

**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
REGULAR MEETING - MAY 26, 2022**

5/26/2022 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER

With a quorum present, the meeting was called to order at 5:00 p.m.

2. ROLL CALL

Present: Mayor Craig Brown, Mayor Pro Tem David Collins, Council Member Sharon Lewis, Council Member William Schuster, Council Member Mike Bouvier, Council Member John Listowski, and Council Member Marie Robb.

Mayor Brown made a statement related to the shooting event in Uvalde, Texas and called for a moment of silence.

3. INVOCATION

The invocation was given by His Eminence Daniel Cardinal DiNardo of the Archdiocese of Galveston-Houston.

4. PLEDGE OF ALLEGIANCE

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

5. CONFLICTS OF INTEREST

CM Robb declared a conflict on Item 10D.

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 - **Mayor Brown offered condolences to the family of Galveston County Commissioner Ken Clark. CM Robb thanked all veterans and their families in honor of Memorial Day.**

2. Information regarding holiday schedules - **City Hall will be closed on Monday for Memorial Day.**

3. Recognition of individuals

a. 175th Anniversary of the Archdiocese of Galveston-Houston Proclamation - **Mayor Brown presented the proclamation to His Eminence Daniel Cardinal DiNardo.**

b. The late Council Member Bill Quiroga - presentation of Portrait and Proclamation by Council Member Robb - **CM Robb presented the proclamation and portrait to the family members of the late Council Member Bill Quiroga.**

c. National Beach Safety Week Proclamation - **CM Schuster presented the proclamation to Chief Peter Davis.**

d. National Safe Boating Week - **CM Bouvier presented the proclamation to Galveston Station Coast Guard Members.**

e. Strengthening Police and Community Partnerships Day Proclamation - **postponed.**

4. Reminders regarding City Council events

5. Reminders regarding community events

6. Health and safety announcement

7. COMMUNICATIONS AND PETITIONS

Claims: 22-029 - Thomas Weaver; 22-030 - Jorge R. Marcial; 22-031 - Kenneth Frazier; 22-032 - Juana Carmona; 22-033 - Maria Gallardo Colemanarez; 22-034 - Alexander W. Morales; 22-035 - One Gas Company; 22-036 - One Gas Company; 22-037 - Shalonda Smith; 22-038 - Eric Steinbach; 22-039 - Candice Anderson.

8. PUBLIC HEARINGS

- 8.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The 2015 Galveston Land Development Regulations, By Amending Article 2: Uses And Supplemental Standards, And Article 14: "Definitions", Related To Golf Carts, In Order To Reduce Confusion And Provide More Uniform Regulation Of Golf Cart Businesses; Planning Case Number 22ZA-002; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

Ordinance No. 22-024 was read by caption. Catherine Gorman provided staff comments. The public hearing was opened and closed with no comments from the public. Motion was made by CM Schuster, second by MPT Collins, to approve the ordinance. Unanimously approved.

- 8.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Changing The Zoning From Residential, Single-Family (R-1) Zoning District To Restricted Residential, Single Family (R-0) Zoning District On Various Properties As Provided In The Attached Map, In The City And County Of Galveston, Texas. Planning Case Number 22P-021; Making Various Findings And Provisions Related To The Subject. (P. Milburn)

Ordinance No. 22-025 was read by caption. Catherine Gorman provided staff comments. The public hearing was opened and closed with no comments from the public. Motion was made by CM Listowski, second by CM Robb, to approve the ordinance. Unanimously approved.

- 8.C. Sightseeing And Tour Franchise - Baywatch Island Tours

Consider For Approval An Ordinance Of The City Council Of The City Of Galveston, Texas, Granting To Baywatch Island Tours , The Right, Privilege, And Franchise To Use All Streets, Avenues, And Other Public Highways In The City Of Galveston For And During The Period Of Ten (10) Years For The Purpose Of Operating And Maintaining A Sightseeing And Tour Franchise For Transporting Passengers For Compensation In Said City; Providing Compensation To The City; Requiring Indemnity And Insurance; Requiring Payment Of Ad Valorem Taxes; Providing For Forfeiture Of This Franchise; Requiring Written Acceptance By Grantee; Finding The Public Convenience And Necessity Requires Such Transportation Service; Providing A Savings Clause; Providing A Severability Clause; Declaring Findings Of Fact; Providing An Effective Date. (A. Montalvan)

Ordinance No. 22-026 was read by caption. Adriel Montalvan provided staff comments. The public hearing was opened and closed with no comments from the public. Motion was made by CM Schuster, second by MPT Collins, to approve the ordinance. Unanimously approved.

9. PUBLIC COMMENT

Non-Agenda Items: Randall Rubenstein and Rob Rubenstein - assault on Island Transit Bus; Max Zorbes - Galveston Yellow Cab, cab fees; Ted O'Rourke - proposed memorial for Dr. Nancy Hughes; Susan Horton - party crowds; Tarris Woods - 30th Street Pump Station.

10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending Chapter 32, "Streets, Sidewalks And Public Places", Article I. "In General", Section 32-5, "Placement Of Items Within The City Right-Of-Way" And Chapter 34, Article V, Division 1, Section 34-116 "Passageways And Parking Area; Blocking And Monopolizing", Of "The Code Of The City Of Galveston, Texas, 1982," To Increase Consistency Among Regulations Regarding Golf Carts And Neighborhood Electric Vehicles; Making Various Findings And Provisions Related To The Subject; Planning Case Number 22PA-004. (C. Gorman)

Ordinance No. 22-027 was read by caption. Catherine Gorman provided staff comments. Motion was made by MPT Collins, second by CM Schuster, to approve the ordinance. Unanimously approved.

- 10.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending Chapter 34, "Traffic" Of "The Code Of The City Of Galveston 1982, As Amended" Section 34-119 (H) " Parking On Private Property"; Updating The Section And Making Various Findings And Provisions Related To The Subject And Providing For An Effective Date. Planning Case Number 22PA-003. (C. Gorman)

Ordinance No. 22-028 was read by caption. Catherine Gorman provided staff comments. Motion was made by CM Robb, second by CM Lewis, to approve the ordinance. Unanimously approved.

- 10.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of The City Of Galveston, Galveston 1982, As Amended, By Amending Chapter 2, "Administration", Article IV. – "Boards, Commissions And Committees", "Division 7. Civilian Review Board", In Its Entirety; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Legal)

Ordinance No. 22-029 was read by caption. Catherine Gorman provided staff comments. Motion was made by CM Robb, second by MPT Collins, to approve the ordinance. Unanimously approved.

- 10.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Approving A Pipeline Easement Agreement For Property Commonly Located At 5202 Old Port Industrial Road, In The City And County Of Galveston, Texas; Designating The City Manager Upon Approval Of The City Attorney, To Execute Those Documents Necessary To Implement The Agreement; Making Various Findings And Provisions Related To The Subject. (R. Winiecke)

Staff advised that an Ordinance is not needed for approval of the easement agreement. Motion was made by Mayor Brown, second by CM Listowski, authorizing the City Manager to execute the easement agreement described in the staff report. The motion passed 6-0; CM Robb declared a conflict and did not participate in the discussion or vote.

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 Robb, second by MPT Collins, to approve Consent Items 11A through 11W, except Item 11D. Unanimously approved.

- 11.A. Consider For Action Adopting The 2022 Proposed Investment Policy. (M. Loftin)
- 11.B. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Expressing Its Support For Construction Of The State Highway 99 (Grand Parkway) Segment B Which Will Extend Critical Advancement Of Transportation Movements And Essential Additional Emergency Evacuation Routes During Natural Disasters. (Brown)

Resolution No. 22-013

- 11.C. Consider For Approval RFP #22-09 Authorizing The City Manager To Enter Into A Three (3) Year Contract, With Two (2) One-Year Successive Renewals, With Flamingo Gardens, For Lawn Maintenance And Landscaping At Various City-Owned Locations, With Final Review And Approval By The City Attorney. (B. Sanderson)
- 11.D. Consider For Approval The Acceptance Of A Donation Valued At Approximately \$1,000,000.00 From Ms. Georgann Maggie, In Memory Of Marikate Georgann Maggio, For Physical Improvements To Lassie League Softball Complex At 2506 83rd Street. (B. Sanderson)

Director of Parks and Recreation Department Barbara Sanderson introduced Ms. Georgann Maggio, Marikate's Coach Ernest, and Tony Pretts to Council. Coach Ernest read a letter from Ms. Maggio to Council requesting acceptance of the donation for improvements to the Lassie League Softball Complex. Motion was made by Mayor Brown, second by CM Robb, to approve Item 11D. Unanimously approved.

- 11.E. Consider For Approval A Request Authorizing The Award Of A Professional Services Contract For Consulting Services For A Needs Assessment And Subsequent System Selection And Implementation Of An Enterprise Resource Planning (ERP) System With BerryDunn McNeil & Parker, LLC (BerryDunn). (M. Loftin/H. Dean)
- 11.F. Consider For Approval An Agreement With ESO Solutions, Inc. For The Purchase And Implementation Of The Fire RMS Management Solution For A Total Cost Of 48,369.80. (C. Olsen/H. Dean)
- 11.G. Consider Approving An Agreement With Carasoft For Accela Application Development Services In An Amount Of \$ 31,289.15 Utilizing The OMNI EDU R191902 Contract. (H. Dean)
- 11.H. Consider Approval Of Change Order #1 To The Contract With American Restoration, LLC For The City Hall Window Project Increasing The Contract By \$43,550.00 From The Amount Of \$285,000.00 To The Revised Contract Amount Of \$328,550.00, Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (C. Kenworthy)
- 11.I. Consider For Approval Authorizing Payment To The County Of Galveston For Construction Of The 23rd Street Paving, Drainage & Utility Rehabilitation From Broadway To Seawall In The Amount Of \$10,616,014; Authorizing The City Manager To Execute All Documents Necessary Upon Final Approval Of The City Attorney. (B. Cook)
- 11.J. Consider For Action Accepting A One-Year Renewal Option Of The Contract With APTIM Environmental & Infrastructure, LLC. For Professional Services To Perform Wading Depth And Depth Of Closure Surveys Of The Beach, And A One-Year Renewal Option Of The Interlocal Agreement Between The City And The Galveston Park Board Of Trustees Regarding Cost Sharing For The Project And Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. Funding To Come From The Galveston Park Board Of Trustees And The Beach Silo Of The IDC 4B Sales Tax, In An Amount Not To Exceed \$109,501.00. (B. Hill)
- 11.K. Consider For Approval A Professional Services Contract With Stantec Consulting Services (Stantec) To Complete The Engineering Design For The South Shore Pump Station In An Amount Of \$4,214,560.05; Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City

Attorney. (R. Winiecke)

- 11.L. Consider Approval Of Change Order #1 To The Contract With RAC Industries, LLC For The Teichman Road Waterline Project Decreasing The Contract By \$331,869.60 From The Amount Of \$2,551,033.65 To The Final Contract Amount Of \$2,219,164.05. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Winiecke)
- 11.M. Consider Approval Of Change Order #1 To The Contract With Texas Gulf Construction Company, Inc. For The Legas Drive Bulkhead Project Decreasing The Contract By \$24,939.09 From The Amount Of \$661,800.72 To The Final Contract Amount Of \$636,861.63. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Winiecke)
- 11.N. Consider For Approval The Sole Source Purchase Of Six (6) Trench Boxes Sized Through Allen Trench Safety Corporation, For A Total Cost Of \$39,148.00. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Pedraza)
- 11.O. Consider For The Approval Of The Added \$22,500 Classified As A "Materials Surcharge" To The Previously Approved Purchase Of Three New Automated Garbage Trucks For The Sanitation Department To Be Purchased From Grande Truck Center Through HGAC Buy. The Extended Price Will Change From \$994,467 To \$1,016,967 Which Is A 2.3% Increase. (D. Smith)
- 11.P. Consider For The Approval Allowing The Purchasing Of Parts And Services Utilizing The Buy Board Cooperative Purchasing Contract With Siddons Martin Emergency Group (Contract 651-21) And Authorize The City Managers Staff To Execute The Agreement Upon Final Approval By The City Attorney. (D. Smith)
- 11.Q. Consider For The Approval Allowing The Purchasing Of Parts And Services Utilizing The Buy Board Cooperative Purchasing Contract With Rush Truck Center (Contract 601-19) And Authorize The City Managers Staff To Execute The Agreement Upon Final Approval By The City Attorney. (D. Smith)
- 11.R. Consider For The Approval Allowing The Purchasing Of Parts And Services Utilizing The Buy Board Cooperative Purchasing Contract With Vanguard Truck Center (Contract 629-20) And Authorize The City Managers Staff To Execute The Agreement Upon Final Approval By The City Attorney. (D. Smith)
- 11.S. Consider For The Approval Of A Resolution Supporting An Extension Of The Interlocal Agreement Between The City Of Galveston, Texas And Harris County (Dba Harris County RIDES), In An Amount Not To Exceed \$460,000 In Support Of Subsidized Taxi Services For The Delivery Of ADA Paratransit/Demand Response Transit Services, And Thereby Authorizing The City Manager To Execute The Attached Agreement Thereof. (D. Smith / J. Oliver)

Resolution No. 22-014

- 11.T. Consider For Approval The Request To Codify The Service Changes That Were Done November 2020 At The Height Of The Pandemic. The Service Reductions In November Of 2020 Included, Discontinuation Of Sunday Services, Discontinuation Of Route #7, And Service Hours Reduction From 10:30 Pm Monday Through Saturday To 7:30 Pm Monday Through Saturday. (D. Smith / J. Oliver)
- 11.U. Consider For The Approval Of The Purchase Of The Two (2) New Rental Automated Garbage Trucks For The Sanitation Department To Be Purchased From Rush Truck Center Through Buy Board (Contract #601-19) For A Reduced Credited Price Of \$539,861.70 And Approve The Chargeback Of \$51,600 (50% Of The Applicable Rental Amount) To The CO Fund. (D. Smith)
- 11.V. Consider For Approval The Use Of The Cooperative Purchasing Contract Through HGAC Contract (RC01-21) From Otto Environmental Systems For The Purchase Of Automated Rollout Garbage Carts In The Amount Of \$46,600.00. Authorizing City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Bender)

11.W. Consider For Approval Minutes Of The April 28, 2022 Workshop And Regular Meeting. (J. Williams)

12. ACTION ITEMS

12.A. Consider For Action Accepting The Recommendation Of The City Attorney To Appoint Trevor Fanning As An Assistant City Attorney (D. Glywasky)

Motion was made by Mayor Brown, second by CM Robb, accepting the recommendation of the City Attorney to appoint Trevor Fanning as an Assistant City Attorney. Unanimously approved.

Supplemental Agenda Item - Motion was made by CM Schuster, second by CM Lewis, to appoint David Collins as Mayor Pro Tem. Unanimously approved.

12.B. Discuss And Consider The Possible Removal Of Commission Members For Failure To Attend The Required Number Of Meetings Within A Twelve-Month Period. (J. Williams)

1. Rejone Edwards - Planning Commission - Motion was made by Mayor Brown, second by CM Schuster, to reinstate Ms. Edwards as Planning Commissioner. Unanimously approved.

2. Milton Alberstadt - Landmark Commission - Motion was made by MPT Collins, second by CM Schuster, to defer action for six months. Unanimously approved.

3. Toner Kersting - Landmark Commission - Motion was made by MPT Collins, second by CM Lewis, to defer action for six months. Unanimously approved.

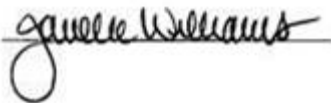
13. RECEIVE AND FILE (Non-Action Items)

a. Letter from Senator John Cornyn - National Day of Prayer

b. Correspondence from Admiral Perry Ellis

14. ADJOURNMENT

The meeting was adjourned at 6:26 p.m.



Janelle Williams, City Secretary

Date Approved: June 23, 2022