



Meeting Minutes
City Council

Tuesday, June 25, 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 Pastor Zac Ashley with Bay Area Church. Mayor Long led in the pledges of allegiance to the flags.

3. APPROVAL OF MINUTES

3A. 24-0318 June 11, 2024 Regular Meeting

3B. 24-0319 June 11, 2024 Council Work Session

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

4. PROCLAMATIONS, PRESENTATIONS, AWARDS, AND COMMUNITY SPOTLIGHT

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
Will Pate		BESS, etc
Raynette Tingle		July 4th Event
JoAnn Doherty	952 Ponte Serra	Trees
Greg Trevino	1354 Shrub Oak	BESS
Sharon Nuzzi	3058 Tradinghouse Creek	BESS
Chuck DiFalco	2118 Eastland Court	Rezoning
Peggy Zahler	1802 Rampart	6B

6. CONSENT AGENDA**Approval of the Consent Agenda**

A motion was made by Mr. Hicks, seconded by Mr. Cones, 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. 24-0307 Consider and take action on a resolution authorizing participation in the Federal Asset Forfeiture and Equitable Sharing Program ("Program") and authorizing the City Manager to accept any assets (either property or cash) received through the Program (Chief of Police)

Approved on the Consent Agenda - Resolution No. 2024-106

- 6B. 24-0299 Consider and take action on a resolution authorizing the submission of a grant application to the Texas State Library and Archives Commission for the Interlibrary Loan Lending Reimbursement Program Grant for partial reimbursements for direct costs associated with participating in statewide resource sharing in FY2024 and authorizing the City Manager to accept any grant funds (Director of Parks & Cultural Services)

Approved on the Consent Agenda - Resolution No. 2024-107

- 6C. 24-0305 Consider and take action on a resolution authorizing the submission of a grant application to the Texas Commission on Environmental Quality for the Texas Emissions Reduction Plan Program - Solicitation No. 582-24-85807-RG for the replacement of a 2011 Long-reach Excavator and authorizing the City Manager to accept any grant funds (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2024-108

- 6D. 24-0250 Consider and take action on a resolution authorizing an Advanced Funding Agreement with TxDOT for construction approval for the FM 518 and Wesley Street Drainage Improvements Project (DR2010) (Executive Director of Capital Projects)

Approved on the Consent Agenda - Resolution No. 2024-109

- 6E. 24-0302 Consider and take action on a resolution authorizing an amendment to the Professional Services Agreement with Perches Land Services, Inc. for the North Landing Extension Project (ST1914) for additional relocation consulting services that increases the total compensation by \$114,450 (Executive Director of Capital Projects)

Approved on the Consent Agenda - Resolution No. 2024-110

- 6F. 24-0303 Consider and take action on a resolution authorizing a construction contract with ISJ Underground Utilities, LLC for the Mary Lane and Tallow Forest Service Area Connection Project (WT1904H) in an amount not to exceed \$565,893.32, including a Work Change Directive budget of \$56,589.00 for a total project budget not to exceed \$622,482.32 (Executive Director of Capital Projects)

Approved on the Consent Agenda - Resolution No. 2024-111

- 6G. 24-0304 Consider and take action on a resolution authorizing a construction contract with CFG Industries, LLC for the East Main Lift Station Improvements (WW1901E), in an amount not to exceed \$2,024,250, authorizing an additional \$160,000 for a Work Change Directive budget, and authorizing a construction material testing services contract with Terracon Consultants in an amount not to exceed \$12,416 for a total construction budget of \$2,196,666 (Executive Director of Capital Projects)

Approved on the Consent Agenda - Resolution No. 2024-112

END OF CONSENT AGENDA

7. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

- 7A. 24-0314 Hold a public hearing on an amendment to Chapter 125 of the Code of Ordinances of the City of League City entitled, "Unified Development Code", creating regulations related to Battery Energy Storage Systems (BESS) (Director of Planning)

Mayor Long opened the meeting at 6:24 p.m.

Laura Teatsworth
Tyler Fox
Gray Meyer
Gary Trevino
Sharon Nuzzi
Becky Eldridge
Chuck DiFalco
Peggy Zahler

Mayor Long closed the meeting at 6:42 p.m.

- 7B. 24-0309** Consider and take action on an ordinance amending Chapter 125 of the Code of Ordinances of the City of League City entitled, "Unified Development Code", creating regulations related to Battery Energy Storage Systems (BESS) (Director of Planning)

On June 17, 2023, the Planning and Zoning Commission held a public hearing and recommended approval by a vote of 5-0-0 with 3 members absent.

A motion was made by Mr. Tressler, seconded by Mr. Chadwell, to approve Ordinance No. 2024-23 amending Chapter 125 of the Code of Ordinances of the City of League City entitled, "Unified Development Code", creating regulations related to Battery Energy Storage Systems (BESS) on First Reading subject to the following amendments:

1. Subsection (g) regarding setback requirements, subsection 3 and 4 shall be combined to read "A BESS site perimeter fence shall be the greater of either (a) a minimum of 200 feet from the nearest property zoned for single-family uses, or school (b) a setback distances required based on plume modeling and testing data".
2. Subsection (1) regarding payment in lieu of taxes, the applicant shall enter into a 'Payment in Lieu of Taxes' agreement or similar agreement with the City of League City to compensate the local taxing authorities for the loss in tax revenue attributable to depreciation and other factors.

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. Mann, seconded by Mr. Hicks, to approve Ordinance No. 2024-23 on First and Final Reading. The motion failed by the following vote:

For: 4 - Mr. Mann, Mr. Cones, Mr. Hicks and Mr. Saunders

Opposed: 4 - Mayor Long, Mr. Crews, Mr. Chadwell and Mr. Tressler

8. OLD BUSINESS

- 8A. 24-0310** Consider and take action Ordinance 2024- 21 rezoning approximately 54.7610 acres from "CM" (Commercial Mixed Use) to "RSF-7" (Residential Single Family 7), MAP-24-0001 (Sonoma / West Nasa Tract), generally located along the east side of West Old Nasa Road and along the west side of West Nasa Boulevard - Second Reading (Council Member Cones and Mayor Pro Tem Hicks)

Planning and Zoning Commission failed to recommend approval, 4-4-0, on March 18, 2024.
Council failed to approve on first reading, 4-4-0, on April 9, 2024.
Council approved first reading 6-2-0 on June 11, 2024.

A motion was made by Mr. Cones, seconded by Mr. Hicks, to approve Ordinance No. 2024-21 rezoning approximately 54.7610 acres from "CM" (Commercial Mixed Use) to "RSF 7" (Residential Single Family 7), MAP 24 0001 (Sonoma / West Nasa Tract), generally located along the east side of West Old Nasa Road and along the west side of West Nasa Boulevard on Second Reading. The motion passed by the following vote:

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

Opposed: 1 - Mr. Tressler

- 8B. 24-0311** Consider and take action on a resolution directing city staff to increase the senior (65 years or older) and/or disabled residential homestead tax exemption from \$75,000 to \$100,000 in the upcoming property tax rate ordinance (Council Member Cones, Mayor Pro Tem Hicks, and Council Member Chadwell)

Council postponed 5-3-0 on June 11, 2024.

A motion was made by Mr. Hicks, seconded by Mr. Cones, to approve Resolution No. 2024-113 directing city staff to increase the senior (65 years or older) and/or disabled residential homestead tax exemption from \$75,000 to \$100,000 in the upcoming property tax rate ordinance. 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

- 8C. 24-0313** Consider and take action on an ordinance amending Division 2, entitled "Code of Ethics", of Article II, entitled "City Council", of Chapter 2, entitled "Administration" to clarify and consolidate several sections of the City's Ethics Code (Council Member Tressler, Council Member Chadwell and Council Member Saunders)

Council postponed 5-3-0 on June 11, 2024.

A motion was made by Mr. Tressler, seconded by Mr. Hicks, to approve Ordinance No. 2024-24 amending Division 2, entitled "Code of Ethics", of Article II, entitled "City Council", of Chapter 2, entitled "Administration" to clarify and consolidate several sections of the City's Ethics Code 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

- 8D. 24-0312** Consider and take action on a resolution authorizing a conditional drilling permit for the Stewart Title #1 site, located along the north side of Ervin Street, approximately 930 feet east of Hobbs Road and 1,500 feet west of Calder Drive, in accordance with Chapter 42, Article III of the League City Code of Ordinances, entitled Oil and Gas Well Drilling (Director of Planning)

Council postponed 8-0-0 on June 11, 2024.

A motion was made by Mr. Cones, seconded by Mr. Hicks, to approve Resolution No. 2024-114 authorizing a conditional drilling permit for the Stewart Title #1 site, located along the north side of Ervin Street, approximately 930 feet east of Hobbs Road and 1,500 feet west of Calder Drive, in accordance with Chapter 42, Article III of the League City Code of Ordinances, entitled Oil and Gas Well Drilling. 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

9. NEW BUSINESS

9A. 24-0301 Consider and take action on a resolution authorizing an interlocal agreement between the City of League City and the Galveston County Health District for the GCHD to provide 340B program services to the City of League City (Director of Human Resources and Civil Service)

A motion was made by Mr. Cones, seconded by Mr. Hicks, to approve Resolution No. 2024-115 authorizing an interlocal agreement between the City of League City and the Galveston County Health District for the GCHD to provide 340B program services to the City of League City. The motion passed by the following vote:

Abstained: 1 - Mayor Long

For: 6 - Mr. Mann, Mr. Cones, Mr. Chadwell, Mr. Hicks, Mr. Tressler and Mr. Saunders

Opposed: 1 - Mr. Crews

10. FIRST READING OF ORDINANCES

11. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED

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 – Yeah, I got something real quick. For those who don’t know, we actually had a local League City athlete selected to participate in the Summer Olympics for pole vaulting. She was a Clear Creek High School graduate, Olivia Lueking, Class of 2021 is the individual. So, let’s cheer her on and congratulations to her.

Courtney Chadwell – No Comments

Chad Tressler – No Comments

Sean Saunders – No Comments

Andy Mann – No Comments

Tommy Cones – Thank you, Mayor. I'd like to just address a couple of things tonight. We had the passing of Mayor Joe Lamb. He was the longest mayor that served the city, for 15 years, I think. His celebration of life was last Friday. Just to say condolences to his family. I would like to see a little bit from the City, though, in the near future. Somehow we missed it on this one and we failed to get the information out the public and to the Council and so forth. I did not find out about the celebration until that Wednesday before the celebration. So, maybe in the future somehow we can address that, to be a little bit better. Typically, when people come up to the podium, we cannot address the statements that they make at that time, so I just want to say a couple of things to Mr. Pate. Mr. Pate was here last week, I did not mention his name during the transaction of my comments to Mr. Pate, even though I said he lied, or somebody. I didn't use that person's name, Mr. Pate. But since he came up here tonight, I wanted to address that and tell Mr. Pate I am sorry that I said that you lied because that's very inappropriate, but we do have people who come up here that gives a lot of misinformation. That misinformation a lot of times is very concerning because it's not the truth. You made a statement tonight that the owners should know about the zoning change and I agree with you, but if you remember in 2005 we'd done a mass zoning in this city, if you were here. I'm not for sure if you lived here. Many people at that time did not receive notices for their transaction. I can tell you about 10 people that came to me at the time who never received the notice. That's the factual information that I'm looking for. Again, I do apologize for saying that you lied, but I did not use your name. I felt that was very positive that I did not recognize until you came up here tonight. That's all I have to say, thank you.

Tom Crews – No Comments

Mayor Long – League City 11U is playing at the Sportsplex right now for the county championship. I'm already half an hour late for my son's game, but we will get through executive session and go from there.

14. EXECUTIVE(CLOSED) SESSION(S)

At 7:31 p.m. Mayor Long announced the City Council will now go into executive session to discuss the following items:

- 14A. 24-0273 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. 24-0316 Texas Open Meetings Act, Section 551.087 Government Code - Deliberations Regarding Economic Development Negotiations

Discuss the offer of a financial or other incentive to a business prospect that seeks to locate, stay, or expand within the City of League City, Texas (City Manager)

At 7:43 p.m. Mayor Pro Tem Hicks 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. 24-0274 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. 24-0317 Consider and take action on the offer of a financial or other incentive to a business prospect that seeks to locate, stay, or expand within the City of League City, Texas (City Manager)

No Action

16. ADJOURNMENT

At 7:44 p.m. Mayor Pro Tem Hicks said, there being no further business this meeting is adjourned.

NICK LONG
MAYOR

DIANA M. STAPP
CITY SECRETARY

(SEAL)

MINUTES APPROVED: