

**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
REGULAR MEETING - AUGUST 24, 2023**

8/24/2023 - 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 David Finklea, Council Member Mike Bouvier, 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

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

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 thanked Tony Rogers and Gio Martinez for their work on the Police collective bargaining agreement. CM Robb congratulated CM Listowski on the birth of his son, and CM Listowski thanked his beautiful wife for everything going smoothly, and he is very proud. CM Bouvier congratulated his wife Kat Bouvier for being sworn in as a CASA advocate today.**

2. Information regarding holiday schedules

3. Recognition of individuals

a. Recognition of Madison Swain - Miss Juneteenth USA Pageant Contestant - **Mayor Brown reported that Galveston is known nationally, in the state, and locally as being the birthplace of Juneteenth which is now a national holiday. Every year there is a pageant for Juneteenth that is held on Galveston Island to choose an individual to represent Galveston County for Miss Juneteenth which is Madison Swain. She went on and is now Miss Texas Juneteenth. He honored two groups including the family of Madison Swain, and Dorothy Swain for her tireless efforts over the years in putting the Juneteenth pageant together. CM Lewis read the proclamation honoring Miss Madison Swain.**

b. Danny Wilson Day Proclamation - **presented by MPT Collins.**

4. Reminders regarding City Council events

5. Reminders regarding community events

6. Health and safety announcement

6.B. City Manager's Report - Investment Report For Quarter Ended June 30, 2023 (M. Loftin)

Assistant City Manager Mike Loftin presented the Investment Report for Quarter Ended June 30, 2023.

7. COMMUNICATIONS AND PETITIONS

Claims: 23-063 - Olga Moreno; 23-064 - Ronald Coking, Jr.; 23-065 - One Gas; 23-066 - Damian McDonald; 23-067 - Karen C. Grayson; 23-068 - Brett Darrow; 23-069 - White and Starling Attorneys; 23-070 - Jeff Brammer; 23-071 - Joseph Payne; 23-072 - Luis Auturo Zarate; 23-073 - Everett C. Sheasley

8. PUBLIC HEARINGS

8.A. Conduct A Public Hearing And Consider For Approval The 2023 Community Development Block Grant (CDBG) And HOME Investment Partnerships (HOME) Consolidated Program Objectives And Projects For The CDBG Allocation Of \$1,099,400 And HOME Allocation Of \$284,860 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. (R. Anderson)

Rebekah Anderson provided staff comments. The public hearing was opened and closed with no speakers. Motion was made by MPT Collins, second by CM Lewis, to approve the 2023 Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Consolidated Program Objectives and Project as presented. Unanimously approved.

8.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 1620 Winnie/Avenue G, As A "Galveston Landmark", Property Is Legally Described As M.B. Menard Survey, Lots 12 & 13, Block 376, 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 23P-044; Making Various Findings And Provisions Related To The Subject. (D. Lunsford)

Ordinance No. 23-053 was read by caption. Daniel Lunsford provided staff comments. The public hearing was opened and closed with no speakers. Motion was made by MPT Collins, second by CM Robb, to approve the Ordinance. Unanimously approved.

8.C. Landmark Designation Request (3205 Avenue N)

Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 3205 Avenue N, As A "Galveston Landmark", Property Is Legally Described As M. B. Menard Survey, Lot 6, Northwest Block 38 Galveston Outlots, 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 23P-048; Making Various Findings And Provisions Related To The Subject. (D. Lunsford)

Ordinance No. 23-054 was read by caption. Daniel Lunsford provided staff comments. The

public hearing was opened. Sara Dickerson spoke in favor of the designation. The public hearing was closed. Motion was made by CM Robb, second by CM Lewis, to approve the Ordinance. Unanimously approved.

- 8.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Creating A Planned Unit Development (PUD) Overlay Zoning District In A Commercial, Height Density Development Zone (C-Hdz-6) Zoning District To Construct Eleven (11) Single-Family Residential Units And A Reserve, On Property Commonly Known As 12223 San Luis Pass Road / FM 3005, And Which Is Legally Described As Part Of Lots Part 308, 325 And 326 (325-2), Trimble And Lindsey, Section 2, In The City And County Of Galveston, Texas; Planning Case Number 23P-049; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (A. Montalvan)

The Ordinance was read by caption. Adriel Montalvan provided staff comments. The public hearing was opened. Speakers in favor of the PUD: Matthew Sigmon. Speakers in opposition of the PUD: Larry Marble, Bev Marble, Pat Tollett, Arlene Cryer, Robin Martin, Joe Bilsky, Terry Muniz, Peggy Zahler, Monty Vincent, Greg Wilson, Lisa Brogdon, the Mayor of Sealy, Frank Salco, and Hector of Cobalt Engineering. The public hearing was closed. Motion was made by CM Robb, second by CM Finklea, to deny the PUD. Unanimously approved.

9. PUBLIC COMMENT

Agenda Items: Dedra Curry - in support of taxi cabs; Joe Ryan - in support of flock cameras; Peggy Zahler - in support of Item 8D; Herbert Foreman - in support of taxi/shuttles; Morgan Cangelosi - in support of LOA extension; Rosalyn Jackson - in support of cabs; William Schuster - in support of 11B.

Non-Agenda Items: Austin (Good Citizen News) - issues with the Police Department, public records request; Sheila Bell - shout out to Catholic Charities, life jackets, stock up on food, water, and essentials, in need of a handicap accessible place, floods; E. Henderson - issues with the Police Department, theft and stalking; Bruce Rebmann - thanks to Council for allowing continuance of public comment on non-agenda items, posting written public comments online, issues with the Police Department, public records requests, accessing body cams; Samuel Collins III - invited Council and City Manager to Galveston Art Walk this weekend, pamphlets include 23 locations listed including the Nia Cultural Center, 11 concept designs on display for possible Juneteenth Museum;

10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. Consider For Approval Ordinance Of The City Of Galveston, Texas, Authorizing The Issuance, Sale And Delivery Of City Of Galveston, Texas, Wharves And Terminal First Lien Revenue Bonds, Series 2023 (Amt); And Providing For The Security Thereof; Approving The Form And Substance, And Authorizing The Execution And Delivery Of An Amended And Restated Trust Indenture And First Supplemental Amended And Restated Trust Indenture; Approving And Authorizing The Execution And Delivery Of Related Transaction Documents; Approving The Use And Distribution Of A Preliminary Official Statement And The Use And Distribution Of An Official Statement; And Making Certain Findings With Respect Thereto And Containing Other Provisions Relating To The Subject. (M. Loftin)

The Ordinance was read by caption. Motion was made by Mayor Brown, second by CM Robb, to approve the ordinance. CM Bouvier suggested an amendment to the motion to include the requirement of an external audit of internal controls at the Port. Mayor Brown and CM Robb were in favor of including the amendment into the motion. In favor: Brown, Collins, Lewis, Finklea, and Robb. In opposition: Bouvier and Listowski. Motion fails (required six affirmative votes).

- 10.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of The City Of Galveston, As Amended, Chapter 35, "Vehicles For Hire", Article 1. "Ground Transportation Services", Division 7, "Vehicles And Equipment", Section 102, "Taxicab Age Limits", To Remove The

Age Limits For Taxicabs; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Lewis/Brown)

Ordinance No. 23-055 was read by caption. Motion was made by CM Lewis, second by MPT Collins, 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 Mayor Brown, second by MPT Collins, to approve Consent Items 11A through 11U, excluding Items 11C, 11F, and 11S. Unanimously approved.

- 11.A. Consider For Approval Accepting The City Auditor's Office Report On City Of Galveston Bank And Cash Audit F&CPG2023-2. (G. Bulgherini)
- 11.B. Consider For Approval The Collective Bargaining Agreement Between The City Of Galveston And The Galveston Municipal Police Association For The Term October 1, 2024 To September 30, 2027 (B. West)
- 11.C. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas Approving A Contract Between The City Of Galveston And The Board Of Trustees Of The Galveston Wharves For Collection Of A Parking Fee At Parking Lots Operated By The Board Of Trustees Of The Galveston Wharves, Providing For The Payment Of The Fee To The City, Approving And Authorizing The City Manager To Execute The Agreement; Providing For Findings Of Fact And Providing For An Effective Date. (Legal)

(1) Motion was made by CM Listowski, second by CM Bouvier, to approve the Resolution with an amendment to remove the 30 day cancellation policy. In favor: Bouvier and Listowski. In opposition: Brown, Collins, Lewis, Finklea, and Robb. Motion fails.

(2) Motion was made by CM Robb, second by MPT Collins, to approve the Resolution as presented. In favor: Brown, Collins, Lewis, Finklea, and Robb. In opposition: Bouvier and Listowski. Motion passes.

- 11.D. Consider Approval Of A Contract With Jim Schweitzer, Appointing Him As The Presiding Judge Of The City Of Galveston Municipal Court Of Record For A Period Of Two Years. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (Legal)
- 11.E. Consider For Approval Awarding RFP 23-17 To Galls, LLC For The Purchase Of The Galveston Fire Department's Uniforms For A One (1) Year Contract. This Contract Shall Automatically Renew For Four (4) One-Year Periods Under The Existing Terms And Conditions, Unless Either Party Gives The Other Party Written Notice Of Non-Renewal At Least 30 Days Prior To Such Renewal Date. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (C. Olsen)
- 11.F. Consider Approval Of A Contract With Lucas Construction Company, Inc. For The Sandhill Crane Soccer Complex Project (RFP 23-06) In The Amount Of \$6,018,980.63. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (B. Cook)

Motion was made by CM Bouvier, second by CM Robb, to approve the contract as submitted. Unanimously approved.

- 11.G. Consider For Approval Authorizing The City Manager To Enter Into A Contract With Salas O'Brien, For Professional Electrical Engineering Services At Sandhill Crane Soccer Complex, In The Amount Of \$15,000, With Final Approval By The City Attorney's Office. (B. Sanderson)

- 11.H. Consider For Approval The Purchase And Installation Of New Lighting For Sandhill Crane Soccer Complex, From Musco Lighting, In The Amount Of \$840,429, Utilizing Buyboard Contract #677-22, With Final Approval By The City Attorney's Office. (B. Sanderson)
- 11.I. Consider Approval Of A Contract With Industrial TX Corp. For The Pirates Beach Wastewater Treatment Plant And Lift Station #35 Reconstruction Project In The Amount Of \$22,797,120.00. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Winiecke)
- 11.J. Consider For Approval A Professional Services Contract With Freese & Nichols, Inc. (FNI) To Conduct A Wastewater Master Plan For The City Of Galveston In An Amount Of \$1,394,000.00; Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Winiecke)
- 11.K. Consider For Approval A Professional Services Contract With HR Green, Inc. (HR Green) To Conduct An Engineering Design Of The Main WWTP Belt Press For The City Of Galveston In An Amount Of \$439,970.00; Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Winiecke)
- 11.L. Consider For Approval The Ratification For The Emergency Line Stop And Completion Plug To The 20" C303 Water Main, Performed By Koppl In The Amount Of \$46,600.00. (T. Pedraza)
- 11.M. Consider For Approval The Extension Of A Fire Fighters Leave Of Absence Related To An On Duty Injury For An Additional 180 Days In Accordance With Local Government Code Chapter 143.073(B) - At The End Of The One-Year Period, The Municipality's Governing Body May Extend The Line Of Duty Illness Or Injury Leave. (R. Simmons/B. West)
- 11.N. Consider For Approval The Annual Renewal Of The Inter-Local Agreement With Texas Municipal League Intergovernmental Risk Pool For The 2023–2024 Fund Year For Workers Compensation TPA Coverage. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Council. (R. Simmons)
- 11.O. Consider For Approval The Annual Renewal Of The Inter-Local Agreement With Texas Municipal League Intergovernmental Risk Pool For The 2023–2024 Fund Year For Liability And Property Coverage. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Council. (R. Simmons)
- 11.P. 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 With Galveston County For Continued Participation In The Galveston County Auto Crimes Task Force; Approving And Authorizing The City Manager To Execute The Agreement; Providing For Findings Of Fact And Providing For An Effective Date. (D. Balli)
- 11.Q. Consider For Approval To Receive Three (3) New Police Canine Ballistic Vests Valued At \$10,437.00 From The Don A. Sanders Family Foundation. (D. Balli)
- 11.R. Consider For Approval, Payment To The City Of League City For Costs Associated With The Gulf Region Information And Dispatch (GRID) Consortium, A Multi-Agency Records Management System, For A Total Cost Of \$46,442.63. (D. Balli)
- 11.S. Consider For The Approval Of The Partnership Agreement/Contract Between The City Of Galveston And Lone Star Rally Inc. For The Planning, Organizing, Promoting, And Managing Of The Motorcycle Event Known As Lone Star Motorcycle Rally. The Term Is For Three Years With An Option To Extend It For Two Additional Years. (D. Smith)

Motion was made by CM Finklea, second by CM Lewis, to approve the contract with an

amendment to include an economic study in the contract. Unanimously approved.

- 11.T. Consider For The Approval Of The Payment Of \$16,554.99 To Lone Star Emergency Group (E-One Authorized Manufacture) For The Emergency Ladder Repairs To Ladder Truck 1830. Funding Will Be Supported By The Fleet Facilities Outside Vehicle Repairs Account. (D. Smith)
- 11.U. Consider For The Approval Of The Purchase Of One (1) New John Deere 35G Excavator With Attachments For The Municipal Utilities Department To Be Purchased From Brookside Equipment Sales Through Sourcewell Co-Op For A Total Price Of \$81,860.80 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

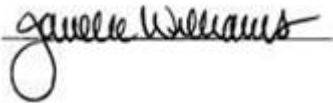
12. ACTION ITEMS

- 12.A. Consider For Approval Of A Data Sharing MOU Between The City Of Galveston (Police Dept.) And The Flock Group, Inc. (D. Balli)

Motion was made by CM Robb, second by CM Lewis, to defer the item to the September 14th meeting. Unanimously approved.

13. ADJOURNMENT

The meeting was adjourned at 8:15 p.m.



Janelle Williams, City Secretary

Date Approved: October 26, 2023