THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF GALVESTON HELD DECEMBER 18, 2008- 4:00 PM

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER.
2. MOMENT OF SILENCE
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL: Present: Mayor Thomas, CM Mahoney, CM Beeton, MPT Weber, CM Colbert, CM Fennewald, CM Woods

   Staff: City Manager LeBlanc, City Attorney Green, City Secretary Lawrence, Finance Director Miller

5. DECLARATIONS OF CONFLICT

   None

6. APPROVAL OF MINUTES

   None

7. PRESENTATIONS
   A. Galveston Historical Foundation
   B. Financial Status of the City
   C. Certificates of Appreciation presented by CM Woods for service to the City during Hurricane Ike

8. N/A

9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS
   A. Consider for approval an Ordinance of the City of Galveston, Texas, granting a Specific Use Permit in order to operate a "Tavern" in a Central Plaza with Historic Overlay (CP-H) Zoning District at 2410 Avenue B/Strand, property is legally described as "Lot 10, Block 684, in the City and County of Galveston, Texas"; Planning Case Number 08P-79.

ORDINANCE NO. 08-076 was read by caption: GRANTING A SPECIFIC USE PERMIT IN ORDER TO OPERATE A “TAVERN” IN A CENTRAL PLAZA WITH HISTORIC OVERLAY (CP-H) ZONING DISTRICT AT 2410 AVENUE B/THE STRAND, PROPERTY IS LEGALLY DESCRIBED AS “LOT 10, BLOCK 684, IN THE CITY AND COUNTY OF GALVESTON, TEXAS”; PLANNING CASE NUMBER 08P-79; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Director of Planning and Community Services O’Donohoe gave an explanation of the proposed Specific Use Permit.

Mayor Thomas opened the Public Hearing. There being no one to speak, the Public Hearing was closed.

Motion to approve by MPT Weber. Second by CM Colbert. Unanimously approved.

   B. Consider for approval an Ordinance of the City of Galveston, Texas, changing the zoning from "Neighborhood Services with Historical Overlay (NS-H) to Multi-Family-One (MF-1) and retain Historical Overlay (H) on property legally described as "the north 40 feet of Lot 1 and the northwest part of Lot 2 (2001-1), Southwest Block 44, of the Galveston Outlots, in the City and County of Galveston, Texas" and, commonly known as "2025 Avenue N ½, Galveston, Texas"; (Planning

Case 08P-65).

ORDINANCE was read by caption: CHANGING THE ZONING FROM "NEIGHBORHOOD SERVICES WITH HISTORICAL OVERLAY (NS-H) TO MULTI-FAMILY-ONE WITH HISTORICAL OVERLAY (MF-1-H) FOR PROPERTY LEGALLY DESCRIBED AS "THE NORTH 40 FEET OF LOT 1 AND THE NORTHWEST PART OF LOT 2 (2001-1), SOUTHWEST BLOCK 44, OF THE GALVESTON OUTLOTS, IN THE CITY AND COUNTY OF GALVESTON, TEXAS" AND, COMMONLY KNOWN AS "2025 AVENUE N ½, GALVESTON, TEXAS"; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT (PLANNING CASE 08P-65).

Ms. O'Donohoe gave an explanation of the proposed ordinance and stated the applicant was requesting deferral.

Mayor Thomas opened the Public Hearing. There being no one to speak, the Public Hearing was closed.

Motion to defer to the January 8, 2009, meeting of Council. Second by CM Woods. Motion to defer unanimously approved.

10. PUBLIC COMMENT

Valarie Jackson, 2715 Postoffice, spoke regarding problems with RSDE Inspectors.

Randy Escobar, 2007 74th St., asked for an extension on permit waivers and fees.

Richard Bell, 4231 Ghost Crab Lane, spoke regarding using Jeff Ward as the Program Manager for the Buy Out Program. He said he wanted to go on record that there was nothing to the concerns that there might be some association between the residents on the West End and Jeff Ward that could compromise his objectivity.

Jerry Mohn, President, West Galveston Island Property Owners Assn., asked Council to approve Item 12.C and 12.F.

John Giovannini, 2609 Gerol Dr., spoke in support of Item 12.C.

Deborah Conrad, 2218 Postoffice, spoke in support of parking meters in the downtown area.

Karla Klay, 4919 Austin, stated her concerns about global warming.

Ed Hendon, Teacher, Ball High School, spoke seeking funding for a student tour of colleges.

Rev. Walter Jones, New Hope Baptist Church, 5514 Ave. S, spoke regarding the status of UTMB.

Walt Parsons, 23120 Golf Dr., spoke in support of the FEMA Buy Out Program.

Charles Smith, stated he was opposed to the Buy Out Program.

Benny Davis, 56 LeBrun Ct., spoke regarding problems with beach replenishment.

11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

A. Consider for approval an Ordinance of the City of Galveston, Texas waiving parade and processional permit fees for Mardi Gras 2009; requiring all organizations desiring to have one or more parades to comply with all other Mardi Gras parade permit regulations and conditions including permit application requirements.

ORDINANCE NO. 08-077 was read by caption: WAIVING PARADE AND PROCESSIONAL PERMIT FEES FOR MARDI GRAS 2009; REQUIRING ALL ORGANIZATIONS TO COMPLY WITH ALL OTHER MARDI GRAS PARADE PERMIT REGULATIONS AND CONDITIONS INCLUDING PERMIT APPLICATION REQUIREMENTS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

City Manager LeBlanc reviewed proposed Items 11.A and 11.B.

Motion to approve by MPT Weber. Second by CM Mahoney. Unanimously approved.

B. Consider for approval a Resolution of the City of Galveston, Texas making available from the City's San Luis Convention Center surplus hotel occupancy tax funds in an amount not to exceed $450,000 for Mardi Gras 2009 expenditures that enhance and promote tourism and the convention and hotel industry.

RESOLUTION NO. 08-033 was read by caption: MAKING FUNDS AVAILABLE FROM THE CITY'S SAN LUIS CONVENTION CENTER SURPLUS HOTEL OCCUPANCY TAX FUNDS IN AN AMOUNT NOT TO EXCEED $450,000 FOR MARDI GRAS 2009 EXPENDITURES THAT ENHANCE AND PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by MPT Weber. Second by CM Colbert. Vote in favor: Mayor Thomas, MPT Weber, CM Colbert, CM Fennewald, CM Woods, CM Mahoney. Opposed: CM Beeton. Motion carried.

12. ACTION ITEMS

The following items shall be considered for action as a whole, unless one or more Council Members objects:

A. Consider for action approving acceptance of a sub grant awarded to the City of Galveston, in the amount of $56,065.00, from the Homeland Security Grant Program, to purchase a communications trailer to help carry out Homeland Security Projects, that will significantly improve local and regional terrorism prevention, preparedness and response capabilities.

B. Consider for action approving the purchase of an altitude valve from The Scruggs Company, in amount not to exceed $23,138.00. Funding source is Water Improvement Fund.

C. Consider for action approving contract proposal of Jeff S. Ward and Associates in an initial amount not to exceed $30,000.00 for providing professional consulting services regarding the preparation of applications associated with the Hazard Mitigation Grant Program and to assist and advise on the acquisition, elevation or relocation of flood prone properties in connection with a grant funded under Section 404 from the Federal Emergency Management Agency and/or The State of Texas as a result of DR 1791 (Hurricane Ike).

Motion to approve by CM Colbert. Second by MPT Weber. CM Fennewald moved to amend the motion to assist and advise on acquisition or relocation of bay front or the elevation of any flood prone property. Second by CM Beeton. Vote on amendment: In favor: CM Fennewald, CM Beeton. Opposed: CM Mahoney, MPT Weber, Mayor Thomas, CM Colbert, CM Woods. Amendment failed. Vote on main motion: In favor: CM Mahoney, MPT Weber, Mayor Thomas, CM Colbert, CM Woods. Opposed: CM Beeton, CM Fennewald. Main Motion carried.

D. Consider for action authorizing the City Manager to execute a Second Amendment to the Memorandum of Understanding with the County of Galveston to provide temporary Fire Protection Services on Bolivar Peninsula, the County to pay the actual costs for such temporary assistance.

E. Consider for action authorizing the Long Term Recovery Committee to hold meetings outside City Hall.

F. Consider for action authorizing the City Manager to enter into a professional services contract with Nick Kralj and Buster Brown for the purpose of providing lobbyist services at the state level relating to coastal planning and funding as part of an interlocal agreement between the City of Galveston, the Park Board of Trustees, the City of Jamaica Beach, and the County of Galveston. Total contract is $48,000.00, with the City's portion not to exceed $12,816.00.

Motion to approve by MPT Weber. Second by CM Woods. Vote in favor: CM Mahoney, MPT Weber, Mayor Thomas, CM Colbert, CM Woods. Opposed: CM Beeton, CM Fennewald. Motion carried.

Motion to approve Action Agenda Items A, B, D, E by MPT Weber. Second by CM Beeton. CM Mahoney out of the room. Unanimously approved by those present.

13. MAYOR AND COUNCIL APPOINTMENTS

A. Consider for action Mayor and Council Appointments to various City Boards, Committees and Commissions:

1. Civilian Review Board: CM Fennewald moved to appoint Robert Johnson. Second by CM Beeton. Unanimously approved.
2. HGAC: Appointment to 2009 General Assembly and Board of Directors
3. HGAC: Transportation Policy Council: Alternate: Mayor Thomas moved to appoint Dianna Puccetti as Alternate. Second by MPT Weber. Unanimously approved.
4. HGAC: Technical Advisory Committee: representative and alternate : Council appointed City Manager LeBlanc as representative and Asst. City Manager Rinderer as Alternate.
5. Long Term Recovery Committee

Committee Chair Betty Massey presented the following list to be appointed:

Dr. Garland Anderson
Bets Anderson
Cornelia Banks
Roland Bassett
Marty Bileck
John Bostick
Susan Burntz
Robin Bushong
Dr. David Calender
Margaret Canavan
Edward Clack
Trey Click
Trudy Davis
Lynette Haaga
Dr. Judy Aronson
Greg Clipp

Roselyn Johnson
Bernie Curran
James Dennis
Mannak Desai
Cynthia Durrance
Judy Edwards
Elodi Eli
Buzz Elton
Claudia Esquevel - Ball High student
Diana Falcioni
Gary Greene
Toby Grubbs
Julia Hatcher
Susan Henry
Bill Hand
Ken Jencks
Sue Johnson
Janice Jones
Deanna Casper
Kelly Kelly
Karla Klay
Dr. Al LeBlanc
Phil Lipnich
Janie Marshall
Dr. Jerri Lyons
Sheila Lidstone
Vic Maceo
Craig Marston
Nancy McCall
Maureen McCutcheon
Joan Mertens
Russell Mertens
David Miller
Megan Moore
Laura Murrel
Jim Nonus
Alice Ann O'Donell
Alice O'Quinn
Ted O'Rourke
Norman Pappous
Jennifer Peck
Juan Pena
John Pederland
Adam Peterson - Ball High student
Marsha Rappaport
Barney Rapp
Scott Rice
Gordon Robinson
Gale Rogers

Jim Rothgeb
Sheryl Rozier
Joe Rozier
Chula Sanchez
Kay Sandor
John Schmidt
Suzzette Schultz
John Schultz
Steve Schultz
David Stanowski
Sally Waters
Nancy Wristers
Alice Wygant
Jacqueline Tarpey
Terry Conrad
Bill Hynek
Norma Rubin
Trent Morgan
Mike Gaido
Lynn McNeely
Alan LeCorneau
David Steel
Lee King
Susanne Sullivan
John Koloen
Kathryn Fiandt
Mike Churchman
John Machol
Judith Price
Alice Nebutte
Caryl Hubert
Chris Guterierrez
Robert Mihovel
Delores Williams
Carlos Orellana
Linda Davis
David Rigoulot
Joseph Garza
Charles Smith
Neil Wilson
Evelyn Gabel
Don Davidson
Marie Garrett
Roselyn Johnson

14. N/A

15. EXECUTIVE SESSION

16. DISCUSSION ITEMS

A. City Manager

1. Discuss and Receive Update regarding Hurricane Ike Disaster Emergency Response and Recovery including but not limited to long-term community recovery, debris removal, temporary housing, building permitting.
2. Discuss CDBG and HOME Funds for 2009
3. Discuss FY2007-08 Auction Sales

B. Finance Director

1. Discuss and review fiscal impact to budgeted service levels, deterioration of fund balance, cash flow projections, appropriation of fund balance, reserves and other sources including disaster loans for recovery.

C. City Council

1. Discuss Management District (Woods/Colbert)
2. Discuss HUD Community Development Block Grant Funds to help with the recovery from Hurricane Ike. (Woods/Colbert)
3. Discuss emergency medical response procedures. (Woods/Colbert)
4. Discuss Galveston voters displaced by Hurricane Ike (Woods/Colbert)
5. Discuss the use of Portable Trailers or Pre Feb Housing. (Woods/Colbert)

17. ADJOURNMENT

There being no further business to come before the assembly, the meeting was adjourned at 9:40 p.m.