas for City Council meetings
(City Attorney)

Resolution No. 2013-37 was approved on the Consent Agenda

- 10E. [13-1257](#) Consider and take action on setting the dates for two required public hearings on the property tax rate for 2013 (fiscal year October 1, 2013 to September 30, 2014) (Director of Finance)

Staff recommends hearings be held on September 24 and October 1.

Approved on the Consent Agenda

- 10F. [13-1258](#) Consider and take action on Ordinance 2013-36 appropriating funds from the Tax Increment Reinvestment Zone #1 (Magnolia Creek) for the purpose of reimbursing and funding additional administrative costs related to Public Improvement District #1, Phases 1 and 2 overpayments and refunds - Second Reading. (Director of Finance)

Council approved on first reading 8-0-0, August 27, 2013

Ordinance No. 2013-36 Second Reading was approved on the Consent Agenda

END OF CONSENT AGENDA

11. **OLD BUSINESS**

12. **NEW BUSINESS**

- 12A. [13-1268](#) Consider and take action on approval of the Program Year 2013 Annual Action Plan and the Program Year 2012 -2016 Consolidated Plan related to the Community Development Block Grant Program (Director of Planning and Development)

Staff recommends approval.

A motion was made by Mr. Mann, seconded by Ms. Dawson, to approve the Program Year 2013 Annual Action Plan and the Program Year 2012-2016 Consolidated Plan related to the Community Development Block Grant Program. 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

- 12B. [13-1216](#) Consider and take action on the 2013 proposed ad valorem tax rate (fiscal Year October 1, 2013 to September 30, 2014). The tax rate will be adopted as an action item at a future meeting. (Director of Finance)

Staff recommends a tax rate of \$0.597.

A motion was made by Mayor Paulissen, seconded by Mr. OKeefe, to approve staff's recommendation of \$0.597 as the 2013 proposed ad valorem tax rate for fiscal year October 1, 2013 to September 30, 2014. 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

- 12C. [13-1218](#) Consider and take action authorizing the City Manager to execute a contract for the Associate Municipal Court Judge (Director of Finance)

Staff recommends approval.

A motion was made by Mayor Paulissen, seconded by Mr. Becker, to approve authorizing the City Manager to execute a contract for the Associate Municipal Court Judge. 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. [13-1275](#) Consider and take action on an ordinance adopting the Annual Budget for Governmental and Proprietary Funds for Fiscal Year 2014; and hold a separate vote to ratify the tax increase (as defined by state law) in the budget (City Manager)

Staff recommends approval.

A motion was made by Mayor Paulissen, seconded by Mr. Mann, to approve Ordinance No. 2013-39 Second Reading, adopting the Annual Budget for Governmental and Proprietary Funds for Fiscal Year 2014 with the caveat approved on first reading (to include upper limit of 17.5% placeholder for health benefits [\$4.55 million] and that staff keep negotiating a lower price until such time as the contract expires in October).

An amended motion was made by Mr. Becker, seconded by Ms. Bentley, to eliminate all merit raises (2% Police Department) and (2% all others) within the budget and provide 5% merit increase for those making less than \$30,000 and reduce the budget by the difference.

The motion failed by the following vote:

For: 2 -

Mr. Becker and Ms. Bentley

Opposed: 6 -

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

The original motion to approve Ordinance No. 2013-39 passed by the following vote:

For: 7 -

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

Opposed: 1 -

Mr. Becker

A motion was made by Mayor Paulissen, seconded by Mr. Mann, to ratify the tax increase within the budget. 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. [13-1267](#) Consider and take action on an ordinance amending Chapter 2, Article II, Division 2 of the Code of Ordinances of the City of League City, Texas entitled "Administration - Code of Ethics" (City Attorney)

A motion was made by Mayor Paulissen, seconded by Mr. Mann, to approve Ordinance No. 2013-41 amending Chapter 2, Article II, Division 2 of the Code of Ordinances of the City of League City, Texas entitled "Administration - Code of Ehtics". The motion passed by the following vote:

For: 6 -

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

Opposed: 2 -

Mr. Becker and Mr. Kinsey

14. **TABLED ITEMS SUBJECT TO RECALL**

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

- 15A. [13-1273](#) Consider and take action to waive park rental fees and deposits for the use of facilities at Eastern Regional Park by the Galveston County Tea Party to defray City expenses related to the renaming of Eastern Regional Park with a fundraising event; and delegating to staff final authority regarding request for waiver of fees on specific dates (Council Member Thiess and Council Member Kinsey)

Item 15A was moved forward and addressed prior to Item 6.

- 15B. [13-1279](#) Consider and take action on an ordinance adopting the Annual Budget as amended for Governmental and Proprietary Funds for Fiscal Year 2014; and hold a separate vote to ratify the tax increase (as defined by state law) in the budget (City Manager)

Staff recommends approval.

Item 15B was pulled for no action.

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

At 7:58 p.m. Mayor Paulissen announced the City Council will now go into executive session to discuss the following items:

- 16A. [13-1253](#) Texas Open Meetings Act, Section 551.072 Government Code - Deliberations about real property

Discuss potential purchase or sale of real property interests (Deputy City Manager)

- 16B. [13-1261](#) 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. [13-1262](#) Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters
Discuss employment or appointment of a public officer or employee, to-wit: Internal Auditor (Director of Human Resources and Civil Service)

At 8:50 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. [13-1254](#) Consider and take action on discussion concerning potential purchase or sale of real property interests (Deputy City Manager)

No Action

- 17B. [13-1263](#) Consider and take action on employment or appointment of a public officer or employee, to-wit: Internal Auditor (Director of Human Resources and Civil Service)

A motion was made by Ms. Bentley, seconded by Mr. Becker, to extend an offer to Mr. Craig Hametner. The motion passed by the following vote:

For: 7 -

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

Opposed: 1 -

Mr. O'Keeffe

18. **ADJOURNMENT**

At 8:53 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: October 22, 2013