



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, June 24, 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

City Manager: **Mark Rohr**
Deputy City Manager: **John Baumgartner**
City Attorney: **Arnold Polanco**
City Secretary: **Diana M. Stapp**
Chief of Police: **Michael Kramm**
Director of Engineering: **Vacant**
Director of Finance: **Rebecca Underhill**
Director of Human Resources/Civil Service: **Queenell Fox**
Director of Parks & Cultural Services: **Chien Wei**
Director of Planning & Development: **Paul Menzies**

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Paulissen called the meeting to order at 6:01 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. Jeff Gantz of Bay Harbour United Methodist Church. Mayor Paulissen led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

- A. [14-0402](#) June 5, 2014 Council Workshop
- B. [14-0407](#) June 10, 2014 Regular Meeting

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

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

- A. [14-0390](#) Consider and take action on the reappointment of Mayor Paulissen as a City of League City representative to Bay Area Houston Convention and Visitors Bureau Board of Directors (Mayor Paulissen)
- A motion was made by Mr. Kinsey, seconded by Ms. Bentley, to approve the reappointment of Mayor Paulissen to the Bay Area Houston Convention and Visitors Bureau board. 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
- B. [14-0391](#) Consider and take action on the reappointment of Mayor Paulissen as a City of League City representative to the Bay Area Houston Partnership (Mayor Paulissen)
- A motion was made by Mr. Kinsey, seconded by Ms. Bentley, to approve the reappointment of Mayor Paulissen as representative to the Bay Area Houston Economic Partnership. 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
- C. [14-0409](#) Consider and take action on the appointment of Helen Stewart Truscott to the Galveston County Community Action Council (Mayor Paulissen)
- A motion was made by Mr. Mann, seconded by Mr. OKeeffe, to approve the appointment of Helen Stewart Truscott to the Galveston County Community Action Council. 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

5. **COMMUNITY SPOTLIGHT**

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

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.

NAME	ADDRESS	SUBJECT
Bob Ball	703 East Walker	Occupy trailer in backyard
Monica Millican	934 Plantation	Animal Control

8. **COUNCIL MEMBERS COMMENTS/REPORTS**

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

Todd Kinsey said as you guys know I'm a big proponent of technology and to that end I wanted to let everybody know that League City will be rolling out its own app for iPhone and Android soon. We're fortunate that we're being able to participate in a beta test with the company that designed our website. I would also like to challenge the City Manager and the Mayor to work with IT to try and get to the table AT&T or some other entity other than just Comcast, because that's probably the most frequent question I get from residents is why do we only have one option for television. Ryan thinks he can get the other entities to the table to at least talk and see if we can get some choice for our residents. At the Library - be sure to stop by for your child and the Teens for their summer reading logs. Don't let them miss out on the exciting prizes they will receive with each of the four logs. While you're at the library check out the many programs currently going on for children of all ages. Tomorrow there will be a black light puppet show in the newly renovated Helen Hall Library, I might add, at 3:00 p.m. On Wednesdays are the Teen Wild from 3:00 p.m. to 4:00 p.m.

Dan Becker said I would echo Council Member Kinsey's comments about Comcast. Their prices have gotten outrageous and there simply really is no choice. The second item, Mayor, for the benefit of the public and the folks that are listening to this, I would like to ask a question, if we could get some explanation of why Item 13B has been pulled.

Geri Bentley said this week I have received a ton of email, thank you, Ms. Millican, for passing our name along to everybody on the Animal Shelter. As you can see I'm a one-finger typist so I have not answered. I have read them all but I have not answered. I just want everybody to know if you're watching why I have not answered. I have read them all. I appreciate your comments. I've taken them all into consideration and will take a look at that. Also, I attended along with our City Manager, our Emergency Management Supervisor and our Economic Development Director, a meeting for Emergency Management today. It was put on by BAYHEP. It was excellent. It was very well attended. They had speakers from all over the country come in. I think the key address though was our City Manager sharing his experience from Joplin. It was very good. We will share that information with everybody and just to know that this city is on top of that. We've got a program going on and I appreciate your efforts and yours as well. Thank you very much.

Andy Mann had no comments.

Heidi Thiess had no comments.

Joanna Dawson said I have read all of those Animal Shelter emails too, and I am very much in favor of moving that up in the CIP, which I conveyed yesterday. We can't move it up fast enough, but anyway it is in the works, hopefully. I bought two rain barrels and managed to get my husband to install them. I have one on the Walker side of the house. From the road you can very plainly read the sign on the side of the rain barrel and just this little bit of dribbly rain the last couple of days, we had six inches of water in that barrel and lowered the hose down and watered select flower beds, so they're wonderful. They've had so much demand that in the Fall they're going to do it again, so if you missed it the first time you can do it the second time. The other thing is League City WaterSmart Workshop, we're going to have a Make Your Own Rain Garden class Saturday morning at the Eastern Regional Park. It's free. It's from 9:00 a.m. to 12:30 p.m. They will have class room and then they will all be transported to the WaterSmart Park to see all of these things in practice, so let's do it. We're already way ahead of that game. Nice to see you all tonight.

Dennis OKeefe had no comments.

9. MAYOR COMMENTS/ REPORT

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

Mayor Paulissen said League City's 4th of July Appreciation Day will be Friday, July 4 from 11:30 a.m. to 4:00 p.m. at League Park. City Council, the Parks Board and City Staff will be serving refreshments, appreciating the citizens of League City. There will be live music performed by the Symphonic Winds of League City and the Relics. This year the City will have a celebrity guest. Chef Sarah Penrod, a contestant on Food Network Star, will do a cooking demonstration and sign autographs. The League City Fire Marshal warns residents about the use of fireworks. Selling, buying, using or possessing fireworks in the city limits of League City is illegal. Fire marshals will be on patrol during the holiday week and citations will be issued for violations. Parents of children using illegal fireworks will be cited as well. Those who are cited could face fines. League City water and tastes - we've been getting a lot of complaints about the water odor and taste of your water recently. A blue-green algae bloom is occurring in the Lake Livingston reservoir and Trinity River. Blue-green algae blooms are naturally occurring and most likely attributed to recent rainfall in the Lake Livingston and Trinity River Watersheds. Associated runoff transports and elevates nutrient levels in local lakes and rivers combined with elevated temperatures and increased sunlight penetration after river flow subsides, creates an atmosphere conducive to this type of event. Earthy metallic taste and odors will occur in the water system until the bloom cycles through the raw water supply. Although a nuisance, the water is properly treated and regulatory compliant. The City estimates that this condition could last for two to three weeks depending on the upstream raw water conditions. City staff will increase city-wide flushing activity until the event passes. Our League City Communication Office won several awards this past week. They won two awards this past week at the Texas Association of Municipal Information Officer's Annual Conference. One was the Award of Excellence for our new website www.leaguecity.com and then we got an Award of Honor for PSA Marketing for the commercial for city-produced for last year's Boogie Blues and Brews event so Kristi, Jenna, Quan and all of our folks at our Public Information Office, good job, thank you so much.

10. REPORTS FROM STAFF MEMBERS

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

11. CONSENT AGENDA

Approval of the Consent Agenda

Item 11C was pulled by Mr. OKeefe and Item 11L was pulled by Mayor Paulissen.

A motion was made by Mr. Becker, seconded by Mr. Kinsey, to approve Consent Agenda Items 11A through 11L with the exception of 11C and 11L. 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. [14-0395](#) 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 1, 2014 to December 8, 2014 (Director of Parks & Cultural Services)

Approved on the Consent Agenda

- B. [14-0399](#) Consider and take action on the acceptance of an 8" Sanitary Sewer extension along Tucker Road (Deputy City Manager)

Approved on the Consent Agenda

- C. [14-0406](#) Consider and take action on a request for Consent to Encroach for landscape and irrigation improvements within the City's Bishop's Bridge and South Shore Boulevard rights-of-way in association with the development of the Hidden Lakes Recreation Center (Deputy City Manager)

A motion was made by Mr. Kinsey, seconded by Ms. Bentley, to approve a request for Consent to Encroach for landscape and irrigation improvements within the City's Bishop's Bridge and South Shore Boulevard rights of way in association with the development of the Hidden Lakes Recreation Center.

An amended motion was made by Mr. O'Keeffe for an administrative change to the motion to include staffs recommended changes to the Consent to Encroach contract Terms and Conditions Section 5 to reference private irrigation and landscaping improvements instead of force main. 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

- D. [14-0403](#) Consider and take action to award a three year contract for Utility Bill Printing and Mailing with Peregrine Services, Inc. (Director of Finance)

Approved on the Consent Agenda

- E. [14-0401](#) Consider and take action to approve the renewal of an annual contract for Petroleum Products with Apache Oil (Director of Finance)

Approved on the Consent Agenda

- F. [14-0404](#) Consider and take action to renew the annual contract for Auto Parts and Supplies with O'Reilly Auto Parts (Director of Finance)

Approved on the Consent Agenda

- G. [14-0405](#) Consider and take action to renew the annual agreement to purchase tires through BuyBoard and The Cooperative Purchasing Network (TCPN) cooperative purchasing contracts. (Director of Finance)

Approved on the Consent Agenda

- H. [14-0408](#) Consider and take action to renew Bid 13-018 Hot Mix Asphalt with Century Asphalt through December 31, 2014 (Director of Finance)

Approved on the Consent Agenda

- I. [14-0387](#) Consider and take action on a resolution consenting to the sale and issuance of Unlimited Tax Refunding Bonds, Series 2014 for the South Shore Harbour Municipal Utility District #7 in an amount not to exceed \$4,000,000 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)

Resolution No. 2014-22 was approved on the Consent Agenda

- J. [14-0388](#) Consider and take action on Ordinance No. 2014-22 amending Ordinance 2007-32 levying a special assessment on certain property in Public Improvement District Number One (Magnolia Creek Master Planned Community) and making certain findings related thereto - Second Reading. (Director of Finance)

Council approved 7-0-0 with one absent on June 10, 2014.

Ordinance No. 2014-22 Second Reading was approved on the Consent Agenda

- K. [14-0396](#) Consider and take action on Ordinance No. 2014-20, for a Special Use Permit, (SUP14-01 AT&T Mobility), to erect a Communication Tower on 4.8 acres, zoned "CG" (General Commercial), generally located north of League City Parkway, south of Tucker Road and east of Columbia Memorial Parkway, with the approximate address of 3502 Columbia Memorial Parkway - Second Reading (Director of Planning and Development)

City Council approved first reading 8-0-0, on June 10, 2014, subject to conditions.

Ordinance No. 2014-20 was approved on the Consent Agenda

- L. [14-0389](#) Consider and take action on Ordinance No. 2014-21 amending Chapter 18, Article 1 of the Code of Ordinances for the City of League City entitled "Animals". Second Reading. (Chief of Police)

Council approved first reading 7-0-0 with 1 absent on June 10, 2014.

City Attorney Arnold Polanco said specifically the change is to Sec. 18-11 Subsection (i)1. As currently proposed it would have the animal registered within 10 days of the vicious animal declaration, but all the other housekeeping requirements, such as the enclosures, micro-chipping, and all that, is required to be done within 30 days. The change would simply put the registration process on hold until all of those requirements outlined in Subsection (j) had been adhered to, and then there would be a 10 day period by which the animal would be registered. That was in the change I circulated to the Council today.

A motion was made by Mayor Paulissen, seconded by Ms. Bentley, to approve Ordinance No. 2014-21 Second Reading amending Chapter 18, Article 1 of the Code of Ordinances for the City of League City entitled "Animals" with changes as to Sec. 18-11(i)1 as distributed by the City Attorney. The motion passed by the following vote:

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

END OF CONSENT AGENDA

12. OLD BUSINESS

Mayor Paulissen announced that Item 14A would be moved forward and addressed before Item 13A.

14. FIRST READING OF ORDINANCES

- A. [14-0336](#) Consider and take action on an ordinance authorizing the issuance of “City Of League City, Texas, General Obligation Refunding Bonds, Series 2014A”; levying an ad valorem tax; approving a private placement term sheet and bid form, authorizing the execution of a transfer and paying agency agreement; appointing a placement agent; and other matters in connection therewith. (Director of Finance)

State law requires one reading only.

A motion was made by Mr. Becker, seconded by Mr. Mann, to approve Ordinance No. 2014-23 authorizing the issuance of “City Of League City, Texas, General Obligation Refunding Bonds, Series 2014A”; levying an ad valorem tax; approving a private placement term sheet and bid form, authorizing the execution of a transfer and paying agency agreement; appointing a placement agent; and other matters in connection therewith. 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. NEW BUSINESS

- A. [14-0335](#) Consider and take action authorizing full and final payment to MHWS Investments, LLC in the amount of \$3.1 million for obligations under the service and assessment plan with Public Improvement District No. 1 (Director of Finance)

A motion was made by Mr. Becker, seconded by Mr. Mann, to approve authorizing full and final payment to MHWS Investments, LLC in the amount of \$3.1 million for obligations under the service and assessment plan with Public Improvement District No. 1. 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

- B. [14-0410](#) Consider and take action to amend the Master Mobility Plan by removal of the Palomino Lane roadway extension to Harris County (Council Member OKeeffe and Council Member Dawson)

Pulled for no action.

14. FIRST READING OF ORDINANCES

Item 14A was moved forward and addressed before New Business.

- A. [14-0336](#) Consider and take action on an ordinance authorizing the issuance of “City Of League City, Texas, General Obligation Refunding Bonds, Series 2014A”; levying an ad valorem tax; approving a private placement term sheet and bid form, authorizing the execution of a transfer and paying agency agreement; appointing a placement agent; and other matters in connection therewith. (Director of Finance)

State law requires one reading only.

15. TABLED ITEMS SUBJECT TO RECALL**16. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED**

- A. [14-0411](#) Consider and take action to ratify the termination of a contract with Groundstar Inc. and award a new contract to Horticare Lawn Maintenance Co. per Bid 13-031 for city-wide Manicured Mowing Services through September 30, 2014. (Deputy City Manager)
- A motion was made by Mr. Mann, seconded by Mayor Paulissen, to approve the termination of a contract with Groundstar Inc. and award a new contract to Horticare Lawn Maintenance Co. per Bid 13-031 for city-wide Manicured Mowing Services through September 30, 2014. 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 6:34 p.m. Mayor Paulissen announced the City Council will now go into executive session to discuss the following item:

- A. [14-0392](#) 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)

At 6:53 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)

- A. [14-0393](#) Consider and take action on discussion concerning potential purchase or sale of real property interests (Deputy City Manager)
- A motion was made by Mayor Paulissen, seconded by Mr. Mann, to accept the conveyances of a 0.0815 acre storm and drainage easement, a 0.2112 and 0.0083 acre sanitary sewer easement, and 0.0049 acre and 0.3605 acre water line easements from 101 League City I-45/646, L.P. associated with the Brookport Extension project and authorize the Deputy City Manager to execute the documents on behalf of the City. The motion passed by the following vote:**
- For:** 7 - Mayor Paulissen, Mr. Becker, Mr. OKeeffe, Ms. Thiess, Mr. Kinsey, Ms. Bentley and Mr. Mann
- Out of Room:** 1 - Ms. Dawson

A motion was made by Mayor Paulissen, seconded by Mr. Mann, to approve the City's conveyance of the temporary construction easement associated with the TxDOT construction of Beamer Road for the connection of the permanent driveway from the City's Beamer-Bay Area metering station to the new Beamer Road paving and authorize the Deputy City Manager to execute the document on behalf of the City. 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

19. **ADJOURNMENT**

At 6:55 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: July 22, 2014