

**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON  
REGULAR MEETING - MAY 27, 2021**

5/27/2021 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER

**With a quorum present, the meeting was called to order at 5:12 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.**

3. INVOCATION

**The invocation was given by Pastor Rhodes from First Lutheran Church.**

4. CONFLICTS OF INTEREST

**None.**

5. PUBLIC HEARINGS

- 5.A. Conduct A Public Hearing And Consider For Approval The 2021 Community Development Block Grant (CDBG) And HOME Investment Partnership (HOME) Consolidated Program Objectives And Projects In The Total Amount Of \$1,430,515 (CDBG Allocation Of \$1,183,810 And HOME Allocation Of \$246,705) And CDBG And HOME Program Income Total Estimates Of \$50,000. Authorize The City Manager To File A Grant Application With The U.S. Department Of Housing And Urban Development (HUD) And Execute All Necessary Contracts, Certifications, And Documents For The Programs. (A. Law)

**Director of Grants and Housing Alice Law provided staff comments. The public hearing was opened; with no speakers, the public hearing was closed. Motion was made by CM Listowski, second by MPT Collins, to approve the item. Unanimously approved.**

- 5.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Abandoning Property Mid-Block Alley Right-Of-Way Adjacent To 1728 Seawall And Adjoining Properties And Adjacent Properties Are Legally Described As M. B. Menard Survey, North Part Of Lot 14 (3014-1) Southeast Block 70, Galveston Outlots; And M.B. Menard Survey, Lot 1, Fred E Wyant Subdivision Replat; In The City And County Of Galveston, Texas; Planning Case Number 21P-022; Making Various Findings And Provisions Related To The Subject (D. Lunsford).

**Ordinance No. 21-017 was read by caption. Executive Director Tim Tietjens provided staff comments. The public hearing was opened. Robert Dagnon spoke in favor of the abandonment. The public hearing was closed. Motion was made by CM Schuster, second by CM Robb, to approve the ordinance. Unanimously approved.**

- 5.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 Kempner Park By Adding The Property Address Of 2902 Avenue R; Planning Case Number 21ZA-001; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

**Ordinance No. 21-018 was read by caption. Executive Director Tim Tietjens provided staff**

**comments. The public hearing was opened; with no speakers, the public hearing was closed. Motion was made by CM Schuster, second by Mayor Brown, to approve the ordinance. Unanimously approved.**

- 5.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 1419 Ball / Avenue H And Legally Described As The M.B. Menard Survey, Lot 3, Block 254, In The City And County Of Galveston, Texas As A Historically Or Archeological Significant Site In Need Of Tax Relief To Encourage Its Preservation; Granting A Substantial Rehabilitation For Historic Property Tax Exemption; Designating The City Manager To Execute Those Documents Necessary To Implement The Tax Incentive Program; Landmark Case Number 21LC-019; , Making Various Findings And Provisions Related To The Subject. (C. Gorman)

**Ordinance No. 21-019 was read by caption. Executive Director Tim Tietjens 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. The motion carried 5-0; CM Quiroga abstained from voting.**

- 5.E. Consider For Approval An Ordinance Of The City Of Galveston Approving An Amended Service And Assessment Plan And Amended Assessment Roll For Beachside Village Public Improvement District (The "District"); Levying Assessments On Certain Property Within The District; And Enacting Other Provision Related Thereto. (Legal)

**Ordinance No. 21-026 was read by caption. City Attorney Don Glywasky provided staff comments. The public hearing was opened. Steve Schulz, and Bruce and Debbie Reinhart were available for questions from City Council. The public hearing was closed. Motion was made by CM Robb, second by Mayor Brown, to approve the ordinance. Unanimously approved.**

## 6. PUBLIC COMMENT

**Written comments were summarized by City Secretary Janelle Williams, as follows: 44 total comments received; one related to a future RV Park at 3348 7 Mile Road; two against banning electric bikes on Seawall; one related to radiation and foundation shaking disturbance; four related to the short term rental ordinance; and 37 related to golf carts. Copies of written comments were provided to City Council.**

**Public comments on the Zoom call - Brenda Barker commented on residential parking; Anna Draa commented on short term rentals; and Ronald Dean commented on residential parking.**

## 7. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 7.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Ordering And Calling A Special Election To Be Held In The City Of Galveston On The 28th Day Of August, 2021, For The Purpose Of Electing A District Council Member For District One For A Term Ending In May 2022; Making Provisions For The Conduct And Giving Notice Of The Election; Designating Polling Places; Designating Dates And Hours For Early Voting; Designating The Date And Hours For The Election Day; 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. 21-016 was read by caption. Motion was made by CM Robb, second by CM Quiroga, to approve the ordinance. Unanimously approved.**

- 7.B. : Consider An Ordinance Amending The FY 2021 Operating Budget By Increasing Various Budgeted Expenditure Amounts In The Amount Of \$3,075,444 With Funds Budgeted In Other Budgeted Accounts In A Like Amount To Adjust And Properly Record Expenses For The Fiscal Impact Of Winter Storm Uri, Additional Funding For Group Health Insurance, Funding For Unbudgeted But Necessary Costs In

Finance, Wastewater, City Auditor, Elections, And Building Inspection, And Routine Adjustments To Special Fund Budgets To Reflect Fund Balance Outcomes Of FY 2020.

**Ordinance No. 21-023 was read by caption. Motion was made by Mayor Brown, second by MPT Collins, to approve the ordinance. 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 19, "Licenses, Permits And Business Regulations", Article VI, "Short Term Rentals" By Adding Sections 19-117 Related To Advertisement Of Short Term Rental Units And Section 19-118 Related To Online Short Term Rental Platforms; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (M. Loftin)

**Ordinance No. 21-021 was read by caption. Motion was made by Mayor Brown, second by MPT Collins, to approve the ordinance. The motion carried 5-0; CM Schuster abstained from voting.**

- 7.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Discontinuing The State Of Disaster And Emergency In The City Of Galveston Related To The Winter Storm Of 2021; Making Various Findings And Provisions Related To The Subject And Providing For An Effective Date. (Legal)

**Ordinance No. 21-022 was read by caption. Motion was made by MPT Collins, second by CM Robb, to approve the ordinance. Unanimously approved.**

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 MPT Collins, to approve Consent Items 8A through 8Z, excluding 8C. Unanimously approved.**

- 8.A. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas In Support Of The Park Board Of Trustees Proceeding With The Request For Qualifications For A Public-Private Partnership Regarding Development Opportunity At Stewart Beach Park; Providing For City Council Review Of Received Responses And Participation In The Process; Providing For Findings Of Fact And Providing For An Effective Date. (Collins/Brown)

**Resolution No. 21-017**

- 8.B. Consider For Approval A Resolution Approving Amended Interlocal Agreement Reforming The Galveston County Health District United Board Of Health Membership Structure By Providing For A Five Member Board Appointed By The Commissioners Court. (Legal)

- 8.C. Amendment The City Auditor's Office 2021 Audit Plan

A. To delete F&CPG-2021-3 Evaluate Financial Statement Preparation.

B. To increase the amount of City contracts from three to nine on audit CMS-2021-3. All contracts are from the month of February 2021.

This will include:

1. Interamerican Motor LLC.
2. Car Parts & Equipment.
3. IEH Auto Parts.
4. Republic Parts Co.
5. Triad Marine & Industrial Supply Inc.
6. Triad Marine & Industrial Supply Inc.

- 7. Huntington Capital Markets.
- 8. Alpha Testing.
- 9. Angelo Grasso

C. To delete CMS-2021-4 Processes for three contracts.

D. To delete F&CPG-2021-4 Evaluate Costing and Trend Analysis.

**Motion was made by CM Quiroga, second by CM Robb, to approve the amendment to the Audit Plan. Unanimously approved.**

- 8.D. Consider For Approval Accepting The CMS First Completed Project With The Park Board's Employees On The Purchasing Policies, Procedures And Control Manual (G. Bulgherini).
- 8.E. Consider For Approval An Amended Interlocal Cooperation Agreement Between The City Of Galveston, Texas (The "City"), And The Board Of Trustees Of The Galveston Wharves Board, Providing For An Efficient And Smooth Transition Of The Wharves Board Plan Members To A New Health Insurance Carrier (K. Etienne).

**Resolution No. 21-020**

- 8.F. Consider Acceptance Of Draft Contract From The Texas Water Development Board For Receipt Of Funding From FEMA's Flood Mitigation Assistance Program To Implement The City Of Galveston Community Flood Mitigation Advance Assistance – Strand Study (The Strand Study), And Authorize The City Manager To Sign All Necessary Documents Upon Final Approval By The City Attorney. (T. Wrobleski)
- 8.G. Consider Approval Of DCMC Partners Task Order #7 Authorizing The Expenditure Of An Amount Not To Exceed \$15,000 For Technical Assistance And Disaster Consulting Services Related To The Completion Of Phase 01 Support For The 14th Street Drainage Improvement Project, And Authorize The City Manager To Sign All Necessary Documents Upon Final Approval By The City Attorney. (T. Wrobleski)
- 8.H. Consider Approval Of DCMC Partners Task Order #8 Authorizing The Expenditure Of An Amount Not To Exceed \$45,000 For Mitigation Strategy Development, Plan Integration, And Grant Management For The City's Recently Awarded City Of Galveston Community Flood Mitigation Advance Assistance – Strand Study (The Strand Study), And Authorize The City Manager To Sign All Necessary Documents Upon Final Approval By The City Attorney. (T. Wrobleski)
- 8.I. Consider For Approval Authorizing The City Manager To Enter Into A Five (5) Year Contract With Galveston Beach Band, Inc., The Lone Submittal For RFP 21-07, For Eleven (11) Annual Concerts From June To August Known As The "Summer Band Concert Series" For An Amount Of \$32,120.00 Annually (\$2,920.00 Per Date), With Final Approval By The City Attorney. (B. Sanderson)
- 8.J. Consider Approving An Agreement With Aquatic Informatics For The Upgrade Of The Tokay Backflow Prevention Application And Upgrade Of The LinkoFog Pretreatment Application In An Amount Not To Exceed \$31,950 And Authorizing Future Annual Payments For Software Maintenance As Outlined In The Contract. (H. Dean)
- 8.K. Consider For Approval The Authorization To Purchase Extended Support On The City's Production SAN From Centre Technologies Using DIR Contract TSO-3763 For A Total Cost Of \$30,518.68. (H. Dean)
- 8.L. Consider For Approval The Allocation Of Funds In An Amount Not To Exceed \$98,260 For The Purchase Of Replacement Desktop And Laptop Equipment That Has Reached The End Of Useful Life And Allocating Funds To Dell, Inc. Using DIR Contract TSO-3763. (H. Dean)

- 8.M. Consider For Approval The Renewal Of The Annual Maintenance Support Agreement For The City's Geographic Information System (GIS) Software Awarding The Contract To Sole Source Proprietor, Environmental Systems Research Institute, Inc. (Esri) In The Amount Of \$115,500 For A Three (3) Year Term. (H. Dean)
- 8.N. Consider Approving The Purchase Of Sophos Central Endpoint Security Solution Through SHI Government Solutions Utilizing DIR-TSO-4291 Contract For A 36 Month Term For A Total Cost Of \$24,980.49. (H. Dean)
- 8.O. Consider For Approval The Purchase Of Software From Gtechna US Corporation. The Total Cost For This Purchase Will Be \$25,900.00 For The First Year. The Cost Per Year Beginning At Year 2 Will Be A 5% Increase Of The Maintenance And Hosting Fees Which Are Currently \$15,900.00 Per Year. (B. Stroud)
- 8.P. Consider For Approval, Awarding RFP #21-05, Sanitation Barn Equipment Shelter To The Company With The Highest Evaluated Score, Lucas Construction, At A Cost Of \$349,000.00, Authorizing The City Manager To Execute The Contract Upon The Review And Approval Of The City Attorney. (C. Kenworthy)
- 8.Q. Consider For Action Accepting A One-Year Renewal Option Of The Contract With Aptim Environmental And Infrastructure, LLC. For Professional Services To Perform Wading Depth And Depth Of Closure Surveys Of The Beach, And A One-Year Renewal Option Of The Interlocal Agreement Between The City And The Park Board Of Trustees Regarding Cost Sharing For The Project. Funding To Come From The Galveston Park Board Of Trustees And The Beach Silo Of The IDC 4B Sales Tax, In An Amount Not To Exceed \$103,149.00. (T. Tietjens)
- 8.R. Consider For Approval An Agreement Between The Industrial Development Corporation (IDC) And The City Of Galveston Establishing An Annual Fund To Support Beach Remediation Services & Equipment In The Amount Of \$550,000.00. (R. Winiecke)
- 8.S. Consider For Approval The Professional Engineering Services Proposal From Zarinkelk Engineering Services, Inc. (ZEI), To Perform The Subsurface Utility Engineering (SUE) For The 10 Mile Elevated Storage Tank (EST) Project For A Design Fee Not To Exceed \$37,682. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Christodoss)
- 8.T. Consider Approval Of Change Order #6 To The Contract With E.P. Brady, Ltd. For The 24-Inch Water Transmission Line From 59th Street Pump Station To The Airport Pump Station Project Increasing The Contract By \$423,734.00 From The Amount Of \$17,778,994.22 To The Amount Of \$18,202,728.22. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Pedraza)
- 8.U. 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 \$38,000.00. (T. Pedraza)
- 8.V. Consider For Approval The Purchase Of A Camera And Accessories From CLS Equipment In An Amount Not To Exceed \$54,107.84. (T. Pedraza)
- 8.W. Consider Approval Of Change Order #2 To The Contract With Preload, LLC For The New 7.5MG Ground Storage Tank At 59th Street Project Decreasing The Contract By \$20,378.35 From The Amount Of \$5,499,844.32 To The Amount Of \$5,479,465.97. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Pedraza)
- 8.X. Consider Approval Of Change Order #2 To The Contract With Main Lane Industries, Ltd. For The 25th Street Improvements From Broadway To Seawall Project Decreasing The Contract By \$223,176.24 From The Amount Of \$6,673,200.00 To The Amount Of \$6,450,023.76. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (T. Pedraza)

- 8.Y. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock And Associated Equipment (Bobcat Skid Loader) From Clark Equipment Co. (Dba Bobcat Co.) Through Buy Board For A Total Price Of \$62,913.32, And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)
- 8.Z. Consider For Approval Minutes Of The March 11, 2021 Special Meeting, The March 25, 2021 Workshop And Regular Meeting, And The April 8, 2021 Special Workshop And Special Meeting. (J. Williams)

## 9. ACTION ITEMS

- 9.A. Discuss And Consider For Action A Change To The Current Audit Plan To Include The Mardi Gras Contract Into The CMS (Contract Monitoring System) Project. (Quiroga/Brown)

**Motion was made by CM Quiroga, second by CM Schuster, to approve the change to the current Audit Plan. The motion carried 5-0; Mayor Brown declared a conflict on this item and abstained from voting.**

- 9.B. Discuss And Consider For Action Approval Of The Policy For Board/Commission/Committee Appointments. (Brown)

**Motion was made by Mayor Brown, second by MPT Collins, to approve Resolution No. 21-019 that designates nominations by the Council ranking system, and designates in-person interview process unless changed by Council. The motion carried 4-2; CM Quiroga and CM Robb voted against the motion.**

- 9.C. Discuss And Consider For Approval A Contract For Election Services Between The City Of Galveston And Galveston County For The Purpose Of Holding A Special Election For City Council District 1. (Legal)

**Motion was made by CM Robb, second by MPT Collins, to approve the contract. Unanimously approved.**

- 9.D. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Providing For The Resumption Of In-Person Meetings Of City Council And All City Boards And Commissions And Allowing For The Attendance By The Public At All Such Meetings, Except As Otherwise Allowed By The Texas Open Meetings Act; Providing For Findings Of Fact And Providing For An Effective Date. (Brown)

**Motion was made by Mayor Brown, second by CM Robb, to approve Resolution No. 21-018 resuming to in-person meetings for Council, all City boards and commissions, and the public effective June 1, 2021, continuing with the virtual attendance option for the City, public and staff, and continuing the written comment option for the public. Unanimously approved.**

- 9.E. Discuss And Consider An Appointment To The Houston-Galveston Area Council (H-GAC) Gulf Coast Economic Development District.

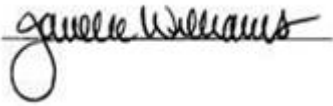
**Motion was made by Mayor Brown, second by MPT Collins, to appoint Michele Hay to the H-GAC's Gulf Coast Economic Development District. Unanimously approved.**

- 9.F. Consider For Action A Direction To The City Manager To Designate Juneteenth As An Official City Holiday In The City Of Galveston. (Schuster/Brown)

**Motion was made by CM Schuster, second by MPT Collins, designating Juneteenth as an official City Holiday in the City of Galveston beginning this year on Friday, June 18th. Unanimously approved.**

10. ADJOURNMENT

**The meeting was adjourned at 7:04 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: July 22, 2021