

THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD APRIL 24, 2008 - 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 Pena, CM Puccetti, MPT Weber, CM Bolton-Legg, CM Roberts, CM Colbert
Staff: City Manager LeBlanc, City Attorney Green, City Secretary Lawrence, Director of Planning and Community Services O'Donohoe
5. DECLARATIONS OF CONFLICT
None
6. APPROVAL OF MINUTES
The Minutes of the Regular Meeting of April 10, 2008 were approved upon motion by MPT Weber and second by CM Bolton-Legg. CM Roberts Abstained - not present at the April 10, 2008 Meeting.
7. PRESENTATIONS
Proclamations: May, 2008 - Oleander Month
April, 2008 - Child Abuse Prevention Month
8. COMMUNICATIONS AND PETITIONS
Notices of Claim: 08031-Jean Allen; 08032-Monica Ashton; 08033-Robert Binkley
Texas Gas Service Company's "PSF" tariff for 2008
Texas Gas Service: Purchased Gas Adjustment Clause for April, 2008
Weather Normalization Clause for March, 2008
9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS
 - A. Consider for approval an Ordinance amending the Galveston Zoning Standards to create the Height and Density Development Zone and Regulations including, but not limited to design standards and design guidelines within the areas defined in the zone boundary map and referred to as "Seawall East," "Seawall Core A," "Seawall Core B," "Seawall West," "West of Seawall to 11-Mile Road," and "Gateway:" The Height and Density Development Zone will include properties generally located on the inland side of Seawall Boulevard with a varied northern boundary line, West of Beach Drive, and East of 11-Mile Road, and land generally located West of 59th Street, South of Broadway Boulevard to Offats and English Bayous, and East of Blume Drive, as identified on the Zone Boundary Map; to amend the Galveston Zoning Standards Section 29-23 "Zoning Districts Established;" Section 29-50 "Special Definitions and Explanations," and Section 29-51 "Use Regulations Definitions," to designate and incorporate regulations and definitions related to the Height and Density Development Zone; and to amend Section 29-66 "Height Regulations" to eliminate the requirement

for a Specific Use Permit for the construction of "Mid-Rise Structures" and "High-Rise Structures" for all properties located within the proposed Height and Density Development Zone; Planning Case Number 08P-33.

ORDINANCE NO. 08-019 was read by caption: AMENDING THE GALVESTON ZONING STANDARDS 1991 TO CREATE THE HEIGHT AND DENSITY DEVELOPMENT ZONE AND REGULATIONS INCLUDING, BUT NOT LIMITED TO DESIGN STANDARDS AND DESIGN GUIDELINES WITHIN THE AREAS DEFINED IN THE ZONE BOUNDARY MAP AND REFERRED TO AS "SEAWALL EAST," "SEAWALL CORE A," "SEAWALL CORE B," "SEAWALL WEST," "WEST OF SEAWALL TO 11-MILE ROAD," AND "GATEWAY;" THE HEIGHT AND DENSITY DEVELOPMENT ZONE WILL INCLUDE PROPERTIES GENERALLY LOCATED ON THE INLAND SIDE OF SEAWALL BOULEVARD WITH A VARIED NORTHERN BOUNDARY LINE, WEST OF BEACH DRIVE, AND EAST OF 11-MILE ROAD, AND LAND GENERALLY LOCATED WEST OF 59TH STREET, SOUTH OF BROADWAY BOULEVARD TO OFFATS AND ENGLISH BAYOUS, AND EAST OF BLUME DRIVE, AS IDENTIFIED ON THE ZONE BOUNDARY MAP; TO AMEND THE GALVESTON ZONING STANDARDS SECTION 29-23 "ZONING DISTRICTS ESTABLISHED," SECTION 29-50 "SPECIAL DEFINITIONS AND EXPLANATIONS," AND SECTION 29-51 "USE REGULATION DEFINITIONS;" TO DESIGNATE AND INCORPORATE REGULATIONS AND DEFINITIONS RELATED TO THE HEIGHT AND DENSITY DEVELOPMENT ZONE; AND TO AMEND SECTION 29-66 "HEIGHT REGULATIONS" TO ELIMINATE THE REQUIREMENT FOR A SPECIFIC USE PERMIT FOR THE CONSTRUCTION OF "MID-RISE STRUCTURES" AND "HIGH-RISE STRUCTURES" FOR ALL PROPERTIES LOCATED WITHIN THE PROPOSED HEIGHT AND DENSITY DEVELOPMENT ZONE; PLANNING CASE NUMBER 08P-33; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Ms. O'Donohoe stated the following changes to the proposed ordinance:

First she gave an update of the property owner notification: As of the date of the meeting: 4,829 notices were sent-421 notices were returned with 180 in favor; 227 in opposition and 14 no comment.

Page A3: Add a "Whereas" to the regulations with regard to the zone boundary changes. This would require that any time there is a requirement or recommendation to modify the boundary, the entire character area be considered at that time rather than by individual blocks.

Page A5: The first boundary change that was discussed by Council was in regard to Seawall East. What is currently proposed is to allow mid, low and high rise structures in that area. Council discussed modifying that zone into two separate boundaries requiring that only mid rises be permitted on the west side of 6th Street. The remainder of the area would allow high rises with the area of the west side of 6th Street being limited to mid rise only.

Seawall Core A: Staff's recommendation was to exclude the property commonly known as the Flagship. That would be consistent with all other properties south of the Seawall structure.

Page A9: Only high rises in the Seawall East area and Seawall West area but to not allow high rise structures in Seawall A and B with the exception of the Specific Use Permit Process. This is reflected on Page A10.

Basically, what Council has discussed adding is, in areas where an applicant wishes to exceed the development tier, either by FAR or by total height, that would be for a mid rise or a high rise, the applicant would have the ability to apply for a specific use permit and have that project considered separately. They would still be subject to all the standards and guidelines in the Height and Density Development Zone, but they would be able to apply for that process and be considered to exceed the standards and guidelines. This is repeated on Page A10 and throughout the ordinance.

Page A10: The minimum site area has been eliminated for the high rise tier in Seawall A and

B because it is being that would not be permitted unless it was considered through an SUP process.

Page A18: Council has considered removed the building orientation requirements from the development standards and having it remain in the design guidelines. It would be still be a requirement but would have some flexibility in being reviewed by staff and the Planning Commission through the design guidelines process.

Page A19: There has been some modifications discussed with regard to view corridors. Changes have been made to clarify the process for review. Permanent street closure such as an abandonment , which is the standard process for that could sometimes be an LTU but in most cases would be an abandonment. Clarified that there is an option for an applicant to request an abandonment of a north/south street. Previously, the draft indicated that would not be an option for someone to apply for that. However, Council has added some additional conditions that need to be considered with regard to negative impact to public safety and also clarified some of the criteria by which to consider with regard to maintaining views, air flow, Gulf breezes and traditional block shapes and sizes. So, if Council considers this, as well as the addition of , “including, but not limited to the criteria”, to allow that to be considered on a case by case basis for all street abandonments.

Page A26: Pertains to the base tiers - mid rise and high rise tiers that could be considered. What has been discussed is what was passed out in the memorandum earlier today is a chart that clarifies what is permitted for a mid rise structure - meaning overall height. Council has discussed allowing for a certain percentage of the building - 20%- above the highest floor to extend above and allow for some architectural interest and detail. That is reflected on page A23. That clarifies that you are allowed to 120 feet in certain circumstances with that additional 20% of the floor area to allow for some architectural interest. Council has considered modifying the transition area for Gateway to be 25' or 2 stories. That would extend 30' back from the water's edge. Previously that was recommended by Planning Commission to be one story or 15' and Council has considered modifying that to be 25' or two stories.

Council has discussed excluding the high rise option for Seawall A and B. Seawall East and Seawall West would permit high rises up to 150' or 60' (13 stories) depending on the roof design of the structure. That would lowering the original recommendation of approximately 220' in that area. There are some additional footnotes that address what might be allowed and how that roof element would need to be designed.

Page A29: Community benefits: Staff has added some language with regard to community benefits being allowed either on site or within the affected area; but can also be considered offsite through the approval process.

Additionally, language is being recommended that notes that "all inclusionary will be governed by separate a inclusionary housing requirement policy in a form yet to be determined. Staff, legal and planning are going to have to work on a policy to bring back to Council as to how this will administered.

Natural Resource B to clarify that this is Galveston Island. That the conservation area should be located on the island. C has been added as a natural resource protection for beach nourishment. This would allow for a community benefit to qualify a project or funding for beach replenishment. On the next page, this has been added to the initial community benefit by character area chart. That gives the applicant the option, if they are not on or in an area that does not have wetlands but has beach area, of contributing to either a beach replenishment project or funding for that. Also, the weight given to on site versus off site and the off site housing for both affordable and work force housing weight and in the inclusionary housing benefits chart has been modified where is more weight now given to off site consideration.

Page A31: Council has discussed several things with regard to the process. The initial recommendation was to allow low and very low projects to be approved by staff with mid rise and high rise being approved by Planning Commission. Council has considered amending that to allow low, very low and mid rise to be approved by staff administratively and that high rises would be approved through the Site Plan Approval Process under this ordinance by Planning Commission. Council would still be involved in the SUP process should anyone decide to choose to apply for either increased FAR or increased height. Council would consider that. That is reflected under the administration section A and B.

Language has also been added that designates the option for the applicant being able to apply for a Specific Use Permit if he is choosing to try to increase the FAR or increase the height. Those would be the only two options.

In regard to Planning Commission, language has been included that clarifies how much time Planning Commission has to take action on the case. With regard to pre-development meetings, it has been clarified that the applicant, in addition to being encouraged to meet with City staff, are also encouraged to meet with the adjacent neighborhoods and business interests. That is not a requirement, but is a recommendation. Language has been added with regard to the process for adopting and reviewing the design guidelines and that would be delegated to the Planning Commission.

In addition to Attachment Exhibit A, there are attachments C and D to the ordinance which are basically definitions that are repeated in other parts of the Zoning Ordinance to be consistent with what has been discussed for height and density. Staff will be making that administrative change. Also, Attachment E is the modification where the option for the SUP has been excluded in the height and density zone. The same language has been added to that section of the Zoning Regulations giving applicants the option of applying for an SUP if they wish to exceed their FAR or their maximum height in the maximum zone of that character area.

Mayor Thomas opened the PUBLIC HEARING.

Dwayne Jones, Executive Director-Galveston Historical Foundation, stressed the importance of neighborhoods between 6th Street and 61st Street. He stated most of those neighborhoods are eligible for the National Register of Historic Places. Another important step is to get the Seawall recognized as a National Historic Landmark. He said he was pleased with the ordinance.

Greg Harrington, President-Galveston Chamber of Commerce, thanked staff, Council and the Mayor for all the hard work and effort.

Jeff Sjostrum, Galveston Economic Development Partnership, read the recommendations from the GEDP Executive Committee.

The Galveston Economic Development Partnership Executive Committee unanimously approved the following recommendations to the City of Galveston for its consideration to the proposed Height and Density Development Zone Ordinance.

1. Accept the Development Standards recommendation as described in the April 17, 2008, City Council Discussion by Character Area as presented with the allowance of utilizing the Specific Use Permit process for projects wishing to exceed these standards.
2. Combine the community benefits tables on A29 into one table.
3. Move building orientation section of the ordinance into the Design Guidelines.
4. Although the economic feasibility and benefit summary is not being adopted as part of this plan, this model needs to be reevaluated.

Side note: He thinks part of this is an offer on the part of the GEDP Executive Committee, that if they can be of use or help in that process, they gladly volunteer to help in that process.

The Executive Committee was unanimous in recognizing that the key component of these recommendations is the allowance of the Specific Use Permit process. According to Mr. Richard Ferdinanson, the Chairman of GEDP, adoption of this ordinance without the inclusion of a Specific Use Permit process nullifies the progress and intent of insuring an effective plan. Therefore, with the condition of the Specific Use Permit process being included as a component of the City's ordinance, the GEDP Executive Committee unanimously supports adoption of this tool into the City's overall zoning standards.

Mr. Sjostrum expressed appreciation to the staff, the Planning commission, CM Bolton-Legg and the other members of Council and the Mayor.

Steve Schulz, Chair of the GEDP Sustainable Development Committee, said with the design guidelines and the Specific Use Permit process in place there is now a system that will work. He asked Council to approve the proposed ordinance.

Ted Eubanks, said the proposed sounds positive. He said the Seawall can be low rise , low volume and high yield.

Deborah Conrad, thanked everyone for their work on this issue. She asked how much development will cost the City and how does that translate back to the quality for the citizens of Galveston.

Damian Patrick, spoke in support of the proposed ordinance.

There being no one else to speak, the Public Hearing was closed.

CM Bolton-Legg asked to discuss the possibility of Seawall A, Seawall B and Seawall West being no high rise areas with mid rise structures being allowed. Anything higher than mid rise would require a Specific Use Permit.

After discussion, CM Bolton-Legg asked for the following change pertaining to Community Benefits on Page A29: "All community benefits are encouraged to be on site, within the effected area and can be considered off site through the approval process."

MPT Weber moved approval. Second by CM Puccetti.

MPT Weber moved to accept the amendments that were discussed today regarding the height limitations on Seawall Blvd. between 6th St. and the end of the Seawall and the changes in the Community Benefits as mentioned by CM Bolton-Legg. Amendment was accepted.

Mayor Thomas said Council tried very hard to recognize the questions and concerns that were brought forth from the community. She said she would vote in favor of the ordinance.

CM Puccetti said that the Charts on A9 and A10 will need to be amended as a result of the changes. Also, Page 24 of a previous draft will have to be amended.

Ms. O'Donohoe said on Page A30, in the Community Benefits, the Natural Resource Beach Renourishment Community Benefit is also available in Seawall West and West of Seawall.

CM Roberts referred to A9-the high rise tier - Gateway would require an SUP, Seawall East would not and then Seawall A and B and Seawall West and Seawall West to 11 Mile Rd. Would require an SUP. Her understanding is that the only place high rises could be built along the Seawall without a SUP would be from 6th Street East to the end of the Seawall. CM Roberts stated the following amendment: To require a Specific Use Permit for Seawall East. CM Colbert said she agreed with CM Roberts. Ms. O'Donohoe explained that the "yes" would be removed from Seawall East on the Chart on Page A9 and anyone that wished to exceed the maximum height or FAR of a mid rise would have the option of applying for a Specific Use Permit. MPT Weber and CM Puccetti accepted the amendment.

Ms. Green explained that what was in front of Council to accept was the April 24, 2008 Ordinance. The motion is the two changes which would be changed to Seawall West to remove the high rise tier and to make the change in the language on the Community Benefit definition.

CM Roberts asked if MPT Weber and CM Puccetti would consider amending their motion to include a Specific Use Permit also for Seawall East. Amendment was accepted.

Ms. O'Donohoe clarified that, if the motion passes, it would remove the high rise tier from the Chart on Page A9. The minimum lot sizes would remain in the ordinance and still be applicable for consideration.

Ms. Green stated Seawall East would be one district again. There would not be A and B.

The Motion as amended unanimously approved.

9. B. Consider for approval an Ordinance amending the Galveston Zoning Standards, Section 29-67 Vehicle Parking Regulations to change the off-street parking requirements for

residential use (Subsection (B)); and to change the minimum landscape requirements (Subsection (G)); Planning Case Number 08P-34.

ORDINANCE NO. 08-020 was read by caption: AMENDING THE GALVESTON ZONING STANDARDS, SECTION 29-67 “VEHICLE PARKING REGULATIONS” TO CHANGE THE OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USE (SUBSECTION (B)); AND TO CHANGE THE MINIMUM LANDSCAPE REQUIREMENTS (SUBSECTION (G)); PLANNING CASE NUMBER 08P-34; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

Ms. O’Donohoe gave an explanation of the ordinance.

Mayor Thomas opened the PUBLIC HEARING. There being no one to speak, the Public Hearing was closed.

Motion to approve by CM Bolton-Legg. Second by CM Puccetti. Unanimously approved.

- C. Consider for approval an Ordinance amending the Galveston Zoning Standards , Section 29-88: "Site Plan Approval", regarding development submittal requirements and review processes; Planning Case Number 08P-35.

ORDINANCE NO. 08-021 was read by caption: AMENDING THE GALVESTON ZONING STANDARDS, SECTION 29-88: “SITE PLAN APPROVAL,” REGARDING DEVELOPMENT SUBMITTAL REQUIREMENTS AND REVIEW PROCESSES; PLANNING CASE NUMBER 08P-35; MAKING VARIOUS FINDINGS AND PROVISION RELATED TO THE SUBJECT.

Ms. O’Donohoe gave an explanation of the ordinance.

Mayor Thomas opened the PUBLIC HEARING. There being no one to speak, the Public Hearing was closed.

Motion to approve by CM Bolton-Legg. Second by CM Colbert.

- D. Consider for approval an Ordinance amending the Galveston Zoning Standards Section 29-116 "Property Abandonment Notification: and Section 19-117 "Notification and Hearing Process," regarding public notice requirements; Planning Case Number 08P-36.

ORDINANCE NO. 08-022 was read by caption: AMENDING THE GALVESTON ZONING STANDARDS SECTION 29-116 “PROPERTY ABANDONMENT NOTIFICATION” AND SECTION 19-117 “NOTIFICATION AND HEARING PROCESS” REGARDING PUBLIC NOTICE REQUIREMENTS; PLANNING CASE NUMBER 08P-36; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

Ms. O’Donohoe gave an explanation of the ordinance.

Mayor Thomas opened the PUBLIC HEARING. There being no one to speak, the Public Hearing was closed.

Motion to approve by CM Bolton-Legg. Second by CM Colbert. Unanimously approved.

10. PUBLIC COMMENT

Lt. Tommy Hansen, Galveston County, Auto Crimes Task Force, spoke in support of Item 12E.

Fletcher Harris, complemented Council for their dedication.

11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

- A. Consider for approval an Ordinance of the City of Galveston, Texas, amending the "Criteria and Selection Procedures for Contributions of Hotel Occupancy Tax to Arts and Historical Preservation" by requiring that all applicants and current recipients attend a mandatory meeting on the second Wednesday of December; providing a ten percent (10%) funding forfeiture for any organization that fails to have a representative present at such meeting; providing for certain changes to administrative procedures and recipient reporting requirements.

ORDINANCE NO. 08-023 was read by caption: AMENDING THE "CRITERIA AND SELECTION PROCEDURES FOR CONTRIBUTIONS OF HOTEL OCCUPANCY TAX TO ARTS AND HISTORICAL PRESERVATION" BY REQUIRING THAT ALL APPLICANTS AND CURRENT RECIPIENTS ATTEND A MANDATORY MEETING ON THE SECOND WEDNESDAY OF DECEMBER; PROVIDING A TEN PERCENT (10%) FUNDING FORFEITURE FOR ANY ORGANIZATION THAT FAILS TO HAVE A REPRESENTATIVE PRESENT AT SUCH MEETING; PROVIDING FOR CERTAIN CHANGES TO ADMINISTRATIVE PROCEDURES AND RECIPIENT REPORTING REQUIREMENTS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Motion to approve by CM Bolton-Legg. Second by CM Pena. Unanimously approved.

- B. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, setting forth single year and seed funding recipients and distributions of 2008-2009 fiscal year hotel occupancy tax revenues; approving the annual budgets of such recipients; authorizing the city manager to execute contracts with such recipients.

RESOLUTION NO. 08-008 was read by caption: SETTING FORTH SINGLE YEAR AND SEED FUNDING RECIPIENTS AND DISTRIBUTIONS OF 2008-2009 FISCAL YEAR HOTEL OCCUPANCY TAX REVENUES; APPROVING THE ANNUAL BUDGETS OF SUCH RECIPIENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS WITH SUCH RECIPIENTS; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

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

- C. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, recognizing May 2008 as "Preservation Month" in the City of Galveston, Texas.

RESOLUTION NO. 08-009 was read by caption: RECOGNIZING MAY 2008 AS "PRESERVATION MONTH" IN THE CITY OF GALVESTON, TEXAS; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by CM Puccetti. Second by CM Pena. Unanimously approved.

- D. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving the annual aerial spraying for mosquito control; directing the City Secretary to forward a certified copy of this Resolution to the Galveston County Mosquito Control District.

RESOLUTION NO. 08-010 was read by caption: APPROVING THE ANNUAL AERIAL SPRAYING FOR MOSQUITO CONTROL; DIRECTING THE CITY SECRETARY TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO THE GALVESTON COUNTY MOSQUITO CONTROL DISTRICT; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by CM Pena. Second by CM Puccetti. Unanimously approved.

- E. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, supporting the submission and application for grants to fund the Galveston County Auto Crimes Task Force; authorizing the Mayor and Chief of Police to execute all necessary documents for submitting a grant application for state assistance.

RESOLUTION NO. 08-011 was read by caption: SUPPORTING THE SUBMISSION AND APPLICATION FOR GRANTS TO FUND THE GALVESTON COUNTY AUTO CRIMES TASK FORCE; AUTHORIZING THE MAYOR AND CHIEF OF POLICE TO EXECUTE ALL NECESSARY DOCUMENTS FOR SUBMITTING A GRANT APPLICATION FOR STATE ASSISTANCE; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by CM Bolton-Legg. Second by MPT Weber. Unanimously approved.

- F. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving and authorizing the City Manager to execute an Agreement with the County of Galveston, Texas, to construct and lease a Fire Station and emergency Medical Services Facility and related amenities upon the Justice Administration Center and Jail Complex.

RESOLUTION was read by caption: APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE COUNTY OF GALVESTON, TEXAS, TO CONSTRUCT AND LEASE A FIRE STATION AND EMERGENCY MEDICAL SERVICES FACILITY AND RELATED AMENITIES UPON THE JUSTICE ADMINISTRATION CENTER AND JAIL COMPLEX LOCATED IN GALVESTON, TEXAS; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to defer to May 8, 2008 Council Meeting by CM Puccetti. Second by CM Bolton-Legg. Unanimously approved.

- G. Consider for approval an Ordinance of the City Council of the City of Galveston, Texas, amending the General Operating Fund Budget for Fiscal Year ending September 30, 2008, by transferring \$488,131 from various General Fund Accounts to adjust and properly record unforeseen expenses in connection with Vehicle Capital Outlay, EMS software, Property Room Audit, Police Department Management Study, Architectural Services and Windstorm Consultant Services; making various findings and provisions related to the subject.

ORDINANCE NO. 08-024 was read by caption: AMENDING THE GENERAL OPERATING FUND BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2008, BY TRANSFERRING \$488,131 FROM VARIOUS GENERAL FUND ACCOUNTS TO ADJUST AND PROPERLY RECORD UNFORESEEN EXPENSES IN CONNECTION WITH

VEHICLE CAPITAL OUTLAY, EMS SOFTWARE, PROPERTY ROOM AUDIT, POLICE DEPARTMENT MANAGEMENT STUDY, ARCHITECTURAL SERVICES AND WINDSTORM CONSULTANT SERVICES; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Motion to approve by CM Bolton-Legg. Second by MPT Weber. Unanimously approved.

- H. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving and authorizing the City Manager to execute an agreement with the County of Galveston, Texas, to partially fund development of Broadway Traffic Signal improvements within the City limits of the City of Galveston, Texas; providing for findings of fact and providing for an effective date.

RESOLUTION NO. 08-012 was read by caption: APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE COUNTY OF GALVESTON, TEXAS, TO PARTIALLY FUND DEVELOPMENT OF BROADWAY TRAFFIC SIGNAL IMPROVEMENTS WITHIN THE CITY LIMITS OF THE CITY OF GALVESTON, TEXAS: PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by CM Puccetti. Second by CM Bolton-Legg. Unanimously approved.

12. ACTION ITEMS

- A. Consider for action approving authorizing the City Manager to accept a grant from the Texas Historical Commission in the amount of \$10,000.00 for the architectural survey of the Old Central/Carver Park neighborhood survey and authorizing the City Manager to execute the grant contract.
- B. Consider for action approving purchase of McGuire-Dent Recreation Center furniture/miscellaneous items from Texas Correctional Industries under the Texas Prison Made Goods Act in the amount of \$57,978.28 and utilizing appropriation allocation from GO Bonds 2001, Account Number 3200-544172-544125.
- C. Consider for action approving rescinding the low bid submitted by Westgate Builders in the amount of \$51,212.56 to provide housing rehabilitation services at 608 44th Street. Funding source is HOME Entitlement Funds.
- D. Consider for action approving awarding emergency debris removal/cleanup services contracts, under Request for Proposals 07-08-004, for a five year period to Asplunch Environmental Services, Inc. (AES), Ashbritt Inc and DRC Emergency Services, LLC. and authorizing the City Manager to execute the contracts.
- E. Consider for action approving award of change order number three to E.P. Brady for the Sea Isle unserved areas contract number three in the amount of \$86,828.50. Funding source is Drainage Improvement Fund.

- F. Consider for action approving award of Request for Bids #07-08-026 for a three year contract to Floors and Tops for carpet/tile purchase with included installation and authorizing the City Manager to execute the contract. Funding source is various departmental accounts and/or Building Maintenance Fund.
- G. Consider for action approving Joe C. Tooley, Attorneys and Counselors Junction Consulting to perform a police management study in the amount of \$28,000.00. Funding source is Police Department Operating Budget.
- H. Consider for action approving audit of Police Department property room by Texas Rangers at an estimated cost of \$50,000.00. Funding source is Police Department Budget.

CM Bolton-Legg moved approval of Action Items A, B, C, D, E, F, G and H. Second by CM Colbert. Unanimously approved.

13. MAYOR AND COUNCIL APPOINTMENTS

Landmark Commission

CM Pena moved to appoint Nelson Smelker to Alternate Position 1. Second by CM Bolton-Legg. Unanimously approved.

14. MAYOR, COUNCIL AND CITY MANAGER REPORTS

Mayor Thomas

Reported on the following:

- * Height and Density Plan/thanked Ms. O'Donohoe and her staff, Ms. Green and her staff as well as the citizens and Council
- * Hurricane season

CM Pena

Reported on the following:

- * Free skin cancer screening/UTMB Department of Dermatology
- * Congratulations to 293 graduating nurses at UTMB
- * Best Wishes to Chief Mack, Herman Hilton, Capt. Eddie Benevidez on their retirement
- * Galveston Police Department graduates of the Alvin Police Academy
- * Great Galveston Reads/Lane Ware Eagle Scout project
- * San Jacinto Neighborhood Assn. 25th Anniversary
- * City projects
- * May Election - Vote

CM Puccetti

Reported on the following:

- * Thanked Planning staff, Planning Commission, City Attorney and her staff and all the city employees who worked many months and countless hours to bring Council to the point of voting on the Height and Density Plan.

- * Intermodal Transportation Committee/Hike and Bike Trail System
- * Earth Day
- * Adopt a Beach Cleanup
- * Tenth Marsh Mania Planting
- * Teichman Point Wetlands Study
- * Lone Star Flight Museum Air Show
- * Congratulations to Chief Mach and Captain Eddie Benevidez on their retirement

MPT Weber

Reported on the following:

- * Height and Density Ordinance/Thank you to Council and staff
- * Park Board of Trustees Financial Report
- * May Election - Vote
- * Mullet Toss - July 26, 2008

CM Bolton-Legg

Reported on the following:

- * Welcome to students
- * Regina Thompson/Karate Tournaments in Russia/2 Gold Medals/2012 Olympics
- * Street repair to 23rd and 21st Streets
- * Lone Star Flight Museum Air Show
- * Boston Marathon local participants-Tommy Castro and Mike Wiser
- * Sister City Niiagata, Japan, exchange program-16 children and 4 adults will be participating
- * Community in Schools Fundraiser
- * Hurricane Town Hall Meeting May 28, 2008
- * May Election - Vote
- * Thanked citizens who participated in city-wide cleanup
- * Thanked staff for work on Height and Density Plan
- * Sympathy to Becky Hernandez on loss of her mother and to the family of Jake Mendoza

CM Roberts

Reported on the following:

- * Thank you to Staff, Planning Commission and public who participated in the Height and Density Plan

CM Colbert

Reported on the following:

- * Height and Density Plan/commended staff on hard work and due diligence/thank you to Planning, etc.
- * Concerns regarding crime in community
- * National Infant Immunization Week
- * Congratulations to Texas A & M/New Science Building

- * Sympathy to Pastor Albert Williams on loss of wife and two sons-in law.

City Manager LeBlanc

Reported on the following:

- * Reminder-Transportation Summit
- * Power Watch for Patrol

15. N/A

16. N/A

17. ADJOURNMENT

There being no further business to come before the assembly, the meeting was adjourned at 6:15 p.m.