



Meeting Minutes
City Council

Tuesday, April 23, 2024

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:

Nick Long

City Council Members:

Andy Mann
Tommy Cones
Tom Crews
Courtney Chadwell
Justin Hicks
Chad Tressler
Sean Saunders

City Manager:

John Baumgartner

Assistant City Manager:

Rick Davis

Assistant City Manger-CFO:

Angie Steelman

Interim City Attorney:

Michelle Villarreal

City Secretary:

Diana M. Stapp

Chief of Police:

Cliff Woitena

Executive Director of Capital Projects

Ron Bavarian

Executive Director of Development Services:

Christopher Sims

Director of Finance:

Kimberly Corell

Director of Human Resources/Civil Service:

James Brumm

Director of Parks & Cultural Services:

Chien Wei

Director of Public Works:

Jody Hooks

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Long called the meeting to order at 6:00 p.m. and called the roll. All members of Council were present.

Present 8 - Mayor Nick Long, Mr. Andy Mann, Mr. Tommy Cones, Mr. Tom Crews, Mr. Courtney Chadwell, Mr. Justin Hicks, Mr. Chad Tressler and Mr. Sean Saunders

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

The invocation was given by Rev. Kyra Baehr of Unity Bay Area Houston. Mayor Long led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A. 24-0205 April 9, 2024 Regular Meeting

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

4. **PROCLAMATIONS, PRESENTATIONS, AWARDS, AND COMMUNITY SPOTLIGHT**

Mayor Long - I'd like everybody to join me in welcoming Joshua Gutierrez. Joshua joined the City Attorney's Office on April 8, as Assistant City Attorney. Joshua was born and raised in the Gulf Coast in Sweeny, Texas. He attended McMurry University and graduated with a bachelor's degree in Biology. Afterwards, Joshua attended Arizona Summit Law School where he graduated with his Juris Doctorate. Prior to joining us, Joshua worked as an Assistant District Attorney for the Galveston County District Attorney's Office, where he prosecuted felony crimes in the 405th District Court. In his spare time, he enjoys watching sports and being outdoors. Joshua looks forward to giving back to the community, as well as sharing his knowledge and experience with the City Attorney's Office.

5. **PUBLIC COMMENTS BEFORE CITY COUNCIL**

Members of the public are invited to give comments at this time, lasting not longer than 3 minutes. Comments may be general in nature or may address a specific agenda item.

NAME	ADDRESS	SUBJECT
Laura Teatsworth	517 Small Cedar	BESS
William Pate		

6. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Mr. Hicks, seconded by Mr. Tressler, to approve the Consent Agenda. The motion passed by the following vote:

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

6A. 24-0193 Consider and take action on a resolution authorizing a one-year renewal agreement with Wastewater Transport Services LLC for grit screening/sludge transportation and disposal services in an amount not to exceed \$527,562 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2024-63

6B. 24-0194 Consider and take action on a resolution authorizing a two-year agreement with Seril, Inc. dba Houston Grotech for manicured mowing and landscaping services for Public Works Utility Facilities and roadway medians in an amount not to exceed \$474,156 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2024-64

6C. 24-0208 Consider and take action on a resolution authorizing the expenditure of \$147,566 with John Deere dealer King Ranch Ag & Turf in League City for ten (10) pieces of John Deere equipment \$147,566 to be used at The Ballpark at League City (Executive Director of Facilities and Information Technology)

Approved on the Consent Agenda - Resolution No. 2024-65

6D. 24-0161 Consider and take action on a resolution authorizing a professional services agreement with Walter P Moore for design and construction phase services related to the FM518 at Country Lane Intersection Improvements Project (RE1703A) in an amount not to exceed \$91,777.20 (Executive Director of Capital Projects)

Approved on the Consent Agenda - Resolution No. 2024-66

6E. 24-0164 Consider and take action on a resolution authorizing a construction contract with Mickie Service Company for the TxDOT Median Improvement Project (RE2101) in an amount not to exceed \$85,400 (Executive Director of Capital Projects)

Approved on the Consent Agenda - Resolution No. 2024-67

6F. 24-0184 Consider and take action on a resolution authorizing a Multiple Use Agreement with this Texas Department of Transportation regarding the Dr. Ned and Faye Dudney Clear Creek Nature Center Kayak Launch (PK1910B) at Highway 270 at Clear Creek (Executive Director of Capital Projects)

Approved on the Consent Agenda - Resolution No. 2024-68

END OF CONSENT AGENDA

A motion was made by Mr. Hicks, seconded by Mr. Tressler, to suspend the rules and move up agenda items 11B and 11C. The motion passed by the following vote:

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

- 11B. 24-0127 Hold a public hearing on a request to rezone approximately 1.7 acres from “CG” (General Commercial) to “PS” (Public / Semi-Public) and a request for a Special Use Permit on the same property, MAP-23-0007 (Stella B.E.S.S.), to operate a Battery Energy Storage Station (B.E.S.S.), generally located along the east side of Caroline Street and south of Farm to Market Road 646 (Director of Planning)**

Mayor Long opened the public hearing at 6:10 p.m.

Speakers:

**Chuck DiFalco
Marc D. Young
Don Church
Alan Grosse
Sharon Nuzzi
Gray Meyer**

Mayor Long closed the public hearing at 6:40 p.m.

- 11C. 24-0128 Consider and take action on an ordinance rezoning approximately 1.7 acres from “CG” (General Commercial) to “PS” (Public / Semi-Public) and approving a Special Use Permit on the same property, MAP-23-0007 (Stella B.E.S.S.), to operate a Battery Energy Storage Station (B.E.S.S.), generally located along the east side of Caroline Street and south of Farm to Market Road 646 (Director of Planning)**

Planning and Zoning Commission’s recommendation to approve failed, 0-7-0 with one member absent on February 19, 2024.

A motion was made by Mr. Tressler, seconded by Mr. Hicks, to postpone until we have our League City guidelines for B.E.S.S. facilities, and to get to that there are 9 requirements that must be met: worst-case scenario Plume Analysis, Safety Analysis, Probabilistic Risk Assessment, Emergency Response/Equipment/Training Plan, Determine Bond/Insurance Amount, Identify Area Flood Risk/Develop Mitigation Plan, Identify Fire Concerns/Monitoring/Response, Prevent Tax Forgiveness, Develop Perimeter Requirements. The motion passed by the following vote:

For: 7 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

Opposed: 1 - Mr. Crews

7. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

- 7A. 24-0203 Hold a public hearing on an ordinance re-adopting standards of care for the League City Youth Recreation Programs to address staffing ratios, health standards and staff qualifications (Director of Parks & Cultural Services)

Mayor Long opened the public hearing at 6:53 p.m.

No members of the public requested to address the Council.

Mayor Long closed the public hearing at 6:54 p.m.

- 7B. 24-0204 Consider and take action on an ordinance re-adopting standards of care for the League City Youth Recreation Programs to address staffing ratios, health standards and staff qualifications (Director of Parks & Cultural Services)

A motion was made by Mr. Hicks, seconded by Mr. Tressler, to approve Ordinance No. 2024-16 re-adopting standards of care for the League City Youth Recreation Programs to address staffing ratios, health standards and staff qualifications on First Reading. The motion passed by the following vote:

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

- 7C. 24-0188 Hold a Public Hearing and take action on a resolution authorizing an amendment to the General Land Office Contract 20-065-141-C780 for the purpose of decreasing the scope by removing the proposed The Landing, Newport and Ellis Landing, and Brittany Bay Subdivision Drainage Improvements from the North League City Drainage Improvement Project (Executive Director of Capital Projects)

Mayor Long opened the public hearing at 6:55 p.m.

Speakers:
Chuck DiFalco

Mayor Long closed the public hearing at 7:03 p.m.

Action on the resolution included in the public hearing was taken later in the meeting.

- 7D. 24-0186 Consider and take action on a resolution removing The Landing Subdivision Drainage Improvements project DR2105 from the May 2019 GO Bond project list and the FY2024-2028 CIP (Executive Director of Capital Projects)

A motion was made by Mr. Hicks, seconded by Mr. Tressler, to approve Resolution No. 2024-69 removing The Landing Subdivision Drainage Improvements project DR2105 from the May 2019 GO Bond project list and the FY2024-2028 CIP. The motion passed by the following vote:

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

- 7E. 24-0185 Consider and take action on a resolution removing the Newport & Ellis Landing Subdivision Drainage Improvements project DR 2104 from the May 2019 GO Bond project list and the FY2024-2028 CIP (Executive Director of Capital Projects)

A motion was made by Mr. Hicks, seconded by Mr. Cones, to approve Resolution No. 2024-70 removing the Newport & Ellis Landing Subdivision Drainage Improvements project DR 2104 from the May 2019 GO Bond project list and the FY2024 2028 CIP. The motion passed by the following vote:

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

- 7F. 24-0187 Consider and take action on a resolution removing the Brittany Bay Subdivision Drainage Improvements project DR2009 from the May 2019 GO Bond project list and the FY2024-2028 CIP (Executive Director of Capital Projects)

A motion was made by Mr. Hicks, seconded by Mr. Cones, to approve Resolution No. 2024-71 removing the Brittany Bay Subdivision Drainage Improvements project DR2009 from the May 2019 GO Bond project list and the FY2024 2028 CIP. The motion passed by the following vote:

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

A motion was made by Mr. Hicks, seconded by Mr. Cones, to suspend the rules and bring back Item 7C for consideration of the accompanying resolution. The motion passed by the following vote:

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

- 7C. 24-0188 Hold a Public Hearing and take action on a resolution authorizing an amendment to the General Land Office Contract 20-065-141-C780 for the purpose of decreasing the scope by removing the proposed The Landing, Newport and Ellis Landing, and Brittany Bay Subdivision Drainage Improvements from the North League City Drainage Improvement Project (Executive Director of Capital Projects)

A motion was made by Mr. Hicks, seconded by Mr. Tressler, to approve Resolution No. 2024-73 authorizing an amendment to the General Land Office Contract 20 065 141 C780 for the purpose of decreasing the scope by removing the proposed The Landing, Newport and Ellis Landing, and Brittany Bay Subdivision Drainage Improvements from the North League City Drainage Improvement Project. The motion passed by the following vote:

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

8. OLD BUSINESS

- 8A. 24-0176 Consider and take action on Ordinance 2024-08 creating Article V, entitled "Mitigation Rates - for Emergency and Non-Emergency Services" of Chapter 46 of the Code of Ordinances of the City of League City to authorize mitigation rates for Fire Department Services - Second Reading (Fire Chief)

Council passed on first reading 8-0-0 on February 27, 2024.

Pulled

9. NEW BUSINESS

- 9A. 24-0080 Consider and take action on a resolution authorizing a schedule of fees related to emergency and non-emergency services provided by the Fire Department (Fire Chief)

Pulled

- 9B. 23-0119 Consider and take action on a resolution authorizing a five (5) year agreement with EmergiFire, LLC for Fire Billing Services (Fire Chief)

Pulled

10. FIRST READING OF ORDINANCES

- 10A. 24-0201 Consider and take action on an ordinance approving a 2023-24 annual service and assessment plan update for the League City Public Improvement District No. 5 (Park on Clear Creek) (Director of Finance)

Staff requests approval on first and final reading.

A motion was made by Mr. Tressler, seconded by Mr. Hicks, to approve Ordinance No. 2024-17 approving a 2023-24 annual service and assessment plan update for the League City Public Improvement District No. 5 on First Reading. The motion passed by the following

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

A motion was made by Mr. Tressler, seconded by Mr. Hicks, to approve Ordinance No. 2024-17 on First and Final Reading. The motion passed by the following vote:

For: 7 - Mayor Long, Mr. Mann, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

Opposed: 1 - Mr. Cones

11. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED

- 11A. 24-0134 Consider and take action on a resolution authorizing a Construction Manager at Risk Agreement with CSA Construction, Inc. to provide pre-construction phase services for the Southwest Water Reclamation Facility Expansion (WW2201) in an amount not to exceed \$683,440 (Executive Director of Capital Projects)

A motion was made by Mr. Hicks, seconded by Mr. Tressler, to approve Resolution No. 2024-72 authorizing a Construction Manager at Risk Agreement with CSA Construction, Inc. to provide pre construction phase services for the Southwest Water Reclamation Facility Expansion (WW2201) in an amount not to exceed \$683,440. The motion passed by the following vote:

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

- 11B. 24-0127 Hold a public hearing on a request to rezone approximately 1.7 acres from “CG” (General Commercial) to “PS” (Public / Semi-Public) and a request for a Special Use Permit on the same property, MAP-23-0007 (Stella B.E.S.S.), to operate a Battery Energy Storage Station (B.E.S.S.), generally located along the east side of Caroline Street and south of Farm to Market Road 646 (Director of Planning)

This item was dispensed with earlier in the meeting.

- 11C. 24-0128 Consider and take action on an ordinance rezoning approximately 1.7 acres from “CG” (General Commercial) to “PS” (Public / Semi-Public) and approving a Special Use Permit on the same property, MAP-23-0007 (Stella B.E.S.S.), to operate a Battery Energy Storage Station (B.E.S.S.), generally located along the east side of Caroline Street and south of Farm to Market Road 646 (Director of Planning)

Planning and Zoning Commission’s recommendation to approve failed, 0-7-0 with one member absent on February 19, 2024.

This item was dispensed with earlier in the meeting.

12. REPORTS FROM STAFF MEMBERS

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

13. COUNCIL MEMBERS COMMENTS/REPORTS

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

Mayor Pro Tem Justin Hicks – No Comments

Sean Saunders – No Comments

Andy Mann – Just real quick, I just wanted to compliment staff last week. Mag Creek had a situation that required the attention of the City Manager and the Police Chief. They both responded quickly and in a way that I did even not have to communicate to the citizens that someone had responded. I’m always going back to that I have been up here for a long time, and it is such a joy to have a chief like our current chief to work with. Thanks John for picking him and thanks for serving.

Tommy Cones – No Comments

Tom Crews – No Comments

Courtney Chadwell – We all know that there’s great high school athletes in Texas, but we’ve got some exceptionally talented athletes right here in League City. Last weekend, they had the Region III 6A track and field meet in Humble. We had two CCISD students who won their events. We’ve got two of the fastest miler guys, one’s a girl and one’s a guy, in the entire state right here in our own back yard. They’re both juniors. Chris Creedon, Clear Creek, ran a mile in 4:14, going to move on to state championship, the state meet, Saturday, May 4 in Nick’s hometown of Austin, Texas. And then there is Katherine Valentine from Clear Falls, she ran the mile in 4:55. Also had, not a League City resident but a CCISD student, Kamryn McLaurin from Brook got third place in the girl’s high jump, 5’8 jump. She’s also going to be moving on to state in Austin coming up a week from now I guess? May 4, not this weekend but the following weekend. Congratulations to them.

Chad Tressler – I didn’t hear anybody up here volunteer how long it takes us to run a mile either. We’re not going to go there.

Mayor Long – No Comments

14. EXECUTIVE(CLOSED) SESSION(S)

At 7:12 p.m. Mayor Long announced the City Council will now go into executive session to discuss the following items:

- 14A. 24-0195 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 Auditor (Mayor Long)**
- 14B. 24-0199 Texas Open Meetings Act, Section 551.072 Government Code - Deliberations about real property**
- Discuss potential purchase or sale of real property interests (Executive Director of Capital Projects)**

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- 14C. 24-0206 Texas Open Meetings Act, Section 551.071 Government Code - Consultation with Attorney
- Consultation with the City Attorney regarding pending litigation, to-wit: Affinity Bayview 1, Ltd vs. City of League City; 23-CV-2349 (City Attorney)

At 7:37 p.m. Mayor Long 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.

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

- 15A. 24-0196 Consider and take action on discussion regarding the employment, appointment or evaluation of a public officer or employee, to-wit: City Auditor (Mayor Long)

No Action

- 15B. 24-0200 Consider and take action on discussion concerning potential purchase or sale of real property interests (Executive Director of Capital Projects)

A motion was made by Mr. Tressler, seconded by Mr. Hicks, to authorize staff to proceed with the sale of 522 square feet of right of way along FM 646 to support TxDOT's FM 646 widening project as discussed in executive session. The motion passed by the following vote:

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

- 15C. 24-0207 Consider and take action regarding pending litigation, to-wit: Affinity Bayview 1, Ltd vs. City of League City; 23-CV-2349 (City Attorney)

A motion was made by Mr. Tressler, seconded by Mr. Hicks, to authorize the City Manager to proceed as discussed in executive session. The motion passed by the following vote:

For: 8 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

16. **ADJOURNMENT**

At 7:38 p.m. Mayor Long said, there being no further business this meeting is adjourned.

NICK LONG
MAYOR

DIANA M. STAPP
CITY SECRETARY

(SEAL)

MINUTES APPROVED: