

**NOTICE OF MEETING
CITY COUNCIL OF THE CITY OF GALVESTON
THURSDAY - NOVEMBER 14, 2019 - 1:15 P.M.
COUNCIL CHAMBERS - CITY HALL
823 ROSENBERG, GALVESTON, TEXAS
TELEPHONE: (409) 797-3510**

REGULAR MEETING AGENDA

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER
2. ROLL CALL
3. INVOCATION
Pastor Lance Anaya - Society of St. Stephen
4. PLEDGE OF ALLEGIANCE
 - American Flag
 - Texas Flag - *Honor the Texas Flag. I pledge allegiance to thee, Texas, one state, under God, one, and indivisible.*
5. CONFLICTS OF INTEREST
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. World Aids Day Proclamation
 - B. National Adoption Day Proclamation
 - C. National Epilepsy Awareness Month Proclamation
 - D. Arbor Day Proclamation
 - E. Galveston University Fall 2019 Graduates Proclamation
 4. Reminders regarding City Council events
 5. Reminders regarding community events
 6. Health and safety announcement
7. COMMUNICATIONS AND PETITIONS
Claims: 19-087 - David Altamirano; 19-088 - Comcast/Project Resources Group; 19-089 - Elmer J. Melgar; 19-090 - Timothy Church; 19-091 - Christina Callens/Crane; 19-092 - Raul Ramirez; and 19-093 - Marcella Reyna/Benton Law Firm.
8. PUBLIC HEARINGS
 - 8.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 1402 Market - Avenue D And Legally Described As The M.B. Menard Survey, South 78 Feet Of Lot 8 (8-1), Block 554, 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; Planning Case Number 19LC-056; , Making Various Findings And Provisions Related To The Subject. (C. Gorman)

Documents:

[19LC-056 STF RPT PKT WITH ORD.PDF](#)

- 8.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Changing The Zoning From Residential, Single-Family (R-1) And Commercial (C) Zoning District To Restricted Residential, Single Family (R-0) Zoning District On Various Properties As Provided In The Attached Map And Which The Properties Are Legally Described As Lots 1 – 88, Golf Crest; Lot 22-A, Golf Crest Aka 6502 Fairway Dr Replat; Lots 1 – 41 Jones Addition, Section 2; And Lots A – E, Oleander Estates (2005), In The City And County Of Galveston, Texas. Planning Case Number 19P-055; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

Documents:

[19P-055 STF PKT RPT WITH ORD.PDF](#)

- 8.C. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Creating A Planned Unit Development (PUD) Overlay Zoning District In A Commercial, (C) Base Zoning District With A Height And Density Development Zone, Zone-6 (C-HDDZ-6) Overlay Zoning District For An "Auto Service/Fueling Or Charging Station"; In Order To Install Three Gasoline Pumps With A Canopy On The South Side Of The Property Commonly Known As 11128 San Luis Pass Road And Which Is Legally Described As Part Of Lot 460 (460-8) Trimble And Lindsey Section 1 , In The City And County Of Galveston, Texas; Planning Case Number 19P-047; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (J. Norman)

Documents:

[19P-047 CC PKT REDACTED.PDF](#)

9. PUBLIC COMMENT

- A. Agenda Items
- B. Non-Agenda Items

10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending Chapter 2, "Administration", Article IV, "Boards, Commissions, And Committees", Section 2, "Galveston Commission For The Arts", Of "The Code Of The City Of Galveston 1982, As Amended" Changing The Name Of The Commission, The Composition Of The Commission, Allowing The Election Of A Secretary, Allowing The Commission To Function As An Advisory Entity To City Council For The Purpose Of Assisting The Award Of Grants For Public Art Projects; Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date.

Documents:

[ORDINANCE AMENDING CULTURAL COMMISSION OF THE ARTS.DOCX](#)
[EXHIBIT A ORDINANCE FOR CULTURAL COMMISSION OF THE ARTS 10-12-19.DOC](#)

- 10.B. 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 Regulations Of Appointments Of The Arts And Historical Preservation Advisory Board; Making Changes To The Procedures Of The Arts And Historic Preservation Board By Requiring Quarterly Reports; Making Various Findings And Provisions Related To The Subject And Providing For An Effective Date.

Documents:

[ARTS AND HISTORIC APPOINTMENTS AND QUARTERLY REPORTS.DOCX](#)
[ARTS AND HISTORIC CRITERIA - 11-14-19.DOCX](#)

10.C. City Code Review:

- 10.C.1. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Code Of The City Of Galveston, As Amended, Chapter 16, "Harbors, Wharves And Docks", To Amend, Update, Regulations, Standards, And Definitions; To Make Clarifications, Rename, Renummer 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)

Documents:

[CHAPTER 16 - HARBORS WHARVES AND DOCKS - REVIEWED ORDINANCE - 2019.DOC](#)
[CHAPTER 16 - HARBORS WHARVES AND DOCKS FULL CHAPTER AMENDS.DOC](#)

- 10.C.2. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending, Chapter 25, "Oil And Gas," Of The Code Of The City Of Galveston, 1982; As Amended, Updating The Code Regarding Preemption By The State Of Regulations On Oil And Gas Operations And Allowing Regulations By The City Of Above Ground Related Activities, Including Regulations Under Specific Circumstances, In Accordance With State Law; Providing For An Effective Date; Making Various Findings And Provisions Related To The Subject (Legal)

Documents:

[CHAPTER 25 - OIL AND GAS FINAL ORDINANCE - 11-14-19.DOC](#)
[CHAPTER 25 - OIL AND GAS -FULL CHAPTER REVIEW 11-14-19.DOC](#)

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.

- 11.A. Consider For Approval Accepting The City Auditor's Report On The Management And Operating Agreement For The Downtown Intermodal Transportation Terminal Audit Report PORT-SP2019-3. (G. Bulgherini)

Documents:

[PORT-SP2019-3 MO TRANSPORTATION TERMINAL.PDF](#)

- 11.B. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Casting The City's 236 Votes For The Election Of The Galveston Central Appraisal District Board Of Directors; Directing The City Secretary To Send A Certified Copy Of This Resolution To The Galveston Central Appraisal District Before December 13, 2019; Providing For Findings Of Fact And Providing For An Effective Date.

Documents:

[RESOLUTION - CENTRAL APPRAISAL DISTRICT--CASTING VOTES FOR DIRECTORS 2019.DOCX](#)

- 11.C. Consider For Approval The Purchase Of 10 S Shore Drive, Galveston, TX 77551 In The Amount Of \$119,000 Plus Closing Costs. (B. Cook)

Documents:

[10 S SHORE DRIVE.PDF](#)
[SCAN.PDF](#)

- 11.D. Consider For Acceptance A Grant Award From The Moody Foundation For Assistance With The Creation Of A Public Green Space (City Hall Public Plaza) On The Site Of The Former Central Fire Station, Consistent With The Grant Application Submitted To The Foundation On September 10, 2019, As Part Of A Revitalization Plan For The City Hall Neighborhood, And Authorize The City Manager To Sign All Necessary Documents Upon Final Approval By The City Attorney. (T. Wroblewski)

Documents:

[MOODY FOUNDATION GRANT STAFF REPORT.PDF](#)

- 11.E. Consider Approval Of DCMC Partners Task Order #3 Authorizing The Expenditure Of An Amount Not To Exceed \$40,000.00 For Technical Assistance And Disaster Consulting Services. (T. Wroblewski)

Documents:

[DCMC PARTNERS - TASK ORDER NO. 3.PDF](#)

- 11.F. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas, Authorizing The City Manager To Apply For A Texas Department Of Transportation, Aviation Division, Grant For The Engineering/Design And Construction Phase Of Rehabilitating The Asphalt Section Of Runway 14/32 And Joint Seal Repairs To The North Apron For Fiscal Year 2020; Authorizing The Texas Department Of Transportation As Agent For The City Of Galveston For The Purposes Of Applying For, Receiving, And Disbursing All Funds For These Improvements; Directing The City Manager To Execute All Necessary Documents Relating To The Grant; Providing For Findings Of Fact And Providing For An Effective Date Upon Final Approval By The City Attorney (M. Shahan).

Documents:

[STAFF REPORT - RESOLUTION FOR TXDOT GRANT FOR ASPHALT SURFACE TREATMENT AND JOINT SEAL REPAIRS.PDF](#)
[RESOLUTION NO 20-__ 2012GLVST - RUNWAY 14-32 AND NORTH APRON IMPROVEMENTS.PDF](#)

- 11.G. Consider For Approval Increasing The Contract Amount For The Administration Of Run-Out Health Insurance Claims Through Boon-Chapman In The Amount Of \$16,000.00 For A Total Not To Exceed \$61,000.00 (COG-CON-19-086) (K. Etienne).

Documents:

[COG-CON-19-086 - BOON-CHAPMAN - RUN-OUT HEALTH INSURANCE](#)

[CLAIMS - 09122019.PDF](#)
[BOON CHAPMAN S0030004767 10.01.19.PDF](#)

- 11.H. Consider For Approval The Annual Renewal Of The Inter-Local Agreement With Texas Municipal League Intergovernmental Risk Pool For The 2019–2020 Fund Year For Workers Compensation TPA Coverage. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Simmons)

Documents:

[STAFF REPORT 2020 TML WKC.DOC](#)

- 11.I. Consider For Approval The Annual Renewal Of The Inter-Local Agreement With Texas Municipal League Intergovernmental Risk Pool For The 2019–2020 Fund Year For Liability And Property Coverage. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (R. Simmons)

Documents:

[STAFF REPORT 2020 TML PROPERTY LIABILITY.DOC](#)
[TML COST COMPARISON FY2020.XLS](#)

- 11.J. Consider For Approval Allowing The Police Department To Purchase Eleven (11) Tasers And Related Equipment From Axon Enterprise Inc. Under Texas SmartBuy Contract 680-A1 At A Cost Of \$16,093.00. The Funding Source Is The Police Academy Minor Equipment Account. (V. Hale)

Documents:

[TASERS 11.14.19.PDF](#)

- 11.K. Reject The Proposals For RFP 19-02 And Consider For Approval The Bid From Dynamic Sports Construction For Bid 19-007 McGuire Dent Gymnasium Floor Replacement In The Amount Not To Exceed \$79,279.00. (M. Rabago)

Documents:

[STAFF REPORT - MCGUIRE DENT GYM FLOOR REPLACEMENT 10-25-2019 2.VER.PDF](#)
[SIGNED BID 19-007 MCGUIRE DENT FLOOR CONTRACT.PDF](#)

- 11.L. Consider For Approval The Contract For Construction Services With Fun Abounds Inc. (Buyboard Contract #592-19) For The Installation Of Shaded Benches And Purchase Of Picnic Tables For Lindale Park In The Amount Not-To-Exceed \$65,498.34. (M. Rabago)

Documents:

[STAFF REPORT - LINDALE PARK FUN ABOUND'S CONSTRUCTION PROJECT 11-2019 MR..PDF](#)
[FUN ABOUND'S SIGNED CONTRACT, 1295, PAYMENT BOND, CERT. OF INS. LINDALE PARK.PDF](#)

- 11.M. Consider For Approval Of An Interlocal Agreement Between The City Of Galveston And Galveston College For The Usage Of Bernard Davis/Pony Colt Stadium. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (M. Rabago)

Documents:

STAFF REPORT - GALVESTON COLLEGE INTERLOCAL PONY COLT FIELD
5-YR. 10-19.PDF

- 11.N. Consider For Approval Purchasing Pool Maintenance Chemicals, Supplies, And Equipment For Lasker Park Pool, Using The Buyboard Contract (#533-17) With Progressive Commercial Aquatics. (M. Rabago)

Documents:

STAFF REPORT - POOL MAINTENANCE PROGRESSIVE COMMERCIAL
AQUATICS 10-2019.PDF

- 11.O. Consider For Approval The Inter-Local Agreement Between The City Of Galveston And The City Of Jamaica Beach To Supply Potable Water To City Of Jamaica Beach And To Authorize The City Manager To Execute The Agreement. (A. Grasso)

Documents:

INTER-LOCAL AGREEMENT BETWEEN COG AND THE CITY OF JAMAICA
BEACH.PDF

- 11.P. Consider For Approval A Payment To The Texas Commission On Environment Quality For Annual Operating Permit Fees For The Water And Wastewater Divisions For The Fiscal Year. The Estimated Cost Is \$181,637.41. (R. Pugh)

Documents:

TCEQ ANNUAL PERMITS RWP.PDF

- 11.Q. Consider For Approval A Proposal From Intertek PSI For \$88,694 To Perform Design-Construction Administration And Construction Material Testing Services For The Construction Of The Legas Drive Bulkhead. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Christodoss)

Documents:

INTERTEK PSI STAFF REPORT.PDF

- 11.R. Consider For Approval The Proposal From T. Baker Smith (TBS), To Perform A Hydraulics And Hydrology Study And Design For The 14th Street Drainage Improvement Project – DR-4332-024 For A Fee Not To Exceed \$2,272,861. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney And Authorizing The Finance Director To Utilize Local Funds In Advance Of Anticipated Reimbursement. (D. Christodoss)

Documents:

14TH STREET PS STAFF RPT SCOPE FEE.PDF

- 11.S. Consider For Approval A Proposal From Alpha Testing, For The 49th Street Construction From Avenue P To Avenue S-1/2 In The Amount Not To Exceed \$49,703.00 To Perform Construction Material Testing Engineering Services. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Christodoss)

Documents:

ALPHA
TESTING_49HSTREET_CMT_STAFFRPT_PROPOSAL_CONTRACT.PDF

- 11.T. Consider For Approval The Purchase Of Traffic Signal Components For Replacement Of Damaged Traffic Signal Components From Texas Highway Products, LTD In The Amount Of \$42,600.00. (K. Hockersmith)

Documents:

[TEXAS HIGHWAY PRODUCTS - TRAFFIC SIGNAL CABINETS 11052019.PDF](#)

- 11.U. Consider City Council Ratification Of The City Manager's Action Approving A Purchase With Gulf Coast Limestone, Inc. To Facilitate The Emergency Repairs To The Streets In Various Locations Due To Public Safety Concerns In The Amount Of \$23,295.69 Consistent With Sec. 252.022 (A) (2) Of The Local Government Code. (K. Hockersmith)

Documents:

[GULF COAST LIMESTONE - EMERGENCY REPAIR MATERIALS.PDF](#)
[GULF COAST LIMESTONE 618111 10.01.19.PDF](#)
[GULF COAST LIMESTONE 618100 09.30.19.PDF](#)

- 11.V. Consider For Approval Bid #19-011A For The Annual Street Materials Bid From Various Vendors (HD Industries, Martin Asphalt, Kelso, Vulcon). Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (K. Hockersmith)

Documents:

[ANNUAL STREET MATERIALS 2019B.PDF](#)
[KELSO CONTRACT BID 19-011A VENDOR SIGNED REDUCED.PDF](#)
[MARTIN ASPHALT CONTRACT BID 19-011A VENDOR SIGNED REDUCED.PDF](#)
[HD INDUSTRIES CONTRACT BID 19-011A VENDOR SIGNED REDUCED.PDF](#)
[VULCAN CONTRACT BID 19-011A VENDOR SIGNED.PDF](#)

- 11.W. Consider For Approval Change Order #4 To The Contract With J. W. Kelso Company, Inc., For The City Of Galveston Public Works Facility Project, Increasing The Contract By \$208,808.00 From The Amount Of \$10,721,908.20 To The Amount Of \$10,930,716.20. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Anderson)

Documents:

[J.W KELSO - PW FACILITY - CHANGE ORDER NO. 4.PDF](#)

- 11.X. Consider For Approval Of Change Order No. 7 To The Contract With Brunel Industrial & Pipeline Services, LLC, For The Rehabilitation Of Ground Storage Tanks At 59th Street Project, Increasing The Contract By \$26,304.24 From The Amount Of \$8,003,375.55 To A New Total Amount Of \$8,029,679.79, And Extending The Term Of The Contract By 165 Days. Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (D. Anderson)

Documents:

[BRUNEL - REHAB. OF GROUND STORAGE TANKS AT 59TH ST - CHANGE](#)

[ORDER NO. 7.PDF](#)

- 11.Y. Consider For The Approval Of The OEM (Original Equipment Manufacturer) Auto Parts And Repair Service Contracts To The Responding Bidders That Conformed To The Specifications In Bid #19-015; And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

Documents:

[OEM AUTO PARTS PACKET.PDF](#)

- 11.Z. Consider For The Approval Of The Contract For Welding Services On City Vehicles And Equipment To Broom Welding And Island Machine Works, Who Were The Responsive Bidders On Formal Bid #19-013, And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

Documents:

[WELDING CONTRACT PACKET.PDF](#)

- 11.AA. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (Lift For Wastewater Treatment) And Associated Equipment From Associated Supply Company (ASCO) Through HGAC Buy For A Total Price Of \$17,092.44 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

Documents:

[GENIE GS-2632 LIFT PACKET.PDF](#)

- 11.BB. Consider For The Approval Allowing Purchases Of Emergency Warning Equipment, Supplies, Installs And Repairs Utilizing The Buy Board Cooperative Purchasing Contract With Siddons Martin Emergency Group (Contract 571-18), And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. Estimated Costs For Products Not To Exceed Council Approved Budgets. (D. Smith)

Documents:

[SIDDON MARTIN BUY BOARD PACKET.PDF](#)

- 11.CC. Consider For Approval Minutes Of The October 17, 2019 Workshop And Regular Meeting. (J. Williams)

Documents:

[_10172019-3166.PDF](#)

12. ACTION ITEMS

- 12.A. Discuss And Consider For Action Directing The Port Of Galveston To Comply With The City Auditor's Request For Information From The Port Concerning The Audit Plan Approved By City Council. (Brown/Yarbrough)
- 12.B. Discuss And Consider Appointments To The Following City Boards, Commissions, And Committees:

1. Animal Services Advisory Board - Position 4
2. Arts and Historic Preservation Advisory Board - all positions

3. Building Board of Adjustments and Appeals - Positions 1, 2, 5, 6, and Alternate 1
4. Cultural Arts Commission - all positions
5. Families, Children and Youth Board - recommendations from the FCYB
6. Landmark Commission - Position 1
7. Tree Committee - Districts 1 and 3
8. Zoning Board of Adjustments - Position 1, Alternates 1 and 2

Documents:

[MEMO--BOARD APPOINTMENTS NOV 2019.PDF](#)

12.C. Discuss And Consider Appointments H-GAC Boards And Committees:

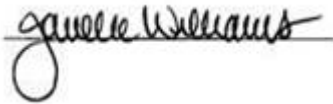
1. General Assembly and Board of Directors
2. Transportation Policy Council
3. Technical Advisory Committee

Documents:

[H-GAC.PDF](#)

13. ADJOURNMENT

I certify that the above Notice of Meeting was posted in a place convenient to the public in compliance with Chapter 551 of the Texas Government Code on November 8, 2019 at 12:00 P.M.



Janelle Williams, City Secretary

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE (3) DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY SECRETARY'S OFFICE, SUITE 201, 823 ROSENBERG, GALVESTON, TEXAS 77550 (409-797-3510).