

**CITY OF TEXAS CITY  
REGULAR CALLED CITY COMMISSION MEETING**

**AGENDA**

**WEDNESDAY, DECEMBER 1, 2010 - 5:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM - CITY HALL  
1801 9th Ave. N.  
Texas City, TX 77590**

**(1) INVOCATION**

**(2) PLEDGE OF ALLEGIANCE**

**(3) PROCLAMATIONS AND PRESENTATIONS**

**(a)** Youth in Government. (Mayor)

**(b)** Captain Stephen Strickhausen  
Engineer Greg Garrett  
Firefighter James Gaus

**(c)** Presentation and update from Emken Linton on the Centennial Celebration. (Management Services)

**(4) CONSENT AGENDA**

**(a)** Consider approval of the minutes from November 17, 2010 regular called City Commission Meeting.

**(b)** Resolution No. 10-126 approving the purchase and delivery of one (1) Doosan Hydraulic Crawler Long Reach Excavator through the Texas Association of School Boards (TASB). (Purchasing)

**(c)** Resolution No. 10-127 awarding a six (6) month contract for Liquid Asphalt. (Purchasing)

**(5) REGULAR ITEMS**

- (a) Consider approval of Ordinance No. 10-30 requesting to amend the City of Texas City's fiscal year 2010-11 budget to accommodate the purchase of a long arm excavator. (Finance)

(6) **PUBLIC COMMENTS**

(7) **MAYOR'S COMMENTS**

(8) **COMMISSIONERS' COMMENTS**

**NOTICE OF ANY SUBJECT APPEARING ON THIS AGENDA REGARDLESS OF HOW THE MATTER IS STATED MAY BE ACTED UPON BY THE CITY COMMISSION.**

**NOTICE: The City of Texas City will furnish free transportation to handicapped individuals via a 4-door sedan for anyone wishing to attend the City Commission meetings. Call 948-3111, City Secretary's Office before noon on Monday preceding the meeting to make arrangements.**

**I CERTIFY THAT THE ABOVE NOTICE OF THE MEETING WAS POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING, 1801 9TH AVENUE NORTH, TEXAS CITY, TEXAS ON NOVEMBER 24, 2010 AT 5:00 P.M.**

**/s/ Susan Sensat  
SUSAN SENSAT  
DEPUTY CITY SECRETARY  
NOVEMBER 24, 2010**

**CITY COMMISSION AGENDA**

**Date: 12/01/2010**

Youth in Government Recognition

**Submitted By:** Susan Sensat, Administration

**Department:** Administration

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**Information**

**ACTION REQUEST (Brief Summary)**

**BACKGROUND**

**ANALYSIS**

**ALTERNATIVES CONSIDERED**

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**CITY COMMISSION AGENDA**

**Date: 12/01/2010**

Coast Guard Presentation to 3 Fire Fighters

**Submitted For:** Joseph Gorman  
**Department:** Fire Department

**Submitted By:** Jane Tull, Fire Department

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**Information**

**ACTION REQUEST (Brief Summary)**

United States Coast Guardsman, Commander Will Watson, will be presenting the following fire fighters with letters and coins for their heroic acts of rescuing 2 coast guardsman during the Suarez incident on October 2, 2010:

Captain Stephen Strickhausen  
Engineer Greg Garrett  
Firefighter James Gaus

**BACKGROUND**

**ANALYSIS**

**ALTERNATIVES CONSIDERED**

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**CITY COMMISSION AGENDA**

**Date: 12/01/2010**

Centennial Celebration Update

**Submitted By:** Susan Sensat, Administration

**Department:** Administration

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**Information**

**ACTION REQUEST (Brief Summary)**

**BACKGROUND**

**ANALYSIS**

**ALTERNATIVES CONSIDERED**

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**CITY COMMISSION AGENDA**

**Date: 12/01/2010**

November 17, 2010 CC Minutes

**Submitted By:** Susan Sensat, Administration

**Department:** Administration

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**Information**

**ACTION REQUEST (Brief Summary)**

**BACKGROUND**

**ANALYSIS**

**ALTERNATIVES CONSIDERED**

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**Attachments**

Link: [11/17/2010 CC Minutes](#)

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REGULAR CALLED CITY COMMISSION MEETING

MINUTES

WEDNESDAY, NOVEMBER 17, 2010 – 5:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A **Regular Called Meeting of the City Commission** was held on **Wednesday, November 17, 2010, at 5:00 P.M.** in the Kenneth T. Nunn Council Room in City Hall, Texas City, Texas, with the following in attendance: Mayor Matthew T. Doyle; Commissioners: Mike Land, Donald Singleton, Scooter Wilson, Dee Ann Haney and Rick Wilkenfeld. Commissioner Dedrick Johnson was unable to attend.

The **Mayor** called upon **Pastor Daniel Keur, Trinity Baptist Church**, to offer the **Invocation**. **Commissioner Land** led all present in the **recitation of the Pledge of Allegiance**.

**PROCLAMATIONS AND PROMOTIONS**

Service Awards were presented to the following:

Maria Delao	Municipal Court	5 years
Kristina Garza	Library	10 years
Eric Smith	Traffic	20 years
William Cooley	Fire	20 years
Feleberto Selvera	Water Distribution	20 years

Presentation:

Emken Linton was unable to attend the meeting to give an update on the Centennial Celebration.

The Mayor presented a Resolution, In Memory of Jesse L. Ponce. The Resolution read as follows:

*Whereas, Jesse L. Ponce passed away Saturday, October 16, 2010 at the age of 63 after touching the lives of everyone he met and leaving the City of Texas City a better place; and*

*Whereas, always community minded and greatly involved, Jesse was President of Texas City LULAC Council 255, a member of the La Marque Kiwanis Club, the Texas City Noon Lions, the Knights of Columbus, the Boys and Girls Club - Texas City Advisory Board, Charter Member of the Board of Directors for the Texas City Museum and Heritage Association, Public Housing and Bay Street Park Boards, Centennial History Committee, Galveston County Historical Commission; and St. Mary of the Miraculous Medal church family, where he served as an Altar Server since the age of 10; and*

*Whereas, Jesse also served as a Goodwill Ambassador on the committee for Texas City's All-America designation and his lifelong dream was fulfilled in 2002 to publish his pictorial of*

*beautiful everyday scenes in Texas City. Many of the Texas Historical Commission markers in Texas City can be attributed to Jesse's tireless research.*

*Now Therefore, Be it Resolved That This Commission, speaking on behalf of our citizens, hereby extends to his brothers and sisters, Elias Manuel Ponce, Benjamin H. Ponce, Maria Theresa Mendez and Barbara Farias, our sincere condolences for their loss and the hope that they will be consoled by the memories of the fine life of this remarkable gentleman.*

## **CONSENT AGENDA**

The Mayor requested that item a. Consider approval of the minutes from the November 3, 2010 regular called City Commission meeting, be pulled for correction. Commissioner Land requested that item c. Resolution No. 10-119 approving the purchase and delivery of one (1) Volvo L110F all rounder through the Texas Association of School Boards (TASB), be pulled for further discussion. Commissioner Singleton requested that item e. Resolution No. 10-121 approving the sale of certain tax foreclosed properties currently held in trust by the City, be pulled for further discussion.

- b. Resolution No. 10-118 awarding an annual contract for control system maintenance and repairs.

### RESOLUTION NO. 10-118

A RESOLUTION AWARDING A BID AND AUTHORIZING THE MAYOR TO ENTER INTO AN ANNUAL CONTRACT FOR CONTROL SYSTEM MAINTENANCE AND REPAIRS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

- d. Resolution No. 10-120, awarding an annual contract for personnel protective equipment, fire hose, nozzles and other related equipment..

### RESOLUTION NO. 10-120

A RESOLUTION AWARDING A BID AND AUTHORIZING THE MAYOR TO ENTER INTO AN ANNUAL CONTRACT FOR THE PURCHASE AND DELIVERY OF PERSONNEL PROTECTIVE EQUIPMENT, FIRE HOSE, NOZZLES AND RELATED EQUIPMENT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

- f. Resolution No. 10-122 approving the acceptance of the DPS Sub-Recipient Grant for 2009 IPP-Buffer Zone Protection Plan Grant for obtaining tactical robot, intrinsically safe radios, and explosive detection K9 and multiple SWAT tactical items.

### RESOLUTION NO. 10-122

A RESOLUTION ACCEPTING THE TEXAS DPS SUB-RECIPIENT GRANT SSA AWARD FOR 2009 IPP-BUFFER ZONE PROTECTION PLAN GRANT AWARD IN THE AMOUNT OF \$194,548.88, FOR TEXAS CITY POLICE DEPARTMENT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

- g. Resolution No. 10-123 approving the appointment of Commissioner Dee Ann Haney as the City of Texas City's representative and Commissioner Rick Wilkenfeld as

alternate to the Board of Directors of the Houston-Galveston Area Council for calendar year 2011.

RESOLUTION NO. 10-123

A RESOLUTION REAPPOINTING REPRESENTATIVE AND ALTERNATE TO THE BOARD OF DIRECTORS OF THE HOUSTON-GALVESTON AREA COUNCIL; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

- h. Resolution No. 10-125 denying Texas-New Mexico Power Company's requested increases to its electric transmission and distribution rates and charges within the City and authorizing rate case expenses to be reimbursed by the company.

RESOLUTION NO. 10-125

A RESOLUTION OF THE CITY OF TEXAS CITY, TEXAS FINDING THAT TEXAS-NEW MEXICO POWER COMPANY'S REQUESTED INCREASES TO ITS ELECTRIC TRANSMISSION AND DISTRIBUTION RATES AND CHARGES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

- i. Resolution No. 10-124 adopting Section 3 Local Opportunity Plan for Texas Community Development Block Grant program allotted after Hurricane Ike for use of items that failed to function during Ike.

RESOLUTION NO. 10-124

A RESOLUTION OF THE CITY OF TEXAS CITY ADOPTING SECTION 3 LOCAL OPPORTUNITY PLAN FOR ITS TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) PROGRAM.

Commissioner Haney made a MOTION to APPROVE Consent items b, d, f, g, h and i; the motion was SECONDED by Commissioner Wilson. All present voted AYE. MOTION CARRIED.

- a. Consider approval of the minutes from the November 3, 2010 regular called City Commission meeting.

Mayor requested the minutes be corrected to show Commissioner Haney was not present to make the motion to adjourn. Commissioner Haney made a MOTION to APPROVE the minutes from the November 3, 2010 regular called City Commission meeting upon correction; the motion was SECONDED by Commissioner Land. All present voted AYE. MOTION CARRIED. Minutes of November 3, 2010 meeting were corrected to reflect that Commissioner Wilkenfeld made the Motion to adjourn.

- c. Resolution No. 119 approving the purchase and delivery of one (1) Volvo L110F all rounder through the Texas Association of School Boards (TASB).

RESOLUTION NO. 10-119

A RESOLUTION APPROVING THE PURCHASE AND DELIVERY OF ONE (1) VOLVO L110F ALL ROUNDER THROUGH THE TEXAS ASSOCIATION OF SCHOOL BOARDS (TASB), A TEXAS LOCAL

GOVERNMENT PURCHASING COOPERATIVE, FOR UTILITIES; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Commissioner Land requested an explanation of what an "all rounder" is. The Mayor explained it is a piece of equipment similar to a backhoe with interchangeable parts that make it more versatile. Commissioner Land made a MOTION to APPROVE the purchase and delivery of one (1) Volvo L110F all rounder through the Texas Association of School Boards (TASB); the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.

- e. Resolution No. 10-121 approving the sale of certain tax foreclosed properties currently held in trust by the City.

RESOLUTION NO. 10-121

A RESOLUTION OF THE CITY OF TEXAS CITY, TEXAS, APPROVING THE SALE OF CERTAIN TAX FORECLOSED PROPERTIES LOCATED IN THE CITY OF TEXAS CITY AND CURRENTLY HELD IN TRUST BY THE CITY OF TEXAS CITY FOR ALL TAXING ENTITIES; AUTHORIZING THE MAYOR TO EXECUTE TRUSTEE DEEDS ON BEHALF OF ALL TAXING ENTITIES; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Commissioner Singleton requested an explanation on the property being sold for back taxes. Rita Williams, Purchasing Agent, explained it is property held in trust by Texas City for all taxing entities and has already been to a Sheriff's Sale, but may be less than total taxes still owed, but intent is to get as much as possible for back taxes and get the property back on the tax rolls. Commissioner Singleton made a MOTION to APPROVE the sale of certain tax foreclosed properties currently held in trust by the City; the Motion was SECONDED by Commissioner Wilkenfeld. All present voted AYE. MOTION CARRIED.

REGULAR ITEMS

- a. Consider approval of Ordinance No. 10-28 requesting to amend the City of Texas City's fiscal year 2010-11 budget for funds received from Galveston County per City of Texas City Ordinance 10-24 approved during the City Commission's September 15, 2010 meeting.

ORDINANCE NO. 10-28

AN ORDINANCE AMENDING ORDINANCE NO. 10-21, ADOPTING THE 2010-2011 FISCAL YEAR BUDGET FOR ACCEPTANCE OF \$3,000,000.00 FROM GALVESTON COUNTY FOR DIKE ROAD; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET IN THE OFFICE OF THE GALVESTON COUNTY CLERK AND THE STATE COMPTROLLER'S OFFICE; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Commissioner Singleton made a MOTION to APPROVE Ordinance No. 10-28 requesting to amend the City of Texas City's fiscal year 2010-11 budget for funds received from Galveston County per City of Texas City Ordinance 10-24 approved during the City Commission's September 15, 2010 meeting; the motion was SECONDED by Commissioner Haney. All present voted AYE. MOTION CARRIED.

- b. Consider approval of Ordinance No. 10-29 requesting to amend the City of Texas City's fiscal year 2010-11 budget to accommodate the IPP-Buffer Zone Protection Plan Grant.

ORDINANCE NO. 10-29

AN ORDINANCE AMENDING ORDINANCE NO. 10-21, ADOPTING THE 2010-2011 FISCAL YEAR BUDGET FOR ACCEPTANCE OF \$194,548.88 FOR IPP BUFFER ZONE PROTECTION PLAN GRANT; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET IN THE OFFICE OF THE GALVESTON COUNTY CLERK AND THE STATE COMPTROLLER'S OFFICE; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Commissioner Wilkenfeld made a MOTION to APPROVE Ordinance No. 10-29 amending the City of Texas City's fiscal year 2010-11 budget to accommodate the IPP-Buffer Zone Protection Plan Grant; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.

PUBLIC COMMENTS

Barbara White reminded everyone the Community Thanksgiving Feast will be held at Our Lady of Fatima School Thursday, November 25, 2010 serving from 11:00 a.m. to 1:00 p.m.

MAYOR'S COMMENTS

Mayor thanked George Fuller for his work on the Suarez Family fundraiser, raising \$40,000.00.

Mayor announced that Capt. Meredith Walton will be the speaker at the Youth in Government luncheon.

COMMISSIONERS' COMMENTS

Having no further business, Commissioner Singleton made a MOTION to ADJOURN at 5:20 p.m.; the motion was SECONDED by Commissioner Wilkenfeld. All present voted AYE. MOTION CARRIED.

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MATTHEW T. DOYLE, MAYOR

ATTEST:

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Susan Sensat, Deputy City Secretary  
Ss: 11-24-2010

**CITY COMMISSION AGENDA**

**Date: 12/01/2010**

Purchase and delivery of one Long Reach Excavator

**Submitted By:** Rita Williams, Purchasing

**Department:** Purchasing

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**Information**

**ACTION REQUEST (Brief Summary)**

Approve the purchase and delivery of one Doosan Hydraulic Crawler Long Reach Excavator, through the Texas Association of School Board (TASB), a Texas Local Government Purchasing Cooperative, for the total contract price of \$189,536.00.

The contract worksheet is attached for your review.

**BACKGROUND**

The new Long Reach Excavator will replace the 12 year old Hyundai 290L-C-3 currently used by the Public Works Department.

**ANALYSIS**

It is my recommendation to award the purchase and delivery of the Doosan Hydraulic Crawler Long Reach Excavator, through the Texas association of School Board (TASB), a Texas Local Government Purchasing Cooperative, for the total contract price of \$189,536.00.

Thank you.

**ALTERNATIVES CONSIDERED**

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**Attachments**

Link: [Res 10-126](#)

Link: [Exhibit A](#)

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**RESOLUTION NO. 10-126**

**A RESOLUTION APPROVING THE PURCHASE AND DELIVERY OF ONE DOOSAN HYDRAULIC CRAWLER LONG REACH EXCAVATOR THROUGH THE TEXAS ASSOCIATION OF SCHOOL BOARDS (TASB), A TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE, FOR PUBLIC WORKS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, the Purchasing Coordinator is recommending that the City purchase one (1) Doosan Hydraulic Crawler Long Reach Excavator through the Texas Association of School Boards (TASB), a Texas Local Government Purchasing Cooperative, for Public Works for a total purchase price of \$189,536.00, as set out on Exhibit "A", attached hereto and made a part hereof;

**WHEREAS**, the new excavator will replace the 12-year old Hyundai 290L-C-3 currently used by the Public Works Department;

**WHEREAS**, the delivering dealer is R. B. Everett & Co. of Pasadena, Texas; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:**

**SECTION 1:** That the City Commission of the City of Texas City, Texas, hereby approves the purchase and delivery of one (1) Doosan Hydraulic Crawler Long Reach Excavator through the Texas Association of School Boards (TASB), a Texas Local Government Purchasing Cooperative, for the Public Works Department, for a total price of \$189,536.00

**SECTION 2:** That the Mayor is hereby authorized to negotiate and execute any documentation necessary for the purchase and delivery of one (1) Doosan Hydraulic Crawler Long Reach Excavator through the Texas Association of School Boards (TASB), a Texas Local Government Purchasing Cooperative, for Public Works Department, for the total contract price of ONE HUNDRED EIGHTY-NINE THOUSAND FIVE HUNDRED THIRTY-SIX DOLLARS AND NO/CENTS (\$189,536.00).

**SECTION 3:** That this Resolution shall be in full force and effect from and after its passage and adoption.

**PASSED AND ADOPTED this 1st day of December, 2010.**

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Matthew T. Doyle, Mayor  
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

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Nicholas J. Finan  
City Secretary

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Ronald F. Plackemeier  
City Attorney



www.rbeverett.com

(281) 991-8161 • Fax: (281) 991-5967  
P.O. Box 7300  
Pasadena, TX 77508

November 9, 2010

Mr. Glenn Riske  
City of Texas City  
P. O. Drawer 2608  
Texas City, Texas 77592

Dear Mr. Riske:

We are pleased to offer the following DOOSAN equipment for your consideration.

(1) New DOOSAN Hydraulic Crawler Long Reach Excavator, Model DX300LC SLR with Standard Equipment and 60" Ditch Bucket. (See attached for detailed specifications)

Buyboard Contract 345-10; Effective 10-1-10; Item 37 DX or Solar Excavators	
Contract Holder: H & V Equipment	
Bid Price Per Contract	\$223,017.00
Cab Guard on Front Glass	\$ 2,100.00
36" Digging Bucket	\$ 6,627.00
Hydraulic Kit for City Owned Mower	\$ 9,870.00
Freight and PDI	<u>\$ 3,550.00</u>
	\$245,164.00
Less Special Manufacture Discount	- <u>\$ 35,628.00</u>
Price F. O. B. Texas City, Texas	\$209,536.00
LESS TRADE-IN of Hyundai 290LC-3 S/N E-903FL11121	- <u>\$ 20,000.00</u>
	\$189,536.00

**Delivery:** Approximately 60 Days (Subject to prior sale)  
**Warranty:** 1 Year or 1500 Hours  
**Terms:** Net Upon Receipt of Invoice  
(Subject to Credit approval)

Thank you for your interest in this equipment. Please let us know if we can be of further assistance in any way.

ACCEPTED:  
CITY OF TEXAS CITY

Best regards,

R. B. EVERETT & COMPANY

Rick Vincent  
Sale Representative

By: \_\_\_\_\_  
Date: \_\_\_\_\_



**CITY COMMISSION AGENDA**

**Date: 12/01/2010**

Bid # 2011-983 Liquid Asphalt - Transport Load - 6 mos. Annual Contract

**Submitted By:** Rita Williams, Purchasing

**Department:** Purchasing

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**Information**

**ACTION REQUEST (Brief Summary)**

Approve and award the 6 mos. annual contract for Liquid Asphalt - Transport Load Bid # 2011-983.

**BACKGROUND**

On November 3, 2010, two bid packets were mailed to area vendors. A bid tabulation is attached for your review.

Bids opened Friday, November 19, 2010 at 2:00 p.m.

**ANALYSIS**

The low responsible bids meeting all specifications were received as follows, for the unit prices bid per product:

Cleveland Asphalt Products, Inc., in Shepherd: CRS-2, SS-1, AE-p and CSS-1

Martin Asphalt Co., in Houston: HFRS-2 and AE-P

It is my recommendation to award the 6 mos. annual contract to Cleveland Asphalt Products, Inc. and Martin Asphalt Co., for the unit prices bid per product as shown and that the Mayor be authorized to execute a contract on behalf of the City Commission.

Thank you.

**ALTERNATIVES CONSIDERED**

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**Attachments**

Link: [Res 10-127](#)

Link: [Exhibit A](#)

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**RESOLUTION NO. 10-127**

**A RESOLUTION AWARDING A BID AND AUTHORIZING THE MAYOR TO ENTER INTO A SIX (6) MONTH CONTRACT FOR LIQUID ASPHALT TRANSPORT LOADS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, on November 3, 2010, bids were mailed to area vendors for Bid No. 2011-983 Liquid Asphalt – Transport Loads – 6 months contract; and,

**WHEREAS**, bids were opened on Friday, November 19, 2010, and the lowest bid meeting specifications for liquid asphalt transport loads was submitted by Martin Asphalt of Houston, Texas, for HFRS-2 and AE-P and Company, Houston, Texas and by Cleveland Asphalt Products, Inc. of Shepherd, Texas, for CRS-2, SS-1, AE-P and CSS-1, as set out on the Bid Tabulation attached hereto as Exhibit “A” and made a part hereof for all intents and purposes.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:**

**SECTION 1:** That the successful bidder for the six (6) month contract for liquid asphalt transport loads is Martin Asphalt Company, Houston, Texas and Cleveland Asphalt Products, Inc..

**SECTION 2:** That the Mayor is hereby authorized to enter into a contract with Martin Asphalt Company, for liquid asphalt transport loads for HFRS-2 and AE-P for the unit prices bid per gallon and Cleveland Asphalt Products, Inc., for liquid asphalt transport loads for CRS-2, SS-1, AE-P and CSS-1, for the unit prices bid per gallon.

**SECTION 3:** That this Resolution shall be in full force and effect from and after its passage and adoption.

**PASSED AND ADOPTED this 1st day of December, 2010.**

\_\_\_\_\_  
Matthew T. Doyle, Mayor  
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Nicholas J. Finan  
City Secretary

\_\_\_\_\_  
Ronald F. Plackemeier  
City Attorney

## BID TABULATION

Bid #2011-983

**Liquid Asphalt – Transport Load – 6 mos. Annual Contract**

Bid Opening: Friday, November 19, 2010 @ 2:00 p.m.

### UNIT PRICE PER GALLON

Description	Estimated Quantity	Cleveland Asphalt Products, Inc. Shepherd, Texas	Martin Asphalt Company Houston, Texas	Previous Contract
CRS-2	5,000 gallons	<b>\$ 1.9125 per gallon</b>	\$ 2.03 per gallon	\$ 2.0998
SS-1	5,000 gallons	<b>\$ 1.9125 per gallon</b>	\$ 2.03 per gallon	\$ 2.0998
HFRS-2	20,000 gallons	NO BID	<b>\$ 2.03 per gallon</b>	-----
AE-P	5,000 gallons	<b>\$ 2.4425 per gallon</b>	<b>\$ 2.33 per gallon</b>	\$ 2.6498
CSS-1	10,000 gallons	<b>\$ 1.9125 per gallon</b>	\$ 2.08 per gallon	\$ 2.0998

**CITY COMMISSION AGENDA**

**Date: 12/01/2010**

Consider approval of a request to amend the City of Texas City’s fiscal year 2010-11 budget.

<b>Submitted For:</b>	Laura Boyd, Finance	<b>Submitted By:</b>	Laura Boyd, Finance
<b>Department:</b>	Finance		

**Information**

**ACTION REQUEST (Brief Summary)**

Consider approval of a request to amend the City of Texas City’s fiscal year 2010-11 budget.

**BACKGROUND**

A budget amendment is needed to appropriate funds for the purchase of a long arm excavator in the amount of \$189,536 as described above in the consent agenda. The excavator being replaced was scheduled for replacement this fiscal year from the capital equipment replacement fund.

**ANALYSIS**

Budget amendment is as follows:

**Capital Equipment Replacement Fund:**

602-301-55020-Operating Vehicles & Equipment	\$189,536.00
602-000-79999-Undesignated Fund Balance	<\$189,536.00>

**ALTERNATIVES CONSIDERED**

**Attachments**

Link: [Ord 10-30](#)

**ORDINANCE NO. 10-30**

**AN ORDINANCE AMENDING ORDINANCE NO. 10-21, ADOPTING THE 2010-2011 FISCAL YEAR BUDGET FOR APPROPRIATION OF FUNDS FOR THE PURCHASE OF A LONG ARM EXCAVATOR; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET IN THE OFFICE OF THE GALVESTON COUNTY CLERK AND THE STATE COMPTROLLER'S OFFICE; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, by Ordinance No. 10-21, the City Commission of the City of Texas City, Texas, adopted its budget for Fiscal Year 2010-2011;

**WHEREAS**, a budget amendment is needed to appropriate funds for the purchase of a long arm excavator in the amount of \$189,536.00 for Public Works; and

**WHEREAS**, the excavator being replaced was scheduled for replacement this fiscal year from the capital equipment replacement fund.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:**

**SECTION 1:** That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**SECTION 2:** That the budget for Fiscal Year 2010-2011 of the City of Texas City, Texas, is hereby amended as follows:

**Capital Equipment Replacement Fund:**

<b>602-301-55020 – Operation Vehicles &amp; Equipment</b>	<b>\$189,536.00</b>
<b>602-000-79999 – Undesignated Fund Balance</b>	<b>&lt; \$189,536.00 &gt;</b>

**SECTION 3:** That the Chief Executive Officer shall file or cause to be filed a copy of this budget amendment in the office of the Galveston County Clerk and the State Comptroller's Office.

**SECTION 4:** That the Charter requirement for reading this Ordinance on three (3) separate days has been dispensed by a majority vote of all members of the City Commission.

**SECTION 5:** That this Ordinance shall be finally passed and adopted on the date of its introduction and shall become effective from and after its passage and adoption.

**PASSED AND ADOPTED this 1st day of December, 2010.**

\_\_\_\_\_  
Matthew T. Doyle, Mayor  
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Nicholas J. Finan  
City Secretary

\_\_\_\_\_  
Ronald F. Plackemeier  
City Attorney