

**NOTICE OF MEETING
CITY COUNCIL OF THE CITY OF GALVESTON
TUESDAY - MARCH 24, 2020 - 1:15 P.M.
COUNCIL CHAMBERS - CITY HALL
823 ROSENBERG, GALVESTON, TEXAS
TELEPHONE: (409) 797-3510**

REGULAR MEETING AGENDA

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER
2. ROLL CALL
3. INVOCATION
4. PLEDGE OF ALLEGIANCE
 - American Flag
 - Texas Flag - *Honor the Texas Flag. I pledge allegiance to thee, Texas, one state, under God, one, and indivisible.*
5. CONFLICTS OF INTEREST
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
 2. Information regarding holiday schedules
 3. Recognition of individuals
 - A. Sexual Assault Awareness Month Proclamation
 - B. National Crime Victim's Rights Week Proclamation
 - C. Child Abuse Prevention and Awareness Month Proclamation
 - D. International Oleander Month Proclamation
 4. Reminders regarding City Council events
 5. Reminders regarding community events
 6. Health and safety announcement
 - 6.B. The Investment Reports For Quarter Ended December 31, 2019 (M. Loftin)

Documents:

[INVESTMENT REPORTS FOR QRT ENDING DEC 31, 2019.PDF](#)
 - 6.C. Presentation Of The FY 2019 Comprehensive Annual Financial Report

Documents:

[CAFR FINAL DRAFT 3.23.2020.PDF](#)
7. COMMUNICATIONS AND PETITIONS

Claims: 20-017 - James Nance; 20-018 - Cindy Paige; 20-019 - Tomas Ream; 20-020 - Anita Williams; 20-021 - Janice Hutchins; 20-022 - Robert Miranday, Sr.; 20-023 - Matthew King; 20-024 - Gerald Irving; 20-025 - K-Yana Lawrence; 20-026 - James Claffy/Robert Orleanski; 20-027 - Alvin Cooper; 20-028 - Debopriyo Halder; 20-029 - Nasrolah Kamalie; 20-030 - Gilbert Fuentes.

8. PUBLIC HEARINGS

- 8.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 1212 19th Street And Legally Described As The South 47 Feet Of Lot 1 (1-1), Block 18, 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 20LC-009; Making Various Findings And Provisions Related To The Subject. (K. White)

Documents:

[20LC-009 CC PKT.PDF](#)

[20LC-009 SUPPORTING DOCUMENTATION - REDACTED.PDF](#)

- 8.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 4824 Austin Drive, As A "Galveston Landmark", Property Is Legally Described As Lot 8, Palm Gardens, A Suvdivision, 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 20P-003; Making Various Findings And Provisions Related To The Subject. (D. Lunsford)

Documents:

[20LC-007 CC STF.PDF](#)

9. PUBLIC COMMENT

Members of the public may submit a public comment using the web link below. All comments submitted prior to the meeting will be read by City Staff during the meeting.

<https://forms.galvestontx.gov/Forms/PublicComment>

A. Agenda Items

B. Non-Agenda Items

10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. 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 Emergence Of The Corona Virus/Covid 19; Confirming And Ratifying The Declaration Of The Local State Of Emergency Signed By The Mayor; Confirming And Ratifying The Order Issued By The Mayor For Related To Closure Of Public Entertainment Venues And To The Closure Of Bars And Restaurants In The City Of Galveston; Making Various Findings And Provisions Related To The Subject And Providing For An Effective Date. (Yarbrough)

Documents:

[ORDINANCE-CONFIRMING DECLARATION AND ORDERS.DOCX](#)

[LOCAL STATE OF DISASTER - COVID-19.PDF](#)
[ORDER CLOSING RESTAURANTS AND BARS.PDF](#)
[ORDER CLOSING ENTERTAINMENT VENUES.PDF](#)

- 10.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Designated Hours For Early Voting By Providing For Early Voting On Saturday April 25, 2020; And Replacing An Early Voting Ballot Board Member, For The Election To Be Held In The City Of Galveston On The 2nd Day Of May; Making Other Provisions Of Fact And Providing For An Effective Date.

Documents:

[AMENDED GENERAL ELECTION ORDINANCE - MAY 2020.DOC](#)

- 10.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Total Operating Budget For Fiscal Year Ending September 30, 2020, By Adjusting Various Budget Accounts In The Amount Of Two Million Three Hundred Fifty Three Thousand Six Hundred Seventy-Eight Dollars (\$2,353,678) To Adjust And Properly Record For Disbursement Of Approved Cola/Target Increases, Police Pay Reserve, Fire Pay Reserve, Group Health Reserve And Adjustments To Capital Outlay/Reserve Accounts; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (M. Loftin)

Documents:

[FY20 BUDGET AMENDMENT NO 1.PDF](#)
[BUDGET AMENDMENT FY20 NO 1 STAFF REPORT.DOCX](#)

- 10.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of The City Of Galveston, As Amended, Chapter 4, "Alcoholic Beverages", To Amend Prohibition Consumption Areas In Regard To "Stewart Beach"; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Yarbrough)

Documents:

[CHAPTER 4 - ALCOHOLIC BEVERAGES -STEWART BEACH.DOC](#)

- 10.E. Consider For Approval An Ordinance Of The City Of Galveston Texas Amending The City Code Of The City Of Galveston 1982, As Amended Chapter 34 "Traffic", Article Iii, "Vehicle Operation" Section 34-59; Altering The Prima Facie Speed Limits Established For Vehicles Utilizing Fm 3005 Within The City Of Galveston Pursuant To The Provisions Of Texas Transportation Code § 545.356, Upon The Basis Of An Engineering And Traffic Investigation, Upon Certain Streets And Highways, Or Parts Thereof, Within The Corporate Limits Of The City Of Galveston As Set Out In This Ordinance; Amending City Code; Providing For Findings Of Fact Related Thereto; Providing A Penalty Of A Fine For The Violation Of This Ordinance In An Amount Not To Exceed That Allowed By State Law, And Providing For An Effective Date.

Documents:

[CHAPTER 34 - TXDOT SPEED 3005 CHANGES.DOCX](#)
[TXDOT - SPEED LIMIT CHANGES ON FM 3005.PDF](#)

- 10.F. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Postponing The Municipal Election Of Many 2, 2020 Until November 3, 2020 Due To A Public Health Emergency; Preserving All Candidate Filings And Ballot Order Actions Already Taken; Providing For Holdover In Office Of Current Office Holders, Making Various Findings And

Provisions Related To The Subject; And Providing For An Effective Date.

Documents:

[POSTPONE MAY 2020 ELECTION.DOC](#)

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.

- 11.A. Consider For Approval Accepting The City Auditor's Office Memos On Fund Transfer (Consult-Park2020-2) And Beach Buddies Concessions (Consult-Park2020-3) For The Park Board. (G. Bulgherini).

Documents:

[FUND TRANSFER CONSULT-PARK2020-2 FINAL.PDF](#)
[1. BEACH BUDDIES CONSULT-PARK2020-3 FINAL.PDF](#)

- 11.B. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Extending The Term For The Complete Count Committee; Providing For Findings Of Fact And Providing For An Effective Date.

Documents:

[CCC TERM EXSTENSION STAFF REPORT 2ND.DOCX](#)
[COMPLETE COUNT COMMITTEE TERM EXTENSION 2ND.DOC](#)

- 11.C. Consider Approving The Renewal Of IGM Technologies Gravity Cloud-Based Solution Tool For Preparing The Comprehensive Annual Financial Report (CAFR). (M. Loftin)

Documents:

[RENEWAL OF IGM TECHNOLOGIES GRAVITY.PDF](#)

- 11.D. Consider For Action Approval Of A Contract With Willdan Financial Services To Perform A Revenue Sufficiency Analysis For The City's Combined Utility System And Sanitation Enterprise Funds. Authorizing The City Manager To Execute All Documents Upon Approval From The City Attorney. (M. Loftin)

Documents:

[UTILITY RATE STUDY CONSULTANT FIRM STAFF REPORT FOR WILLDAN 2020.PDF](#)
[RFP 20-05 WILLDAN RATE STUDY CONTRACT COMPLETE.PDF](#)

- 11.E. Consider For Approval Of A Mutual Aid Agreement Between The City Of Galveston And The Board Of Trustees Of The Galveston Wharves, For The Sharing Of Resources During Emergencies, For Better Coordination And Authorizing The City Manager To Sign The Agreement. (M. Morgan)

Documents:

MARK MORGAN OEM PORT STAFF REPORT.DOCX
CITY-PORT MUTUAL AID AGREEMENT - SIGNED BY PORT.PDF

- 11.F. Consider For Approval The Annual Maintenance Support Agreement For The City's Public Works Asset And Maintenance Management System, VueWorks, To Data Transfer Solutions (DTS) In The Amount Of \$20,000. (H. Dean)

Documents:

[STAFF REPORT VUEWORKS MAINTENANCE.PDF](#)
[100059953 2020-02 1451505.PDF](#)

- 11.G. Consider For Approval The Renewal Of The Maintenance Agreement For City's Enterprise Phone To Presidio Networked Solutions, Inc. For The Amount Of \$18,233.38. (H. Dean)

Documents:

[STAFF REPORT ENTERPRISE PHONE SYSTEM-CISCOSMARTNET RENEWAL.PDF](#)
[PRESIDIO_CISCOSMARTNETRENEWAL_QUOTE.PDF](#)

- 11.H. Consider Approving Reimbursement To BFI For Repairs Needed At The Transfer Station In The Amount Of \$19,655.62. Funding Source Is The Sanitation Operating Budget. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (C. DeWitt)

Documents:

[BFI - REPAIRS TO THE TRANSFER STATION.PDF](#)

- 11.I. Consider For Approval, The Purchase Of The Sewer Line Rapid Assessment Tool (SL-RAT) Inspection Equipment Through A Buy Board Contract From Dukes Root Control For \$26,430.00. (T. Pedraza)

Documents:

[DUKES ROOT CONTROL - SL-RAT INSPECTION EQUIPMENT.PDF](#)

- 11.J. Consider Approval Of Change Order #03 With Lucas Construction Company, Inc., For The 27th Street Improvements From Avenue O To Seawall Boulevard (Phase II) Project (RFP #19-12) Increasing The Contract By \$57,225.00 From The Amount Of \$1,407,652.00 To The Amount Of \$1,422,877.00 (A Cumulative Increase Of 7.93% From The Original Contract Sum). Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Anderson)

Documents:

[LUCAS CONSTRUCTION - 27TH ST IMP. PROJECT - CHANGE ORDER 3.PDF](#)

- 11.K. Consider For Approval Of Change Order No. 4 To The Contract With LEM Construction Co., Inc., For The Airport Wastewater Treatment Plant Improvements Project, Increasing The Contract By \$36,966.38 From The Amount Of \$7,203,310.29 To A New Total Amount Of \$7,240,276.67 (A Cumulative Increase Of 6.6% From The Original Contract Sum) And Increasing The Contract Time By 90 Days. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D.

Anderson)

Documents:

[LEM CONSTRUCTION - AIRPORT WWTP IMP. - CHANGE ORDER 4.PDF](#)

- 11.L. Consider For Approval Change Order No. 5 To The Contract With Main Lane Industries, Ltd., For The 45th Street Improvements From Broadway To Seawall Boulevard Project, Increasing The Contract By \$113,251.02 From The Amount Of \$10,526,323.33 To A New Total Amount Of \$10,639,574.35. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Anderson)

Documents:

[MAIN LANE - 45TH STREET IMPROVEMENTS - CHANGE ORDER 5.PDF](#)

- 11.M. Consider For Approval Change Order #6 To The Contract With J. W. Kelso Company, Inc., For The City Of Galveston Public Works Facility Project, Increasing The Contract By \$38,277.00 (0.36%) From The Amount Of \$11,194,142.20 To The Amount Of \$11,232,419.20, And Extending The Contract Term By 59 Days. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Anderson)

Documents:

[JW KELSO - PUBLIC WORKS FACILITY - CHANGE ORDER 6.PDF](#)

- 11.N. Consider For Approval An Amendment To The City Of Galveston Professional Contract With Lockwood, Andrews And Newnam, Inc. (LAN) For Additional Services In The Amount Of \$237,770.00 For Design And Engineering Of The Pirates Beach Wastewater Treatment Plant (WWTP) And Associated Facilities Reconstruction. (D. Anderson)

Documents:

[LAN - DESIGN OF PIRATES BEACH WWTP - AMENDMENT.PDF](#)

- 11.O. Consider Approval Of A Contract With Texas Gulf Construction Company, Inc. For Legas Drive Bulkhead (RFP #20-03) In The Amount Of \$661,800.72. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Anderson)

Documents:

[STAFF REPORT LEGAS DRIVE-UPDATED.PDF](#)

- 11.P. Consider Approval Of A Contract With Wharton-Smith, Inc. For Construction Of The Airport Water Plant Expansion (RFP #20-01) In The Amount Of \$8,668,931.00. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Anderson)

Documents:

[STAFF REPORT AIRPORT WATER PLANT EXPANSION-UPDATED.PDF](#)

- 11.Q. Consider For Approval Minutes Of The February 27, 2020 Workshop And Regular Meeting. (J. Williams)

Documents:

[FEB MINUTES.PDF](#)

11.R. Receive And File The Following Documents:

1. Declaration of a Local State of Disaster related to the emergence of Corona Virus/COVID-19
2. Order closing Entertainment Venues operating on Galveston Island
3. Order closing Restaurants and Bars in the City of Galveston

Documents:

[LOCAL STATE OF DISASTER - COVID-19.PDF](#)
[ORDER CLOSING ENTERTAINMENT VENUES.PDF](#)
[ORDER CLOSING RESTAURANTS AND BARS.PDF](#)

11.S. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock And Associated Equipment (Skid Loader For MU Drainage) From ASCO Through HGAC Buy For A Total Price Of \$61,763.06 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

Documents:

[ASCO CASE SKID PURCHASE PACKET.PDF](#)

11.T. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock And Associated Equipment (Backhoe For MU Drainage) From Mustang CAT Through HGAC Buy For A Total Price Of \$126,063.61 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

Documents:

[MUSTANG CAT BACKHOE PACKET.PDF](#)

12. ACTION ITEMS

12.A. Discuss And Consider For Action The Appointment Of Beverly West To The Position Of Assistant City Attorney On The Recommendation Of The City Attorney. (D. Glywasky)

Documents:

[RECECOMMENDATION TO APPOINT BEVERLY WEST.DOC](#)

12.B. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas Supporting The Relocation Of The Battleship "Texas" To The City Of Galveston; Requesting That The Park Board Of Trustees Investigate Galveston As A Possible New Berth Location For The Battleship Texas; Authorizing The City Manager To Execute Those Documents Necessary In Regard To The Request; And Providing For Findings Of Fact And Providing For An Effective Date. (J. Listowski)

Documents:

[RESOLUTION - BATTLESHIP TEXAS.DOC](#)

12.C. Resolutions - Mail-In Ballots (Cole/Yarbrough)

1. A Resolution Of The City Council Of The City Of Galveston, Texas Requesting The Governor Of Texas Expand Voting By Mail To Any Person In Order To Allow A More Accessible Option For All Voters; To Decrease In-Person Contact And Crowds At The Polls; To Address The Health Concerns Of The Covid 19 Virus Pandemic And The Upcoming May, 2020 Election; Authorizing The City Manager To Send This Resolution To The Governor And Any Other Requisite Entity; And Authorize The City Manager To Take Those Steps Necessary To Comply With Any Received Procedures Regarding This Request; Providing For Findings Of Fact And Providing For An Effective Date.
2. A Resolution Of The City Council Of The City Of Galveston, Texas Requesting The Governor Of Texas Suspend In-Person Voting At Voting Poll Locations, And Expand Voting By Mail To All Voters In Response To Decrease In-Person Contact Related To The Health Concerns Of The Covid 19 Virus Pandemic And The Upcoming May, 2020 Election; Authorizing The City Manager To Send This Resolution To The Governor And Any Other Requisite Entity; And Authorize The City Manager To Take Those Steps Necessary To Comply With Any Received Procedures Regarding This Request; Providing For Findings Of Fact And Providing For An Effective Date.

Documents:

[RESOLUTION- GOVERNOR REQUEST -VOTING BY MAIL IN BALLOT.DOC](#)
[RESOLUTION-2 GOVERNOR REQUEST - MAIL IN BALLOT ONLY.DOC](#)

12.D. Discuss And Consider Appointments To The Following City Boards, Commission, And Committees:

1. Zoning Board of Adjustments and Appeals

12.E. Discuss And Consider For Action Any Executive Session Item Listed On The Workshop Agenda Of March 24, 2020. (Legal)

1. City of Galveston vs Texas General Land Office
2. City of Galveston and Cardinal Construction vs Dannenbaum Engineering
3. No. 20-CV-0249 Tom Thumb Nursery et al vs City of Galveston et al, In the 212th Judicial District Court of Galveston County
4. The purchase, exchange, lease, or value of real property related to the City recycling center on 61st Street in Galveston

13. DISCUSSION ITEMS

13.A. Discuss The 2020 Community Development Block Grant (CDBG) And HOME Investment Partnerships (HOME) Proposed Objectives And Projects In The Amount Of CDBG \$1,214,844 And HOME \$275,681. (A. Law - 10 Minutes)

Documents:

[STAFF REPORT 2020 CDBG _ HOME PROPOSED.PDF](#)

13.B. Discuss The Creation Of A Recycling Ad Hoc Committee (Cole/Yarbrough - 15 Minutes)

13.C. Report Of City Council's Park Board Representative (Collins/Yarbrough - 10 Minutes)

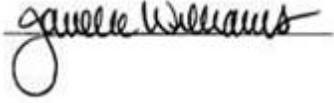
13.D. Update On Corona Virus/COVID-19 (B. Maxwell)

13.E. Discuss Additional Meetings As May Be Necessary To Discuss And Consider Items Related To The Current State Of Emergency Arising From The Corona Virus/COVID-19.

(Yarbrough)

14. ADJOURNMENT

I certify that the above Notice of Meeting was posted in a place convenient to the public in compliance with Chapter 551 of the Texas Government Code on March 18, 2020 at 2:30 P.M.

A handwritten signature in black ink, appearing to read "Janelle Williams", written over a horizontal line.

Janelle Williams, City Secretary

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE (3) DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY SECRETARY'S OFFICE, SUITE 201, 823 ROSENBERG, GALVESTON, TEXAS 77550 (409-797-3510).