

THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD - FEBRUARY 14, 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: MPT Weber, CM Pena, CM Puccetti, CM Bolton-Legg, CM Roberts, CM Colbert
Absent: Mayor Thomas
Staff: City Manager LeBlanc, City Attorney Green, City Secretary Lawrence, Asst. City Manager Wade
5. DECLARATIONS OF CONFLICT
None
6. APPROVAL OF MINUTES
The Minutes of the Meeting of January 24, 2008 were unanimously approved by those present upon motion by CM Bolton-Legg and second by CM Colbert.
7. PRESENTATIONS
Proclamations: Family Service Center of Galveston County Day - February 28, 2008
Certificate of Recognition: Galveston County Science and Engineering Fair
Police Chief Commendation: Officer George Simpson and Havera Rojas
8. COMMUNICATIONS AND PETITIONS
A. Notices of Claim: 08007-Barbara McCourt; 08008-Lyman Dabney; 08009-Rodney Vick; 08010-Scarlet Brents; 08011-Patricia Thomas; 08012-Jennifer Smart

B. Texas Gas Service: Weather Normalization Clause for November and December, 2007
9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS
N/A
10. PUBLIC COMMENT
Fletcher Harris, stated his concerns regarding noise from vehicles and radios
Mark Muhich, 11 Williamsburg Circle, spoke regarding concerns about lead paint. He also urged people to look into Fair Trade Cocoa. Mr. Muhich suggested the city write a letter of condolence to Imperial Sugar for their recent explosion. As a member of the Charter Review Committee, he urged Council to support the proposed charter amendment pertaining to the city's infrastructure.
11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS
A. Consider for approval an Ordinance amending and restating Ordinance No. 07-069, the

Ordinance authorizing the issuance of City of Galveston, Texas, Tax and Revenue Emergency Anticipation Notes; prescribing the terms and form thereof; providing for the payment of principal and interest thereon; approving and authorizing the execution of a purchase agreement and other agreements related to the issuance and delivery of such notes; and making other findings and provisions relating to such notes and matters incident thereto.

ORDINANCE NO. 08-008 was read by caption: AMENDING AND RESTATING ORDINANCE 07-069, THE ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF GALVESTON, TEXAS, TAX AND REVENUE EMERGENCY ANTICIPATION NOTES; PRESCRIBING THE TERMS AND FORM THEREOF; PROVIDING FOR THE PAYMENT OF PRINCIPAL AND INTEREST THEREON; APPROVING AND AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT AND OTHER AGREEMENTS RELATED TO THE ISSUANCE AND DELIVERY OF SUCH NOTES; AND MAKING OTHER FINDINGS AND PROVISIONS RELATING TO SUCH NOTES AND MATTERS INCIDENT THERETO.

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

- B. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, supporting the American Shore and Beach Preservation Association (ASBPA) Coastal Federal Legislative Agenda for 2008 and seeking the aid and support of its legislative delegation and federal policy initiatives in the passage of needed programs to improve local beaches; directing the City Secretary to send a certified and true copy of this Resolution to Hon. Senator Kay Bailey Hutchison, Hon. Senator John Cornyn, Hon. Congressman Ron Paul; Hon. Congressman Nick Lampson; providing for findings of fact and providing for an effective date.

RESOLUTION NO. 08-002 was read by caption: SUPPORTING THE AMERICAN SHORE AND BEACH PRESERVATION ASSOCIATION (ASBPA) COASTAL FEDERAL LEGISLATIVE AGENDA FOR 2008 AND SEEKING THE AID AND SUPPORT OF ITS LEGISLATIVE DELEGATION AND FEDERAL POLICY INITIATIVES IN THE PASSAGE OF NEEDED PROGRAMS TO IMPROVE LOCAL BEACHES; DIRECTING THE CITY SECRETARY TO SEND A CERTIFIED AND TRUE COPY OF THIS RESOLUTION TO HON. SENATOR KAY BAILEY HUTCHISON, HON. SENATOR JOHN CORNYN, HON. CONGRESSMAN RON PAUL; HON. CONGRESSMAN NICK LAMPSON; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

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

12. ACTION ITEMS

- A. Consider for action authorizing the City Manager to execute an amendment to the Airport Project Participation Agreement with Texas Department of Transportation, Aviation Division, TXDOT Project No. AP Galveston 12, TXDOT Contract No. 5XXAV005 increasing the grant by \$85,000.00, for additional construction services along with an expenditure of an additional \$8,500.00, for the City's share of the additional cost.

- B. Consider for action approving acceptance of appraised value, in the amount of \$5,265.00, for the previously abandoned 70,197 square foot portion of Visa Bella Street right-of-way. Property is legally described as a 60' x 760.88' portion of Vista Bella Street right-of-way adjacent to Lots 1-10, Reserves "A", "B", "C" and Landscape Reserve, of Ponticello Subdivision, in the City and County of Galveston, Texas. Applicant Listowski Hatmaker L.P.
- C. Consider for action approving acceptance of appraised value, in the amount of \$416.00, for the previously abandoned 244.8 square foot portion of city right-of-way in a Neighborhood Service with Historical Overlay (NS-H) zoning district located adjacent to 704 14th Street. Property is legally described as a 3.8' x 64.42' tract of city right-of-way adjacent to Lot 1 and the West half of Lot 2, Block 313, in the City and County of Galveston, Texas. Applicant Stephen A. Rennick.
- D. Consider for action approving acceptance of bid from H2Systems, in an amount not to exceed \$378,000.00, for the emergency removal and replacement of clarifier number 3 at the City's Main Wastewater Treatment Plant. Funding source is Sewer Improvement Account.
- E. Consider for action approving funding request for The Yaga's Children's Fund Wildgame and BBQ Cookoff in the amount of \$5,000.00 less \$1,410.00 for City services leaving a balance of \$3,590.00. Funding source is Special Event Fund.
- F. Consider for action receiving Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2007.

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

13. MAYOR AND COUNCIL APPOINTMENTS

Landmark Commission

CM Pena moved to appoint Tim Thompson to Position 1 and Jeffrey Kahler to Position 2. Second by CM Bolton-Legg. Unanimously approved by those present.

EMS Advisory Committee

MPT Weber appointed Abdul Amin.

TIRZ 14 Board

CM Puccetti moved to appoint Brian Fisher to Position 8. Second by CM Bolton-Legg. Unanimously approved by those present. CM Puccetti moved to approve the County's appointee, Lee Otis Zapp. Second by CM Bolton-Legg. Unanimously approved by those present.

14. MAYOR, COUNCIL AND CITY MANAGER REPORTS

Mayor Thomas

Absent/no report

CM Pena

Reported on the following:

- * Condolences to Marabella Family
- * UTMB Birthday Celebration for Tillie Demorosky
- * Prostrate Cancer Screening
- * American Cancer Society Relay for Life
- * University Area Association Comprehensive Plan Meeting
- * Congratulations to Guidrys for Bravo Award from League of Women Voters
- * Happy Valentines Day

CM Puccetti

Reported on the following:

- * Transportation Summit/Tuesday, April 29, 2008
- * Transportation Policy Council Report
- * 30th Street Pump Station
- * Height and Density Workshop
- * Comprehensive Plan District Meetings
- * Salute to Galveston County for initiating planning for a County Drug Court
- * February 8 Wall Street Journal "Getting a Start on Summer Rentals" San n' Sea/Galveston strong market
- * Condolences to family of Dorothy Marabella
- * Happy Valentines Day

MPT Weber

Reported on the following:

- * 69th Street resurfacing
- * Mardi Gras '08'
- * Coyotes in District 5
- * Height and Density Plan meeting
- * District 5 Comprehensive Plan meeting
- * 45th and Ave. S Fire/thank you for Fire, Police and EMS
- * Happy Valentines Day

CM Bolton-Legg

Reported on the following:

- * District 1 Comprehensive Plan Meeting
- * Happy Anniversary to CM Roberts
- * Closure of Church Street for 2 years for construction of new water treatment plant
- * Congratulations to Jim and Linda Guidry honored by League of Women Voters
- * Congratulations to Police Officers and Firemen
- * Citizens responsibility to pick up trash and take pride in community

- * Happy Valentines Day
- * Speedy recovery to Elise Stephens
- * Asked Mr. LeBlanc to report on the Galveston Lead Task Force
- * Asked for update on Lone Star Rally Contract at next Council meeting

CM Roberts

Reported on the following:

- * District 4 Comprehensive Plan Meeting
- * Major Fire at 45th and Ave. S/proud of Fire and Police
- * Happy Valentines Day
- * Happy Anniversary to husband

CM Colbert

Reported on the following:

- * Community Meeting/Comprehensive Plan
- * Silver House Theater
- * Delta Sigma Theta Historical 2008 Black College Tour
- * Congratulations to Arthur Evans
- * Happy Valentines Day to husband

City Manager LeBlanc

Reported on the following:

- * City's Lead Task Force
- * Happy 25th Anniversary to wife
- * Happy Valentines Day

15. N/A

16. N/A

17. ADJOURNMENT

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