



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, November 28, 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
Vacant
Justin Hicks
Chad Tressler
Sean Saunders

City Manager:

John Baumgartner

Assistant City Manager

Rick Davis

Assistant City Manager-CFO

Angie Steelman

City Attorney:

Nghiem Doan

City Secretary:

Diana M. Stapp

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.

Present 7 - Mayor Nick Long, Mr. Andy Mann, Mr. Tommy Cones, Mr. Tom Crews, 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 Peter Cammarano with League City United Methodist Church. Mayor Long led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A. 23-0565 November 14, 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
Melaine Sweeney	1751 W. Walker	Holiday in the Park
Travis Humphrys		Copperweld Wire
Jeff Murello		
Ange Mertens	2501 Robin Crossing	HIP

6. **CONSENT AGENDA**

Approval of the Consent Agenda

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

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

6A. 23-0546 Consider and take action on a resolution authorizing a one (1) year agreement with Galls, LLC for uniforms and accessories for various departments in an amount not to exceed \$288,013.00. (Chief of Police)

Approved on the Consent Agenda - Resolution No. 2023-177

- 6B. 23-0558 Consider and take action on a resolution authorizing a one-year renewal of the Administrative Services Agreement with MuniCap, Inc. for Public Improvement District Administration Services in an amount not to exceed \$65,000 (Director of Finance)
- Approved on the Consent Agenda - Resolution No. 2023-178
- 6C. 23-0537 Consider and take action on a resolution to ratify the agreement with Pumps of Houston for the urgent replacement of Riser No. 5 at the Dallas Salmon Wastewater Treatment Plant (DSWWTP) Lift Station in an amount not to exceed \$57,500 (Director of Public Works)
- Approved on the Consent Agenda - Resolution No. 2023-179
- 6D. 23-0510 Consider and take action on a resolution authorizing a construction contract with G.W. Phillips Concrete Construction, Inc., for construction work related to the Meadows Subdivision Drainage Improvements Project (DR1905), in an amount not to exceed \$1,877,875, authorizing an additional \$187,788 for a construction Work Change Directive budget and authorizing a construction material testing contract with Alpha Testing, LLC. in an amount not to exceed \$12,739 for a total construction budget of \$2,078,402 (Executive Director of Capital Projects)
- Approved on the Consent Agenda - Resolution No. 2023-180
- 6E. 23-0520 Consider and take action on a resolution authorizing an agreement with the Gulf Coastal Plains Mitigation Bank (GCPMB) in Chambers County, Texas for the wetland mitigation credit purchase for the North Extension of Landing Blvd Project (ST1914), in an amount not to exceed \$221,650.00 (Executive Director of Capital Projects)
- Approved on the Consent Agenda - Resolution No. 2023-181
- 6F. 23-0543 Consider and take action on a resolution authorizing an agreement with the Mill Creek Mitigation Bank (MCMB) in Austin County, Texas, for the wetland mitigation credit purchase for the North Extension of Landing Blvd Project (ST1914), in an amount not to exceed \$180,000 (Executive Director of Capital Projects)
- Approved on the Consent Agenda - Resolution No. 2023-182
- 6G. 23-0544 Consider and take action on a resolution authorizing an agreement with the Katy Prairie Stream Mitigation Bank (KPSMB) in Harris County, Texas for the stream mitigation credit purchase for the North Extension of Landing Blvd Project (ST1914), in an amount not to exceed \$1,044,120 (Executive Director of Capital Projects)
- Approved on the Consent Agenda - Resolution No. 2023-183
- 6H. 23-0545 Consider and take action on a resolution approving an amendment to the professional services agreement with ARKK Engineers LLC, for the Mary Lane and Tallow Forest Service Area Connection Project (WT1904H) in an amount not to exceed \$31,680 (Executive Director of Capital Projects)
- Approved on the Consent Agenda - Resolution No. 2023-184

- 6I. 23-0551 Consider and take action on Ordinance 2023-42 amending Section 22-280 entitled, "Cross-Connection Control Program" of Chapter 22 of the Code of Ordinances of the City of League City entitled, "Building and Building Regulations" to remove the requirement that all residential backflow assemblies be tested every three years - Second Reading (Executive Director of Development Services)

Council approved first reading, 7-0-0 on November 14, 2023.

Approved on the Consent Agenda - Ordinance No. 2023-42 - Second Reading

- 6J. 23-0552 Consider and take action on Ordinance 2023-44 appointing Judge Dick Hoskins Gregg, III and Judge Richard Cope as the associate judges of the Municipal Court of Record in the City of League City for a two-year term beginning February 1, 2024 and ending January 31, 2026 and appointing Judge Laticia Fuhr and Judge Shari Goldsberry as associate judges for the Municipal Court of Record in the City of League City for a two-year term beginning January 1, 2024 and ending December 31, 2025 - Second Reading (Director of Finance)

Council approved first reading, 7-0-0 on November 14, 2023.

Approved on the Consent Agenda - Ordinance No. 2023-44 - Second Reading

END OF CONSENT AGENDA

7. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

8. OLD BUSINESS

- 8A. 23-0555 Consider and take action on Ordinance 2023-41 amending a Planned Unit Development (PUD), PUD-23-0004 (Duncan PUD Amendment), to modify the lot width requirement in Pedregal, Section 2, generally located along the north side of West Farm to Market Road 517, south of League City Parkway and west of Calder Drive - Second Reading (Council Member Cones and Council Member Hicks)

Planning and Zoning Commission recommended approval, 4-2-1 with one member absent and one member abstaining on September 18, 2023.

Council voted 4-4-0 on first reading (motion failed) on October 10, 2023.

Council voted 5-2-0 on the reconsideration first reading on November 14, 2023.

A motion was made by Mr. Cones, seconded by Mr. Hicks, to approve Ordinance No. 2023-41 amending a Planned Unit Development (PUD), PUD 23 0004 (Duncan PUD Amendment), to modify the lot width requirement in Pedregal, Section 2, generally located along the north side of West Farm to Market Road 517, south of League City Parkway and west of Calder Drive on Second Reading. The motion passed by the following vote:

For: 5 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Hicks and Mr. Saunders

Opposed: 2 - Mr. Crews and Mr. Tressler

9. NEW BUSINESS

- 9A. 23-0500 Consider and take action on the selection of Mayor Pro Tem (City Secretary)**

A motion was made by Mr. Cones, seconded by Mr. Mann, to nominate Council Member Justin Hicks as Mayor Pro Tem.

Mr. Crews made a motion, seconded by Mr. Tressler, to amend the motion to nominate Council Member Chad Tressler as Mayor Pro Tem. The motion to amend failed by the following vote:

For 3 - Mr. Crews, Mr. Tressler, and Mr. Saunders
Opposed 4 - Mayor Long, Mr. Mann, Mr. Cones and Mr. Hicks

The original motion passed by the following vote:

For: 5 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Hicks and Mr. Saunders
Opposed: 2 - Mr. Crews and Mr. Tressler

- 9B. 23-0521 Consider and take action on a resolution casting a ballot for the election of members to the Board of Directors of the Galveston Central Appraisal District for 2024-2025 (Mayor Long)**

A motion was made by Mayor Long, seconded by Mr. Tressler, to approve Resolution No. 2023-185 casting a ballot for the election of members to the Board of Directors of the Galveston Central Appraisal District for 2024-2025, with one vote each to Scott Brast, Robin Collins, Matt Doyle, Thomas Farmer and Donald Gartman, and 304 votes to Chad Tressler. The motion passed by the following vote:

For: 5 - Mayor Long, Mr. Mann, Mr. Crews, Mr. Tressler and Mr. Saunders
Opposed: 2 - Mr. Cones and Mr. Hicks

- 9C. 23-0527 Consider and take action on a resolution casting a ballot for the election of a person to the Board of Directors of the Harris County Appraisal District for 2024-2025 (Mayor Long)**

A motion was made by Mayor Long, seconded by Mr. Cones, to approve Resolution No. 2023-186 casting a ballot for the election of a person to the Board of Directors of the Harris County Appraisal District for 2024 2025. Mike Sullivan was the nominee. The motion passed by the following vote:

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

- 9D. 23-0564 Consider and take action on a resolution authorizing the publication of a Notice of Intention to issue Certificates of Obligation (Assistant City Manager - CFO)**

A motion was made by Mr. Cones, seconded by Mr. Hicks, to approve Resolution No. 2023-187 authorizing the publication of a Notice of Intention to issue Certificates of Obligation. The motion passed by the following vote:

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

10. FIRST READING OF ORDINANCES

- 10A. 23-0542** Consider and take action on an Ordinance to set a 35 miles per hour (mph) speed limit along Calder Drive from the intersection of Ervin Street to the intersection with Cross Colony Drive, a distance of approximately 1.1 miles (Executive Director of Development Services)

A motion was made by Mr. Tressler, seconded by Mr. Saunders, to approve Ordinance No. 2023-45 to set a 35 miles per hour (mph) speed limit along Calder Drive from the intersection of Ervin Street to the intersection with Cross Colony Drive, a distance of approximately 1.1 miles on First Reading. The motion passed by the following vote:

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

- 10B. 23-0549** Consider and take action an ordinance amending Chapter 22 of the Code of Ordinances of the City of League City entitled, "Building and Building Regulations" to adopt the National Electric Code, 2023 Edition (Executive Director of Development Services)

A motion was made by Mr. Cones, seconded by Mr. Tressler, to approve Ordinance No. 2023-46 amending Chapter 22 of the Code of Ordinances of the City of League City entitled, "Building and Building Regulations" to adopt the National Electric Code, 2023 Edition on First Reading. The motion passed by the following vote:

For: 6 - Mayor Long, Mr. Mann, Mr. Cones, Mr. Crews, Mr. Tressler and Mr. Saunders

Opposed: 1 - Mr. Hicks

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.

John Baumgartner, City Manager - No Comments

13. COUNCIL MEMBERS COMMENTS/REPORTS

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

Mayor Pro Tem Andy Mann – I just wanted to thank Council for the privilege, especially thank the Mayor for getting to serve as mayor pro tem for the last year. I think Chad called me earlier today to talk about it.

Hopefully, everyone on the council at some point, will have the privilege of serving. Running the meetings is one thing, but actually getting to go out and work an event or give a speech and reflect on just how far the city's come since, I've been here over the last 12 years, it's been a real honor. I just wanted to thank you again. Thank you.

Justin Hicks – I just want to say I appreciate the colleagues who did have the vote of confidence for me. I really appreciate that and we'll look forward to seeing what's in the future.

Chad Tressler – No Comments

Sean Saunders – Yes, Mr. Mayor, I want to ask us and our community to extend your prayers to Forest Bend Fire Department. They're a mutual aid entity that we work with, our department works with. For those of you that don't know, their fire chief, John Norris, after working a mutual aid structure fire, went home and passed away. It is being considered a line of duty death. I do want, some information I received that I do want to extend out here, not only does our department work with these guys, there is a link on the League City Fire Department's Facebook page to help with donations, or even if you feel like, sign up to assist with the meal train. My department that I work for had a line of duty death about 15-20 years ago and I know the toll it takes on the department as a whole. Our department assisted them, again, with the structure fire last night and then this morning they were part of the escort taking him from the Medical Examiner's Office to the cemetery. Our honor guard is actually assisting with casket watch. For those of you who don't know, this is a big deal, even though it's not my department, I didn't particularly know this fire chief, when something like this happens, it's across the board. Everybody feels the effects of it. I ask us and our community to please extend your deepest of prayers for this family for healing and some help during their suffering, thank you.

Tommy Cones – Thank you, Mayor. Ange, you're wrong, because I'm going to talk about Holiday in the Park, too. I just want to remind everybody else that Holiday in the Park is this weekend. It is the largest event in Galveston County for a parade. I think we've taken great pride in having this parade become so large and well-known in Galveston County. It's also the 26th year for the event, and I'm proud to say I was one of the co-founders of the parade in the League City Proud organization. It is truly a great event to bring out the family and share your time with family during the Christmas and holiday seasons. Also, I would like to reiterate what Councilman Saunders talked about Chief Norris. I worked with Chief Norris for many years. He was an outstanding fire chief, an outstanding human being. He gave his life to the community because he served, and that's the best honor you could ever ask for. Prayers will go out to his family, he leaves a family behind. Another thing I would like to talk about, I have served on the city council for 11 years, at different times. I've been through some rough times on council. I've seen fights up here. I've seen bad councils, I've seen good councils. I would like to say a little bit about our council

members tonight. I hope that we can go back and try to have a better decorum. Talking about a council member up here is wrong. You can dislike a council member, you can dislike even a staff member, but you shouldn't be up here talking about them. We have a decorum policy, in that decorum policy, we ask people from the audience not to come out and talk bad about council members or city staff. In fact, I think a lot of times the mayor will shut it down. I think we as council members sit up here and talk bad about council members set the example. I think it's wrong. I plan to bring some legislation to this body in the decorum policy so that will never happen again. I think it's just wrong. We can disagree about things, we can argue about things and even have heated discussions about everything, but to talk about people up here is absolutely wrong. I just wanted to say that. At one of the next council meetings I'm going to be development a decorum policy that I hope will stick. Thank you.

Tom Crews – Thank you, Mayor. A couple of different things. The next few things are a little bit happier, but as for my fellow councilman's comments about the decorum, it's one thing for us to have the proper decorum, but when someone wants to be nominated to go out and represent the community, everyone needs to be able to understand their personality and what they're going to be expected to have. That is not a problem with decorum. If you don't want to be raised up to that judgment, don't run for that position. On a happier note, the library is going to have their Christmas Open House. We could check all of this out on the website. There is going to be Santa, there is going to be songs, snacks. Blue Santa is coming, that's where the police and fire department go take a needy child to go and shop at Target. If you would like to contribute, they're asking only for money to be donated, you can check the website or you can send me an email and I can put you in the right spot for that. And there was recently, League City held a special needs luau, and it was absolutely fantastic. The special needs community came out and had a lot of fun. It was just a very good thing and proud to be part of League City when these things happen. Thank you.

Mayor Long – First off, starting with Blue Santa, like Mr. Crews said, they're raising money right now and Tommy, Andy, Sean and John Baumgartner have already contributed. I wonder how I'm doing your dirty work, I'm not on the list yet. I pledge to, I don't carry cash around. That's certainly a worthwhile deal. The reason they're taking the cash instead of the toys is because they actually, kids get to go to Target and pick it out and pick out something just for them. Something they're really looking forward to, and they get to do it with a community member or officer. It's a whole kind of a neat experience to go do that. Also, the tree lighting, we had the tree lighting last weekend. It was, I think, had to be the biggest one we had so far. I got there and there was an already pretty sizeable crowd around that tree, I felt peer pressured to move it up, people were getting a little restless. It was a great event. Sarah did wonderful again, even had wonderful weather for the tree lighting. We'll expect that next year, Sarah. Also, Soul Freak opened up, which is a coffee shop originally from Clear Lake Shores, and they

moved into League Park, in the building in League Park. It's pretty neat. They're a wonderful coffee shop if you haven't been there. A great addition to have in League City. Also, perfect time of year to get a coffee and walk around the park and do all that. The weather has been awesome for that even with the slight chill in the air. Do it now before it's August and maybe you won't want that latte walking around the park. It was definitely a great event.

14. EXECUTIVE(CLOSED) SESSION(S)

At 6:51 p.m. Mayor Long announced the City Council will now go into executive session to discuss the following items:

- 14A. 23-0530 Texas Open Meetings Act, Section 551.071 Government Code - Consultation with Attorney**
- Consultation with the City Attorney regarding pending litigation, to-wit: City of Camden, et al., v. E.I. DuPont de Nemours and Company, et al., No. 2:34-cv-03230-RMG (City Attorney)**
- 14B. 23-0562 Texas Open Meetings Act, Section 551.071 Government Code - Consultation with Attorney**
- Consultation with the City Attorney regarding pending litigation, to-wit: Cause No. 19-CV-1243; Park on Clear Creek Development Company, Ltd, vs. City of League City (City Attorney)**
- 14C. 23-0553 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 Secretary (Director of Human Resources and Civil Service)**
- 14D. 23-0540 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 Attorney (Director of Human Resources and Civil Service)**
- 14E. 23-0538 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 Manager (Director of Human Resources and Civil Service)**

At 7:42 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. 23-0531** Consider and take action regarding pending litigation, to-wit: City of Camden, et al., v. E.I. DuPont de Nemours and Company, et al., No. 2:34-cv-03230-RMG (City Attorney)

A motion was made by Mr. Tressler, seconded by Mr. Crews, to exclude the City of League City as class member from the class action settlement agreement between the Chemours Company, the Chemours Company FC LLC, DuPont de Nemours Incorporated, Corteva, Inc., and E.I. DuPont de Nemours and Company n/k/a EIDP, Inc. and class representatives in the following lawsuits: City of Camden, et al., v. 3M Company, City of Camden, et al., v. E.I. DuPont de Nemours and Company, n/k/a EIDP et al. and authorize the City Manager to execute all documents necessary to complete this transaction. The motion passed by the following vote:

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

- 15B. 23-0563** Consider and take action regarding pending litigation, to-wit: Cause No. 19-CV-1243; Park on Clear Creek Development Company, Ltd, vs. City of League City (City Attorney)

No Action

- 15C. 23-0554** Consider and take action on discussion regarding the employment, appointment or evaluation of a public officer or employee, to-wit: City Secretary (Director of Human Resources and Civil Service)

A motion was made by Mr. Hicks, seconded by Mr. Cones, to approve Option 3 of the raise plan as discussed in executive session. The motion passed by the following vote:

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

- 15D. 23-0541** Consider and take action on discussion regarding the employment, appointment or evaluation of a public officer or employee, to-wit: City Attorney (Director of Human Resources and Civil Service)

A motion was made by Mr. Hicks, seconded by Mr. Cones, to terminate the employment services and contract between the City of League City and the City Attorney in accordance with the agreement or contract effective immediately, and appoint Michelle Villarreal as interim city attorney effective immediately. The motion passed by the following vote:

For: 4 - Mayor Long, Mr. Mann, Mr. Cones and Mr. Hicks

Opposed: 3 - Mr. Crews, Mr. Tressler and Mr. Saunders

- 15E. 23-0539** Consider and take action on discussion regarding the employment, appointment or evaluation of a public officer or employee, to-wit: City Manager (Director of Human Resources and Civil Service)

No Action

16. ADJOURNMENT

At 7:51 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: