

DRAFT
MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
WORKSHOP - MAY 23, 2019

5/23/2019 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER
With a quorum present, the workshop was called to order at 9:02 a.m

2. ROLL CALL

Present: Mayor Pro Tem Craig Brown, Council Member David Collins, Council Member Jason Hardcastle, Council Member John Listowski, and Council Member Jackie Cole. Council Member Amy Bly arrived at

Absent: Mayor James Yarbrough.

3. DISCUSSION ITEMS

- 3.A. Clarification Of Consent And Regular City Council Agenda Items - This Is An Opportunity For City Council To Ask Questions Of Staff On Consent And Regular Agenda Items: (30 Minutes)
Items 10A, 11B, 11E, 11G, 11H, 11L, 11M, 11N, 11O, 11P, 11R, and 11V were clarified by Staff.

- 3.B. Discuss The Permitting Of Scooters (A. Montalvan - 30 Minutes)
Adriel Montalvan provided a review of the Council's past workshop discussions related to docked and dockless share systems. He also provided a comparison of regulations from other cities including Dallas, San Antonio, Scottsdale, and Denver. The City's current regulations require riders to rent scooters from a brick and mortar shop and they must return the scooters to the original rental location. One scooter company has teamed up with local businesses for rental purposes. The City currently does not have any regulations related to where the scooters can be ridden. They can be operated anywhere a bicycle can be ridden. Marshall Gray suggested adding regulations to the ordinance to require the payment of impoundment fees prior to scooter companies being able to operate. Other suggestions from Council include allowing an operator to rent from one brick and mortar shop and returning to a different location, and adopting regulations on where scooters can be operated based on horsepower of the motors. This item will be brought back to City Council for future discussion.

- 3.C. Discuss Stormwater Management (Collins/Yarbrough - 30 Minutes)
CM Collins placed this item on the agenda in order to bring Council up to date on the efforts to address flooding and storm surge. The Mayor asked CM Collins to represent the City on the Army Corps/GLO work group that has been providing more detail on coastal spine plans and was designed to get comm feedback on the tentatively selected plan. work plans We have met once last month and are planning to meet again in June. They are modifying their approach by focusing on using enhanced natural dunes at the beach rather than the engineered dike behind 3005 and Hwy 187 on Bolivar. They are looking at ways to prevent surge on the north side of the island at the harbor they are also looking at using two smaller gates on Bolivar roads to minimize changes to water flow and salinity because of the potential threat to the seafood industry. The Army Corps seems still set on raising the Seawall four feet but maybe the work group could look at that last. In the meantime, the City is working on things that can be done incrementally to increase surge and stormwater protection now than waiting on the Corps. Brandon Cook reported on funding for a pump station at the 14th and Harborside drainage basin. This is a federal project with a cost of \$35 million. The City's portion will be approximately \$8 million. Staff should know in about 45 days if the project is approved. If all goes to plan, staff will be bringing a contract for the design to Council in August.

- 3.D. Discuss Appointment Dates For Members On Certain Boards, Commissions, And Committees Of The City Of Galveston And Setting A Term Length Of Three Years. (Mayor)

This item was discussed at the last City Council workshop. City Attorney Don Glywasky provided a draft ordinance which includes a list of all committees of the city. There are committees that whose membership is governed by statute, charter, or corporate regulations that we cannot change with just an adoption of an ordinance. Those committees are listed out in the ordinance in Section 2-168. The terms of those are governed by other statutes and we are not affecting those. The next part, Section 2-170, lists those committees that we can change the length of the term. Some of them are two years, and some are already three years. This proposed change is at Council's suggestion to create a uniform three year date which would start in October 2019. Section 2-172 includes a draft provision for staggered terms. It would be up to Council to choose a method for staggering the terms. Discussion was held regarding the method for removal of a committee members and the issue of serving over six years.

- 3.E. Discuss The Possibility Of Extending The Biker Rally And Mardi Gras Contracts. (Collins/Cole - 20 Minutes)

The current Lone Star Rally contract was for a three year period from 2017 to 2019. The contract includes a two year extension option for 2020 and 2021 which can be executed under the City Manager's purview. The current Mardi Gras contract was for a three year period from 2016 to 2018. After that, continuation of Mardi Gras would require an RFP. Council consensus was for the Manager to extend the Lone Star Rally Contract for the additional two years and to move forward with an RFP for the continuation of Mardi Gras.

- 3.F. Discuss The Placement Of A Polling Location On Pelican Island For Future City Elections (Collins/Yarbrough - 15 Minutes)

CM Collins advised this topic has come up a number of times in recent years. He advised there are more than 250 A&M students registered to vote but in the last election only two of them voted. The question has come up whether more students would vote if there was a polling location on Pelican Island. The City could designate a polling location on Pelican Island for municipal elections in May, but it would be up to the County Commissioners to designate it as a polling location during November elections for County and National elections. CM Collins is willing to have a conversation with Commissioner Appfel to see if he would support it. General McClain reported that the student government is looking into this as well. This item will come back to Council if it has merit and the issues get sorted out.

- 3.G. Update On The Code Review Process (Legal - 10 Minutes)

City Attorney Don Glywasky reminded Council that the Code Review Process will begin at the June 27th Workshop.

4. EXECUTIVE SESSION

The City Council took a 10 minute break at 11:30 a.m., convened into Executive Session at 11:40 a.m., and reconvened into Open Session at 12:47 p.m.

- 4.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:

4.A.1. Cardinal Construction Company And PSC Inc. V. City Of Galveston Vs Dannenbaum Engineering Company

4.A.2. Legal Issues Related To The Report Of The City's Internal Auditor Report To Council On Port Use Of Hurricane Ike Disaster Proceeds

5. ADJOURNMENT

The workshop was adjourned at 12:47 p.m.

Janelle Williams, City Secretary

Date Approved:



DRAFT
MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
REGULAR MEETING - MAY 23, 2019

5/23/2019 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER
With a quorum present, the meeting was called to order at 1:15 p.m.

2. ROLL CALL

Present: Mayor Pro Tem Craig Brown, Council Member Amy Bly, Council Member David Collins, Council Member Jason Hardcastle, Council Member John Listowski, and Council Member Jackie Cole.

Absent: Mayor James Yarbrough.

3. INVOCATION

The invocation was given by Reverend Susan Kennard of Trinity Episcopal Church.

4. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag and Texas Flag were led by Mayor Pro Tem 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 - **MPT Brown expressed condolences to the family of David Earnhardt.**

2. Information regarding holiday schedules

3. Recognition of individuals

- a. National Beach Safety Week Proclamation - **presented by CM Listowski.**

- b. Motorcycle Safety Awareness Month Proclamation - **presented by CM Hardcastle.**

- c. Galveston University Spring 2019 Graduates Proclamation - **presented by CM Cole.**

- d. Galveston County Health District Presentation - **Galveston County Health District CEO Kathy Barasco thanked the City Council for participating in the It's Time Texas Challenge. Galveston came in 10th place statewide in the challenge.**

4. Reminders regarding City Council events

5. Reminders regarding community events

6. Health and safety announcement

- 6.B. 2019 Landmark Commission Annual Report And Awards (C. Gorman)

Historic Preservation Officer Catherine Gorman and Landmark Commission Vice Chair Fred Huddleston presented the Annual Report and Awards.

Residential Awards: 1715, 1719, and 1723 Mechanic - UTMB and Galveston Historical Foundation; 1423 Mechanic - Bill Hintermister; 1619 Mechanic - Saving 1900 Michael and Ashley Cordray and new owners Sarah and Erik Larson; 1710 Avenue M 1/2 - Michael Guillot and new owners Vince and Kathy Fasolino; 902 Winnie - Heather and Jeffrey Davis; 2110 Avenue O - Saving 1900 Michael and Ashley Cordray.

Commercial Awards: 2410 Strand - 2410 Strand LLC; 2127 Strand - Lisa Shaw, Galveston Arts Center; 2718 Market - Four Square Interests, LLC; 2401 Market - Keith Bassett, Bassett Family Properties, LTD. and Brax Easterwood; 1524 Broadway - John Campbell, Galveston Foundation, Inc. and Brax Easterwood, Architect.

6.C. City Manager's Report - The Investment Report For Quarter Ended March 31, 2019 (M. Loftin)
The Investment Report was presented by Assistant City Manager Mike Loftin.

7. COMMUNICATIONS AND PETITIONS

19-028 - Joseph Norris, 19-029 - Anne Spence, 19-030 - Marisol Reyes, 19-031 - Alva Ray Conveney, 19-032 - Shane McDermott, 19-033 - Hud Hopkins, 19-034 - Matthew Guss, 19-035 - Vivian Jones/Mary Evans

8. PUBLIC HEARINGS

8.A. Galveston Landmark Designation - 3329 Avenue Q 1/2

Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 3329 Avenue Q 1/2, As A "Galveston Landmark", Property Is Legally Described As West 40 Feet Of 34th Street (2000-2) Southwest Block 112 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 19P-023; Making Various Findings And Provisions Related To The Subject. (D. Lunsford)

Ordinance No. 19-031 was read by caption. Daniel Lunsford provided staff comments. The public hearing was opened. Property owners Catherine Gorman and Brax Easterwood spoke in favor of the landmark designation. The public hearing was closed.

Motion was made by MPT Brown, second by CM Bly, to approve the ordinance. Unanimously approved by those present.

8.B. Galveston Landmark Designation - 4502 Avenue O

Consider for Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 4502 Avenue O, As A "Galveston Landmark", Property Is Legally Described As Lot 3 And The Eastern Portion Of Lot 2 And The Western Portion Of Lots 13, 14, And 15, Block 84 Denver Resurvey, 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 19P-024; , Making Various Findings And Provisions Related To The Subject. (C. Gorman)

Ordinance No. 19-032 was read by caption. Catherine Gorman provided staff comments. The public hearing was opened. Property owner Norma Rueben spoke in favor of the landmark designation.

Motion was made by CM Hardcastle, second by CM Listowski, to approve the ordinance.

Unanimously approved by those present.

9. PUBLIC COMMENT

Non-Agenda Items - Betty Durgan commented on Sandpiper Cove; Bill Broussard commented on beach access at Pirate' Beach; Sheila Bell commented on the sun turning black.

10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. An Ordinance Amending Chapter 2, "Administration", Article Iv, "Boards, Commissions, And Committees", Section 2, "Galveston Commission For The Arts"

Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending Chapter 2, "Administration", Article Iv, "Boards, Commissions, And Committees", Section 2, "Galveston Commission For The Arts", Of "The Code Of The City Of Galveston 1982, As Amended" Changing The Name Of The Commission, The Composition Of The Commission, Allowing The Election Of A Secretary, Allowing The Commission To Function As An Advisory Entity To City Council For The Purpose Of Assisting The Award Of Grants For Public Art Projects, Setting The Number And Dates Of Meetings Of The Commission, Mandating Such Meetings Take Place At City Hall, Creating A Procedure For The Award Of Grants For Public Art Projects; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (B. Sanderson)

The Ordinance was read by caption. Motion was made by MPT Brown, second by CM Bly, to defer 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 Brown, second by CM Bly, to approve Consent Items 11A through 11H, 11J through 11Q, and 11S through 11V. Unanimously approved by those present.

- 11.A. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Endorsing The Appointments Of Certain Individuals To The "Galveston County United Board Of Health"; Directing The City Secretary To Send A Certified Copy Of This Resolution To The Galveston County Health District; Providing For Findings Of Fact And Providing For An Effective Date.
Resolution No. 19-024
- 11.B. Consider For Approval Accepting The City Auditor's Final Report On Port Of Galveston Insurance Proceeds Audit SP2019-1. (G. Bulgherini)
- 11.C. Consider For Approval An Extension Of Agreement With Applied GRT For Consulting And Expert Services Related To The 59th Street Pump Station. (Legal)
- 11.D. Consider For Action Approval Of A Contract With Whitley Penn For External Audit Services. (M. Loftin)
- 11.E. Consider For Approval Additional Funding For Professional Legal Services From The Law Firm Of Lloyd Gosselink In The Amount Of \$30,000.00 Related To Water And Sewer Legal Issues. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (A. Grasso)
- 11.F. Consider For Approval A Professional Service Agreement With Utilis Inc. In The Amount Of \$65,000.00 For Satellite System Surveys Of The City's Water System To Reduce Water Leakage And Lost Revenue In The City Of Galveston (RFP #19-09 "Water Loss Mitigation/Non-Revenue Water Loss Control Program Plan). (A. Grasso)

- 11.G. Consider For Approval Awarding The Request For Proposal On The Annual Contract For Landscaping Maintenance And Grass Mowing Services (RFP 19-19) To Beach Town Lawn Services, LLC For An Amount Not To Exceed \$84,999.92 Per Year. (A. Grasso)
- 11.H. Consider For Approval Of A Contract With Main Lane Industries, Ltd., For The 25th Street Improvements - Broadway To Seawall Project (RFP #19-15) In The Amount Of \$6,730,519.00 (Estimated Total Cost Of Project Not To Exceed \$7,600,519.00). Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)
- 11.I. Consider For Approval Accepting All Public Infrastructure Improvements For Beachside Village, Section 5 For The Initial Two-Year Maintenance Period. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)
Motion was made by CM Collins, second by CM Hardcastle, to defer action on this item. Unanimously approved by those present.
- 11.J. Consider For Approval Change Order #9 From Triple B Services, LLC, For The Sealy Avenue Improvements From 33rd To 25th Project, Decreasing The Contract Amount From \$2,696,089.53 By \$165,847.50 To The Final Cost Of \$2,530,242.03. (R. Blackketter)
- 11.K. Consider For Approval Of Change Order No. 2 To The Contract With Alamo Environmental Inc. DbA Alamo1, For The City Of Galveston Incinerator Demolition And Concrete Cap Construction Project, Decreasing The Contract By \$91,402.67, From The Amount Of \$4,495,565.75 To A New Total Amount Of \$4,404,163.08. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)
- 11.L. Consider For Approval Of A Proposal From CenterPoint Energy As A Sole Source Provider For The Installation Of New, Decorative Streetlights As Part Of The 27th Street Improvements Phase II From Avenue O To Seawall Boulevard Project In The Amount Of \$119,211.00. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)
- 11.M. Consider For Approval Of A Proposal From CenterPoint Energy As A Sole Source Provider For The Installation Of New, Decorative Streetlights As Part Of The 45th Street Improvements From Broadway To Seawall Boulevard Project In The Amount Of \$294,057.00. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)
- 11.N. Consider For Approval Of Change Order #2 To The Contract With Construction LTD, For The Fire Station #1 New Site Construction And Existing Site Demolition Project Increasing The Contract By \$72,639.00, From The Amount Of \$9,621,500.00 To The Amount Of \$9,698,344.00, And Extending The Contract Term By 30 Days. The Funding Source Will Be The CDBG Disaster Recovery Non-Housing Round 2.2 Program. (R. Blackketter)
- 11.O. Consider For Approval Of Change Order #4 To The Contract With Triple B Services, L.L.P., For The 33rd Street Improvements From Broadway Avenue To Harborside Drive Project Decreasing The Contract By \$15,008.78, From The Amount Of \$880,737.37 To A New Total Amount Of \$865,728.59. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)
- 11.P. Consider For Approval Of The Purchase Of A 24 Inch Gate Valve From Triple B Services, LLC, For The Amount Of \$16,210.00. This Gate Valve Is To Be Used For The Upcoming 24 Inch Waterline From 59th Street Pump Station To Airport Pump Station Project. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)
- 11.Q. Consider For Approval The Purchase And Installation Of New Fitness Equipment For The Mcguire-Dent Recreation Center, In The Amount Of \$13,080.22, From Marathon Fitness (Buyboard Contract #583-19). (M. Rabago)

11.R. Consider For Approval Of RFP No. 19-04 Disaster Recovery Base Camps-Worker & Public Shelters, Between The City Of Galveston And Cotton Commercial, A 3 Year Contract With The Option For Up To Two (2), One (1) Year Extensions And Authorizing The City Manager To Execute The Contract. (M. Wisko)

Motion was made by CM Cole, second by CM Collins, to approve the contract with the amendment that should the city execute a contract to clear land to set up tents it does not allow the removal of trees. Unanimously approved by those present.

11.S. Consider For Approval The Purchase Of A Washer/Extractor And Turn Out Gear Drying Cabinets In The Amount Of \$24,669.00. (M. Wisko)

11.T. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock And Associated Equipment From Caldwell Country Through Buy Board For A Total Price Of \$93,926 Which Will Replace Two Vehicles That Were Involved In An Auto Accident. This Purchase Is Contingent Upon The Cities Insurance Settlement. The Funding Source Will Be The Insurance Settlement, And The Capital Outlay Account. (D. Smith)

11.U. Consider For Approval An Amendment To Contract CON-COG-17-250 With ABM Texas General Services, Inc. For Janitorial Services, Removing The \$37,356.54 Cap, Authorizing The City Manager To Execute The Amended Contract (C. Kenworthy)

11.V. Receive And File The 2019 Workforce Demographic Report (K. Etienne)

12. ACTION ITEMS

13. ADJOURNMENT

The meeting was adjourned at 2:10 p.m.

Janelle Williams, City Secretary

Date Approved:

DRAFT
MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
SPECIAL MEETING - JUNE 19, 2019

6/19/2019 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER
With a quorum present, the meeting was called to order at 9:02 a.m.

2. ROLL CALL

Present: Mayor James Yarbrough, Mayor Pro Tem Dr. Craig Brown, Council Member David Collins, Council Member Jason Hardcastle, Council Member John Listowski, and Council Member Dr. Jackie Cole.

Absent: Council Member Amy Bly.

3. DISCUSSION ITEMS

- 3.A. Interview Applicants For City Boards, Commissions, And Committees

The following applicants were interviewed: Steven Creitz, Spencer Priest, Dr. Victor Viser, Will Wright, Marty Fluke, David Jacoby, and Eddie Walsh.

4. ADJOURNMENT

Dr. Cole left the meeting at 10:50 a.m.

The meeting was adjourned at 11:15 a.m.

Janelle Williams, City Secretary

Date Approved: