



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, May 22, 2018

4:30 PM

Council Chambers
200 West Walker Street

Council Work Session

The City Council of the City of League City, Texas, met in a work session in Council Chambers at 200 West Walker Street on the above date at 4:30 p.m.

Mayor:

Pat Hallisey

City Council Members:

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

City Manager:

John Baumgartner

Assistant City Manager

Bo Bass

Assistant City Manager

Michael Kramm

City Attorney:

Nghiem Doan

City Secretary:

Diana M. Stapp

Chief of Police:

Gary Ratliff

Director of Budget/Project Management

Angie Steelman

Director of Engineering:

Christopher Sims

Director of Finance:

Allena Portis

Director of Human Resources/Civil Service:

Janet Shirley

Director of Parks & Cultural Services:

Chien Wei

Director of Planning/Development:

David Hoover

Director of Public Works:

Jody Hooks

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Pro Tem Kinsey called the meeting to order at 4:31 p.m. and called the roll. All members of Council were present except Mayor Hallisey. Mr. Long arrived at 4:33 p.m.

Absent 1 - Mayor Pat Hallisey

Present 7 - Mr. Dan Becker, Mr. Hank Dugie, Mr. Larry Millican, Mr. Todd Kinsey, Mr. Greg Gripon, Mr. Keith Gross and Mr. Nick Long

2. **PRESENTATION AND DISCUSSION OF RECOMMENDATIONS FROM THE CHARTER REVIEW COMMITTEE REGARDING AMENDMENTS OR OTHER REVISIONS TO THE CITY CHARTER**

Geri Bentley, Chair of the Charter Review Advisory Committee gave a presentation. The committee members were Geri Bentley, Chair, Mike Hembree, Vice Chair, Fred Bogar, Chuck DiFalco, Peggy Zahler, James Brockway, Cindy Dudley, David Johnson, Darryl Krogman, Juan Guerrero, Lorretta Roberts, Tom Crews, Laura Teatsworth, Marc Edelman, Darryl Krogman, Dee Scott, and Rudy Salcedo.

The committee created several sub-committees to review specific issues identified by the committee. The committee also requested that city staff review the charter and compile a list of issues for the committee to consider.

Specific issues identified were:

- Nepotism within the City's Boards and Commissions
- Power of the Mayor
- Filling Unexpired Terms
- Number of Council Seats
- Remote Meeting Attendance
- Long Term Absences
- Bonding of City Officials and Employees

Nepotism within the City's Boards and Commissions – this sub-committee looked into nepotism within the city's various boards and commissions and whether there was an issue that needed to be addressed through a charter amendment. Ultimately, the sub-committee determined that while diversity within the city's boards and commissions should be encouraged, this was not an issue that required a charter amendment.

Powers of the Mayor – this sub-committee researched whether the Mayor had the authority to appoint all members of the city's boards and commission, subject to the city council approval. The sub-committee determined the Mayor was given the power to appoint all members of City boards and commissions during the 2010 Charter election but the actual language that was adopted by the city council (Ordinance 2010-19) did not give full effect to the proposition. The committee determined that a new proposition will not be necessary. Instead, the Committee recommends that the city council approve an ordinance that amends Ordinance 2010-19 containing charter language that is more consistent with the 2010 voter-approved ballot language.

Filing Unexpired Terms - this sub-committee looked into whether the city needed additional procedures for filling unexpired terms. The sub-committee determined that the existing language within the charter is sufficient.

Number of Council Seats - this sub-committee looked into whether the number of council seats should be changed so that the council would have an odd number of seats (votes). They also looked at changing the start dates of the terms to even out the council turnover for each election (currently 5 w/mayor on one date). The sub-committee looked at various cities and at League City's own council-voting record in regards to the number tie-votes and options for even turnover. The sub-committee recommended to the full committee that Position 7 be eliminated in the 2018 election (Long could run for Position 1, Becker expired term) to ensure odd votes and turnover would be 4 members every 2 years. Ultimately, the full committee decided that a change in number of council seats was unnecessary as there was not a large number of tie-votes and a tie-vote legally translates to a failed vote so there is no legal ambiguity.

Remote Meeting Attendance - this sub-committee looked into whether the charter should be amended to restrict the number of times a council member could participate via videoconferencing. Ultimately, the committee determined that such a restriction should not be listed in the charter. However, the committee is recommending that the council consider adding a provision within the City's Code of Ordinance to implement such a restriction.

Long Term Council Absences - this sub-committee looked into whether there should be a restriction of the number of absences allowed by a member of the city council. The sub-committee reviewed existing charter language that requires the council, as a majority, to excuse all absences (Article II, Section 7). Ultimately, the committee determined that the existing charter language provided sufficient safeguards against excessive absences.

Bonding of city Officials and Employees – this sub-committee looked at the level of bonding on city officials and employees and whether such coverage should be eliminated or amended. The sub-committee received information from the city's bonding agent through the Human Resources Department. Ultimately, it was determined that level of bonding was appropriate for a city the size of League City. However, it was recommended that the city amend the charter to allow the city to formally pay for the bond premium of the City Secretary.

Michelle Villarreal, Deputy City Attorney gave an overview of laws that affect the charter:
Laws that Affect the Charter

- City Charter, Article X, Section 28 – Not less than once every two years following an election to amend this Charter and each two years thereafter, the city council shall conduct a review to determine if amendments or other revisions to the charter are necessary or in

the best interest of the city.

- The Local Government Code, Chapter 9, Home-Rule Municipalities – The ordinance ordering the election must provide that the Charter election will be held on the first authorized uniform election date, the next municipal general election, or presidential election. The charter election must occur on or after the 30th day after the above-mentioned ordinance is passed.

- a) The ballot propositions must be worded in such a way so that a voter can either approve or disapprove.
- b) Each proposition may not contain more than one subject.
- c) Any voter-approved charter amendments do not take effect until the City Council formally declares the amendments adopted by a subsequent ordinance.
- d) All charter amendments must be filed with the Secretary of State.

Practical Effect – the next election date for a charter election is November 6, 2018. Staff recommends that if the council wishes to proceed with a charter election, the council passes an ordinance calling for an election during the first (July 10, 2018) and second (July 24, 2018) council meetings in July. However, the last possible council meeting to approve an election ordinance would be August 14, 2018.

The committee's recommendations fall into two main categories:

1. Propositions that serve only to clarify existing provisions in the charter
2. Propositions that make substantive changes to the charter.

Proposed language for Proposition 1: Shall Article I, Section 4 of the League City Charter be amended to remove the steps that detail the City's procedure for adjusting its boundaries according to state law since the procedure is already detailed in state law and the City must comply with state law regardless of the language of the City Charter?

Proposed language for Proposition 2: Shall Article II, Section 2.B of the League City Charter be amended clarify that members of the City Council may not serve more than two full consecutive terms as a member of the City Council?

Proposed language for Proposition 3: Shall Article II, Section 7 of the League City Charter be amended to clarify that a vacancy on the City Council due to three consecutive absences of meetings of the City Council becomes effective thirty days after third missed meeting so that the City Council has an opportunity to excuse the absence if a justifiable reason for the absences(s) exists?

Proposed language for Proposition 4: Shall Article II, Section 8 of the League City Charter be amended to clarify that the Mayor Pro Tem will serve for a one-year period and he shall be appointed at the second regularly scheduled City Council meeting in November?

Proposed language for Proposition 5: Shall Article II, Section 12 of the League City Charter be amended to state that all actions of the City Council, not just ordinances and resolutions, require a majority vote of the members present?

Proposed language for Proposition 6: Shall Article II, Section 17 of the League City Charter be amended to delete the reference of “Treasurer and Assessor and Collector of Taxes” from the office of the City Secretary since the City Secretary has never served in the role of Treasurer Assessor/Collector for the City and the City uses the County tax assessor (in Galveston and Harris Counties) for that function?

Proposed language for Proposition 7: Shall Article II, Section 22 of the League City Charter be amended to state that all actions of the City Council, not just ordinances and resolutions, requires a majority vote of the members present?

Proposed language for Proposition 8: Shall Article VII, Section 5 of the League City Charter be amended to clarify that appropriations may be transferred from one “directorship” to another?

Proposed language for Proposition 9: Shall Article VIII, Section 2 of the League City Charter be amended to delete the reference to a “City” tax assessor since the city has never employed a person to that position and the City has chosen to designate the Galveston County tax assessor for that function?

Proposed language for Proposition 10: Shall Article VIII, Section 3 of the League City Charter, which requires that the City Council appoint a 3-person Board of Directors to adjust assessed property values thereby functioning as an appraisal district, be deleted since the city has never created such a board, nor has it appointed any members to such a board and instead uses the County appraisal districts (in Galveston and Harris Counties) for that function?

Proposed language for Proposition 11: Shall Article VIII, Section 4 of the League City Charter be amended to delete the reference to a “City” Tax Assessor/Collector since the City does not employ such a position and the City has chosen to designate the Galveston County tax assessor for that function?

Proposed language for Proposition 12: Shall Article VIII, Section 6 of the League City Charter, which discusses how property owners communicate with the appraisal district in situations where there is a joint interest in property, be deleted since this section imposes no rule or limitation on the City or its officers/employees?

Proposed language for Proposition 13: Shall Article IX, Section 8 of the League City

Charter be amended to remove the reference to the City's previous red-light vendor?

Proposed language for Proposition 14: Shall Article X, Section 17 of the League City Charter be amended to remove the requirement that the City Secretary shall pay the premium for his/her bond since the City currently pays the bond premiums for all executive level employees and city officials?

Proposed language for Proposition 15: Shall Article X, Section 21 of the League City Charter, which requires that all warrants or claims for payment be approved by the City Manager and City Council before payment may be issued, be deleted since there are state laws and internal policy controls that dictate how the City issues warrants or pays its claims and the City Council maintains additional oversight when it creates and approves the city budget every year?

The committee recommends that the City Council pass an ordinance to limit the use of video conference as follows:

A member of the City Council may not use video conference to attend a meeting of the City Council more than 4 times in a 12-month period.

3. PUBLIC COMMENTS

4. ADJOURNMENT

At 5:46 p.m., there being no further business this meeting is adjourned.

**TODD KINSEY
MAYOR PRO TEM**

**DIANA M. STAPP
CITY SECRETARY**

(SEAL)

MINUTES APPROVED: July 24, 2018