

THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD APRIL 9, 2009- 2:00 PM

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
Absent: CM Woods
Staff: City Manager LeBlanc, City Attorney Green, City Secretary Lawrence, Director of Planning O'Donohoe
5. DECLARATIONS OF CONFLICT
None
6. APPROVAL OF MINUTES
The Minutes of the Regular Meeting of March 26, 2009 were approved upon motion by CM Colbert and second by MPT Weber.
7. PRESENTATIONS
 - A. Galveston Housing Authority: Clarification of GHA position regarding infill housing/Raymond Lewis
 - B. Galveston Community Recovery Committee (Long Term Recovery Committee) (5:30 p.m.) (Members of the GCRC may be attending and participating)
 - C. Status of reopening in cleaning up East End Lagoon/City Staff (Beeton and Fennewald)
 - D. Recent applications to acquire multi-family complexes using tax credits, including consequences to the city and options to the City. (Beeton and Fennewald)
 - E. TIRZ Board Chairman George Prill, Steve Schultz, Richard Anderson and Tofigh Shirazi (Mayor)
8. N/A
9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS (4:00 p.m.)
 - A. Consider for approval an Ordinance of the City of Galveston, Texas, changing the zoning from "General Residence (GR) Zoning District" to "Neighborhood Services (NS) Zoning District" on property legally described as the "South half of Lot 8 (3008-2) and Lot 9, Southeast Block 37, Galveston Outlots, in the City and County of Galveston, Texas," and commonly known as 3302 and 3308 Avenue O; Planning Case 09P-21.
ORDINANCE NO. 09-018 was read by caption: CHANGING THE ZONING FROM "GENERAL RESIDENCE (GR) ZONING DISTRICT" TO "NEIGHBORHOOD SERVICES (NS) ZONING DISTRICT" ON PROPERTY LEGALLY DESCRIBED AS THE "SOUTH HALF OF LOT 8 (3008-2) AND LOT 9, SOUTHEAST BLOCK 37, GALVESTON OUTLOTS, IN THE CITY AND COUNTY OF GALVESTON, TEXAS," AND COMMONLY KNOWN

AS 3302 AND 3308 AVENUE O, (PLANNING CASE 09P-21); MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Lori Schwarz, Asst. Director of Planning, gave an explanation of the proposed zoning change.

Mayor Thomas opened the PUBLIC HEARING.

Brian Davis, Galveston Historical Foundation, spoke in support of the proposed zoning change.

Willy Gonzalez, 3202 Avenue Q, spoke in support of the proposed zoning change.

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

Motion to approve by MPT Weber. Second by CM Colbert. Unanimously approved by those present. CM Woods absent.

B. Consider for approval an Ordinance of the City of Galveston, Texas, granting a Specific Use Permit to operate a "Cafeteria or Restaurant (sit-down service only)" in a "Neighborhood Service (NS) Zoning District" located at 901 Postoffice/Avenue E, on property legally described as "part of Lots Six and Seven (7-1), Block 429, In the City and County of Galveston, Texas"; Planning Case Number 09P-22.

ORDINANCE NO. 09-019 was read by caption: GRANTING A SPECIFIC USE PERMIT TO OPERATE A "CAFETERIA OR RESTAURANT (SIT-DOWN SERVICE ONLY)" IN A "NEIGHBORHOOD SERVICE (NS) ZONING DISTRICT" LOCATED AT 901 POSTOFFICE/AVENUE E, ON PROPERTY LEGALLY DESCRIBED AS "PART OF LOTS SIX AND SEVEN (7-1), BLOCK 429, IN THE CITY AND COUNTY OF GALVESTON, TEXAS"; PLANNING CASE NUMBER 09P-22; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Ms. Schwarz gave an explanation of the proposed Specific Use Permit.

Mayor Thomas opened the PUBLIC HEARING.

Sheryl Rozier, 1601 Postoffice, spoke in support of the proposed Specific Use Permit.

Joe Rozier, 1601 Postoffice, spoke in support of the proposed Specific Use Permit.

Ingrid Gonzalez, 910 Postoffice, spoke in support of the proposed Specific Use Permit.

Joe Jaworski, 1028 Winnie, spoke in support of the proposed Specific Use Permit.

Willy Gonzalez, spoke in support of the proposed Specific Use Permit.

Alex Gonzalez, 3202 Ave. Q, spoke in support of the proposed Specific Use Permit.

Tony Gonzalez, 15 9th St., applicant, asked Council to approve the Specific Use Permit.

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

Motion to approve by CM Fennewald. Second by CM Colbert. Unanimously approved by those present.

C. Consider for approval an Ordinance of the City of Galveston, Texas granting a Specific Use Permit to operate a "Tavern" in a Central Plaza with Historic Overlay (CP-H) Zoning District located at 2413 Strand; property is legally described as Lots 4 and 5, Block 624, in the City and County of Galveston, Texas; Planning Case Number 09P-16.

ORDINANCE NO. 09-020 was read by caption: GRANTING A SPECIFIC USE PERMIT IN ORDER TO OPERATE A "TAVERN" IN A CENTRAL PLAZA WITH HISTORIC OVERLAY (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 09P-16; MAKING VARIOUS

FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Ms. Schwarz gave an explanation of the proposed Specific Use Permit.

Mayor Thomas opened the PUBLIC HEARING.

John Glenn, applicant, asked Council to approve the Specific Use Permit.

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

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

Mayor Thomas out of the room.

MPT Weber presiding over the meeting.

- D. Consider for approval an Ordinance of the City of Galveston, Texas amending the Galveston Zoning Standards, Section 29-84 "Advertising Signs (Billboards)" regarding modification to the provisions relating to the repair, removal and relocation of off-premise signs damaged or destroyed more than 60 per cent within the City of Galveston and the City of Galveston's Extraterritorial Jurisdiction (ETJ); request to amend the Galveston Zoning Standards Section 29-86: "Continuation of Non-Conforming Signs" relating to the removal of signs damaged or destroyed more than 60 percent and upon cease of use or business operation in the City of Galveston; Planning Case Number 09ZA-07.

ORDINANCE NO. 09-021 was read by caption: AMENDING SECTION 29-84 "ADVERTISING SIGNS (BILLBOARDS)" OF THE ZONING REGULATIONS 1991 OF THE CITY OF GALVESTON REGARDING MODIFICATION TO THE PROVISIONS RELATING TO THE REPAIR, REMOVAL AND RELOCATION OF OFF-PREMISE SIGNS DAMAGED OR DESTROYED MORE THAN 60 PER CENT WITHIN THE CITY OF GALVESTON AND THE CITY OF GALVESTON'S EXTRATERRITORIAL JURISDICTION (ETJ); AND REQUEST TO AMEND THE GALVESTON ZONING STANDARDS SECTION 29-86: CONTINUATION OF NON-CONFORMING SIGNS RELATING TO THE REMOVAL OF SIGNS DAMAGED OR DESTROYED MORE THAN 60 PERCENT AND UPON CEASE OF USE OR BUSINESS OPERATION IN THE CITY OF GALVESTON; PLANNING CASE 09ZA-07; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Ms. Schwarz gave an explanation of the proposed zoning changes.

MPT Weber opened the PUBLIC HEARING.

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

Mayor Thomas returned to the meeting.

Motion to approve by CM Mahoney. Second by CM Beeton. In favor: CM Mahoney, CM Beeton, Mayor Thomas, CM Colbert, CM Fennewald. Opposed: MPT Weber. Absent: CM Woods. Motion carried.

10. PUBLIC COMMENT

Cornelia Harris Banks, 3328 Avenue N, spoke regarding the need for public housing for citizens.

Marty Bilek, 19703 Shores, asked Council to accept the Recovery Committee report and keep the Recovery Committee as an ad hoc committee. She also stated the need for the City to hire a Recovery Manager.

Allison Brown, 1027 Sealy, spoke regarding the need for code enforcement.

Tommy Martinez, 2102 Sealy, spoke regarding the East End Lagoon.

Ken Jencks, 190 San Marino, asked Council to accept the Recovery Committee Report. He spoke in support of a sports, health and education complex.

Dennis Farrell, 726 Ball, asked for help with ordinances pertaining to recycling.

11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

N/A

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 the purchase of two 5500 Type II buses for Island Transit to be purchased from National Bus Sales for a total price of \$176,054.00, which will be funded 100% by TxDOT.
- B. Consider for action approving award of the annual on-site bus inspection contract, required by Federal Transit Administration, to First Transit. Funding source will be Island Transit.
- C. Consider for action approving renewing GIS maintenance contract and safeguard with ESRI Inc. for a total cost of \$16,367.95. Funding sources are Technology Maintenance Contracts Account, Public Works Other Contracts Account and Planning Software Licenses Account.
- D. Consider for action approving award of RFB #08-09-026 to Grant MacKay Company for asbestos abatement and demolition of various airport buildings at Scholes Field in the approximate amount of \$49,883.00, mobilization fee of \$900.00 and removal/disposal of ACM floor file on an as needed basis of \$3.00 per square foot and authorizing the City Manager to execute the contract. Funding source is airport wide flood insurance proceeds.
- E. Consider for action approving the purchase, for the Fire Department, of thirty SCBA's, ten voice amplifiers and one hundred three cylinders from Dooley Tackaberry for a price of \$198,377.45 through Buyboard purchasing cooperative contract 284-08. Funding source is Hurricane Ike Account 1214-170535-34000-422000 I26805.
- F. Consider for action approving the purchase of replacement bunker gear from Metro Fire Apparatus Specialists for a price of \$346,919.00 through Buyboard purchasing cooperative contract 284-08. Funding source is Hurricane Ike Account 1214-170535-20000-422000 I26805.

- G. Consider for action approving the purchase of two Jaws of Life hydraulic sets of rescue tools from Metro Fire Apparatus Specialists for a price of \$43,518.00 through Buyboard purchasing cooperative contract 284-08. Funding source is Hurricane Ike Account 1214-170535-564005-422000 I1143A.
- H. Consider for action approving award of RFP #08-09-003 to EFI Global for industrial hygiene and environmental services for a three-year period and authorizing the City Manager to execute the contract.
- I. Consider for action authorizing the City Manager to execute an assignment of real estate lease assigning the lease commencing November 27, 1989, between the City of Galveston and Lone Star Fight Museum, Inc. to the Small Business Administration (SBA) upon final approval by the City Attorney.
- J. Consider acceptance of the Galveston Community Recovery Committee Report. Betty Massey, Chair of the Galveston Community Recovery Committee led the discussion of the report. After lengthy discussion, **MPT Weber moved to accept the report. Second by CM Mahoney. After further discussion, the motion was unanimously approved by those present.**
- K. Consider for action authorizing the City Attorney to extend the contract with Robert J. Barfield for municipal prosecutorial services until September 30, 2009.
CM Fennwald moved approval of Action Agenda Items A, B, C, D, E, F, G, H, I and K. Second by CM Colbert. Unanimously approved by those present.

13. MAYOR AND COUNCIL APPOINTMENTS
N/A

14. N/A

15. EXECUTIVE 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. Discuss Process for Galveston Community Recovery Committee Recommendations
- B. City Council
 - 1. Discuss use of airport property as a city park at the location commonly known as 2322 Skymaster (Former airport RV Resort Location). (Mahoney and Weber)
 - 2. Discuss and consider for action debris removal on undeveloped property, including damaged trees. (Mahoney and Beeton)

3. Receive update and consider for action recycling services. (Mahoney and Beeton)

17. ADJOURNMENT

There being no further business to come before the assembly, the meeting was adjourned at 7:40 p.m.