

**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON  
REGULAR MEETING - JUNE 25, 2020**

6/25/2020 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER

**With a quorum present, Mayor Yarbrough called the meeting to order at 1:15 p.m.**

2. ROLL CALL

**Present (via video conference): Mayor James Yarbrough, Mayor Pro Tem Dr. Craig Brown, Council Member Amy Bly, Council Member David Collins, Council Member Jason Hardcastle, Council Member John Listowski, and Council Member Dr. Jackie Cole.**

3. CONFLICTS OF INTEREST

**None.**

4. PRESENTATIONS/REPORTS OF COUNCIL, OFFICER BOARDS, AND CITY MANAGER

4.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 - Mayor Yarbrough congratulated CM Hardcastle and Hayley for their expected baby girl in December.**

2. Information regarding holiday schedules

3. Recognition of individuals

4. Reminders regarding City Council events

5. Reminders regarding community events

6. Health and safety announcement

4.B. The Investment Reports For Quarter Ended March 31, 2020 (M. Loftin)

**Assistant City Manager Mike Loftin presented the Investment Report.**

5. COMMUNICATIONS AND PETITIONS

**Claims: 20-041 - Holly Landry; 20-042 - James Wilson; 20-043 - Alicia Portilla; 20-044 - Barbi Manganile; 20-045 - Adele Leyver; 20-046 - Andy Keeton; 20-047 - Keith Becker; 20-048 - Gerado Acoster; 20-049 - Jacob Simon; 20-050 - Vincent Smith; 20-051 - Terry and Karen Burton; 20-052 - AT&T.**

6. PUBLIC HEARINGS

6.A. Conduct A Public Hearing And Consider For Approval The 2020 Community Development Block Grant-CV (CDBG-CV) Coronavirus Aid, Relief, And Economic Security (CARES Act) Supplemental Funding In The Amount Of \$271,736 And Amendment To The 2019 Consolidated Plan To Implement Coronavirus Pandemic Disaster Projects And Allow For The Use Of The Urgent Need Project Benefit. Authorize The City Manager To File A Grant Application (Amendment) With The U.S. Department Of Housing And Urban Development (HUD) And Execute All Necessary Contracts, Certifications, And Documents For The Programs. (A. Law)

**Interim Director of Grants and Housing Alice Law provided staff comments. The public hearing was opened. Alice Law summarized six public comments received during the public comment period. The public hearing was closed. Motion was made by CM Listowski, second by CM Bly, to approve the agenda item. Unanimously approved.**

6.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 1521 Broadway / Avenue J, As A "Galveston Landmark", Property Is Legally Described As The East 2 Feet And 10 Inches Of Lot 2 And West 28 Feet And Seven Inches Of Lot 3 (2-1), Block 135, 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 20P-009; Making Various Findings And Provisions Related To The Subject. (K. White)

**Ordinance No. 20-037 was read by caption. Karen White provided staff comments. The public hearing was opened; with no speakers, the public hearing was closed. Motion was made by CM Hardcastle, second by Mayor Yarbrough, to approve the ordinance. Unanimously approved.**

## 7. PUBLIC COMMENT

**Summary of Public Comments (34 received) - 12 related to COVID-19 and face masks; 14 related to Police reform and racial equality; one request for drainage and gutters on Avenue M-1/2; one related to West End Beachside Neighborhoods; one related to car burglaries; one related to the Galveston Naval Museum; one related to Juneteenth; one related to GPD Narcotics Officers; one related to a communication with the City Manager; and one related to a public information request.**

## 8. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

8.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Declaring A State Of Disaster And Emergency In The City Of Galveston Related To The Emergence Of The Corona Virus/COVID 19; Extending The State Of Disaster And Emergency In The City Of Galveston Until September 30, 2020; Extending Previously Approved Emergency Orders Within The City Until September 30, 2020, Making Various Findings And Provisions Related To The Subject, Providing For A Penalty And Providing For An Effective Date. (Legal)

**Ordinance No. 20-038 was read by caption. Motion was made by MPT Brown, second by CM Bly, to approve the ordinance, to be reviewed by City Council on July 23rd, and due to the increase of infection in Galveston County and specifically the City of Galveston is experiencing for staff to notify Council of changes in the approach we can take depending on the Governor's orders. After discussion, the motion and second were withdrawn in order to take the mask order separately.**

**Motion was made by Mayor Yarbrough, second by MPT Brown, to approve extending the mask order through September 30th, with the provision that it be placed on the July 23rd agenda for review. The motion carried 5-2; CM Hardcastle and CM Listowski voted against the motion.**

**Motion was made by Mayor Yarbrough, second by CM Collins, to approve the ordinance, including extension of the mask order through September 30th with a July 23rd review. The motion carried 6-1; CM Hardcastle voted against the motion.**

## 8.B. Election Ordinance

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 3rd Day Of November, 2020, 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; Providing The Candidate Filings Received For The Postponed May 2, 2020 Election Remain Valid For The November 3 2020 Election And The Filing Period Will Not Be Re-Opened; Designating Polling Places; Designating Dates And Hours For Early Voting; Designating The Date And Hours Or 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. 20-039 was read by caption. Motion was made by CM Collins, second by CM Hardcastle, to approve the ordinance. Unanimously approved.**

- 8.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending Chapter 33, "Taxation" Of "The Code Of The City Of Galveston 1982, As Amended" By Amending The Procedures For Allocating Net Disbursible Funds To Eligible Groups By Allowing For Re-Allocation In The Event Of Significant Reductions To Hotel Occpancy Tax; Making Various Findings And Provisions Related To The Subject And Providing For An Effective Date.

**Ordinance No. 20-040 was read by caption. Motion was made by CM Collins, second by MPT Brown, to approve the ordinance. Unanimously approved.**

- 8.D. City Code Review:

- 8.D.1. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of The City Of Galveston, As Amended, Chapter 11.5, "Clean Air: Smoking In Public Places", To Amend, Update Regulations, Standards, And Definitions; To Make Clarifications, Rename, Renumber And Rearrange The Chapter As Applicable; Providing For Penalties As Applicable; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Legal)

**Ordinance No. 20-041 was read by caption. Motion was made by CM Collins, second by CM Listowski, to approve the ordinance with the amendment of changing the reasonable distance from five feet to 10 feet from the door. Unanimously approved.**

- 8.D.2. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of The City Of Galveston, As Amended, Chapter 22, "Municipal Court", To Amend, Update Regulations, Standards, And Definitions; To Make Clarifications, Rename, Renumber And Rearrange The Chapter As Applicable; Providing For Penalties As Applicable; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Legal)

**Ordinance No. 20-042 was read by caption. Motion was made by CM Cole, second by MPT Brown, to approve the ordinance with an amendment to Section 22-3 removing the six year consecutive term limit of the Municipal Court Judge. The motion passed 5-2; Mayor Yarbrough and CM Hardcastle voted against the motion.**

## 9. 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 CM Hardcastle, second by MPT Brown, to approve Consent Items 9A through 9S. Unanimously approved.**

- 9.A. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Waiving The City's Primary Jurisdiction Related To A Complaint Made By Citizen Dustin Thomas Related To The Billing Of Electric Services At Grand Beach Subdivision, To Allow The Citizen To Proceed With Filing His Complaint Directly With The State Of Texas Public Utility Commission, Authorizing The City Manager To Execute Any Necessary Documents To Give Effect To This Resolution Upon Final Approval By The City Attorney; Providing For Findings Of Fact And For An Effective Date. (Legal)

**Resolution No. 20-025**

- 9.B. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Authorizing The Approval Of A Contract For Collection Services Providing For The Collection Of Delinquent Taxes And Court Fines And Fees With Linebarger Goggan Blair & Sampson, LLP; And Making Certain Findings Associated With Texas Government Code §2254.1032; And Authorizing The Mayor To Execute The Contract; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (M. Loftin)

## Resolution No. 20-026

- 9.C. Consider For Action Adopting The 2020 Proposed Investment Policy. (M. Loftin)
- 9.D. Consider Action For Continuing With The Professional Services Of David Taussig & Associates Relating To The Administration Of Bayside At Waterman's Public Improvement District (PID). Authorizing The City Manager To Execute The Contract Upon Final Approval By The City Attorney.(M. Loftin)
- 9.E. Consider For Approval An Economic Development Agreement Between The Industrial Development Corporation And The City Of Galveston To Fund A Match For The Pelican Island Bridge (G. McLeod)
- 9.F. Consider For Approval A Contract For Election Services Between The City Of Galveston And Galveston County For The Purpose Of Holding A City Election On November 3, 2020 And A Possible Runoff Election On December 15, 2020. (J. Williams)
- 9.G. Consider For Approval Funding For Temporary Staffing From Robert Half International/Accountemps In The Services Assistance For The Grants And Housing Department. (A. Law)
- 9.H. Consider Approving A Contract With Kronos To Migrate The Time And Attendance Software System To A Cloud SaaS Solution And Authorizing The City Manager To Enter Into A Contract For A 60-Month Term In An Amount Not To Exceed \$325,714 (H. Dean).
- 9.I. Consider For Approval The Purchase Of Sign Materials For Beach Access Signage From Trantex Transportation Product Through Buy Board (Contract #608-20). Funding For The Signage Materials Will Come From The Seawall Beach Urban Park Beach User Fees Account In The Amount Of \$21,987.25. (D. Henry)
- 9.J. Consider For The Approval Allowing The Fleet Facility And Other City Departments To Purchase Assortments Of Tools And Supplies From Kimball Midwest Who Is A Member Of Buyboard, A Cooperative Purchasing Organization. The Funding Sources Will Be The User Department's Parts And Supplies Accounts. (D. Smith)
- 9.K. Consider Approval Of A Contract With Main Lane Industries, Ltd. For 18th Street Storm Sewer System (RFP #20-06) In The Amount Of \$15,904,160.80 And Approval Of A Total Project Cost Of \$16,314,160.80. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Anderson)
- 9.L. Consider Approval Of Change Order #02 To The Agreement With E. P. Brady, Ltd., For The 24 Inch Water Transmission Line From 59th Street Pump Station To The Airport Pump Station (RFP #19-24) Increasing The Project Cost By \$99,808.39. This Represents An Increase In The Total Project Cost Of 0.78% From The Original Amount Of \$17,159,876.30 To The Amount Of \$17,293,075.22. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Anderson)
- 9.M. Consider For Approval, A Proposal From Freese And Nichols For The City Of Galveston American Water Infrastructure Act (AWIA) Of 2018 Risk And Resilience Assessment (RRA) And The Emergency Response Plan (ERP) Compliance Documentation For A Fee Not To Exceed \$108,910. (D. Christodoss)
- 9.N. Consider For Approval The Professional Engineering Services Proposal Addendum From Dannenbaum Engineering Corporation, To Perform The Airport Pump Station (PS) Disinfection Improvements Design, At A Cost Not To Exceed \$54,461 (Includes 10% Contingency Of \$4,951 For Power Supply Upgrade Design) Increasing The Existing Design Contract Of \$900,159 To \$954,620. (D. Christodoss)

- 9.O. Consider For The Approval A 3-Year Contract With Pay By Phone With The Option To Extend The Contract For Two One-Year Terms, For A Total Of Five Years, With No Cost To The City. This Contract Will Continue Giving People Options To Pay To Park Using A Smart Phone Or Other Electronic Device, Which The Marshals Office, Parking Enforcement Division, Already Have In Operation For Paying To Park And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (B. Stroud)
- 9.P. Consider For The Approval A 3-Year Contract With Mitchell Time & Parking With The Option To Extend The Contract For Two One-Year Terms, For A Total Of Five Years. We Will Be Utilizing The National Cooperative Purchasing Alliance. This Contract Will Give The City Continued Support And Maintenance For The 16 Strada Pay Stations In The Downtown Area, Which The Marshals Office, Parking Enforcement Division, Already Have In Operation For Paying To Park And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. Funding Will Be From The Parking Management Fund. (B. Stroud)
- 9.Q. Consider For Approval The Purchase Of Fifteen (15) Vista HD Body Worn Cameras And Related Items To Supply Officers With Body Worn Cameras For A Total Price Of \$20,025.00, Which Will Be Funded From The Police Academy Minor Equipment Fund. (V. Hale)
- 9.R. Consider For Approval Minutes Of The April 23, 2020 Special Meeting, The April 30, 2020 Workshop And Regular Meeting, The May 28, 2020 Workshop And Regular Meeting, And The June 11, 2020 Special Meeting. (J. Williams)
- 9.S. Consider Approval Of A Contract With RAC Industries, LLC For Teichman Road Waterline (RFP #20-09) In The Amount Of \$2,551,033.65 And Approval Of A Total Project Cost Of \$2,621,033.65. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Anderson)

#### 10. ACTION ITEMS

- 10.A. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas Related To The Ongoing Public Health Emergency In The State Of Texas And City Of Galveston, Acknowledging Increase Risk Of Spread Due To Large Crowds Of Visitors To The Island, Reiterating Recommendations To The Citizens Of This City To Protect Themselves From Infection, And Encouraging Employers To Take Any Feasible Protective Measures To Protect Their Employees From Exposure, And Providing For Findings Of Fact And For An Effective Date.  
**Motion was made by Mayor Yarbrough, second by CM Collins, to approve Resolution No. 20-027. Unanimously approved.**
- 10.B. Consideration Of Report On Litigation Seeking Injunctive Relief Related To The Unpermitted Conduct Of An Unpermitted Mass Gathering On The Galveston Seawall Known As Slab Beach Party And Taking Any Necessary Action Related Thereto. (Legal)  
**Motion was made by Mayor Yarbrough, second by MPT Brown, authorizing the City Attorney to file a restraining order until a permit can be issued safely and compelling the promoter to announce cancelation on social media. Unanimously approved.**
- 10.C. Consideration Of Report On Case No. 20-0134 In Re City Of Galveston Before The Texas Supreme Court And Take Any Necessary Action Related Thereto. (Legal)  
**No action.**
- 10.D. Discuss And Consider Appointments To The Following City Boards, Commission, And Committees:  
  
**Finance, Fiscal Affairs, and Investment Committee - District 2 - No action**  
  
**Park Board of Trustees - Motion was made by Mayor Yarbrough, second by CM Collins, to appoint Maureen Patton, Jason Worthen, and Joan Marshall. Unanimously approved.**

**Recycling Ad Hoc Committee - District 4 - Motion was made by CM Hardcastle, second by Mayor Yarbrough, to appoint Stephanie Vasut. Unanimously approved.**

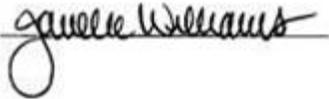
**Zoning Board of Adjustments - Alternate 2 Position - No action.**

11. CONCLUDING REMARKS RELATED TO MAYOR'S SERVICE

**Members of the City Council thanked Mayor Yarbrough for his leadership and dedicated service to the City during his tenure as Mayor.**

12. ADJOURNMENT

**The meeting was adjourned at 3:08 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 23, 2020