

**DRAFT**  
**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON**  
**SPECIAL MEETING - JANUARY 9, 2019**

1/9/2019 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER

**With a quorum present, the meeting was called to order at 1:30 p.m.**

2. ROLL CALL

**Present: Mayor James Yarbrough, Mayor Pro Tem Craig Brown, Council Member Amy Bly, Council Member David Collins, Council Member Jason Hardcastle, Council Member John Listowski, and Council Member Jackie Cole.**

3. WORKSHOP ITEMS

1. Collection of delinquent water accounts - **Assistant City Manager Mike Loftin presented information on delinquent water accounts. Staff will bring back the following items in March for the Council's review and consideration: (1) expungement of uncollectible accounts, (2) a proposed ordinance amendment to formalize the collection process, and (3) an amendment to the Linebarger contract to include collection of closed water accounts with delinquent balances.**

2. Proposed Water Rate Adjustments - **Assistant City Manager Mike Loftin presented information on proposed water rate adjustments. The City's forecast and CIP assumed the need for \$1.55 million for new bonds and Gulf Coast Water Authority cost increase in FY 2019; rate increase anticipated 4% overall for water and sewer rates, 7% for water only FY 2019.**

3. Water Conservation Plan/Drought Contingency Plan - **Assistant City Manager Brandon Cook and LRE Water, LLC representative presented information on the Water Conservation Plan and Drought Contingency Plan. A Public Hearing will be held in February and will be on the March agenda for the Council's consideration.**

4. Port of Galveston - **Royal Caribbean International Cruise Terminal and Update on Walkway - Port Director Roger Rees presented information on Cruise Terminal 3 Preliminary Pier Layout.**

5. Seawall Parking Ballot Language - **City Attorney Don Glywasky reworked the draft ordinance that was previously sent to City Council. He presented three versions for Council discussion and consideration.**

6. Discuss an Ordinance that would allow overnight parking and/or camping on Seawall Blvd. during the first weekend of the annual Mardi Gras event and in addition, increase the parking violation fine from \$50 to \$250 per incident (night) for overnight parking and/or camping during the preceding Monday through Thursday of the first weekend of the annual Mardi Gras event - **City Manager Brian Maxwell provided information on the proposed ordinance.**

7. **Move various Board Appointments to October 1st - Mayor Yarbrough provided information on moving the appointment date of certain City board appointments to October 1st, and changing boards to two three-year terms. The change would be effective October 1st of this year. This will allow newly elected Council Members a few months of being in office before making board appointments.**

8. **Extension of the 4-B Industrial Development Corporation - November 2019 Special Election - Deferred**

4. ACTION ITEMS

- 4.A. Discuss And Consider For Action Approval Of The City Of Galveston's Recommendations To The U. S. Army Corps Of Engineers Regarding The Coastal Texas Protection & Restoration Feasibility Study And The Tentatively Selected Plan. (Brown/Yarbrough)

**Motion was made by CM Collins, second by CM Listowski, to edit the draft letter and direct the City Attorney to compose the final letter based on today's comments for a Council vote on January 24th.**

**Mayor Yarbrough left the meeting at 4:45 p.m.; CM Bly left the meeting at 5:04 p.m.**

**After discussion, the motion was unanimously approved by those present.**

5. ADJOURNMENT

**The meeting was adjourned at 5:45 p.m.**

Janelle Williams, City Secretary

Date Approved:

**DRAFT**  
**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON**  
**WORKSHOP - JANUARY 24, 2019**

1/24/2019 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER  
**With a quorum present, the workshop was called to order at 8:05 a.m.**
2. ROLL CALL  
**Present: Mayor James Yarbrough, Mayor Pro Tem Craig Brown, Council Member Amy Bly, Council Member David Collins, Council Member Jason Hardcastle, Council Member John Listowski, and Council Member Jackie Cole.**
3. DISCUSSION ITEMS
  - 3.A. Clarification Of Consent And Regular City Council Agenda Items - This Is An Opportunity For City Council To Ask Questions Of Staff On Consent And Regular Agenda Items.  
**Items 8A, 8C, 10E, 10F, 10H, 11A, and 12C were clarified by staff.**
  - 3.B. Final Review Of The Letter To The US Army Corps Of Engineers Dated January 24, 2019 Relating The City's Comments To The Coastal Texas Protection And Feasibility Study And The Tentatively Selected Plan (Legal - 15 Minutes)  
**The City Council reviewed and made further edits to the draft letter to the Corps of Engineers. This item is on today's regular agenda for the Council's consideration.**
  - 3.C. Discussion Of An Ordinance Of The City Of Galveston, Texas, Amending "The Code Of The City Of Galveston 1982, As Amended," Chapter 20.5-17 "Mardi Gras" Article Ix- "Entertainment Areas" To Ensure Reasonable Access For Residents As Well As Employers And Their Employees Living And/Or Working Within The Entertainment Area, And Otherwise Providing For A Reasonable Admission Fee To The Entertainment Area; Repealing All Other Ordinances Or Parts Of Ordinances In Conflict Herewith; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (Legal - 10 Minutes)  
**City Attorney Don Glywasky presented the proposed ordinance to Council. The proposed change addresses an issue that was raised with access for employers, employees, and residents of the Downtown Strand District. The exclusive concessionaire shall provide at no cost a pass to each resident, as well as a reasonable number of guests of the resident, living within the entertainment district, to allow access to the residence without the payment of the entry fee to the entertainment area. The exclusive concessionaire shall provide at no cost a pass to each employer and employee to allow them access to their place of employment without the payment of the entry fee to the entertainment district. Application for employees shall be made by their employer and shall be supported by reliable employment records with personal data redacted. The residents and employers must make application to the concessionaire at least seven days prior to the first day the entertainment district is physically created.**
  - 3.D. Discussion Of An Ordinance Of The City Of Galveston, Texas, Amending "The Code Of The City Of Galveston 1982, As Amended", Chapter 8, "Beaches And Waterways"; To Allow For Regulations Related To Maintaining A Clean Beach And Promoting Environmentally Conscious Conduct By Beach Users; Providing For A Penalty; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date (D. Henry - 15 Minutes)  
**Coastal Resources Manager Dustin Henry presented the draft ordinance to Council. Discussion was held regarding working with local short term rental agencies and other groups on an educational program for the policy.**
  - 3.E. Amendments To Dune Protection And Beach Access Plan (Chapter 29 Of Municipal Code). Planning Case Number 19PA-004  
**Coastal Resources Manager Dustin Henry presented the proposed amendments to Council. The proposed ordinance includes the new beach user fees should the voters decide to approve those fees in the May 2019 Election.**

- 3.F. Receive And Discuss An Update On The Lone Star Rally Contract (D. Smith - 15 Minutes)  
**David Smith provided an update on the Lone Star Rally Contract. The update includes an option to extend the current contract for an additional two-year period. The City Council may hold a special workshop in March to discuss all special events. Staff will hold off on extending the contract until after the special workshop.**
- 3.G. Discussion Of Hurricane Harvey CDBG-DR Grant Fund Projects (B. Cook - 20 Minutes)  
**Assistant City Manager Brandon Cook advised a public hearing was held on Hurricane Harvey funds indicating the city is going to use funds for road rehabilitation. After looking at budget constraints and criteria, staff is recommending Heards Lane between Saladia and 61st, and 59th Street from Stewart Road to Heards Lane. City Manager Brian Maxwell advised this is an \$800,000 grant and will be an asphalt project. Discussion was held regarding a timeline for the project, as well as a master plan for the area that will address flooding that occurs on a regular basis. Mr. Maxwell advised it will more than likely be Fall of 2019 before the project begins. An item will be placed on the February 28th agenda for the Council's consideration.**
- 3.H. Discussion Of Formalizing A Process For Council Workshop Items Prior To Vote (Collins/Yarbrough - 15 Minutes)  
**CM Collins expressed concerns about the number of times things have appeared on a workshop agenda and then on that day's regular agenda for a vote. The most recent item was the valet parking ordinance. The Council would like to workshop items prior to considering major items on the regular agenda.**
- 3.I. Discussion Of The Costs For Public Information Requests (Cole/Yarbrough - 15 Minutes)  
**Deferred.**
- 3.J. Discussion Of A Policy For Sponsoring Events/Tables (Yarbrough - 30 Minutes)  
**Mayor Yarbrough is looking for a policy to be developed for sponsoring events. Some general thoughts are - should the city sponsor events and purchase tables at the Chamber's Annual Banquet, the Martin Luther King event, the NAACP banquet, etc.? If so, what criteria should be used? He does not think the city should buy a table at the Chamber's Annual Banquet, but the Chamber's Legislative Luncheon where State Legislators are present does serve a public purpose and would be an appropriate expense. If Council wants to formalize a policy, does any Council Member want to work with staff to develop a policy, or should the City Attorney draft a policy and bring back to Council? Council would like to see a list of sponsorships and would possibly like to include this discussion during the budget process. Mayor Yarbrough will work with the City Attorney and City Manager to come up with a draft policy and bring back to Council.**
- 3.K. Discussion Of A Remembrance/Recognition Plan (Yarbrough - 30 Minutes)  
**Mayor Yarbrough brought this item forward to see if Council would like to develop a remembrance/recognition. If so, would any Council Member like to work with staff to develop the policy? The purpose of the plan would be to formalize a way to recognize individuals while they are still living instead of in memorial. MPT Brown recommended that the City Secretary research this item to see how other cities recognize individuals. City Manager Brian Maxwell suggested a remembrance park in the location of the City Hall Annex once it is demolished. Mayor Yarbrough advised Council to send their ideas to staff and this item will be brought back at a later date.**
- 3.L. Discussion Of The Census 2020 Committee (Yarbrough - 15 Minutes)  
**Discussion was held regarding the creation of a Census Committee. The purpose of the ad hoc committee would be to encourage Galvestonians to participate in the 2020 census. Dustin Henry will be the staff liaison for the Census Committee. He will be providing Council with some information related to the committee's purpose. Tim Tietjens provided additional information about census procedures. A resolution creating the Census 2020 Committee will be placed on the February 28th agenda for the Council's consideration.**
- 3.M. Discussion Of The Council's Deadline To Submit Agenda Items (Cole/Collins - 10 Minutes)  
**CM Collins provided the current timeline for submitting agenda items. Currently, staff's deadline for submitting items is Wednesday at Noon the week prior to the Council meeting, and Council's deadline is Thursday at 3:00 p.m. the week prior to the Council meeting. The final agenda is published and sent out on Thursday immediately after the Council deadline. The unintended consequence with changing Council's deadline from Friday to Thursday is that Council no longer sees a draft agenda. Moving forward, staff will send out a draft agenda on Thursday at 3:00 p.m., and will send out the final agenda on Friday at Noon. This will allow Council to review the draft agenda prior to the final being**

published. Dr. Cole would like to see a list of general topics that will be coming up prior to the draft agenda be sent out, possibly on Monday. Mayor Yarbrough advised staff could send out the tentative list of workshop items on Monday or Tuesday the week prior to the meeting. He also advised if Council has something meaningful to workshop, they should get with staff prior to placing the item on the agenda so they have time to put it together.

#### 4. EXECUTIVE SESSION

**The City Council convened into Executive Session at 11:25 a.m. and reconvened into Open Session at 12:10 p.m. No action was taken during Executive Session.**

- 4.A. Pursuant To Texas Gov't Code 551.071- Consultation With Attorney, An Executive Session Will Be Conducted To Discuss And Receive Legal Advice Concerning Pending Litigation And/Or A Settlement Offer, Or On A Matter In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflicts With This Chapter, Related To The Following:

4.A.1. Comcast Franchise Fee Dispute

4.A.2. No. D-1-GN-002497 Texas General Land Office V. CDM Smith And The City Of Galveston, In The 201st District Court Of Travis County Texas And No. 13-CV-0844; CDM Smith Inc. V. City Of Galveston, In The 56th Judicial District Court Of Galveston County Texas

#### 5. ADJOURNMENT

**The workshop was adjourned at 12:10 p.m.**

Janelle Williams, City Secretary

Date Approved:

**DRAFT**  
**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON**  
**REGULAR MEETING - JANUARY 24, 2019**

1/24/2019 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER  
**With a quorum present, the meeting was called to order at 1:20 p.m.**
2. ROLL CALL  
**Present: Mayor James Yarbrough, Myor Pro Tem Craig Brown, Council Member Amy Bly, Council Member David Collins, Council Member Jason Hardcastle, Council Member John Listowski, and Council Member Jackie Cole.**
3. INVOCATION  
**The invocation was given b y Captain W. Patrick Jones of the Salvation Army.**
4. PLEDGE OF ALLEGIANCE  
**Pledges to the American Flag and Texas Flag were led by Mayor Yarbrough.**
5. CONFLICTS OF INTEREST  
**None.**
6. PRESENTATIONS/REPORTS OF COUNCIL, OFFICER BOARDS, AND CITY MANAGER
  - 6.A. Pursuant To Texas Government Code Section 551.0415, The City Council May Report On Any Of The Following Items:
    1. Expressions of thanks, gratitude, and condolences - **CM Bly provided information on Ball High's All-District Play Shrek. Mayor Yarbrough congratulated CM Listowski on his marriage to Kara. Mayor Yarbrough offered condolences to the family Tino Gonzales. CM Bly offered condolences on the passing of Father Frank Fabi.**
    2. Information regarding holiday schedules
    3. Recognition of individuals
    4. Reminders regarding City Council events
    5. Reminders regarding community events
    6. Health and safety announcement
7. COMMUNICATIONS AND PETITIONS  
**None.**
8. PUBLIC HEARINGS
  - 8.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Changing The Zoning From Residential, Single-Family (R-1) Zoning District To Residential, Single-Family (R-0), Zoning District On Properties Commonly Known As 1 - 59 Adler Circle. The Properties Are Legally Described As Lots 1 – 48, Westwood Subdivision, In The City And County Of Galveston, Texas. (A. Montalvan)  
  
**Ordinance No. 19-001 was read by caption. Adriel Montalvan provided staff comments. The public hearing was opened. Eddie Barr, Mason Joseph, Marcy Hanson, Benno Dell, and Charlie Stone spoke in favor of the zoning change. The public hearing was closed.**  
  
**Motion was made by CM Listowski, second by CM Hardcastle, to approve the ordinance. Unanimously approved.**

- 8.B. Change Of Zoning From Residential, Townhouse (R-2-HDDZ-1) To Residential, Single Family (R-1-HDDZ-1). Planning Case Number 18P-059.

Consider for Approval An Ordinance Of The City Of Galveston, Texas, Changing The Zoning From Residential, Townhouse (R-2-HDDZ-1) To Residential, Single Family (R-1-HDDZ-1) Zoning District On Properties Commonly Known As 1010 Commodore, 1014 Commodore, 1020 Commodore, 8415 Teichman Road, 8407 Teichman Road, 8403 Teichman Road, 8309 Teichman Road, 1003 Lillian, 1006 Lillian, 1007 Lillian, 1010 Lillian, 1011 Lillian, 1014 Lillian, 1015 Lillian, 1018 Lillian, 1022 Lillian, And 1026 Lillian. The Properties Are Legally Described As Abstract 121 Page 71 Part Of Lot 523 (523-14) Trimble & Lindsey Section 1, Abstract 121 Page 71 Part Of Lot 523 (523-15) Trimble & Lindsey Section 1, Abstract 121 T & L & Hall & Jones Survey Part Of Lot 523 (523-16) Trimble & Lindsey Section 1, Abstract 121 Page 71 Part Of Lot 523 (523-17) Trimble & Lindsey Section 1 Aka Lot 15, Abstract 121 Page 71 Part Of Lot 523 (523-20) Trimble & Lindsey Section 1 AKA: Tract 18 Special Subdivision, Abstract 121 Hall & Jones Survey Landscape Reserve A (0-1) Old Galveston Villas Replat (2005), Abstract 121 Hall & Jones Survey Lot 1 Old Galveston Villas Replat (2005), Abstract 121 Hall & Jones Survey Lot 2 Old Galveston Villas Replat (2005), Abstract 121 Hall & Jones Survey Lot 3 Old Galveston Villas Replat (2005), Abstract 121 Hall & Jones Survey Lot 4 Old Galveston Villas Replat (2005) Undivided 1/2 Interest, Abstract 121 Hall & Jones Survey Lot 5 Old Galveston Villas Replat (2005), Abstract 121 Hall & Jones Survey Lot 6 Old Galveston Villas Replat (2005), Abstract 121 Hall & Jones Survey Lot 7 Old Galveston Villas Replat (2005), Abstract 121 Hall & Jones Survey Lot 8 Old Galveston Villas Replat (2005), Abstract 121 Hall & Jones Survey Park Reserve B (0-2) Old Galveston Villas Replat (2005), Abstract 121 Hall & Jones Survey Lot 9 Old Galveston Villas Replat (2008), And Abstract 121 Hall & Jones Survey Lot 10 Old Galveston Villas Replat (2008), In The City And County Of Galveston, Texas. Planning Case Number 18P-059; Making Various Findings And Provisions Related To The Subject. (D. Lunsford)

**Ordinance No. 19-002 was read by caption. Daniel Lunsford provided staff comments. The public hearing was opened. Ross Novelli spoke in favor of the zoning change. The public hearing was closed.**

**Motion was made by CM Bly, second by CM Listowski, to approve the ordinance. Unanimously approved.**

- 8.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Changing The Zoning From Residential, Single Family (R-1) To Commercial (C) Zoning District On Properties Commonly Known As 21418 FM 3005 And Adjacent Tract To The North. The Properties Are Legally Described As Abst 121, Page 19, East Part Of Lot 1 (1-3), Seabird Acres, And Abst 121, Page 19, Lot 2, Seabird Acres, Both In The City And County Of Galveston, Texas; Planning Case Number 18P-061; Making Various Findings And Provisions Related To The Subject. (D. Lunsford)

**The Ordinance was read by caption. Daniel Lunsford provided staff comments. Spencer Marston with the architectural firm and owner of the property Patricia Thompson spoke in favor of the zoning change. The public hearing was opened. Michael O'Reilly, Rita Whitter, Cory Graff, Keith Erwin, Roshy Jain, Rocky Jain, Sangela Jain, Bill Hummel, Tim DeHaven, Mark Voller, Evan Wyer, Ross Novelli, Jerry Lee, West Isle Property Owners Association Jerry Mohn, Alice Jansen, Helen Young, Steven Fisher, Jeffrey Hill, Mark Hill spoke in opposition of the zoning change. The public hearing was closed.**

**Motion was made by CM Hardcastle, second by CM Listowski, to approve the ordinance.**

**In favor: Hardcastle and Listowski**

**In opposition: Yarbrough, Brown, Bly, Collins, and Cole**

**Motion fails.**

- 8.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 514 18th Street, As A "Galveston Landmark", Property Is Legally Described As Lot 14 (14-2), Block 437, In The City And County Of Galveston, Texas; Requesting The Historic Preservation Officer Record The Property's Landmark Designation In The Official Public Records Of Real Property In Galveston County, The Tax Records Of The City Of Galveston And The Central Appraisal District, And The Official Zoning Maps Of The City Of Galveston, Texas; Planning Case Number 19P-002; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

**Ordinance No. 19-003 was read by caption. Catherine Gorman provided staff comments. The public hearing was opened. Property owner Julia Muncaster spoke in favor of the ordinance. The public hearing was closed.**

**Motion was made by CM Collins, second by CM Bly, to approve the ordinance. Unanimously approved.**

#### 9. PUBLIC COMMENT

**Agenda Items - Carol Hollaway and Jeff Patterson- Item 12B; Marty Fluke and Abdal Ahmed Khan - Item 10A; Frank Maceo - Item 11A; Allen Flores, Michelle Roboch, Jeffrey King, Jennifer Lopez - Item 10G; Doug Little, Kelly Kelley, Karla Klay, Marc Hill, Dennis Miller, Janie Marshall, Carol Ann Cowan, Alan Baezner, and Mort Voller - Item 12C.**

**Non-Agenda Items - Edward Cruse commented on police brutality; Adam Calabrese commented on duties of public servants.**

#### 10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of The City Of Galveston, 1982 As Amended, By Amending Chapter 36, "Water, Sewers And Sewage Disposal"; Providing For Water And Sewer System Rates And Charges; Providing For Severability; Providing For The Repeal Of All Or Parts Of Ordinances In Conflict Herewith; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (M. Loftin)  
**Ordinance No. 19-004 was read by caption. Motion was made by Mayor Yarbrough, second by CM Hardcastle, to approve the ordinance. Unanimously approved.**
- 10.B. Consider For Approval An Ordinance Authorizing The Issuance And Sale Of The City Of Galveston, Texas, Combination Tax And Revenue Certificates Of Obligation, Series 2019; Providing For The Security And Payment Thereof; Authorizing The Execution And Delivery Of A Purchase Agreement And A Paying Agent/Registrar Agreement; And Enacting Other Provisions Relating Thereto. (M. Loftin)  
**Ordinance No. 19-005 was read by caption. Motion was made by MPT Brown, second by CM Bly, to approve the ordinance. Unanimously approved.**
- 10.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Total Operating Budget For Fiscal Year Ending September 30, 2018, By Adjusting Various Budget Accounts In The Amount Of Three Hundred Ninety-Three Thousand Two Hundred Forty-Four Dollars (\$393,244) To Adjust And Properly Record For Expenses In Connection With Island Transit Operating Expenditures; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (M. Loftin)  
**Ordinance No. 19-006 was read by caption. Motion as made by Mayor Yarbrough, second by CM Collins, to approve the ordinance. Unanimously approved.**
- 10.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Total Operating Budget For Fiscal Year Ending September 30, 2019, By Adjusting Various Budget Accounts In The Amount Of Thirteen Million Five Hundred Thousand Dollars (\$13,500,000) To Adjust And Properly Record For Operating Transfers And Recording Expenditures In Connection With The Legal Settlement With Cdm Smith; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (M. Loftin)  
**Ordinance No. 19-007 was read by caption. Motion was made by Mayor Yarbrough, second by CM Listowski, to approve the ordinance. Unanimously approved.**
- 10.E. Special Election On May 4, 2019 - Seawall Parking

Consider For Approval An Ordinance Of The City Council Of The City Of Galveston, Texas, Ordering And Calling A Special Election To Be Held In The City On May 4, 2019, To Determine Whether To Extend The Imposition Of A Fee For Parking A Motor Vehicle On Seawall Boulevard Between The Hours Of 10:00 A.M. And 6:00 P.M. Daily, To Be Collected By A Paid Parking System With Use Of The Proceeds Restricted To Funding Seawall Enhancements, Including But Not Limited To Lighting, Bathrooms, Showers, Landscaping, Maintenance, And Litter Control, With The Creation Of A Reserve For The Replacement Of Capital Improvements On The Seawall And 10% Of The Proceeds For Administrative Costs, All In Accordance With State Law; And Giving The City Council Authority To Increase The Fee For Parking A Motor Vehicle On



Seawall Boulevard To An Amount Of \$2.00 Per Hour, With A Minimum Purchase Of 2 Hours, And Not To Exceed \$16.00 Per Day, And An Annual Permit Not To Exceed \$45.00, Until December 31, 2029 Unless Otherwise Renewed Or Amended By A Majority Of Qualified Voters; Authorizing The City Manager To Execute An Election Services Agreement With Galveston County To Hold And Conduct This Election; Designating The Polling Places; Designating Hours For Voting; Providing For Publication Of Notice Of The Election; Providing Bilingual Election Requirements; And Containing Other Provisions Related Thereto.

**Ordinance No. 19-008 was read by caption. Motion was made by CM Hardcastle, second by CM Listowski, to approve the ordinance with the addition of adding "up to" 10% of the proceeds for administrative costs. Unanimously approved.**

- 10.F. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending Chapter 34 "Traffic" Article Iii- "Vehicle Operation" Of The Code Of The City Of Galveston, 1982, As Amended By Adding Regulations For The Safe Passage By Motorists Of "Vulnerable Road Users", Providing Definitions", Requiring Safe Passage Speed And Minimum Distance Motorists Must Maintain While Passing Vulnerable Road Users; Prohibiting The Throwing Of Any Object At A Vulnerable Road User, The User's Equipment Or Other Intimidating Maneuvers; Amending Chapter 9, "Bicycles" To Require Bicycles To Have A Rear Facing Red Light; Providing For Penalties; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (Legal)

**Ordinance No. 19-009 was read by caption. Motion was made by CM Cole, second by CM Collins, to approve the ordinance to be effective on May 1, 2019.**

**In favor: Yarbrough, Brown, Collins, Listowski, and Cole**

**In opposition: Bly and Hardcastle**

**Motion passes.**

- 10.G. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending "The Code Of The City Of Galveston 1982, As Amended," Chapter 20.5-17 "Mardi Gras" Article Ix- "Entertainment Areas" To Ensure Reasonable Access For Residents As Well As Employers And Their Employees Living And/Or Working Within The Entertainment Area, And Otherwise Providing For A Reasonable Admission Fee To The Entertainment Area; Repealing All Other Ordinances Or Parts Of Ordinances In Conflict Herewith; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (Legal)

**Ordinance No. 19-010 was read by caption. Motion was made by CM Hardcastle, second by CM Listowski, to approve the ordinance. Unanimously approved.**

- 10.H. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending "The Code Of The City Of Galveston 1982, As Amended," Chapter 20.5 "Mardi Gras" By Allowing Overnight Parking And/Or Overnight Camping On Seawall Blvd During The First Weekend Of Mardi Gras; Increasing The Parking Fine Provision From Fifty (\$50.00) Dollars To Two Hundred And Fifty (\$250.00) Dollars (Per Night), For Overnight Parking Violations During The Preceding Monday Through Thursday Of The First Weekend Of Mardi Gras; Repealing All Other Ordinances Or Parts Of Ordinances In Conflict Herewith; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (D. Smith)

**Ordinance No. 19-011 was read by caption. Motion was made by MPT Brown, second by CM Hardcastle, to approve the ordinance. Unanimously approved.**

- 10.I. Amendments To Dune Protection And Beach Access Plan (Chapter 29 Of Municipal Code). Planning Case Number 19PA-004

Consider For Approval An Ordinance Of The City Of Galveston, Texas, To Approve A Text Amendment To The City's Dune Protection And Beach Access Plan / Amending "The Code Of The City Of Galveston 1982, As Amended" Chapter 29, "Planning - Beach Access Dune Protection And Beach Front Construction" In Order To Replace Maps in "Exhibit B: Dune Conservation Area and Enhance Construction Zone"; To Modify the Building Requirements Section Regarding Ground-Level Enclosures To Be Consistent With The Erosion Response Plan; To Increase The Beach User Fee Rates for Seawall Beach Urban Park; And To Authorize The City To Submit The Text Amendment To The Texas General Land Office For Its Consideration And Certification;

Planning Case Number 19PA-004; Making Various Findings And Provisions Related To The Subject. (D. Henry)

**Ordinance No. 19-012 was read by caption. Motion was made by Mayor Yarbrough, second by MPT Brown, to approve the ordinance. Unanimously approved.**

#### 11. CONSENT ITEMS

The following items shall be considered for action as a whole, unless one or more Council Members objects. The City Manager is authorized to execute all necessary documents upon final approval by the City Attorney.

**Motion was made by CM Bly, second by MPT Brown, to approve Consent Items 11A through 11BB. Unanimously approved.**

- 11.A. Consider For Approval A Contract For Election Services Between The City Of Galveston And Galveston County For The Purposes Of Holding A Special Election On May 4, 2019. (J. Williams)
- 11.B. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Acknowledging That Assessment And Collection Services Will Be Performed By The Galveston County Tax Assessor For The Year 2019; Providing For Findings Of Fact And Providing For An Effective Date. (Legal)  
**Resolution No. 19-001**
- 11.C. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Authorizing The City Manager To Approve And Execute The Agreement For Funding The Rehabilitation Of The Air Traffic Control Tower (The "Project") Between The City, The Tax Increment Reinvestment Zone 14 (TIRZ 14) And The Galveston Island Redevelopment Authority (RDA) In The Amount Of \$402,236.00 (M. Shahan).  
**Resolution No. 19-002**
- 11.D. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Authorizing The City Manager To Approve And Execute The Agreement For Funding 10% Of The Scholes International Airport 2019 Projects (The "Project") Between The City, The Tax Increment Reinvestment Zone 14 (TIRZ 14) And The Galveston Island Redevelopment Authority (RDA) In The Amount Of \$52,500.00 (M. Shahan).  
**Resolution No. 19-003**
- 11.E. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Authorizing The City Manager To Approve And Execute The Agreement For Funding The Material Cost Of Repaving The Scholes International Airport Terminal Pavement Project (The "Project") Between The City, The Tax Increment Reinvestment Zone 14 (TIRZ 14) And The Galveston Island Redevelopment Authority (RDA) In The Amount Of \$32,000.00 (M. Shahan).  
**Resolution No. 19-004**
- 11.F. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Authorizing The City Manager To Approve And Execute The Agreement For Funding 10% Of The Scholes International Airport 2018 Capital Improvement Pavement Projects (The "Project") Between The City, The Tax Increment Reinvestment Zone 14 (TIRZ 14) And The Galveston Island Redevelopment Authority (RDA) In The Amount Of \$118,000.00 (M. Shahan).  
**Resolution No. 19-005**
- 11.G. Consider For Approval A Bid From Lead Based Paint Services, LLC DbA Integrity Lead Based Paint Services In The Amount Of \$24,500.00 To Provide Lead-Based Paint Remediation Services At 1611 – 39th Street. Funding Is From HOME Investment Partnership Funds. Authorize The City Manager To Execute All Necessary Documents Upon Final Approval Of The City Attorney. (A. Law)
- 11.H. Consider For Approval A 2-Year Extension From Republic Services To Provide Containers And Transport Dewatered Wastewater Sludge. (A. Grasso)

- 11.I. Consider For Approval The Proposal From Dannenbaum For Broadway Drainage Study To Support TXDOT Overlay Including Bridge Blocks And Drainage Crossings Upgrades Including Construction Plans For 48th Street At A Cost Not To Exceed Of \$187,599. (D. Christodoss)
- 11.J. Consider For Approval Change Order #1 For The Contract With General Contractor Services, For The Neighborhood Improvements Project, Decreasing The Contract From \$362,046.50 By The Amount Of \$32,570.25 To A Final Cost Of \$329,476.25. (R. Blackketter)
- 11.K. Consider For Approval Of Change Order No. 5 To The Contract With Brunel Industrial & Pipeline Services, LLC, For The Rehabilitation Of Ground Storage Tanks At 59th Street Project, Increasing The Contract By \$198,129.26 From The Amount Of \$7,665,600.21 To A New Total Amount Of \$7,863,729.47. The Funding Source Will Be The CDBG Disaster Recovery Non-Housing Round 2.2 Program. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)
- 11.L. Consider For Approval Change Order #7 For The Contract With Main Lane Industries, Ltd., For The Reconstruction Of Market Street From 25th Street To 19th Street Project, Decreasing The Contract From \$3,862,805.87 By The Amount Of \$28,530.00 To A Cost Of \$3,834,275.87. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)
- 11.M. Consider For Approval Change Order #8 From Triple B Services, LLC, For The Sealy Avenue Improvements From 33rd To 25th Project, Increasing The Contract Amount From \$2,638,276.28 By \$57,813.25 To The New Cost Of \$2,696,089.53, And Increasing The Term By 134 Days To A New Term Of 596 Calendar Days. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)
- 11.N. Consider For Approval Change Order #1 For The Contract With RAC Industries, LLC., For The Sidewalk Construction - Avenue L From 53rd St To 43rd St & Avenue M From 35th St To 28th St Project, Decreasing The Contract From \$685,866.00 By The Amount Of \$124,819.50 To A Final Cost Of \$561,046.50. (R. Blackketter)
- 11.O. Consider Approving The Renewal Of The Oracle Database Software Maintenance Contract For \$22,943.25 Utilizing DIR Contract TSO – 4158, Oracle America, Inc. (H. Dean)
- 11.P. Consider For Approval The Payment Of \$40,180.79 To Tyler Technologies For Software Maintenance Of The Court Case Management System Used By Municipal Court. The Funding Source Is The Court Technology Fund.
- 11.Q. Consider For Approval The Purchase And Installation Of Furniture For The New Fire Station #1 Located At 823 26th Street For A Total Cost Of \$149,620.64. The Funding Source Is Governmental Expenditures - Capital Outlay. (M. Wisko)
- 11.R. Consider For Approval To Authorize Payment For Professional Consulting Services Up To But Not To Exceed \$50,000.00 Pursuant To The Contract Between The City And Applied GRT, LLC Are For FY 2018-19 (Legal).
- 11.S. Consider For The Approval Allowing The Fleet Facility To Receive The Listed Rolling Stock And Associated Equipment From The Defense Logistics Agencies 1033 Program, Which Allows Excess US Military Equipment To Be Donated To Law Enforcement Agencies, And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith / Chief Hale)
- 11.T. Consider For The Approval Of A Resolution Of The City Council Of The City Of Galveston Approving The Amended 2019 City Of Galveston, Island Transit Title VI Plan As Required By The Federal Transportation Administration And The Texas Department Of Transportation. (D. Smith)

**Resolution No. 19-006**

- 11.U. Consider For The Approval Of A Resolution Of The City Council Of The City Of Galveston Establishing Certain Special Events As Serving Public Purposes, Authorizing The City Manager To Execute The Standard Form Agreement From The Texas Department Of Transportation For Temporary Closure Of State Right Of Ways For Each Event Along With All Other Necessary Documents. (D. Smith)  
**Resolution No. 19-007**
- 11.V. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (Two Service Pickups) And Associated Equipment From Silsbee Ford Through HGAC Buy For A Total Price Of \$62,176 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)
- 11.W. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (HD Hook-Lift Truck) And Associated Equipment From Houston Freightliner Through HGAC Buy For A Total Price Of \$205,309 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)
- 11.X. Consider For Approval Minutes Of The December 13, 2018 Workshop And Regular Meeting. (J. Williams)
- 11.Y. Receive And File The Annual Reporting Per Rate Schedule RCE (Rate Case Expense Surcharge Rider) Effective July 27, 2016 For The Gulf Coast Service Area Served By Texas Gas Service.
- 11.Z. Receive And File The Galveston College Foundation 2018 Annual Report.
- 11.AA. Receive And File The 2018 Report Of Property Value - Galveston Central Appraisal District.
- 11.BB. Consider Approval To Ratify The City Manager's Action Approving A Contract With T-Construction, LLC To Facilitate The Emergency Repairs To The Sanitary Sewer And Storm Sewer Cave-In Located At 25th Street And Strand Due To Public Safety Concerns In The Amount Of \$39,970.00 Consistent With Sec. 252.022 (A)(2) If The Local Government Code. (K. Hockersmith)

## 12. ACTION ITEMS

- 12.A. Discuss And Consider Approval Of \$130,000 For Drainage And Roadwork Improvements For Stewart Beach. (Brown/Yarbrough)  
**Motion was made by Mayor Yarbrough, second by CM Collins, to defer this item at the request of the Park Board. Unanimously approved.**
- 12.B. Discuss And Consider For Approval The Letter To The US Army Corps Of Engineers Dated January 24, 2019 Relating The City's Comments To The Coastal Texas Protection And Feasibility Study And The Tentatively Selected Plan And Authorizing The Mayor Of Galveston To Sign Same For Immediate Dispatch. (Legal)  
**Motion was made by CM Cole, second by MPT Brown, to approve the final letter to the US Army Corps of Engineers and authorizing the Mayor to sign the letter. Unanimously approved.**
- 12.C. Discuss And Consider Request From Artist Boat For Additional Time To Continue Their Commercial Operations In A Residential Area. (Legal)  
**(1) Motion was made by CM Cole, second by CM Collins, to have the City Attorney go ahead and file violations of land use for Artist Boat but not to activate those violations until June 1, 2019 should Artist Boat still be in violation of the zoning at that address on Avenue O, with the additional caveat and reprisal that the kayaks will be stored away from the property at 2627 Avenue O starting immediately. In favor: Listowski and Cole. In opposition: Yarbrough, Brown, Bly, Collins, and Hardcastle. Motion fails.**  
**(2) Motion was made by MPT Brown, second by CM Collins, to refer this case back to the Enforcement and Legal Department for the management and resolution of this case. In favor: Yarbrough, Brown, Bly, Collins, Hardcastle, and Listowski. Abstention: Cole. Motion passes.**
- 12.D. Discuss And Consider Appointments To The Following City Boards, Commissions, And Committees:

**Motion was made by CM Cole, second by CM Collins, to appoint Sherry Rooks, Joe Cappadona, Sidney Tregre, Leah Tuten, and Stephen Duncan. The motion passed 6-0; Mayor Yarbrough was not present for the vote.**

13. ADJOURNMENT

**The meeting was adjourned at 4:39 p.m.**

Janelle Williams, City Secretary

Date Approved:

**DRAFT**  
**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON**  
**WORKSHOP - FEBRUARY 28, 2019**

2/28/2019 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER  
**With a quorum present, the workshop was called to order at 8:34 a.m.**

2. ROLL CALL

**Present: Mayor Pro Tem Craig Brown, Council Member Amy Bly, Council Member David Collins, Council Member Jason Hardcastle, Council Member John Listowski, and Council Member Jackie Cole.**

**Absent: Mayor James Yarbrough.**

3. DISCUSSION ITEMS

- 3.A. Clarification Of Consent And Regular City Council Agenda Items - This Is An Opportunity For City Council To Ask Questions Of Staff On Consent And Regular Agenda Items. (30 Minutes)  
**Agenda Items 8E, 10A, 11A, 11G, 11N, 11O, 11P, 11S, 11T, 11U, 11V, 11W, and 11X were clarified by Staff and Council.**
- 3.B. Joint Workshop Between The City Council And The Park Board Of Trustees To Discuss Items Of Mutual Interest (City Council - 1 Hour)

**A Joint Workshop was held between the City Council and the Park Board.**

**Discuss East End Lagoon Business Plan - Sheryl Rozier presented the East End Lagoon Nature Preserve Plan. The Park Board is looking for concurrence from the Council in order to move forward with the due diligence portion of the plan. The Park Board has received notification of being on the short list to receive \$1.4 million in RESTORE funds to be used for construction of an open air structure, and requests \$50,000 from the City over the next eight years to support the overall East End Lagoon Plan. The open air structure is a shovel ready project.**

**Discuss Park Board Management of Arts and Historical Preservation Funding - Discussion was held regarding transferring the Arts & Historic functions to the Park Board. The Park Board met earlier this week and voted to accept 5/8ths of a penny (or \$1.25 million) from the City and the Park Board will contribute the remaining funds of \$250,000 to maintain the current total amount of funding for the program. The Park Board is looking into grants funds to further support the program. Discussion was held regarding potential conflicts of interest for current Park Board members whose organizations receive Arts & Historic grant funds. These Park Board members declare conflicts for the record and will abstain from any discussion and/or voting on Arts & Historic related agenda items. The Arts & Historic Preservation Advisory Board has extended their application deadline to May 1 in anticipation of the transfer, and will be an advisory committee to the Park Board during the first year. Spencer Priest advised the Park Board would not be making any significant changes to the program in the first year. The Advisory Board would be operating at the Park Board. An Interlocal Agreement will be drafted for the City Council and the Park Board to approve. This item will be placed on the March 28th agenda for the Council's consideration.**

- 3.C. Discuss Proposed Valet Parking Ordinance (M. Gray - 30 Minutes)  
**Marshall Michael Gray and Assistant City Attorney Donna Fairweather presented Council with amendments to the proposed ordinance. Discussion was held regarding fees for paid parking spaces in addition to the annual permit base fees, current unauthorized valet parking areas, and valet parking vehicles on the street in areas other than downtown. This item will be placed on the March workshop for further discussion.**
- 3.D. Discuss Membership And Facility Rental Fees For Recreation Centers, Parks, And Athletic Fields That Are Under Management Of The Parks And Recreation Department (M. Rabago - 20 Minutes)

**Mario Rabago presented current and proposed rates for the McGuire Dent Recreation Center, Menard Park Band Shell, ballfield rentals and tournaments, Lasker Park Community Pool, and Beach Pocket Park #1 wedding space rental. The Council expressed concerns regarding staff's proposal to start charging users for admission to McGuire Dent. This item will be placed on next month's agenda for the Council's consideration.**

**3.E. Receive And Discuss An Update On Debt Management (D. Buckley/M. Loftin - 30 Minutes)**

**Deputy City Manager Dan Buckley presented the draft Debt Management Policy to the Council. He advised it is an essential policy for the City to have. He reported that the City is not a heavy user of debt, but that may change if the 2-1/2 cent tax cap is approved by the State Legislature. The Finance and Fiscal Affairs Committee will review the policy at their next meeting. This item will be placed on next month's workshop agenda for the Council's review.**

**4. EXECUTIVE SESSION**

**The City Council took a five minute break at 12:30 p.m., convened into Executive Session at 12:35 p.m., and reconvened into Open Session at 1:16 p.m. No action was taken during Executive Session.**

**4.A. Pursuant To Texas Gov't Code 551.071- Consultation With Attorney, An Executive Session Will Be Conducted To Discuss And Receive Legal Advice Concerning Pending Litigation And/Or A Settlement Offer, Or On A Matter In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflicts With This Chapter, Related To The Following:**

**4.A.1. Alan Flores V. City Of Galveston**

**4.A.2. Briefing On Matters Related To The Police Pension Board And Its Retirement Fund**

**5. ADJOURNMENT**

**The workshop was adjourned at 1:17 p.m.**

Janelle Williams, City Secretary

Date Approved:

**DRAFT**  
**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON**  
**REGULAR MEETING - FEBRUARY 28, 2019**

2/28/2019 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER  
**With a quorum present, the meeting was called to order at 1:22 p.m.**

2. ROLL CALL

**Present: Mayor Pro Tem Craig Brown, Council Member Amy Bly, Council Member David Collins, Council Member Jason Hardcastle, Council Member John Listowski, and Council Member Jackie Cole.**

**Absent: Mayor James Yarbrough.**

3. INVOCATION

**The invocation was given by Rev. Fr. Jude Ezuma, Pastor - Holy Family Parish.**

4. PLEDGE OF ALLEGIANCE

**The Pledge of Allegiance to the American Flag and Texas Flag were led by Dr. Brown.**

5. CONFLICTS OF INTEREST

**None.**

6. PRESENTATIONS/REPORTS OF COUNCIL, OFFICER BOARDS, AND CITY MANAGER

- 6.A. Pursuant To Texas Government Code Section 551.0415, The City Council May Report On Any Of The Following Items:

1. Expressions of thanks, gratitude, and condolences - **City Manager Brian Maxwell expressed condolences to the family of Joyce Dundee.**

2. Information regarding holiday schedules

3. Recognition of individuals

a. **President George Washington Day - presented by Dr. Cole.**

b. **Z Krewe - presented by CM Collins.**

c. **Grayson Baird - presented by CM Bly.**

d. **Richard Batie - presented by Dr. Brown.**

e. **IHop National Pancake Day - presented by CM Hardcastle.**

f. **Tree City USA Designation - presented by Pete Collins.**

4. Reminders regarding City Council events

5. Reminders regarding community events

6. Health and safety announcement

- 6.B. City Manager's Report - The Investment Report For Quarter Ended December 31, 2018 (M. Loftin)  
**The Investment Report was presented by Assistant City Manager Mike Loftin.**

7. COMMUNICATIONS AND PETITIONS

7.A. Claims

**18-110 - Linda Strevell; 18-111 - Jennifer Miller; 18-112 - Derena Tuck; 18-113 - Joseph Galucci; 18-114 - Aleitha Sykes; 18-115 - Ryan Hermary; 19-001 - Manuela DeLaFuente; 19-002 - Michelle Moreno; 19-003 - Alex Del Valle; 19-004 - William Coon; 19-005 - Texas Gas Service; 19-006 - William Stephenson; 19-007 - Dale Atchley.**

8. PUBLIC HEARINGS



- 8.A. Public Hearing Only - An Ordinance Of The City Of Galveston, Texas, Adopting The 2019 Water Conservation Plan For The City Of Galveston That Includes And Incorporates The Prior City Of Galveston Drought Contingency Plan, Texas Commission On Environmental Quality (Tceq) And Texas Water Development Board (Twdb) Rules, Gives Specifications Of Water Conservation Goals, Improving The Efficiency In The Use Of Water, Increasing Recycling And Reuse Of Water, Improving The Efficiency Of Water Utilities And Prevention Of Pollution Of Water; Making Various Findings And Provisions Related To The Subject And Providing For An Effective Date. (B. Cook)

**The Ordinance was read by caption. The public hearing was opened; with no speakers the public hearing was closed. Brandon Cook provided staff comments.**

- 8.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Changing The Zoning From A Commercial (C) Zoning District To A Residential, Single Family (R-1) Zoning District On Properties Commonly Known As 21201, 21205, 21209, 21213, 21301, 21305, 21309, And 21313 Scissor Tail Lane And Adjacent Reserves To The South. The Properties Are Legally Described As The Estates Of Sunset Cove Phase 2; Lots 1-4, Block 1, Estates Of Sunset Cove Phase 2, Lots 1-4, Block 2; And Part Of Adjacent Reserves 8 (0-11), Estates Of Sunset Cove, Phase 2, In The City And County Of Galveston, Texas. Planning Case Number 19P-004; Making Various Findings And Provisions Related To The Subject. (J. Norman)

**Ordinance No. 19-013 was read by caption. The public hearing was opened; with no speakers the public hearing was closed. Motion was made by MPT Brown, second by CM Bly, to approve the ordinance. Unanimously approved by those present.**

- 8.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Leroy Naschke, Sr. Field, A Portion Of Property Located At 301 Albacore Commonly Known As Lindale Park, As A "Galveston Landmark", Property Is Legally Described As M Menard Survey, Tract 146, 6.968 Acres, In The City And County Of Galveston, Texas; Requesting The Historic Preservation Officer Record The Property's Landmark Designation In The Official Public Records Of Real Property In Galveston County, The Tax Records Of The City Of Galveston And The Central Appraisal District, And The Official Zoning Maps Of The City Of Galveston, Texas; Planning Case Number 19p-008; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

**Ordinance No. 19-014 was read by caption. The public hearing was opened. Frank Maceo and Robert Mohovil spoke in favor of the ordinance. The public hearing was closed. Motion was made by CM Collins, second by CM Hardcastle, to approve the ordinance. Unanimously approved by those present.**

- 8.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The 2015 Galveston Land Development Regulations, Article 2: Table 2.201: Permitted Uses And Limited Use Standards Regarding Standards For Parking Lots / Structures; And To Conform Conflictual Language Pertaining To Duplex Land Use In Residential Single-Family R-1 And R-3 Districts, And Residential Townhouse Districts (R-2); Planning Case Number 18za-007; Making Various Findings And Provisions Related To The Subject. (A. Montalvan)

**Ordinance No. 19-015 was read by caption. The public hearing was opened; with no public speakers the public hearing was closed. Motion was made by MPT Brown, second by CM Collins, to approve the ordinance. Unanimously approved by those present.**

- 8.E. Consider For Approval An Ordinance Of The City Council Of The City Of Galveston, Texas, Terminating, Repealing And Or Cancelling A Planned Unit Development Overlay (PUD) In An Urban Neighborhood (UN) Zoning District, Granted Under Ordinance No. 18-002 On Property Commonly Known As 3826 Avenue R And Legally Described As Galveston College Addition No. 2 (2017), Abstract 628, Lot 1, In The City And County Of Galveston Texas; Planning Case Number 19P-003; Making Various Findings And Provisions Related To The Subject And Providing For An Effective Date. (D. Lunsford)

**Ordinance No. 19-016 was read by caption. The public hearing was opened; with no speakers the public hearing was closed. Motion was made by CM Hardcastle, second by CM Listowski, to approve the ordinance. Unanimously approved by those present.**

## 9. PUBLIC COMMENT

**Agenda Items - Rhonda Gregg-Hirsch - Item 10A; Theresa Morris - Item 11A.**

## 10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending "The Code Of The City Of Galveston 1982, As Amended", Chapter 8, "Beaches And Waterways", To Allow For Regulations Related To Maintaining A Clean Beach And Promoting Environmentally Conscious Conduct By Beach Users; Providing For A Penalty; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (D. Henry)  
**Ordinance No. 19-017 was read by caption. Motion was made by MPT Brown, second by CM Hardcastle, to approve the ordinance. Unanimously approved by those present.**
- 10.B. Consider For Approval Renewing An Ordinance Of The City Of Galveston, Texas, Amending Chapter 26 "Parks And Recreation" Of "The Code Of The City Of Galveston 1982, As Amended," By Creating Articles IV, "Youth Services Standards Of Care" And Sections Thereunder; Adopting The Youth Services Standards Of Care For 2019, Thereby Defining Minimum Standards Of Care By Which The City Of Galveston And Its Recreation Department Will Operate The City's Youth Recreational Programs; Providing For An Annual Review And Re-Adoption Date Thereafter; Making Various Findings And Provisions Related To The Subject. (M. Rabago)  
**Ordinance No. 19-018 was read by caption. Motion was made by CM Bly, second by CM Hardcastle, to approve the ordinance. Unanimously approved by those present.**

#### 11. CONSENT ITEMS

The following items shall be considered for action as a whole, unless one or more Council Members objects. The City Manager is authorized to execute all necessary documents upon final approval by the City Attorney.

**Motion was made by MPT Brown, second by CM Bly, to approve Consent Items 11A through 11JJ, except Item 11G.1. Unanimously approved.**

- 11.A. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Encouraging Food And Beverage Establishments Within The City Of Galveston To Refrain From Providing Plastic Straws And Stirrers To Their Customers Except On Specific Request, Encouraging The Use Of Paper, Plants And Other Natural Materials In Lieu Of Plastic Straws And Stirrers, Directing The City Secretary To Send Certified Copies Of This Resolution To The Galveston Restaurant Association And The Galveston Chamber Of Commerce For Dissemination To Their Members; Providing For Findings Of Fact And For An Effective Date. (Brown/Yarbrough)  
**Resolution No. 19-008**
- 11.B. A Resolution Of The City Council Of The City Of Galveston, Texas, Establishing A Complete Count Committee (Ccc) Program To Increase Awareness Of Census 2020 And Increase Census Participation; Providing For The Committee's Duties, Term, Membership, Quorum, Voting, Meetings, And Rules Of Procedure; Providing For Findings Of Fact And Providing For An Effective Date. (D. Henry)  
**Resolution No. 19-009**
- 11.C. Consideration Of Granting Authorization To The City Attorney To Retain The Services Of The Firm Of Denton Navarro To Assist In The Conduct Of Collective Bargaining With The Galveston Municipal Police Association In Upcoming Collective Bargaining Discussions. (Legal)
- 11.D. Consider Approval Of An Award For Three Year Contract, With Two Optional One-Year Renewals For Bid 19-004 Lumber, Building Materials, And Supply. (M. Loftin)
- 11.E. Consider For Approval Joining The Goodbuy Purchasing Cooperative, Operated By The Education Service Center, Region 2, Located In Corpus Christi, Texas. (M. Loftin)
- 11.F. Consider For Approval To Authorize The City Manager Or His Designee To Execute A Certification Of Consistency With The City's Consolidated Plan (HUD Form-50077-SL) For The Galveston Housing Authority. (A. Law)
- 11.G. Broadway Corridor - Street Luminaires

- 11.G.1. Consider For Approval The Purchase Of Goods For The Street Luminaires Project For The Broadway Corridor From Facility Solutions Group, Inc. In The Amount Of \$49,462.50. (K. Hockersmith)
- (1) Motion was made by CM Cole, second by CM Bly, to defer this item until we are able to get a bid for LED lights that will fit the light fixtures but at 3000K. In favor: Cole. In opposition: Brown, Bly, Collins, Hardcastle, and Listowski. Motion fails.**
- (2) Motion was made by MPT Brown, second by CM Collins, to approve the purchase. The motion carried 5-0; CM Cole abstained from voting.**
- 11.G.2. Consider Authorizing The Expenditure And Scope Of Work To Crescent Electric For The Repair And Replacement Of Broadway Street Luminaires For An Amount Not To Exceed \$113,183.50. (T. Wroblewski)
- 11.H. Consider For Approval A Memorandum Of Agreement Between The City Of Galveston And The United States Coast Guard For Fire And Rescue Services For The Coast Guard Base And On The Various Marine Vessels Operating At The Base. (M. Wisko)
- 11.I. Consider For Approval The Purchase Of 41 Full Sets Of Personal Protective Equipment, 4 Pairs Of Firefighting Gloves, 4 Pairs Of Firefighting Boots And 2 Fire Helmets For A Total Cost Of \$98,827.70 From NAFECO, A Buy Board Company. (M. Wisko)
- 11.J. Consider For Approval Payment To The Galveston County Emergency Communication District For Annual Radio Airtime Fees In The Amount Of \$30,690.00 To Be Funded From The Police Department's Maintenance Contracts Budget. (V. Hale)
- 11.K. Consider For Approval Awarding Bid #19-003 To The Two Lowest Responsive Bidders For A Three (3) Year Contract For Demolition Services Of Unsafe, Dangerous Or Substandard Structures In The City Of Galveston. The Source Will Be Funded Through Code Enforcement General Fund Demolition Account. (D. Stark)
- 11.L. Consider For Approval A Resolution Of The City Council Of The City Of Galveston Requesting The Members Of The 86th Legislative Session Of The State Of Texas To Support Legislation That Provides Stewardship, Health And Well Being, And Connectivity For Local And State Parks; Directing The City Secretary To Forward A Certified Copy Of This Resolution To Governor Greg Abbott And Members Of The 86th Legislature; Providing For Findings Of Fact And Providing For An Effective Date. (M. Rabago)
- 11.M. Withdrawn
- 11.N. Consider For Approval An Agreement Between The City Of Galveston And Roy Salinas, Authorizing Roy Salinas To Manage And Operate Food And Beverage Concessions At The Crockett Park Baseball Complex. (M. Rabago)
- 11.O. Consider For Approval An Agreement Between The City Of Galveston And Galveston Lassie League Softball Organization (GLLSO), Authorizing GLLSO To Manage And Operate Food And Beverage Concessions At The Lassie League Softball Complex, Also Known As Watson Field, Godnich Field, And Carter Field. (M. Rabago)
- 11.P. Consider For Approval A Proposal From Intertek PSI For \$19,913 To Perform Pre-Design Geotechnical Engineering Services To Establish Revised Design Parameters For The Proposed Modifications To The Legas Drive Bulkhead Repair Project Design. (D. Christodoss)
- 11.Q. Consider For Approval A Proposal From Braun Intertec For \$94,005 To Perform Construction Material Testing For 45th Street Reconstruction From Broadway To Seawall. (D. Christodoss)
- 11.R. Consider For Approval A Proposal From Intertek PSI For \$94,005 To Perform Construction Material Testing For Sanitary Sewer Improvements Construction Along 8 Mile Road From Stewart Road To Sunny Beach Project. (D. Christodoss)

- 11.S. Consider For Approval Of Change Order No. 14 To The Contract With Cardinal Contractors, Inc., For The New 59th Street Pump Station Project, Increasing The Contract By \$264,460.50 To A New Total Amount Of \$18,168,750.94, And Extending The Time By 109 Calendar Days. (R. Blackketter)
- 11.T. Consider For Approval Of Change Order No. 1 To The Contract With LEM Construction Co., Inc., For The Airport Wastewater Treatment Plant Improvements Project, Increasing The Contract By \$148,271.24 From The Amount Of \$6,792,200.00 To A New Total Amount Of \$6,940,471.24, And Reducing The Contract Term By 37 Days. (R. Blackketter)
- 11.U. Consider For Approval Change Order No. 1 To The Contract With Lucas Construction Co., Inc., For The Market Street Sidewalk & Curb Reconstruction (25th To 33rd) Project, Increasing The Contract By \$38,940.00 From The Amount Of \$1,134,575.00 To A New Total Amount Of \$1,173,515.00, And Extending The Contract Term By 30 Days. (R. Blackketter)
- 11.V. Consider For Approval Of Change Order No. 1 To The Contract With Alamo Environmental Inc. Dba Alamo1, For The City Of Galveston Incinerator Demolition And Concrete Cap Construction Project, Increasing The Contract By \$181,689.75, From The Amount Of \$4,313,876 To A New Total Amount Of \$4,495,565.75. (R. Blackketter)
- 11.W. Consider For Approval Of Change Order No. 1 To The Contract With Main Lane Industries, Ltd., For The 45th Street Improvements From Broadway To Seawall Boulevard Project, Increasing The Contract By \$854,026.00 From The Amount Of \$8,994,097.00 To A New Total Amount Of \$9,848,123.00, And Extending The Contract Term By 103 Days. (R. Blackketter)
- 11.X. Consider For Approval Of Change Order No. 2 To The Contract With Tucon, LLC, For The 30th Street Tank Demolition Project, Increasing The Contract By \$18,674.38 From The Amount Of \$599,913.58 To A New Total Amount Of \$618,587.96, And Extending The Contract Term By 60 Days. (R. Blackketter)
- 11.Y. Consider Rejecting All Proposals Received For The Reconstruction Of 83rd Street From South Of Cessna To Stewart Road Project (RFP #19-06) (R. Blackketter)
- 11.Z. Consider Rejecting All Proposals Received For The 29th Street Improvements From Harborside To Church Project (RFP #18-35). (R. Blackketter)
- 11.AA. Consider Rejecting All Proposals Received For The Lake Madeline Riprap Replacement - Legas Drive & Lakeview Street Project (RFP #19-01) (R. Blackketter)
- 11.BB. Consider For Approval Accepting All Public Water And Sewer Infrastructure Improvements For Sweetwater Cove Subdivision For The Initial Two-Year Maintenance Period. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)
- 11.CC. Consider For Approval Payment Of An Amount Not To Exceed \$135,000.00 To T Construction, LLC For Emergency Repairs To The Fraser To Stewart Avenue Sanitary Sewer System Between 57th Street And Bayou Shore Drive. (A. Grasso)
- 11.DD. Consider For The Approval Awarding RFP 19-08A To All Tech Fuel Systems LLC For The TCEQ Upgrades And Repairs To The Trolley Barn Fuel Delivery System For A Total Cost Of \$45,907.36. (D. Smith)
- 11.EE. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (HD Trailers-2) And Associated Equipment From Doggett Heavy Machinery Through HGAC Buy For A Total Price Of \$50,980. (D. Smith)
- 11.FF. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (HD Service Truck) And Associated Equipment From MHC Kenworth Through Buy Board For A Total Price Of \$149,708.32

And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

- 11.GG. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (Gradall) And Associated Equipment From Associated Supply Co., Inc. (ASCO) Through HGAC Buy For A Total Price Of \$364,448.62 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)
- 11.HH. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (Excavator) And Associated Equipment From Mustang Cat Through HGAC Buy For A Total Price Of \$155,437.81. (D. Smith)
- 11.II. Consider For Action Accepting The Proposal From Aptim Environmental & Infrastructure, LLC. For Professional Services To Perform Wading Depth And Depth Of Closure Surveys Of The Beach, And To Authorize The City Manager To Approve A One-Year Agreement With Three (3) One-Year Renewal Options. Funding To Come From The Park Board Of Trustees And The Beach Silo Of The IDC 4B Sales Tax, In An Amount Not To Exceed \$121,668.00. (D. Henry)
- 11.JJ. Consider For Action Authorizing The City Manager To Approve An Interlocal Agreement Between The City And The Galveston Park Board Of Trustees Regarding Cost Sharing For Annual Beach Surveys. (D. Henry)

## 12. ACTION ITEMS

- 12.A. Discuss And Consider Scheduling Special Called City Council Workshops In 2019. (Yarbrough)  
**Motion was made by MPT Brown, second by CM Collins, to defer this item to the next meeting. Unanimously approved by those present.**
- 12.B. Discuss And Consider Appointments To The Following City Boards, Commissions, And Committees:  
**Motion was made by CM Bly, second by MPT Brown, to appoint Kurt Gonzales and Joe Hoff. Unanimously approved by those present.**

## 13. ADJOURNMENT

**The meeting was adjourned at 2:40 p.m.**

Janelle Williams, City Secretary

Date Approved: