

WEST GALVESTON ISLAND PROPERTY OWNER'S ASSOCIATION

MINUTES OF THE CITY MANAGER MEETING

September 20, 2006

City Managers Meeting

September 20, 2006 Room 204, City Hall 2:00 PM

Present:

City: Steve LeBlanc – City Manager; Brandon Wade – Director of Public Works; Wendy O’Donohoe – Director of Planning; Ken Mack – Police Chief

WGIPOA: Jerry Mohn; Lucy Rangel – Spanish Grant Beach; Wanda Greer – Terramar; Marie Garrett – Bermuda Beach; Marty Baker – Pirates Beach/Laffites Cove

Topics of Discussion

Department of Public Works

1. Pointe San Luis: The following items were on the last City Manager meeting and we would appreciate an update. They were to be investigated.

The responses at the last City Manager meeting were as follows:

- a) Please advise on the cleaning of the drainage areas along Pointe West and Laguna and Playa San Luis.

Response: Brandon advised the ponds in this area were planned and designed by the developer and the US Army Corp of Engineers. Brandon will have Angelo Grasso and Charles Warner to go out and visit the drainage areas in question. If possible, they can coordinate the visit with the homeowner association representative and someone from Centex since this affects that development as well. WGIPOA will follow up on the date to visit the site.

Update 9/20/06: Brandon advised after review of the area that it cannot be addressed and there can be no ditch or culvert cleaning to make it work. The wetland areas were originally put in that way by design and to open it up will require the US COE review to fill any wetlands.

- a. The pipes that go under the streets in some cases are so silted that nothing will drain through them.

Response: Brandon believes the outfall pipe elevation is higher on the bay side and the water coming from the Gulf area is stranded. He also suggested digging out the ditch area between Pointe San Luis and Centex. He will have Charles Warner, Angelo Grasso and a surveyor investigate the matter.

Update 9/20/06: The investigations suggested Centex did a drainage ditch alongside the substation would help.

New items of concern for Pointe San Luis:

- a. Telephone Poles: There are 3 very tall telephone/electric poles that carry no lines between the subdivision and the beach serve no purpose. They are numbered 19636, 19637 and then there is a third to the west of those two without a number. Can you inquire if it is possible to petition to have those removed (or who we can petition for such action)

Response: Brandon will identify the owner and have them removed.

2) Indian Beach:

- a. Drainage ditches (culverts) at walkovers are damaged and water is not draining, haven for rodents, mosquitoes and snakes. While TEXDOT has their crews out on FM 3005 in front of Indian Beach they should replace those culverts at the walkovers.

Response: Indian Beach needs to make a request to the City to do a drainage study for the subdivision. The City talked to Indian Beach about the request previously but the request has yet to occur. Brandon advised the City did go out and repair the walkover sand cleaned out the culverts. Sand is building up in the culverts again and they will clean. Also, someone cut out a large section of the pipe of one culvert and this is causing a problem.

- a. Streets need potholes repaired.

Response: Brandon will drive the streets in Indian Beach to access the damage and repair the pot holes. One of the problems with the streets is that they have a beach stabilized sand base. When sewers are brought into the subdivision, these will be torn up and a better base will be used plus concrete roads.

- b. Street lights were promised, last year, not yet installed.

Response: Although Indian Beach asked for more lights, the City put in 24 and this is sufficient now the number of residents in the subdivision and they will look at adding more as it develops. The street lights are based on the number of homes and intersections in the subdivision.

- a. The ditches and streets have not been maintained by the City of Galveston. The City has stated that when the sewer is brought to Indian Beach, the City will redo the ditches and the streets. Indian Beach residents can not wait for the ditches to be cleaned out based on installation of the sewer. The ditches are the responsibility of the City as they are on the Road right of way. The Association does road side mowing. These ditches are so over grown that they are not providing proper drainage.

Response: The sewer line for Indian Beach is under design phase and should be completed in June 2007. It will be reviewed for the 2008 fiscal budget year for installation and at the same time the City will look at a rate increase to fund the project. Until the sewer line is installed in the subdivision, streets will be repaired on an as needed base – mostly pothole work. The City does not want to put in new streets until after the sewer lines are in because of the wasted expense. Indian Beach has several road side ditches and the City does not mow them.

3) Spanish Grant Beach:

- a. Drainage Project - City has given us the final proposal which is approximately \$350K to redo the drainage for Spanish Grant. They required signatures of 75% of the homeowners agreeing with the project. We have those signatures completed and we have (2) of the (4) easements signed. Once we have all of the easements signed the Public Works Department will

coordinate with TXDOT and hopefully we can begin the work.

Response: Spanish Grant advised it needs two more signatures of the easements and they will be ready. Brandon indicated the work will be done in house now with costs projected to be \$50,000.

- b. Street Light: Thanks to Steve LeBlanc and Jackie Cole, Center Point will be installing a new street light at the end of West Ventura hopefully in late September at no cost to the City or Spanish Grant.

4) Bermuda Beach

- a. Bermuda Beach Drive: One issue with flooding on Bermuda Beach Drive when you turn right from Pabst Rd. This section of the road floods sometime close to a foot when it rains.

Response: Bermuda Beach Improvement Committee needs to send in a request to do a drainage study to Brandon's attention.

- b. Driveways: There are many cars that back-up in our driveways. It gets very annoying. Sometimes people with RV have to back-up and it can get pretty tough. A DEAD END signal would certainly help.

Response: The City will install a "DEAD END" sign at the beginning of the drive and at the end.

1. Terramar:

- a. Trash: We need a trash pick-up on Friday between Memorial Day and Labor Day for the renters who check-out so there will be clean cans for the ones checking in on Friday through Monday. It has really been a problem in Terramar and all up the way. Trash cans overflowing and they put the cans out on Friday because renters don't want the smell of the trash near their rent house that they are moving in. Some of these houses have two trash cans but still put extra trash in plastic bags to be torn open by animals with trash scattered all over everywhere.

Response: The City will give a "maybe" at this time and depends if they have the overtime ability to do it. They will review the program before May of 2007 in picking up trash from subdivisions south of FM 3005 from Memorial Day weekend to Labor Day weekend.

- b. Sewer Plant: Please give an update on completion of the treatment plant at Terramar. There was a terrible smell coming from the plant a few weeks back

Response: Brandon believes the sewage piled up in the sewer line and it was processed at a different rate. It will not happen again. The new plant will be functioning in 3 to 4 months and the old plant will be gone by the end of November, 2007.

- c. Roads: A time line for road improvements/replacements etc., which are to be done when the treatment plant is finished.

Response: Same situation for Indian Beach – roads will not be installed until the sewer lines are in place. The City needs two more easements from homeowners before the project can begin. It may be necessary for City Council to impose an eminent domain if the homeowners will not sign. Roads are to be paved at the same time the sewer lines are installed.

1. Lafittes Cove

- a. Status in widening 11 mile road.

Response: The easement and paperwork from the new owner of the property adjacent to the road is now complete and now the plan will be submitted to the U.S. COE for a permit. The financing of the widening will come out of industrial development funds and not as a budgeted item.

- b. Stop signs are faded and need to be replaced.

Response: Will replace.

- c. Street signs are missing and need to be replaced.

Response: Will replace.

- d. Stop sign at Eckert & Windlass Court needs to be replaced. We called last week and the response is as follows:

"Concerning the installing of a stop sign at Eckert and Windlass Ct or any signs. The City of Galveston has gone to the Galveston Dept of Engineers to see if this is actually the City responsibility to replace any signs. They said that when this subdivision was built that the contractors did not get any permits from the City. I don't understand why this issue has never come up before? The City will know something next week, but feel 95% sure that this is not their responsibility. They did say that if it is their responsibility they can not put the stop sign up because two palm trees are planted exactly where they need to go."

Response: The palm trees have been removed and the stop sign has already been installed.

2. Gulf Palms

- a. Bristow Drive: – thank you for the new culvert under the property at 17419 Bristow. There is a problem however at or near this property location. Water does not flow East from in front of our beach house due to rain water "backup" somewhere in the ditch between us and Sixteen Mile Road. We would like to see this corrected.

1. The City has cleaned out the ditches along Bristow Drive and has paved 16 mile road to the beach. We all hope that this will help with the drainage; but the city has done nothing to stop the water coming under 3005 and then moving into Gulf Palms. The discussions on the culvert have been going on for two years now and still no resolution.
2. Some of the culverts on Bristow may still be blocked. Evidently the city's clean-out efforts were not totally effective. The drainage ditch still is flooded long after the rain has passed. Could the city take another look at this fix, to be sure the culverts are all open?

Response to 1) and 2) above: Texdot will not allow the City to block the culvert on FM 3005. They are going back again to make the request to block the culvert until FM 3005 is elevated, which should correct several of the drainage problems. In addition, the City has received a preliminary "yes" from the GLO to drain to the beaches on a temporary basis. The City will also review with the other homeowner associations in the area about the drainage to the beach. Brandon mentioned the city may want to look at inserting a special valve that allows the flow of water to the beaches during heavy storms.

- b. Rent Homes: Our current problems involve owners who rent houses through signs on their property and/or adds in local papers. These owners usually fail to police their properties and once the word is out...Large crowds of people show up at these rental properties. This over crowding taxes the neighborhood with parking and septic problems. To say nothing of noise, beach fires, driving over dunes etc. When the Galveston Police are called, it generally takes many hours for a response. These nuisance calls are sure to be very low priority. Some method of control for the number of renters that can occupy a rental home should be developed by the city. It is really critical in Gulf Palms since most homes are on septic systems which are quite old and small in size. Maybe this is a health department issue.

Response: As far as homes in Gulf Palms renting their house without collecting hotel/motel (HOT) tax, the Galveston Alliance of Rental Managers (GARM) has already acted by identifying the address of the property to the GCAD to get on the HOT list. In addition, GARM has given telephone numbers for Gulf Pam residences to call in the event of any disturbances or interruptions by the rented homes.

1. Karankawa Townhomes: The main items of interest for us with City of Galveston are drainage, approximate date for new sewers (so that we can budget) mosquitoes (probably due to drainage problems).

Response: Brandon talked about the sewer installations in the next few years. He indicated there is a design plan to be finished by June, 2007, for sewers to be installed to properties that have septic systems. City Council will decide at that time whether to raise rates around January 2008 to have funds available. It will take one year for construction so sewers are anticipated to be complete for subdivisions on the west end with septic in 2009. See above Response to Gulf Palms, Number 7) part b) Rent Homes.

2. Sunny Beach:

- a. Speed humps – status of the request for them. Hopefully in progress. Meters were placed, a couple of e-mails were exchanged and the petitions the city requested from the subdivision were turned in. We would like to see the meter counts.

Response: Although the tests did not meet the criteria, Brandon overruled it and will install the speed humps after budgets, etc, probably in 1 or 2 months.

- b. Street Grading: A city crew came in to grade two of the streets in our neighborhood. They left the other two which also needed attention. We would like to see the other two streets graded as soon as possible.

Response: The City will come out and grade the other two streets.

- c. Fence: The fence around the old water tank on 8-mile road, which we assume is city property, is in dis-repair. It looks bad and is no longer functioning. Is the tank still in operation and if not can it be removed.

Response: The old water tank has been out of commission for over 30 years and needs to come out. The City will remove the fence in 6 months and tear down the tank as a swap with the US COE for the property on 11 mile road. Brandon will work out the details but both the fence and tank will be removed.

- 10) FM3005: There is an old unused telephone pole in the median of 3005 at the 13-mile road crossover. It would be a danger to any car turning left from the Eastbound 3005 lanes if the car lost control in the turn.

The pole is of no use and should be removed.

Response: *The City will get rid of the pole if they can determine to whom it belongs. They will talk to people to get it done.*

11) Settegast Road: A later request after the meeting was expressed by residents on Settegast Road at the boat ramp to pick up the full trash cans. The City was great to place two trash cans on the boat ramp in June but no one has picked them up. They are full and the animals make a mess as well as all the rain storms. They would appreciate if the City could empty the two trash cans.

Response: *Brandon will have the trash cans emptied and set on a regular pick up schedule.*

Department of Public Safety

1. Pointe San Luis:

- a. Can a golf cart (registered or not) drive on a beach that is designated for vehicles only? Is there an exception for elderly and handicapped? It's not clear.

Response: *The Chief advised golf cart drivers should be registered and licensed and they can be on a beach identified for vehicles only. There are no exceptions for elderly or handicapped. The officers are issuing tickets to unlicensed golf cart drivers.*

- b. Enforcement of vehicles driving on the dunes is necessary. There are reckless drivers on the weekend and they are destroying the dunes.

Response: *Te officers do ticket the violators when they find them. The Chief suggested the public to get a license plate number and call it in with a best description of the vehicle. The police do not respond immediately because it is not considered a high priority call and they will get to it when they can. The police officer do try to get the best response time.*

1. Indian Beach: Indian Beach has become a dumping ground for trash, large appliances and landscape companies are now dumping their refuse. We would like to see more patrols of the bay side.

Response: *The Chief will set up more patrols in the area. It is also a code enforcement matter and the public should contact the code enforcement officer for this area, Bill Herr 797-3600.*

2. Concerned West End Citizen from Sea Isle: "I strongly believe that NO vehicles (including golf carts) should be allowed on west beach in front of the subdivisions. Continued vehicular use has pounded down the sand and killed or prohibited the growth of vegetation that is popping up seaward of the vegetation line. What can we do to prohibit all vehicles from driving on west beach in front of the subdivisions?"

Response: *The Chief advised the officer will issue tickets if the golf cart is driving on the beach where no vehicles are allowed. However, the officer will use his discretion if an elderly or handicapped individual.*

3. Isla del Sol: The only issue that comes close is the golf carts on the beach. Most people here are using and would like to continue to use golf carts on the beach. The drivers would have to be licensed and drive responsible, but I see no harm in driving them on the beach. Most important is we all understand the final outcome so we can comply.

Response: Again the officer will use his discretion if an elderly or handicapped person is using a golf cart on a no vehicle beach. Tickets will be issued to all others.

4. Terramar: Since there are changes in the "animal control" responsibilities, what are the rules, etc for the Police Department and policemen on patrols? Will there be week-end special officers or will it be the officers on duty to call?

Response: Animal control is now handled by the police department and the Chief is evaluating in how to set up. The calls will come to the police department but an animal control person will respond to the incident. Animals running loose at large, the owners will be ticketed by animal control.

5. Substation:

- a. Rumors are circulating of a substation at the MUD 1 building and/or the far west end near Centex.
- b. Enforcement of vehicles driving on the beach will be necessary.

Response to a) and b): The Chief advised here are 8 officers assigned to the west end each day. 3 officers during the day, 3 officers during the evening, and 2 officers at night. The police department is currently 20 officers short right now and having an officer be in a sub station would be a time waster. The officers are now equipped with computers in the car and this is a virtual office with all information at their disposal. Having a sub station would be a duplication of efforts and an added cost and wasted utilization of manpower. They would consider using MUD 1 as a lunch place or meeting area with citizens, etc. The group requested more presence of officers at meetings such as the WGIPOA. The Chief will let the officer know of the meetings if information is provided.

Department of Planning

1. Pointe San Luis: Beach Access: I know that the City is tired of hearing from us about the signs and enforcement of vehicular access, but what be done to stop vehicles from driving on the Pointe San Luis beach?

When Centex was developed, no vehicles on the beach were to occur for Centex and Pointe San Luis and we are still waiting.

Response: The City received confirmation from the GLO to install signs and the City will place 4 new signs. Wendy advised as far as closing the beach in front of the 5500 Association, this decision would have to come from the GLO Commissioner since it was his decision a few years back for the type of vehicle access today. The 5500 Association would like to have their beaches closed to vehicles year around. Besides seeking help from the west end City Council member, the WGIPOA will make a request to the Commissioner.

2. Sunny Beach: Has contact been made with the GLO to see if there is an ability to move the beach access at 8 mile road without reopening the Beach Access Plan? This request was made previously.

Response: Wendy advised to open up the beach access plan would require permission from the GLO as well as having public hearings. In discussions with the GLO, the plan can be modified if there is a safety risk or a health hazard. The group discussed evaluating parking space areas at 8 Mile Road see if additional spaces are available that would allow the open area for vehicles to park to be reduced since there are sufficient parking spaces.

The above parking space evaluation would also apply to the Condos and Gulf Palms, who also requested the space allowed for vehicles in front or near their area be reduced. Additional parking spaces could be the answer.

3. Gulf Palms: Courtney Glasscock House and moving the bollards.

Response: Same situation applies as above under Sunny Beach. The bollards for parking on the beach goes right in the middle of Ms Glasscock's home now and she would like to see them moved back to the original position. Evaluate the parking spaces available in the area to see if the space to park vehicles on the beach can be reduced.

4. Terramar: The new T-Head bollards are causing problems and would like them changed to what they were before.

Response: The Beach Access Plan would have to be modified and go before City Council for approval. Planning will look into the matter.

Jerry A. Mohn

West Galveston Island Property Owners Association
