

THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD SEPTEMBER 24, 2009- 4PM

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 Beeton, MPT Weber, CM Fennewald, CM Woods
Absent: CM Mahoney, CM Colbert
Staff: City Manager LeBlanc, City Attorney Green, City Secretary Lawrence, Finance Director Miller, Asst. City Manager Rinderer

5. DECLARATIONS OF CONFLICT
6. APPROVAL OF MINUTES

The Minutes of the Special Meeting of September 3, 2009 were unanimously approved by those present upon motion by MPT Weber and second by CM Woods. CM Mahoney and CM Colbert absent.

The minutes of the Regular Meeting of September 10, 2009 were unanimously approved by those present upon motion by MPT Weber and second by CM Woods. CM Mahoney and CM Colbert absent.

7. PRESENTATIONS
 - A. Certificate of Recognition: Scholes International Airport employees: George Smith, Reginald Preston and Steven Harrison
Surgical Tech Week

8. COMMUNICATIONS AND PETITIONS
 - A. Notices of Claim: 09068-Jesus Jose Olguin; 09069-Anthony Loud; 09070-Aerial Survey, Inc.
 - B. Texas Gas Service: Purchased Gas Adjustment Clause for September 2009.

9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS
N/A

10. PUBLIC COMMENT

Linda Burton, 13817 Cutlass Lane, spoke about her concerns regarding the Galveston Housing Authority Section 8 Housing for Hurricane Katrina and Hurricane Rita evacuees.

Jul Kamen, 1506 21st St., stated her concerns pertaining to Galveston Housing Authority Section 8 Housing for Hurricane Katrina and Hurricane Rita evacuees.

Jacqueline Tarcy, 2211 Avenue P, stated her concerns pertaining to Galveston Housing Authority Section 8 Housing for Hurricane Katrina and Hurricane Rita evacuees.

Kris Hall, 3762 Nottingham, Houston, spoke in support of the Hazard Mitigation Grant Program.

David Hoover, 27 South Shore Dr, Past President of the Texas Chapter of the American Planning Assn., extended an invitation to Council to attend the association's annual meeting to be held in Galveston.

Cindy Roberts, 3002 Ave. O ½, gave a report on the results of the Car Free Challenge and Car Free Day events.

Brenda Lee, 2202 Ave. P, extended an invitation for Council to attend a benefit to be held at Old Central Cultural Center to raise funds for the Old Central Cultural Center Scholarship Fund and the CPAAA Police Vest Fund.

11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

- A. Consider for approval an Ordinance of the City of Galveston, Texas, amending "The Code of the City of Galveston 1982, as amended", Chapter 34, "Decrease of state law maximum speed", Section 34-59, subsection (a) "Speed limit 20 miles per hour" by adding all streets within the Beachside Village Subdivision (situated within the City limits of the City of Galveston, South of FM 3005, between 8 Mile Road and Pabst Road) including the following named roadways: Periwinkle, Sea Urchin, Sand Dollar, Grand Avenue, Wentletrap, Conch, Neptune Abalone, Nautilus, Opihi, Beachside, Seaside Circle and Sea Butterfly.

ORDINANCE NO. 09-061 was read by caption: AMENDING "THE CODE OF THE CITY OF GALVESTON 1982, AS AMENDED", CHAPTER 34, "DECREASE OF STATE LAW MAXIMUM SPEED", SECTION 34-59, SUBSECTION (A) "SPEED LIMIT 20 MILES PER HOUR" BY ADDING ALL STREETS WITHIN THE BEACHSIDE VILLAGE SUBDIVISION (SITUATED WITHIN THE CITY LIMITS OF THE CITY OF GALVESTON SOUGH OF FM 3005, BETWEEN 8 MILE ROAD AND PABST ROAD) INCLUDING THE FOLLOWING NAMED ROADWAYS: PERIWINKLE, SEA URCHIN, SAND DOLLAR, GRAND AVENUE, WENTLETRAP, CONCH, NEPTUNE ABALONE, NAUTILUS, OPIHI, BEACHSIDE, SEASIDE CIRCLE AND SEA BUTTERFLY; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Motion to approve by MPT Weber. Second by CM Woods. Unanimously approved by those present.

- B. Consider for approval an Ordinance of the City of Galveston, Texas ("City") approving a negotiated resolution between the City and Texas Gas Service Company ("Company") regarding the Company's May 15, 2009 Statement of Intent to increase rates in the City through the implementation of a Hurricane Ike Surcharge and the Company's proposed revisions to its Cost of Gas Clause; adopting a tariff that reflects the approved Hurricane Ike Surcharge and approved changes to the Cost of Gas Clause consistent with the negotiated settlement; finding the surcharge to be implemented by the attached tariff to be just and reasonable; providing for the recovery of the City's and the Company's 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; requiring delivery of this Ordinance to the

Company and the City's legal counsel; and authorizing the City Manager to execute all necessary documents.

ORDINANCE NO. 09-062 was read by caption: APPROVING A NEGOTIATED RESOLUTION BETWEEN THE CITY AND TEXAS GAS SERVICE COMPANY ("COMPANY") REGARDING THE COMPANY'S MAY 15, 2009 STATEMENT OF INTENT TO INCREASE RATES IN THE CITY OF GALVESTON THROUGH THE IMPLEMENTATION OF A HURRICANE IKE SURCHARGE AND THE COMPANY'S PROPOSED REVISIONS TO ITS COST OF GAS CLAUSE; ADOPTING A TARIFF THAT REFLECTS THE APPROVED HURRICANE IKE SURCHARGE AND APPROVED CHANGES TO THE COST OF GAS CLAUSE CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE SURCHARGE TO BE IMPLEMENTED BY THE ATTACHED TARIFF TO BE JUST AND REASONABLE; PROVIDING FOR THE RECOVERY OF THE CITY'S AND THE COMPANY'S 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; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE CITY'S LEGAL COUNSEL; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS.

City Manager LeBlanc gave a summary of the proposed ordinance.

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

- C. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, submitting the names of five (5) nominees or less for election to the Galveston Central Appraisal District Board of Directors.

RESOLUTION NO. 09-063 was read by caption: SUBMITTING THE NAMES OF FIVE (5) NOMINEES OR LESS FOR ELECTION TO THE GALVESTON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; DIRECTING THE CITY SECRETARY TO SEND A CERTIFIED COPY OF THIS RESOLUTION TO THE CENTRAL APPRAISAL DISTRICT; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

CM Fennewald moved to nominate Vic Pearson. Second by MPT Weber.

Unanimously approved by those present. CM Woods out of the room and did not vote. CM Mahoney and CM Colbert absent.

The following Resolutions D, E, F, G, H, I, J, K, L and M were read and voted on in one motion. See below.

- D. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving the sale of a certain tax foreclosed property located at 710 36TH Street referred to as property item 532 on the tax foreclosed property list to Beau Rawlins; the property is legally described as the South 40 Ft of Lot One (1) and the Southwest Part of Lot Two (2) in Block Three Hundred Thirty Five (335) in the City and County of Galveston, Texas; authorizing Mayor Lyda Ann Thomas to execute a deed to the purchaser; declaring findings of fact and providing for an effective date.

RESOLUTION NO. 09-065 was read by caption: APPROVING THE SALE OF A CERTAIN TAX FORECLOSED PROPERTY LOCATED AT 710 36TH ST. REFERRED TO

AS PROPERTY ITEM 532 ON THE TAX FORECLOSED PROPERTY LIST TO BEAU RAWLINS; THE PROPERTY IS LEGALLY DESCRIBED AS THE SOUGH 40 FT. OF LOT ONE (1) AND THE SOUTHWEST PART OF LOT TWO (2) IN BLOCK THREE HUNDRED THIRTY FIVE (335) IN THE CITY AND COUNTY OF GALVESTON TEXAS AUTHORIZING MAYOR LYDA ANN THOMAS TO EXECUTE A DEED TO THE PURCHASER; DECLARING FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

- E. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving the sale of a certain tax foreclosed property referred to as property item 554 on the tax foreclosed property list to Phillip Curtis; the property is legally described as the Easterly 20 ft of the Westerly 40 ft of Lot Nineteen (19) of Gulf Palms Subdivision in Galveston County Texas; according to the map of plat thereof recorded in Volume 254-A in the office of the County Clerk of Galveston County Texas; authorizing Mayor Lyda Ann Thomas to execute a deed to the purchaser; declaring findings of fact and providing for an effective date.

RESOLUTION NO. 09-066 was read by caption: APPROVING THE SALE OF A CERTAIN TAX FORECLOSED PROPERTY REFERRED TO AS PROPERTY ITEM 554 ON THE TAX FORECLOSED PROPERTY LIST TO PHILLIP CURTIS; THE PROPERTY IS LEGALLY DESCRIBED AS THE EASTERLY 20 FT OF THE WESTERLY 40 FT OF LOT NINETEEN (19) OF GULF PALMS SUBDIVISION IN GALVESTON COUNTY TEXAS; ACCORDING TO THE MAP OF PLAT THEREOF RECORDED IN VOLUME 254-A IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY TEXAS; AUTHORIZING MAYOR LYDA ANN THOMAS TO EXECUTE A DEED TO THE PURCHASER; DECLARING FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

- F. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving the sale of a certain tax foreclosed property located at 2823 Ave Q and referred to as property item 555 on the tax foreclosed property list to Johnny Ray Beard; the property is legally described as Part of Lot 2, NW Blk 115, Galveston Outlots, Galveston County, Texas, described in the Deed/Instrument recorded at Clerks File Number 2001024549 in the Official Deed Records of Galveston County, Texas; authorizing Mayor Lyda Ann Thomas to execute a deed to the purchaser; declaring findings of fact and providing for an effective date.

RESOLUTION NO. 09-067 was read by caption: APPROVING THE SALE OF A CERTAIN TAX FORECLOSED PROPERTY LOCATED AT 2823 AVE Q AND REFERRED TO AS PROPERTY ITEM 555 ON THE TAX FORECLOSED PROPERTY LIST TO JOHNNY RAY BEARD; THE PROPERTY IS LEGALLY DESCRIBED AS PART OF LOT 2, NW BLK 115, GALVESTON OUTLOTS, GALVESTON COUNTY, TEXAS, DESCRIBED IN THE DEED/INSTRUMENT RECORDED AT CLERKS FILE NUMBER 2001024549 IN THE OFFICIAL DEED RECORDS OF GALVESTON COUNTY, TEXAS; AUTHORIZING MAYOR LYDA ANN THOMAS TO EXECUTE A DEED TO THE PURCHASER; DECLARING FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

- G. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving the sale of a certain tax foreclosed property located at 4012 Sealy and referred

to as property item 524 on the tax foreclosed property list to Beau Rawlins DBA RRB; the property is legally described as E ½ Lot 11 & 10 ft adj alley, Blk 280, in the City of Galveston and Galveston County, Texas; authorizing Mayor Lyda Ann Thomas to execute a deed to the purchaser; declaring findings of fact and providing for an effective date.

RESOLUTION NO. 09-068 was read by caption: APPROVING THE SALE OF A CERTAIN TAX FORECLOSED PROPERTY LOCATED AT 4012 SEALY AND REFERRED TO AS PROPERTY ITEM 524 ON THE TAX FORECLOSED PROPERTY LIST TO BEAU RAWLINS DBA RRB; THE PROPERTY IS LEGALLY DESCRIBED AS E ½ LOT 11 & 10 FT ADJ ALLEY, BLK 280, IN THE CITY OF GALVESTON AND GALVESTON COUNTY, TEXAS; AUTHORIZING MAYOR LYDA ANN THOMAS TO EXECUTE A DEED TO THE PURCHASER; DECLARING FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

- H. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving the sale of a certain tax foreclosed property referred to as property item 514 on the tax foreclosed property list to Beau Rawlins; the property is legally described as part of Lots 8 & 9, Blk 32 Galveston County, Texas; authorizing Mayor Lyda Ann Thomas to execute a deed to the purchaser; declaring findings of fact and providing for an effective date.

RESOLUTION NO. 09-069 was read by caption: APPROVING THE SALE OF A CERTAIN TAX FORECLOSED PROPERTY REFERRED TO AS PROPERTY ITEM 514 ON THE TAX FORECLOSED PROPERTY LIST TO BEAU RAWLINS; THE PROPERTY IS LEGALLY DESCRIBED AS PART OF LOTS 8 & 9, BLK 32 GALVESTON COUNTY, TEXAS; AUTHORIZING MAYOR LYDA ANN THOMAS TO EXECUTE A DEED TO THE PURCHASER; DECLARING FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

- I. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving the sale of a certain tax foreclosed property referred to as property item 552 on the tax foreclosed property list to Malinda Rogue & Ireneo Bocardando in the City and County of Galveston, Texas; authorizing Mayor Lyda Ann Thomas to execute a deed to the purchaser; declaring findings of fact and providing for an effective date.

RESOLUTION NO. 09-070 was read by caption: APPROVING THE SALE OF A CERTAIN TAX FORECLOSED PROPERTY REFERRED TO AS PROPERTY ITEM 552 ON THE TAX FORECLOSED PROPERTY LIST TO MALINDA ROGUE & IRINEO BOCARANDO IN THE CITY AND COUNTY OF GALVESTON, TEXAS; AUTHORIZING MAYOR LYDA ANN THOMAS TO EXECUTE A DEED TO THE PURCHASER; DECLARING FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

- J. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving the sale of a certain tax foreclosed property located at Ave M ½ @ 42ND Street and referred to as property item 547 on the tax foreclosed property list to Edelmire & Orfelinda Benavides; the property is legally described as the Northwest Part of Lot 1, Southeast Blk 8, Galveston Outlots, in the City and County of Galveston, Texas

authorizing Mayor Lyda Ann Thomas to execute a deed to the purchaser; declaring findings of fact and providing for an effective date.

RESOLUTION NO. 09-071 was read by caption: APPROVING THE SALE OF A CERTAIN TAX FORECLOSED PROPERTY LOCATED AT AVE M ½ @ 42ND STREET AND REFERRED TO AS PROPERTY ITEM 547 ON THE TAX FORECLOSED PROPERTY LIST TO EDELMIRE & ORFELINDA BENAVIDES; THE PROPERTY IS LEGALLY DESCRIBED AS THE NW PART OF LOT 1, SE BLK 8, GALVESTON OUTLOTS, IN THE CITY AND COUNTY OF GALVESTON. AUTHORIZING MAYOR LYDA ANN THOMAS TO EXECUTE A DEED TO THE PURCHASER; DECLARING FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

- K. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving the sale of a certain tax foreclosed property located at 6117 Avenue Q and referred to as property item 556 on the tax foreclosed property list to FGZ, LLC; the property is legally described as Lots Nine (9) and Ten (10), Block Two (2), H M Trueharts Addition, a Subdivision in the City and County of Galveston County, Texas; said property is described more particularly in the instrument recorded at Film Code 008-030-4380 in the Official Deed Records of Galveston County, Texas authorizing Mayor Lyda Ann Thomas to execute a deed to the purchaser; declaring findings of fact and providing for an effective date.

RESOLUTION NO. 09-072 was read by caption: APPROVING THE SALE OF A CERTAIN TAX FORECLOSED PROPERTY LOCATED AT 6117 AVENUE Q AND REFERRED TO AS PROPERTY ITEM 556 ON THE TAX FORECLOSED PROPERTY LIST TO FGZ,LLC; THE PROPERTY IS LEGALLY DESCRIBED AS LOTS NINE (9) AND TEN (10), BLOCK TWO (2), H.M. TRUEHARTS ADDITION, A SUBDIVISION IN THE CITY AND COUNTY OF GALVESTON COUNTY, TEXAS; SAID PROPERTY DESCRIBED MORE PARTICULARLY IN THE INSTRUMENT RECORDED AT FILM CODE 008-030-4380 IN THE OFFICIAL DEED RECORDS OF GALVESTON COUNTY, TEXAS AUTHORIZING MAYOR LYDA ANN THOMAS TO EXECUTE A DEED TO THE PURCHASER; DECLARING FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

- L. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving the sale of a certain tax foreclosed property located at 2814 Ave M and referred to as property item 530 on the tax foreclosed property list to Beau Rawlins; the property is legally described as the Southeast part of Lot 11, Blk 28 in the City and County of Galveston, Texas, also known as 2814 Ave M, Galveston, County, Texas; authorizing Mayor Lyda Ann Thomas to execute a deed to the purchaser; declaring findings of fact and providing for an effective date.

RESOLUTION NO. 09-073 was read by caption: APPROVING THE SALE OF A CERTAIN TAX FORECLOSED PROPERTY LOCATED AT 2814 AVE M AND REFERRED TO AS PROPERTY ITEM 530 ON THE TAX FORECLOSED PROPERTY LIST TO BEAU RAWLINS; THE PROPERTY IS LEGALLY DESCRIBED AS THE SOUTHEAST PART OF LOT 11, BLK 28 IN THE CITY AND COUNTY OF GALVESTON TEXAS ALSO KNOWN AS 2814 AVE GALVESTON COUNTY, TEXAS; AUTHORIZING MAYOR LYDA ANN

THOMAS TO EXECUTE A DEED TO THE PURCHASER; DECLARING FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

- M. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving the sale of a certain tax foreclosed property located at the 3000 Block of S. Sonny Lane, referred to as property item 542 on the tax foreclosed property list, to Beau Rawlins; the property is legally described as Lot 2, Ostermayer Subdivision, Galveston County, Texas; described more particularly in the instrument recorded at Book 1225 Page 1389 in the Official Deed Records of Galveston County, Texas, authorizing Mayor Lyda Ann Thomas to execute a deed to the purchaser; declaring findings of fact and providing for an effective date.

RESOLUTION NO. 09-074 was read by caption: APPROVING THE SALE OF A CERTAIN TAX FORECLOSED PROPERTY LOCATED AT THE 3000 BLOCK OF S. SONNY LAND, REFERRED TO AS PROPERTY ITEM 542 ON THE TAX FORECLOSED PROPERTY LIST, TO BEAU RAWLINS; THE PROPERTY IS LEGALLY DESCRIBED AS LOT 2, OSTERMAYER SUBDIVISION, GALVESTON COUNTY, TEXAS; DESCRIBED MORE PARTICULARLY IN THE INSTRUMENT RECORDED AT BOOK 1225 PAGE 1389 IN THE OFFICIAL DEED RECORDS OF GALVESTON COUNTY TEXAS AUTHORIZING MAYOR LYDA ANN THOMAS TO EXECUTE A DEED TO THE PURCHASER; DECLARING FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve Resolutions D, E, F, G, H, I, J, L, and M by CM Fennewald. Second by CM Woods. Unanimously approved by those present.

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 the purchase of two Genie RL-4000 diesel trailer mounted portable light towers and one Wacker G-14 diesel trailer mounted portable generator for Galveston Police Department for a total of \$26,719.00. Funding source is Governor's Division of Emergency Management Office of Infrastructure Protection and 2008 Buffer Zone Protection Program.
- B. Consider for action authorizing the City Manager to execute a Second Amendment of the lease between Jay Balentine and the City of Galveston, whose Assignment of Lease from Evergreen Helicopters, Inc. was approved on March 26, 2009, amending Article 1 Term, to extend the term of the lease for an additional 31 years, Article 3 Use of Leased Premises, from helicopter operations to aviation services and Article 4 Rental, adding the requirement that the hangar facility be completed within six months of the effective date of this Second Amendment, upon final approval by the City Attorney.
- C. Consider for action approving awarding a lease agreement for the DM925 WOW mail system to Pitney Bowes at a cost of \$542.00 per month for 60 months for a total cost of \$32,520.00 utilizing State contract 985-L1. Funding source is Central Services Internal Services Fund.

- D. Consider for action approving awarding Bid #08-09-056 for a three-year contract to Triple D Security for armored car services for the City of Galveston Departments of Finance, Utility Billing, Municipal Court and Island Transit for the annual amount of \$10,440.00. Funding source is Individual Department Accounts.
- E. Consider for action approving the third year of three year award RFP #06-07-011 Liability and Property Insurance coverage to TMLIPR, October 1, 2009 to October 1, 2010 contribution being \$513,394.81, which includes the 3% discount for full pre-payment.
- F. Consider for action approving the third year of RFP #06-07-010 to Midwest Employers for Workers Compensation Reinsurance October 1, 2009 to October 1, 2010, in the approximate amount of \$79,488.00.
- G. Consider for action approving Galveston Municipal Court Amnesty Program for eligible violators for Failure to Appear or Violate Promise to Appear charges. The Amnesty Program would begin October 1, 2009 and end October 30, 2009.
- H. Consider for action approving the purchase of one Crew Cab Service Truck through HGAC Buy from Philpott Motors for the Refuse Division in the amount of \$23,081.73. Funding source is Texas Municipal League Insurance Settlement Account.
- I. Consider for action approving three-year contract to Franks Paint and Body and Trudy's Paint and Body, for auto body repairs to the bus fleet for Island Transit Garage. Funding source is Island Transit Outside Vehicle Repairs Account.
- J. Consider for action approving three-year auto lubricants contract to ADA Resources and Apache Oil, which were the low bidders for Island Transit Garage. Funding source is Island Transit Fuel and Lubricants Account.
- K. Consider for action approving annual uniform services contract to G&K Services for Island Transit. Funding source is Federal Transit Administration Local Share Sources.
- L. Consider for action approving Lone Star Rally exclusive agreement for a two-year period and authorizing the City Manager to execute the agreement.
Asst. City Manager Lloyd Rinderer gave an explanation of the proposed agreement. Melissa Penlan, Lone Star Rally representative, was present to discuss the agreement.
After discussion, MPT Weber moved to approve the Lone Star Rally exclusive agreement for a two year period, 2010 and 2011. Second by CM Woods.
After further discussion, the vote was as follows: In favor: MPT Weber, CM Fennewald, CM Woods, Mayor Thomas. Opposed: CM Beeton. Absent and not voting: CM Colbert, CM Mahoney. Motion carried.
- M. Consider for action approving three-year contract for Island Transit bus part contracts to Standard Auto Parts, O'Reilly Auto Parts and Car Parts for the purchasing of auto parts

and supplies for the Island Transit Fleet. Funding source is Island Transit Automotive Parts Account.

- N. Consider for action approving annual bulk tire contract to the responding bidders, A to Z Tires and Southern Tire Mart for the Island Transit Garage. Funding source is Island Transit Automotive Parts Account.
- O. Consider for action entering into a contract with Robert J. Barfield for municipal prosecutorial services through September 30, 2010 and authorizing the City Manager to execute a contract in substantially the same as the attached form, subject to approval by the City Attorney.
- P. Consider for action approving contract proposal from SECO Signal Equipment Company in an amount not to exceed \$95,000.00 for the purchase of solar powered school zone flasher systems that were damaged by Hurricane Ike. 80% of the funding will come from either FEMA or FHWA Hurricane Ike Funds. The funding source for the City's 20% reimbursement will come from the 2005 GO Bond Funds.
- Q. Consider for action authorizing the use of UTMB Emergency Room for professional services required in sexual assault exams and evidence collection. Funding is 100% reimbursable from the Office of the Attorney General.
- R. Consider for action approving TXDOT Grant New Freedom Agreement for Island Transit operations in the amount of \$458,596.00, no local City match, and authorizing the City Manager to execute the agreement subject to City Attorney review.
- S. Consider for action authorizing the City Manager to accept Lone Star Uniforms as the low bidder for Police Department Body Armor. Funding source will be Department of Justice Grant # OMB 1121-0235, Ballistic Vest Partnership Program, for an amount not to exceed \$106,122.00 of which the City's Share will be \$19,505.60.
- T. Discuss and consider for action providing the City Manager and the City Attorney direction regarding regulation of beachfront building lines following beach renourishment projects. (Fennewald/Mahoney)

CM Fennewald requested staff bring back an ordinance that would prevent the building line from moving south when there is beach renourishment.

After discussion, CM Fennewald moved to instruct staff to take the issue to the Planning Commission to develop guidelines and bring back a recommendation. Second by CM Beeton. Unanimously approved by those present. Absent: CM Mahoney, CM Colbert.

- U. Discuss the East End Flats including but not limited to, legislation, future development and funding and consider for action providing the City Manager direction. (Mayor)
No action taken. Discussion only.

CM Fennewald left the meeting during the discussion of Action Item U.

Motion to approve Action Items A, B, C, D, E, F, G, H, I, J, K, M, N, O, P, Q, R and S by CM Fennewald. Second by CM Woods. Unanimously approved by those present.

13. MAYOR AND COUNCIL APPOINTMENTS

N/A

14. N/A

15. EXECUTIVE SESSION

16. DISCUSSION ITEMS

N/A

17. ADJOURNMENT

There being no further business to come before the assembly, the meeting was adjourned at 6:45 p.m.