

NOTICE OF MEETING
CITY COUNCIL OF THE CITY OF GALVESTON
THURSDAY - DECEMBER 8, 2022 - 5:00 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 Abel Rivas - Church of the Living God
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
 4. Reminders regarding City Council events
 5. Reminders regarding community events
 6. Health and safety announcement
 - 6.B. City Manager's Report - Investment Report For Quarter Ended September 30, 2022 (M. Loftin)

Documents:

[GALVESTON 9-30-22 QTRLY SIGNED.PDF](#)
[GALVESTON PRESENTATION NOVEMBER 2022.PDF](#)
[STAFF REPORT INVESTMENT REPORT 3RD QTR 2022.DOC](#)
7. COMMUNICATIONS AND PETITIONS
Claims: 22-094 - Chanee Robinson; 22-095 - Matthew Orange; 22-096 - Mary Path; 22-

097 - Maribel Rubio; 22-098 - Tom Chaney.

Documents:

[CLAIMS - DEC 2022 AGENDA.PDF](#)

8. PUBLIC HEARINGS

- 8.A. Conduct A Public Hearing On Proposed 59th Street Water Storage Tank Community Development Block Grant – Mitigation (CDBG-MIT) Program Application (T. Wroblewski)

Documents:

[PUBLIC HEARING POSTING - 59TH ST PROJECT INFORMATION - REV11032022.DOCX](#)

- 8.B. Consider For Approval An Ordinance Of The City Of Galveston, Texas, Creating A Planned Unit Development (PUD) Overlay Zoning District In A Residential, Single-Family (R-1) Zoning District To Construct A Single-Family Residential Development And Commercial-Retail Land Use For A General Purpose Store, On Property Commonly Known As 0 San Luis Pass Road / FM 3005, And Which Is Legally Described As Lot 1 (1-3), Lots 2 And 3 Of Seabird Acres, In The City And County Of Galveston, Texas; Planning Case Number 22P-067; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (A. Montalvan)

Documents:

[22P-067 - CC STF PKT.PDF](#)
[22P-067- ORDINANCE.PDF](#)

- 8.C. Galveston Landmark - 3827 Avenue L

Consider For Approval An Ordinance Of The City Of Galveston, Texas, Designating The Property Located At 3827 Avenue L, As A "Galveston Landmark", Property Is Legally Described As M. B. Menard Survey, Lot Portion Of Lot 1 (1-0), Block 38, 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 22P-073; Making Various Findings And Provisions Related To The Subject. (C. Gorman)

Documents:

[22P-073 CC RPT PKT WITH ORD.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, Approving The

Amended And Restated Certificate Of Formation Of The Galveston Island Redevelopment Authority; Directing The Filing Of The Same With The Office Of The Texas Secretary Of State, Providing For Findings Of Fact And For An Effective Date. (Legal)

Documents:

[ORD - RDA - RESTATED CERTIFICATE OF FORMATION.DOCX](#)

10.B. Budget Amendment Ordinance

An Ordinance Of The City Of Galveston, Texas, Amending The Total Operating Budget For Fiscal Year Ending September 30, 2022, By Adjusting Various Budget Accounts In The Amount Of One Million Three Hundred Eighteen Thousand Dollars (\$1,318,000) To Properly Record Expenditures Including Eight Hundred Sixty Two Thousand Dollars Transferred From One Department To Another Department Without Increasing The General Fund Budget In Total And Four Hundred Fifty Six Thousand Dollars In Special Fund Costs; Such Costs Resulting From Increase In Garage Expenditures Related To Fuel Parts And Repairs Costs; Loss Of State Grants For Emergency Management Reimbursements; Reallocation Of Personnel To The Emergency Management Department; Increase In Local Match For Island Transit; Increase In Taxation Fees: Additional Funding For Separation Payouts For City Departures; And Various Other Budget Variations; Including Authority To Transfer Police Budget Underrun To The Technology Improvement Fund, Authority To Transfer The Budget Underrun In The Information Technology Operating Budget To The Technology Improvement Fund And Authority To Transfer Excess General Fund Balance To The Health Insurance Fund To Fund The Retiree Health Care Liability; Making Various Findings And Provisions Related To The Subject; And Providing For An Effective Date. (M. Loftin)

Documents:

[FY22 BUDGET AMENDMENT NUMBER 2 STAFF REPORT.PDF](#)
[BUDGET AMENDMENT NO. 2 ORDINANCE.DOCX](#)
[EXHIBIT A.PDF](#)

10.C. Ordinance - Transfer Of HOT To Park Board

Consider For Approval An Ordinance Of The City Of Galveston, Texas, Relating To The Distribution Of Hotel Occupancy Taxes (Hot) To The Galveston Park Board Of Trustees; Providing Provisional Approval Of The Park Board's Budget For The Use Of Hot Funds Distributed By The City To The Park Board; Providing For The Delivery Of Hot Funds To The Park Board By The City; Providing For The Submission Of Quarterly Reports By The Park Board To The City Detailing Its Use Of Hot Funds; Providing For The Continued Collection Of Hot Tax By The Park Board Until September 30, 2023; Directing Staff To Draft A Contract For Delivery Of Hot To The Park Board For The Period Beginning April 1 Through September 30, 2023; Providing For The Submission Of Hot Budget Requests By The Park Board For The Fiscal Years Beginning October 1, 2023; And Making Various Findings And Provisions Related To The Subject. (City Council)

Documents:

[ORDINANCE - TRANSFER OF HOT TO PARK BOARD-REV -11-30-22.DOCX](#)
[STAFF REPORT RELATED TO HOT ORDINANCES AND THE PARK BOARD FOR DECEMBER 2022 MEETING.PDF](#)
[HOT FUND STRUCTURE FOR STAFF REPORT.PDF](#)
[PB ORDINANCE - EXHIBIT A.PDF](#)

10.D. Ordinance - HOT Collection From Park Board To City Depository

Consider For Approval An Ordinance Of The City Of Galveston, Texas, Relating To The Distribution Of Hotel Occupancy Taxes (Hot) To The Galveston Park Board Of Trustees; Providing Provisional Approval Of The Park Board's Budget For The Use Of Hot Funds Distributed By The City To The Park Board; Providing For The Delivery Of Hot Funds To The Park Board By The City; Providing For The Submission Of Quarterly Reports By The Park Board To The City Detailing Its Use Of Hot Funds; Providing For The Continued Collection Of Hot Tax By The Park Board Until September 30, 2023; Directing Staff To Draft A Contract For Delivery Of Hot To The Park Board For The Period Beginning April 1 Through September 30, 2023; Providing For The Submission Of Hot Budget Requests By The Park Board For The Fiscal Years Beginning October 1, 2023; And Making Various Findings And Provisions Related To The Subject. (City Council)

Documents:

[ORDINANCE-HOT COLLECTION FROM PB FOR CITY DEPOSITORY-REV 11-30-22.DOCX](#)
[STAFF REPORT RELATED TO HOT ORDINANCES AND THE PARK BOARD FOR DECEMBER 2022 MEETING.PDF](#)
[HOT FUND STRUCTURE FOR STAFF REPORT.PDF](#)
[PB ORDINANCE - EXHIBIT A.PDF](#)

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 A Resolution Of The City Of Galveston, Texas, Adopting The City Of Galveston's 2023 State Legislative Agenda For The 88th Legislature; Providing For Findings Of Fact And Providing For An Effective Date. (S. Bakko)

Documents:

[CITY COUNCIL RESOLUTION - STATE LEGISLATIVE AGENDA.DOCX](#)
[AMENDED DRAFT_CITY OF GALVESTON 2023 STATE LEGISLATIVE AGENDA_11-29-2022.DOCX](#)

11.B. Consider For Approval A Resolution Of The City Of Galveston Authorizing Submittal Of CDBG-MIT Application For Funding From The Texas General Land Office For The Regional Method Of Distribution (Mod) Allocation Of Funding; Providing For Findings Of Fact And Providing For An Effective Date. (T. Wroblewski)

Documents:

[RESOLUTION-GLO - MOD APPLICATION OF FUNDING.DOCX](#)

11.C. Consider For Approval A Resolution Of The City Council Of The City Of Galveston,

Texas, Approving The Restated Certificate Of Formation Of The Galveston Housing Finance Corporation; Directing Filing With The Office Of The Texas Secretary Of State; Providing For Findings Of Fact And Providing For An Effective Date. (Legal)

Documents:

[REZ - - GHFC RESTATED CERTIFICATE OF FORMATION.DOCX](#)

11.D. Followup2023-2 City Procurement Audit

Consider For Approval Accepting The City Auditor's Report On City Procurement - Followup2023-2 City Procurement Audit. (G. Bulgherini).

Documents:

[FINAL FOLLOWUP2023-2 CITY PROCUREMENT.PDF](#)

11.E. Consider For Approval A Professional Services Contract With Roadway Asset Services, LLC To Perform Pavement Condition And Asset Assessment Services Within The City For \$288,218. (B. Cook)

Documents:

[STAFF REPORT - PAVEMENT CONDITION ASSESSMENT CONTRACT - ROADWAY ASSET SERVICES LLC \(RAS\) 2022 V2.PDF](#)
[ROADWAY PAVEMENT CONDITION ASSESSMENT CONTRACT - EXHIBIT A.PDF](#)

11.F. Consider For Approval An Inflationary Tonnage Rate Increase As Provided By The Terms Of The BFI Transfer Systems Contract For The Operation Of The Refuse Transfer Station. The Increase Is Proposed At 8.461% In Accordance With The September 2022 Consumer Price Index For Urban Wage Earners And Clerical Workers (CPI-W). The Estimated Annual Increase Is \$116,523.30. Funding Source Is The Sanitation Division Refuse Disposal Account. (D. Bender)

Documents:

[BFI CPI INCREASE .PDF](#)
[CITY OF GALVESTON TS 2022 PI CALCULATION.PDF](#)
[BLS GOVT CPI INDEX DATA SEPT-2022.PDF](#)
[COG PI LETTER 2022.PDF](#)

11.G. Consider Authorizing The City Manager To Execute A Purchase Order To EFI Global, Inc. In The Amount Of \$23,088.41 For The Emergency Remediation Of Fuel Tanks In The Right Of Way At 512 23rd Street. (D. Anderson)

Documents:

[EFI-GLOBAL_STAFF_REPORT_11_22_2022.PDF](#)

11.H. Consider For Approval Allowing The City Manager To Execute Contracts And Payments For The Training Of Galveston Police Cadets At A Local State Licensing Academy. (D. Balli)

Documents:

[GALVESTON COLLEGE POLICE TRAINING STAFF REPORT.PDF](#)

- 11.I. Consider For Approval The Annual Renewal Of An MOA Between The Galveston Police Department And The United States Coast Guard. (D. Balli)

Documents:

[US COAST GUARD - COG RENEWAL STAFF REPORT.PDF](#)

- 11.J. Consider For Approval The Acceptance Of A Donation Valued At Approximately \$5,000.00 From Marsha Wilson Rappaport And Tom Schwenk, For The Installation Of The "Yeager Seawall Viewer", A Binocular Viewing Tower At Menard Park. (B. Sanderson)

Documents:

[CONSIDER FOR APPROVAL - YEAGER SEAWALL VIEWER DONATION.PDF](#)

- 11.K. Consider For Approval The Purchase Of Fencing Material For Hooper Field, From American Fence & Supply Co., In The Amount Of \$17,741.96, With Final Approval By The City Attorney's Office. (B. Sanderson)

Documents:

[CONSIDER FOR APPROVAL - FENCING FOR HOOPER FIELD.PDF](#)

- 11.L. Consider For Approval Admissions, Memberships, And Rental Fees For Lasker Park Pool, McGuire-Dent Recreation Center, And Various Ball Fields Under The Management Of The Parks And Recreation Department; Authorizing The City Manager To Execute All Necessary Documents Upon Final Approval By The City Attorney. (B. Sanderson)

Documents:

[CONSIDER FOR APPROVAL - RECREATION FEES.PDF](#)

- 11.M. Consider For Approval The Renewal Of The Annual Maintenance Agreement For VMware Software From SHI Utilizing Cooperative DIR-TSO-4317 For \$29,740.30. (H. Dean)

Documents:

[FY23 VMWARE STAFF REPORTV2.PDF](#)
[SHI QUOTE-22512034.PDF](#)

- 11.N. Consider For Approval Authorizing Payments To Tyler Technologies For A Total Amount Of \$53,660.00 For Software Maintenance Of The Court Case Management System Through The End Of Fiscal Year 2023. (G. Lopez)

Documents:

[FY23 TYLER TECHNOLOGIES STAFF REPORT.PDF](#)
[TYLER TECHNOLOGIES 025-402210.PDF](#)

- 11.O. Consider For The Approval Of The Contract And Payment Totaling \$48,500 To Sky Wonder Pyrotechnics For The July 4th 1.3G Class Fireworks Show Which Will Be Funded By The Hotel Occupancy Tax And Authorize The City Manager To Execute The Contract Upon Final Approval By The City Attorney. (D. Smith)

Documents:

[SKY WONDER PYROTECHNICS PACKET C.PDF](#)

- 11.P. Consider For The Approval Of The Increase Of \$9,026.45 Of The Previously Approved Purchase Of Two John Deere 5100 Tractors And Pull Mowers For The Airport And Parks Department From John Deer Company Through Brookside Utilizing The Sourcewell Co-Op Which The City Is A Member Of. The Extended Price Will Change From \$168,191.92 To \$177,218.37 Which Is A 5.4% Increase. (D. Smith)

Documents:

[JOHN DEERE CHANGE ORDER 2022 PACKET.PDF](#)

12. ACTION ITEMS

- 12.A. Discuss And Consider Accepting The Resignation From City Council Member District 2 Representative William Schuster.

Documents:

[NOTICE OF RESIGNATION - CM SCHUSTER - NOV 1 2022.PDF](#)

- 12.B. Discuss And Consider Approval Of The Seawolf Park Concept And Approval For The Park Board To Move Forward With Developing More Specific Plans. (Brown)
- 12.C. Discuss And Consider Approval Of The Park Board To Move Forward With A Master Developer For Stewart Park And To Report Back The Progress At The February 23rd City Council Meeting. (Brown)
- 12.D. Consider For Approval A Resolution Of The City Council Of The City Of Galveston, Texas Receiving The Galveston Park Board Of Trustees 2022-2023 Capital Improvement Plans For Ra Apfell Park; Stewart Beach; Seawolf Park; East End Lagoon; Seawall Urban Park; As Well As, Coastal Projects At Dellanera Beach, Babe's Beach, Seawall West End Breakwater; And Beach Renourishment Projects Along The Seawall And West Of The Seawall; Giving Council's Approval, Denial Or Deferral Of Such Projects, And Providing For Findings Of Fact And Providing For An Effective Date. (M. Bouvier/C. Brown)

Documents:

[PARK BOARD RES - CAPITAL PROJECTS - REV-11-30-22.DOCX](#)
[12.08.2022 COG SEAWOLF AND STEWART BEACH PARKS OVERVIEW.DOCX](#)
[SEAWOLF RV PARK REQUEST FOR INFORMATION.PDF](#)
[STEWART BEACH RFQ 11.30.22.PDF](#)

- 12.E. Discuss And Consider Having The City Manager Initiate Discussions With Park Board Staff Concerning A New Interlocal Agreement And Report Progress To Council At Their January Council Meeting. (Brown)
- 12.F. Discuss And Consider Appointments To H-GAC's 2023 Transportation Policy Council And Transportation Advisory Committee. (Brown)

Documents:

[INVITE TO APPOINT MEMBERS OF 2023 TPC AND TAC.PDF](#)

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

1. Building Board of Adjustments and Appeals

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 December 2, 2022 at 6:15 P.M.

Janelle Williams

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).