



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, February 23, 2016

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 Vacant Heidi Hansing Todd Kinsey Geri Bentley Keith Gross Nick Long |
| City Manager: | Mark Rohr |
| Deputy City Manager: | John Baumgartner |
| Asst. City Manager/Director of Finance: | Rebecca Underhill |
| City Attorney: | Nghiem V. Doan |
| City Secretary: | Diana M. Stapp |
| Chief of Police: | Michael Kramm |
| Director of Engineering: | Earl Smith |
| Director of Human Resources/Civil Service: | Queenell Fox |
| Director of Parks & Cultural Services: | Chien Wei |
| Director of Planning & Development: | Paul Menzies |
| Director of Public Works | Rick Harrah |

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Paulissen called the meeting to order at 6:00 p.m. and called the roll. All members of Council were present except Ms. Hansing who arrived at 6:02 p.m.

Present 7 - Mayor Tim Paulissen, Mr. Dan Becker, Ms. Heidi Hansing, Mr. Todd Kinsey, Ms. Geri Bentley, Mr. Keith Gross and Mr. Nick Long

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

The invocation was given by Shiva Tirandaz of Baha'i Faith Community. Mayor Paulissen led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

- 3A. [16-0835](#) January 25, 2016 Council Work Session

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

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

- 4A. [16-0852](#) Presentation of a proclamation recognizing Chandler Moore (Mayor Paulissen)

Chandler Moore received recognition for his Eagle Scout project at Magnolia Creek Cemetery.

- 4B. [16-0845](#) Recognition of the 2015 Texas Amateur Athletic Federation League City Male and Female Athletes of the Year (Mayor Paulissen)

Anna Soles and Drew Moreno were recognized as the 2015 Texas Amateur Athletic Federation League City Female and Male Athletes of the Year.

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 |
|--------------------|-----------------------|-------------------|
| Chris John Mallios | 1904 Fairfield Ct. N. | Governance Policy |
| Nick Harmon | 5204 Cross Creek Ct. | Governance Policy |
| Chuck DiFalco | 2118 Eastland Ct. | Governance Policy |
| Monica Millican | 934 Plantation | Animal Shelter |

8. COUNCIL MEMBERS COMMENTS/REPORTS

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

Todd Kinsey said over at the library at 4:30 p.m. on Thursday, February 25, Mark Shepherd explores science using LED lights and Playdoh in the family program “Squishy Circuits” and on March 3 from 7:00 p.m. to 8:00 p.m., library staff and patrons will say goodbye to “Downton Abbey” by watching the pilot episode while enjoying “Downton Abbey” themed activities and snacks.

Dan Becker had no comments.

Nick Long said I would say congratulations to our two athletes of the year and our Eagle Scout. That seemed like a pretty worthwhile and interesting project. I would also just like to educate people on a couple of things that happened at the library and say congratulations to Jenny Brewer, the Librarian, who became an ALA Certified Library Administrator. She graduated from the program. Another thing going on at the library which I was just told about, on Saturday, February 27 from 2:00 p.m. to 5:00 p.m. at the Helen Hall Library, there will be a discussion about manned space flight and how we can work to move manned space flight forward, so if you’re interested in attending, I’m sure there’s more information on the library’s website.

Keith Gross said I just want to thank everybody for coming to the meeting.

Heidi Hansing said I also just wanted to thank you all for coming tonight.

Geri Bentley said I just wanted to let you know that my fellow councilmember, Ms. Hansing and I, were outside of Austin this last week at a TML meeting and we got about fourteen CEU hours attending different meetings. We usually look at the schedule and then attend different meetings so that we can maximize the time that we’re there. Some very interesting information we gleaned over that weekend and it also gives us an opportunity to meet with other mayors and council people and we all pick each other’s brains and find out what works in your city and what doesn’t work in your city. It’s an excellent opportunity and I thank you for allowing us to go and thank you for being here today.

Heidi Hansing said I want to just jump in for just a second because our Mayor Pro Tem was the moderator for the large cities panel discussion. It involved a lot of cities from our size all the way up to Houston had several council members there along with their staff, so I just wanted to brag on our Mayor Pro Tem a little bit. She did a very fine job and really got a lot of good discussions started and some really good contacts came out of that so I just wanted to brag on her a little bit.

9. **MAYOR COMMENTS/ REPORT**

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

Mayor Paulissen said I would like to thank our young people that came out today that did all those projects. I don't know how many of you know where the Magnolia Cemetery is, but it's over in Rustic Oaks, over on the west side of League City and it's right in the middle of a residential neighborhood and if you've never had a chance to go over there I encourage you to do so and for Chandler to go over there and make those needed improvements, that's just awesome. I know we've worked with our Parks Department on numerous times with numerous Scouts in the area to work on their Eagle projects so kudos to our Parks Department for setting that up. I don't know if that was in coordination with us, but good job. I was also able to go out this Saturday and throw the first pitch out for the League City Parks and Recreation Girls Softball at their grand opening ceremonies and it's just another one of those great things that, I've been sitting up here for four and a half years as your mayor doing these types of things and probably one of the best and nicest things that I'm able to do, and whoever follows me it will be a moving experience for them as well.

10. **REPORTS FROM STAFF MEMBERS**

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

Mark Rohr, City Manager, said Mayor, before the Chief gets up here could I answer one question real quickly. An email was conveyed to council but not shared with the public with respect to the animal shelter. I was charged with the responsibility of exploring five different areas in greater detail as part of the initial discussion. The information came back from the consultant and staff other than myself was not satisfied with the depth of the information provided so we went back to the well, so to speak, and have more information coming and once that's complete we'll schedule a work session with council.

- 10A. [16-0840](#) Presentation of the League City Police Department's Annual Racial Profiling Report for CY2015 (Chief of Police)
Chief of Police Michael Kramm presented the report.
- 10B. [16-0827](#) Presentation of the Investment Report of the Section 4B Industrial Development Corporation for the quarter ended December 31, 2015 (Assistant City Manager)
The report was presented by Rebecca Underhill, Assistant City Manager/Director of Finance)
- 10C. [16-0826](#) Presentation of the Investment Report of the City of League City for the quarter ended December 31, 2015 (Assistant City Manager)
The report was presented by Rebecca Underhill, Assistant City Manager/Director of Finance

11. **CONSENT AGENDA**

Approval of the Consent Agenda

A motion was made by Mr. Kinsey, seconded by Mr. Becker, to approve Consent Agenda Items 11A through 11F. The motion passed by the following vote:

For: 7 - Mayor Paulissen, Mr. Becker, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

- 11A. [16-0843](#) Consider and take action on a resolution authorizing a Professional Services Agreement with Kimley-Horn and Associates for the Signal Timing Optimization - Multiple Corridors Project (TR1101) in an amount not to exceed \$199,000 (Deputy City Manager)
Resolution No. 2016-07 was approved on the Consent Agenda
- 11B. [16-0844](#) Consider and take action on a resolution authorizing a Professional Services Agreement with Kimley-Horn and Associates for the SH 96 at South Shore Boulevard Intersection Improvements Project in an amount not to exceed \$69,000 (Deputy City Manager)
Resolution No. 2016-08 was approved on the Consent Agenda
- 11C. [16-0842](#) Consider and take action on final acceptance of municipal infrastructure for a water line extension for the replat of Marina on the Lake Subdivision Reserve "I" (Deputy City Manager)
Approved on the Consent Agenda
- 11D. [16-0849](#) Consider and take action on final acceptance of municipal infrastructure for Pinnacle Park Phase One, Lot 2 (Pad Sites) at a value of \$74,920 (Deputy City Manager)
Approved on the Consent Agenda
- 11E. [16-0825](#) Consider and take action on a resolution approving the City of League City's Investment Policy and the Investment Policy of the 4B Industrial Development Corporation (Assistant City Manager)
Resolution No. 2016-09 was approved on the Consent Agenda

- 11F. [16-0841](#) Consider and take action on a resolution authorizing the City Manager to execute an engagement letter with Norton Rose Fulbright to serve as legal counsel for all matters related to the sale of Certificates of Obligation, Series 2016 and Series 2016 General Obligation Refunding Bonds (Assistant City Manager)

Resolution No. 2016-10 was approved on the Consent Agenda

END OF CONSENT AGENDA

12. OLD BUSINESS

Mayor Paulissen announced that based on the discussion at the Council Work Session, Item 12A has been pulled by staff to bring back at the March 8, 2016 meeting.

- 12A. [16-0836](#) Consider and take action on Ordinance No. 2016-05 to set a 45 MPH speed limit along SH 96 (League City Parkway), from I-45 to the eastern city limits, a distance of 5.96 miles - Second Reading (Deputy City Manager)

Council approved on first reading 4-2-0 with 1 absent on February 9, 2016.

PULLED

- 12B. [16-0853](#) Consider and take action on Ordinance No. 2016-04, amending Ordinance No. 2005-24 for (Z15-07 Kenwood [Tuscan Lakes] CGR Amendment), to rezone approximately 9.2 acres of the existing Kenwood PUD overlay from "CGR-PUD" (Commercial General Residential with a Planned Unit Development Overlay) to "RSF-PUD" (Residential Single Family with a Planned Unit Development Overlay), generally located north of League City Parkway and east of Louisiana Street in League City, Texas - Second Reading (Director of Planning and Development)

City Council approved on first reading, 4-2-0, with 1 absent on February 9, 2016.

A motion was made by Mr. Long, seconded by Mr. Becker, to approve Ordinance No. 2016-04 Second Reading amending Ordinance No. 2005-24 for (Z15-07 Kenwood [Tuscan Lakes] CGR Amendment), to rezone approximately 9.2 acres of the existing Kenwood PUD overlay from "CGR-PUD" (Commercial General Residential with a Planned Unit Development Overlay) to "RSF-PUD" (Residential Single Family with a Planned Unit Development Overlay) with a restriction to allow only duplexes. The motion passed by the following vote:

For: 6 - Mayor Paulissen, Mr. Becker, Ms. Hansing, Mr. Kinsey, Ms. Bentley and Mr. Long

Opposed: 1 - Mr. Gross

- 12C. [16-0848](#) Consider and take action on a resolution adopting the City Council Governance Policy and Rules of Procedure for the City of League City (City Attorney)

Council postponed to second meeting in February 6-0-0 with 1 absent on February 9, 2016.

A motion was made by Mr. Becker, seconded by Mr. Kinsey, to approve Resolution No. 2016-11 adopting the City Council Governance Policy and Rules of Procedure for the City of League City. The motion passed by the following vote:

For: 5 - Mr. Becker, Ms. Hansing, Mr. Kinsey, Ms. Bentley and Mr. Long

Opposed: 2 - Mayor Paulissen and Mr. Gross

13. NEW BUSINESS

- 13A. [16-0850](#) Consider and take action on a request by ConocoPhillips for variances to Chapter 42, Article IV, of the League City Code of Ordinances, entitled Drilling Production, Plugging and Abandonment for a possible Well Plugging and Abandonment permit of an existing well identified as Stewart Title & Guaranty Well #1, generally located south of the Sedona Subdivision, east of Hobbs Road and west of the Butler Road right-of-way (Director of Planning and Development)

Staff recommends approval subject to conditions.

Conditions:

1. **If flaring is approved, the flare stack must be located on the side of the well away from residences and that should a flaring event occur, the applicant is to notify Public Safety immediately.**
2. **A pre-operational video of the roadways leading from the frontage road to Interstate 45 to the site be provided to staff prior to mobilization on the site. This will confirm the condition of the roadway.**
3. **In the event that damage to a City roadway occurs, the applicant must either pay League City to have the roadway repaired or repair the roadway to League City standards.**

A motion was made by Mr. Becker, seconded by Ms. Bentley, to approve, subject to conditions, a request by ConocoPhillips for variances to Chapter 42, Article IV, of the League City Code of Ordinances, entitled Drilling Production, Plugging and Abandonment for a possible Well Plugging and Abandonment permit of an existing well identified as Stewart Title & Guaranty Well #1. The motion passed by the following vote:

For: 7 - Mayor Paulissen, Mr. Becker, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

- 13B. [16-0851](#) Consider and take action on a request by ConocoPhillips for variances to Chapter 42, Article IV, of the League City Code of Ordinances, entitled Drilling Production, Plugging and Abandonment for a possible Well Plugging and Abandonment permit of an existing well identified as Stewart Title & Guaranty Well #6, generally located south of the Sedona Subdivision, east of Hobbs Road and west of the Butler Road right-of-way (Director of Planning and Development)

Staff recommends approval subject to conditions.

Conditions:

1. **If flaring is approved, the flare stack must be located on the side of the well away from residences and that should a flaring event occur, the applicant is to notify Public Safety immediately.**
2. **A pre-operational video of the roadways leading from the frontage road to Interstate 45 to the site be provided to staff prior to mobilization on the site. This will confirm the condition of the roadway.**
3. **In the event that damage to a City roadway occurs, the applicant must either pay League City to have the roadway repaired or repair the roadway to League City standards.**

A motion was made by Mr. Becker, seconded by Ms. Bentley, to approved, subject to conditions, a request by ConocoPhillips for variances to Chapter 42, Article IV, of the League City Code of Ordinances, entitled Drilling Production, Plugging and Abandonment for a possible Well Plugging and Abandonment permit of an existing well identified as Stewart Title & Guaranty Well #6. The motion passed by the following vote:

For: 7 - Mayor Paulissen, Mr. Becker, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

- 13C. [16-0858](#) Consider and possibly take action on a resolution to welcome the lawful exercise by members of the public of their Second Amendment right to bear arms at public meetings of the City Council and other boards and commissions (Council Member Long and Council Member Hansing)

A motion was made by Mr. Long, seconded by Ms. Hansing, to approve Resolution No. 2016-12 to welcome the lawful exercise by members of the public of their Second Amendment right to bear arms at public meetings of the City Council and other boards and commissions. The motion passed by the following vote:

For: 7 - Mayor Paulissen, Mr. Becker, Ms. Hansing, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

14. **FIRST READING OF ORDINANCES**

15. **TABLED ITEMS SUBJECT TO RECALL**

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

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

At 6:43 p.m. Mayor Paulissen announced the City Council will now go into executive session to discuss the following items:

- 17A. [16-0811](#) 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)
- 17B. [16-0834](#) Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters
Discuss employment or appointment of a public officer or employee, to-wit: City Auditor (Director Human Resources & Civil Service)
- 17C. [16-0856](#) Texas Open Meetings Act, Section 551-071 Consultations with City Attorney
Consultation with City Attorney regarding pending litigation (City Attorney)

At 8:05 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. 16-0810 Consider and take action on discussion concerning potential purchase or sale of real property interests (Deputy City Manager)

No Action

18B. 16-0857 Consider and take action on discussion regarding pending litigation (City Attorney)

No Action

19. ADJOURNMENT

There being no further business, Mayor Paulissen adjourned the meeting at 8:07 p.m.

**TIMOTHY PAULISSEN
MAYOR**

**DIANA M. STAPP
CITY SECRETARY**

(SEAL)

MINUTES APPROVED: March 8, 2016