



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, December 13, 2016

6:00 PM

Council Chambers
200 West Walker Street

Regular 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:

Pat Hallisey

City Council Members:

**Dan Becker
Hank Dugie
Larry Millican
Todd Kinsey
Greg Gripon
Keith Gross
Nick Long**

City Manager:

Mark Rohr

Deputy City Manager:

John Baumgartner

Assistant City Manager/Director of Finance:

Rebecca Underhill

City Attorney:

Nghiem Doan

City Secretary:

Diana M. Stapp

Chief of Police:

Michael Kramm

Director of Engineering:

Vacant

Acting Director of Human Resources/Civil Service:

April Patterson

Director of Parks & Cultural Services:

Chien Wei

Director of Planning/Development:

Paul Menzies

Director of Public Works:

Gabriel Menendez

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Hallisey called the meeting to order at 6:00 p.m. and called the roll. All members of Council were present with Dan Becker attending by videoconference call.

Present 8 - Mayor Pat Hallisey, Mr. Dan Becker, Mr. Hank Dugie, Mr. Larry Millican, Mr. Todd Kinsey, Mr. Greg Gripon, 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 Ralph Bryant, Minister of League City Church of Christ. Mayor Hallisey led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

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

- 4A. [16-1415](#) Presentation of a proclamation recognizing the League City 49ers (Mayor Hallisey and Council Member Dugie)
- 4B. [16-1417](#) Presentation of a proclamation recognizing the Clear Creek Intermediate 8th Grade Jaguars as District Football Champions (Mayor Hallisey and Council Member Dugie)

Mayor Hallisey said, if there are no objections I would like to move Item 4G forward at this time.

- 4G. [16-1421](#) Recognition of League City's employee annual award winners for League City Superstar of the Year, Making the Difference Award, Working Together Award, and Diamond of Excellence Award (Director of Communications)
- 4C. [16-1408](#) Consider and take action on a resolution designating a Representative and an Alternate to the Houston-Galveston Area Council General Assembly and Board of Directors for the year 2017 (Mayor Hallisey and Council Member Dugie)

A motion was made by Mr. Long, seconded by Mr. Gross, to approve Resolution No. 2016-165 appointing Mayor Pat Hallisey as Representative and Council Member Larry Millican as Alternate to the H-GAC General Assembly and Board of Directors for the year 2017. The motion passed by the following vote:

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

- 4D. [16-1411](#) Consider and take action on the appointment of an alternate to the H-GAC Transportation Policy Council (TPC) for the year 2017 (Mayor Hallisey and Mayor Pro Tem Kinsey)
- A motion was made by Mr. Long, seconded by Mr. Gross, to appoint Council Member Greg Gripon as alternate to the H-GAC Transportation Policy Council for the year 2017. The motion passed by the following vote:**

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

- 4E. [16-1409](#) Consider and take action on appointment of a member to the Board of Directors of the Harris-Galveston Subsidence District (Mayor Hallisey and Mayor Pro Tem Kinsey)
- Mayor Hallisey recommended reappointment of Don Johnson to the Board of Directors of the Harris-Galveston Subsidence District. If nominated by a majority of Galveston County cities, he will serve a two-year term.**

A motion was made by Mr. Gross, seconded by Mr. Kinsey, to approve the reappointment of Don Johnson. The motion passed by the following vote:

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

4F. [16-1412](#)

Consider and take action on appointments/reappointments to Boards and Commissions (Mayor Hallisey and Mayor Pro Tem Kinsey)

ANIMAL SHELTER ADVISORY COMMITTEE - Terms to expire 12/31/18

2. City Official, PD Chief	Capt. Tony Hera	Reappointment
4. Animal Org. Representative	Amy Potter Losh	New Appointment
6. At-Large Member	Loretta Anderson	New Appointment
7. At-Large Member	Karl Wankowicz	New Appointment

BAY AREA HOUSTON TRANSPORTATION PARTNERSHIP

1. Greg Gripon (Council) Term to expire 12/31/17

CIVIL SERVICE COMMISSION

3. Lori Patsch Reappointment 3-Year Term to expire 12/31/2019

CLEAR CREEK WATERSHED STEERING COMMITTEE

1. Alternate Hank Dugie Reappointment Term to expire 12/31/18

THE HISTORIC COMMISSION - Terms to expire 12/31/2018

1. Susan Pierce	New Appointment
3. Dick Calkins	Reappointment
5. Dave Hake	Reappointment
7. Daniel Henn	New Appointment

HOTEL OCCUPANCY TAX ADVISORY BOARD - Terms to expire 12/31/18

1. Hotel Representative	Robert Conaway	New Appointment
2. Hotel Representative	Kalpesh Patel	Reappointment
3. Business Representative	Cory Thomas	New Appointment
4. Business Representative	Lisa Howard	Reappointment
6. Arts/Historic Preservation	Ronnie Richards	Reappointment

LIBRARY BOARD - Terms to expire 12/31/2018

1. Tommy Frankovich	Reappointment
3. Leslye Mize	New Appointment
5. Kathleen Nenninger	Reappointment

Ad Hoc: Todd Kinsey

PARKS BOARD - Terms to expire 12/31/2018

1. Debra Wilkinson	Reappointment
3. Sebastian Lofaro	Reappointment
5. Chad Tressler	New Appointment
7. J.H. (Jay) Williams	New Appointment

PUBLIC IMPROVEMENT DISTRICT NUMBER ONE - Terms to expire 12/31/2018

- | | | |
|------------------------|-----------------|-----------------|
| 7. | Teresa Kumelski | New Appointment |
| 8. | Lisa Howard | Reappointment |
| 9. | Darius Mistry | Reappointment |
| Ad Hoc: Larry Millican | | |

**TAX INCREMENT REINVESTMENT ZONE NUMBER TWO - VICTORY RANCH
Terms to expire 12/31/2018**

- | | | |
|----|-----------------|-----------------|
| 2. | Ryan Searle | Reappointment |
| 4. | Robert Barfield | Reappointment |
| 5. | Greg Gripon | New Appointment |

**TAX INCREMENT REINVESTMENT ZONE NUMBER THREE – CENTERPOINTE
Terms to expire 12/31/2018**

- | | | |
|----|-------------------|-----------------|
| 4. | Terrell Culpepper | Reappointment |
| 5. | Dee Scott | New Appointment |
| 7. | Hank Dugie | New Appointment |

**TAX INCREMENT REINVESTMENT ZONE NUMBER FOUR – WEST OAK
Terms to expire 12/31/2018**

- | | | | |
|----|------------------------|---------------------------|-----------------|
| 4. | City Position | Travis Bowie Campbell III | New Appointment |
| 6. | City – Landowner/Agent | Javier Morales | Reappointment |
| 8. | City – Landowner/Agent | Norma Ramos | Reappointment |

A motion was made by Mr. Kinsey, seconded by Mr. Gripon, to approve appointments and reappointments to boards and commissions. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

Opposed: 1 - Mr. Becker

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. 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 Act. Comments should be directed to the entire Council, not individual members of Council or staff. If addressing a specific agenda item, speakers must keep their remarks specific to the item being considered by the City Council. Any speaker making personal attacks or using vulgar or profane language shall forfeit his/her remaining time and shall be seated.

NAME	ADDRESS	SUBJECT
Tommy Caudill	9514 Stone Terrace	Nile Lake Ct. Property
Larry Garza	520 Dallas St.	Containers
Byram Lass	2305 Hampton	City Manager
Tom Dill	Marina View Way	City Manager
Barry LaChance	620 3rd St.	City Manager
Sigrid Pierce	2113 Victoria Ct.	Dog Park
Peggy Zahler	1802 Rampart	Monday Workshop
Geri Bentley		City Manager and City Attorney

8. COMMENTS/REPORTS FROM MEMBERS OF COUNCIL

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

Greg Gripon said I would like to thank everyone for your attendance and speaking this evening. We had a great workshop meeting last night with good, positive discussion. I will vote for what I feel is the best for the citizens and employees for League City based on my knowledge I have received during my campaign and the last couple of weeks. My decisions were well thought out and represent the best needs of the citizens I represent. Also, I would like to thank everyone involved with the Blue Santa Program. This program touched so many young lives and it's so positive and I just want to say thank you.

Keith Gross said welcome to the League City Council meeting. It doesn't get boring up here, does it? Anyway, I wanted to say thank you for coming and I know that these are some serious issues that are pending before us. Most of you who know me know that I have an open-door policy or I'll answer the phone, and every single person that has contacted me and wished to discuss matters, has got in touch with me, has got on the phone with me, come to my office and visited with me on the matter. I've given this a lot of consideration and I want you to know that I'm going to vote my conscience.

Nick Long said thank you everybody for coming tonight. First off, I would like to say congratulations to the Galveston County Junior League. They had their big ball on Saturday night and it raised the most ever, \$150,000 dollars, in which all that money will be put back into Galveston County for underprivileged children in the community. They had an amazing person running it, also my wife, so congratulations to her. I'm really glad it's over though because it was kind of getting stressful for me too, but congratulations to her. Also, I just want to say that I'm glad people came out for this tonight. I received more emails, Facebook messages, and phone calls and texts about this issue than I have on any other issue since I've been on City Council, so I appreciate all the responses I've gotten and I think I pretty much return messages on most of those. Thanks for everybody coming out tonight.

Dan Becker had no comments.

Hank Dugie said we live in a great city and I strongly believe the reason that League City is the greatest city in the country is because of the citizens and because of the great employees. I've had more, as Mr. Long stated, more citizens reach out to me over the last week in regards to some of the issues on the agenda than ever before. When citizens take time out of their day to come and meet with me, I do everything in my power to make that happen. I also take their input and their advice and their feedback into consideration very strongly. These aren't easy topics we're going to be discussing tonight but they will have major ramifications for the City moving forward and I think it's important that we remember, and that I myself remember, the reason League City is great is because of the citizens and because of the employees that do the work every single day.

Larry Millican had no comments.

Todd Kinsey said I will keep my comments very brief, just a quick update on what's happening over at the library over the next couple of weeks. Tomorrow, December 14, the Writer's Club will meet in the Boardroom at 5:30 p.m. The members will read short stories on the theme "The Worst Christmas Present Ever". That ought to be pretty entertaining. On December 16 at 1:00 p.m. the Movie Club will meet in the theater to watch "Heart of the Sea". The movie is rated PG13. Finally, on Saturday, December 17, the library will host the cast of Agatha Christie's "Appointment with Death" presented by Clear Creek Community Theatre. This event is appropriate for all ages and it features activities and exhibits highlighting the plays setting in Jerusalem. Thanks, everybody, for coming out tonight. Merry Christmas and Happy New Year.

Mayor Hallisey said I want to recognize our immediate past mayor. Tim Paulissen is in the audience tonight. Tim, glad to have you with us. I had a busy couple of weeks so let me just tell you where I bounced around to. The employee luncheon, three of four hundred people, John Baumgartner was the emcee for that and Angel and her staff all put that together. It was good opportunity for all of our employees to be together. The awards were terrific. They were all happy. You guys did a great job so thank you for

that. Also, the Police Department last Saturday had Blue Santa at the PD which I went by. I didn't get to sit on Santa's lap because I was too old but I did get a blue hat from Santa. You guys do a great job. You had a lot of little kids down there so that's a good, super deal. I left the Blue Santa and I went to the League City Historical Society Homes Tour and I finally got to look behind the plate glass windows at Grace Gardens which I've admired for many years and I was happy it was open and I got to see J'Neen Henderson's house, the old Dibrell house. Just magnificently decorated. If you've not been on the homes tour, you ought to take an opportunity to go down and wade through those houses. It's pretty neat. Also, Saturday I had the opportunity to participate in the boat parade. The City was a sponsor for that. They sent us a little gift back. I have to give you a perspective about this. Janice and I were on the lead boat and we were going into the Kemah channel and we were looking back and all the boats were coming out of South Shore Harbour marina. I'm telling you, the landscape was magnificent. There were so many people participating. There were over a hundred entries in that. Jim Christianson, one of our citizens here was the chairman of that. Bob Taylor, who's an old-time doer, mover and shaker around the area, was the Grand Marshal. It really was a fascinating event. I haven't been on the water for that in 23 years but I enjoyed it Saturday night. Also, last Friday I swore in the new Chamber of Commerce Board of Directors and wished them the very best. They have an aggressive agenda this year and I hope they reach all of their goals and I'm proud of them. Janice, I'm sorry but Holiday in the Park was rained out. First time in 19 years. There were a lot of disheartened children around town but I know you're anxious to come back next year. Thursday night of that week was the Tree Lighting Ceremony out here in front and as I think about the tree lighting ceremony I want to mention my long-time friend, who was a City Council Member when I first came to this city, Ed Stelly passed away that week. He and his wife, Faye donated that tree or actually that's the second tree. The first one was never quite good enough for them but it was out by where the sign is. We're going to miss Ed Stelly. He not only spent 16 years on city council, he also spent 10 years being one of the three municipal court judges here in League City and I saw Sid Matchette here earlier who was also on the bench at the same time earlier. I'm not sure if Sid is still here. Our prayers go out to the Stelly family and we will certainly miss Ed. He was a first-class human being. Right before the tree lighting was the Library Open House, one of the best things truly we have in this city. The amount of young people over there, I had just a ball walking around meeting all these little kids and telling them what the mayor did all day and I would stick my hand out and I would say what does the mayor do all day, and I would stick it out again and ultimately about the tenth time they figured out that the mayor shakes hands all day. I had a great time. I'm really proud of that library as I think most people in town have been for a very long time. Most of our kids learned to read them so congratulations to them. I also went out to the fire station dedication week before last. Chief Gary Warren in the back and Tommy Cones and all the guys that are in the fire service came up with this idea, they're trying to lower your fire insurances in town. The ISO ratings are a determination of the fire insurance and they were trying to get a number one rating which we've never gotten and they came up with a concept of putting a fire station below the overhead water storage out on South Shore Boulevard. Very clever idea and kudos Chief to you and all

the guys who put that together. That was a great idea and I'm very proud of you for that. Maddie Baillio was on television last week. She's a League City girl, went to Clear Falls High School and graduated two years ago. She was in the play on NBC of Hairspray so we're very proud of her. I think we sent her some acknowledgement, didn't we Ms. Lopez? The police department has got an ongoing blood drive going on over there. The not only protect you but they will suck the blood right out of you and put it on hold for the next one. I'm always proud of those guys. Mr. Gripon, Mr. Gross, Mr. Millican, and myself all have birthdays this week and I'm very glad to report that Mr. Millican is one day older than me so I am not the oldest person at the table any longer so happy birthday to the three of you. I want to give a shout out to the Rotary Club here in town. The Rotary Club and the Galveston County Food Bank distribute food for our community for people that are probably less fortunate than most of us. There are a lot of hard-working Rotarians that go out and unload a tractor trailers deal when that food gets distributed. I want to particularly thank Amy Kilgore who is the outgoing president of the Rotary Club and also thank the incoming president, Theresa Vencil. Thank you for all you do to help people in this community. Friday night is Food Truck Friday at the Butler Longhorn Museum. If you haven't been out there, it's a great place, please go. Saturday night is Evening in the Park which you can bring your pets too where they will have food truck raising funds for a dog park. Kids are out of school on Friday. Keep that in mind. Remember to keep your eyes on the road. Kids are running back and forth during the Christmas holidays and we want everybody to be safe. To all of you from all of us, we want to wish you a very Merry Christmas.

9. **REPORTS FROM STAFF MEMBERS**

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

10. **CONSENT AGENDA**

Approval of the Consent Agenda

A motion was made by Mr. Long, seconded by Mr. Dugie, to approve Consent Agenda Items 10A through 10I. The motion passed by the following vote:

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

- 10A. **16-1430** Consider and take action on a resolution authorizing an agreement with Butler Road Development, LLC and League City United Methodist Church related to certain property acquisitions by the City of League City in an amount not to exceed \$370,000.00 (City Attorney)

Resolution No. 2016-166 was approved on the Consent Agenda

- 10B. **16-1406** Receive and approve submission of the FY2016 annual reports for Tax Increment Reinvestment Zone #2 (Victory Lakes), Zone #3 (Centerpointe) and #4 (Westwood) (Assistant City Manager)

Approved on the Consent Agenda

- 10C. [16-1422](#) Consider and take action on a resolution authorizing the expenditure of an amount not to exceed \$75,000 for the annual lease payments for 3 copiers and the maintenance costs of the total inventory of 25 copiers (Assistant City Manager)

Resolution No. 2016-167 was approved on the Consent Agenda

- 10D. [16-1405](#) Consider and take action on a resolution authorizing a contract with Stericycle Inc. to hold a Household Hazardous Waste event in an estimated amount of \$110,130.95 (Director of Communications)

Resolution No. 2016-168 was approved on the Consent Agenda

- 10E. [16-1414](#) Consider and take action on final acceptance of municipal infrastructure for the Bayview Subdivision, Sections 4A & 4B (Deputy City Manager)

Approved on the Consent Agenda

- 10F. [16-1410](#) Consider and take action on final acceptance of municipal infrastructure for the Sedona Subdivision, Section 5 (Deputy City Manager)

Approved on the Consent Agenda

- 10G. [16-1413](#) Consider and take action on a resolution approving the purchase of one pickup truck for Line Repair through BuyBoard in an amount not to exceed \$26,083 (Assistant City Manager)

Resolution No. 2016-169 was approved on the Consent Agenda

- 10H. [16-1419](#) Consider and take action on a resolution: 1) authorizing an Interlocal Agreement with Galveston County Water Control and Improvement District #1 (WCID#1) for the delivery of water and sanitary sewer service to certain areas within League City, Texas and 2) giving written consent for WCID#1 to annex certain areas within League City into the WCID#1 service area (Deputy City Manager)

Resolution No. 2016-170 was approved on the Consent Agenda

- 10I. [16-1407](#) Consider and take action on a resolution authorizing the sale of approximately 0.019 acre City-owned surplus property contiguous with 3015 Shady Lane (HCAD 0953250000071) to Eric Land for a total amount of \$4,400 (Deputy City Manager)

Resolution No. 2016-171 was approved on the Consent Agenda

END OF CONSENT AGENDA

11. ITEMS REMOVED FROM CONSENT AGENDA

12. OLD BUSINESS

- 12A. [16-1418](#) Consider and take action on Ordinance No. 2016-40 amending Ordinance No. 2005-24 for a Special Use Permit, SUP16-04 (Lowguard Automotive Collision Repair), to allow an Auto Repair and Other Heavy Vehicle Service use to be operated on a property zoned "CG" (General Commercial), generally located along the north side of West FM 517, approximately 215 feet east of Dove Meadow Drive, with the address of 351 West FM 517 in League City, Texas - Second Reading (Director of Planning and Development)

City Council approved the first reading 8-0-0 on November 22, 2016. A petition was submitted on November 22, 2016 in opposition of the request. The petition included 30 signatures, of which 26 were confirmed to be property owners, and 14 were within the 200 foot petition buffer. A total of 15.2% of land within 200 feet is in opposition to the request. Because the protest is less than 20% of the area of the properties within the 200 foot buffer area, a simple majority vote can approve the request.

A motion was made by Mr. Long, seconded by Mr. Dugie, to approve Ordinance No. 2016-40 Second Reading, amending Ordinance No. 2005-24 for a Special Use Permit (SUP 16-04 Lowguard Automotive Collision Repair) to allow an Auto Repair and Other Heavy Vehicle Service use to be operated on a property zoned "CG" (General Commercial). The motion passed by the following vote:

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

12B. [16-1420](#)

Consider and take action on Ordinance No. 2016-39 approving an interlocal agreement adjusting the boundaries of the City's territorial limits between the City of League City, Texas, and the City of Friendswood, Texas, authorizing the Mayor to execute the agreement, and providing an effective date - Second Reading (Director of Planning and Development)

Council approved first reading 7-0-0 with 1 absent on October 25, 2016.
Council postponed 5-2-0 with 1 absent on Nov.8, 2016.

A motion was made by Mr. Kinsey, seconded by Mr. Dugie, to approve Ordinance No. 2016-39 Second Reading, approving an interlocal agreement adjusting the boundaries of the City's territorial limits between the City of League City, Texas, and the City of Friendswood, Texas, authorizing the Mayor to execute the agreement, and providing an effective date. The motion passed by the following vote:

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

13. NEW BUSINESS

13A. [16-1416](#)

Consider and take action on a resolution establishing a Legislative Program as a part of the City of League City's Advocacy Program (Deputy City Manager)

A motion was made by Mayor Hallisey, seconded by Mr. Long, to approve Resolution No. 2016-172 establishing a Legislative Program as a part of the City of League City's Advocacy Program. The motion passed by the following vote:

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

13B. [16-1429](#)

Consider and take action on a resolution repealing the City Council Governance Policy and Rules of Procedure (Mayor Hallisey and Mayor Pro Tem Kinsey)

A motion was made by Mr. Dugie, seconded by Mayor Hallisey, to approve.

A motion was made by Mr. Dugie, seconded by Mr. Long, to postpone for 60 days. The motion passed by the following vote:

For: 7 - Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

Opposed: 1 - Mayor Hallisey

14. FIRST READING OF ORDINANCES**15. TABLED ITEMS SUBJECT TO RECALL****16. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED****17. EXECUTIVE (CLOSED) SESSION (S)**

At 7:38 p.m. Mayor Hallisey announced the City Council will now go into executive session to discuss the following items:

- 17A. [16-1423](#)** Texas Open Meetings Act, Section 551.071 Government Code - Consultation with City Attorney
- Consultation with City Attorney regarding pending litigation relate to an application filed with the Texas Railroad Commission by CenterPoint Energy Entex to increase its rates for natural gas and to consolidate two of its divisions (City Attorney)
- 17B. [16-1425](#)** Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters
- Discuss employment, appointment, or evaluation of a public officer or employee, to-wit: City Manager (Mayor Hallisey and Council Member Gripon)
- 17C. [16-1427](#)** Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters
- Discuss employment, appointment, or evaluation of a public officer or employee, to-wit: City Attorney (Mayor Hallisey and Mayor Pro Tem Kinsey)
- 17D. [17-0002](#)** Texas Open Meetings Act, Section 551.071 Government Code - Consultation with City Attorney
- Consultation with City Attorney regarding pending litigation (City Attorney)

At 10:15 p.m. Mayor Hallisey 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. [16-1424](#)** Consider and take action regarding pending litigation relate to an application filed with the Texas Railroad Commission by CenterPoint Energy Entex to increase its rates for natural gas and to consolidate two of its divisions (City Attorney)
- A motion was made by Mr. Dugie, seconded by Mr. Kinsey, to suspend CenterPoint's proposed effective date for ninety days to allow for review of CenterPoint's proposed increase by exercising the city's original jurisdiction over CenterPoint's rates, services and operations within the City. (City Attorney clarified, approve Resolution No. 2016-173 that council was provided in their packet) The motion passed by the following vote:**

For: 8 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Gross and Mr. Long

Mayor Hallisey said, Item 18B, Mr. Rohr has asked for a public hearing, so if you don't mind we will get to 18C and then we'll go back to 18b.

18C. [16-1428](#) Consider and take action on the employment, appointment or evaluation of a public officer or employee, to-wit: City Attorney (Mayor Hallisey and Mayor Pro Tem Kinsey)

A motion was made by Mayor Hallisey, seconded by Mr. Dugie, to sever the relationship with Mr. Doan, City Attorney.

A motion to amend was made by Mr. Becker, seconded by Mr. Gross, that if the main motion is successful that Council agrees to pay the severance provisions of said contract.

The motion to accept the amendment passed by the following vote:

For: 6 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Kinsey, Mr. Gripon and Mr. Gross

Opposed: 2 - Mr. Millican and Mr. Long

The motion to sever the relationship with the City Attorney failed by the following vote:

For: 4 - Mayor Hallisey, Mr. Dugie, Mr. Millican and Mr. Gripon

Opposed: 4 - Mr. Becker, Mr. Kinsey, Mr. Gross and Mr. Long

18B. [16-1426](#) Consider and take action on the employment, appointment or evaluation of a public officer or employee, to-wit: City Manager (Mayor Hallisey and Council Member Gripon)

A motion was made by Mayor Hallisey, seconded by Mr. Dugie, to sever the relationship with the City Manager.

A motion to amend was made by Mr. Gross, seconded by Mr. Dugie, that if the City Manager is terminated the City pay his full severance conditioned upon him signing a release of claims against the City.

A motion was made by Mr. Dugie to call the question. The motion passed by the following vote:

For: 6 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Opposed: 2 - Mr. Becker and Mr. Long

The motion to accept the amendment passed by the following vote:

For: 6 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Opposed: 2 - Mr. Becker and Mr. Long

The motion to sever the relationship with the City Manager and pay his full severance conditioned upon him signing a release of claims against the City, passed by the following vote:

For: 5 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Gripon and Mr. Gross

Opposed: 3 - Mr. Becker, Mr. Kinsey and Mr. Long

19. ADJOURNMENT

At 12:03 a.m. Mayor Hallisey said, there being no further business this meeting is adjourned.

PAT HALLISEY
MAYOR

DIANA M. STAPP
CITY SECRETARY

(SEAL)

MINUTES APPROVED: February 14, 2017