



Meeting Minutes
City Council

Tuesday, August 22, 2023

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
John Bowen
Justin Hicks
Chad Tressler
Sean Saunders

City Manager:

John Baumgartner

Assistant City Manager

Rick Davis

Assistant City Manger-CFO

Angie Steelman

City Attorney:

Nghiem Doan

City Secretary:

Diana M. Stapp

Interim Chief of Police:

Cliff Woitena

Executive Director of Capital Projects

Ron Bavarian

Director of Engineering:

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. Mr. Cones attended via videoconference. Mr. Crews arrived at 6:17 and attended via videoconference.

Present 8 - Mayor Nick Long, Mr. Andy Mann, Mr. Tommy Cones, Mr. Tom Crews, Mr. John Bowen, 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 Candy Decker of Baha'I Faith Community. Mayor Long led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A. 23-0395 August 8, 2023 Council Work Session

3B. 23-0396 August 8, 2023 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**

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
William Pate		Library
Jeff Murello	2800 E. LC Parkway	Library
Tim Dohr	American Legion	World Series
Katherine Swanson	1194 Rustling Wind Ln	Library
Patricia Rytlewski		
Lillie McNearney	513 Magnolia Bend	Shelter
Susan Bauman	2104 Dublin	Shelter
Monica Millican	Plantation	Shelter
Sue Joosten	2383 York Harbour Ct	Shelter
Nicole Anton	719 Davis Road	Shelter
Marlene Guzman	2316 Tonto	Shelter
Scott Webb		Zoning
Liz Williams	319 Bay Spring Dr	Shelter
Laura Teatsworth	517 Small Cedar	LC HOAA
Peggy Zahler	1802 Rampart	
Tara Smith	116 Crescent Bay Dr	Shelter

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

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

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

6A. 23-0381 Consider and take action on a resolution authorizing the submission of Grant Applications to the FEMA Flood Mitigation Assistance Grant Program (Executive Director of Development Services)

Approved on the Consent Agenda - Resolution No. 2023-121

6B. 23-0384 Consider and take action on a resolution to ratify and authorize legal expenses related to three pending lawsuits (City Attorney)

Approved on the Consent Agenda - Resolution No. 2023-122

6C. 23-0385 Consider and take action to reject all proposals received for RFP #23-032 Merchant Banking Services (Director of Finance)

Approved on the Consent Agenda

6D. 23-0372 Consider and take action on a resolution authorizing a renewal agreement with Land & Sea Services 1, Inc. for City-Wide Generator Maintenance, Repairs, and Emergency Services in an amount not to exceed \$107,956 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2023-123

6E. 23-0373 Consider and take action on a resolution authorizing a one-year renewal agreement with Envirodyne Laboratories, Inc. for the City's water and wastewater laboratory services in an amount not to exceed \$84,728.78 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2023-124

6F. 23-0374 Consider and take action on a resolution authorizing an Interlocal Agreement with Galveston County Health District (GCHD) for water pollution control and abatement services in an amount not to exceed \$32,056.63 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2023-125

6G. 23-0354 Consider and take action on a resolution authorizing a professional services agreement with Birkhoff, Hendricks and Carter, LLP, to provide design and construction phase services related to the Harbour Park 1 Lift Station Expansion to 3 MGD Project (WW2203) in an amount not to exceed \$241,310.00 (Executive Director of Capital Projects)

Approved on the Consent Agenda - Resolution No. 2023-126

END OF CONSENT AGENDA

7. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

- 7A. 23-0375 Hold a public hearing on amending and updating the Engineering Services and Construction Inspection Fee Schedule for public improvements in the City of League City (Executive Director of Development Services)

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

No members of the public requested to address City Council.

Mayor Long closed the hearing at 6:55 p.m.

- 7B. 23-0376 Consider and take action on an ordinance amending and updating the Engineering Service and Construction Inspection Fee Schedule for public improvements in the City of League City (Executive Director of Development Services)

Staff requests approval on first and final reading.

A motion was made by Mr. Tressler, seconded by Mr. Hicks, to approve Ordinance No. 2023-26 amending and updating the Engineering Service and Construction Inspection Fee Schedule for public improvements in the City of League City, subject to staff bringing back the item as soon as possible with modifications to cover 100 percent of costs, on First Reading. The motion passed by the following vote:

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

A motion was made by Mr. Tressler, seconded by Mr. Bowen, to approve Ordinance No. 2023-26 on First and Final Reading. The motion passed by the following vote:

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

Opposed: 1 - Mr. Cones

- 7C. 23-0382 Hold a public hearing on a request to rezone approximately 5.360 acres from “CO-PUD” (Commercial Office within a Planned Unit Development Overlay District) to “CG-PUD” (General Commercial within a Planned Unit Development Overlay District), MAP-23-0005 (2911 South Shore Blvd), generally located at the northeast corner of South Shore Boulevard and Courageous Drive in League City, Texas (Director of Planning)

Mayor Long opened the hearing at 6:58 p.m.

No members of the public requested to address City Council.

Mayor Long closed the hearing at 6:59 p.m.

- 7D. 23-0383 Consider and take action on an ordinance rezoning approximately 5.360 acres from “CO-PUD” (Commercial Office within a Planned Unit Development Overlay District) to “CG-PUD” (General Commercial within a Planned Unit Development Overlay District), MAP-23-0005 (2911 South Shore Blvd), generally located at the northeast corner of South Shore Boulevard and Courageous Drive in League City, Texas (Director of Planning)

Planning and Zoning Commission recommended approval, 5-2-0 on August 7, 2023.

A motion was made by Mr. Hicks, seconded by Mr. Tressler, to approve Ordinance No. 2023-27 rezoning approximately 5.360 acres from “CO PUD” (Commercial Office within a Planned Unit Development Overlay District) to “CG PUD” (General Commercial within a Planned Unit Development Overlay District), MAP 23 0005 (2911 South Shore Blvd), generally located at the northeast corner of South Shore Boulevard and Courageous Drive in League City, Texas on First Reading. The motion passed by the following vote:

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

- 7E. 23-0394 Hold a Public Hearing on the City of League City’s FY2024 Proposed Annual Budget (Assistant City Manager - CFO)

Mayor Long opened the hearing at 7:02 p.m.

Peggy Zahler

Mayor Long closed the hearing at 7:05 p.m.

A motion was made by Mr. Hicks, seconded by Mayor Long, to suspend the rule and move up Agenda Item 11A. The motion passed by the following vote:

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

11A. 23-0397 Consider and take action on an ordinance adopting the Annual Budget for Governmental and Proprietary Funds for Fiscal Year 2024 (Assistant City Manager - CFO)

A motion was made by Mayor Long, seconded by Mr. Tressler, to approve Ordinance No. 2023-28 adopting the FY2024 Budget based on the No New Revenue Tax rate of \$0.396783, which includes increasing the property tax revenue by \$730,000 derived from new construction to be used for reinvestment in sidewalks, roads and city facilities. I move to direct the City Manager to suspend the City's participation with the League City Chamber until a full audit from a third party firm is conducted and City staff is satisfied that the City's ARPA money was spent correctly. Furthermore, the City Manager is directed to use City resources to recover ARPA money deemed to have been spent or dispersed by the League City Chamber incorrectly or inappropriately on First Reading.

A motion was made by Mr. Crews, seconded by Mr. Tressler, to add back the items that I mentioned, which would be a partial increase into the service organizations to lower the reduction is only \$27,760, that adds basically \$500 each, so two people could join the Rotary. For the Library Training budget we're cutting \$5,000, let's add half of that back in, so that would be \$2,500 add back. For the Information Technology reductions, I would like to see the Technology Maintenance Services cut from \$15,000 to \$5,000, so that would be an add back of \$10,000 there.

Crews modified the motion to not include the addition of funding for Technology Maintenance. The motion to amend passed by the following vote:

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

Opposed 1 - Mr. Bowen

The original motion, as amended, passed by the following vote:

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

Opposed: 1 - Mr. Bowen

8. OLD BUSINESS

- 8A. 23-0389 Consider and take action on Ordinance 2023-24 granting a limited franchise to Universal Natural Gas, LLC (d/b/a Universal Natural Gas, Inc.) to operate and maintain a gas distribution system for the transportation, distribution and/or sale of gas to customers in League City through the use of public rights-of-way - Second Reading (Mayor Nick Long)

City Council approved the first reading, 5-3-0 on August 8, 2023.

A motion was made by Mr. Tressler, seconded by Mr. Hicks, to approve Ordinance No. 2023-24 granting a limited franchise to Universal Natural Gas, LLC (d/b/a Universal Natural Gas, Inc.) to operate and maintain a gas distribution system for the transportation, distribution and/or sale of gas to customers in League City through the use of public rights of way on Second Reading. The ordinance requires three readings. The motion passed by the following vote:

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

Opposed: 1 - Mr. Bowen

9. NEW BUSINESS**10. FIRST READING OF ORDINANCES****11. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED**

- 11A. 23-0397 Consider and take action on an ordinance adopting the Annual Budget for Governmental and Proprietary Funds for Fiscal Year 2024 (Assistant City Manager - CFO)

Item 11A was dispensed with earlier in the meeting.

- 11B. 23-0390 Hold a public hearing to consider the early termination of League City Reinvestment Zone Number Two (Council Member Hicks and Council Member Cones)

Mayor Long opened the hearing at 7:29 p.m.

No members of the public requested to address City Council.

Mayor Long closed the hearing at 7:30 p.m.

- 11C. 23-0391 Consider and take action on an ordinance terminating League City Reinvestment Zone Number Two - First Reading (Council Member Hicks and Council Member Cones)

A motion was made by Mr. Hicks, seconded by Mr. Cones, to approve Ordinance No. 2023-29 terminating League City Reinvestment Zone Number Two on First Reading. The motion passed by the following vote:

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

A motion was made by Mr. Hicks, seconded by Mr. Tressler, to approve Ordinance No. 2023-29 on First and Final Reading. The motion passed by the following vote:

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

12. REPORTS FROM STAFF MEMBERS

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

John Baumgartner – Just real quick, and I said this last meeting, we'll continue to work with the animal groups and the shelter to come up with a plan for the cats and make sure everybody's satisfied with what we do going forward. And we appreciate the vote on the budget tonight. Thank you.

13. COUNCIL MEMBERS COMMENTS/REPORTS

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

Mayor Pro Tem Andy Mann – Just a quick comment about one of the events I had to attend as Mayor Pro Tem last Friday, I think it was the South Bay Realtors Association had a Meet the Mayors meeting and it was a great event. One thing that I wanted to bring back to everyone whether it's staff or the citizens. I'll just say this, the Mayor of Friendswood was right next to me when this little piece of information was gleamed from the audience. We're actually cooler than Friendswood now, according to the realtors. It's funny, because for as long as I've been here, I've always thought that Friendswood was kind of the Lexus and we are kind of the Camry. The Camry, you're just not getting the Lexus emblem.

The people who sell the homes, the people who match the homes with the neighborhoods were telling me that League City's pretty hot, and Friendswood might be slipping a little. I just wanted to share that with all of you. They had nothing but nice things to say about staff and thank you Mayor, for the opportunity to represent the city.

John Bowen – Thank you, Mr. Mayor. Two things. One, at the board of directors meeting at H-GAC last week, there was a bill that was passed by the Texas Legislature called the Death Star bill. That's what people refer to it as, 2127, which takes a lot of the conditions of what we call Home Rule Cities, which we are, and the state was trying to revert to taking away our power as a Home Rule City. Houston and San Antonio and I'm sure several of the other large cities will be adjoining the suit, but they have filed an injunctive suit against the state to stop the Death Star bill as it's referred to. The other thing is, I'm going to take the hit on this politically, but we hear what you're saying, for the animal people. I just want you to remember, that when this came up, this TNR came up, it was the Friends of League City Animal Shelter that came to us and sold us on the idea. I'm not sure everybody knows that, but they were the ones that put the package together and brought it to us and asked us to vote on it. So yes, please bear with us as these transitions are going through, but this was not something that was driven by staff, or Council, it was driven by an outside NGO, as it was referred to tonight. Just keep that in the back of your mind. Thank you.

Justin Hicks – Did anybody notice that something wet came out of the sky today? I'm thankful for that. I wish the commander and the trophies were still here, I just want to piggyback off of what he said and congratulate the American Legion for bringing the first ever Texas Title World Series home. Ninety-six years, that's why it's really historic. I want to congratulate him.

Chad Tressler – No Comments

Sean Saunders – No Comments

Tommy Cones – Mayor, thank you very much. I'd like to congratulate the American Legion also, but I wanted to tell John I appreciate him looking into the animal shelter. It hurts me to see any animal being abused, if they are. I really want to put a stop to this. If we can't get to an answer pretty soon, I'd like to have a third-party investigation on all of it. On a happier note, I'd like to wish Bob and Dawn Jacobson a 50-year anniversary. They have been lifelong citizens of League City, so just a happy anniversary. Fifty years is a milestone and a great time, so thank you.

Tom Crews – Thank you, Mayor. I'd like to wish the Jacobsons a happy anniversary, as well. I really would like to thank the city for putting on a such a wonderful hoedown for the special needs children. It had a very large turnout. It was wonderful. All the kids had fun,

the parents had fun. The Lions, we fed everybody and we enjoyed doing it. I just think if we could have more things like this for our special needs community, it would keep making League City better. I also want to congratulate the American Legion baseball team. Good job. Thank you.

Mayor Long – I'll keep this pretty simple. Just to talk about the TNR, the cats, the City did put out a full statement today and it's pretty good information. The City's going to suspend the Trap, Neuter, Release Program, until such time as American Pets Alive, so they brought in a third-party NGO, like everybody's saying, to complete a full assessment of the community cat program, the ordinances and the TNR policies. They're going to evaluate and incorporate ideas and concerns from staff, the League City Advisory Board and the general public, holding public meetings in order to do so. Upon completion of the assessment, the results from the NGO are going to be presented back to the Animal Advisory Committee, and then after feedback from the Animal Advisory Committee, it's coming back to a public workshop, here, so other citizens will have a chance to weigh and they're going to summarize the outcomes and suggestions of how to move forward. I think we are going through an extremely exhaustive process. We're bringing in outside experts to make sure that we get this right, because I think we all realize there's the words on the page of the ordinance and there's how you implement those words on the page and sometimes they're different. City staff has done a great job of figuring out a way to go through this. It's not a conspiracy. We're certainly, up here, not experts in it. I'm glad that John and his executive staff had the forethought to bring in an outside organization that's experts in this to help us walk through this pretty controversial issue and to make sure that we get it right and we don't have to keep litigating the policy over and over again. I'm very thankful for that.

14. EXECUTIVE(CLOSED) SESSION(S)

At 7:43 p.m. Mayor Long announced the City Council will now go into executive session to discuss the following items:

- 14A. 23-0235 Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters
Discuss evaluation of a public officer or employee - to wit: City Auditor (Mayor Long)
- 14B. 23-0386 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)

At 8:13 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. 23-0236 Consider and take action on discussion regarding the evaluation of a public officer or employee, to wit: City Auditor (Mayor Long)

No Action

15B. 23-0387 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. Bowen, to authorize staff to proceed with finalizing negotiations and approve Offer to Sell and Purchase Agreements for a 0.1898-acre parcel of land from Victory Lakes Community Association to support the Walker Street Corridor Project (CIP #ST1803) as discussed in executive session.

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

Absent: 1 - Mr. Cones

16. ADJOURNMENT

At 8:15 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: