

**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
SPECIAL MEETING - SEPTEMBER 16, 2021**

9/16/2021 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER

With a quorum present, the meeting was called to order at 9:00 a.m.

2. ROLL CALL

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

3. INVOCATION

The invocation was given by Rev. Jude Ezuma of Holy Family Parish.

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 Listowski declared a conflict on Item 7A.

6. PUBLIC COMMENT

Agenda Items: Chula Ross Sanchez, Kevin Somers, Lodie Massey, Bob Randall, Tim Beeton, and Aaron Shift - Item 7A; Ashley Group - Item 7B.

7. PUBLIC HEARINGS

- 7.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Abandoning Property Adjacent To 628 93rd Street And Adjacent Property Is Legally Described As Lot 1, Block 9, Massa Unrecorded Subdivision; In The City And County Of Galveston, Texas; Planning Case Number 21P-040; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

Motion was made by Mayor Brown, second by MPT Collins, to defer Item 7A to the October 28, 2021 meeting. The motion passed 6-1; CM Listowski abstained from voting.

- 7.B. 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", To Modify The Requirements For Accessory Buildings And Structures; Planning Case Number 21ZA-003; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

The Ordinance was read by caption. Catherine Gorman provided staff comments. The public hearing was opened. Sarah Moore Click and Ashley Group spoke in favor of the LDR amendment. The public hearing was closed. Motion was made by CM Robb, second by CM Quiroga, to defer Item 7B to bring back at a later date. Unanimously approved.

- 7.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Creating A Planned Unit Development (PUD) Overlay Zoning District In A Residential, Single-Family (R-3) Zoning District To

Allow For An "Office" Land Use On Property Commonly Known As 1301 Market / Avenue D, And Which Is Legally Described As M.B. Menard Survey Lots 5-7, Block 493, In The City And County Of Galveston, Texas; Planning Case Number 21P-041; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date.

Ordinance No. 21-052 was read by caption. Daniel Lunsford provided staff comments. The public hearing was opened. David Watson spoke in favor of the PUD. The public hearing was closed. Motion was made by MPT Collins, second by CM Robb, to approve the ordinance. Unanimously approved.

- 7.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Granting A Variance Pursuant To Section 4-1 "Sales Near Schools, Churches Or Hospitals" Of "The Code Of The City Of Galveston, 1982 As Amended" And In Accordance With Section 109.33(E) Of The Texas Alcoholic Beverage Code; Regarding The Sale Of Alcoholic Beverages On Property Located At 5102 Broadway / Avenue J; Which Is Legally Described As "M. B. Menard Survey, Lots 8, 9, & East 38-4 Feet Of Lot 10, Block 231, In The City And County Of Galveston Texas And Which Is Located Within Three Hundred Feet Of A School, Church, Or Hospital; Planning Case Number 21PLM-00104; Making Various Findings And Provisions Related To The Subject.

Ordinance No. 21-053 was read by caption. Daniel Lunsford provided staff comments. The public hearing was opened. Mike Gaertner spoke in favor of the variance. The public hearing was closed. Motion was made by Mayor Brown, second by CM Quiroga, to approve the variance. The motion passed 6-1; CM Lewis voted against the motion.

City Council took a five minute break at 9:54 a.m.

8. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 8.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas Levying Ad Valorem Taxes For Tax Year 2021 In The Amount Of 49 Cents And 8.500 Mills (\$0.498500) Upon Each One Hundred Dollars (\$100.00) Of Property Valuation For The Tax Year 2021; Making Various Findings And Provisions Related To The Subject.

Ordinance No. 21-054 was read by caption. Assistant City Manager Mike Loftin provided staff comments.

Motion #1: Motion was made by CM Robb, second by CM Quiroga, to levy an Ad Valorem Tax Rate for Tax Year 2021 in the amount of 49 Cents and 8.500 Mills (\$0.498500) upon each One Hundred Dollars (\$100.00) of Property Valuation for the Tax Year 2021. The motion failed 3-4 with a record vote; CM Quiroga, CM Listowski, and CM Robb voted in favor; Mayor Brown, MPT Collins, CM Lewis, and CM Schuster voted against the motion.

Motion #2: Motion was made by MPT Collins, second by Mayor Brown, to levy an Ad Valorem Tax Rate for Tax Year 2021 in the amount of 49 Cents and 8.500 Mills (\$0.498500) upon each One Hundred Dollars (\$100.00) of Property Valuation for the Tax Year 2021. The motion passed 5-2 with a record vote; Mayor Brown, MPT Collins, CM Lewis, CM Schuster, and CM Listowski voted in favor of the motion; CM Quiroga and CM Robb voted against the motion.

9. 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 9A through 9C. Unanimously approved.

- 9.A. Consider For Approval An MOU Between The City Of Galveston And The University Of Texas Medical Branch. The Purpose Of This Partnership Is To Address The Medical Aspects Of Disaster. The Coalition Aims To Better Identify And Address Gaps In Coordinated Patient Care During Disasters Through The Establishment And Maturation Of A Regional Disaster Health Response System (RDHRS). (R. Simmons)
- 9.B. Consider For Approval The Proposal From Freese And Nichols, Inc., For Risk Assessment And Programming Of The EPA Lead And Copper Rule Compliance Project In The Amount Of \$49,619. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Pedraza)
- 9.C. Consider For Approval An Agreement To Appoint Judge Schweitzer As The Judge For The Municipal Court Of The City Of Galveston For A Term Of Two (2) Years. (Legal)

10. ACTION ITEMS

- 10.A. Discuss And Consider For Action Approval Of The Redistricting Calendar. (Legal)

Motion was made by MPT Collins, second by Mayor Brown, to approve the following Redistricting Calendar: October 28, 2021 Initial Meeting; November 10, 2021 First Workshop; December 2, 2021 Second Workshop; and December 9, 2021 Regular Meeting. Unanimously approved.

- 10.B. Consideration Of Retaining The Firm Of Lloyd Gosselink To Represent The City Of Galveston In Contract Negotiations With The Gulf Coast Water Authority. (Legal)

Motion was made by MPT Collins, second by CM Listowski, to retain the Firm of Lloyd Gosselink to represent the City of Galveston in contract negotiations with the Gulf Coast Water Authority. Unanimously approved.

- 10.C. Discuss And Consider Appointments To The Following City Boards, Commission, And Committees:

Airport Advisory Committee - None

Animal Services Advisory Board - Motion was made by CM Robb, second by MPT Collins, to reappoint Joel Caldwell and Suzanne Peloquin. Unanimously approved.

Arts & Historic Preservation Advisory Board - Motion was made by MPT Collins, second by CM Robb, to reappoint Theresa Elliott and Mary Branum. Unanimously approved.

Building Board of Adjustments and Appeals - Motion was made by Mayor Brown, second by CM Listowski, to reappoint Larry Ryan and Wense Guzman. Unanimously approved.

Ethics Commission - Motion was made by CM Lewis, second by Mayor Brown, to appoint Verna Brown (District 1) and Joyce McLean (District 2). Unanimously approved.

Families, Children and Youth Board - Motion was made by Mayor Brown, second by CM Schuster, to appoint Shanice Blair, Marsha Rappaport, Toby Agnew, Liz White, Amy Owen, Elizabeth Murphy, Sue Johnson, Angela Bernard, and Sara Spence. Unanimously approved.

Finance, Fiscal Affairs and Investment Committee - Motion was made by Mayor Brown, second by CM Robb, to reappoint Eddie Walsh, Abel Longoria, and Steven Maxwell. Unanimously approved.

Galveston Wharves Board - Motion was made by Mayor Brown, second by CM Robb, to appoint Victor Pierson and Sheila Lidstone. Unanimously approved.

Landmark Commission - Motion was made by MPT Collins, second by CM Schuster, to reappoint Sarah Moore Click, Stephanie Lang, and Connie Patterson. Unanimously approved. Motion was made by MPT Collins, second by Mayor Brown, to move Alternate Sharon Thompson to Position 5. Unanimously approved.

Parks & Recreation Advisory Board - Motion was made by Mayor Brown, second by CM Robb, to reappoint Marlee Williams. Unanimously approved.

Police Pension Fund - Motion was made by CM Robb, second by CM Quiroga, to reappoint Richard Moore. Unanimously approved.

Planning Commission - Motion was made by CM Robb, second by Mayor Brown, to appoint David Finklea, Steven Pena (reappointment), and Stan Humphrey. Unanimously approved.

Sister Cities Program Committee - Motion was made by Mayor Brown, second by CM Robb, to reappoint Sherry Rooks, Joe Cappadona, Leah Tuten, and Stephen Duncan. Motion was made by MPT Collins, second by CM Robb, to appoint Pamela Williams. Unanimously approved.

Zoning Board of Adjustments - Motion was made by CM Listowski, second by CM Quiroga, to reappoint William Clement, Lidija Bikova, and Alice Watford. Unanimously approved.

- 10.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Declaring A State Of Disaster And Emergency In The City Of Galveston Related To The Threat Posed By Tropical Storm Nicholas To The City Of Galveston; Extending The State Of Emergency Ordered By Mayor Brown, Extending Various Emergency Orders Issued By The Mayor; Making Various Findings And Provisions Related To The Subject, Providing For A Penalty And Providing For An Effective Date.

Ordinance No. 21-055 was read by caption. Motion was made by CM Robb, second by Mayor Brown, to approve the ordinance and extend the State of Emergency through October 28, 2021. Unanimously approved.

City Manager Brian Maxwell, Mayor Brown, and Council Members expressed condolences to the family of Raymond Guzman who passed away yesterday evening.

11. EXECUTIVE SESSION

The City Council took a ten minute break at 12:05 p.m., convened into Executive Session at 12:15 p.m., and reconvened into Open Session at 1:00 p.m.

- 11.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:

- 11.A.1. Cause Number 19-Cv-2191; Sharon Davis, And As Assignee Of The City Of Galveston, V. Quality Works Construction, Inc. And Insurors Indemnity.

12. ADJOURNMENT

The meeting was adjourned at 1:00 p.m.

Janelle Williams

Janelle Williams, City Secretary

Date Approved: October 28, 2021