

**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON  
REGULAR MEETING - JULY 22, 2021**

7/22/2021 - 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 Dr. Craig Brown, Mayor Pro Tem David Collins, Council Member William Schuster, Council Member Bill Quiroga, Council Member John Listowski, and Council Member Marie Robb.**

3. INVOCATION

The invocation was given by Pastor Alicia Besser of Moody Methodist Church.

4. PLEDGE OF ALLEGIANCE

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

5. CONFLICTS OF INTEREST

**MPT Collins declared a conflict on Item 11D.**

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 Robb congratulated CM Schuster on his recent wedding.**

2. Information regarding holiday schedules

3. Recognition of individuals - **CM Listowski read a Proclamation honoring the life of George White.**

4. Reminders regarding City Council events - **Mayor Brown announced that City Council will consider board appointments to all City boards, commissions, and committees on September 16th.**

5. Reminders regarding community events

6. Health and safety announcement

7. COMMUNICATIONS AND PETITIONS

**Claims: 21-035 - Edward Wheeler; 21-036 - Jeff Brammer; 21-037 - Denise Pope; 21-038 - Iris Guerra; 21-039 - Traci Avertt; 21-040 - Lois Ryan; 21-041 - Andrea Collins; 21-042 - Summer Chapman; 21-043 - Catherine Thomas; 21-044 - Christopher Botello; 21-045 - Delores Esparza; 21-**

**046 - Joseph Meza; 21-047 - Donald Bell; 21-048 - Sonya Porretto; 21-049 - Joe Couti; 21-050 - Tiffany Tsakiris; 21-051 - Glen Thomas; 21-052 - Brad Williams; and 21-053 - Rene Arieta.**

8. PUBLIC HEARINGS

8.A. Galveston Landmark Designation - 2127 Avenue O 1/2

Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 2127 Avenue O 1/2, As A "Galveston Landmark", Property Is Legally Described As M. B. Menard Survey, North 54-3 Feet Of Lot 1 (3001-1), Southeast Block 68 Galveston Outlots, A Subdivision, 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; Designating The Site As A Historically Or Archeological Significant Site In Need Of Tax Relief To Encourage Its Preservation; Planning Case Number 21P-029; Making Various Findings And Provisions Related To The Subject. (D. Lunsford)

**Ordinance No. 21-027 was read by caption. Catherine Gorman provided staff comments. The public hearing was opened; with no speakers, the public hearing was closed. Motion was made by CM Schuster, second by CM Quiroga, to approve the ordinance. Unanimously approved.**

8.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 2201 Market / Avenue D, And Legally Described As M.B. Menard Survey, Lots 6 & 7, Block 502, In The City And County Of Galveston, Texas; As A Historically Or Archeological Significant Site In Need Of Tax Relief To Encourage Its Preservation; Granting A Substantial Rehabilitation For Historic Property Tax Exemption; Designating The City Manager To Execute Those Documents Necessary To Implement The Tax Incentive Program; Planning Case Number 21LC-037; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

**Ordinance No. 21-028 was read by caption. Catherine Gorman provided staff comments. The public hearing was opened; with no speakers, the public hearing was closed. Motion was made by MPT Collins, second by CM Schuster, to approve the ordinance. Unanimously approved.**

8.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Revoking Ordinance Number 21-001, Regarding An Abandonment Of A 300 Linear-Foot (Approximately 6,000 Square Foot) Section Of Right-Of-Way, On Property Commonly Located At The Mid-Block Alley Right-Of-Way Adjacent To 1128 Seawall And Its Adjoining Properties Legally Described Herein, In The City And County Of Galveston, Texas Under Planning Case Number 20p-046; Terminating, Repealing Or Otherwise Cancelling Ordinance No. 21-001; Making Various Findings And Provisions Related To The Subject. (D. Lunsford)

**Ordinance No. 21-029 was read by caption. Tim Tietjens provided staff comments. The public hearing was opened; with no speakers, the public hearing was closed. Motion was made by CM Schuster, second by CM Robb, to approve the ordinance. Unanimously approved.**

9. PUBLIC COMMENT

**In-person public comments: Steven Conner, Mihael O'Reilly, Miles Latouche, and Nick Borris - golf carts; Mary Lou Hollander and Tony Alves - the Bryan Museum; Martha Ganda - problems with water on Ave. N-1/2; and Herb Walpo - item 10C.**

**Written public comments read by City Secretary Janelle Williams: (1) William Buchanan - budget reduction for Rosenberg Library; (2) Alice Watford - short term rental ordinance; (3) Gonzalo Gonzalez, Harry Babin, Veronica Von Blon, Marie Walton, Dawn Simonton, Nancy Wilson, Jeanette Day, Purvez Captain, Jeremy Robinson, Patty Simmons, Charles Jordan, Sheila Jordan, Todd Isaacson, John Norton, Michelle Foldetta, Don Hoover, Jane Gonzalez, Michael Hamilton,**

**Jerry Sutherland, Amy Larner, Susan Reichenthal, Emily Swindler, Francine Burke, Paul Bretanus, Harry Babin, James Pappas, Julie Treadwell, Montie Krumnow, Kip Garvey, Sarah Duckers, Patti Schmitz, Carrie Hunnicutt, Kenny Stainton, Chris Kaitson, Philip Dorn, Wayne Irwin, Janet Alongi, Gary Smith, Lance Poole, Mike Cobb, Sharolyn Yates, Martha Kean, Mary Hutton, Michelle Peacock, Amy Rasmussen, Nan Stout, Diane Patker, Sarah Cooper, Linda Warren, Richard D'Antoni, Scott Probst, Daniel Kallus, Glenda Lovchik, Will Bertron, Dave Y, Cynthia Blackman, Rickey Blackman, Mary Jo Smith, Thea Marino, and Richard Hussein - golf cart regulations.**

**Public comments via Zoom: Sheila Jordan - golf carts.**

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" Of The Code Of The City Of Galveston 1982, As Amended By Requiring City Of Galveston Approval Before Any Writing Or Drawing Can Be Done On Any Street, Sidewalk, Or Other Public Property; Making Various Findings And Provisions Related To The Subject And Providing For An Effective Date.

**The Ordinance was read by caption. Motion was made by CM Listowski, second by CM Robb, to defer the ordinance. Unanimously approved.**

- 10.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending "The Code Of The City Of Galveston 1982, As Amended", Chapter 19, "Licenses, Permits And Business Regulations"; To Amend Regulations, Procedures, And/Or Definitions Pertaining To Requirements For The Operation Of Temporary And Seasonal Parking Lots; To Make Clarifications, Rename, Renumber And Rearrange The Chapter As Applicable; Providing For Penalties And Fees; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (T. Tietjens)

**Ordinance No. 21-030 was read by caption. Motion was made by CM Schuster, second by MPT Collins, 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, Chapter 8, "Beaches And Waterways", To Update Beach Access And Parking On Regulated Beach Areas; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Legal)

**Ordinance No. 21-031 was read by caption. Motion was made by MPT Collins, second by CM Schuster, to approve the ordinance. The motion carried 5-1; CM Quiroga voted against the motion.**

- 10.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending Ordinance 21-023 Making Changes To "The Code Of The City Of Galveston 1982, As Amended", Chapter 34, "Traffic" Article IX, "Golf Carts", Of The Code Of The City Of Galveston, 1982, As Amended, Relating To "Golf Carts, And Required Equipment West Of 103rd Street In Galveston; Making Various Findings And Provisions Related To The Subject; Providing For Penalty For Violation, And Providing For An Effective Date. (Robb/Quiroga)

**The Ordinance was read by caption. Motion was made by CM Robb, second by Mayor Brown, to defer the ordinance until August 12, 2021. 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 Mayor Brown, second by MPT Collins, to approve Consent Items 11A through**

**11S, except Items 11D and 11K. Unanimously approved.**

- 11.A. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas Providing That A Portion Of Section One (1) Of The Preserve At West Beach Subdivision On Galveston Island Be Released From Operation Of The Development Agreement Between The City Of Galveston And Marquette Galveston Investment, Ltd. And The Master Declaration Of Covenants, Conditions, And Restrictions For The Preserve At West Beach Subdivision On Galveston Island, Texas; Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney; Directing The City Attorney To File And Record This Resolution In The Official Records Of Real Property In Galveston County, Texas; Providing For Findings Of Fact And Providing For An Effective Date. (Legal)

**Resolution No. 21-024**

- 11.B. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Regarding The Continued Development And Construction Of The Multi-Unit Housing Project Known As "The Oleanders At Broadway" And Commonly Located At 5228 Broadway/Avenue J, In Galveston, Texas, 77551; Confirming Continuation Of The Development Under The Cooperation Agreement; Directing The City Secretary To Send A Certified And True Copy Of This Resolution To The Galveston Housing Authority; Making Various Findings And Provisions Related To The Subject, And Providing For An Effective Date. (Legal)

**Resolution No. 21-025**

- 11.C. Consider For Action A License Agreement Between The City Of Galveston And ExteNet For The Continued Delivery Of Small Cell Network Cellular Service. (Legal)
- 11.D. Consider A Proposed Amendment To The Memorandum Of Understanding Between The Rosenberg Library And The City Of Galveston To Provide For Payments By The Library To The City That Address An Inequitable Distribution Of Property Tax Revenue Caused By The Combined Effect Of City Charter Requirements And State Property Tax Laws Approved In 2019. (M. Loftin)

**Motion was made by Mayor Brown, second by CM Listowski, to approve Item 11D. The motion carried 5-0; MPT Collins declared a conflict and abstained from voting.**

- 11.E. Consider For Approval To Allow The City Manager To Execute An Agreement For An Electricity Provider For The City. (M.Loftin)
- 11.F. Consider For Approval The Purchase Of 10 Sets Of Personal Protective Equipment (PPE) From NAFECO Through Buy Board (Contract #603-20) In The Amount Of \$28,636.00. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (C. Olsen)
- 11.G. Consider For Approval Of A Three (3) Year Contract, With Two (2) Optional One-Year Extensions For Emergency Shelter Of Employees And Equipment To The Responding Proposers That Conformed To The Specifications In RFP 21-15; Fertitta Hospitality LLC. On Behalf Of The Property Known As The San Luis Resort, SPA & Conference Center. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (M. Morgan Sr)
- 11.H. Consider For Approval The Purchase Of Ammunition For The Police Department In The Amount Of \$50,000.00 Through Precision Delta Corporation (TX Smart Buy Contract # 680-A1). (V. Hale)
- 11.I. Consider For Approval Payment To Lexipol, LLC For The Annual Renewal Of The Police Department's Rules And Regulations Policy Manual Update With Daily Training Bulletins, In The Amount Of \$20,312.00. (V. Hale)

- 11.J. Consider For Approval, Entering Into A Contract With Texas Gulf Construction Company For \$228,072.00 For The Construction Of A Permanent Concrete Floodwall On The West Side Of The Island Transit Trolley Barn (Mitigation RFP-21-10), And Authorize The City Manager To Sign All Documents Upon The Review And Approval Of The City Attorney. (D. Smith / T. Wroblewski)
- 11.K. Consider For Approval, Entering Into A Contract With J. W. Kelso Co. Inc. For \$187,840.00 For The Construction Of The Pump/Generator System At The Island Transit Trolley Barn (Mitigation RFP 21-12), And Authorize The City Manager To Sign All Documents Upon The Review And Approval Of The City Attorney. (D. Smith / T. Wroblewski)

**Motion was made by Mayor Brown, second by CM Quiroga, to defer Item 11K. Unanimously approved.**

- 11.L. Consider For Approval, Entering Into A Contract With Main Lane Industries For \$572,455.00 For The Purchase Of The Deployable Flood Wall, And The Installation Of The Mounting Hardware On The North, East, And South Sides At The Island Transit Trolley Barn (Mitigation RFP 21-11), And Authorize The City Manager To Sign All Documents Upon The Review And Approval Of The City Attorney. (D. Smith / T. Wroblewski)
- 11.M. Consider For Approval The Expenditure Of Funds For The City Of Galveston Traffic Division To Procure The Necessary Equipment And Outside Services, And Utilize In-House Resources To Replace The Existing Traffic Signals At The Intersections Of Avenues O, P, Q & S And 45th Street And Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Winiecke)
- 11.N. Consider For Approval Change Order #1 To The Contract With Metro City, LLC For City Hall West Plaza Increasing The Contract By \$30,772.25 From \$499,691 To \$530,463.25 And Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By City Attorney. (D. Anderson)
- 11.O. Consider For Approval Amendment #1 For \$94,614.60 To The Original \$973,385.57 Storm Water Modeling And Design Proposal From Zarinkelk Engineering Services, Inc. (ZEI), Thereby Increasing The Total Contract To \$1,068,000.17. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Christodoss)
- 11.P. Consider For Approval The Emergency Rewind And Recondition Of A Flygt Pump 3202 45HP At Lift Station #16 In The Amount Of \$24,350.00 With Sterling's Machinery. (T. Pedraza)
- 11.Q. Consider For Approval Granting E-Source The Next Stage Of Work For The City Of Galveston Sustainable Interactive Customer Connections (SICC) AMI Project, Pre-Implementation Planning Services For A Fixed Price Of 161,251.00. (T. Pedraza)
- 11.R. Consider For Approval The Acceptance Of The Quote From Fuquay Inc., Through The BuyBoard, Purchasing Cooperative, To Utilize Cured In Place Pipe (CIPP) For Manhole Rehabilitation In The Terramar And Pirates Beach Sewer Sheds Of Galveston Island In The Amount Of \$249,930.54. (T. Pedraza)
- 11.S. Consider For Approval Minutes Of The April 22, 2021 Workshop And Regular Meeting, The May 13, 2021 Special Meeting, And The May 27, 2021 Workshop And Regular Meeting. (J. Williams)

## 12. ACTION ITEMS

- 12.A. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas Approving Distribution Of Fiscal Year 2022 And Fiscal Year 2023 Hotel Occupancy Tax Revenues To Eligible Artists Or Artist Organizations Under Two-Year Contracts; Authorizing The City Manager To Execute Contracts With Such Recipients; Directing The City Secretary To Send A Certified Copy Of The Resolution To The Park Board Of Trustees; Providing For Findings Of Fact And Providing For An Effective Date. (Legal)

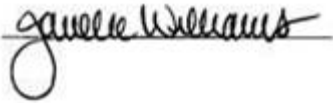
**Motion was made by Mayor Brown, second by MPT Collins, to approve Resolution No. 21-026 Alternate A. Unanimously approved.**

12.B. Discuss And Consider Personnel Salary Changes.

**Motion was made by Mayor Brown, second by MPT Collins, to approve the annual salaries for the upcoming budget for Fiscal Year 2021-2022 for the those positions that are Council appointees: (1) City Manager Brian Maxwell - no change; (2) City Attorney Donald Glywasky - \$171,175; (3) City Auditor Glenn Bulgherini - \$150,000; and (4) City Secretary Janelle Williams - \$125,000; and directing the City Manager to include these salary increases in the 2021-2022 budget. Unanimously approved.**

13. ADJOURNMENT

**The meeting was adjourned at 6:28 p.m.**

A handwritten signature in black ink that reads "Janelle Williams". The signature is written in a cursive style and is positioned above a horizontal line.

Janelle Williams, City Secretary

Date Approved: September 9, 2021