



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, August 12, 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 Rabbi Yitzi Schmukler of Chabad of the Bay Area. Mayor Paulissen led in the pledges of allegiance to the flags

3. **APPROVAL OF MINUTES**

- A. [14-0478](#) June 9, 2014 Council Work Session
- B. [14-0506](#) June 18, 2014 Joint Workshop with P&Z
- C. [14-0507](#) June 23, 2014 Council Work Session
- D. [14-0479](#) June 30, 2014 Council Workshop
- E. [14-0508](#) July 14, 2014 Special Meeting
- F. [14-0509](#) July 21, 2014 Council Work Session

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

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

- A. [14-0501](#) Presentation of a proclamation declaring August 12, 2014 "Dick Williamson Day" in League City (Mayor Paulissen and Council Member Dawson)

Mr. Williamson was present to receive the proclamation.

- B. [14-0495](#) Consider and take action on appointments to the Finance Committee (Mayor Paulissen)

1. Mayor's Appointee (Council Member):

Appointment was pulled by Mayor Paulissen.

6. Council Position 4 Appointee:

A motion was made by Mr. Becker, seconded by Mr. Kinsey, to approve the appointment of Juan Guerrero to Position 6. for a term to expire 06/30/2015. 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

5. **COMMUNITY SPOTLIGHT**

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

- A. **14-0490** Hold a public hearing on the City of League City's FY 2014-2015 Annual Budget (Director of Finance)

Mayor Paulissen opened the public hearing at 6:11 p.m.

NAME	ADDRESS
Chuck DiFalco	2118 Eastland Ct.
Esam Hhalabi	2536 Sandvalley (did not speak)

Mayor Paulissen closed the public hearing at 6:14 p.m.

- B. **14-0512** Hold a public hearing on Zoning Map Amendment, Z14-05 (1420 Lawrence Road), a request to rezone three parcels, totaling approximately 10.73 acres from "CO" (Office Commercial) to "CG" (General Commercial), generally located north of FM 518, east of Columbia Memorial Parkway, with the approximate address being 1420 Lawrence Road. (Director of Planning and Development)

Mayor Paulissen opened the public hearing at 6:14 p.m.

No one spoke for or against this item.

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

- C. **14-0513** Consider and take action on an ordinance amending Ordinance No. 2005-24 to rezone approximately 10.73 acres, Z14-05 (1420 Lawrence Road), from "CO" (Office Commercial) to "CG" (General Commercial legally described as a portion of Lot 3, Block 2 Jarboe Addition, portion of Lot 4-3, Block 2 Jarboe Addition, and portion of Lot 4-2, Block 2 Jarboe Addition, generally located north of FM 518, east of Columbia Memorial Parkway, with the approximate address being 1420 Lawrence Road in League City, Texas. (Director of Planning and Development)

Planning & Zoning Commission recommended approval, 8-0-0 on August 4, 2014 subject to a condition.

Condition:

To return the applicant's \$1,000 zone change fee due to, what the Commission felt was, an inadvertent zoning change made during the Zoning Map and Text revision of 2005.

A motion was made by Mr. Mann, seconded by Ms. Bentley, to approve, subject to a condition, Ordinance No. 2014-26 amending Ordinance No. 2005-24 to rezone approximately 10.73 acres, Z14-05 (1420 Lawrence Road), from "CO" (Office Commercial) to "CG" (General Commercial) legally described as a portion of Lot 3, Block 2 Jarboe Addition, portion of Lot 4-3, Block 2 Jarboe Addition, and portion of Lot 4-2, Block 2 Jarboe Addition, generally located north of FM 518, east of Columbia Memorial Parkway, with the approximate address being 1420 Lawrence Road in League City, Texas. 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

- D. [14-0510](#) Hold a public hearing on Zone Change Application, Z14-06 (League City Pkwy / Hobbs Rd PUD), a request to rezone approximately 38.2 acres from “CO” (Office Commercial) and “PS” (Public / Semi-Public) to “CG-PUD” (General Commercial with a Planned Unit Development) Overlay, legally described as a portion of Unrestricted Reserves A, C and D of the Brittany Bay Park, Section I and Reserve B of the Brittany Bay Park, Section II Subdivisions, generally located north and south of League City Parkway, east of Hobbs Road and west of Butler Road, with the approximate address being in the 1700 to 1900 block of League City Parkway and 1800 to 2000 block of Hobbs Road in League City, Texas. (Director of Planning and Development)

Mayor Paulissen opened the public hearing at 6:19 p.m.

Paul Menzies, Director of Planning/Development gave a brief overview of the item.

NAME	ADDRESS
Chuck DiFalco	2118 Eastland Ct.

Mayor Paulissen closed the public hearing at 6:30 p.m.

- E. [14-0511](#) Consider and take action on an ordinance amending Ordinance No. 2005-24 to rezone approximately 38.2 acres, Z14-06 (League City Pkwy / Hobbs Rd PUD), from “CO” (Office Commercial) and “PS” (Public / Semi-Public) to “CG-PUD” (General Commercial with a Planned Unit Development) Overlay, legally described as a portion of Unrestricted Reserves A, C and D of the Brittany Bay Park, Section I and Reserve B of the Brittany Bay Park, Section II Subdivisions, generally located north and south of League City Parkway, east of Hobbs Road and west of Butler Road, with the approximate address being in the 1700 to 1900 block of League City Parkway and 1800 to 2000 block of Hobbs Road in League City, Texas. (Director of Planning and Development)

Planning & Zoning Commission recommended approval, 8-0-0 on August 4, 2014, subject to conditions.

A motion was made by Mr. Becker, seconded by Mr. Mann, to approve first and final reading. 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

Conditions for the Master Plan:

1. Label the building sizes.
2. Show the left turn deceleration lanes at all existing and proposed median openings including the existing median opening located between the Verizon service center and the YMCA; and
3. Show the northbound to eastbound right turn lane at Hobbs Road.

A motion was made by Mr. Becker, seconded by Mr. Mann, to approve, subject to conditions, Ordinance No. 2014-27 amending Ordinance No. 2005-24 to rezone approximately 38.2 acres, Z14-06 (League City Pkwy / Hobbs Rd PUD), from “CO” (Office Commercial) and “PS” (Public / Semi Public) to “CG PUD” (General Commercial with a Planned Unit Development) Overlay, legally described as a portion of Unrestricted Reserves A, C and D of the Brittany Bay Park, Section I and Reserve B of the Brittany Bay Park, Section II Subdivisions, generally located north and south of League City Parkway, east of Hobbs Road and west of Butler Road, with the approximate address being in the 1700 to 1900 block of League City Parkway and 1800 to 2000 block of Hobbs Road in League City, Texas. 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.

NAME	ADDRESS	SUBJECT
Peyton Galyean	2116 Indian Blanket	Stop Light
Linda Whiteley	3007 Massengale Lane	Staff Turnover
Pete Becich	1404 Bayshore	Rental Property in League City
Abdul Alsahli	1231 Fawn Valley	City Resolution
Greg Gripon	2060 Pecan Orchard Rd.	Gripon Park
Randy Gripon	2106 Paintbrush Ave.	Gripon Park
Dustin Gohmert	2922 Massengale Lane	Grissom Road
Steve Sauer	2150 Meadowlark Lane	Gripon Park
Ahmed El-Rasheedy	2209 Indigo Cove Ct.	Islamic Propaganda
Pat Hallisey	2205 Acacia	Gripon Park
Ms. Mohammed	6502 Sterling Bay Ln.	City Resolution
Humaira Maqbool	4415 Sugarvine Ct.	City Resolution
Ajaz Shah	4415 Sugarvine Ct.	Resolution

Mayor Paulissen said if there is no objection I would like to move up item 13B at this time.

14-0481

Consider and take action on a resolution renaming Countryside Park to the "Lynn Gripon Park" (City Manager)

A motion was made by Mayor Paulissen, seconded by Ms. Bentley, to approve Resolution No. 2014-26 renaming Countryside Park as "Lynn Gripon Park" with additional language "at Countryside" (Lynn Gripon Park at Countryside). 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

8. COUNCIL MEMBERS COMMENTS/REPORTS

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

Dennis OKeeffe had no comments.

Joanna Dawson said we've had some really special things tonight. We live in a wonderful town. I'm sure it has problems, but when we can do wonderful things like this, it's just great to be League City.

Heidi Thiess said I know that our World War II veteran, we heard a great story from him tonight, thank you for that, Mayor. I'm sorry that he's not here now, but in addition to that World War II veteran we have a number of veterans also in the house. American Legion represented here by some of the leadership from the American Legion, so I just wanted to give a shout out to them and thank everyone for coming tonight to the City Council meeting.

Andy Mann had no comments.

Geri Bentley said it was great to see all the people that came to our meeting tonight. We love to have the attendance. Congratulations to the Gripon family. This is really an honor, I'm sure, for them to have this park named after their dad. I also want to mention how hard our staff and council members have worked on the budget. We talked about our budget this week. There's been a lot of time put in by staff. We got a line item budget book that was like this. It's huge. A lot of time and effort is put into it. I hope you all are proud of it. We're proud of what we're trying to accomplish for the citizens of League City.

Dan Becker had no comments.

Todd Kinsey said I have just a quick update on the library. The Summer Reading Program was a huge success. 924 children completed reading logs with total reading hours of over 11,500 hours. They had a Summer Readers party with 600 kids in attendance. The Teen Program had 144 participants with over 4,000 hours read over this summer. Volunteers worked over 368 hours in July which is a 25 percent increase over last year. The next Marketing and Publishing Group will be on Thursday, August 14 at 11:45 a.m. in the Board Room. You can bring a snack or lunch if you would like. This group meets regularly on the second Thursday of every month. All local writers or aspiring writers are invited, so if you have ever thought of writing your own book this group can help you get started.

9. MAYOR COMMENTS/ REPORT

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

Mayor Paulissen said we have our Adopt-a-Thon this weekend for the Animal Shelter. That's going to be this Saturday and Sunday at the Civic Center, so everybody that has extra space at their house for another animal, we have lots of animals here in League City. I would like to say that our shelter has the lowest kill rate of any shelter in the area and that's primarily due to the hard work of Ms. Monica and all the volunteers and Ms. Schoolcraft over at the League City Animal Shelter. We also have our rain barrel initiative back. I think the last time we had about 200 rain barrels that we sold out to the public and we're bringing that program back. You can go to www.leaguecity.com and you can go to the link where you can order the rain barrels. I believe it's still \$25 and \$25 up to \$50 rebate off your water bill for each rain barrel that you buy up to two. Then we have our next City Hall in the Park which is going to be next Thursday, August 21 at the Magnolia Creek HOA facility from 6:00 p.m. to 8:00 p.m.

10. REPORTS FROM STAFF MEMBERS

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

Mark Rohr, City Manager, said I would like to make an introduction here this evening. Bridget Kramer was selected to fill the newly created position of Assistant to the City Manager. She brings extensive experience in balancing many projects, constituent of relations and priorities while maintaining a positive focus on those projects. Most recently she was the project grant administrator for the Greater East End Management District in Houston. She worked with project budgets, researched project business plans, held public meetings to gain interest and address concerns of the citizenry and created reports and presentations for elected officials and business developers. Prior to Greater East End Management District, Bridget had what has been described as an extremely successful track record writing grants that were awarded funding four out five times when she worked for San Jacinto College as a project grant coordinator. She's promised me that we will make five out of five here in League City. Not really, I made that up. As the Program Design Assistant Manager for Tri-Valley Opportunity Council Migrant Head Start, Bridget served as the key team member in the application process for Federal and State grants, helped to initiate design and implement an internal webserver for over two hundred and fifty head start forms and standards and was a member of the marketing improvement team.

While in college, she worked three summers as a program support assistant for Sleepy Eye Migrant Head Start Program and wrote and designed brochures, newsletters, press releases, and posters and served as the center director's go-to person. She had a dual major in mass communications and speech communications from Minnesota State University. We're extremely fortunate to have a large pool of talented applicants for this position. Four city staff members judged Bridget to be the best fit for the position out of that group and we wish her much success in her new role with League City as she takes on her new duties as Assistant to the City Manager. Welcome.

- A. [14-0491](#) Presentation of the Investment Report of the Section 4B Industrial Development Corporation for the quarter ended June 30, 2014. (Director of Finance)
- Rebecca Underhill, Director of Finance, presented the Investment Report.**

11. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Mr. OKeeffe, seconded by Mr. Mann, to approve Consent Agenda Items 11A through 11L. 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. [14-0445](#) Receive and approve submission of Tax Increment Reinvestment Zone Number Two (Victory Lakes) FY2002 - FY2013 Annual Reports (Director of Finance)
- Approved on the Consent Agenda**
- B. [14-0447](#) Receive and approve submission of Tax Increment Reinvestment Zone Number Four (Westwood) FY2007 - FY2013 Annual Reports (Director of Finance)
- Approved on the Consent Agenda**
- C. [14-0482](#) Consider and take action on the approval of the resale of property resulting from a tax foreclosure for Slip 8, Dock 6, Wharf at Clear Lake, Phase III and authorizing the Mayor to sign the Trustee's Deed on behalf of the City of League City. (Director of Finance)
- Approved on the Consent Agenda**
- D. [14-0483](#) Consider and take action accepting the bid of \$14,000 from Todd Wielichowski, approving the resale of property resulting from a tax foreclosure for Lots 11 & 12, Block 198, Dickinson Townsite, and authorizing the Mayor to sign the Trustee's Deed on behalf of the City of League City. (Director of Finance)
- Approved on the Consent Agenda**
- E. [14-0503](#) Consider and take action on the approval of three-year contracts for financial advisory and disclosure services with First Southwest Company (Director of Finance)
- Approved on the Consent Agenda**

- F. [14-0492](#) Consider and take action on acceptance of the municipal infrastructure to serve Westover Park Section 17A within Galveston County MUD 39 (Deputy City Manager)
Approved on the Consent Agenda
- G. [14-0493](#) Consider and take action on acceptance of the municipal infrastructure to serve Westover Park Section 17B within Galveston County MUD 39 (Deputy City Manager)
Approved on the Consent Agenda
- H. [14-0494](#) Consider and take action on acceptance of a permanent 15-foot utility easement from Happy Harbor Methodist Home (the “District”) associated with the development of The Crossings, a retirement center, currently under construction at the intersection of Egret Bay Boulevard (FM 270) with Coryell Street (Deputy City Manager)
Approved on the Consent Agenda
- I. [14-0487](#) Consider and take action to approve an Offer to Sell and Purchase Agreement and a Right-of-Entry Agreement with MB League City Bay Colony, LP, for the acquisition of real property associated with the ED1301 Brookport Extension project (Deputy City Manager)
Approved on the Consent Agenda
- J. [14-0504](#) Consider and take action to approve the purchase of goods and services for the striping segments of City streets with Stripe-A-Line, Inc. (Deputy City Manager)
Approved on the Consent Agenda
- K. [14-0489](#) 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 to an area within the City of League City for 3600 Delesandri Lane-residence (Deputy City Manager)
Resolution No. 2014-25 approved on the Consent Agenda
- L. [14-0488](#) Consider and take action on acceptance of four “Utility Conveyance and Security Agreement(s)” with Galveston County Municipal Utility District No. 44 for water, sanitary sewer and drainage facilities associated with the following developments: (1) Tuscan Lakes, Section 50-4-1; (2) Village at Tuscan Lakes, Section 4, Phase 2; (3) Tuscan Lakes SF 50-4-2 SE; and Tuscan Lakes Drive Extension (Deputy City Manager)
Approved on the Consent Agenda

END OF CONSENT AGENDA**12. OLD BUSINESS****13. NEW BUSINESS**

- A. [14-0468](#) Consider and take action on approval of the Program Year 2014 Annual Action Plan related to the Community Development Block Grant Program (Director of Planning and Development)

A motion was made by Mr. Mann, seconded by Ms. Dawson, to approve the Program Year 2014 Annual Action Plan related to the Community Development Block Grant Program. 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

Item 13B was moved forward and addressed before Item 8. Council Member Comments/Reports

- B.** [14-0481](#) Consider and take action on a resolution renaming Countryside Park to the "Lynn Gripon Park" (City Manager)

14. FIRST READING OF ORDINANCES

- A.** [14-0496](#) Consider and take action on an ordinance adopting Section 2-14 of the Code of Ordinances of the City of League City, Texas designating an official insignia of the City (City Attorney)

A motion was made by Mr. Mann, seconded by Ms. Bentley, to approve Ordinance No. 2014-28 adopting Section 2-14 of the Code of Ordinances of the City of League City, Texas designating an official insignia of the City. 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

- B.** [14-0514](#) Consider and take action on an ordinance amending Sections 18-3 and 18-11 of the Code of Ordinances of the City of League City, Texas pertaining to dangerous animals (City Attorney)

A motion was made by Mr. Mann, seconded by Ms. Dawson, to approve Ordinance No. 2014-29 amending Sections 18-3 and 18-11 of the Code of Ordinances of the City of League City, Texas pertaining to dangerous animals. 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'Keefe

15. TABLED ITEMS SUBJECT TO RECALL

16. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED

- 16A.** [14-0525](#) Consider and take action on a vote to censure Council Member Dennis O'Keefe for inappropriate communication with staff (Mayor Paulissen and Council Member Kinsey)

A motion was made by Mayor Paulissen, seconded by Mr. Mann, to approve censuring Council Member Dennis O'Keefe for inappropriate communication with staff. The motion passed by the following vote:

Abstained: 1 - Mr. O'Keefe

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

Opposed: 1 - Ms. Dawson

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

At 7:39 p.m. Mayor Paulissen announced the City Council will now go into executive session to discuss the following items:

- A. [14-0484](#) 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)
- B. [14-0485](#) 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)
- C. [14-0497](#) Texas Open Meetings Act, Section 551.071, Government Code - Consultation with City Attorney
Consultation with City Attorney regarding the following pending litigation:
Cause No. 12-CV-2369; CenterPoint Energy Houston, LLC vs. City of League City, Texas, et al; In the 10th Judicial District Court of Galveston County, Texas (City Attorney)
- D. [14-0498](#) Texas Open Meetings Act, Section 551.071, Government Code - Consultation with City Attorney
Consultation with City Attorney to receive legal advice in relation to administrative complaint filed with U. S. Dept. of Housing and Urban Development (City Attorney)
- E. [14-0516](#) Texas Open Meetings Act, Section 551.071, Government Code - Consultation with City Attorney
Consultation with City Attorney to receive legal advice on issues associated with use and registration of City logo (City Attorney)
- F. [14-0518](#) Texas Open Meetings Act, Section 551.074, Government Code - Personnel
Deliberate the employment, evaluation, or duties of a public officer, to-wit: City Manager (Mayor Paulissen)

At 8:55 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.

Absent 1 - Mr. Dennis OKeeffe

Present 7 - Mayor Tim Paulissen, Mr. Dan Becker, Ms. Heidi Thiess, Mr. Todd Kinsey, Ms. Geri Bentley, Mr. Andy Mann and Ms. Joanna Dawson

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

- A. [14-0486](#) Consider and take action on discussion concerning potential purchase or sale of real property interests (Deputy City Manager)
- No Action**
- B. [14-0499](#) Consider and take action on consultations with City Attorney regarding the following pending litigation:
- Cause No. 12-CV-2369; CenterPoint Energy Houston, LLC vs. City of League City, Texas, et al; In the 10th Judicial District Court of Galveston County, Texas (City Attorney)
- No Action**
- C. [14-0500](#) Consider and take action arising from consultations with City Attorney regarding administrative complaint filed with U. S. Dept. of Housing and Urban Development (City Attorney)
- No Action**
- D. [14-0517](#) Consider and take action arising from consultations with City Attorney regarding use and registration of City logo (City Attorney)
- A motion was made by Mr. Becker, seconded by Ms. Bentley, to direct the City Attorney to take whatever appropriate legal action is necessary to protect the City's interest on this matter. The motion passed by the following vote:**
- For:** 7 - Mayor Paulissen, Mr. Becker, Ms. Thiess, Mr. Kinsey, Ms. Bentley, Mr. Mann and Ms. Dawson
- Absent:** 1 - Mr. O'Keeffe
- E. [14-0519](#) Consider and take action arising from the deliberation of the employment, evaluation, or duties of a public officer, to-wit: City Manager (Mayor Paulissen)
- Mr. Becker said I would like to hear from our City Manager, Mark Rohr.**
- Mr. Rohr said I would like to take this opportunity for no other reason than just to set the public record straight. There were some statements made this evening and I want to correct some of those statements that were made. First of all the action that I took had nothing to do with the election. Any coincidence in terms of date was just that, a coincidence. Let me explain the process that I went through to arrive at the point in time that I sent the letter to all of City Council with the attached memo that was in question. First of all my initial reaction when I got that was shock. It took me a couple of days to even understand completely what was said, I was very surprised. I think as Council knows I was merely following direction. I was asked to research something that hadn't been fully researched the evening before, which was my fault and to provide clarification to an item that Council discussed, and I think I did that as succinctly and directly and accurately as possible. In response to that, late that evening I got a response from one of the council members which is what I brought to the attention of all of Council. After spending a couple of days realizing exactly what had happened, I found that as I get older that it is important to sleep on things and try to sift through and separate yourself from the emotions of the actual event that you are trying to think about, and that is exactly what I did, hoping that I would be provided with some clarity. Part of me at that point in time thought just ignore it and continue doing business. I**

also wanted to allow some time to elapse to see if Mr. O'Keeffe would apologize, which he never took the initiative to do. And in all fairness I did not approach him on the matter either, so I think that needs to be stated in the interest of telling the complete story. I then gave it some more thought, not having made a determination, but I came to the conclusion after reflecting on things I had seen and experienced in my own career, that behavior like this seldom improves on its own. In fact often times and more often than not it gets worse. And those of you that know me know that I am a quote guy and I harken back to a quote that I had that I thought was on point with respect to this particular situation by former Supreme Court Justice Brandeis, and it went something to the effect that sunlight is said to be the best disinfectant. And I started changing my thought process at that point in time and what was the deciding factor was that I was required to take a training course to become a member of the Texas City Managers Association. I did that on line, I did it on the 28th. Frankly the event that Mr. O'Keeffe mentioned, I was not aware of. I knew from before he had planned to run for re-election. He was handing his pencils out at some of the City Hall in the Park events and other things and that was fine. That is his determination to make and it really didn't involve me, that is his business. During the training course that I was required to do online on the 28th, there is a provision in there about the Texas City Management Code of Ethics and that code of ethics is very similar if not identical to the ICMA (International City Management Association) code of ethics. And Council will remember that Council themselves stipulated that that be part of my contract, that was something you saw fit to put in there to protect the interest of the City of League City as you should and that my failure to adhere to the tenets could be grounds for my termination from my position. I am referring to tenet #10 which was called to my attention. The Code of Ethics for Texas was not only covered within the training course, but one of my predecessors has that framed over my table on the side of my desk. It is right there in front of me and I see it each and every day. Ten of Ten, and I will quote, is the one I am referring to and it reads to the effect of "resist any encroachment on professional responsibility is believing the member should free to carry out official policies without interference and handle each problem without discrimination on the basis of principle and justice". To me that is very important and very clear that in order for this form of government to work as designed and benefit the citizens of the City of League City to the maximum extent that that has to be adhered to. There are different lines of demarcation in terms of Council's responsibilities, in terms of my responsibilities and my responsibilities in dealing with other things within the City, including the employees. And I felt that this violated Ten of Ten in terms of the actions that he took and if I failed to convey that on that I could be held responsible for not observing the Code of Ethics which I am required to do contractually. Having come to that determination over time I then realized that the letter that was produced was the Thursday or Friday before the Monday work session I think was on the 4th and I made a conscious decision not wanting to impact that budget work session to not mail the letter until Sunday afternoon at the mailbox between the Civic Center and City Hall, which I did, and I sent it to all Council Members homes including Mr. O'Keeffe. I felt it only fair that he have a copy of that also. So I didn't make any attempt to withhold that, I gave him a copy also. And that is what you received, I think the majority of you received it that Tuesday but it was designed to be after the budget work session Monday night because I thought that would be counterproductive in terms of what we were discussing at that point in time. So that is the process that I went through in determining what I did and I did not expect what happened tonight to occur, that was not my intention, it wasn't my desire, but I thought in the interest of good, clean, efficient government that it was my responsibility contractually and otherwise to present that information to Council and let you police yourselves. That is your role. That is not my role. I think that explains the process that I went through that led to me sending the letter to you.

No action was taken.

19. **ADJOURNMENT**

At 9:12 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: September 23, 2014