

Meeting 16 of 48 2010-2012 City Council of Galveston, Texas

THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD DECEMBER 9, 2010 - 4 P.M.

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER.
2. MOMENT OF SILENCE
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL: Present: Mayor Jaworski, CM Puccetti, CM Gonzales, CM Beeton, MPT
Colbert, CM Greenberg, CM Legg
Staff: City Manager LeBlanc, City Attorney Green, City Secretary
Lawrence
5. DECLARATION OF CONFLICT
None
6. APPROVAL OF MINUTES
NA
7. PRESENTATIONS
Certificate of Recognition: The Galveston Hurricanes Sophomore Football Team - The
Championship Texas Intercity Football Incorporated Superbowl Team

Galveston Releaf Strategic Plan: Dr. Jackie Cole, Chair of the Galveston City Tree
Committee

Thank you to Johnny Smecca for underwriting the City's Annual Holiday Luncheon.
8. COMMUNICATIONS AND PETITIONS
N/A
9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS
N/A
10. PUBLIC COMMENT
The public shall be allowed to address one or more agenda or non-agenda items.
Each person shall be limited to three (3) minutes, regardless of the number of
items addressed.
Bruce Cordova, APA Wood representative, in support of OSB. He stated that OSB and
plywood are interchangeable.
Rick Crawford, Louisiana Pacific representative, OSB interchangeable with plywood.
Mike Collins, P.O. Box 2449, Crystal Beach, Tx., representing the United States Green
Building Council for Galveston County, opposed to the use of OSB for roofs.
Ellis Pickett, Surfriders Assn., problems with off beach parking.
Jonathon Tromm, 1315 Postoffice, opposed to container terminal on Pelican Island.

Ralph McMorris, President GAIN, opposed to container terminal on Pelican Island. In support of Specific Use Permit process.

Robert Reeves, 2212 56th St., Chair, Galveston Code Committee, stated no one came to meetings to oppose the use of OSB. Give contractors and homeowners the choice between plywood and OSB.

Sheila Bell, Life Jacket and Flood Prevention Day

David Watson, Architect, Building Code Review Committee, in support of the use of OSB. Allow the option.

Mike Gaertner, Architect, allow choice between plywood and OSB. Galveston's permit fees are not commensurate with what other cities charge. Opposed to using HDR Engineering (Item 12 C).

Al Fichera, Fichera Builders, uses OSB.

Ken Jencks, 190 San Marino, opposed to paid parking on the Seawall. Need public input.

Chula Ross Sanchez, Chair of Galveston County Green Building Council, asked for opportunity to make presentation to Council at the next Workshop. Asked Council to defer a decision on OSB.

Joe Rozier, Building Code Committee, recommended the option between plywood and OSB.

Billy Hill, Realtor, take time to make decision regarding paid parking. Opposed to off Seawall parking.

11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

- A. Consider for approval an Ordinance of the City of Galveston, Texas, amending Chapter 10, "Building Code," of "The Code of the City of Galveston, 1982; as amended", by amending the "2009 International Residential Code Amendments; "Attachment A", "Appendix R", modifying established related permit fees.

ORDINANCE NO. 10-099 was read by caption: AMENDING CHAPTER 10, "BUILDING CODE," OF "THE CODE OF THE CITY OF GALVESTON, 1982; AS AMENDED", BY AMENDING THE "2009 INTERNATIONAL RESIDENTIAL CODE AMENDMENTS", "ATTACHMENT A", "APPENDIX R", MODIFYING ESTABLISHED RELATED PERMIT FEES; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

CM Puccetti moved approval. Second by CM Gonzales. Vote in favor: CM Puccetti, CM Gonzales, CM Beeton, Mayor Jaworski, MPT Colbert Opposed: C

- B. Consider for approval an Ordinance of the City of Galveston, Texas, amending Chapter 10, "Building Code," of "The Code of the City of Galveston, 1982; as amended", by amending, "the 2009 International Residential Code Amendments", "Attachment A", "Appendix V", to allow the use of Oriented Strand Board (OSB) for roof decking and exterior wall sheathing.

ORDINANCE was read by caption: AMENDING CHAPTER 10, "BUILDING CODE," OF "THE CODE OF THE CITY OF GALVESTON, 1982; AS AMENDED", BY AMENDING, "THE 2009 INTERNATIONAL RESIDENTIAL CODE AMENDMENTS", "ATTACHMENT A", "APPENDIX V", TO ALLOW THE USE OF ORIENTED STRAND BOARD (OSB) FOR ROOF DECKING AND EXTERIOR WALL SHEATHING; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Motion to defer to January 13, 2011 meeting by MPT Colbert. Second by CM Greenberg. Vote in favor: CM Gonzales, CM Beeton, Mayor Jaworski, MPT Colbert, CM Greenberg Opposed: CM Puccetti. Absent: CM Legg. Motion to defer approved.

- C. Consider for approval an Ordinance of the City of Galveston, Texas, amending Chapter 10, "Building Code," of "The Code of the City of Galveston, 1982; as amended", by amending, the 2009 International Building Code Amendments, "Attachment A", "Appendix M", to allow the use of Oriented Strand Board (OSB) for roof decking and exterior wall sheathing.

ORDINANCE was read by caption: AMENDING CHAPTER 10, "BUILDING CODE," OF "THE CODE OF THE CITY OF GALVESTON, 1982; AS AMENDED", BY AMENDING THE 2009 INTERNATIONAL BUILDING CODE AMENDMENTS, "ATTACHMENT A", "APPENDIX M", TO ALLOW THE USE OF ORIENTED STRAND BOARD (OSB) FOR ROOF DECKING AND EXTERIOR WALL SHEATHING; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Motion to defer to January 13, 2011 meeting by MPT Colbert. Second by CM Greenberg. Vote in favor: CM Gonzales, CM Beeton, Mayor Jaworski, MPT Colbert, CM Greenberg Opposed: CM Puccetti Absent: CM Legg. Motion to defer approved.

- D. Consider for approval an Ordinance of the City of Galveston, Texas, amending Chapter 10, "Building Code," of "The Code of the City of Galveston, 1982; as amended", by amending, the 2009 International Building Code Amendments, "Attachment A", "Appendix L", modifying established related permit fees.

ORDINANCE NO. 10-098 was read by caption: AMENDING CHAPTER 10, "BUILDING CODE," OF "THE CODE OF THE CITY OF GALVESTON OF GALVESTON, 1982; AS AMENDED", BY AMENDING, THE 2009 INTERNATIONAL BUILDING CODE AMENDMENTS, "ATTACHMENT A", "APPENDIX L", MODIFYING ESTABLISHED RELATED PERMIT FEES; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Motion to approve by CM Puccetti. Second by MPT Colbert. Vote in favor: CM Puccetti, CM Gonzales, CM Beeton, Mayor Jaworski, MPT Colbert Opposed: CM Greenberg Absent: CM Legg. Motion approved.

12. ACTION ITEMS

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

A. Discuss and Consider for action to place a "Comment Box" on the 1st floor of City Hall for the Employees to utilize. (Gonzales/Puccetti)

B. Discuss and Consider for action number of chairs, approved finish and chair type and also adding a sandwich board sign to the front sidewalk on the Strand.
(Greenberg/Legg)

NO ACTION

CM Legg left meeting after discussion on Item 12.B.

C. Consider acceptance of the proposal from HDR Engineering, Inc. for the engineering services for the development of comprehensive zoning, land use and subdivision code revisions. The cost of these services will not exceed \$1,640,000.00. Funding source is CDBG disaster recovery grant non-housing program Round 1.

CM Beeton moved approval. Second by CM Puccetti.

After discussion, **CM Beeton called the question. Second by CM Puccetti. Vote in favor: CM Puccetti, CM Gonzales, CM Beeton, Mayor Jaworski Opposed: MPT Colbert, CM Greenberg Absent: CM Legg Motion failed due to lack of super majority vote in favor.** Discussion continued.

Vote in favor: CM Puccetti, CM Gonzales, CM Beeton, Mayor Jaworski, MPT Colbert Opposed: CM Greenberg Absent: CM Legg. Motion approved.

D. Consider for approval of the awarding of the Hampton Battery Fort Crockett improvement construction project located on the 4500 block of Seawall Blvd. to the lowest responding bidder which will utilize the Frito-Lay funds that were donated to the City of Galveston after Hurricane Ike.

E. Discuss and Consider for action alternate funding sources for the previously authorized OSSI software packages purchase from SunGard Public Sector Company.

NO ACTION

F. Consider for action requesting Staff to present to the Planning Commission for recommendation amending the Zoning Regulations for container terminal related land uses from a permitted land use to a specific use permit in Heavy Industrial zoning districts.

G. Consider for Approval the Lowest Competitive Sealed Proposal (RFP # 10-11-001) for the Rehabilitation of 22 Owner Occupied Housing Units in a Base Bid Amount of \$1,197,043.58 for Sullivan Land Services. Funding is provided under the CDBG Disaster Recovery Housing Program.

H. Discuss and consider giving the City Manager direction on seawall parking

City Manager LeBlanc stated that Council had voted on the following: 1. Keeping the parking fee at \$8.00. 2. Charging from 9:00 a.m. to 6:00 p.m. from March 1 to the end of October and for the balance from 9:00 a.m. to 6:00 p.m. just on the weekend.

Mayor Jaworski asked for a motion setting a \$25.00 fee for an annual parking pass. So moved by CM Legg and seconded by CM Gonzales and CM Greenberg. Unanimously approved.

Method of Collection: After discussion, CM Greenberg moved to approve pay stations. Second by CM Legg. Unanimously approved.

CM Greenberg moved that the income from the parking fees be used as follows: 10% - administration (up to 10%); 15% - reserve to replace capital improvements; 75% - Seawall enhancements either through maintenance and operation or debt service. Second by MPT Colbert.

CM Puccetti stated her concerns regarding lack of funds for beach renourishment.

Vote

- I. Discuss and consider for action giving the City Manager direction concerning the clean teams focus area.

NO ACTION

- J. Consider for approval acceptance of low bid from AAA Asphalt Paving INC. in the amount of \$116,580.00 for the repairs to the Boddecker Drive Bridge (PW # ST-123.\$23,000.00) and the Estuary Drive Bridge (PW #ST-148. \$93,000.00) Funding will come from Hurricane Ike FEMA Funds- (90% - \$104,922.00) and Drainage Improvement Fund (10% - (\$11,658.00) (Bid #09-10-041)

- K. Consider for action approval of the Galveston ReLeaf Strategic Plan for replanting Galveston Island, prepared by the City of Galveston Tree Committee, Galveston Island Tree Conservancy, and Texas Forest Service.

- L. Discuss and consider for action giving direction to City Manager regarding the qualifications, job description and posting for the City Secretary's position.

CM Beeton moved to approve the job description and qualifications and the posting schedule as presented. Second by CM Puccetti. Unanimously approved by those present. CM Legg absent.

CM Puccetti moved approval of Action Agenda Items A, D, F, G, J, K. Second by MPT Colbert.

13. MAYOR AND COUNCIL APPOINTMENTS

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

Civilian Review Board: CM Gonzales moved to reappoint Robert Johnson. Second by MPT Colbert. Unanimously approved by those present. CM Legg absent.

Arts & Historic Preservation Advisory Board: CM Puccetti moved to reappoint Mary Remmers. Second by CM

Greenberg. Unanimously approved by those present. CM Legg absent. MPT Colbert moved to reappoint Stacy Mitchell. Second by CM Puccetti. Unanimously approved by those present. CM Legg absent.

Commission for the Arts

Deferred

- 14. N/A
- 15. N/A
- 16. N/A

17. ADJOURNMENT

There being no further business to come before the assembly the meeting was adjourned at 7:15 p.m.