

**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
REGULAR MEETING - JULY 28, 2022**

7/28/2022 - 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, and Council Member Marie Robb.

Absent: Council Member John Listowski.

3. INVOCATION

The invocation was given by Rev. Chris Waks 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

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 - **Mayor Brown offered condolences and sympathies to the family of Barry Gatlin.**
2. Information regarding holiday schedules
3. Recognition of individuals
4. Reminders regarding City Council events
5. Reminders regarding community events - **CM Lewis provided information on the Old Central Carver Park Neighborhood Association hosting a neighborhood night out with many activities planned at Central Middle School on Tuesday at 5:30 p.m.**
6. Health and safety announcement

6.B. Families, Children And Youth Board Annual Report - Chair June Pulliam

Chair June Pulliam presented the Families, Children and Youth Board Annual Report.

7. COMMUNICATIONS AND PETITIONS

Claims: 22-052 - Rachel Graves; 22-053 - Evan Fraley; 22-054 - Sarai Garcia; 22-055 - Karah Richards; 22-056 - Talmadge Miller; 22-057 - Marcos Delcid; 22-058 - Dongmyung Oh; 22-059 - Franklin Tarver; 22-060 - Crissalane Discher.

8. PUBLIC HEARINGS

- 8.A. Conduct A Public Hearing And Consider For Approval The 2022 Community Development Block Grant (CDBG) And HOME Investment Partnerships (HOME) Consolidated Program Objectives And Projects For The CDBG Allocation Of \$1,085,813 And HOME Allocation Of \$272,269 And Program Income Estimates For CDBG Of \$20,000 And HOME Of \$30,000. Authorize The City Manager To File A Grant Application With The U.S. Department Of Housing And Urban Development (HUD) And Execute All Necessary Contracts, Certifications, And Documents For The Programs. (A. Law)

Director of Grants and Housing Alice Law provided staff comments. The public hearing was opened. David Miller and Barbara Walker spoke in favor of the program. The public hearing was closed. Motion was made by CM Schuster, second by CM Lewis, to approve as presented. 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 Resort/Recreation (RES/REC) Zoning District On Property Commonly Known As 13724 Stewart Road, And Which Property Is Legally Described As Part Of Lot 33 (33-4), Section 3, Trimble And Linsey, In The City And County Of Galveston, Texas. Planning Case Number 22P-031; Making Various Findings And Provisions Related To The Subject. (A. Montalvan)

Ordinance No. 22-036 was read by caption. Adriel Montalvan provided staff comments. The public hearing was opened. Speakers in favor of the zoning change - Chris Bower and Rick Faulkner. Speakers in opposition of the zoning change - Jeff Janik, Benny Haak, Doug Little, Joe Ryan, and Marty Fluke. The public hearing was closed. Motion was made by CM Robb, second by CM Bouvier, to approve the zoning change. The motion passed 5-1; MPT Collins voted against the motion.

9. PUBLIC COMMENT

Written Public Comments: Gregg Pratka - Airport Homesite Section 4 Planning Meeting; Barbara Walker - request to apply for my home to be raised; Dell Everett - rezoning; Susan Hill, Janice Hendrix, and Tom Hendrix - Item 8B.

Agenda Items: Reid Wilson - Item 10A; Ted O'Rourke and Jason Worthen - Item 10E; Alexander Nelson - Item 11U.

Non-Agenda Items: Sonya Suits, Matt Hannon, Amy Sharp, Ellen Burton, and Debra Curry - proposed bar/alcohol sales at 2927 Broadway; Tarris Woods - request item on community center/CDBG on the next agenda; Randall Rubenstein - assault; Gay Rubenstein - street signs missing; Mike Roe - new REACT team; Ralph McMorris - error on recognition on plaques; Frank Maceo - beach access.

10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Approving An Amended Service And Assessment Plan And An Amended Assessment Roll For The Campeche Shores Public Improvement District (The "District"); Reducing The Number Of Properties On The Assessment Roles In The District; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Legal)

Ordinance No. 22-037 was read by caption. Motion was made by CM Robb, second by Mayor Brown, to approve the ordinance. Unanimously approved by those present.

- 10.B. Consider Adopting Ordinance 22-__ Modifying Section 34-112 Of The City's Municipal Code To Adjust The Limits Of The Existing "No Parking 7:00 Am To 5:00 Pm" Zone Along The West Side Of 9th Street

North Of Postoffice Street Per The Business Owner's Request Located At 415 9th Street. Authorizing The City Secretary To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Winiecke)

Ordinance No. 22-038 was read by caption. Motion was made by MPT Collins, second by CM Robb, to approve the ordinance. Unanimously approved by those present.

- 10.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of Ordinances Chapter 20, "Litter", To Provide For The Securing, Anchoring, Or Otherwise Ensuring Portable Toilets / Mobile Restrooms (Aka- Porta Potties), From Spilling, Tipping Or Otherwise Releasing Liquid Waste In The City; Providing For A Penalty; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Robb/Listowski)

Ordinance No. 22-039 was read by caption. Motion was made by CM Robb, second by CM Lewis, to approve the ordinance. Unanimously approved by those present.

- 10.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of Ordinances Chapter 8. "Beaches And Waterways", Article I., "In General", Section 8-12., "Slow, No Wake Zone", To Amend Regulations, Standards For Speed And Operation Of Watercraft And Adding The Spanish Grant Channel To The "No Wake Zone Areas" In The City; And Rename, Renumber And Rearrange The Chapter As Applicable; Making Various Findings And Provisions Related To The Subject. (Legal)

Ordinance No. 22-040 was read by caption. Motion was made by CM Robb, second by CM Lewis, to approve the ordinance. Unanimously approved by those present.

- 10.E. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of Ordinances Chapter 26, "Parks And Recreation", Article III, "Park Board Of Trustees", To Amend The Area Of Control Of The Park Board; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Legal)

The Ordinance was read by caption. Motion was made by MPT Collins, second by Mayor Brown, to defer the ordinance to the August 25, 2022 meeting. Unanimously approved by those present.

- 10.F. 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 2, "Administration", Article Iv. - "Boards, Commissions And Committees", "Division 1. "Generally", Amending Requirements For Appointees To Boards, Commissions, And Committees To Comply With Open Government Training; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Legal)

Ordinance No. 22-041 was read by caption. Motion was made by Mayor Brown, second by CM Robb, 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 Collins, second by Mayor Brown, to approve all Consent Items except 11A and 11U. Unanimously approved by those present.

- 11.A. Consider For Approval Accepting The City Auditor's Plan For 2023. (G. Bulgherini).

Motion was made by Mayor Brown, second by MPT Collins, to approve the City Auditor's Audit Plan for 2023 with an amendment to audit hotels for the Park Board. Unanimously approved by those present.

- 11.B. Consider For Approval Accepting The City Auditor's Report On Bank Reconciliation Procedures For The Park Board Report F&CPG2022-3. (G. Bulgherini).
- 11.C. Consider For Approval Accepting The City Auditor's Report On Construction Contract Management Handbook For The City Of Galveston. Report CMS2022-1. (G. Bulgherini).
- 11.D. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Approving Distribution Of Hotel Occupancy Tax Revenues To Eligible Artists Or Artist Organizations Under Single-Year Contracts; Declining To Seek The Return Of Funds For One Project; 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 (M. Jadidi)

Resolution No. 22-022

- 11.E. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Accepting The City's Portion Of A 2021 Byrne Justice Assistance Grant From The Department Of Justice In A Joint Total Amount Of \$37,168.00, And Said City Portion To Provide For The Purchase Of Equipment (Tactical Patrol Equipment) For The City Of Galveston's Police Department; Authorizing The City Manager To Execute An Interlocal Agreement With Galveston County; Appointing The County As Fiscal Agent For The Grant; Dividing The Total Grant Award Between The Parties; Providing For Findings Of Fact And Providing For An Effective Date. (D. Balli)

Resolution No. 22-023

- 11.F. Consider For Approval To Accept Grant Funding In The Amount Of \$14,800.00 From The Mary Moody Northern Endowment - Galveston County Impact Grant For The Purchase Of A DART Firearms Training Simulator. (D. Balli)
- 11.G. 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 \$22,314.21. (D. Balli)
- 11.H. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas Approving And Authorizing The City Manager To Execute An Interlocal Cooperation Agreement Between The City Of Galveston And The Port Of Houston Authority Fire Department For The Provision Of Mutual Aid During An Emergency; Approving And Authorizing The City Manager To Execute A The Agreement; Providing For Findings Of Fact And Providing For An Effective Date. (C. Olsen)

Resolution No. 22-024

- 11.I. Consider For Approval Awarding Bid 22-03 To Lion Total Care, Inc For The Maintenance And Cleaning Of The Galveston Fire Departments Personal Protective Equipment For Structural Fire Fighting. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (C. Olsen)
- 11.J. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas Adopting The City Of Galveston Hazard Mitigation Plan Update; Authorizing The City Manager To Execute Those Documents Necessary In Regard To Eligibility And/Or Receipt Of FEMA Mitigation Grant Funding, Upon Final Approval By The City Attorney; Providing For Findings Of Fact And Providing For An Effective Date. (M. Morgan)

Resolution No. 22-025

- 11.K. Consider For Approval A Contract With Thompson Consulting Inc. As The Selected Firm To Obtain Services For Debris Monitoring Services, Tetra Tec Inc As The Second, And True North Emergency Management As The Tertiary Company, For Debris Monitoring (RFP 22-08), For A Thirty (30) Month Contract With The Option To Extend The Contract For Two (2) Years In One-Year Intervals. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (M. Morgan Sr)
- 11.L. Consider For Approval An Economic Development Grant Agreement Between The City Of Galveston And Industrial Development Corporation Of The City Of Galveston Texas Approving Funding For The Pelican Island Bridge Project. (M.Hay)
- 11.M. Consider For Approval The Allocation Of Funds In An Amount Of \$16,129.68 For The Purchase Of Microsoft SQL Server Database Licensing And Software Assurance Allocating Funds To SHI Using DIR Contract DIR-TSO-4092. (H. Dean)
- 11.N. Consider Approving An Agreement With Evisions For A 3 Year Term Under A Sole Source Justification With The Option To Extend The Agreement For 2 Years. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval Of The City Attorney. (H.,. Dean)
- 11.O. Consider Approval Of Change Order #2 To The Contract With American Restoration, LLC For The City Hall Windows Project Increasing The Contract By \$22,050.00 From The Amount Of \$328,550.00 To The Revised Contract Amount Of \$350,600.00. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney (C. Kenworthy)
- 11.P. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock And Associated Equipment (Two Service Pickups) For The Construction Division From Silsbee Ford Through Good-Buy For A Total Price Of \$104,331.50 And Authorize The City Managers Staff To Execute The Agreement Upon Final Approval By The City Attorney. (D. Smith)
- 11.Q. Consider Approval And Acceptance Of The Interlocal Agreement # 2022-02-AMI From The Harris-Galveston Subsidence District For Receipt Of Funding From The Subsidence District Water Conservation Program To Implement The City Of Galveston Sustainable Interactive Customer Connections Project, And Authorize The City Manager To Sign All Necessary Documents Upon Final Approval By The City Attorney. (T. Pedraza)

Resolution No. 22-027

- 11.R. Consider For Approval The Acceptance Of The Sole Source Quote From CFI Services Inc, To Purchase And Install Chloramine Analyzer At The UTMB Elevated Storage Tank In The Amount Of \$28,536.05. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Pedraza)
- 11.S. Consider Approval Of The Houston Galveston Area Council (HGAC) Conditionally Approved Preliminary Method Of Distribution (MOD) In The Amount Of \$15,761,400.00 That Will Be Funded By The Texas General Land Office (GLO), And Authorizing The City Manager To Execute All Necessary Documents For The Award Of Funding. (T. Wroblewski)
- 11.T. Consider For Approval A Resolution Designating Authorized Signatories For The City's CDBG-MIT And CDBG-DR Programs; Authorizing Signatures On The Depository/Authorized Signatories Designation Form; And Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Wroblewski)

Resolution No. 22-026

- 11.U. Consider For Approval The Issuance Of Task Order #2 To Plexos Group, LLC For The Development Of A Uniform Relocation Act (URA) Plan For The Texas General Land Office (GLO) Community

Development Block Grant – Mitigation (CDBG-MIT) South Shore Drainage Improvement Project In The Amount Of Zero Dollars, And Authorizing The City Manager To Execute All Necessary Documents. (T. Wrobleski)

Motion was made by CM Robb, second by Mayor Brown, to approve Task Order #2. Unanimously approved by those present.

- 11.V. Consider Approval Of DCMC Partners Task Order #13 Authorizing The Expenditure Of An Amount Of \$20,000 For Technical Assistance And Disaster Consulting Services And Authorize The City Manager To Sign All Documents Upon Final Approval By The City Attorney. (T. Wrobleski)
- 11.W. Consider Approval Of Change Order #12 To The Contract With E.P. Brady, Ltd. For The 24-Inch Water Transmission Line From 59th Street Pump Station To The Airport Pump Station Project Decreasing The Contract By \$115,697.40 From The Amount Of \$18,286,212.60 To The Final Amount Of \$18,170,515.20. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Winiecke)
- 11.X. Consider For Approval Minutes Of The June 16, 2022 Special Meeting, And The June 23, 2022 Workshop And Regular Meeting. (J. Williams)

12. ACTION ITEMS

- 12.A. Consider For Approval A Resolution By The City Council Of The City Of Galveston, Texas, Authorizing Publication Of Notice Of Intention To Issue Certificates Of Obligation; And Approving Other Matters Incidental Thereto. (B. Cook)

Motion was made by Mayor Brown, second by CM Robb, to approve Resolution No. 22-021. Unanimously approved by those present.

- 12.B. Discuss And Consider Appointments To The Following City Boards, Commissions, And Committees:

1. Industrial Development Corporation - Motion was made by Mayor Brown, second by MPT Collins, to appoint Marty Fluke as the Park Board representative. Unanimously approved by those present.

- 12.C. Discuss And Consider For Action The Discontinuance Of Zoom For City Council Workshops And Regular Meetings. (City Council)

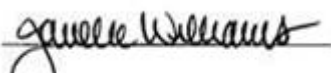
Motion was made by CM Bouvier, second by CM Lewis, to discontinue the use of Zoom for City Council Workshops and Regular Meetings. Unanimously approved by those present.

13. RECEIVE AND FILE (Non-Action Items)

- a. Letter from Senator John Cornyn - July 4th
- b. Letter from PETA - Galveston awarded one of the Top Vegan-Friendly Beach Towns of 2022
- c. Galveston Housing Authority - Mayoral appointments

14. ADJOURNMENT

The meeting was adjourned at 7:10 p.m.





Janelle Williams, City Secretary

Date Approved: August 25, 2022