

**MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
REGULAR MEETING - JULY 25, 2019**

7/25/2019 - Minutes

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER

With a quorum present, the meeting was called to order at 1:48 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 Captain Nathanael Doria of the Salvation Army.

4. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag and Texas Flag were led by Mayor Yarbrough.

5. CONFLICTS OF INTEREST

None.

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:

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
4. Reminders regarding City Council events
5. Reminders regarding community events
6. Health and safety announcement

6.B. Oath Of Office - City Marshal Cecil Stroud

Newly appointed City Marshal Cecil 'Butch' Stroud was sworn in by City Secretary Janelle Williams.

7. COMMUNICATIONS AND PETITIONS

Claims: 19-051 - David Brien; 19-052 - Jo Anne Leger; 19-053 - La Toshia Ibarguen; 19-054 - Galveston Aviation Services; 19-055 - Raymond Guzman; 19-056 - Robert Hooper; 19-057 - Mariah Washington; 19-058 - Donald Ray Sessions; 19-059 - Nathan Seword; 19-060 - Joe Trum; 19-061 - Jacqueline Johnson; 19-062 - Gladys Jones; 19-063 - Ernest Durand; 19-064 - Philip Fulton.

8. PUBLIC HEARINGS

- 8.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 1912 Church / Avenue F, As A "Galveston Landmark", Property Is Legally Described As Lot 10, Block 439, 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-032; , Making Various Findings And Provisions Related To The Subject. (C. Gorman)

Ordinance No. 19-037 was read by caption. Catherine Gorman provided staff comments. The public hearing was opened. Property owner Brian Pinkston spoke in favor of the designation. The public hearing was closed.

Motion was made by CM Collins, second by CM Bly, to approve the landmark designation. Unanimously approved.

9. PUBLIC COMMENT

Agenda Items - Elizabeth Beeton commented on charter amendments.

Non-Agenda Items - Sandra Walters commented on the shooting of her son Christopher Williams.

10. ORDINANCES (NOT REQUIRING PUBLIC HEARINGS)

- 10.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending Ordinance No. 19-004, An Ordinance Which Amended Chapter 36, "Water, Sewers And Sewage Disposal" The Water Rates For 2019, To Provide Specification, And Correct Scribner's Error(S) For Codification Purposes; Making Various Findings And Provisions Related To The Subject; And Providing An Effective Date. (Legal)

Ordinance No. 19-038 was read by caption. Motion was made by Mayor Yarbrough, second by CM Hardcastle, to approve the ordinance. Unanimously approved.

- 10.B. Texas Gas Service - Cost Of Service Adjustment ("COSA") Filing

Consider For Approval An Ordinance Of The City Council Of The City Of Galveston, Texas, ("City") Approving A Negotiated Resolution Between The City Of Galveston And Texas Gas Service ("TGS" Or "The Company") Regarding The Company's April 30, 2019 Cost Of Service Adjustment ("COSA") Filing; Declaring Existing Rates To Be Unreasonable; Adopting New Tariffs That Reflect Rate Adjustments Consistent With The Negotiated Settlement And Finding The Rates To Be Set By The Attached Tariffs To Be Just And Reasonable; Providing For The Recovery Of The City's And TGS' Reasonable And Necessary Rate Case Expenses; Adopting A Savings Clause; Determining That This Ordinance Was Passed In Accordance With The Requirements Of The Texas Open Meetings Act; Declaring An Effective Date; Repealing Any Prior Ordinances Inconsistent With This Ordinance And Requiring Delivery Of This Ordinance To The Company's And The City's Legal Counsel. (Legal)

Ordinance No. 19-039 was read by caption. Motion was made by Mayor Yarbrough, second by CM Hardcastle, to approve the ordinance. Unanimously approved.

- 10.C. Consider For Approval An Ordinance Of The City Council Of The City Of Galveston, Texas, ("City") Approving A Negotiated Resolution Between The City And Texas Gas Service ("TGS" Or The "Company") Regarding The Company's Statement Of Intent To Increase Rates To Recover Hurricane Harvey Response Costs Within The Gulf Coast Service Area; Providing For The Recovery Of The City's And TGS' Reasonable Necessary Rate Case Expenses; Determining That This Ordinance Was Passed In Accordance With The Requirements Of The Texas Open Meetings Act; Repealing Any Prior Ordinances Inconsistent With This Ordinance And Requiring Delivery Of This Ordinance To The Company's And The City's Legal Counsel. (Legal)

Ordinance No. 19-040 was read by caption. Motion was made by CM Collins, second by CM Listowski, to approve the ordinance. Unanimously approved.

- 10.D. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Amending The Total Operating Budget For Fiscal Year Ending September 30, 2019, By Adjusting Various Budget Accounts In The Amount Of One Million Three Hundred Seventy Four Thousand Five Hundred Ninety-One Dollars (\$1,374,591) To Adjust And Properly Record For Expenditures In Connection With Carry Over Appropriations From Prior Fiscal Years Including The Purchase Of Water Meters, Vehicles, Update Of Salary Compensation Study, Police Pension Increase And Ineligible Cdbg Expense Related To The Cantera Settlement; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (M. Loftin)

Ordinance No. 19-041 was read by caption. Motion was made by MPT Brown, second by CM Collins, to approve the ordinance as outlined except excluding Section 4. Unanimously approved.

- 10.E. 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", Division 5 "Finance And Fiscal Affairs Committee" To Revise The Name Of The Committee To "Finance, Fiscal Affairs And Investments Committee", And Revising The Scope Of The Duties Of The Committee, Making Various Findings And Provisions Related To The Subject; Providing For An Effective Date. (Yarbrough)

Ordinance No. 19-042 was read by caption. Motion was made by Mayor Yarbrough, second by CM Listowski, 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 CM Hardcastle, second by MPT Brown, to approve Consent Items 11A through 11BB and 11DD, and deferring Item 11CC. Unanimously approved.

- 11.A. Consider For Approval A Resolution Of The City Of Galveston Texas Finding That Centerpoint Energy Houston Electric, LLC's Requested Increase To Its Electric Transmission And Distribution Rates And Charges 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. 19-027
- 11.B. Consider For Approval A Request For Authorization To Retain Marc J. Hill Of The Firm Of Hill & Hill To Represent The City Of Galveston In The Anticipated Condemnation Of City Property Within The City Of Galveston By Texas International Terminals Inc. (Legal)
- 11.C. Consider For Approval Accepting The City Auditor's Report On Galveston Island Convention And Visitor's Bureau (GICVB). Complaint Number 1 Of 2. (G. Bulgherini)
- 11.D. Consider For Approval The Purchase Of Lot 9, South Shore Drive, Galveston, TX 77551 In The Amount Of \$195,000 Plus Closing Costs. (B. Cook)
- 11.E. Consider For Approval The Purchase Of The L.M.C.G. Company, LLC Hangar At The Scholes International Airport At A Cost Not-To-Exceed \$250,000 (M. Shahan).
- 11.F. Consider For Approval Up To \$125,000 Of Capital Improvement Project Costs Relating To Large Water Meter Parts And Other Ancillary Equipment For Re-Classification From The Combined Utility System Operating Budget To The Water Certificates Of Obligation Budget For The Non-Revenue Water Mitigation Program. (M. Loftin)

- 11.G. Consider For Approval The Engagement Of Gabriel Roeder Smith & Company ("GRS") For Actuarial Services To Prepare The December 31, 2018 OPEB Valuation And GASB 75 Valuation Reports For Fiscal Years Ending September 30, 2019 And 2020. (M. Loftin)
- 11.H. Consider Approving Purchases Of Building Maintenance, Repair, Operations Supplies And Equipment Using The Contract With McCoy's Building Supply Through The BuyBoard Purchasing Cooperative. Estimated Costs For Products Not To Exceed Council Approved Budgets. (M. Loftin)
- 11.I. Consider For Approval An Economic Development Agreement In The Amount Of \$50,000 Between The Industrial Development Corporation, And The City Of Galveston For Improvements And The Maintenance Of Those Improvements Along 25th Street From Broadway To Seawall Blvd. (G McLeod)
- 11.J. Consider Authorizing The City Manager To Sign Initial Award Acceptance Letter For FEMA 404 Hazard Mitigation Grant Program (HMGP) Upon Notification And Kickoff Meeting With The Texas Division Of Emergency Management (TDEM) Of Grant Award For The 15th Street Pump Station. (T. Wroblewski)
- 11.K. Consider For Approval An Interlocal Agreement Between The City Of Galveston And Gulf Coast Gun Busters For The Disposal Of Weapons Approved For Destruction By The Court, State Law, Or Galveston Police Department Policy, At No Cost To The City. (V. Hale)
- 11.L. Consider For Approval Acceptance Of A Donation Of SCBA Air Compressor From Metro Fire Apparatus To The City Of Galveston Fire Department. (M. Wisko)
- 11.M. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas Approving And Authorizing The City Manager To Execute An Interlocal Cooperation Agreement With The University Of Texas Medical Branch (Utm) For The Provision Of Mutual Aid In The Event Of Emergencies; Approving And Authorizing The City Manager To Execute A The Agreement; Providing For Findings Of Fact And Providing For An Effective Date. (M. Wisko)
- Resolution No. 19-028**
- 11.N. Consider For Approval The Purchase And Install A 200 KW Standby Emergency Generator And Automatic Transfer Switch From Crescent Electric For The West Technology Facility And Pump Station Located At 13805 Stewart Road For An Amount Not To Exceed \$85,700.00. (C. Kenworthy)
- 11.O. Consider For The Approval Allowing The Fleet Facility To Purchase The Listed Rolling Stock (1 Refuse Crew Cab PU) And Associated Equipment From Silsbee Ford Inc. Through Good Buy For A Total Price Of \$33,163.75 And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)
- 11.P. Consider For Approval The Purchase Of Sanitary Sewer Inspection Equipment Through A Buyboard Contract From CLS Equipment Co. Inc. At A Cost Of \$23,089.42. (A. Grasso)
- 11.Q. Consider For Approval The Purchase Of Shoring Box Equipment For Trench Safety From National Trench Safety At A Cost Of \$19,980.00. (A. Grasso)
- 11.R. Consider For Approval A Proposal From Terracon Consultants, Inc., For Seawall Boulevard From Ferry Road To Boddeker Drive In The Amount Not To Exceed \$15,420.00 To Perform Construction Material Testing Geotechnical Engineering Services. (D. Christodoss)
- 11.S. Consider For Approval A Proposal From Terracon Consultants, Inc., For The Downtown Livable Communities Initiative (LCI) Phase 2 (Pedestrian Transit Improvements) – Strand To Post Office And 20th To 25th Street In The Amount Not To Exceed \$18,240.00 To Perform Construction Material Testing Geotechnical Engineering Services. (D. Christodoss)
- 11.T. Consider For Approval A Proposal From Terracon Consultants, Inc., For The 25th Street Improvements - Broadway To Seawall Project In The Amount Not To Exceed \$78,335.00 To Perform Construction

Material Testing Geotechnical Engineering Services. (D. Christodoss)

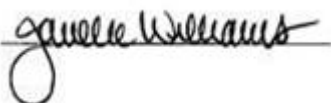
- 11.U. Consider For Approval A Proposal From Terracon Consultants, Inc., For The 24 Inch Water Line From The 59th Street Pump Station (PS) To The Airport PS In The Amount Not To Exceed \$224,690.00 To Perform Construction Material Testing Geotechnical Engineering Services. (D. Christodoss)
- 11.V. Consider For Approval The Best And Final Offer/Proposal From BRH-Garver Construction, L.P. For \$3,645,397.50 To Provide 6-Inch And 8-Inch Valve Assessment, Exercise, And Valve Replacement Of Defective 6 And 8 Inch Valves Citywide. (D. Christodoss)
- 11.W. Consider For Approval Of The Professional Engineering Services Agreement With Arceneaux Wilson & Cole, LLC (AWC) For Engineering Design Of The Recycling Center Office For An Amount Not To Exceed \$36,275.00. (R. Blackketter)
- 11.X. Consider For Approval Of Change Order No. 2 To The Contract With Main Lane Industries, Ltd., For The 45th Street Improvements From Broadway To Seawall Boulevard Project, Increasing The Contract By \$172,130.00 From The Amount Of \$9,848,123.00 To A New Total Amount Of \$10,020,253.00. (R. Blackketter)
- 11.Y. Consider For Approval Of Change Order No. 1 To The Contract With E. P. Brady, Ltd., For The Sanitary Sewer Improvements Along 8 Mile Road From Stewart Road To Sunny Beach Project, Increasing The Contract By \$365,994.85 From The Amount Of \$2,078,860.00 To A New Total Amount Of \$2,444,854.85, And Extending The Contract Term By 90 Days. (R. Blackketter)
- 11.Z. Consider For Approval Change Order No. 2 To The Contract With Ardent Construction LLC, For The 30th Street Water & Electric Light Station Rehabilitation Project Increasing The Contract By \$61,219.00 From The Amount Of \$2,920,928.51 To A New Total Amount Of \$2,982,147.51. (R. Blackketter)
- 11.AA. Consider For Approval Minutes Of The May 23, 2019 Workshop And Regular Meeting, And The June 19, 2019 Special Meeting. (J. Williams)
- 11.BB. Receive And File The Following Documents:
- 11.CC. Consider For Approval A Collective Bargaining Agreement Between The City Of Galveston And The International Association Of Fire Fighters Local 571 For The Period Of October 1, 2019 Through September 30, 2023. (B. Maxwell)
Deferred.
- 11.DD. 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 5, 2019. (J. Williams)

12. ACTION ITEMS

- 12.A. Discuss And Consider Appointments To The Following City Boards, Commissions, And Committees:
Complete Census Count Committee - Motion was made by CM Collins, second by Mayor Yarbrough, to appoint Patricia Gray. Unanimously approved.

13. ADJOURNMENT

The meeting was adjourned at 2:15 p.m.



Janelle Williams, City Secretary

Date Approved: August 22, 2019