

**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
REGULAR MEETING - APRIL 22, 2021**

4/22/2021 - 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 William Schuster, Council Member Bill Quiroga, Council Member John Listowski, and Council Member Marie Robb.

Absent: Council Member E. R. Johnson.

3. INVOCATION

The invocation was given by Assistant Minister Jeremiah Narcisse of Avenue L Baptist Church.

4. CONFLICTS OF INTEREST

Mayor Brown declared a conflict on Item 8U.

5. PUBLIC HEARINGS

- 5.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending A Planned Unit Development (PUD) Overlay Zoning District Development Schedule On Property Commonly Known As West Isle - Approximately 100.79 Acres Adjacent To Pointe West Subdivision, And Which Is Legally Described As 100.79 Acres Of Land Out Of Abstract 121 Hall & Jones Survey TR 1-7 Acres 219.885, A Subdivision, In The City And County Of Galveston, Texas; Planning Case Number 21P-010; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date (D. Henry)

Ordinance No. 21-012 was read by caption. Tim Tietjens provided staff comments. The public hearing was opened. Lindsey Reyes spoke in favor of the PUD. The public hearing was closed. Motion was made by CM Robb, second by CM Quiroga, to approve the ordinance. Unanimously approved.

- 5.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Granting A Planned Unit Development (PUD), On Property Commonly Known As 7228 Jones Road, 7224 Jones Road, 2315 72nd Street, And Adjacent Parcel And Legally Described Herein, In The City And County Of Galveston, Texas; Planning Case Number 22P-011; Making Various Findings And Provisions Related To The Subject. (D. Lunsford)

Ordinance No. 21-013 was read by caption. Tim Tietjens provided staff comments. The public hearing was opened. Michael Gaertner and Ricky Morales spoke in favor of the PUD. The public hearing was closed. Motion was made by CM Listowski, second by CM Quiroga, to approve the ordinance. Unanimously approved.

- 5.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Changing The Zoning From Commercial, Neighborhood Conservation District, One (C-Ncd-1) To Urban Neighborhood, Neighborhood Conservation District, One (Un-Ncd-1) Zoning District On Property Commonly Known 1825 23rd Street / Tremont And Which Is Legally Described As Lots 8 – 11, Southeast Block 67, Galveston Outlots, In

The City And County Of Galveston, Texas. Planning Case Number 21p-012; Making Various Findings And Provisions Related To The Subject. (A. Montalvan)

Ordinance No. 21-014 was read by caption. Tim Tietjens provided staff comments. The public hearing was opened and closed with no comments. Motion was made by CM Schuster, second by CM Robb, to approve the ordinance. Unanimously approved.

6. PUBLIC COMMENT

Summary of written public comments received provided by City Secretary Janelle Williams:

38 total comments; 34 related to e-bikes, with 33 opposed to a ban, and one in favor of a ban; three related to golf carts, with two opposed to banning on Seawall, one is a request to lower the speed limit on a portion of Stewart Road so golf carts can get to the golf course or driving range; and one related to redefining "sidewalk" in the City Code, or redefining the offense of blocking a sidewalk.

Public comments received via Zoom:

Herbert Turner expressed his thoughts and prayers to CM Johnson, and commented on a sewer backup in his condo complex; Ryan O'Neal commented on smart scooters and the proposed ordinance; Bert Dagnon commented on the banning of bicycles and scooters on Seawall; Sonya Porretto and Alex Nelson commented on the Park Board's presentation from today's workshop; Paul Windstrom commented on the East End parking permits; Lloyd Martin commented on the flooding of Stewart Beach; Zach Leo commented on the bicycle ordinance; and Tiffany Gibson commented on golf carts.

7. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 7.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of The City Of Galveston, As Amended Chapter 9, "Bicycles", To Amend Regulations, Procedures, And/OR Definitions; And To Make Clarifications, Rename, Renumber And Rearrange The Chapter As Applicable; Providing For Penalties And Fees As Applicable; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Legal)

The Ordinance was read by caption. Motion was made by Mayor Brown, second by CM Robb, to defer the ordinance. Unanimously approved.

- 7.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending "The Code Of The City Of Galveston 1982, As Amended", Chapter 34, "Traffic" Section 34-118. Regarding Residential Parking Permits; Providing For Regulations, Clarifications, And Amending Requirements; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (D. Buckley)

Ordinance No. 21-015 was read by caption. Motion was made by MPT Collins, second by CM Schuster, to approve the ordinance with three amendments to change the language from travel trailer to trailer, increase the removal time from 24 to 48 hours, and to change the language from pass to permit. Unanimously approved.

- 7.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending "The Code Of The City Of Galveston 1982, As Amended", Chapter 34, "Traffic" Section 34-113. Requiring A Valid Driver's License And Insurance To Drive An Impounded Vehicle From A Vehicle Storage Facility; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Legal)

Motion was made by MPT Collins, second by Mayor Brown, to defer Items 7C and 7D. Unanimously approved.

- 7.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of The City Of Galveston, As Amended, Chapter 37, "Wrecker, Tow And Storage Facility", By Amending Chapter

37, To Amend Regulations, Procedures, And/Or Definitions; And To Make Clarifications, Rename, Renumber And Rearrange The Chapter As Applicable; Providing For Penalties And Fees As Applicable; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date.
(Legal)

8. 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 8A through 8T, except Items 8I and 8U. Unanimously approved.

- 8.A. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas Approving And Authorizing The City Manager To Execute An Interlocal Cooperation Agreement Between The City Of Galveston And The Wharves Board Of The City Of Galveston, Providing A Termination Date Of Participation In The City's Self-Funded Health Program; Providing For A Transition Period For The Wharves Board To Obtain Health Benefits For Their Employees; Approving And Authorizing The City Manager To Execute The Agreement; Providing For Findings Of Fact And Providing For An Effective Date. (Legal)

Resolution No. 21-015

- 8.B. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Expressing Its Support For The Submission Of Grant Applications Of The Texas Department Of Transportation's Transportation Alternatives (TA) Set-Aside Program For Proposed Improvements To The Seawall Blvd. Corridor Between 12th And 103rd Streets, Specifically Referred To As; Seawall Blvd.: Traffic Signal Installation At 75th & 89th Streets, Seawall Blvd.: Ped Safety And Separation Improvements & Traffic Calming Measures (12th To 61st Streets), And Ped Safety And Separation Improvements & Traffic Calming Measures (61st To 103rd Streets). (R. Winiecke)

Resolution No. 21-013

- 8.C. Consider For Approval Authorizing The City Manager To Execute An Agreement For Design Services From Clark Condon, Inc. In The Amount Of \$582,500.00 For Design Of A Project To Improve Facilities At The Sandhill Crane Soccer Complex. (D. Anderson)
- 8.D. Consider For Approval An Economic Development Agreement Between The Industrial Development Corporation And The City Of Galveston For The Preparation Of Design And Construction Documents For Improvements To The Sandhill Crane Soccer Complex In The Amount Of \$582,500. (M. Hay)
- 8.E. Consider For Approval The Purchase Of 12 Sets Of Personal Protective Equipment (PPE) Along With Additional Replacement PPE Items From NAFECO Through Buy Board (Contract #603-20) In The Amount Of \$34,741.10. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (C. Olsen)
- 8.F. Consider Approval Of An Interlocal Agreement Between The City Of Galveston And The City Of Austin For A Short-Term Sheltering For Galveston Residents Evacuated During A Mandatory Evacuation. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (C. Olsen)
- 8.G. Consider Approval Of An Agreement Between The City Of Galveston And Galveston Housing Authority To Utilize The Island Community Center For Evacuation Of Residents With Functional Needs During A Declared Mandatory Evacuation. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (C. Olsen)
- 8.H. Consider For Approval A New Agreement With Lexisnexis For An Initial Term Of 24 Months, With An

Allowance Of One (1) Option Year. (M. Jadidi)

- 8.I. Consider For Approval Authorizing The Sale Of The Property Located At 2601 Winnie St., Galveston, Texas 77550 Legally Described As ABST 628 M B Menard Sur Lots 6 & 7 (5-0) BLK 326 Galveston, With All Proceeds Directed To The Galveston Police Department's Local Asset Forfeiture Fund To Be Used For Law Enforcement Purposes In Accordance With Applicable State Law. (V. Hale)

Motion was made by CM Quiroga, second by Mayor Brown, to approve Item 8I. Unanimously approved.

- 8.J. Consider For Action Adopting The 2021 Proposed Investment Policy (M. Loftin)

- 8.K. Consider Approving An Agreement With Presidio Networked Solutions Group, LLC For The Upgrade Of The City's Enterprise Telephone System Utilizing DIR Contract Texas DIR-TSO-4167 For A 60 Month Term And Approve An Agreement With Lumen Utilizing The DIR-TEX-AN-NG-CTSA-004 Contract For SIP Truck Service For A 3 Year Term. (H. Dean)

- 8.L. Civic Plus Amendment

- 8.M. Consider For Approval The Asset Sale, Geoscience, And Cost Evaluation Of Santa Fe Wells Proposal From Intera Inc., For A Lump Sum Amount Not To Exceed \$42,060. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Christodoss)

- 8.N. Consider For Approval A Proposal From LJA Engineering, Inc., For Additional Design Services For The 5,000 GPD Seawolf Wastewater Treatment Plant (WWTP) For A Design Fee Not To Exceed \$47,810.00. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Christodoss)

- 8.O. Consider For Approval The Attached Proposal From Lockwood, Andrews & Newman, Inc., To Perform The Upgrade Design For Lift Stations 35, 40 And 47 In Conjunction With The Pirates Beach WWTP Upgrade For A Design Fee Not To Exceed \$476,310.00. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Christodoss)

- 8.P. Consider For Approval Allowing Fuquay Inc. To Complete The Emergency Rehabilitation Of Four Failing Manholes Located At Harborside Drive And 8th Street In The Amount Not To Exceed \$89,692.00. (T. Pedraza)

- 8.Q. Consider For Approval The Ratification Of The Emergency Purchase Of An Electric Motor Operating Valve From The Scruggs Company In The Amount Of \$15,392.00. (T. Pedraza)

- 8.R. Consider For The Approval Awarding The Contract To Purchase Three (3) Sets Of Heavy-Duty Trolley Jack Stands From The Gomaco Trolley Company, Who Was The Winning Bidder On RFP-IRFP-05 For A Total Of \$26,165, And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

- 8.S. Consider For The Approval Of The Inter-Local Agreement Between The City Of Galveston And The Galveston County Navigation District (GCND) For Access To The Fleet Facilities Fueling Sites. (D. Smith)

Resolution No. 21-014

- 8.T. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock And Associated Equipment (Heavy Duty 50K Trailer) From Interstate Trailers Inc. Through Buy Board For A Total Price Of \$30,687, And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

- 8.U. Consider For The Approval Of The Partnership Agreement/Contract Between The City Of Galveston And Yaga's Entertainment Inc. For The Organizing, Promoting And Managing Of Mardi Gras 2022 Through 2024, Following The Terms As Identified In The Contract Agreement. The Term Is For Three Years, With An Option To Extend Two Additional Years. (D. Smith)

Motion was made by MPT Collins, second by CM Robb, to approve Item 8U. The motion passed 4-1; CM Quiroga voted in opposition; and Mayor Brown declared a conflict and abstained from voting or participating in the discussion of this item.

9. ACTION ITEMS

- 9.A. Discuss And Consider For Action A Request For Authorization To Expend Additional Funds For The Firm Of Denton Navarro Rocha Bernal And Zech Lowell Denton To Continue Representation Of The City In The Case Of Flores V. City Of Galveston. (Legal)

Motion was made by Mayor Brown, second by MPT Collins, to approve the authorization to expend additional funds for no more than \$7,500.00. Unanimously approved.

- 9.B. Discuss And Consider For Action The Adoption Of A Policy Related To The Return To In Person Meetings And Associated Protocol Related To Public Attendance At City Committee Meetings. (Brown)

Motion was made by Mayor Brown, second by CM Robb, allowing in-person committee meetings starting in May with minimum staff and no public attendance at this point. Unanimously approved.

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

Airport Advisory Committee - Motion was made by CM Listowski, second by Mayor Brown, to appoint Mike Burke. Unanimously approved.

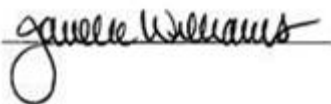
Families, Children and Youth Board - Motion was made by CM Schuster, second by CM Quiroga, to appoint Sheila Lidstone. Unanimously approved.

- 9.D. Consider For Action A Motion To Remove Clyde Wood From The Landmark Commission For Failure To Attend Seventy Five Percent Of The Landmark Commission Meetings Within A Twelve Month Period As Required By Galveston City Code Sec. 2-164.

Motion was made by MPT Collins, second by Mayor Brown, to defer action for 90 days to give Mr. Wood the opportunity to attend the meetings and review his attendance at a later date. Unanimously approved.

10. ADJOURNMENT

The meeting was adjourned at 6:52 p.m.



Janelle Williams, City Secretary

Date Approved: July 22, 2021