THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD JULY 9, 2009 - 4:00 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 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
   The Minutes of the Regular Meeting of May 28, 2009: Motion to approve by MPT Weber. Second by CM Mahoney. Unanimously approved by those present. CM Woods was not present and did not vote.

   The Minutes of the Regular Meeting of June 11, 2009: Motion to approve by CM Mahoney with corrections. Second by CM Colbert. Unanimously approved by those present. CM Woods was not present and did not vote.

7. PRESENTATIONS
   A. 2009 Willie F. Card Contract Tower Service Award

8. COMMUNICATIONS AND PETITIONS
   N/A

9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS
   N/A

10. PUBLIC COMMENT
   Jacinto Salas, 5003 Ave. O ½, spoke regarding bad work conditions at the ferry landing.
   David Miller, 3319 Ave. M, spoke on various issues.
   Charlie Smith, 3014 Kleinman, stated he was opposed to the proposed smoking ordinance.
   Marie Hyer, 815 21sst St., stated she was opposed to the proposed smoking ordinance.
   Bill Broussard, 3310 Eckart Drive, spoke regarding a Corp of Engineers CEIS (Environmental Impact Statement).
   Cindy Roberts Gray, 3001 Ave. O ½, spoke regarding the Take a Seat Project.
   Chris David, 415 21st St., stated he was opposed to the proposed smoking ordinance.
   Steve Everts, 4527 Ave. O ½, stated he was opposed to the proposed smoking ordinance.
   Charles Head, Jr., 415 21st St., stated he was opposed to the proposed smoking ordinance.
   Colleen Silva,Cancer Surgeon, 1815 Sealy, spoke in favor of the proposed smoking

ordinance.

Greg West, 8018 Pruitt Dr., said the storm damaged trees should not be cut down yet.

11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

A. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, authorizing the City Manager to execute an application for a Fiscal Year 2010 Justice Assistance Grant from the Office of the Governor's Criminal Justice Division; authorizing the City Manager execute all necessary documents relating to the grant and to accept any funds distributed under the grant.

RESOLUTION NO. 09-036 was read by caption: AUTHORIZING THE CITY MANAGER TO EXECUTE AN APPLICATION FOR A FISCAL YEAR 2010 JUSTICE ASSISTANCE GRANT FROM THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION; AUTHORIZING THE CITY MANAGER EXECUTE ALL NECESSARY DOCUMENTS RELATING TO THE GRANT AND TO ACCEPT ANY FUNDS DISTRIBUTED UNDER THE GRANT; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by CM Fennewald. Second by MPT Weber. Unanimously approved. Unanimously approved by those present. CM Woods absent and did not vote.

B. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, declaring it in the public interest to continue the contract with the Galveston County Health District for the operation of emergency medical service within the City of Galveston; assisting the Galveston County Health District with any deficiencies resultant from reasonable draws on the Galveston County Health District Community Disaster Loan in connection with operational assistance.

RESOLUTION NO. 09-037 was read by caption: DECLARING IT IN THE PUBLIC INTEREST TO CONTINUE THE CONTRACT WITH THE GALVESTON COUNTY HEALTH DISTRICT FOR THE OPERATION OF EMERGENCY MEDICAL SERVICE WITHIN THE CITY OF GALVESTON; ASSISTING THE GALVESTON COUNTY HEALTH DISTRICT WITH ANY DEFICIENCIES RESULTANT FROM REASONABLE DRAWS ON THE GALVESTON COUNTY HEALTH DISTRICT COMMUNITY DISASTER LOAN IN CONNECTION WITH OPERATIONAL ASSISTANCE; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by CM Colbert. Second by CM Woods. 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 low bids (Bid #08-09-031) from various vendors for a three-year contract for sign and masking materials. Estimated cost to be $375,000.00 over the three-year contract period. Funding source is Public Works Department Traffic Division Paint and Sign Account.

B. Consider for action approving award of a three-year contract to American Electric Co. for lowest bid (Bid #08-09-039) for electrical maintenance service for Public Works Department Water Supply and Wastewater Treatment Plant Divisions. Funding source is Equipment Repairs Account.

C. Consider for action authorizing the City Manager to execute a twenty-year lease with two, ten-year options with Jack Robinson for 33,020 square feet of land adjacent to the apron for aircraft construction at the rate of $364.48 per month with an escalation clause of the greater of CPI-U or 2.5% annually, upon final approval by the City Attorney.

D. Consider for action authorizing the City Manager to execute a first amendment of the lease between Prida Construction, Ltd. and the City of Galveston, which commenced on November 1, 2008, amending Article 2 Leased Premises, by subtracting 33,020 square feet of improved land and Article 3 Rental, by subtracting $364.48 per month upon final approval by the City Attorney.

E. Consider for action authorizing the City Manager to execute a Memorandum of Understanding between the City of Galveston and the Galveston County Health District specifying respective duties required under the Interlocal Cooperation Agreement with the District signed December 11, 2007 and effective until September 30, 2010, and providing food and shelter for up to 10 Authority employees in the City's Essential Personnel Shelter during a declared disaster.

F. Consider for action amending Task 8 (B) Seawall Boulevard, of the City's existing Agreement with the Goodman Corporation, originally dated February 14, 2002, and subsequently amended several times with a current expiration date of February 14, 2010, to perform detailed planning and engineering on the Seawall Beautification and Transit Access Plan including an Urban Park at Fort Crockett. Federal funding source will be derived from the FTA.

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

G. Discuss and clarify the process assigning the Galveston Long-Term Community Recovery "Protecting Island Resources: Part C, (requesting a comprehensive cumulative environmental impact study)" Project to the United States Army Corp of Engineers and consider for action providing the City Manager direction. (Mahoney/Beeton)

No action/Discussion only

MPT Weber moved to approve Action Items A, B, C, D and E. Second by CM Fennewald. Unanimously approved.

13. MAYOR AND COUNCIL APPOINTMENTS

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

TIRZ 13: CM Fennewald moved to appoint CM Colbert to Position 7. Second by CM Beeton. Unanimously approved.

Zoning Board of Adjustments: MPT Weber moved to move Carolyn Sunseri from the Alternate 2 position to the board position vacated by Pete Urbani. Second by CM Fennewald. Unanimously approved.

CM Mahoney moved to reappoint Rebecca Jaworski to a term ending July 31, 2011 and G.W. Cornelius, Gary Greene, Vincent Tramonte to terms ending July 31, 2010. Second by MPT Weber. Unanimously approved.

CM Fennewald moved to appoint Brenda Lee to the Alternate 1 position. Second by CM Colbert. Unanimously approved.

CM Mahoney moved to appoint Barbara Roberts to the Alternate 2 position. Second by CM Fennewald. Unanimously approved.

14. N/A

15. EXECUTIVE SESSION (Closed Session)
    N/A

16. DISCUSSION ITEMS: Discussion only. No action taken.

    A. City Manager
        1. Discuss and Receive Update regarding Hurricane Ike Disaster Emergency Response and Recovery
        2. Ike Anniversary Committee Update: Betty Massey

    B. Finance Director

    C. City Attorney

    D. City Council
        1. Discuss amending the City's smoking regulations. (Mayor)
        2. Discuss the RDA. (Weber/Colbert)
        3. Discuss creation of a tree committee. (Beeton/Woods)
        4. Discuss interview questions for appointments to boards. (Colbert/?)

5. Receive and Discuss Planning Department's recommendations regarding the Falstaff Building. (Woods/Colbert)
6. Discuss maintenance of Broadway landscaping. (Mahoney/Weber)

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