

THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD FEBRUARY 28, 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 Roberts, CM Colbert
Absent: CM Bolton-Legg
Staff: City Manager LeBlanc, City Attorney Green, City Secretary Lawrence
5. DECLARATION OF CONFLICT
None
6. APPROVAL OF MINUTES
The Minutes of the Regular Meeting of February 14, 2008 were unanimously approved by those present upon by CM Colbert and second by CM Puccetti. CM Bolton-Legg was absent.
7. PRESENTATIONS
Galveston Real Estate update - Alice Melott
8. COMMUNICATIONS AND PETITIONS
Notices of Claim: 08013-Southern Crushed Concrete; 08014-Eunich Miller; 08015-Guthrie Campbell; 08016-Julie Molis; 08017-Texas Commission on Environmental Quality; 08018-Mary Lopez
Texas Gas Service: Purchased Gas Adjustment Clause for February 2008
9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS
N/A
10. PUBLIC COMMENT
Jack Hayes, 7400 Jones Drive #1312, representing Gleanings from the Harvest, spoke in support of CDBG funding for the organization.
Sharon Barriere, 1411 26th St., requested a waiver of the City's insurance requirement for a walking procession to be held March 16, 2008.
Brenda Lee, 2202 Ave. P, spoke in support of CDBG funding for the Central Renaissance Zone.
11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS
A. Consider for approval an Ordinance of the City of Galveston, Texas, ordering and calling an election to be held in the City of Galveston on the tenth day of May, 2008, for the purpose of electing a Mayor at-large and six Council Members from districts, each for two year terms; making provision for the conduct and giving of notice of the

election, including requesting Galveston County to provide election services and to conduct said election; authorizing the City Manager to execute an agreement with Galveston County to hold this election; designating the polling places; designating hours for voting; providing for publication of notice of the election; providing bilingual election requirements; providing for a severability clause; providing an open meetings clause; providing a savings clause; declaring findings of fact; and providing for an effective date.

ORDINANCE NO. 08-012 was read by caption: ORDERING AND CALLING AN ELECTION TO BE HELD IN THE CITY OF GALVESTON ON THE TENTH DAY OF MAY, 2008, FOR THE PURPOSE OF ELECTING A MAYOR AT-LARGE AND SIX COUNCIL MEMBERS FROM DISTRICTS, EACH FOR TWO YEAR TERMS; MAKING PROVISION FOR THE CONDUCT AND GIVING OF NOTICE OF THE ELECTION, INCLUDING REQUESTING GALVESTON COUNTY TO PROVIDE ELECTION SERVICES AND TO CONDUCT SAID ELECTION; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH GALVESTON COUNTY TO HOLD THIS ELECTION; DESIGNATING THE POLLING PLACES; DESIGNATING HOURS FOR VOTING; PROVIDING FOR PUBLICATION OF NOTICE OF THE ELECTION; PROVIDING BILINGUAL ELECTION REQUIREMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; PROVIDING A SAVINGS CLAUSE; DECLARING FINDINGS OF FACT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- B. Consider for approval an Ordinance of the City of Galveston, Texas, authorizing the City Manager to execute a deed clearing title to approximately 1.42 acres of 50 foot right of way located between Lots 115 and 116 and Lots 119 and 120 of Section 3 of the Trimble and Lindsey Survey of Galveston Island, North of the Stewart Road right of way, said 1.42 acres being subject to a 20 foot drainage easement centered on an existing 18" drainage pipe +/- 454 feet north of the South end of said 1.42 acre tract, in the City and County of Galveston, Texas, lying within property owned by Como Lake Ltd., commonly known as a portion of 14520 and 14528 Stewart Road.

ORDINANCE NO. 08-013 was read by caption: AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED CLEARING TITLE TO APPROXIMATELY 1.42 ACRES OF 50 FOOT RIGHT OF WAY LOCATED BETWEEN LOTS 115 AND 116 AND LOTS 119 AND 120 OF SECTION 3 OF THE TRIMBLE AND LINDSEY SURVEY OF GALVESTON ISLAND, NORTH OF THE STEWART ROAD RIGHT OF WAY, SAID 1.42 ACRES BEING SUBJECT TO A 20 FOOT DRAINAGE EASEMENT CENTERED ON AN EXISTING 18" DRAINAGE PIPE +/- 454 FEET NORTH OF THE SOUTH END OF SAID 1.42 ACRE TRACT, IN THE CITY AND COUNTY OF GALVESTON, TEXAS, LYING WITHIN PROPERTY OWNED BY COMO LAKE LTD., COMMONLY KNOWN AS A PORTION OF 14520 AND 14528 STEWART ROAD; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

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

- C. Consider for approval a Resolution of the City of Galveston, Texas, dedicating resources to support the bid for the 2011 Joint Institute and Tradeshow of the Texas Recreation and Park Society, and the Texas Park and Wildlife Department by the City of Galveston Parks and Recreation Department.

RESOLUTION NO. 08-003 was read by caption: DEDICATING RESOURCES TO SUPPORT THE BID FOR THE 2011 JOINT INSTITUTE AND TRADESHOW OF THE TEXAS RECREATION AND PARK SOCIETY, AND THE TEXAS PARK AND WILDLIFE DEPARTMENT BY THE CITY OF GALVESTON PARKS AND RECREATION DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

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

- D. Consider for approval a Resolution approving the execution of an Interlocal Contract with the Texas Department of Transportation (TXDOT) whereby the City of Galveston will provide uniformed, armed Galveston Police Officers and equipment for law enforcement, general surveillance, and traffic control operations for the Galveston Island Ferry Landing Operations for a special event beginning March 4, 2008 through March 12, 2008.

RESOLUTION NO. 08-004 was read by caption: APPROVING THE EXECUTION OF AN INTERLOCAL CONTRACT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) WHEREBY THE CITY OF GALVESTON WILL PROVIDE UNIFORMED, ARMED GALVESTON POLICE OFFICERS AND EQUIPMENT FOR LAW ENFORCEMENT, GENERAL SURVEILLANCE, AND TRAFFIC CONTROL OPERATIONS FOR THE GALVESTON ISLAND FERRY LANDING OPERATIONS FOR A SPECIAL EVENT BEGINNING MARCH 4, 2008 THROUGH MARCH 12, 2008; AUTHORIZING THE CITY MANAGER TO SIGN THE INTERLOCAL AGREEMENT; DIRECTING THE CITY SECRETARY TO SEND A CERTIFIED COPY OF THIS RESOLUTION TO THE TEXAS DEPARTMENT OF TRANSPORTATION; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

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

12. ACTION ITEMS

- A. Consider for action approving the purchase of three 5500 Type II Buses for Island Transit, in the amount of \$264,081.00, from National Bus Sales. Funding source is TxDOT 80/20 match.
- B. Consider for action approving ratifying the actions of Purchasing and City Manager Officer paying Cherry Environmental \$14,400.00 on PO#2801659 for second phase material removal City Hall JCI-HVAC Project and pay the vendor stated amount.
- C. Consider for action authorizing the City Manager to execute a twenty-year lease with two, ten-year options with Evergreen Helicopters International, Inc. for 66,040 square feet of unimproved land adjacent to the apron to construct a hanger for aviation use, i.e. classrooms, offices, passenger screening, waiting rooms at the rate of \$725.98 per month, with an escalation clause of the greater of CPI-U or 2.5% annually upon final

approval by the City Attorney.

- D. Consider for action authorizing the City Manager to amend the Project Cooperation Agreement (PCA) with the Texas General Land Office, (GLO Contract 07-010) to reflect the actual construction contract amount and the change to the Federal Emergency Management Agency's reimbursable cost share amount from 90% to 100% of construction costs.
- E. Consider for action authorizing the City Manager to execute an Encroachment License Agreement between the City and MPB Corp. To enable MPB corp. to renovate its Harbor House Building located in the MPB Corp.'s Pier 21 Leasehold, construct a porch on the west side of the Harbor House Building over the City's sanitary sewer line serving multiple users, and requiring MPB Corp. To maintain said sewer line, providing for indemnification by MPB Corp. For any claims against the Cit, upon final approval of the City Attorney.

Motion to approve Action Agenda Items A, B, C, D and E by CM Colbert. Second by CM Puccetti. Unanimously approved by those present. CM Bolton-Legg absent.

13. MAYOR AND COUNCIL APPOINTMENTS
N/A

14. MAYOR, COUNCIL AND CITY MANAGER REPORTS

Mayor Thomas

Reported on the following:

- * March 13 Council Workshop will begin at 9:00 a.m./Joint meeting with members of the Planning Commission
- * Reminder - pay attention to neighborhood and help keep the city clean
- * Congratulations to Chamber of Commerce award recipients
- * Congratulations to Galvestonian of the Year recipient Dr. Ben Raimer

CM Pena

Reported on the following:

- * Rosenberg Elementary School Awards Program
- * Rotary Annual Spelling Bee
- * Texas Historical Market/Wesley Tabernacle United Methodist Church
- * Visits to Galveston by former President Clinton, Senator Kerry, Michelle Obama-wife of Presidential candidate Obama. Vote March 4.
- * Health Fair
- * Oceans of Opportunity Job Fair
- * Chamber of Commerce Annual Dinner. Congratulations to City Manager LeBlanc, Asst. City Manager Wade, Police Chief Mack and Director of Planning and Community Services O'Donohoe for receiving the Chamber Chairman's Award.

CM Puccetti	Reported on the following: * Congratulations to Dr. Ben Raimer for being named the Galvestonian of the Year by the Chamber of Commerce * Recognized City Manager LeBlanc and City Administrative Team Members Wendy O'Donohoe, Brandon Wade and Kenneth Mack for their recognition by the Chamber of Commerce * Congratulations to all other award recipients of Chamber of Commerce Awards * Economic Impact Analysis of UTMB on the community * Congratulations and welcome to Jim Rodriguez/Three Share Plan * Attendance at National Transportation Conference and National League of Cities Meetings * Thank you and congratulations to Galveston County Science and Engineering Fair participants
MPT Weber	Reported on the following: * Forum on protection against fraud at Moody Methodist Church * Mike Peitsch/Fire Protection Capability Report * Comprehensive Plan Meeting/District 5 * Job Fair * EMS Advisory Committee/thank you to committee members * Proposed Charter amendments * Height and Density Survey Report
CM Bolton-Legg	No report/absent
CM Roberts	Reported on the following: * Height and Density Study * Happy Birthday to Judge Susan Criss
CM Colbert	Reported on the following: * Texas Counseling Assn. Meeting * Black History Month * Avenue L Baptist Church 168th Anniversary * District 2 Comprehensive Plan Meeting * Reminder-Early Voting ends February 29
City Manager LeBlanc	Reported on the following: * Asked Asst. City Manager Rinderer to report on the Galveston Lead Task Force * Editorial in Sunday Galveston Daily News by Bill `1Broussard - asked Asst. City Manager Wade to respond

- * Change in sanitation pickup schedule in May
- * March 27 -3N Mass Communication System Test

15. N/A

16. N/A

17. ADJOURNMENT

There being no further business to come before the assembly, the meeting was adjourned at 6:45 p.m.