

DRAFT
MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
REGULAR MEETING - APRIL 28, 2022

4/28/2022 - 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 Craig Brown, Mayor Pro Tem David Collins, Council Member Sharon Lewis, Council Member William Schuster, Council Member John Listowski, and Council Member Marie Robb.

3. INVOCATION

The invocation was given by Rev. Rhoades of First Lutheran 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

CM Robb declared a conflict on Item 11F.

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 - **CM Robb announced the birth of her grandson; CM Lewis recognized Busy Bee Taxi Cab for being in business for 80 years; and City Manager Brian Maxwell expressed condolences to the family of Ann Moody.**
2. Information regarding holiday schedules
3. Recognition of individuals
 - a. 175th Anniversary of the Archdiocese of Galveston-Houston Proclamation - **deferred to the May agenda.**
 - b. National Nurses Week Proclamation - **presented by CM Robb.**
 - c. Fair Housing Month Proclamation - **presented by CM Schuster.**
 - d. Sexual Assault Awareness Month Proclamation - **presented by CM Lewis.**
 - e. National Crime Victims Rights Week Proclamation - **presented by CM Listowski.**
 - f. Raymond Guzman Day Proclamation - **presented by MPT Collins.**
 - g. Melissa Gonzalez, City Attorney's Office - U.S. Citizenship Certificate - **Ms. Gonzalez was recognized by the City Council and City Attorney for her accomplishment of**

becoming a U. S. Citizen.

4. Reminders regarding City Council events - **Mayor Brown reminded everyone of the City Election being held on May 7, 2022.**

5. Reminders regarding community events

6. Health and safety announcement

7. COMMUNICATIONS AND PETITIONS

Claims: 22-019 - Leslie Perez; 22-020 - John Casados; 22-021 - Jesenia Lopez; 22-022 - Ethan Troung, DDS; 22-023 - James Collins; 22-024 - Terry Ritter; 22-025 - David Cangelosi; 22-026 - One Gas Company; 22-027 - Adrienne Exum; 22-028 - One Gas Company.

8. PUBLIC HEARINGS

8.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas Amending The 2015 Galveston Land Development Regulations, By Amending Article 5, Signs, Section 5.105, "Exceptions" To Provide For Buildings Exceeding An 800 Foot Distance From The Abutting Right Of Way Within (Hi) Heavy Industrial Or (Li) Light Industrial Zoning Districts; And To Amend Table 5.107, "Signs In Commercial (C), Heavy Industrial (Hi), And Light Industrial (Li) Districts, And To Amend Section 5.201 "Definitions"; Planning Case Number 22za-003; Making Various Findings And Provisions Related To The Subject. (T. Tietjens)

Ordinance No. 22-019 was read by caption. Executive Director Tim Tietjens provided staff comments. The public hearing was opened and closed with no public comments. Motion was made by Mayor Brown, second by CM Robb, to approve the ordinance. Unanimously approved.

8.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Changing The Zoning From Commercial (C) Zoning District To Heavy Industrial (HI) Zoning District On Property Commonly Known As 1201 And 1228 Harborside Drive And Which Properties Are Legally Described As Lots 8 – 14, Southeast Block 732, And Part Of Adjacent 12th Street, In The City And County Of Galveston, Texas. Planning Case Number 22P-016; Making Various Findings And Provisions Related To The Subject. (A. Montalvan)

Ordinance No. 22-020 was read by caption. Adriel Montalvan provided staff comments. The public hearing was opened. Greg Lewis spoke in favor of the zoning change on behalf of the owners. The public hearing was closed. Motion was made by CM Robb, second by CM Listowski, to approve the ordinance. Unanimously approved.

9. PUBLIC COMMENT

Non-Agenda Items: Bert Dagnon, Carly Gibson, Tiffany Gibson - issues with City Marshal's Office; Tarris Woods - uses for the 30th Street Pump Station; and Sheila Bell - floods, lifejackets.

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 34, "Traffic" Article V. Stopping, Standing Or Parking", Division 1. Generally, Section 34-110(A), "Seawall Residential Parking District – No Parking; Exemption With Parking Permit" To Add Both Sides Of Avenue R1/2 From 35th Street To 37th Street; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Legal)

Ordinance No. 22-021 was read by caption. Motion was made by CM Schuster, second by Mayor Brown, approving the ordinance with an effective date when the signs are installed. Unanimously approved.

- 10.B. Consider For Approval Renewing An Ordinance Of The City Of Galveston, Texas, Amending Chapter 26 "Parks And Recreation" And Sections Thereunder; Adopting The Youth Services Standards Of Care For 2022, Thereby Defining Minimum Standards Of Care By Which The City Of Galveston And Its Recreation Department Will Operate The City's Youth Recreational Programs; Providing For An Annual Review And Re-Adoption Date Thereafter; Making Various Finding And Provisions Related To The Subject. (B. Sanderson)

Ordinance No. 22-022 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 Council Of The City Of Galveston, Texas, Amending Chapter 2 "Administration", Article IV "Boards, Commissions, And Committees", Division 3 "Galveston Cultural Arts Commission", Of "The Code Of The City Of Galveston, 1982, As Amended"; Amending The Prescribed Meeting Location; Providing For Findings Of Fact And Providing For An Effective Date (Legal).

Ordinance No. 22-018 was read by caption. Motion was made by CM Robb, second by MPT Collins, 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 Robb, to approve Consent Items 11A through 11V, except Item 11F. Unanimously approved.

- 11.A. Consider For Approval A Resolution Of The City Of Galveston, Texas Finding That CenterPoint Energy Houston Electric, Llc's Application For Approval To Amend Its Distribution Cost Recovery Factor Pursuant To 16 Tex. Admin. Code § 25.243 To Increase Distribution Rates Within The City Should Be Denied; Finding That The City's Reasonable Rate Case Expenses Shall Be Reimbursed By The Company; Finding That The Meeting At Which This Resolution Is Passed Is Open To The Public As Required By Law; Requiring Notice Of This Resolution To The Company And Legal Counsel. (Legal)

Resolution No. 22-009

- 11.B. Consider For Action A Resolution Of The City Council Approving An Interlocal Agreement Between The City And The Park Board For The Conduct Of Hotel Occupancy Audits By The City Auditor For Twenty Audits And Authorizing The City Manager To Execute The Agreement On Behalf Of The City. (Legal)

Resolution No.

- 11.C. Consider For Approval The City Of Galveston Draft Hazard Mitigation Plan For Submittal To TDEM And FEMA For Approval. (M. Morgan Sr)
- 11.D. Consider For Approval An Economic Development Grant Agreement Between The City Of Galveston And Industrial Development Corporation Of The City Of Galveston Texas Approving Funding To City Of Galveston For Parks Maintenance Package #4, In The Amount Of \$600,000 For Improvements To Hooper Field (B. Sanderson)
- 11.E. Consider For Approval Authorizing The City Manager To Execute A Texas Department Of Transportation, Aviation Division, Group 1 Airport Rescue Plan Act (ARPA) Grant Agreement For \$2,045,270 To Provide Construction Services To Rehabilitate And Mark Runway 18-36 At The Scholes International Airport Upon The Review And Approval Of The City Attorney (M. Shahan).

- 11.F. Consider Adopting Resolution No. 22-XXX Granting A Pipeline Easement Across City Property To Texas International Terminals. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Winiecke)

Motion was made by CM Listowski, second by Mayor Brown, to defer Item 11F. The motion passed 5-0; CM Robb declared a conflict and abstained from voting on this item.

- 11.G. Consider For Approval A Quote From Landscape Arts, Inc. In The Amount Of \$19,811.00 For Trees, Irrigation Extension, And Some Tree Maintenance At Crockett Park. (D. Anderson)
- 11.H. Consider For Approval Awarding The Annual Contract For The Purchase Of Pipes, Parts And Fittings (Bid 22-04) To Fortline Water Works, Accurate Utility Supply, Core & Main LP, Coborn Supply Company And Ferguson Enterprises. Authorizing City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Pedraza)
- 11.I. Consider For Approval The Ratification For The Emergency Rental Of A Street Milling A Machine Through R.B. Everett In The Amount Of \$19,800.00. (T. Pedraza)
- 11.J. Consider Of Approval Utilizing The Texas Rural Water Association To Provide Various Required TCEQ Trainings To The Collections & Distribution Staff In House At The New Public Works Facility In An Amount Not To Exceed \$20,000.00. (T. Pedraza)
- 11.K. Consider For Approval The Sole Source Repair (2) Submersible Pumps For Airport Wastewater Plant In The Amount Of \$ 23,757.09 With K2 Services.
- 11.L. Consider For Approval The Ratification Of Utilizing T-Construction, AWC, Sprint Waste, K2 Services, United Rentals, Rangeline Tapping, Xylem, And Serpentex For The Emergency Repairs Caused By A Struck Force Main On November 29th 2021 In The Total Accumulated Amount Of \$304,537.00. (T. Pedraza)
- 11.M. Consider For Approval The Additional Annual Funding Of \$18,900.00 For Professional Legal Services From The Law Firm Of Lloyd Gosselink Related To Water And Sewer Legal Issues. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Pedraza)
- 11.N. Consider For Approval The BuyBoard Purchase Of Thirty-Three (33) Traffic Signal Battery Backup Units Through Texas Highway Products, Ltd. As Phase One Of A Four Phased Project, For A Total Cost Of \$223,708.00. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Pedraza)
- 11.O. Consider For Approval The \$10,000 Increase To Purchase Order P2250318 Originally \$14,900, For The Use Of Our Sewer AI Inspection Software. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Pedraza)
- 11.P. Consider For Approval, Awarding Bid #22-02 Electrical Services To Crescent Electric And Henry Beall Enterprises Inc. Dba A & H Electric For A Term Of (3) Years With (2) One-Year Auto Renewals, Authorizing The City Manager To Execute The Contract Upon The Review And Approval Of The City Attorney. (C.Kenworthy)
- 11.Q. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (One Used 2015 Tahoe PPV) And Associated Equipment From Siddons Martin Emergency Group Who Was The Only Bidder For A Total Price Of \$36,500 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

- 11.R. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (PD Patrol PPV Tahoe's) And Associated Equipment From Caldwell Country Chevrolet Through Buy Board For A Total Price Of \$867,724 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)
- 11.S. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (4 HD Service Trucks) And Associated Equipment From Silsbee Ford Through Good Buy For A Total Price Of \$274,240.30 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)
- 11.T. Consider For Approval Minutes Of The March 24, 2022 Workshop And Regular Meeting. (J. Williams)
- 11.U. Consider For Approval An Agreement With Main Lane Industries, Ltd. In The Amount Of \$2,109,939.00 For The Downtown Streetscape Project On 23rd Street From Church To Harborside, And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Anderson)
- 11.V. Consider For Approval An Interlocal Agreement With The Texas Department Of Transportation Allowing City Of Galveston Police Officers To Provide Law Enforcement And Traffic Control Operations On Ferry Road And At The Galveston Ferry Landing, Pending Agreement On The Vehicle Reimbursement Rate Acceptable To The City Through Action Of The City Manager. (D. Balli)

12. ACTION ITEMS

- 12.A. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Providing For Reimbursement Of The Construction Cost For Certain Improvements Constructed On Property Placed Under The Exclusive Management And Control Of The Board Of Trustees Of The Galveston Wharves; Directing The City Secretary To Forward A Certified Copy Of This Resolution To The Board Of Trustees Of The Galveston Wharves; Providing For Findings Of Fact And Providing For An Effective Date. (Brown)

Resolution No. 22-010

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

1. Airport Advisory Committee - District 3 - Motion was made by MPT Collins, second by Mayor Brown, to appoint Tim Beeton. Unanimously approved.

13. RECEIVE AND FILE (Non-Action Items)

- a. Letter of Support - Scholes International Airport, Airport Improvement Program, FY 2023 Appropriations - General Aviation Taxiway Relocation and Reconstruction Improvements Funding**
- b. Letter of Support - Scholes International Airport, Airport Improvement Program, FY 2023 Appropriations - General Aviation Ramp Reconstruction Funding Request**
- c. Letter of Support - Scholes International Airport, Airport Improvement Program, FY 2023 Appropriations - Airfield Drainage Improvements Funding Request**
- d. Letter of Support - City of Galveston Pre-Disaster Grant Program - 59th Street Water Tank Project Funding Request**
- e. Letter of Support - City of Galveston Pre-Disaster Grant Program - Causeway Water Line Project Funding Request**
- f. Letter of Support - Port of Galveston Green Marine Transition Funding Request**

14. ADJOURNMENT

The meeting was adjourned at 6:08 p.m.

Janelle Williams, City Secretary

Date Approved:

DRAFT