

THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF GALVESTON HELD- APRIL 10, 2008: 5:30 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 Colbert
Absent: CM Roberts
5. DECLARATION OF CONFLICT
None
6. APPROVAL OF MINUTES
The Minutes of the Regular Meeting of March 27 were approved with the following correction by CM Bolton-Legg. The minutes should reflect that CM Bolton-Legg was present until 6:15 p.m. when she left to represent the City at a Houston-Stavanger Sister City event.
Motion to approve with the correction by CM Bolton-Legg. Second by CM Colbert.
Unanimously approved by those present.
7. PRESENTATIONS
Proclamations: April, 2008: Donor Awareness Month
April 26, 2008: Texas Tidalwave Day
8. COMMUNICATIONS AND PETITIONS
 - A. Notices of Claim: 08027-Analilia Garza; 08028-Renaye Ochoa; 08029-Lisa Collins; 08030-Danny Rivers
 - B. Texas Gas Service: Weather Normalization Clause February, 2008
Weather Normalization Clause January, 2008
 - C. Galveston County Health District 2007 Annual Progress Report
9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS
N/A
10. PUBLIC COMMENT
Fletcher Harris, 7013 Weiss Drive, spoke regarding his opposition to Item 12.D., sand renourishment
11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS
 - A. Consider for approval an Ordinance of the City of Galveston, Texas rescinding the City's offer to abandon a 7,500 square foot portion of Avenue P right-of-way, adjacent to Lots 47-52, in block 2 of Trueheart's Addition and Lots 1-6 in Block 1 of Trueheart's Addition, in the City of Galveston, Texas (Commonly known as a 50' X 150' portion of

Avenue P, adjacent to 1917 61st Street) set out in Ordinance No. 04-099 because the applicants have not met the conditions set out in the Ordinance or the requirements of law regarding abandonments; Planning Case Number 05P-20.

WITHDRAWN

- B. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, approving and authorizing the City Manager to accept a donation of property, a two-parcel tract of land, legally described as "Lots 6 and 7, Block 326, Galveston, Texas," commonly known as 2603 Winnie, Galveston, Texas, executing all necessary documents for such acceptance; providing for findings of fact and providing for an effective date.

RESOLUTION NO. 08-006 was read by caption: APPROVING AND AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION OF PROPERTY, A TWO-PARCEL TRACT OF LAND, LEGALLY DESCRIBED AS "LOTS 6 AND 7, BLOCK 326, GALVESTON, TEXAS," COMMONLY KNOWN AS 2603 WINNIE, GALVESTON, TEXAS, EXECUTING ALL NECESSARY DOCUMENTS FOR SUCH ACCEPTANCE; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by MPT Weber. Second by CM Pena. Unanimously approved by those present. CM Roberts absent.

- C. Consider for approval a Resolution of the City of Galveston, Texas accepting the recommendation of the Galveston Island Redevelopment Authority relating to the development of the East End Flats and authorizing the Galveston Island Redevelopment Authority to take all necessary action to determine various matters relating to such development.

RESOLUTION NO. 08-007 was read by caption: ACCEPTING THE RECOMMENDATION OF THE GALVESTON ISLAND REDEVELOPMENT AUTHORITY RELATING TO THE DEVELOPMENT OF THE EAST END FLATS AND AUTHORIZING THE GALVESTON ISLAND REDEVELOPMENT AUTHORITY TO TAKE ALL NECESSARY ACTION TO DETERMINE VARIOUS MATTERS RELATING TO SUCH DEVELOPMENT.

Motion to approve by CM Bolton-Legg. Second by CM Puccetti. Unanimously approved by those present. CM Roberts absent.

12. ACTION ITEMS

- A. Consider for action approving the utilization of the web based on line auctioning system, Govdeals, for the auctioning of various items that the City no longer needs and have been identified to be sold.
- B. Consider for action ratification of appointment of Civil Service Commissioner Florentino Gonzalez.
- C. Consider for action retaining Carla Cotropia and Mills, Shirley L.L.P. to represent the City of Galveston and Carolyn Cox in the case styled Renaye Ochoa and Thom Karlok

v. City of Galveston, Texas, and Carolyn Cox, as Director for City of Galveston Civil Service Commission, in the 405th Judicial District Court of Galveston County, Texas.

- D. Consider for action approving lifting the Seawall alcohol prohibition for the 2008 Lone Star Motorcycle Rally, from Thursday October 30, 2008 through Sunday, November 2, 2008, in the proposed Entertainment District located on Seawall Boulevard from the east side of 25th Street to the west side of 21st Street.
- E. Consider for action approving reimbursable fees to Randall Porterfield Architects, not included in the original Council approval dated October 25, 2005, in an estimated total amount not to exceed \$7,500.00. Funding source is Architectural Services.
- F. Consider for action authorizing utilization of existing McGurie Dent Construction Contingency Account to permit Jamail-Smith, Inc. to install additional wall electric/data outlets in the amount of \$10,785.00. There is no adjustment to the existing construction contract award of \$3,653,325.00.
- G. Consider for action approving appropriation of additional funding sources for the McGuire Dent Recreation Center Project to include allocation of interest earnings, 2001 GO Bond Funds Capital Projects \$50,765, 2001 GO Bonds interest earnings \$30,884, 2005 GO Bonds interest earnings \$49,504 and Parks and Recreation Improvement Fund \$16,650 totaling \$147,771.95.
- H. Consider for action approving award of change order number two to E.P. Brady for the Sea Isle Unserved Areas Contract Number Three in the amount of \$698,207.05. Funding source is Drainage Improvement Account.
- I. Consider for action approving funding assistance for the 2008 D'Feet Breast Cancer Event, in an amount to be decided by Council. Funding source is Special Events Account.
- J. Consider for action authorizing the City Manager to enter into a professional services agreement with Municipal Code Corporation as it pertains to City Code Codifications Services.

CM Bolton-Legg moved to approve Action Items A, B, C, D, E, F, G, H, I and J. Second by CM Colbert. Unanimously approved by those present. CM Roberts absent.

13. MAYOR AND COUNCIL APPOINTMENTS

Building and Standards Commission

CM Bolton-Legg moved to move John McNatt from Alternate Position 2 to Alternate Position 1. Second by CM Puccetti. Unanimously approved by those present.
CM Bolton-Legg moved to appoint Norman Pappous to Alternate Position 2. Second by

CM Puccetti. Unanimously approved by those present.

Children, Families and Youth Board

Mayor Thomas moved to appoint Marilyn Haupe, Second by CM Pena. Unanimously approved by those present.

Landmark Commission

Mayor Thomas moved to move Sean McDermott from Alternate to Position 4 replacing Joe Rozier. Second by CM Bolton-Legg. Unanimously approved by those present.

14. MAYOR, COUNCIL AND CITY MANAGER REPORTS

Mayor Thomas

Reported on the following:

- * Height and Density Plan meetings
- * Condolences to City Attorney Susie Green on the loss of her mother

CM Pena

Reported on the following:

- * Dedication of the Darragh Park Pavillion
- * Galveston Historical Foundation Paint Pals
- * American Heart Assn. Healthy Kids Day
- * Delta Sigma Beta Sorority, Inc/Fundraiser for Rosewood Cemetery
- * Child Abuse Month
- * Police prostitution sting operation
- * City construction projects: 30th Street Water Pump Station/Main Waste Water Treatment Plant, drainage projects
- * Landmark Commission position available

CM Puccetti

Reported on the following:

- * Wetlands Regulatory Workshop
- * Commuter Rail Project
- * Transportation Summit April 29
- * Comprehensive Plan SubGroup on Transportation
- * Sand for West End renourishment project
- * Beach renourishment west of 11 Mile Road
- * Adopt-a-Beach, Saturday, April 26
- * UTMB 50 Year Service Award to Dr. Al LeBlanc

MPT Weber

Reported on the following:

- * Broken water line on 72nd Street
- * City Financial Update
- * Height and Density Study

CM Bolton-Legg	Reported on the following: * City Spring Clean-Up * Adopt-a-Beach * Upcoming election/Vote * Water Treatment Plant/temporary closure of Church Street * Congratulations/Amy Brennon * Sister City Niiagata, Japan Student Exchange Program * Beach Party Weekend * Planning Commission/Height and Density Study * Thanked Slim Farrington for being a faithful watcher of Channel 16 and City Council
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CM Roberts	Absent/No report
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CM Colbert	Reported on the following: * Lead Study Task Force * Galveston Family YMCA * Macedonia Baptist Church Education Ministry Walking for Excellence
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City Manager LeBlanc	Reported on the following: * Beach Party Weekend * Triathlon/traffic problems
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15. N/A

16. N/A

17. ADJOURNMENT

There being no further business to come before the assembly, the meeting was adjourned at 6:35 p.m.