



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, March 11, 2014

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

Acting City Manager: **John Baumgartner**
City Attorney: **Arnold Polanco**
City Secretary: **Diana M. Stapp**
Chief of Police: **Michael Kramm**
Director of Engineering: **Linc Wright**
Director of Finance: **Rebecca Underhill**
Director of Human Resources/Civil Service: **Queenell Fox**
Director of Parks & Cultural Services: **Chien Wei**
Interim Director of Planning/Development: **Wes Morrison**

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

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

Mayor Paulissen led in the pledges of allegiance to the flags.

3. APPROVAL OF MINUTES

- 3A. [14-0151](#) February 10, 2014 Work Session
- 3B. [14-0152](#) February 11, 2014 Regular Meeting
- 3C. [14-0168](#) February 21, 2014 Special Meeting
- 3D. [14-0169](#) February 22, 2014 Special Meeting
- 3E. [14-0170](#) February 23, 2014 Special Meeting
- 3F. [14-0153](#) February 24, 2014 Work Session

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

4. APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS, AWARDS

- 4A. [14-0173](#) Presentation of a proclamation proclaiming March 11, 2014 “Friends of the League City Animal Shelter” Day in League City. (Mayor Paulissen)
- Monica Millican, Marie Havican and Yvonne Downs were present to receive the proclamation for Friends of the League City Animal Shelter.**
- 4B. [14-0163](#) Consider and take action on a resolution endorsing the appointment of Board Members to the Galveston County United Board of Health with terms of office to expire April 30, 2014, April 30, 2015 and April 30, 2016 (Mayor Paulissen)
- Terms expiring April 30, 2014:**
- | | |
|--------------------------|---------------------------------------|
| Wade Shipman, DVM | Veterinarian (new appointment) |
| Jason Q. Lawrence | Engineer (new appointment) |
- Terms expiring April 30, 2015:**
- | | |
|----------------------------|---|
| Ben G. Raimer, MD | UTMB (reappointment) |
| Eric Froeschner | Interested Citizen (reappointment) |
| Tim Rainey | Municipality (reappointment) |
| Richard Johnson, RN | Nurses (new appointment) |
| John Hackbarth, DDS | Dentist (new appointment) |
| Steve Pratt | Food Service/Food Sales Industry (new appointment) |
| Mark Sonnier | Interested Citizen (new appointment) |
- Terms expiring April 30, 2016:**
- | | |
|--------------------------------|--|
| Michael Ehrat | Mainland Medical Center (reappointment) |
| Wade Shipman, DVM | Veterinarian (reappointment) |
| Jason Q. Lawrence | Engineer (reappointment) |
| John Bentley | Interested Citizen (new appointment) |
| Patrick J. McGinnis, MD | Municipality (new appointment) |
| Mary Jo Godinich, MD | Medical Society (new appointment) |

A motion was made by Mr. O'Keeffe, seconded by Ms. Dawson, to approve Resolution No. 2014-08 endorsing the appointment of Board Members to the Galveston County United Board of Health. The motion passed by the following vote, with Ms. Bentley abstaining because her husband is one of the appointees:

Abstained: 1 - Ms. Bentley

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

5. COMMUNITY SPOTLIGHT

ALS Awareness (Council Member Kinsey and Council Member Bentley)

From alscampaign.weebly.com: "Recently our grandmother was diagnosed with ALS....Although there is no happy ending to this disease, we decided that we would raise awareness so that our community would give ALS the recognition and respect that it deserves. Who's to say we can't cure ALS?....(N)o one deserves to fight alone, and even if the cure does not come soon enough to save my grandmother I know that with the support of others the cure will come."

From alsa.org: "Amyotrophic lateral sclerosis (ALS) is a progressive neurodegenerative disease that affects nerve cells in the brain and the spinal cord....Most commonly, the disease strikes people between the ages of 40 and 70, and as many as 30,000 Americans have the disease at any given time."

Clear Falls HS HOSA: Future Health Professionals is leading project; benefit event set for March 15 at Walter Hall Park

6. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

- 6A. [14-0143](#) Hold a public hearing on Special Use Permit Application, SUP13-07 (AT&T Mobility), to erect a Communication Tower on property generally located on the southeast corner of I-45 and Wesley Drive (Interim Director of Planning & Development)
- 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.**
- 6B. [14-0144](#) Consider and take action on an ordinance amending Ordinance No. 2005-24, for a Special Use Permit, SUP13-07 (AT&T Mobility), to erect a Communication Tower on property generally located on the southeast corner of I-45 and Wesley Drive (Interim Director of Planning & Development)
- Planning & Zoning Commission recommended approval with conditions 6-0-0, on February 17, 2014.

Conditions:

1. The communication tower shall be a monopole camouflaged as a flagpole. The flag shall be a City of League City flag which is appropriately proportioned to the height of the tower and maintained by the owner of the tower.
2. Screening around the ground equipment shall consist of black PVC fencing with a continuous hedge of evergreen shrubs on all sides, which should develop into full screening five (5) feet tall within twenty-four (24) months. The City Arborist has recommended Southern Wax Myrtle for the continuous hedge.
3. The minimum setback to the rear property line shall be 3 feet, and the minimum setback from the southern property line shall be 60 feet. All other setbacks shall meet the requirements of the ordinance.

A motion was made by Mr. Becker, seconded by Ms. Bentley, to approve Ordinance No. 2014-08.amending Ordinance No. 2005-24, for a Special Use Permit, SUP13-07 (AT&T Mobility), to erect a Communication Tower on property generally located on the southeast corner of I- 45 and Wesley Drive, with conditions recommended by Planning and Zoning Commission. 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

7. 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.

No one signed up to speak.

8. COUNCIL MEMBERS COMMENTS/REPORTS

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

Dennis O'Keeffe had no comments.

Joanna Dawson said well the fact that we don't have anybody beseeching our help today must mean that we're doing a good job, I hope. Spring is sprung. We are finally starting to trim our frozen dead stuff out of the yard and I assume that you all must be doing that too. We're delighted to have these wonderful days coming, so enjoy it, even all the pollen in the air. It's a good day in League City.

Heidi Thiess had no comments.

Andy Mann had no comments.

Geri Bentley said thank you everybody, brave souls for coming today. It's beautiful. The rest of you are probably out there enjoying the day. I would just like to report on a couple of things that I've been doing. One of them is I attended a Gulf Coast Water Authority meeting for municipalities, for people in all the cities under Gulf Coast Water Authority and it was more of an educational thing to teach us how to save water and some of the resources that we have. It was a very interesting, educational program and I received, as did some of my colleagues, a really cool picture from a child here in League City. Unfortunately she didn't sign her name, but I thought it was just so cool thanking us for the parks and the library. She gave me pigtails. Little did she know I was 13 before my pigtails were cut off. Also, my colleague Dennis and I, over the past couple of months, eight weeks, we did the Coastal City Planners. It was an 8-week class. We both got a certificate for that. All different professors came and it was sponsored by A&M. It was really a great class. It was three hours a night for a total of twenty-four hours. Also, I received recognition from TML for fifty-nine hours for last year putting in for class work and different things that we do, educational things. Busy at work for you.

Dan Becker had no comments.

Todd Kinsey said all I have is the Library Happenings. On Thursday, March 13, the Local Authors will be hosting retired astronaut Jerry Ross, author of Space Walker, the Marketing and Publishing Group will welcome Pearl Hewitt who is an audio book narrator. The Teen Book Club will meet on March 17 to discuss Zealot, by Reza Aslan and the teens will meet after hours on Friday the 21st for Library Miniature Golf.

9. MAYOR COMMENTS/ REPORT

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

Mayor Paulissen said the only thing I'm going to say is all of us up here on council have spouses or significant others and they put up with a lot of extra time that we put up. If you read the minutes that we did earlier, we had meeting on February 10, 11, 21, 22, 23, 24, so we had a bunch of meetings last month and we've had a lot this month and that takes all of us away from our families on a consistent basis. Yesterday was a significant day in my life because thirty-five years ago yesterday is when I got married, so I just want to send out props to my wife for putting up with me and allowing me all this time, because she'll say honey, you got a meeting, okay, so I'm on my own tonight for dinner. I know a lot of you up here have the same thing where their spouses have to take care of their own dinners when we're up here, but to everybody up here and to your spouses, we appreciate them allowing us the time to be up here.

10. REPORTS FROM STAFF MEMBERS

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

- 10A. [14-0136](#) Presentation of the League City Police Department Annual Racial Profiling Report for CY2013. (Chief of Police)

Michael Kramm, Chief of Police, gave the report.

- 10B. [14-0174](#) Update on trash and recycling collection (Acting City Manager)

John Baumgartner, Acting City Manager, said I would like to say solid waste service is perfect, come to determine it's a little bit imperfect and us and our provider had some lapses, I'd say, in service. We had started Tuesday night somewhat weather-driven and it took us through Thursday to recover. I've met personally with Republic. Steve Carroll is here tonight to represent them if there are additional questions. Talk through about how we communicate those lapses. How we get information to our staff. We field a lot of calls up front if trash starts running late and then if it comes apparent that we're not going to be able to pick it up I think it's important for us to communicate that to the citizens and then thirdly, how do we recover from that. And then again as much as I'd like to say it's perfect, we had and I will be perfectly frank, we had a number of communication breakdowns with Republic, starting on Tuesday, continuing Wednesday and frankly through Thursday. They've given us kind of a written summary of how we're going try to deal with that, again try to improve communications as we go along. Obviously we apologize for the inconsistent service particularly on the west side of town this week.

Steve Carroll with Republic Waste spoke on the matter.

11. CONSENT AGENDA

Approval of the Consent Agenda

Mr. O'Keeffe pulled Items 11I and 11K.

A motion was made by Mr. Mann, seconded by Mayor Paulissen, to approve Consent Agenda Items 11A through 11L with the exception of 11I and 11K. 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

- 11A. [14-0175](#) Consider and take action to approve the purchase of furniture for the new Public Safety Building (PD1101) through TPASS in the total amount of \$575,864; with purchases from Texas Correctional Industries (TCI) of \$435,115, Greater Houston Office Products of \$113,327, and to provide for a project contingency of \$27,422. (Chief of Police)
- Approved on the Consent Agenda**
- 11B. [14-0141](#) Consider and take action on acceptance of the municipal infrastructure to serve Village at Tuscan Lakes Section 4 Phase 2, within Galveston County MUD No. 44. (Acting City Manager)
- Approved on the Consent Agenda**
- 11C. [14-0140](#) Consider and take action on the award of a construction contract to Able Paving in the amount of \$454,042.04 for the Columbia Memorial Parkway and Tuscan Lakes Blvd Asphalt Resurfacing Project (ST1303), and authorization of a Work Change Directive budget of \$45,404.20 (Acting City Manager)
- Approved on the Consent Agenda**
- 11D. [14-0150](#) Consider and take action to terminate the Countryside & Far West 11 Lift Station & Force Main Upgrade and Country Side Waste Water Treatment Plant Demolition and Far West 10 Force Main to Southwest Waste Water Reclamation Facility & Countryside #2 Lift Station/Force Main contract with Wasteline Engineering, Inc. (WEI) and enter into a professional services agreement with Binkley and Barfield Consulting Engineers (Binkley & Barfield) for the completion of design services, bid services, and construction services (Acting City Manager).
- Approved on the Consent Agenda**
- 11E. [14-0149](#) Consider and take action to terminate the Eastside Elevated Storage Tank Project and Water Well Project contract with Wasteline Engineering, Inc. (WEI) and enter into a professional services agreement with Binkley and Barfield Consulting Engineers (Binkley & Barfield) for the completion of design services, bid services, and construction services (Acting City Manager).
- Approved on the Consent Agenda**
- 11F. [14-0148](#) Consider and take action to terminate the South Shore Harbor Pump Station project with Wasteline Engineering, Inc. (WEI) and enter into a professional services agreement with CDM Smith, Inc. (CDM) for the completion of design services (Acting City Manager).
- Approved on the Consent Agenda**
- 11G. [14-0034](#) Consider and take action on the award of a contract to Southwest Signal Supply Inc. for annual maintenance and emergency maintenance of the traffic signals and advance/ school zone flashers within the City of League City (Acting City Manager)
- Approved on the Consent Agenda**

- 11H. [14-0102](#) Consider and take action on Change Order No. 1 in the amount of \$20,685.00 to the construction contract with 4D SignWorx for the Monuments Sign Project and approve additional funding (Acting City Manager)

Approved on the Consent Agenda

- 11I. [14-0099](#) Consider and take action on approval of the second Amendment to the Mainland Water Project Customer Contract with Gulf Coast Water Authority for the improvements of the Texas City Industrial Reservoir (Acting City Manager)

A motion was made by Mr. OKeeffe, seconded by Mayor Paulissen, to discuss.

An amended motion was made by Mr. OKeeffe, seconded by Ms. Bentley, to approve the second Amendment to the Mainland Water Project Customer Contract with Gulf Coast Water Authority for the improvements of the Texas City Industrial Reservoir. The motion passed by the following vote:

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

Opposed: 1 - Mr. Kinsey

- 11J. [14-0135](#) Consider and take action on a resolution approving aerial spraying for the abatement of mosquitoes by the Galveston County Mosquito Control District (Acting City Manager)

Resolution No. 2014-09 was approved on the Consent Agenda

- 11K. [14-0166](#) Consider and take action on approval of a resolution attesting an agreement granting consent for Galveston County Water Control & Improvement District No. 12 to supply water and Sanitary Sewer service to an area within the City of League City for 2106 Lawrence Road (Acting City Manager)

A motion was made by Mayor Paulissen, seconded by Mr. OKeeffe, to approve Resolution No. 2014-10 attesting an agreement granting consent for Galveston County Water Control & Improvement District No. 12 to supply water and Sanitary Sewer service to an area within the City of League City for 2106 Lawrence Road . 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

- 11L. [14-0171](#) Consider and take action on Ordinance No. 2014-07 amending Chapter 2, Article VI of the Code of Ordinances of the City of League City, Texas entitled "Disposition of Surplus Property"; repealing all ordinances or parts of ordinances inconsistent or in conflict hereinwith; and providing for severability - Second Reading. (Director of Finance)

City Council approved 7-0-0 with 1 absent on February 25, 2014

Approved on the Consent Agenda

END OF CONSENT AGENDA

12. OLD BUSINESS

- 12A. [14-0172](#) Consider and take action authorizing the Acting City Manager to execute a contract with OpenGov.com for the purpose of providing a budget software service subscription for the 2014 fiscal year (Director of Finance)

City Council postponed to March 11, 2014, 7-0-0 with 1 absent on February 25, 2014.

Pulled by Staff

13. NEW BUSINESS**14. FIRST READING OF ORDINANCES****15. TABLED ITEMS SUBJECT TO RECALL****16. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED**

- 16A. [14-0178](#) Consider and take action on the purchase of network equipment for the new Public Safety Building (PD1101) from INX LLC, a Presidio Company, in the amount of \$736,856.98. (Director of Information Technology)

A motion was made by Mr. Mann, seconded by Mayor Paulissen, to deny and reject all bids. 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

- 16B. [14-0177](#) Consider and take action authorizing the Acting City Manager to execute a contract with Budget Infographics, LLC for the purpose of providing a budget software service subscription for the 2013-2014 fiscal year. (Councilmembers Thiess, Bentley and Becker)

A motion was made by Ms. Bentley, seconded by Mayor Paulissen, to authorize the Acting City Manager to execute a contract with Budget Infographics, LLC for the purpose of providing a budget software service subscription for the 2013-2014 fiscal year. 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

17. EXECUTIVE (CLOSED) SESSION (S)

At 6:49 p.m. Mayor Paulissen announced the City Council will now go into executive session to discuss the following items:

- 17A. [14-0160](#) 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 (Acting City Manager)

- 17B. [14-0161](#) Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters
- Discuss employment or appointment of a public officer or employee, to-wit: City Manager (Mayor Paulissen)

At 7:07 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.

18. **ACTION ITEM(S) FROM EXECUTIVE SESSION(S)**

- 18A. [14-0162](#) Consider and take action on employment or appointment of a public officer or employee, to-wit: City Manager (Mayor Paulissen)

A motion was made by Mr. Kinsey, seconded by Mr. Becker, to approve an employment agreement for Mr. Rohr. 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

19. **ADJOURNMENT**

At 7:09 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: April 8, 2014