

**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
REGULAR MEETING - JANUARY 27, 2022**

1/27/2022 - 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 Dr. Craig Brown, Mayor Pro Tem David Collins, Council Member Sharon Lewis, Council Member William Schuster, Council Member John Listowski, and Council Member Marie Robb.

Absent: Council Member Bill Quiroga.

3. INVOCATION

The invocation was given by Pastor Aaron Sanders of Coastal Community 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

2. Information regarding holiday schedules

3. Recognition of individuals

a. Z Krew Day Proclamation presented to members of the Z Krew by CM Robb.

b. Casey Greene Day Proclamation - presented by MPT Collins.

c. 1,000 Books Before Kindergarten Proclamation - presented to Rosenberg Library representatives by CM Schuster.

4. Reminders regarding City Council events

5. Reminders regarding community events

6. Health and safety announcement

7. COMMUNICATIONS AND PETITIONS

Claims: 21-097 - ONE Gas; 21-098 - Rebecca Taylor; 21-099 - Phoenix Loss Control; 21-100 - Michael Hollis; 21-101 - Shayla Martin; 21-102 - Betty Flisowski; 21-103 - William Compton; 21-104 - Mason English; 21-105 - Gloria Perez; 21-106 - Jonathan Leyva; 22-001 - Jesus Medina; 22-002 - ONE Gas; 22-003 - CenterPoint Energy; 22-004 - Teofilo Ruiz.

8. PUBLIC HEARINGS

- 8.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 1717 Ball/Avenue H, As A "Galveston Landmark", Property Is Legally Described As M.B. Menard Survey, Lot 3, Block 257, 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 21P-068; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

Ordinance No. 22-001 was read by caption. Catherine Gorman provided staff comments. The public hearing was opened; with no comments, the public hearing was closed. Motion was made by MPT Collins, second by CM Schuster, to approve the ordinance. Unanimously approved by those present.

- 8.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Abandoning A 300 Linear-Feet (Approximately 6,000 Square Foot) Section Of Right-Of-Way, On Property Commonly Located At The Mid-Block Alley Right-Of-Way Adjacent To 1128 Seawall And Its Adjoining Properties Legally Described Herein, In The City And County Of Galveston, Texas; Planning Case Number 21P-072; Making Various Findings And Provisions Related To The Subject (D. Lunsford).

Ordinance No. 22-002 was read by caption. Daniel Lunsford provided staff comments. The public hearing was opened. Richard Denson and Robert Bastien spoke in favor of the abandonment. The public hearing was closed. Motion was made by CM Robb, second by CM Schuster, to approve the ordinance. Unanimously approved by those present.

- 8.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-1) Zoning District To Develop A Mixed-Use Development Consisting Of Single-Family Dwellings, Passenger Motor Vehicle Sales And Rental And Agricultural Urban Farming Land Uses On Property Commonly Known As 23500 San Luis Pass Road / Fm 3005, And Which Is Legally Described As Lot 2R (2-18), 10.3127 Acres, Galveston Island RV Resort Replat (2021), In The City And County Of Galveston, Texas; Planning Case Number 21P-065; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (A. Montalvan)

Ordinance No. 22-004 was read by caption. Adriel Montalvan provided staff comments. The public hearing was opened. Brax Easterwood and Rusty Walla spoke in favor of the PUD, Misty Ventura spoke in opposition of the PUD, and Jeffrey Starling submitted a written comment opposing the PUD. The public hearing was closed. Motion was made by CM Robb, second by Mayor Brown, to approve the ordinance with conditions from the Planning Commission and Planning Department, and including an exception to stairs of five feet instead of eight feet, and adding to maintain beach access in the easement. Unanimously approved by those present.

9. PUBLIC COMMENT

Agenda Items: Alexander Nelson and Ralph McMorris - Item 12B; Kay Davis, Bill Hopkins, Brad Davis, and Ismael Medina - Item 13.1.

Non-Agenda Items: Sheila Bell - miscellaneous items; Kevin Daugherty, David Spence, Geri

Gillard, and Dave Lang - little league; and Arthur Vega - funding for the 4th of July parade.

10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Ordering And Calling An Election To Be Held In The City Of Galveston On The 7th Day Of May, 2022, For The Purpose Of Electing A Mayor At-Large And Six (6) District Council Members, Each For A Two-Year Term; Making Provisions For The Conduct And Giving Notice Of The Election; Designating Polling Places; Designating Hours For Voting; Providing For Publication Of The Notice Of The Election; Providing Bilingual Election Requirements; Providing For A Severability Clause; Providing An Open Meetings Clause; Providing A Savings Clause; Declaring Findings Of Fact; And Providing For An Effective Date. (Legal)

Ordinance No. 22-003 was read by caption. Motion was made by CM Robb, second by CM Listowski, to approve the ordinance. Unanimously approved by those present.

- 10.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas Extending Its Previous Policy Providing For City Boards, Committees And Commissions Meetings To Be Conducted Virtually Due To The Public Health Risk Attendant To The Increase Of Covid-19 Infections; Continuing All Other Requirements Of The Texas Open Meetings Act For Such Meetings; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Brown)

Ordinance No. 22-005 was read by caption. Motion was made by Mayor Brown, second by CM Lewis, 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 Mayor Brown, second by CM Robb, to approve Consent Items 11A through 11JJ, except Items 11P and 11CC. Unanimously approved by those present.

- 11.A. CMS2021.5a 45th Street Change Order Audit Report (G. Bulgherini)
- 11.B. Consider For Approval Confirming The City Manager's Appointment Of Jonathan Hale To The Civil Service Commission. (B. Maxwell)
- 11.C. Consider For Approval The Award Of A One (1) Year Contract With Two (2) Additional One (1) Year Renewals To Evergreen Solutions, LLC, To Conduct A Comprehensive Classification And Compensation Study In The Amount Of \$48,450; And Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney (K. Etienne).
- 11.D. Consider A Motion Authorizing The City Manager To Negotiate A Progress Payment To The Texas Department Of Emergency Management For FEMA Grant Funds Received In Conjunction With Hurricane Ike And Used For Storm Preparation, Debris Removal And Repairs To City Facilities And Infrastructure.
- 11.E. Consider Approving The Purchases Of Goods And Services Using Various Contracts Through BuyBoard Purchasing Cooperative, OMNIA Partners, Choice Partners, Goodbuy Purchasing Cooperative, National Cooperative Purchasing Alliance (NCPA), Sourcewell Purchasing Cooperative, Texas Department Of Information Resources (DIR), Tx Smart Buy, And Texas Multiple Award Schedule Program (TXMAS). Estimated Costs For Products Not To Exceed Council Approved Budgets. (M. Loftin)
- 11.F. Consider For Approval The Renewal Of The Oracle Database Software Support Agreement For \$18,728.21 Utilizing DIR Contract TSO-4158, Through Authorized Reseller Mythics, Inc. (H. Dean)

- 11.G. Consider For Approval Authorizing The City Manager To Execute An Agreement With CivicPlus For The Hosting Of The City's Website (Www.galvestontx.gov) For A 3 Year Period With Two Optional 1 Year Terms For A Cost Of \$ 15,794 For Year 1 With A 2.5% Increase Each Year Thereafter. (H. Dean)
- 11.H. Consider For Approval Authorizing Payments To Tyler Technologies For A Total Amount Of \$51,326.00 For Software Maintenance Of The Court Case Management System Through The End Of Fiscal Year 2022.
- 11.I. Consider For Approval, Issuance Of A Task Order #12 To DCMC Partners For Development And Documentation Of The Funding Request Package For The Downtown Drainage Improvement Project, And Authorize The City Manager To Sign All Documents Upon The Review And Approval Of The City Attorney. (T. Wrobleski)
- 11.J. Consider For Approval A Resolution Designating Authorized Signatories For The City's South Shore CDBG-MIT Drainage Improvement Project; 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. Wrobleski)

Resolution No. 22-002

- 11.K. Consider For The Issuance Of Task Order #1 To Plexos Group, LLC For The Grant Administration Services Related To The Texas General Land Office (GLO) Community Development Block Grant – Mitigation (CDBG-MIT) For The South Shore Drainage Improvement Project In The Amount Of \$814,650.00, And Authorizing The City Manager To Execute All Necessary Documents. (T. Wrobleski)
- 11.L. Consider For Approval Execution Of Texas General Land Office Contract No. 22-085-005-D233 (Non-Housing Grant Agreement), And Authorize The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Wrobleski)
- 11.M. Consider For Approval An Application To The Cultural Arts Commission From The Z Krewe For Permission To Paint The Intersection At 21st And Strand, Consistent With Long Tradition And In Compliance With The Standards Set Out In Section 32-3 "Notices, Drawings, Or Caricatures On Pavement" Of The City Of Galveston Code. (B. Sanderson)
- 11.N. Consider For Approval The Purchase And Installation Of New Fitness Equipment At Mcguire-Dent Recreation Center, Located At 2222 28th Street, Using The BuyBoard Purchasing Cooperative Contract (#583-19) With Marathon Fitness. (B. Sanderson)
- 11.O. Consider For Approval The Purchase And Installation Of New Security Cameras And Surveillance Devices For Wright Cuney Recreation Center & Park, Located At 718 41st Street, Using The Goodbuy Purchasing Cooperative Contract (#21-22 4u000) With All Campus Security. (B. Sanderson)
- 11.P. Consider Approving Rental Of Vehicles Using The Texas Smart Buy (Contract # 975-M1) Purchasing Cooperative. (D. Balli)

Pulled by Staff.

- 11.Q. Consider For Approval A Renewal Of The Updated Interlocal Agreement Between The City Of Galveston And The County Of Galveston To Participate In A Combined Task Force Funded By The Automobile Burglary And Theft Prevention Authority Of The State Of Texas. (D. Balli)
- 11.R. Consider For Approval A Request Authorizing The City Manager To Execute An Assignment Of Lease Agreement Assigning A Lease Commencing April 1, 2018, Between The City Of Galveston And Xinomahc Ventures, LLC To Scallywag Air, LLC, Upon Final Approval By The City Attorney (M. Shahan).

- 11.S. Consider For Approval An Easement From The Texas Historic Commission In Conjunction With A Previously Accepted Hurricane Harvey Disaster Assistance Grant For Repairs To The Windows In The City Hall Building, 823 Rosenberg, And Authorize The City Manger To Sign All Necessary Documents Upon Final Approval By The City Attorney. (C. Gorman)
- 11.T. Consider For Approval Awarding The City Hall Window Project (RFP 22-04) To American Restoration For A Contract Amount Of \$285,000.00 With A Fully Funded Contingency For Unknown Conditions Of \$82,550.00. Authorizing The City Manager To Execute All Necessary Documents Upon Final Review And Approval Of The City Attorney. (C. Kenworthy)
- 11.U. Consider For Approval, A Three-Year Contract With The Option For Two One-Year Extensions With ABM Texas General Services Inc. For RFP #22-06, Janitorial Services, Authorizing The City Manager To Execute The Contract Upon The Review And Approval Of The City Attorney. (C. Kenworthy)
- 11.V. Consider For Approval The Purchase Of New High Precision Survey Equipment From AllTerra Central – Houston Through The Texas Department Of Infrastructure Resources Co-Operative Purchasing Contract (DIR-CPO-4504) Necessary To Performing In-House Field Survey Data Collection Services In The Amount Of \$40,833.08. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (B. Hill)
- 11.W. Consider For Approval The Acceptance Of The Coastal Management Program – Cycle 26 Grant, Texas General Land Office Contract Number 22-045-016-D113. (B. Hill)
- 11.X. Consider Approval Of Change Order #5 To The Contract With Wharton-Smith, Inc. For Construction Of The Airport Water Plant Expansion, Increasing The Contract By \$20,773.80 From The Amount Of \$9,432,919.13 To The Amount Of \$9,453,692.93. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Winiecke)
- 11.Y. Consider For Approval An Inflationary Tonnage Rate Increase As Provided By The Terms Of The BFI Transfer Systems Contract For The Operation Of The Refuse Transfer Station. The Increase Is Proposed At 5.94% In Accordance With The September 2021 Consumer Price Index For Urban Wage Earners And Clerical Workers (“CPI-W”). The Estimated Annual Increase Is \$74,091.42. Funding Source Is The Sanitation Division Refuse Disposal Account. (B. Cook)
- 11.Z. Consider For Approval Extending The Rental Of 2 Automated Garbage Trucks From Rush Leasing Through October Of 2022 And December Of 2022, Respectively, In The Amount Of \$161,500. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (B. Cook)
- 11.AA. Consider For The Approval Of A Resolution Of The City Council Of The City Of Galveston Establishing Certain Special Events As Serving Public Purposes, Authorizing The City Manager To Execute The Standard Form Agreement From The Texas Department Of Transportation For Temporary Closures Of State Right Of Ways For Each Event Along With All Other Necessary Documents. (D. Smith)

Resolution No. 22-003

- 11.BB. Consider For The Approval Of A Resolution Of The City Council Of The City Of Galveston Approving An Updated Version Of The Island Transits Public Transportation Agency Safety Plan (PTASP) Which Is A Commitment From Management To Establish A Comprehensive Safety Plan To Provide A Safe And Secure Transit Rail Service And Authorize The City Manager To Execute The Document Upon Final Approval By The City Attorney. (D. Smith)
- 11.CC. Consider For The Approval Of The Purchase Of One New Pierce-Custom Enforcer Aerial 75-Foot Ladder Truck For The Fire Department To Be Purchased From Siddons-Martin Emergency Group Through HGAC Buy For A Total Price Of \$1,029,839 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

Motion was made by CM Robb, second by Mayor Brown, to approve Item 11CC. Unanimously approved by those present.

- 11.DD. Consider For The Approval Of The Purchase Of One New John Deere Tractor, Flex Wing Mower And Two Gators For Municipal Utilities To Be Purchased From John Deer & Company Through Buy Board For A Total Price Of \$106,975.86 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)
- 11.EE. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock And Associated Equipment For Public Works & Mun Utilities From Silsbee Ford Inc. Through Good Buy For A Total Price Of \$626,842.00 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)
- 11.FF. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock And Associated Equipment For Municipal Utilities From Patterson Equipment Company Through Buy Board For A Total Price Of \$187,674.97 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)
- 11.GG. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock And Associated Equipment (Roll-Off Truck For Municipal Utilities) From Rush Truck Center Through HGAC Buy For A Total Price Of \$226,509 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)
- 11.HH. Consider For The Approval Allowing The Fleet Facility To Increase The Previously Approved Purchase Amount Of Four Excavators From Deere & Company Through Buy Board (Brookside) From \$210,528.80 To \$211,398.63. The Increase Is Due To Supply Chain Issues And Parts Availability. This Is A Difference Of \$869.83, Which Is A 0.07% Increase. (D. Smith)
- 11.II. Consider For Approval A Contract Between The City Of Galveston And The County Of Galveston For Election Services. (J. Williams)
- 11.JJ. Consider For Approval Minutes Of The October 28, 2021 Workshop And Regular Meeting, The November 10, 2021 Workshop, The November 18, 2021 Workshop And Regular Meeting, The December 1, 2021 Special Meeting, The December 2, 2021 Special Meeting, And The December 9, 2021 Workshop And Regular Meeting. (J. Williams)

12. ACTION ITEMS

- 12.A. Discuss And Consider For Action A Resolution By The City Council Of The City Of Galveston, Texas, Authorizing Publication Of Notice Of Intention To Issue Up To \$11 Million In Tax And Revenue Supported Certificates Of Obligation; Providing That The Sale Will Be For The Purpose Of Purchasing New Sanitation Vehicles And Constructing Improvements In Sand Hill Crane Park; Approving The Reimbursement Of Costs Incurred Up To Ninety Days Prior To The Closing Of The Sale And Approving Other Matters Incidental Thereto.

Motion was made by CM Robb, second by MPT Collins, to approve Resolution No. 22-001. Unanimously approved by those present.

- 12.B. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas Creating An Ad Hoc City Committee To Investigate Various Improvements That Could Be Made At Stewart Beach, To Investigate Various Financing Methods For The Placement Of Such Improvement, Providing For The Membership Of Such Committee, And Providing For Various Reporting Dates For The Committee To Report Back To The City; Providing For Findings Of Fact And Providing For An Effective Date. (Brown/Collins)

Motion was made by Mayor Brown, second by CM Robb, to approve Resolution No. 22-005.

Unanimously approved by those present.

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

Motion was made by Mayor Brown, second by CM Lewis, to appoint MPT Collins to the Stewart Beach Ad Hoc Committee. Unanimously approved by those present.

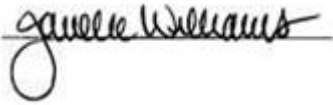
Motion was made by MPT Collins, second by CM Lewis, to appoint CM Listowski to the Stewart Beach Ad Hoc Committee. Unanimously approved by those present.

13. RECEIVE AND FILE (Non-Action Items)

1. Letter from L & L Wings, Inc. - Stewart Beach Parking Area Drainage Improvements Project (SBPADIP)

14. ADJOURNMENT

The meeting was adjourned at 7:19 p.m.

A handwritten signature in black ink that reads "Janelle Williams". The signature is written in a cursive style and is positioned above a horizontal line.

Janelle Williams, City Secretary

Date Approved: February 24, 2022