

**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
REGULAR MEETING - MARCH 23, 2023**

3/23/2023 - 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 William Schuster, Council Member Mike Bouvier, Council Member John Listowski, and Council Member Marie Robb.

3. INVOCATION

The invocation was given by Rev. Heather Gates - Galveston Police Department Chaplain.

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. International Oleander Month Proclamation - **presented by CM Robb.**

b. Sexual Assault Awareness Month Proclamation - **presented by MPT Collins.**

c. Galveston University Graduates Proclamation -

d. Lights Out Texas Proclamation - **presented by CM Bouvier.**

e. Monarch Pledge Day Proclamation - **presented by CM Lewis.**

f. Monarch Pledge Proclamation - **presented by CM Lewis.**

f. Rose D'Ambra Retirement - **the City Council congratulated Rose on her retirement from the City of Galveston.**

4. Reminders regarding City Council events

5. Reminders regarding community events - **CM Listowski and Little League representatives provided information on the Little League Opening Day on Saturday, March 25th.**

6. Health and safety announcement

6.B. City Manager's Report - Investment Report For Quarter Ended December 31, 2022 (M. Loftin)

Assistant City Manager Mike Loftin presented the Quarterly Report.

7. COMMUNICATIONS AND PETITIONS

Claims: 23-019 - Christine Cowan; 23-020 - Timothy Schweitzer; 23-021 - Edna Edwards; 23-022 - Steven Garcia; 23-023 - Yvonne Watkins.

8. PUBLIC HEARINGS

8.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Abandonment Of Approximately 4,800 Square Feet Of 13th Street Right-Of-Way; Adjacent Property Is Legally Described As M. B. Menard Survey, Lot 14, Block 732; In The City And County Of Galveston, Texas; Planning Case Number 23P-014; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

Ordinance No. 23-020 was read by caption. Catherine Gorman provided staff comments. The public hearing was opened. Marc Hill spoke in favor of the abandonment. The public hearing was closed. Motion was made by CM Robb, second by CM Listowski, to approve the ordinance. Unanimously approved.

8.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 1416 Broadway/Avenue J, As A "Galveston Landmark", Property Is Legally Described As M.B. Menard Survey, Lot 12 And West Half Of Lot 11 (12-0), 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-007; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

Ordinance No. 23-021 was read by caption. Catherine Gorman provided staff comments. The public hearing was opened and closed with no public comments. Motion was made by MPT Collins, second by CM Bouvier, to approve the ordinance. Unanimously approved.

8.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The 2015 Galveston Land Development Regulations, By Amending Article 3: District Yard, Lot And Setback Standards', "Urban Neighborhood (Un) Addendum", To Modify The List Of "Corner Stores – Permitted Structures" In The Kempner Park Neighborhood By Adding The Property Address Commonly Known As 1902 31ST Street And Legally Described As M B Menard Survey, North Half Of Lot 1 And Part Of Lot 2 (2-1), Northwest Block 89, Galveston Outlots, In The City And County Of Galveston, Texas; Planning Case Number 23za-001; Making Various Findings And Provisions Related To The Subject. (A. Montalvan)

Ordinance No. 23-022 was read by caption. Adriel Montalvan provided staff comments. The public hearing was opened and closed with no public comments. Motion was made by CM Schuster, second by MPT Collins, to approve the ordinance. Unanimously approved.

9. PUBLIC COMMENT

Non-Agenda Items: Bruce Redmon, Carolyn Rodriguez, Nicholas Gilmore, Bobby Kennedy, and

Austin Lewis commented on Police issues.

10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending "The Code Of The City Of Galveston 1982, As Amended," Chapter 26, "Parks And Recreation", Article III, "Park Board Of Trustees", Amending The Appointment Terms To Begin On May 1 And Appointment Terms To End On April 30 Of Each Term, Respectively; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Brown)

The Ordinance was read by caption. Motion was made by MPT Collins, second by CM Robb, to approve the ordinance. In favor: Collins, Schuster, and Robb. In opposition: Brown, Lewis, Bouvier, and Listowski. Motion fails.

- 10.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending Ordinance No. 23-003, Regarding The Designated Polling Places For The Special Election To Be Held In The City Of Galveston On The 6th Day Of May, 2023, For The Purpose Of Electing A District Council Member For District Two, For A Term Ending In May 2024; Making Other Provisions And Findings Of Fact; And Providing For An Effective Date. (Legal)

Ordinance No. 23-023 was read by caption. Motion was made by CM Robb, second by CM Schuster, to approve the ordinance. Unanimously approved.

- 10.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending Ordinance No. 23-004 Regarding The Designated Polling Places For The Special Election To Be Held In The City Of Galveston On The 6th Day Of May, 2023, For The Purpose Of Submitting To The Qualified Voters Of The City Of Galveston, Texas A Proposition To Determine Whether The City's Existing One-Half Of One Per Cent Sales And Use Tax Be Extended; And As Authorized By Chapter 505 Of The Texas Local Government Code, The Types Of Projects To Be Funded With The Sales And Use Tax; Making Other Provisions And Findings Of Fact; And Providing For An Effective Date. (Legal)

Ordinance No. 23-024 was read by caption. Motion was made by CM Robb, second by CM Lewis, to approve the ordinance. Unanimously approved.

- 10.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending "The Code Of The City Of Galveston 1982, As Amended," Chapter 20.5 "Mardi Gras" Clarifying The Timeframe For Overnight Parking And/Or Overnight Camping On Seawall Blvd., During The Preceding Monday Through Thursday Of The First Weekend Of Mardi Gras And The Following Sunday Through Thursday Of The Final Week Of Mardi Gras; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (D. Smith)

Ordinance No. 23-033 was read by caption. Motion was made by CM Listowski, second by CM Schuster, to approve the ordinance. Unanimously approved.

- 10.E. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Adopting A Policy For The Receipt Of Revenues Received By The Park Board Of Trustees Derived From Hotel Occupancy Taxes Distributed By The Park Board; Pronouncing That Such Revenues Shall Be Considered Unrestricted Funds To Be Delivered To The City; Affirming That Funds Received By The City From The Operation Of The Galveston Convention Center Shall Be Considered To Be Hot Restricted Funds; Providing For Payment Of Such Revenues Received By The Park Board To The City; Making Findings And Provisions Related To The Subject. (Legal)

The Ordinance was read by caption. Motion was made by Mayor Brown, second by CM Listowski, to defer the ordinance. The motion passed 6-1, with CM Lewis voting against the motion.

- 10.F. Consider An Ordinance Of The City Of Galveston, Texas, Amending The Total Operating Budget For Fiscal Year Ending September 30, 2023, By Adjusting Various Budget Accounts In The Amount Of Twenty Million Four Hundred Ten Thousand Two Hundred Two Dollars (\$20,410,202) To Properly Record Expenditures Related To The Disbursement Of Hot Budget Requests To The Park Board For Beach Cleaning, Beach Patrol, Nourished Beach And Tourism Development For The Period Beginning April 1 Through September 30, 2023; As Required By Ordinance 22-074; Establish Funding For Cultural Arts Contracts, Hot Debt Service And Convention Center Operations; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date.

Ordinance No. 23-025 was read by caption. Motion was made by Mayor Brown, second by CM Listowski, 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 CM Lewis, to approve Consent Items 11A through 11O. Unanimously approved.

- 11.A. Consider For Approval A Resolution Of The City Of Galveston Adopting A Fraud, Waste, And Abuse Policy To Provide Means For Reporting Any Activity Or Conduct In Which Instances Of Fraud, Waste, And/Or Abuse Is Suspected In Relation To CDBG-DF/MIT Funding Or Projects; Providing For Findings Of Fact And Providing For An Effective Date. (T. Wroblewski)

Resolution No. 23-007

- 11.B. Consider For Approval Contracts With GrantWorks, Inc, CSRS, LLC, And Plexos Group LLC, For The Community Development Block Grant Disaster Recovery (CDBG-DR) And CDBG – Mitigation (MIT) Grant Administrative Services (RFP-22-17). Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval Of The City Attorney. (T. Wroblewski)
- 11.C. Consider For Approval An Advanced Funding Agreement With The Gulf Coast Water Authority For Certain Capital Projects As Approved In Its Fiscal Year 2023 Budget. (B. Cook)
- 11.D. Consider For Approval The HOME Investment Partnerships Program – American Rescue Plan (HOME-ARP) Allocation Plan In The Total Amount Of \$893,274.00. Authorize The City Manager To Execute All Necessary Contracts, Certifications, And Documents For The Program With The U.S. Department Of Housing And Urban Development (HUD). (R. Anderson)
- 11.E. Consider For Approval The Purchase And Installation Of New Lighting For Hooper Field, From Musco Lighting, In The Amount Of \$387,000.00, Utilizing Buyboard Contract #677-22, With Final Approval By The City Attorney's Office. (B. Sanderson)
- 11.F. Consider For Approval Purchase Of Cellebrite Premium As A Service Pro Package Through GTS Technology Solution's Interlocal Purchasing System (TIPS 200105) As An Upgrade To Current Service For A Cost Of \$29,850.00. (D. Balli)
- 11.G. Consider For Approval The Authorization To Renew The Subscription And Premium Support Agreement On The City's Primary Data Center Backup Solution Authorizing Payment To Centre Technologies For A Total Cost Of \$34,168.04 Utilizing DIR CPO 4452 Contract. (H. Dean)
- 11.H. Consider For Approval To Extend The Agreement With Centre Technologies For The Continued Purchase Microsoft Office 365 Licenses And Azure Storage For A One (1) Year Term With The Options To Extend The Agreement For An Additional Two (2) Years. (H. Dean)

- 11.I. Consider For The Approval Of The Change Order Increase Of \$48,326.50 To The Previously Approved Purchase Of Seventeen Service Trucks For Various Departments From Silsbee Ford Through Good Buy Co-Op. The Original Purchase Order Was For \$626,842 Which Will Now Be Increased To \$675,168.50 Which Is A 7.7% Increase. (D. Smith)
- 11.J. Consider For The Approval Of The Island Transit Parts Supply Contract To IEH Auto Plus Auto Parts And English Color & Supply (Car Parts) As The Primary Parts Suppliers That Met The Specifications In The Bidding Process And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. The Funding Source Is The Island Transit Parts Account. (D. Smith)
- 11.K. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock And Associated Equipment (2 Fire Command Units) For The Fire Department From Grapevine Dodge Chrysler Jeep Through The Buy Board Co-Op For A Total Price Of \$210,134 And Authorize The City Managers Staff To Execute The Agreement Upon Final Approval By The City Attorney. (D. Smith)
- 11.L. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock And Associated Equipment (1 Bomag CR820W Asphalt Paver) For The Streets Department From RB Everett & Company Through The Buy Board Co-Op For A Total Price Of \$519,936 And Authorize The City Managers Staff To Execute The Agreement Upon Final Approval By The City Attorney. (D. Smith)
- 11.M. Consider For Approval Awarding Bid# 23-07 Heating, Ventilation And Air Conditioning, (HVAC) On Call Repair Services To Way Engineering LTD. For A Term Of (3) Years With (2) One-Year Auto Renewals Authorizing The City Manager To Execute The Contract Upon The Final Review And Approval Of The City Attorney. (C.Kenworthy)
- 11.N. Consider For Approval Amendment #1 To The Original 3rd Party Services Contract With Applied GRT, LLC For A Not-To-Exceed Fee Of \$35,070 (Thereby Increasing The Total Contract To \$50,000) To Support The Scope For The 37th Street Improvement Project; Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Winiecke)
- 11.O. Consider For Approval Minutes Of The January 26, 2023 Workshop And Regular Meeting, And February 23, 2023 Workshop And Regular Meeting. (J. Williams)

12. ACTION ITEMS

12.A. Resolution - Juneteenth (Lewis/Brown)

Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Expressing Its Support For Juneteenth And The Concept Of A Museum Within The City Commemorating Juneteenth; Expressing Its Support For Community Leaders To Examine Various Ideas And Approaches By Which That Goal Could Be Realized; Designating The Galveston United Juneteenth Alliance (G.U.J.A), Operating Under The Old Central Cultural Center Inc., As The Lead Organization For The Purposes Of Organizing, Implementing And Producing All Associated Activities Toward The Annual Celebration Of Juneteenth; And The Lead Organization To Evaluate And Develop A Process For The Development Of A Juneteenth Museum In Galveston; Directing The City Manager To Designate A Staff Member To Be The Liaison Between The Group And The City; Making Various Findings And Provisions Related To This Subject; Providing For An Effective Date.

Motion was made by CM Lewis, second by CM Robb, to defer action on the Resolution until April. Unanimously approved.

12.B. Consideration Of Approval Of Contract Between The City Of Galveston And The Park Board For Funding Of Hotel Occupancy Tax To The Park Board For The Remainder Of FY 23. (Legal)

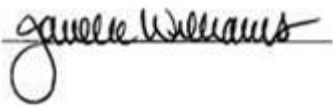
Motion was made by Mayor Brown, second by CM Lewis, to approve the amended version of the contract between the City of Galveston and the Park Board.

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

1. Arts & Historic Preservation Advisory Board - Motion was made by Mayor Brown, second by MPT Collins, to appoint Kathleen Everling. Unanimously approved.
2. Parks & Recreation Advisory Board - Motion was made by MPT Collins, second by Mayor Brown, to appoint Susan Nelson. Unanimously approved.
3. Tree Committee - Motion was made by CM Lewis, second by Mayor Brown, to appoint Felcher Freeman. Unanimously approved.
4. TIRZ 13 - Motion was made by Mayor Brown, second by MPT Collins, to appoint Kimberly Davy. Unanimously approved.

13. ADJOURNMENT

The meeting was adjourned at 6:45 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: May 25, 2023