THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD APRIL 8, 2010 - 4:00 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 (4:25 p.m.), CM Fennewald, CM Woods
   Staff: City Manager LeBlanc, City Attorney Green, City Secretary Lawrence, Asst. City Attorney Baruch

5. DECLARATIONS OF CONFLICT
   None

6. APPROVAL OF MINUTES
   Regular Meeting of March 25, 2010: Motion to approve subject to verifying the motion on Item 9.B to remand back to the Planning Commission by CM Weber. Second by CM Woods. In favor: CM Mahoney, CM Beeton, MPT Weber, Mayor Thomas, CM Weber. CM Colbert absent. CM Fennewald abstained due to her absence on March 25. Motion carried.

7. PRESENTATIONS
   A. Galveston VFW Post 880:
   B. Port Infrastructure Task Force: Dr. Bill McMullen
   C. Census Presentation: Asst. City Manager Lloyd Rinderer

8. COMMUNICATIONS AND PETITIONS
   A. Notices of Claim: 10016-Paul Mijares; 10017-ATT; 10018-Jamall McMurrin; 10019-Bridgette Johnson; 10020-David Tabaracci; 10021-Robert Cunningham; 10022-Robert M. Bebee; 10023-David Dillman; 09079a-Steve Evert; 10025-James Gainer; 10026-John S. Bergmann; 10001a-George Wood

9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS
   N/A.

10. PUBLIC COMMENT
    George Prill, 20 Adler Circle, spoke in support of the TIRZs.
    Helen Carr, 22602 Bay Point, Isla Del Sol, stated her opposition to the placement of the water tower and asked Council to

please move the
tower.

Boyd Carr, 22602 Bay Point , Isla Del Sol, opposed to location of the water tower.

Matt Greer, Vice- President of Sea Isle Property Owners Assn. spoke in support of Item 12.J.

Dana Aleman, 22511 Vista del Mar, opposed to location of water tower at Isla Del Sol.

Eunice De Frane, 22425 Vista del Mar, opposed to location of water tower at Isla Del Sol.

Kay Langley, 22406 Vista del Mar, opposed to location of water tower at Isla Del Sol.

Sharon Calkins, 22505 Vista del Mar, opposed to location of water tower at Isla Del Sol.

Dave Pearson, 4014 Bridge Harbor, opposed to location of water tower at Isla Del Sol.

Sheila Meritt, 22 Angel Dove Pl., opposed to location of water tower at Isla Del Sol.

Joan Rust, 4008 Nueces Dr., opposed to location of water tower at Isla Del Sol.

Recess into Executive Session: 5:10 p.m. - 6:25 p.m.

11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

A. Consider for approval an ordinance of the City of Galveston, Texas, amending "The 1999 Personnel Policies and Procedures, as amended" by amending Chapter 14 "Emergency Essential/Nonessential Employee Designation"; providing for an effective date of June 1, 2010.

ORDINANCE NO. 10-033 was read by caption: AMENDING “THE 1999 PERSONNEL POLICIES AND PROCEDURES, AS AMENDED” BY AMENDING CHAPTER 14 “EMERGENCY ESSENTIAL/NONESSENTIAL EMPLOYEE DESIGNATION”; PROVIDING FOR AN EFFECTIVE DATE OF JUNE 1, 2010; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

CM Colbert moved approval. Second by CM Mahoney. Unanimously approved.

B. 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; providing for findings of fact and providing for an effective date.

RESOLUTION NO. 10-018 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.

MPT Weber moved approval. Second by CM Fennewald. 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 the purchase of fifteen L-3 digital in-car recording camera systems from L-3 Communication Mobile Vision, Inc. for a total price of $82,425.00. Funding source is 100% State of Texas Grant #2230801.

B. Consider for action Change Order #1 from Classic Protective Coatings to amend their current contract for White Sands Elevated Storage Tank Painting and Rehabilitation to include the addition of bid items totaling an amount of $36,170.00. These additional bid items are necessary to repair locations on the White Sands Tanks that have been severely corroded since the original inspection of the tank was completed in May of 2003. The current contract amount is $538,800.00, which will bring the new revised amount to $574,970.00. Funding source for this addition in contract will be the Water Improvement Account.

C. Consider for action approving the utilization of the Dell Company as the supplier of computer hardware with a three-year warranty, which is supported on the State of Texas DIR Contract in the amount of $70,000.00. Funding source is ordering departments.

D. Consider for action approving the recommendations of the Review Committee selecting James Lee Witt Associates as the consultants for the Hazard Mitigation Plan and authorizing the City Manger to execute the consultant contract upon final approval by the City Attorney.

E. Consider for action approving the Three (3) Year Consolidated Plan for the Community Development Block Grant and HOME Investment Partnership Consolidated Programs required by the U.S. Department of Housing and Urban Development.

Director of Grants Sterling Patrick and M.K. Purser, owner of MKP Consulting were present to summarize.

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

F. Consider for approval lifting the alcohol prohibition in Stewart Beach for the proposed 2010 Corona Light Volleyball Tour May 22 and 23, 2010.

G. Discuss and consider for action establishing a process for evaluating and giving performance reviews to Council appointees. (Beeton/Mahoney)

CM Beeton moved that during the budget process, the City Manager request the Council set some measurable goals that are the consensus of the Council before beginning on the budget and then when the consolidated Annual Financial Report becomes available at the mid-year point, Council do the official evaluation.
Second by CM Mahoney
Vote: In favor: CM Mahoney, CM Beeton, MPT Weber, Mayor Thomas, CM Fennewald, CM Woods. Opposed: CM Colbert. Motion carried.

H. Discuss changing the order of business for Council Meetings to take Public Comment before Public Hearings. (Beeton/Fennewald)

CM Beeton moved to reverse Items 9 and 10 on the order of business so that Public Comment is Item 9 and Ordinances Associated with Public Hearings is Item 10.
Vote: In Favor: CM Mahoney, CM Beeton Opposed: MPT Weber, Mayor Thomas, CM Colbert, CM Fennewald, CM Woods. Motion failed.

I. Discuss and consider for direction regarding Isla Del Sol water tower. (Mahoney/Woods)
CM Mahoney moved to direct City Manager LeBlanc to bring information to Council regarding the fees and costs that would be involved to move the Isla del Sol water tower further west to a new location. Second by CM Woods. CM Fennewald said she wanted to clarify that Council had discussed moving the tower into the adjacent neighboring property on the order of like 200 feet further west or something on that order and not a mile. CM Mahoney said it was understood that Mr. LeBlanc and Eric Wilson will meet on this quickly and she would like to be involved in these dialogues and, if it is appropriate, and the information is available, Council should have a special meeting before its next regular meeting to address this issue. Motion was unanimously approved.

J. Discuss and consider for action accepting and authorizing the City Manager to execute a release of restrictions and grant open space easement by and between Sea Isle Property Owners, Inc. and the City of Galveston.

Asst. City Attorney Baruch summarized the request.

Motion to approve subject to the steps the Sea Isle HOA has to do and if they make changes the agreement will have to come back to Council by CM Mahoney. Second by CM Colbert. After discussion, CM Mahoney amended the motion to add "agrees to allow the properties to remain in their natural state for the enjoyment of the public which shall have the right of non vehicular ingress and egress on, in and across the properties with signage indicating that this property may be used by the public". Vote: In Favor: CM Mahoney, MPT Weber, Mayor Thomas, CM Colbert, CM Woods. Opposed: CM Beeton, CM Fennewald Motion carried.

K. Discuss and consider for direction regarding lights on the West End and the lighting ordinance. (Mahoney/Beeton)
DEFERRED

L. Discuss and consider for action Block Grant for Jack Johnson Park. (Woods/Colbert)
No action. Discussion only.

CM Fennewald moved approval of Action Agenda Items A, B, C, D and F. Ssecond by MPT Weber. Unanimously approved.

13. MAYOR AND COUNCIL APPOINTMENTS
    A. Consider for action Mayor and Council Appointments to various City Boards, Committees and Commissions:

Zoning Board of Adjustments	CM Fennewald moved to appoint Rich Spethman. Second by MPT Weber. Unanimously approved.

14. N/A

15. EXECUTIVE SESSION (Closed Session)

    A. Pursuant to Texas Government Code, Section 551.071, "Consultations with Attorney" to receive advice on the following legal matters:

        1. Isla Del Sol Homeowners' Association Inc. v. City of Galveston

16. DISCUSSION ITEMS: Discussion only. No action taken.
    A. City Manager

    B City Council
        1. Report on status of old Falstaff Building. (Woods/Colbert)

17. ADJOURNMENT

There being no further business to come before the assembly, the meeting was adjourned at 9:05 p.m.