

THE MINUTES OF THE MEETING OF THE CITY COUNCIL
OF CITY OF GALVESTON HELD DECEMBER 11, 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
5. DECLARATIONS OF CONFLICT
None
6. APPROVAL OF MINUTES
Special Meeting October 30, 2008: Motion to approve by CM Colbert. Second by CM Mahoney. Unanimously approved.
Regular Meeting November 13, 2008: Motion to approve by MPT Weber. Second by CM Colbert. Unanimously approved.
Special Meeting November 17, 2008: Motion to approve by CM Colbert. Second by CM Woods. Unanimously approved.
Special Meeting November, 20, 2008: Motion to approve by MPT Weber. Second by CM Colbert. In favor: CM Mahoney, CM Beeton, MPT Weber, Mayor Thomas, CM Colbert, CM Woods.
Abstaining due to absence November 20: CM Fennewald. Motion carried.
7. PRESENTATIONS
Morgan Elementary School Choir and Student Council
Downtown Parking Meters:
Presentation by the Goodman Corporation - Summary of Island Transit Activity
Presentation of appreciation to Galveston Police Officers
Long Term Community Recovery (ESF-14)
8. N/A
9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS
N/A
10. PUBLIC COMMENT
Bob Johnson, Front Parlour, 2111 Strand, spoke in support of parking meters.
David Stanowski, 2211 Ave. P, spoke in support of parking meters.
Phil Newton, 3002 Ave. O ½, stated he was opposed to parking meters. The City needs a more pedestrian friendly downtown.
Anne Moon, 5118 Ave. S ½, spoke against sheetrock permits.
Mr. Trapp, 3701 Ave. S, said he was a contractor trying to work in Galveston.
Deborah Conrad, 2218 Postoffice, spoke in favor of parking meters.
Cindy Roberts, 3002 Ave. O ½, asked Council to allow time for public before making decisions.

Greg Harrington, Galveston Chamber of Commerce, spoke in support of ESF-14.

Jackie Cole, 2308 Sydnor, stated her opposition to Item 12.I

Leon Phillips, 1212 38thSt., stated the Civilian Review Board would like to meet before the end of the year.

Judith Palthrow, 2127 Ave. M, spoke on various issues.

Karla Klay, 4919 Austin, spoke regarding environmental concerns.

Leslie Sommer, 1209 Market, stated the Historic Downtown Galveston Partnership supports parking meters as well as the investigation of a management district for the downtown area. The organization has not endorsed any specific solution to the parking problem to date.

Barbara Crews, 525 22nd St., Co-Chair of Galveston County Restore and Rebuild, spoke in support of Item 12.K.

Allen Flores, 2410 Strand, President of Strand Merchants Assn., spoke in support of parking meters. He also said the old meters need to be removed and a marketing plan should be developed.

Tony Allender, Director of Land Management for League City, spoke in support of the commuter rail system.

11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

- A. Consider for approval an Ordinance of the City of Galveston, Texas temporarily suspending the gypsum board (sheetrock) installation permit process to expedite the repair and reconstruction of residential and commercial properties damaged by Hurricane Ike; enforcing the International Building Code and Other adopted International Code Requirements Regulating gypsum board installation.

ORDINANCE NO. 08-029 was read by caption: TEMPORARILY SUSPENDING THE GYPSUM BOARD (SHEETROCK) INSTALLATION PERMIT PROCESS TO EXPEDITE THE REPAIR AND RECONSTRUCTION OF RESIDENTIAL AND COMMERCIAL PROPERTIES DAMAGED BY HURRICANE IKE; ENFORCING THE INTERNATIONAL BUILDING CODE AND OTHER ADOPTED INTERNATIONAL CODE REQUIREMENTS REGULATING GYPSUM BOARD INSTALLATION; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by CM Colbert. Second by CM Woods.

After discussion, **CM Colbert moved to amend the motion to temporarily suspend the gypsum board (sheetrock) installation permit process until January 31, 2009 excluding substantially damaged properties and commercial properties. Second by CM Woods.**

Amendment was unanimously approved.

Vote on main motion: Unanimously approved.

- B. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, supporting rapid assessment, repair and rebuilding of public housing within the City.

RESOLUTION NO. 08-030 was read by caption: SUPPORTING RAPID ASSESSMENT, REPAIR AND REBUILDING OF PUBLIC HOUSING WITHIN THE CITY; DIRECTING THE CITY SECRETARY TO SEND A CERTIFIED COPY OF THIS RESOLUTION TO PRESIDENT BUSH, GOVERNOR PERRY, HOUSING AND URBAN DEVELOPMENT SECRETARY PRESTON, UNITED STATES SENATORS HUTCHINSON AND CORNYN, UNITED STATES REPRESENTATIVES RON PAUL, SHEILA JACKSON LEE, AND AL GREEN, STATE SENATOR JACKSON AND STATE REPRESENTATIVE EILAND; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Green stated she would remove the words "repair and rebuilding."

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

- C. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, to apply for Federal Hazard Mitigation Grant Program funding, to enable the City to assist the citizens, residents, business owners and homeowners in recovering from the destruction caused by Hurricane Ike and implement long-term hazard mitigation, thereby reducing the future loss of life and property;

RESOLUTION NO. 08-031 was read by caption: TO APPLY FOR FEDERAL HAZARD MITIGATION GRANT PROGRAM FUNDING, TO ENABLE THE CITY TO ASSIST THE CITIZENS, RESIDENTS, BUSINESS OWNERS AND HOMEOWNERS AND PUBLIC ENTITIES IN RECOVERING FROM THE DESTRUCTION CAUSED BY HURRICANE IKE AND IMPLEMENT LONG-TERM HAZARD MITIGATION, THEREBY REDUCING THE FUTURE LOSS OF LIFE AND PROPERTY; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by CM Fennewald. Second by CM Woods. Unanimously approved.

- D. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, authorizing the City Manager to execute documents accepting a STEP "Impaired Driving Mobilization Enforcement Grant" for Fiscal Year 2009 from the Texas Department of Transportation;

RESOLUTION NO. 08-032 was read by caption: AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS ACCEPTING A STEP "IMPAIRED DRIVING MOBILIZATION ENFORCEMENT GRANT" FOR FISCAL YEAR 2009 FROM THE TEXAS DEPARTMENT OF TRANSPORTATION; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by CM Fennewald. Second by CM Colbert. Unanimously approved.

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 utilizing existing McGuire Dent construction contingency account/graphic sign allowance to permit Jamail-Smith, Inc. to install data/phone lines \$16,278.45, control panel power \$2,609.00, handrail installation \$6,655.00 and wood door framing \$440.00 for a total of \$25,982.45. There is no adjustment to the existing construction contract award of \$3,653,325.00.
- B. Consider for action approving award of Bid #08-09-002 to Southwest Solution Group and authorizing the City Manager to execute the contract in the amount of \$69,846.32 for the Police Department property room mezzanine and shelving installation located at County-City Law Enforcement Building. Funding source is seized funds account 1810-211426-535215-42100.
- C. Consider for action approving award of contract to Fred Hartel Company, Bid #08-09-011 for reroofing of City Hall in the amount of \$27,830.00 and utilizing Texas Local government Code Sec. 271.9051 to allow for local vendor preference, directing City Council to make a written determination as a part of this agenda action and authorizing the city Manager to execute the contract. Funding source is insurance proceeds/Building Maintenance Fund.

- D. Consider for action authorizing the City Manager to make an expenditure of \$99,990.00 to sole bidder, Gautier Remodeling and Restoration Co., Inc., Bid #08-09-010, for the renovation of the Airport Maintenance Shop, which was damaged by Hurricane Ike. Funding source is 50% of the cost to be reimbursed by insurance proceeds and 50% by a RAMP Grant.
- E. Consider for action approving repairs totaling \$16,225.75 to Hi-Way Equipment for the boom reconstruction to Unit 1620, which is a gradall excavator that belongs to the Municipal Utilities Department. Funding source is Garage Repairs Account.
- F. Consider for action approving amendment to the Goodman Corporation pursuant to TASK 7.7 to include an additional \$85,300.00 of authorization to support a comprehensive consolidation study of Island Transit and Connect Transit (Gulf Coast Center) and authorizing the City Manager to execute the amendment agreements. Local share is \$17,060.00. Funding source is Island Transit General Fund Planning Grant.

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

- G. Consider for action approving amendment to the Goodman Corporation pursuant to TASK 1 to include an additional \$837,000.00 of authorization to complete the Alternative Analysis Phase of the Proposed Galveston to Houston Commuter Rail Program and authorizing the City Manager to execute the amendment agreement. Local share is \$29,000.00. Funding source is Island Transit General Fund Planning Grant.

Motion to approve by CM Beeton. Second by CM Fennewald. Unanimously approved.

- H. Consider for action authorizing the City Manager to make as expenditure of \$16,554.00 to the sole source vendor, Old Spring Glass, for all materials and labor for the installation of four window panes in the cab of the air traffic control tower. Funding source is insurance proceeds from Hurricane Ike.
- I. Consider for action approving contract proposal of Klotz Associates, Inc. consulting engineers in an amount not to exceed \$124,900.00 to provide professional engineering design services for emergency repairs on the City of Galveston traffic signal system that was caused by Hurricane Ike. A FEMA P/W has been issued (TR-101). Reimbursing is to be requested from the Federal Highway Administration, The remaining percentage will be requested from FEMA. In the event that neither funding source is made available, the funding source by default will be the 2005 GO Bond Funds.

CM Fennewald moved approval with the proviso that Council will have the option to review the placement of the poles. Second by MPT Weber. Unanimously approved.

- J. Consider for action approving the emergency purchase of four electric motors, in the amount of \$42,331.00, for the 30th Street Pump Station for the protection of human safety and welfare for emergency recovery of water system following Hurricane Ike. Funding source is FEMA reimbursement.
- K. Consider for action approving a waiver from all building permit fees and contractor register fees through January 2010 related to residential work performed on behalf of the Galveston County Restore Rebuild Organization of faith based groups assisting property

owners in response to damage sustained during Hurricane Ike.

- L. Consider for action authorizing the City Attorney to extend the contract with Robert Barfield for municipal prosecutorial services for 60 days.
- M. Consider for action approving a three-year agreement with James Lee Witt Associates for advisory services in connection with FEMA public assistance funds and insurance adjusting in an amount not to exceed \$1,200,000.00 and authorizing the City Manager to execute the agreement upon final approval of the City Attorney.

Finance Director Miller gave an explanation of this item.

Motion to approve by CM Beeton. Second by CM Mahoney. Unanimously approved.

- N. 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 of flood prone properties in connection with a grant funder under Section 404 from the Federal Emergency Management Agency and/or The State of Texas as a result of DR 1791 (Hurricane Ike).

MPT Weber moved approval. Second by CM Mahoney.

CM Fennewald left the meeting.

Vote: In favor: Mahoney, Weber, Thomas Opposed: Beeton, Woods. Abstained: Colbert. Absent: Fennewald. Motion failed.

Motion to approve Action Agenda Items A, B, C, D, E, H, J, K and L by MPT Weber. Second by CM Woods. Unanimously approved.

13. MAYOR AND COUNCIL APPOINTMENTS

- 1. HGAC: Appointment to 2009 General Assembly and Board of Directors
- 2. HGAC: Transportation Policy Council: representative and alternate
CM Mahoney moved to appoint Mike Hughes. Second by CM Beeton.
Unanimously approved by those present.
- 3. HGAC: Technical Advisory Committee: representative and alternate
- 4. Civilian Review Board
- 5. Long Term Recovery Committee
Betty Massey, Long Term Recovery Committee Chair, read the following list of nominees:
Comprehensive Plan Committee Members who will be participating are:
Dwayne Jones, Galveston Historical Foundation
Bob Brown
Bill Merrill, Texas A & M
James Selig
David Murphy
Diane Puccetti
Curtis Brown
Steve Greenberg
Jerri Kinnear
Mike Riley
Jeff Sjostrum

Roger Soloway
Gina Spagnola
Johnny Smecca
Bo Rawlins
Shayne McDermott
Brenda Lee
Willie Gonzales
Ernie Conner
Mike Shriner
Jerry Mohn

Additional nominees are:

Harish Krishnara, Galveston Housing Authority Director
Ray Lewis, Galveston Housing Authority Board
Miles Shelton, President of Galveston College
Tino Gonzales, Chairman of the Board of Regents of Galveston College
Lynn Cleveland, Superintendent of GISD
Andy Mytelka, Chair of GISD Board
Allen Flores, Strand Merchants Assn.
Craig Brown, President of HDGP
Bowen Loftin, Texas A&M University
Greg Harrington, Chair of Galveston Chamber of Commerce
Fred Rashke, Attorney, incoming Chair of the Galveston Chamber of Commerce
Clair Reiswerg, West End business owner
Ben Raimer, UTMB
Mike Doherty, Sealy & Smith Foundation
Dolph Tillotson, Galveston County Daily News
Jim Guidry, Guidry News Service
Jim Cordell, Galveston Dot Com
Kerry Tillman, Baptist Ministers Assn., former Chair of Galveston Housing Authority Board
Jimmy Kessler, Rabbi, Banai Israel
Ray Meador, Pastor, First Baptist Church
Charles Bagley, Pastor, Moody Methodist Church
Sharon Strain, former Executive Director, Galveston Housing Authority
Mort Voller, former Chair, Galveston Island Nature Tourism Council
Jackie Cole, Veterinarian, former City Council Member
Deborah Conrad, downtown business owner, Planning Commissioner
David Bowers, realtor, former City Council Member, incoming President of the Board of the Galveston Historical Foundation
Tom Schwenk, interior designer, current President of the Board of the Galveston Historical Foundation
John Augelli, Executive Director of Rosenberg Library
Maureen Patton, Director of 1894 Grand Opera House
Adrian Culpepper, realtor, downtown business owner
Kelly Sullivan, former Planning Commissioner, businesswoman
Carlos Pena
Sharon Gillans
Larry Stanley, former President of College of the Mainland
Mike Dean, downtown business owner, Seawall business owner

Mike Friedline
 Linda Stravell, current President of GAIN
 Chris Benson, NOAH
 Steve Cernak, Executive Director of the Port of Galveston
 Lisa Graham Reynolds, realtor, former GAIN President
 Barbara Crews, former Mayor, Galveston College Regent, Chair of the Galveston
 County Restore and Rebuild Committee
 Mike Hughes, attorney, former GISD Board Chairman
 Brent Maisel, Executive Director of the Transitional Learning Community,
 current President of the Board of United Way
 Michael Jackson, St. Vincent's House
 Ellie Handley, ADA House
 Bill Buffum, Family Service
 Mac Winchester, Galveston Park Board of Trustees, Director of the Convention
 and Visitors Bureau
 Eddie Walsh, CPA
 Sharon Lewis, educator
 Patricia Williams, Director of the Ambassador Prep Charter School, formerly with
 GISD
 Scott Mixon, attorney
 Jim Galbraith, attorney, Board member of Sealy & Smith Foundation
 Patricia Rennick, business owner
 Ted Eubanks, environmental activist, urban planner
 Linda Burton, marketing consultant
 Heidi Lutz, journalist
 Jason Levy, Port Industrial/Harborside Drive business owner
 Anthony Griffin, attorney
 Lillian Magrew
 Pat Tollivar
 Frank Kaplan
Motion to approve by MPT Weber. Second by CM Mahoney.
Unanimously approved.

It was agreed that the deadline for appointments to the committee would be the first meeting in January (January 8, 2009).

14. N/A

15. EXECUTIVE SESSION
N/A

16. DISCUSSION ITEMS - No action to be taken.

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.
DEFER

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
DEFER

C. City Council

1. Discuss Management District (Woods/Colbert)
DEFER
2. Discuss HUD Community Development Block Grant Funds to help with the recovery from Hurricane Ike. (Woods/Colbert)
DEFER
3. Discuss emergency medical response procedures. (Woods/Colbert)
DEFER
4. Discuss Galveston voters displaced by Hurricane Ike (Woods/Colbert)
DEFER
5. Discuss Council Meeting time. (Fennewald/Mayor)
WITHDRAWN

17. ADJOURNMENT

There being no further business to come before the assembly, the meeting was adjourned at 10:35 p.m.