

DRAFT
MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
REGULAR MEETING - JUNE 27, 2019

6/27/2019 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER
With a quorum present, the meeting was called to order at 1:35 p.m.
2. ROLL CALL
Present: 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. INVOCATION
The invocation was given by Reverend Louis Simpson of St. John Missionary Baptist Church.
4. PLEDGE OF ALLEGIANCE
The Pledge of Allegiance to the American Flag and Texas Flag were led by Mayor Yarbrough.
5. CONFLICTS OF INTEREST
Mayor Yarbrough - Item 11D; CM Hardcastle - Item 11R.
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. **Admiral Perry Ellis presented to the City of Galveston his State of Texas induction certificate as an Admiral to the Texas Navy. Mayor Yarbrough thanked him for the donation.**
 - b. **Invisible Fence Company - donation of Pet Masks to the Galveston Fire Department - presented by Invisible Fence Company representative Adam Reese and Galveston Island Humane Society representative Elizabeth Alvarado.**

CM Bly congratulated Reverend Simpson for celebrating his 20th year of service as a Pastor.

 4. Reminders regarding City Council events
 5. Reminders regarding community events
 6. Health and safety announcement
7. COMMUNICATIONS AND PETITIONS
Claims - 19-036 - Jenny Lee Wolfe; 19-037 - Benjamin Jordan; 19-038 - Greg Harris; 19-039 - Emmanuel Kastis/Julie Molis; 19-040 - Yvonne Nava; 19-041 - Sarah Cairns; 19-042 - Sharon Brocks; 19-043 - Texas Gas Service; 19-044 - Texas Gas Service; 19-045 - Seth Grimes; 19-046 - Ehune Mams; 19-047 - Raymundo Castillo; 19-048 - Frank Lusk; 19-049 - Kristan Haddox; 19-050 - Ellen Perry.

8. PUBLIC HEARINGS

- 8.A. Conduct A Public Hearing And Consider For Approval 2019 Consolidated Plan And Community Development Block Grant (CDBG) And HOME Investment Partnerships (HOME) Proposed Program Objectives And Projects In The Total Amount Of CDBG \$1,199,293 And HOME \$258,450 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 And Execute All Necessary Contracts, Certifications, And Documents For The Programs. (A. Law)

Alice Law provided staff comments. The public hearing was opened; with no speakers the public hearing was closed. Motion was made by CM Hardcastle, second by CM Cole, to approve 2019 Consolidated Plan and Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Proposed Program Objectives and Projects. Unanimously approved.

- 8.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas Amending The 2015 Galveston Land Development Regulations, By Amending Article 2: Uses And Supplemental Standards And Section 14: Definitions; To Add "Schools, Public" To The List Of Permitted Land Uses, Specifying Where The "Schools, Public" Land Uses Are Permitted And Prohibited, And Providing A Definition Of "Schools, Public"; Making Various Findings And Provisions Related To The Subject. (J. Norman)

Ordinance No. 19-033 was read by caption. Janice Norman provided staff comments. The public hearing was opened; with no speakers the public hearing was closed. Motion was made by CM Cole, second by CM Hardcastle, to approve the ordinance with an amendment to allow "Schools, Public" in all zoning areas. Unanimously approved.

- 8.C. Landmark Designation - 1701 Winnie / Avenue G

Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 1701 Winnie / Avenue G, As A "Galveston Landmark", Property Is Legally Described As North 85 Feet Of Lot 7 (7-1) Block 317, 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; Designating The Site As A Historically Or Archeological Significant Site In Need Of Tax Relief To Encourage Its Preservation; Planning Case Number 19P-025; Making Various Findings And Provisions Related To The Subject. (D. Lunsford)

Ordinance No. 19-034 was read by caption. Daniel Lunsford provided staff comments. The public hearing was opened. Applicant and Property Owner Michael Wenzel spoke in favor of the landmark designation. The public hearing was closed. Motion was made by CM Collins, second by Mayor Yarbrough, to approve the landmark designation. Unanimously approved.

9. PUBLIC COMMENT

Agenda Items - Amy Owens, Item 11C.

Non-Agenda Items - Sgt. Robert Maza, percussion therapy; Delores Williams, advance notice of Island Transit changes; Henry Eilers, Holly Wade and Steve Everts, raising a section of Settegast Road in Sea Breeze Subdivision; Mitty Rollins, victim of identity theft; Sheila Bell, cameras needed for real-time news on G-TV, climate change, flooding, topography of Galveston, and stalking incidents.

10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Adopting The Homestead, Elderly, And Disabled Ad Valorem Tax Exemptions For Tax Year 2019, Pursuant To Chapter 33, Section 33-24 Of "The Code Of The City Of Galveston 1982, As Amended"; Making Various Findings

And Provisions Related To The Subject; And Providing For An Effective Date. (M. Loftin)

Ordinance No. 19-035 was read by caption. Motion was made by Mayor Yarbrough, second by CM Listowski, to approve the Ordinance. Unanimously approved.

- 10.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending "The Code Of The City Of Galveston 1982, As Amended", Chapter 2, "Administration", Article IV. "Boards, Commissions And Committees" To Revise The Terms And Conditions Of Appointments; To Provide For Three Year Terms On City Created Boards, Committees And Commissions; Providing For Appointments To Be Made In October Of Each Calendar Year, As Necessary; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date.

Ordinance No. 19-036 was read by caption. Motion was made by MPT Brown, second by CM Hardcastle, to approve the Ordinance with an amendment to require a super majority for removal of a board, committee, or commission member. The motion passed 6-1; CM Cole voted against the motion.

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 CM Collins, second by MPT Brown, to approve Consent Items 11A through 11EE, except 11D and 11R. Unanimously approved.

- 11.A. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Extending The Term For The Trolley Ad Hoc Committee; Providing For Findings Of Fact And Providing For An Effective Date. (Yarbrough)
Resolution No. 19-025
- 11.B. Consider For Approval The Reallocation Of Community Development Block Grant (CDBG) Funds (Program Years '11-'18) Totaling \$1,164,843.59 To The Parks And Recreation Department Public Facility And Improvements For Wright-Cuney Park And Recreation Center, Menard Park, San Jacinto Park, And Gus Allen Park. Authorize The City Manager To Execute All Necessary Contracts, Certifications, And Documents For The Projects. (A. Law)
- 11.C. Consider For Approval The Sale Of Two Surplus City Facilities. The First Is A Building And Lot Located At 5001 Ave Q½ And The Second A Building And Lot Located At 2604 Ave Q. Also, Utilize The Funds From The Sale Of These Facilities To Construct A Covered Vehicular And Equipment Storage Structure On Existing City Property. (D. Buckley)
- 11.D. Consider Granting Authorization For The City Manager To Execute Documents To Provide For The Assignment Of The Leasehold Interests Held By Galveston Island Water Park LP To Galveston Waterpark LLC For That Property Commonly Known As Schlitterbahn Galveston Including The Assignment Of Lease Agreement, Estoppel Certificate And Affidavit Of Fact. (D. Glywasky)

Motion was made by MPT Brown, second by CM Collins, to approve Item 11D. The motion passed 6-0; Mayor Yarbrough declared a conflict and did not participate in the discussion or vote.

- 11.E. Consider For Approval Accepting The Donation Of 960 Units Of Narcan Nasal Spray From Adapt Pharma. (V. Hale)
- 11.F. Consider For Approval Allowing The Police Department To Purchase A 3 Year Subscription To The Investigative Search Engine CLEAR PROFLEX 17 Utilizing State Contract DIR-LGL-CALIR-02 At A Total Cost Of \$22,060.17. (V. Hale)

- 11.G. Consider For Approval Payment To Lexipol, LLC For The Annual Renewal Of The Police Department's Rules And Regulations Policy Manual Update With Daily Training Bulletins, In The Amount Of \$16,354.00. (V. Hale)
- 11.H. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas ("The City"), Approving An Interlocal Agreement With The Gulf Coast Center ("The Center") Providing Vehicles And Drivers For The Use Of The -City In The Event Of A Formal Mandatory Evacuation; Authorizing The City Manager To Execute The Interlocal Agreement; Providing For Findings Of Fact And Providing For An Effective Date. (M. Morgan)
Resolution No. 19-026
- 11.I. Consider For Approval The Acceptance Of An Amendment To Contract # COG-CON-17-163 Emergency Shelter For City Employees Between The City Of Galveston And The San Luis Resort, Spa & Conference Center (RFP#17-17) Emergency Shelter For City Employees/Equipment. (M. Morgan)
- 11.J. Consider For Approval The Payment For Annual Maintenance And Support For Banner, The City's Financial And Human Resources Software System, In The Amount Of \$72,967.73. (H. Dean)
- 11.K. Consider For Approval An Agreement With Southwestern Bell Telephone Company D/B/A AT&T For Construction Services To Move The Demarc From The Annex To City Hall. (H. Dean)
- 11.L. Consider For Approval The Purchase Of Computer Lab Furniture To Build Out The City's Computer Training Facility In The Amount Of Twenty-Five Thousand Four Hundred One Dollars And Seventy-Six Cents (\$ 25,401.76) To Low Bidder, Workplace Solutions. (H. Dean)
- 11.M. Consider For Approval The Purchase And Installation Of New Fitness Equipment For The McGuire-Dent Recreation Center, In The Amount Of \$8,111.50, From Marathon Fitness. (M. Rabago)
- 11.N. Consider For Approval Ratifying The City Manager's Authorization Of The Emergency Recovery And Disposal Of Contaminated Soils At The 30th Street Water & Electric Light Station By EFI Global, And Authorizing Payment For This Service In The Amount Of \$77,365.31. (R. Blackketter)
- 11.O. Consider For Approval Of Change Order No. 6 To The Contract With Brunel Industrial & Pipeline Services, LLC, For The Rehabilitation Of Ground Storage Tanks At 59th Street Project, Increasing The Contract By \$139,646.08 From The Amount Of \$7,863,729.47 To A New Total Amount Of \$8,003,375.55, And Extending The Term Of The Contract By 116 Days. (R. Blackketter)
- 11.P. Consider For Approval Of Change Order #3 To The Contract With Construction LTD, For The Fire Station #1 New Site Construction And Existing Site Demolition Project Increasing The Contract By \$176,828.00, From The Amount Of \$9,698,344.00 To The Amount Of \$9,875,172.00, And Extending The Contract Term By 60 Days. (R. Blackketter)
- 11.Q. Consider For Approval Of Change Order No. 16 To The Contract With Cardinal Contractors, Inc., For The New 59th Street Pump Station Project, Decreasing The Contract By \$168,019.30 To A New Total Amount Of \$18,045,106.69, And Extending The Contract Term By 91 Calendar Days. (R. Blackketter)
- 11.R. Consider For Approval Of Change Order No. 3 To The Contract With Tucon, LLC, For The 30th Street Tank Demolition Project, Increasing The Contract By \$52,840.75 From The Amount Of \$618,587.96 To A New Total Amount Of \$671,428.71, And Extending The Contract Term By 94 Days. (R. Blackketter)
Motion was made by Mayor Yarbrough, second by CM Collins, to approve Item 11R. The motion passed 6-0; CM Hardcastle declared a conflict and did not participate in the discussion or vote.
- 11.S. Consider For Approval Accepting All Public Infrastructure Improvements For Beachside Village, Section 5 For The Initial Two-Year Maintenance Period, Contingent Upon The Removal Of The Gates On The Access Streets. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Blackketter)

- 11.T. Consider For Approval Change Order #1 To The Contract With J. W. Kelso Company, Inc., For The City Of Galveston Public Works Facility Project, Decreasing The Contract By \$154,050.80, From The Amount Of \$10,732,495.00 To The Amount Of \$10,578,444.20, And Extending The Contract Term By 116 Days. (R. Blacketter)
- 11.U. Consider For Approval Change Order #1 From McDonald Municipal & Industrial (MMI), For The Downtown Gas Lamp Replacement Project Decreasing The Contract Amount From \$417,450.00 By \$84,750.00 To The Final Cost Of \$332,700.00, And Extending The Term By 35 Days. (R. Blacketter)
- 11.V. Consider For Approval The Professional Engineering Services Proposal From Arceneaux, Wilson And Cole (AWC) To Perform The Airport Pump Station (PS) Ground Storage Tank (GST) Improvements Design, At A Cost Not To Exceed \$748,050. (D. Christodoss)
- 11.W. Consider For Approval Bid #19-011 For The Annual Street Materials Bid From Various Vendors (Century Asphalt, MDN, Core & Main). Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (K. Hockersmith)
- 11.X. Consider For The Approval Of The No Cost Time Extension Amendment To The Goodman Corporation Contract Which Will Cover Oversight Of The Trolley Cars Restoration, Safety And Security Plan Oversight And System Startup, And The Conclusion Of Livable Communities Initiative Phase II (LCI). (D. Smith)
- 11.Y. Consider For The Approval Of The Change Order Totaling \$135,195, Plus An Extension Of Time To December 16, 2019, To Gomaco Trolley Company For The Trolley Restoration Project, Which Was Previously Awarded Under RFP 17-02. The Original Approved Amount Was \$3,792,440. The Total Project Cost With This Change Order Will Be \$3,927,635 (3.6%). (D. Smith)
- 11.Z. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (Motorgrader / Streets) And Associated Equipment From Associated Supply Company (ASCO) Through HGAC Buy For A Total Price Of \$222,872.86. (D. Smith)
- 11.AA. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (Ford F150 4X4 / Parks) And Associated Equipment From Silsbee Ford Through Buy Board For A Total Price Of \$30,445. (D. Smith)
- 11.BB. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (Brush Truck / Sanitation) And Associated Equipment From Grande Truck Center Through Buy Board For A Total Price Of \$147,290. (D. Smith)
- 11.CC. Consider For Approval Minutes Of The April 25, 2019 Workshop And Regular Meeting And The May 15, 2019 Special Meeting. (J. Williams)
- 11.DD. Receive And File A Letter From The Coastal Windstorm Insurance Coalition. (Yarbrough)
- 11.EE. Receive And File Mayor Yarbrough's Reappointment Of Don Davison To The City Of Galveston Employees' Retirement Fund For Non-Civil Service Employees. (Yarbrough)

12. ACTION ITEMS

- 12.A. Discuss And Consider For Action Extending The Galveston Park Board Of Trustees Audit On Policies And Procedures Of Commissions, Bonuses, Pay Increases And Payroll For The Next Council Meeting In July. (G. Bulgherini)
- Motion was made by MPT Brown, second by Mayor Yarbrough, to extend the Park Board Audit for one additional month. The motion passed 6-0; CM Collins was not present for the vote.**

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

City Council - Mayor Pro Tem - Motion was made by Mayor Yarbrough, second by CM Collins, to appoint Dr. Brown as Mayor Pro Tem for one year. Unanimously approved.

Wharves Board - Ex Officio Member - Motion was made by Mayor Yarbrough, second by CM Hardcastle, to appoint MPT Brown to the Wharves Board. Unanimously approved.

Park Board - Ex Officio Member - Motion was made by Mayor Yarbrough, second by MPT Brown, to appoint CM Collins to the Park Board. Unanimously approved.

Park Board - Position 3 - Motion was made by Mayor Yarbrough, second by CM Hardcastle, to reappoint Spencer Priest. Unanimously approved.

Park Board - Position 8 - Motion was made by Mayor Yarbrough, second by CM Hardcastle, to appoint David Jacoby. The motion passed 5-0; CM Bly and Dr. Cole abstained from voting.

Park Board - Position 2 - Motion was made by Mayor Yarbrough, second by MPT Brown, to reappoint Steven Creitz. Unanimously approved.

Park Board - Position 6 - Motion was made by Dr. Cole, second by CM Collins, to appoint Marty Fluke. Unanimously approved.

Park Board - Position 1 - Motion was made by Mayor Yarbrough, second by CM Collins, to reappoint Will Wright. Unanimously approved.

Complete Census Count Committee - Motion was made by Mayor Yarbrough, second by CM Collins, to appoint Robert Quintero, Mary Longoria, Joan Oelze, and Sam Melchar. Unanimously approved.

H-GAC - Gulf Coast Economic Development Board - Motion was made by Mayor Yarbrough, second by CM Hardcastle, to appoint Garrett McLeod. Unanimously approved.

13. ADJOURNMENT

The meeting was adjourned at 2:55 p.m.

Janelle Williams, City Secretary

Date Approved: