

THE MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD SEPTEMBER 17, 2009 4:00 P.M.

I. DECLARATION OF QUORUM AND CALL MEETING TO ORDER

II. ROLL CALL: Present: Mayor Thomas, CM Mahoney, CM Beeton, MPT Weber, CM Colbert, CM Fennewald (arrived 4:33 p.m.), CM Woods
Staff: City Manager LeBlanc, City Attorney Green, City Secretary Lawrence, Finance Director Miller

III. PRESENTATION:
RECEIVE INFORMATION AND DISCUSS WETLANDS COMMITTEE ORDINANCE:
Bill Broussard

IV. PUBLIC COMMENT

Jose Sanchez, 2842 Heritage Bend Dr, Webster, Tx., Asst. Human Resources Director, spoke in support of 3% reinstatement and 3% cost of living raise for city employees.

Ann Maisel, 2908 Dominique/Shrub Kempner, Driftwood, Chair and Co-Chair of Finance Committee clarified the committee's recommendations on the budget.

Kevin Matthews, 7917 Silver Oak, Superintendent/Sanitation, stated civilian employees always are the ones wondering if they are going to get a fair shake.

Bennie Creamer, 1015 Layman, Street Dept., said city employees don't want to always fight for an increase in salary.

Barry Smith, 823 25th St., Planning and Community Development, said it had been a difficult year for city employees who had put their personal problems aside to help the citizens of Galveston.

George Smith, 1515 Scott St., LaMarque, Airport, said the employees need a raise.

Rachel Ruiz, 3519 Ave. Q, spoke in support of the 6% increase for city employees.

Raol Silvas, Superintendent Waste Water Treatment Division, spoke in support of the 6% salary increase.

CM Fennewald present 4:33 p.m.

Rev. James E. Daniel, said city employees deserve 6% increase.

Reginald Preston, spoke in support of salary increase.

Betty Massey, 1602 Avenue O, stated the most important infrastructure of the city is the human infrastructure and supported the salary increase.

Juan Pena, former council members, stated he recognized the importance of the budget and also recognizes the importance of the employees. He spoke in support of the salary increase.

Steve Greenberg, 4800 Seawall, expressed concerns about replacing reserves for vehicles and infrastructure. The proposed tax increase should be used for debt service. He asked Council to consider a bond issue for debt service for infrastructure.

Jackie Cole, 2308 Sydnor, asked for a \$1 line item in the budget for trees. She also requested the tree fund be called the Community Forestation Program.

Carol Severance, homeowner in the FEMA Hazard Mitigation Grant Program, stated she needs the buyout.

CM Fennewald left the meeting.

Jackie Cole, 2308 Sydnor, spoke in support of the HMGP.

Charlotte Wells, spoke in support of the HMGP.

Steve Greenberg, spoke in support of a bond issue for infrastructure repairs in the City.

Bill Hand, 3815 Tradewinds, President of Bay Harbor Improvement Assn., spoke in support of the use of golf carts.

Larry Bishop, 11851 Sunbather, spoke in support of the HMGP.

Rhonda Gregg, 1025 Commodore, spoke regarding problems with the proposed wetlands ordinance.

Rusty Walla, 2208 Postoffice, stated he was opposed to a wetlands ordinance.

Bob Arbeitman, Austin, spoke regarding buyout program concerns.

Dr. Jerry Hite, 1507 Winnie, spoke in support of a wetlands ordinance.

Scott Jones, 3541 Foremast Dr., Galveston Bay Foundation, spoke in support of the wetlands ordinance.

Kris Hall, Houston, owns a home in Kahala Beach, spoke in support of the wetlands ordinance.

Teri McGregor, Dickinson, spoke in support of the HMGP program.

Bob Moore, 2716 11 Mile Rd., spoke in support of the wetlands ordinance.

Ellie Childs, 1801 Oleander, Dickinson, Scenic Galveston, spoke in support of the proposed wetlands ordinance.

Jon Schultz, 7173 Spanish Grant, spoke in support of the wetlands ordinance.

Bill Moll, Spanish Grant, spoke in support of the wetlands ordinance.

Dick McGonigle, 2101 Lexington, Houston, Scenic Galveston, spoke in support of the wetlands ordinance.

Alice Ann O'Donnell, 13357 Senegast, spoke in support of the wetlands ordinance.

Ken Diestler, Spanish Grant, spoke in support of the wetlands ordinance and the stated the need to bring the middle class back to the island.

Dwight Wolf, 4021 Camino Real, Spanish Grant, spoke in support of the wetlands ordinance.

Ralph McMorris, 1202 Postoffice, spoke in support of the wetlands ordinance.

Rocky Sullivan, 1608 Driftwood, stated his opposition to the wetlands ordinance.

John Sullivan, 1608 Driftwood, stated he was opposed to the wetlands ordinance.

Scott Mixon, 14 Colony Park Circle, stated his opposition to the wetlands ordinance.

- V. CONSIDER FOR APPROVAL AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, ADOPTING A TOTAL OPERATING BUDGET OF \$96,532,245 BEGINNING OCTOBER 1, 2009, INCLUDING THE GENERAL FUND, ROSENBERG LIBRARY FUND, DEBT SERVICE FUND, WATERWORKS FUND, SEWER SYSTEM FUND, DRAINAGE UTILITY FUND, SANITATION FUND, AND THE MUNICIPAL AIRPORT FUND; ADOPTING THE ISLAND TRANSIT SPECIAL REVENUE FUND.

ORDINANCE NO. 09-059 was read by caption: ADOPTING A TOTAL OPERATING BUDGET OF \$96,532, 245 BEGINNING OCTOBER 1, 2009, INCLUDING THE GENERAL FUND, ROSENBERG LIBRARY FUND, DEBT SERVICE FUND, WATERWORKS FUND, SEWER SYSTEM FUND, DRAINAGE UTILITY FUND, SANITATION FUND, AND THE MUNICIPAL AIRPORT FUND; ADOPTING THE ISLAND TRANSIT SPECIAL REVENUE FUND; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT AND PROVIDING FOR AN EFFECTIVE DATE.

MPT Weber declared a Conflict of Interest pertaining to the Fire Department Budget.

City Manager LeBlanc distributed a packet of information pertaining to the budget. He explained the changes that had been made.

CM Mahoney asked that reforestation be added as a subcategory to the Parks and Recreation category. Mr. LeBlanc agreed.

After further discussion, **MPT Weber stated he had declared a conflict of interest on the Fire Department Section of the budget and moved approval of the rest of the FY 2009-2010 Budget in the amount of \$86,729.540. Second by CM Woods.**

MPT Weber clarified that his motion included the amended version of the budget as proposed by City Manager Steve LeBlanc:

CITY COUNCIL
FY10 BUDGET
CONSIDERATIONS

Additional supplement for Group Health Insurance @\$40 per month x 660 employees Beginning October 2009 - September 2010	\$ 316,800
Funding for Police Department Computer System	- 503,000
Capital Lease purchase of Police Department Computer System	186,193
Add back two Fire Inspectors in Fire Prevention	88,000
Remove Contractual labor in fire Prevention	- 88,000
Add line item for Warrant Officer in Municipal Court	1
Legal fees for Conventions Center Surplus Fund (Line item already exists in City Attorney's Budget)	0
Reduction in media services if City Council Workshops are resumed	- 20,000
Add additional security and training at McGuire Dent	20,000
Grinder pumps for Bermuda Beach and Spanish Grant sub-divisions	1
Street repairs for 9 mile road and 11 mile road	1

Repair Bridges	1
Recycling Program	1
Replanting/Replacement of salt-water damaged trees	1
East End Lagoon	1
<i>Total increases/decreases</i>	0

MPT Weber called the question. CM Colbert seconded. Vote: In favor: CM Woods, Mayor Thomas, CM Colbert, CM Woods. Opposed: CM Mahoney, CM Beeton, CM Fennewald. Motion failed due to lack of 2/3 vote in favor.

CM Beeton stated she would also like to add \$1 line item for the East End Flats and add a \$1 line item to purchase 2 suburbans for the Fire Department to be used to respond to medical calls.

CM Beeton moved to amend the motion to include \$1 line item to post the Channel 16 content on the City's website. Second by CM Fennewald. Vote: In favor: CM Mahoney, CM Beeton, CM Fennewald, CM Colbert, Mayor Thomas. Opposed: MPT Weber. Motion carried.

CM Beeton moved to amend the motion to include \$1 line item for the purchase of 2 suburbans for the Fire Department. Second by CM Woods. Vote: In Favor: CM Mahoney, CM Beeton, Mayor Thomas, CM Colbert, CM Fennewald, CM Woods. Opposed: MPT Weber. Motion carried.

CM Beeton moved to amend the motion to include \$1 line item for the East End Flats. Second by CM Fennewald. Vote: In Favor: CM Mahoney, CM Beeton, Mayor Thomas, CM Colbert, CM Fennewald, CM Woods. Opposed: MPT Weber. Motion carried.

CM Mahoney moved to amend the motion to provide that the medical premiums contributed by the employees be set at \$80.00 per person. Second by CM Mahoney. Vote: In Favor: CM Mahoney, CM Beeton. Opposed: MPT Weber, Mayor Thomas, CM Colbert, CM Fennewald, CM Woods. Motion failed.

Vote on Main Motion including the amendments: In favor: CM Mahoney, MPT Weber, Mayor Thomas, CM Colbert, CM Woods. Opposed: CM Beeton, CM Fennewald. Motion approved.

CM Colbert moved add the Fire Department budget to the Main Operating Budget in the amount of \$9, 802,705. Second by CM Woods. Vote: In favor: CM Mahoney, Mayor Thomas, CM Colbert, CM Woods. Opposed: CM Beeton, CM Fennewald. Abstaining due to conflict of interest: MPT Weber. Motion approved.

VI. CONSIDER FOR APPROVAL AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, LEVYING AD VALOREM TAXES IN THE AMOUNT OF FIFTY-FIVE CENTS AND FORTY MILS (\$.5540) UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF PROPERTY VALUATION FOR THE CALENDAR YEAR 2009.

ORDINANCE NO. 09-060 was read by caption: LEVYING AD VALOREM TAXES IN THE AMOUNT OF FIFTY FIVE CENTS AND FORTY MILS (\$.5540) UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF PROPERTY VALUATION FOR THE CALENDAR YEAR 2009; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

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.

Council recess: 7:00 p.m. - 7:33 p.m.

VII. DISCUSS AND CONSIDER FOR ACTION PROVIDING THE CITY MANAGER DIRECTION ON PROCEEDING WITH THE WETLANDS ORDINANCE.

After discussion, CM Mahoney moved to refer the ordinance to staff to work with the committee and other stakeholders to review and bring back to the first meeting in November for comment. Second by CM Woods.

CM Beeton recommended referring the issue to the Planning Commission. Mayor Thomas agreed.

CM Mahoney amended her motion to refer the ordinance to the Planning Commission to use a reference and a strong guideline and bring a status update back to Council at the first meeting in November. Second by CM Woods. Unanimously approved by those present. CM Fennewald absent.

Mayor Thomas and CM Woods were not present for the discussion and vote on Item VIII. Mayor Pro Tem Weber conducted this portion of the meeting.

VIII. DISCUSS AND CONSIDER FOR ACTION PROVIDING THE CITY MANAGER AND CITY ATTORNEY DIRECTION REGARDING REGULATION OF GOLF CARTS, ELECTRIC VEHICLES, RECENT LEGISLATION, AND RELATED ISSUES.

CM Beeton moved to have staff bring an ordinance prohibiting golf carts back to Council and at that time Council hear from the public. Second by CM Colbert.

CM Mahoney stated that staff's opinion considers the following subdivisions that meet the criteria for master planned communities: Beach Side Village, Pirates Beach, Pirates Cove, Pirates Beach West, Marquette, Indian Beach, Sea Isle, Sunset Cove, Terrimar, Bay Harbor, Centex, Point San Luis. She urged Council to continue to allow the use of golf carts in these master planned communities. Enforce the unlicensed driver laws.

Vote: In favor: CM Beeton, CM Beeton, MPT Weber. Opposed: CM Mahoney. Absent: CM Fennewald, CM Woods, Mayor Thomas. Motion failed.

Council requested Chief Wiley increase enforcement of laws pertaining to the use of golf carts.

CM Beeton and MPT Weber requested this item be placed on the agenda in October when the full Council can be present.

- IX. CONSIDER FOR APPROVAL OF TXDOT GRANT NEW FREEDOM AGREEMENT FOR PEDESTRIAN CROSSWALK IMPROVEMENTS \$1,253.000 (NO LOCAL CITY MATCH) AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.

Motion to approve by MPT Weber. Second by CM Colbert. Unanimously approved by those present. CM Fennewald absent.

- X. ADJOURNMENT

There being no further business to come before the assembly, the meeting was adjourned at 11:30 p.m.