

THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD JANUARY 24, 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 Roberts, CM Colbert
Staff: City Manager LeBlanc, City Attorney Green, City Secretary Lawrence
5. DECLARATION OF CONFLICT
None
6. APPROVAL OF MINUTES
The Minutes of the Special Meeting of December 28, 2007 were unanimously approved upon motion by MPT Weber and second by CM Bolton-Legg.
The Minutes of the Regular meeting of January 10, 2008 were approved upon motion by CM Roberts and second by CM Bolton-Legg. CM Colbert was not present January 10, 2008 and did not vote. Mayor Thomas, MPT Weber, CM Pena, CM Puccett, CM Bolton-Legg and CM Roberts voted approval.
7. PRESENTATIONS
80th Anniversary of the Galveston Summer Band Concerts/Special presentation of painting of Frank Incaprara by George Lee to the City

Proclamations: Frank Incaprara Day - January 24, 2008
Z Krewe Day - February 2, 2008
American Heart Month - February, 2008

Z Krewe Mardi Gras Presentation
Presentation by the following Krewes: Krewe of Gambrinus, Krewe of Babalu, Childrens Krewe

Certificate of Recognition to Alpha Kappa Alpha, Inc. In honor of its 22nd annual Mardi Gras Masked Gala on January 25, 2008
8. COMMUNICATIONS AND PETITIONS
A. Notices of Claim: 07102 - Linda Villarreal; 07103 - Maricela Salazar; 07104 - Carmen Gonzales; 07105 - John Strom; 07106 - Deloris Stanforth; 07107- Stephen Gutierrez; 07108 - Aaron Quilla; 07109 - Gloria Francisco; 08001-Dane Goode; 08002 -William Wallace; 08003 - John Wilmore; 08004 - Robert Solis; 08005 - Shae Alcorn; 08006 - Lisa Richardson

- B. Texas Gas Service - Weather Normalization Clause for September, 2007
Purchased Gas Adjustment Clause for January 2008

9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS

- A. Consider for approval an Ordinance of the City of Galveston, Texas, granting a specific use permit for "site excavation" in conjunction with wetland mitigation in Planned Development (PD), Retail (R), and One-Family Two (1F-2) zoning districts. Property is legally described as Hall and Jones Survey, part of Lots 98, 99, 107-110, 116 and 117 (98-7) of Trimble and Lindsey Section 3, in the City and County of Galveston, Texas; more commonly known as "49.13 acre tract of land located north of FM 3005, south of Stewart Road, west of El Lago, and east of 13-mile road," Planning Case Number 07P-227.

ORDINANCE NO. 08-005 was read by caption: GRANTING A SPECIFIC USE PERMIT FOR "SITE EXCAVATION" IN CONJUNCTION WITH WETLAND MITIGATION IN PLANNING DEVELOPMENT (PD), RETAIL (R), AND ONE-FAMILY TWO (1F-2) ZONING DISTRICTS. PROPERTY IS LEGALLY DESCRIBED AS HALL AND JONES SURVEY, PART OF LOTS 98, 99, 107-110, 116 AND 117 (98-7) OF TRIMBLE AND LINDSEY SECTION 3, IN THE CITY AND COUNTY OF GALVESTON, TEXAS; MORE COMMONLY KNOWN AS "49.13 ACRE TRACT OF LAND LOCATED NORTH OF FM 3005, SOUTH OF STEWART ROAD, WEST OF EL LAGO, AND EAST OF 13-MILE ROAD," PLANNING CASE NUMBER 07P-227; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Director of Planning and Community Services, Wendy O'Donohoe, gave a summary of the proposed ordinance.

Mayor Thomas opened the PUBLIC HEARING. There being no one to speak, the Public Hearing was closed.

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

- B. Consider for approval an Ordinance of the City of Galveston, Texas, granting a specific use permit for a "Mid-Rise Structure" with five (5) habitable stories, in conjunction with "One Family Dwelling , Attached" with amenities development, in a Commercial (C) zoning district; property is legally described as 1.485 acres out of part of Lot 515 and ½ of adjacent roadway (515-10) and part of lot 515 (515-11) of Trimble and Lindsey Section 1, in the City and County of Galveston' and commonly known as 7509 Broadway, Galveston, Texas"; making various findings and provisions related to the subject. (Planning Case No. 07P-226)

ORDINANCE NO. 08-006 was read by caption: GRANTING S SPECIFIC USE PERMIT FOR A "MID-RISE STRUCTURE" WITH FIVE (5) HABITABLE STORIES, IN CONJUNCTION WITH "ONE FAMILY DWELLING, ATTACHED" WITH AMENITIES DEVELOPMENT, IN A COMMERCIAL (C) ZONING DISTRICT; PROPERTY IS LEGALLY DESCRIBED AS 1.485 ACRES OUT OF PART OF LOT 515 AND ½ OF ADJACENT ROADWAY (515-10) AND PART OF LOT 515 (515-11) OF TRIMBLE AND LINDSEY SECTION 1, IN THE CITY AND COUNTY OF GALVESTON' AND COMMONLY KNOWN AS 7509 BROADWAY, GALVESTON, TEXAS"; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT. (PLANNING

CASE 07P-226)

The applicant, Jack Baber, representing ERSA Grae Corporation, gave a PowerPoint presentation on the specific use permit request.

Ms. O'Donohoe stated Planning Commission and staff have recommended approval of the project. She stated the following correction to the front page of the ordinance: in the second Whereas the total overall height of the structure should be changed from 83.4 feet to 83.3 feet above Mean Sea Level and 78.4 feet above grade should be changed to 83.9 feet above grade.

Mayor Thomas opened the PUBLIC HEARING.

Greg Harrington, Chairman of the Chamber of Commerce, stated the Chamber supports the project.

Bob Moore, neighbor on the east side of the proposed project, spoke in support of the project.

Charles Mallynn, 7515 Broadway, neighbor on west side of the project, spoke in support of the project.

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

Motion to approve by CM Puccetti. Second by CM Colbert. Unanimously approved.

10. PUBLIC COMMENT

Fletcher Harris, 7013 Weis, stated the need for a Traffic Engineer in the city.

11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

A. Consider for approval an Ordinance of the City of Galveston, Texas, amending Chapter 7 "Animals and Fowl", Section 7-41, "Fees Enumerated" of "The Code of the City of Galveston 1982, as amended", by adding a new subsection, C, "Registration"; providing for new animal registration procedures and requirements.

ORDINANCE NO. 08-007 was read by caption: AMENDING CHAPTER 7, "ANIMALS AND FOWL", SECTION 7-41, "FEES ENUMERATED" OF "THE CODE OF THE CITY OF GALVESTON 1982, AS AMENDED," BY ADDING A NEW SUBSECTION C, "REGISTRATION", PROVIDING FOR NEW ANIMAL REGISTRATION PROCEDURES AND REQUIREMENTS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Assistant City Manager Lloyd Rinderer gave an explanation of the ordinance.

After discussion, **MPT Weber moved approval with the recommendation that the ordinance be brought back to Council for a total discussion and the tags be reprinted to include a 24 hour phone number. CM Bolton-Legg seconded. Unanimously approved.**

CM Roberts requested staff look into the possibility of using City Hall as a location for the registration fee to be paid.

12. ACTION ITEMS

A. Consider for action approving rescinding bid proposal from PB&J Pavement Marking, Inc. and accepting bid proposal of Stripes & Stops Company, Inc. for the CDBG Grant Fund Project Scott Renaissance Zone Crosswalk & Stop Line Pavement Marking Project Bid #06-07-045 in the amount of \$24,395.00.

B. Consider for action approving proposal from Leap Engineering, LLC of Galveston, in an amount not to exceed \$26,500.00, to prepare an Environmental Wetland Hydrology

and Drainage Evaluation Report for the Teichman Point Area. Funding source is Drainage Improvement Account.

- C. Consider for action authorizing the City of Galveston to enter into an Interlocal Agreement with the County of Galveston for the purpose of annual pre-season beach surveys, aerial photographs, engineering analysis and sand sock monitoring adjacent to Seascape Condominiums, West Beach Grand Condominiums, Riviera I/Riviera II condominiums, Dellanera Park, and Pocket Park #2, not to exceed \$5,000.00

CM Bolton-Legg moved to approve Action Agenda Items A, B and C. Second by CM Puccetti. Unanimously approved.

13. MAYOR AND COUNCIL APPOINTMENTS

Harborside Management District

CM Bolton-Legg moved to appoint Glenn Forman, John Kelso, John Sullivan, Thomas Andrew Ryan, Darryl Shroeder. Second by CM Roberts. Unanimously approved.

Comprehensive Plan Committee

CM Pena moved to appoint B.J. Herz and the Families, Children and Youth Board Representative. Second by MPT Weber. Unanimously approved.

HGAC Transportation Policy Council

CM Puccetti reconfirmed that she is the representative and moved to appoint Steve LeBlanc as Alternate. Second by MPT Weber. Unanimously approved.

HGAC Technical Advisory Committee

CM Puccetti reconfirmed that she is the designated representative and moved to reappoint Rick Beverlin of the Goodman Corporation as the Alternate. Second by MPT Weber. Unanimously approved.

Zoning Board of Adjustments

CM Roberts moved to appoint Carolyn Sunseri as an Alternate. Second by CM Bolton-Legg. Unanimously approved.

14. MAYOR, COUNCIL AND CITY MANAGER REPORTS

Mayor Thomas

Reported on the following:

- * Congratulations to Ennis and Maggie Williams/Humanitarian of the Year award

- * Nature Tourism Council - East End Lagoon
- * February 14, 2008 - Workshop will begin at 9:00 a.m.
- * Port of Galveston loan from Texas Industrial Development Corporation to deepen the Ship Channel and bulkhead work at Piers 12-14 - Asked Mr. LeBlanc to explain to citizens

CM Pena

Reported on the following:

- * Congratulations to the Kingfest Committee and to Ennis and Maggie Williams for award received from the Kingfest Committee
- * Free prostate cancer screening
 - * Planning Staff: San Jacinto Neighborhood Assn. Meeting and University Area Assn. Meeting
- * New officers of Galveston Alliance of Island Neighborhood
- * Commended Steve LeBlanc on Lone Star Rally Meeting
- * Election dates

CM Puccetti

Reported on the following:

- * Height and Density Meetings
- * Comprehensive Plan Committee Meetings
- * Intermodal Transportation Committee Meeting
- * HGAC-Transportation Policy Council
- * Complete Street Concepts Presentation
- * Transportation Summit
- * Wetlands ordinance
- * East End Lagoon project
- * Finance and Fiscal Affairs Meeting/Port Bonds
- * Congratulations to everyone involved in moving the Skatepark forward
- * Mardi Gras

MPT Weber

Reported on the following:

- * City phone numbers
- * Property owner's responsibility to keep shrubs and trees clear of traffic signs
- * Galveston Economic Development Partnership
- * Park Board purchase of Ray Holbrook Building
- * West End Pocket Park
- * New Park Board web site: Galveston Park Board.org
- * TIRZ 14 Meeting
- * Mardi Gras

CM Bolton-Legg

Reported on the following:

- * Joint Meeting of Council and Planning Commission
January 29, 2008/Height and Density Study
- * February 5, 2008 Planning Commission meeting time
change to 2:00 p.m.
- * Thanked Steve LeBlanc for working with staff and
business owners on the Harborside area drainage
- * Thanked Steve LeBlanc and Mike Dricks for attending
meeting about directional signs in downtown area
- * Unsightly sign at 23rd and Broadway
- * Groundbreaking for the Skateboard Park
- * Lone Star Rally Meeting
- * Airport Advisory Committee/Update of Airport Master
Plan
- * Congratulations to Frank Incaprara
- * New Consulate General for Norway
- * Thanked the Krewes for the Mardi Gras beads given to
Council
- * Happy Birthday to daughters Erica and Natalie

CM Roberts

Reported on the following:

- * Mardi Gras - be safe
- * Happy Birthday to CM Bolton-Legg's daughters

CM Colbert

Reported on the following:

- * Comprehensive Plan District Meetings
- * Thanked organizers of the Martin Luther King, Jr. Day
- * Happy Thirteenth Anniversary to husband Rev. A.
Wilford Colbert
- * Safe Mardi Gras

City Manager LeBlanc

Reported on the following:

- * Port of Galveston - explained \$28,000,000 loan from
Texas Industrial Development Corporation
- * Coyote problem - program on Channel 16

15. N/A

16. N/A

17. ADJOURNMENT

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