



# City of League City, TX

300 West Walker  
League City TX 77573

## Meeting Minutes City Council

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Tuesday, April 28, 2020

6:00 PM

Council Chambers  
200 West Walker Street

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### Regular Meeting

The City Council of the City of League City, Texas met in a regular meeting on the above date at 6:00 p.m. In accordance with order of the Office of the Governor issued March 16, 2020, the City Council conducted its meeting by telephone/video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

#### 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.

Present 8 - Mayor Pat Hallisey, Mr. Andy Mann, Mr. Hank Dugie, Mr. Larry Millican, Mr. Todd Kinsey, Mr. Greg Gripon, Mr. Chad Tressler 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 Dr. Jan Sattlem of Good Shepherd Church. Mayor Hallisey led in the pledges of allegiance to the flags.

#### 3. APPROVAL OF MINUTES

3A. [20-0180](#) March 10, 2020 Regular Meeting

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

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

4A. [20-0179](#) Report from Animal Shelter Advisory Committee (Mayor Hallisey)

The report was presented by board chairman Stacey Warner.

- 4B. [20-0185](#) Report from Emergency Turnaround Task Force (Mayor Hallisey)

The report was presented by David Johnson, Chair of the Emergency Task Force.

5. **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.

Sarah Greer Osborne, Director of Communications, read public comments from online submittals:

Tam Rutherford, Charles Franks, Bryan Bolton, Van Reyes, Jonathan Lucas, Gina Smith, George Turski, Byram Lass

6. **PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING**

7. **COMMENTS/REPORTS FROM MEMBERS OF COUNCIL**

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

Mayor Pro Tem Todd Kinsey – I think for the first time ever I will yield my time.

Andy Mann – I will also yield my time.

Hank Dugie – I too will yield my time.

Larry Millican – I will yield my time.

**Greg Gripon – I am going to at least say a couple of comments. One, keep an eye out for your neighbors and your friends. Be a little nosy and see what is going on because they could be hurting next door. Second thing is, so my new hashtag is definitely going to be ShopLeagueCitySmart. That's all Mayor.**

**Chad Tressler – I yield my time.**

**Nick Long – I yield my time.**

**Mayor Hallisey – I have a couple of things. Someone mentioned it earlier, the 2020 Census is out there. Please go and fill out the census forms, it is not hurtful. This has a great deal to do with how much reinvestment of your tax money gets sent back to League City, and it can be very helpful to us and to the County so please keep that in mind. I think I have to say this, I have said it on every one of these I have been on in the last few days, thank you citizens of League City. You have put up with a great deal, we have asked a great deal, we have not always been right. There is no roadmap to how to do this perfectly for anybody at this table. You have done everything we have asked you to do on the stay at home, and now we are starting to get to the downside of this. We are starting to see where there may be an opportunity to get to the new normal, whatever that happens to be, but please don't give up on your social distancing. Every day I read those reports on how many new people are affected in this community, it continues to go up. Not as much as it was going up in the beginning, but it goes up. Almost every week that I see you, and I give some credit to the County Judge and Commissioners, there is one of these types of meetings every single week on what is going on in this County. Get to hear from the other Mayors on how much they are suffering and what they are doing about it which is really helpful. TJ Aulds had a town hall meeting of all the Mayors of the County this morning. I don't think we have ever done that before, but it was great. Everybody is working through this in their own way. I think we have a lot to be proud of in this community. Not every decision is going to make everybody happy, and if you signed up to make everybody happy you are in the wrong business. It is not a perfect deal. The Governor came on yesterday and I have to tell you he did something and I was happy about that. He showed a pathway for businesses to get open, he always said he was going to start slow, start small. He challenged everybody that if the COVID-19 virus starts to level off in the next two weeks that 50% of those going to restaurants and everything else plus a slew of other businesses will be open. At least we can see where we are going which we have not been able to see in the last several months, so I think that's a really good sign. The medical experts are still our guiding light, we try to listen to them all, I do and I know all of you do. We have been fortunate; John has done a good job of separating our staff out to try to minimize the impacts of COVID-19 on them because without our staff we are just dead in the water. John, I think that was a good job, I am happy about that. I am happy the Fire Marshals are back, and our friend is the Fire Department is over his major hurdle and it looks like he is going to be ok. We have a few others that aren't doing well but nothing as serious as**

we have been through in the last 30 days. Congratulations to all of them, thank you to all the citizens out there for hanging in there with us. I try not to go to Facebook to see who is mad but there will be some and that is ok. We are going to move on from this, the City will recover. John last I heard talked about a 20-30% reduction in our sales tax receipts which is probably accurate, we'll adjust to that. Keeping the number of deaths down is important, we will recover from the business side as will businesses we hope. We pray that they do.

## **8. REPORTS FROM STAFF MEMBERS**

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

**John Baumgartner – Just a couple of updates from a construction perspective. As you know we have our reinvestment program. I think this year we invested about \$3.7 million in asphalt streets. That project is nearing completion. If you live in the Historic District, around City Hall there has been a lot of work on a lot of different streets. We hope that project can be completed in July 2020. The next couple of streets we will see on is Illinois Avenue and Iowa. League Park continues to make improvements out there. A lot of the activities right in the park itself but also on the backside of Coryell. They put in a water line and are getting ready to start storm sewer over there. We will have the park open before Holiday in the Park in December with final completion of the project. On a couple of milestones, we have a couple of change orders on this night's agenda. What you never see are the projects that come in under budget. So, when we did the South Shore storm sewer emergency project, that ended up with about a \$55,435 credit or savings. The FM518/SH3 water line project is complete, no more traffic interruption there. I think we announced a couple of different times, but the new Ervin Street between Calder and Hobbs is open. Still working on construction on the other two lanes, which will result in Butler/Turner being closed, of course that is all for result of progress. Butler/Turner is the connection street between Calder and ultimately League City Parkway. We will eliminate the left turn at Calder and League City Parkway and make everyone go through that signal, but it is coming along pretty well. Then we have a couple of projects planned for bid openings next month. There is a waterline project in the Bay Colony MUD Lift Station. I do want to talk a little bit about COVID and what the Governor said and kind of what our measured response is. So, we hope to have on Monday most of our facilities back open. We will open City Hall, the Annex Complex, and Municipal Court so that people can come in and make payments directly. We've pushed everybody to make electronic payments or EFT's, and it's been helpful. It has helped us with social distancing. Of course, there are a few people who want to make cash payments so we will get the lobbies of those facilities back open. For the Library, it is a little dynamic and it changes every day. I think right now we are on track with curb side service beginning on May 4, and then some limited opening as early as May 18. For the Rec Center, Kenny and Chien are working on a plan for some limited activities, certainly some limited outdoor activities.**

The challenge we have is a congregation. The Governor has said we can do sports with 4 or less people so that is pretty limiting. Perhaps that is the tennis, the golf, the pickle ball, and maybe some senior activities inside the facility, but again Chien and Kenny are working on that and will be perhaps making some announcements later this week or early next week. Municipal Court will open the lobby, with trials or adjudication of traffic tickets resuming in June. People are still allowed to pay and plead out but if you contest it that activity is probably not going to resume until the June timeframe. And I heard a few comments from the citizens tonight about the playgrounds and the sports fields, and again the Governor's order was 4 people or less, so we are not ready to open those yet. We will continue to watch the COVID numbers and see how they respond. The playgrounds, our biggest challenge, is trying to keep them clean and try to keep them safe for all the different activities that go on there. Lastly, you know the Health District has been doing some COVID testing at 500 Walker. They are going to be doing it three days next week, although that changes like everything else related to this, Monday – Tuesday -Wednesday. I had conversation with the Judges office and they are looking to establish another testing site. It will be an insurance type testing site later this month at Creekside Middle School which is over on the West side of town by Clear Springs High School. Staff has been great, they have responsive. Like I said this thing changes every day and it had to be nimble. I appreciate the patience with the community and the council as we work our way through the challenges associated with COVID. That is all for tonight sir.

- 8A.     [20-0184](#)             Presentation of the Financial Report for Quarter Ended December 31, 2019 (Director of Budget & Project Management)

The report was presented by Angie Steelman, Director of Budget & Project Management.

- 8B.     [20-0176](#)             Presentation of the Investment Report of the City of League City for the quarter ended December 31, 2019 (Director of Finance)

The report was presented by Kristine Polian, Director of Finance.

9.       **CONSENT AGENDA**

Approval of the Consent Agenda

Items 9A and 9B were pulled by Mayor Hallisey, 9C by Mr. Millican, and 9G by Mr. Long.

A motion was made by Mr. Kinsey, seconded by Mr. Long, to approve the remaining Consent Agenda Items. The motion passed by the following vote:

For:    8 -     Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

**9A. [20-0188](#)**

Consider and take action on a resolution authorizing change order 2 with Triad Retail Construction, Inc. for the Animal Care & Adoption Center (PD1502) in an amount not to exceed \$86,788.18 (Director of Budget & Project Management)

**A motion was made by Mr. Millican, seconded by Mr. Dugie, to approve Resolution No. 2020-51 authorizing change order 2 with Triad Retail Construction, Inc. for the Animal Care & Adoption Center in an amount not to exceed \$86,788.18. The motion passed by the following vote:**

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

**Opposed:** 1 - Mr. Mann

**9B. [20-0183](#)**

Consider and take action on a resolution authorizing Change Order No. 2 with Conrad Construction Company, Ltd. for the Downtown Revitalization Plan - Park Avenue Reconstruction Project (ED1503) in an amount of \$87,529.23 for a total increased contract amount of \$1,213,202.31 (Director of Budget & Project Management)

**A motion was made by Mr. Tressler, seconded by Mr. Kinsey, to approve Resolution No. 2020-52 authorizing Change Order No. 2 with Conrad Construction Company, Ltd. for the Downtown Revitalization Plan - Park Avenue Reconstruction Project in an amount of \$87,529.23 for a total increased contract amount of \$1,213,202.31. The motion passed by the following vote:**

**For:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

**9C. [20-0186](#)**

Consider and take action on a resolution authorizing an amendment to the professional services agreement with CDM-Smith Inc. for the 36-inch Waterline from SH 3 Booster Pump Station to South Shore Harbour Booster Pump Station (WT1109) in an amount not to exceed \$69,515 (Director of Budget and Project Management)

**A motion was made by Mr. Tressler, seconded by Mr. Kinsey, to approve Resolution No. 2020-53 authorizing an amendment to the professional services agreement with CDM Smith Inc. for the 36-inch Waterline from SH 3 Booster Pump Station to South Shore Harbour Booster Pump Station in an amount not to exceed \$69,515. The motion passed by the following vote:**

**For:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

**9D. [20-0190](#)**

Consider and take action on a resolution awarding a construction contract to Lucas Construction, Co. for Phase 2 of the Walker Street Corridor Upgrades Project (ST1803) in an amount not to exceed \$328,926 and authorizing an additional \$33,000 for a construction work change directive budget (Director of Budget and Project Management)

**Approved on the Consent Agenda**

**9E. [20-0177](#)**

Consider and take action on a resolution consenting to the sale and issuance of Unlimited Tax Refunding Bonds, Series 2020 for the Galveston County Municipal Utility District 39 in an amount not to exceed \$7,000,000 (Director of Finance)

**Approved on the Consent Agenda - Resolution No. 2020-55**

- 9F. [20-0174](#) Consider and take action on Ordinance No. 2020-08, amending Ordinance No. 2005-24 and repeal Ordinance No. 2007-35 for the existing Riverbend Planned Unit Development (PUD) to create a new PUD, on property zoned "CM-PUD" (Commercial Mixed Use within a Planned Unit Development Overlay), (PUD-18-0014 Riverbend at Clear Creek PUD), generally located along the north and east sides of North Wesley Drive, east of Interstate Highway 45 in the 200 to 500 block of North Wesley Drive in League City, Texas - Second Reading (Executive Director of Development Services)

Planning and Zoning Commission recommended approval, 6-0-0, with two absent on March 16, 2020.

Council approved first reading, 8-0-0, on April 14, 2020.

**Approved on the Consent Agenda - Ordinance No. 2020-08 Second Reading**

- 9G. [20-0175](#) Consider and take action on Ordinance No. 2020-09, authorizing a Utility Agreement with Galveston County Municipal Utility District No. 80 - Second Reading (Executive Director of Development Services)

Council postponed 6-1-0 with 1 absent on March 10, 2020.

Council approved first reading, 5-3-0 on April 14, 2020.

**A motion was made by Mr. Millican, seconded by Mr. Gripon, to approve the Second Reading of Ordinance No. 2020-09. The motion failed by the following vote:**

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

**Opposed:** 4 - Mr. Mann, Mr. Kinsey, Mr. Tressler and Mr. Long

- 9H. [20-0181](#) Consider and take action authorizing Ordinance 2020-11 to amend chapter 10 of the code of ordinances of the City of League City, Texas entitled "Alcoholic Beverages" to update various provisions to be compliant with state law (City Attorney)

Council approved on first reading 8-0-0 on April 14, 2020.

**Approved on the Consent Agenda - Ordinance No. 2020-11 Second Reading**

**END OF CONSENT AGENDA**

**10. OLD BUSINESS**

**11. NEW BUSINESS**

- 11A. [20-0170](#) Consider and take action on a resolution by the City of League City, Texas ("City") denying the distribution cost recovery factor rate request of Texas-New Mexico Power Company made on or about April 6, 2020; authorizing participation in a coalition of similarly situated cities; authorizing participation in related rate proceedings; requiring the reimbursement of municipal rate case expenses; and authorizing the retention of special counsel (City Attorney)

**A motion was made by Mr. Kinsey, seconded by Mr. Dugie, to approve Resolution No. 2020-56 denying the distribution cost recovery factor rate request of Texas New Mexico Power Company made on or about April 6, 2020; authorizing participation in a coalition of similarly situated cities; authorizing participation in related rate proceedings; requiring the reimbursement of municipal rate case expenses; and authorizing the retention of special counsel. The motion passed by the following vote:**

**For:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

**11B. [20-0187](#)**

Consider and possible act to create an economic recovery program for hotels located in League City (Mayor Hallisey)

**A motion to approve was made by Mr. Dugie, seconded by Mayor Hallisey. The motion failed by the following vote:**

**For:** 0

**Opposed:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

**A motion was made by Kinsey, seconded by Millican, to move Item 12A forward and address it before 11C. The motion passed by the following vote:**

**The motion passed by the following vote:**

**For:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

**12A. [20-0171](#)**

Consider and take action on an ordinance amending Chapter 34 of the Code of Ordinances of the City of League City, Texas, entitled "Civil Emergencies" to allow the temporary suspension of city ordinances by resolution during a state of disaster or emergency declared by the federal, state or a local government (City Manager)

Staff recommends approval on first and final reading.

**A motion was made by Mr. Mann, seconded by Mr. Dugie, to approve Ordinance No. 2020-12 amending Chapter 34 of the Code of Ordinances of the City of League City, Texas, entitled "Civil Emergencies" to allow the temporary suspension of city ordinances by resolution during a state of disaster or emergency declared by the federal, state or a local government. The motion passed by the following vote:**

**For:** 7 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

**Opposed:** 1 - Mr. Millican

**A motion was made by Mr. Dugie, seconded by Mr. Tressler, to approve First and Final Reading of Ordinance No. 2020-12. The motion passed by the following vote:**

**For:** 7 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

**Opposed:** 1 - Mr. Millican



- 11C. [20-0172](#) Consider and take action on a resolution adopting certain rules and temporarily suspending any League City regulations in conflict therewith during the COVID-19 Emergency (City Manager)
- A motion was made by Mr. Tressler, seconded by Mr. Long, to approve Resolution No. 2020-57 adopting certain rules and temporarily suspending any League City regulations in conflict therewith during the COVID-19 Emergency.**
- A motion was made by Mr. Long, seconded by Mr. Kinsey, to amend Item 1 of Exhibit A to say all businesses. The motion to amend passed by the following vote:**
- For:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long
- The resolution, as amended, passed by the following vote:**
- For:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

## 12. **FIRST READING OF ORDINANCES**

- 12A. [20-0171](#) Consider and take action on an ordinance amending Chapter 34 of the Code of Ordinances of the City of League City, Texas, entitled "Civil Emergencies" to allow the temporary suspension of city ordinances by resolution during a state of disaster or emergency declared by the federal, state or a local government (City Manager)
- Staff recommends approval on first and final reading.
- Item 12B was addressed before Item 11C.**
- 12B. [20-0189](#) Consider and take action on an ordinance amending the City of League City, Texas, Governmental, Proprietary, and Capital Funds Budget for Fiscal Year 2020 by amending Ordinance No. 2019-24 to adjust the operating and capital budget for actual and projected expenditures (Director of Budget & Project Management)
- Staff requests first and final reading.
- A motion was made by Mr. Tressler, seconded by Mr. Millican, to approve Ordinance No. 2020-13 amending the City of League City, Texas, Governmental, Proprietary, and Capital Funds Budget for Fiscal Year 2020 by amending Ordinance No. 2019-24 to adjust the operating and capital budget for actual and projected expenditures. The motion passed by the following vote:**
- For:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long
- A motion was made by Mr. Tressler, seconded by Mr. Dugie, to approve First and Final Reading of Ordinance No. 2020-13. The motion passed by the following vote:**
- For:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long
- 12C. [20-0178](#) Consider and take action on an ordinance: 1) amending Chapter 78 of the Code of Ordinances of the City of League City, Texas entitled "Peddlers and Solicitors" to update and reorganize various provisions to be compliant with state law and 2) repealing Chapter 6 of the Code of Ordinances of the City of League City, Texas, entitled "Advertising" (City Attorney)
- Staff recommends approval on first and final reading.

A motion was made by Mr. Millican, seconded by Mr. Dugie, to approve Ordinance No. 2020-14 amending Chapter 78 of the Code of Ordinances of the City of League City, Texas entitled "Peddlers and Solicitors" to update and reorganize various provisions to be compliant with state law and repealing Chapter 6 of the Code of Ordinances of the City of League City, Texas, entitled "Advertising". The motion passed by the following vote:

**For:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

A motion was made by Mr. Dugie, seconded by Mr. Mann, to approve First and Final Reading of Ordinance No. 2020-14. The motion passed by the following vote:

**For:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

### **13. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED**

- 13A. [20-0192](#) Consider and take action on a resolution responding to the application of CenterPoint Energy Resources Corp., Texas Coast Division, to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the City to continue to participate in a coalition of cities known as the "Texas Coast Utilities Coalition" of cities (City Attorney)

A motion was made by Mr. Tressler, seconded by Mr. Long, to approve Resolution No. 2020-58 responding to the application of CenterPoint Energy Resources Corp., Texas Coast Division, to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the City to continue to participate in a coalition of cities known as the "Texas Coast Utilities Coalition" of cities. The motion passed by the following vote:

**For:** 8 - Mayor Hallisey, Mr. Mann, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon, Mr. Tressler and Mr. Long

### **14. EXECUTIVE(CLOSED) SESSION(S)**

**At 8:50 p.m. Mayor Hallisey announced the City Council will now go into executive session to discuss the following item:**

- 14A. [20-0151](#) Texas Open Meetings Act, Section 551.071 Government Code - Consultation with Attorney  
  
Consultation with the City Attorney regarding pending litigation, to-wit: League City v Jimmy Changas (City Attorney)

**At 9:23 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.**

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

- 15A. [20-0191](#) Consider and take action regarding pending litigation, to-wit: League City v Jimmy Changas (City Attorney)  
  
**No Action**

**16. ADJOURNMENT**

At 9:24 p.m. Mayor Hallisey said, there being no further business this meeting is adjourned.

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**PAT HALLISEY  
MAYOR**

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**DIANA M. STAPP  
CITY SECRETARY**

**(SEAL)**

**MINUTES APPROVED: June 9, 2020**