MEETING 30 OF 48 2010 – 2012 CITY OF GALVESTON

MINUTES OF THE MEETING
CITY COUNCIL OF THE CITY OF GALVESTON
THURSDAY– JULY 28, 2011 4:00 P.M.
COUNCIL CHAMBERS – CITY HALL

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER.
Meeting called to order at 4:00 pm.
2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL
Present: Dianna Puccetti, Elizabeth Beeton, Chris Gonzales, Mayor Joe Jaworski, Linda Colbert, Steve Greenberg, Rusty Legg.

5. CONFLICTS OF INTEREST
None

6. APPROVAL OF MINUTES
A. Minutes of July 14, 2011.
Motion to approve by CM Puccetti, second by MPT Colbert. CM Legg and CM Gonzales abstained. In favor of the motion were CM Puccetti, CM Gonzales, CM Beeton and Mayor Jaworski. Motion passed.

7. PRESENTATIONS & PROCLAMATIONS
Presentation by Chief of Police Porretto for graduates of Citizen Police Academy

8. COMMUNICATIONS & PETITIONS

A.	Martha Bell	Claim # 11-042	Notice of Claim
B.	George Ware	Claim # 11-043	Notice of Claim
C.	George Ware	Claim # 11-044	Notice of Claim
D.	Staci Ledesma	Claim # 11-045	Notice of Claim
E.	Comcast	Claim # 11-046	Notice of Claim

9. PUBLIC HEARINGS
None

10. REQUEST TO ADDRESS COUNCIL ON AGENDA ITEMS

A.	Bob Pizzatoro	13E
B.	Jacklyn Tarpey	13D
C.	Doris Jordon	13E
D.	Charna Graber	13E
E.	Jerri Kaneer	13D

F.	Tim Day	?
G.	James Tucker	13E
H.	Frank Stroud	12D
I.	Donna Lebert	13D
J.	Willis Luthy	13D
K.	Angela Brown	13D
L.	Chris Urigas	Wrestling, 13D
M.	Dave Schuller	13D, 13E
N.	Doug Kingsbury	12H
O.	Nate Wilson	13D
P.	Ellie Hanley	12B
Q.	Bill Lauve	13E
R.	Gail Meades	Workforce
S.	Sheila Bell	11E
T.	Neil Wilson	12D
U.	Jim Seigler	13D
V.	David Stanowsky	13D
W	Rosylnn Jackson	13D
X	Kay Smith	13E
Y	Mary Pollard	13D
Z.	Richard Denson	13D
AA.	Bill Fullen	13D
BB.	Linda Dunson	13D
CC.	Buz Elton	13D

11. ORDINANCES, RESOLUTIONS

A. Consider for approval an Ordinance of the City of Galveston, Texas, increasing future Public Works Department annual funding for the maintenance, operation, and improvement of city streets until the annual allocation reaches a minimum of 12% of the total General Fund Budget; making various findings and provisions related to the subject and providing for an effective date. (Deferred from July 14, 2011)
Withdrawn.

B. Consider for approval an Ordinance of the City of Galveston, Texas, creating and providing for a Capital Development and Financing Fund; making various findings and provisions related to the subject and providing for an effective date. (Deferred from July 14, 2011)
Withdrawn.

C. Consider for approval an Ordinance of the City of Galveston, Texas, to create the Galveston Fair Housing Activity Statement ("FHAST") Work Group Committee for the purpose of reviewing and making recommendations to City Council on developing a locally defined fair housing action plan for submission to the State for compliance with CDBG-DR Round 2 (Housing and Non-Housing) Program Funding, providing for findings of fact and providing for an effect date.
Withdrawn.

D. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, authorizing the City Manager to execute an agreement with the Galveston Wharves Board for Mutual Aid Law Enforcement; providing for findings of fact and providing for an effective date.
Resolution No. 11-029 was read by caption, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE GALVESTON WHARVES BOARD FOR MUTUAL AID LAW ENFORCEMENT.
Motion to approve by CM Puccetti, second by MPT Colbert. Unanimously approved.

E. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, authorizing the City Manager to execute an agreement with the Coast Guard Dauntless (WMEC-624) for Mutual Aid Fire Fighting; providing for findings of fact and providing for an effective date.
Resolution No. 11-030, was read by caption, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE COAST GUARD DAUNTLESS (WMEC-624) FOR MUTUAL AID FIRE FIGHTING.
Motion to approve by CM Legg, second CM Puccetti. Unanimously approved.

F. Consider for approval a Resolution of the City Council of the City Of Galveston, Texas, adopting the Galveston County Cooperative Hurricane Evacuation Plan; repealing all previous hurricane evacuation plans in conflict; directing the City Manager to incorporate the Evacuation Plan for Galveston County into the City's Emergency Plan and authorizing the Mayor to sign the plan; providing for findings of fact and providing for an effective date.
Resolution No. 11-031, was read by caption, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS, ADOPTING THE GALVESTON COUNTY COOPERATIVE HURRICANE EVACUATION PLAN; REPEALING ALL PREVIOUS HURRICANE EVACUATION PLANS IN CONFLICT; DIRECTING THE CITY MANAGER TO INCORPORATE THE EVACUATION PLAN FOR GALVESTON COUNTY INTO THE CITY'S EMERGENCY PLAN AND AUTHORIZING THE MAYOR TO SIGN THE PLAN.
Motion to approve by CM Legg, second by CM Puccetti. CM Greenberg abstained. Unanimously approved by the Council members voting.

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 referred to as property Item 581 on the tax foreclosed property list to Tall Pines Properties, LLC. The property, commonly known as 4917 Ave P, and legally described as "Lot 6 & E 13Ft. of Lot 5, Blk 113, Denver Resurvey, in the City and County of Galveston, Texas", authorizing Mayor Joe Jaworski to execute a deed to purchaser; declaring findings of fact and providing an effective date.

Resolution No. 11-032 was read by caption, 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 581 ON THE TAX FORECLOSED PROPERTY LIST TO TALL PINES PROPERTIES, LLC. THE PROPERTY, COMMONLY KNOWN AS 4917 AVE P, AND LEGALLY DESCRIBED AS "LOT 6 & E 13FT. OF LOT 5, BLK 113, DENVER RESURVEY, IN THE CITY AND COUNTY OF GALVESTON, TEXAS", AUTHORIZING MAYOR JOE JAWORSKI TO EXECUTE A DEED TO PURCHASER.
Motion to approve by CM Legg, second by CM Puccetti. Unanimously approved.

H. Consider for approval a Resolution of the City of Galveston, Texas, urging the Gulf Coast Workforce Development Board and the Houston-Galveston Area Council Board of Directors to maintain the Texas Workforce Solutions Office on Galveston Island, Directing the City Secretary to send a certified copy of this Resolution to Gulf Coast Workforce Development Board and Houston-Galveston Area Council Board of Directors, Governor Rick Perry, State Senators Joan Huffman and Mike Jackson and State Representatives Craig Eiland and Larry Taylor; providing for findings of fact and providing for an effective date.
Resolution No. 11-033 was read by caption, A RESOLUTION OF THE CITY OF GALVESTON, TEXAS, URGING THE GULF COAST WORKFORCE DEVELOPMENT BOARD AND THE HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS TO MAINTAIN THE TEXAS WORKFORCE SOLUTIONS OFFICE ON GALVESTON ISLAND, DIRECTING THE CITY SECRETARY TO SEND A CERTIFIED COPY OF THIS RESOLUTION TO GULF COAST WORKFORCE DEVELOPMENT BOARD AND HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS, GOVERNOR RICK PERRY, STATE SENATORS JOAN HUFFMAN AND MIKE JACKSON AND STATE REPRESENTATIVES CRAIG EILAND AND LARRY TAYLOR.
Motion to approve by CM Legg, second by CM Puccetti. Unanimously approved.

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

A. Consider for approval authorizing the Interim City Manager to seek competitive sealed bids for the sale of City owned property at 600 - 51st Street, Galveston, Texas.

B. Consider for approval authorizing the Interim City Manager to execute a 30 year lease extension with ADA Women's Center, subject to a relinquishment of rights by all taxing entities holding an interest in the property.

C. Consider for approval, the lowest, most responsive bid from Excello Construction in the amount of $77,065.00 to provide housing rehabilitation services at 1812 Market Street. The funding source is from the HOME Entitlement Funds.

D. Consider for approval the 2011 Amended Community Development Block Grant and HOME Investment Partnership Consolidated Programs of projects in the amount of $1,839,340.00.
Motion to approve with the amendment that $4,000.00 shall be moved from Parks and Recreation to St. Vincent's House and Meals on Wheals by CM Puccetti and CM Legg. Unanimously approved.

E. Consider for approval the lowest, most responsive proposal (RFP#10-11-018) for the rehabilitation of 23 owner occupied housing units in a base bid amount of $1,763,984.53 from Sullivan Land Services, LTD. The funding source is provided under the CDBG Disaster Recovery Housing Program.

F. Consider for approval from sole source provider Morbark Inc., for the repair of the Morbark grinder, located at the recycling center, in the amount of $23,157.59. The funding source is the Drainage Utility Equipment Repairs Account.

G. Consider for approval, acceptance of the revision of the funding sources for the engineering services from Lockwood Andrews and Newnam, Inc. associated with the development of detailed construction document to facilitate the repair of the City of Galveston's exiting Lift Stations #1, 2, 4, 5, 6, 8 and White Sands Lift Station #5, in an amount not to exceed $540,680.00. The funding source is 53% various PWs in the amount of $282,870.58 and 47% Sewer Improvement, $258,809.42 (Funding Allocation from sewer improvement to be requested to be reimbursed from CDBG Round I.

H. Consider for approval, authorizing the City Manager to execute a twenty (20) year lease with two (2), ten (10) year options with Freeman Holdings LLC, d.b.a. Million Air for 2,000 square feet of ramp space for construction of an FBO facility and 2,500 square feet of land adjacent to the ramp at 2005 Terminal Drive for a fuel farm system at the rate of $61,25 per month with an escalation clause of the greater of CPI-U or 2.5% annually upon final approval by the City Attorney.
Motion to defer to August 11, 2011, by CM Gonzales, second by CM Greenberg. Voting in favor of the motion were Mayor Jaworski, MPT Colbert, CM Puccetti, CM Gonzales, CM Beeton, and CM Greenberg. Voting against the motion was Cm Legg. Motion passed.

I. Consider for approval, authorizing the City Manager to engage Null-Lairson for audit of the City's F/Y 2011 year-end financial statements of governmental activities, business-type activities aggregate discretely presented component units, each major fund and remaining aggregate fund information for a cost not to exceed $155,000.00.

J. Consider for approval, authorizing the City Manager to direct the purchase of a 29' SAFE boat for the Galveston Police Department Marine Division up to the amount of $227,026.00. The funding source is the 2010 Port Security Grant Program.
Motion to approve the purchase in an amount up to $121,921.99 by CM Gonzales, second by CM Legg. Unanimously approved.

K. Consider for approval, the purchase of one (1) new 2011 Freightliner M2-80 truck chassis for the Municipal Utilities Division which will be funded by the Drainage Improvement Account for a total price of $94,430.00 from Houston Freightliner/Sterling through HGAC Buy. This vehicle will replace the same class type vehicle which has been identified by the Vehicle Replacement Program.

L. Consider for approval, the purchase of one (1) new Gap Vax MC 1510 vacuum unit which will be mounted to a new truck chassis for the Municipal Utilities Division which will be funded by the Drainage Improvement Account for a total price of $224, 571.00 from Gap Vax, Inc. through HGAC Buy.

M. Consider for approval, an upgrade conversion of sewer jet trailer trailer 9866 to a ¾ x ½ twin line jet eye TV inspection class trailer for the Municipal Utilities Division which will be funded by the Drainage Improvement Account for a total price of $65,975.00 from Texas Underground Inc. through HGAC Buy.

Motion to approve Consent Items 12 A, B, C, E, F, G, I, K, L & M, by CM Puccetti, second by CM Legg. Unanimously approved.

13. 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 directing the City Manager to develop a plan for downtown public restroom facilities. (CM Legg, CM Greenberg)
No Action.

B. Discuss and consider for action changing the specifications required for construction in the Ike Recovery Housing Program. (CM Legg, CM Beeton)
No Action.

C. Discuss and consider for action the payment procedures for the Ike Recovery Housing Program. (CM Legg, CM Beeton)
No Action.

D. Discuss and consider for action adopting a resolution that the City of Galveston prefers a regional approach to the location of new and replacement public housing rather than a concentration of public housing on the Island. (CM Beeton, CM Greenberg)
Motion to approve adopting a Resolution by CM Beeton, second by CM Greenberg.

The motion was amended by CM Beeton upon the request by CM Gonzales. CM Gonzales called the question for the motion, second by CM Legg. Voting in favor of the question being called were CM Puccetti, CM Gonzales, Mayor Jaworski, MPT Colbert, CM Greenberg and CM Legg. Against the action was CM Beeton. Discussion ceased and the Motion was put to a vote.
Voting in favor of the motion were CM Beeton, CM Greenberg and CM Legg. Voting against the motion were CM Puccetti and Mayor Jaworski. CM Gonzales and MPT Colbert abstained. Motion failed.

E. Discuss and consider for action adopting a resolution that the City Council not support and not provide funds for the expansion of the number of units currently being developed by GHA beyond 569 public housing units. (CM Beeton, CM Greenberg)
Motion to defer to August 11, 2011, by CM Gonzales, second by CM Puccetti. In favor of the motion were CM Gonzales, CM Puccetti, MPT Colbert, and Mayor Jaworski, Against the motion were CM Beeton, CM Greenberg, and CM Legg. Motion passed.

F. Discuss and consider for action approving the Galveston Housing Authority's request to use $3,490,390.00 of $25,000,000.00 in Round I CDBG Disaster Recovery Housing Funds for Pre-Development Costs and Real Property Acquisition Associated with rebuilding 569 units of public housing. (Deferred from July 14)
Withdrawn and moved to workshop for August 11, 2011.

G. Discuss and consider for action a hiring freeze for the City of Galveston employees. (Deferred from July 14)
Withdrawn.

14. MAYOR AND COUNCIL APPOINTMENTS
   A. Consider for action Mayor and Council Appointments to various City Boards, Committees and Commissions:
      (a) Intermodal Transportation Committee
      Motion to appoint Ernie Conner by CM Puccetti, second by CM Legg. Unanimously approved.
      (b) FHAST Work Group Committee
      Withdrawn

15 N/A

16. N/A

17. REQUEST TO ADDRESS COUNCIL ON NON-AGENDA ITEMS UPON SUBMITTING A WRITTEN REQUEST\

A.	Sheila Bell	flooding
B.	Neil Wilson	artist housing
C.	Joe Guttierez	residential parking permit
D.	Gail Meedes	Workforce Commission
E.	Lynn Garcia	watering
F.	Evelyn Clark	handicap sticker

G. Paula Neff GHA choices
H. Nate Wilson public housing

18. ADJOURNMENT

Meeting adjourned at 7:15 pm.

Respectfully submitted,

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Douglas Godinich, City Secretary