

Meeting 27 of 48 2010-2012 City of Galveston, Texas
MINUTES OF THE CITY COUNCIL OF THE CITY OF GALVESTON
REGULAR MEETING
THURSDAY– JUNE 9, 2011 4:00 PM

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER.
The meeting was called to order at 4:15 pm.
2. MOMENT OF SILENCE
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL
Present: Dianna Puccetti, Elizabeth Beeton, Chris Gonzales, Mayor Joe Jaworski, MPT Linda Colbert, Steve Greenberg, Rusty Legg.
5. CONFLICTS OF INTEREST
None
6. APPROVAL OF MINUTES
3/24/2011 Minutes, Motion to approve by MPT Colbert, second by CM Legg, unanimously approved with the correction the CM Beeton did vote in favor of Item 11(D).
04/14/2011 Minutes, The Amended Minutes were submitted and no action was necessary.
05/26/2011, Minutes, Motion to approve by CM Legg, second by MPT Colbert, unanimously approved with the correction of the appointment of Betz Anderson not Beth Anderson to the Ethics Commission.
7. PRESENTATIONS & PROCLAMATIONS
 - A. Presentation from Joseph Rozier, Chairman of the Landmark Commission, summarizing the Commission's previous year's work.
Presentation by Joseph Rozier.
 - B. July 4, 2011 Parade Presentation.
Received by the Parade Committee.
 - C. Hotel Galvez 100 Year Proclamation.
Received by Bill Ross and two (2) of the descendants of Bernardo De Galvez.
 - B. Proclamation for the City of Austin.
Received by Charlie Kelly.
8. COMMUNICATIONS & PETITITONS
 - A. Horace Morris Claim #11-032 Notice of Claim.
 - B. AT&T Claim #11-033 Notice of Claim.
 - C. Virginia Moore Claim #11-034 Notice of Claim.
 - C. Michael Aldous Claim #11-035 Notice of Claim.
9. PUBLIC HEARINGS
 - A. Consider for approval an Ordinance of the City of Galveston, Texas, granting a specific use permit in order to operate a "Tavern" in a Central Plaza, Historic District

(CP-H) zoning district at 2413 Avenue B/Strand; property is legally described as Lots 4 and 5, Block 624, in the City and County of Galveston, Texas; Planning Case Number 11P-54; making various findings and provisions related to the subject.

The proposed ORDINANCE was read by caption: APPROVAL AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, GRANTING A SPECIFIC USE PERMIT IN ORDER TO OPERATE A "TAVERN" IN A CENTRAL PLAZA, HISTORIC DISTRICT (CP-H) ZONING DISTRICT AT 2413 AVENUE B/STRAND; PROPERTY IS LEGALLY DESCRIBED AS LOTS 4 AND 5, BLOCK 624, IN THE CITY AND COUNTY OF GALVESTON, TEXAS; PLANNING CASE NUMBER 11P-54.

No speakers from the public. No action.

- B. Consider for approval an Ordinance of the City of Galveston, Texas, abandoning an approximate 834 square foot portion of alley right-of-way, located between 3525 Avenue P and 3526 Avenue P 1/2 in a General Residence (GR) zoning district. Adjacent properties are legally described as the east 24 feet of Lot 1 and west 17 feet of Lot 2 (1001-2), the southeast part of Lot 2 and southwest part of Lot 3 and adjacent alley (1002-2) and the east 25.25 feet of Lot 14 and west 38.5 feet of Lot 13 (1013-1), in the northeast Block 86, of Galveston Outlots, in the City and County of Galveston, Texas; making various findings and provisions related to the subject (Planning Case Number 11P-19).

ORDINANCE NO. 11-039 was read by caption: AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, ABANDONING AN APPROXIMATE 834 SQUARE FOOT PORTION OF ALLEY RIGHT-OF-WAY, LOCATED BETWEEN 3525 AVENUE P AND 3526 AVENUE P 1/2 IN A GENERAL RESIDENCE (GR) ZONING DISTRICT. ADJACENT PROPERTIES ARE LEGALLY DESCRIBED AS THE EAST 24 FEET OF LOT 1 AND WEST 17 FEET OF LOT 2 (1001-2), THE SOUTHEAST PART OF LOT 2 AND SOUTHWEST PART OF LOT 3 AND ADJACENT ALLEY (1002-2) AND THE EAST 25.25 FEET OF LOT 14 AND WEST 38.5 FEET OF LOT 13 (1013-1), IN THE NORTHEAST BLOCK 86, OF GALVESTON OUTLOTS, IN THE CITY AND COUNTY OF GALVESTON, TEXAS.

Motion to approve by CM Legg, second by MPT Colbert, unanimously approved. Kathy Bonner arrived late and spoke about access to the back of her home. According to staff, having an access easement granted to her was a condition of the abandonment.

10. REQUEST TO ADDRESS COUNCIL ON AGENDA ITEMS

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| 1. | Rick Smith | 13F |
| 2. | Roberto Moreno | 13F |
| 3. | Paula Neff, James Dennis | GHA Update |
| 4. | Chris Toombs | 13F |
| 5. | Leon Phillips | 13F |
| 6. | Herbert Turner | 13F, 13D |
| 7. | Joe Compian | 13F |
| 8. | Marie Robb | 13C |
| 9. | Kathleen Brack | 13D |
| 10. | Sharon Booton | 13E, 13F |
| 11. | Cathy Bonner | 9B |

12.	Raymond Lewis	13F
13.	Tarris Woods	13F

11. ORDINANCES, RESOLUTIONS

- A. Consider for approval an Ordinance of the City of Galveston, Texas, adopting the Homestead, Elderly, and Disabled Ad Valorem Tax Exemptions for Tax Year 2011, pursuant to Chapter 33, Section 33-24 of the Code of the City of Galveston 1982, as amended; making various findings and provisions related to the subject.

ORDINANCE NO. 11-040 was read by caption: AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, ADOPTING THE HOMESTEAD, ELDERLY, AND DISABLED AD VALOREM TAX EXEMPTIONS FOR TAX YEAR 2011, PURSUANT TO CHAPTER 33, SECTION 33-24 OF THE CODE OF THE CITY OF GALVESTON 1982, AS AMENDED.

Motion to approve by CM Puccetti, second by CM Gonzales. Unanimously approved.

- B. Consider for approval an Ordinance of the City of Galveston, Texas, authorizing the city manager to execute a deed without warranty clearing title to the platted fifty foot wide county road rights of way running north-south between Lots 501 Trimble and Lindsey Survey, Section 1 and 1, Trimble and Lindsey Survey, Section 2 and Lots 20 and 21 (now platted as Sunny Beach Subdivision), Section 2, Trimble and Lindsey Survey and making various findings and provisions related to the subject.

ORDINANCE NO. 11-041 was read by caption: AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED WITHOUT WARRANTY CLEARING TITLE TO THE PLATTED FIFTY FOOT WIDE COUNTY ROAD RIGHTS OF WAY RUNNING NORTH-SOUTH BETWEEN LOTS 501 TRIMBLE AND LINDSEY SURVEY, SECTION 1 AND 1, TRIMBLE AND LINDSEY SURVEY, SECTION 2 AND LOTS 20 AND 21 (NOW PLATTED AS SUNNY BEACH SUBDIVISION), SECTION 2, TRIMBLE AND LINDSEY SURVEY.

Motion to approve by CM Puccetti, second by CM Gonzales. 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 of the purchase package of new parks equipment for the parks department which will be funded by the vehicle replacement program for a total price of \$42,325.75, from Lansdowne Moody through TASB/Buy Board.
- B. Consider for approval of the purchase package of new parks equipment for the Parks Department which will be funded by the vehicle replacement program for a total price of \$20,580.47 from John Deere Governmental and National Sales through TASB/Buy Board.

- C. Consider for approval contract proposal from Shelmark Engineering LLC Consulting Firm to increase the design contract fees \$4,500.00 from \$17,250.00 to \$21,750.00 for additional professional engineering services on the Sportsman Road Bridge. Funding will come from the Drainage Improvement Account.
- D. Consider for approval to award three year contract to lowest bidder (BID#10-11-016) Eastex Environmental for lab testing in the municipal utility division. Funding source is the Municipal Utility Laboratory Testing Account.
- E. Consider for approval, request for an improved project from FEMA for the John Reynolds Roadway Project. Funding for the Project will come from the Hurricane Ike FEMA Funds for John Reynolds Road West of Pabst Road (\$89,247.60 – 90%) and the City of Galveston Street Division material Account Fund (\$9,916.40 – 10%).
- F. Consider for approval the purchase of one new Ford F350 SWB Regular Cab Truck for the streets division which will be funded by the vehicle replacement program for a total price of \$22,089.36 from Philpott Motors through HGAC Buy. This vehicle will be utilized to tow two new fueling trailers for off-site refueling of city equipment.
- G. Consider for approval acceptance of the annual contract for pipe, parts and fittings (BID#10-11-015) from both Coburns (Total line item per unit listing \$91,183.96) and MDN Enterprises (Total line item per unit listing \$78,910.97). Funding source is the public works pipe and plumbing supply account.
- H. Discuss and consider action on a five year award of depository to Frost Bank, Safekeeping to Bank of America and further negotiation with Frost Bank as lead on, \$20,000,000.00 emergency line of credit subject to legal review.
Motion to approve Consent Items A through H by CM Beeton, second by CM Puccetti. Unanimously approved.

13. ACTION ITEMS

- A. Discuss and consider for approval a contract with Texas First Group after reviewing resumes or interviews for an Interim City Manager. Funds available in the City Manager's Budget.
No Action.
- B. Discuss and consider for action the approval of Slavin Management Consultants to conduct a search for City manager at a cost not to exceed \$13,800.00 plus \$7,590.00 for recruitment and interview expenses. Funds available in the City Manager's Contingency.
Motion by CM Legg, second by CM Puccetti to have the companies who wish to be considered for the contract participate in a webinar so they may be reviewed by Council. Unanimously approved.

- C. Discuss and consider for action authorizing the Director of Planning and Community Development to submit a draft Erosion Response Plan (ERP) to the Texas General Land Office (GLO) for review and comment pursuant to TAC Rule Section 15.17.

Motion to defer to the June 23rd meeting by CM Puccetti, second by CM Legg. Unanimous approved.

- D. Discuss and consider for approval an amendment to increase the level of assistance provided under the CDBG Disaster Recovery Rental Rehabilitation Program for submission to the Texas Department of Housing and Community Affairs (Deferred from 05/26/11).

Motion to approve by CM Legg, second by MPT Colbert. Unanimously approved.

- E. Discuss and consider direction to the City Manager regarding the Development of Temporary Housing Assistance for the Disaster Recovery Program (Deferred from 05/26/11).

Motion to approve the recommendations of Sterling Patrick with a \$3,000.00 dollar limit, not to exceed a three (3) month time period by CM Legg, second by MPT Colbert. Unanimously approved.

- F. Discuss and consider for action giving direction to staff to prepare a letter to the US Department of Housing and Urban Development asking if some number of the 569 public housing units to be replaced using federal funds may be located on the mainland (deferred from 05/26/11).

Motion to send the proposed HUD letter by CM Beeton, second by CM Greenberg.

CM Beeton, CM Legg, and CM Greenberg voted in favor of the motion.

CM Puccetti, MPT Colbert & Mayor Joe Jaworsk voted against.

Abstain: CM Gonzales. Motion failed.

- G. Discuss and consider for action appointing the City Auditor after interview of the final City Auditor candidate, Glenn L. Bulgherini.

Motion by CM Legg, Second by CM Puccetti to appoint Glenn L. Bulgherini as City Auditor. Unanimously approved.

Consider for cancellation of previous awards and award low bidders (BID#10-11-018) for demolition of seven (7) residential structures on the HMGP Buy Out Program in two parts (1) Homes without asbestos and (2) homes with asbestos, final determination to be done once asbestos survey has been completed. Funding source is 75% Hazard Mitigation Grant Program and 25% home owner.

Motion by CM Legg, Second by CM Puccetti to approve. Unanimously approved.

14. MAYOR AND COUNCIL APPOINTMENTS

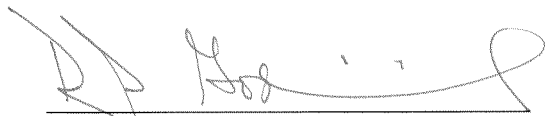
Consider for action Mayor and Council Appointments to various City Boards, Committees and Commissions:

1. City of Galveston Families, Children & Youth Board.

No action until more information can be obtained.

2. Galveston Wharves Board of Trustees
Motion to reappoint John Manlove by CM Greenberg, second by CM Puccetti.
Voting in favor CM Gonzales, CM Puccetti, CM Beeton, MPT Colbert, Mayor Jaworski, CM Greenberg.
Voting against CM Legg. Motion carried.
Motion to appoint Benny Holland by CM Greenberg, Second by CM Gonzales. Unanimous approved.
15. N/A
16. N/A
17. REQUEST TO ADDRESS COUNCIL ON NON-AGENDA ITEMS UPON SUBMITTING A WRITTEN REQUEST.
 1. Neil Wilson, salvage materials
 2. Chris Uriquez, wrestling on the Island.
 3. Frank Rivera, homeowner at the OAKS
 4. Tammy Sharper, homeowner at the OAKS
 5. Michelle Auderer, homeowner at the OAKS
 6. Iris Broom, homeowner at the OAKS
 7. Tom Hilton, public housing
 8. Jim Seigler, the OAKS
 9. David Stanowsky, public housing
 10. Jackie Tarpey, public housing
 11. James Dennis, GHA
18. ADJOURNMENT
Meeting adjourned at 7:08 pm.

Submitted by,



Douglas Godinich
City Secretary