

RESOLUTION NO. 19-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS, WAIVING THE CITY'S PRIMARY JURISDICTION RELATED TO A COMPLAINT MADE BY CITIZEN DUSTIN THOMAS RELATED TO THE BILLING OF ELECTRIC SERVICES AT GRAND BEACH SUBDIVISION, TO ALLOW THE CITIZEN TO PROCEED WITH FILING HIS COMPLAINT DIRECTLY WITH THE STATE OF TEXAS PUBLIC UTILITY COMMISSION, AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS TO GIVE EFFECT TO THIS RESOLUTION UPON FINAL APPROVAL BY THE CITY ATTORNEY; PROVIDING FOR FINDINGS OF FACT AND FOR AN EFFECTIVE DATE.

WHEREAS, the City of Galveston retains primary jurisdiction over the regulation of electric services, including complaints, within the City of Galveston; and

WHEREAS, citizen Dustin Thomas has certain complaints related to the billing of common electric services by his homeowner's association at the Preserve at Grand Beach in Galveston he wishes to pursue before the Texas Public Utility Commission; and

WHEREAS, the City must waive its primary jurisdiction over electric services to allow Mr. Thomas to pursue his complaint with the Public Utility Commission; and

WHEREAS, it appears that given the expertise of the Public Utility Commission in these matters it is in the interest of all involved for the City to waive its primary jurisdiction related to electric services in the single instance of the consideration of Mr. Thomas' complaint related to his billing issue; and

WHEREAS, the City will continue to assert primary jurisdiction over all other matters related to electric service and the waiver of primary jurisdiction over the matter asserted by Mr. Thomas shall in no way be deemed a waiver of the City's primary jurisdiction in all other instances,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Resolution are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council of the City of Galveston, Texas hereby expresses its consent to waive primary jurisdiction over this billing complaint urged by Dustin Thomas so as to allow him to proceed to the Public Utility Commission; however the City shall retain its primary jurisdiction over electric services in all other instances.

SECTION 3. The City Manager is authorized to sign any additional documents required to give effect to this Resolution upon approval of the City Attorney.

SECTION 4. This Resolution shall be and become effective from and after the date of its adoption.

APPROVED AS TO FORM:

DONALD S. GLYWASKY
CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Galveston at its Regular Meeting held on the 25th day of June, 2020, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this ____ day of _____, 2020.

Secretary for the City Council
of the City of Galveston