

CITY OF TEXAS CITY
REGULAR CALLED CITY COMMISSION MEETING

AGENDA

WEDNESDAY, JULY 18, 2018 - 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM - CITY HALL
1801 9th Ave. N.
Texas City, TX 77590

PLEASE NOTE: Public comments and matters from the floor are generally limited to 3 minutes in length. If you would like to request to speak, please do so in advance of the meeting by filling out a Request To Address Commission form. All in attendance are required to remove hats and/or sunglasses (dark glasses) during meetings and to also silence all cell phones and electronic devices.

(1) ROLL CALL

(2) INVOCATION

(3) PLEDGE OF ALLEGIANCE

(4) Service Awards

Allen Bjerke	Police	07/29/2003	15 years
Gary Lynch	Public Works	07/01/1993	25 years
Curtiss Pope	Police	07/25/1988	30 years
Michael Miller	Public Works	07/13/1988	30 years

Retirements

Robert Burby	Police	14 years
Curtiss Pope	Police	30 years

(5) PROCLAMATIONS AND PRESENTATIONS

(a) Consider and take action on Resolution No. 18-062, confirming Joseph Stanton as the Mayor's appointment to the Chief of Police and the swearing in of his new position. (City Secretary)

(6) REPORTS

(a) Financial Quarterly Report (Finance)

(7) PUBLIC HEARING

(a) Request to rezone from "E" (General Business) to "S-P" (Site Plan) to construct 30 rental cottages. Being 2.73 acres out of Abstract 5, J. Wells Survey. Located at 290 Dike Road.

(8) PRELIMINARY ZONING

- (a) Approve or deny request by Mark McKim to rezone property to "S-P" (Site Plan) to construct rental cottages. Being 2.73 acres out of Abstract 5, J. Wells Survey. Located at 290 Dike Road.

(9) CONSENT AGENDA

- (a) Approve City Commission Minutes for June 20, 2018, meeting. (City Secretary)
- (b) Consider and take action on Resolution No. 18-063, authorizing publication of notice of intention to issue certificates of obligation. (Finance)
- (c) Consider and take action on Resolution No. 18-064, appointing/ re-appointing Board Members to the Tax Increment Reinvestment Zone One (TIRZ 1) and Lago Mar Development Authority Board. (City Secretary)
- (d) Consider and take action on Resolution No. 18-065, acknowledging the receipt of the 2017 Annual Report for the Tax Increment Reinvestment Zone One (TIRZ 1) board. (City Secretary)
- (e) Consider and take action on Resolution No. 18-066, authorizing an Interlocal Agreement with Gulf Coast Center for the administration of Federal Transit Administration funds for the City's Shared-Use Path project. (Transportation and Planning)
- (f) Consider and take action on Resolution No. 18-067, approving the purchase of round tables and chairs for the Doyle Convention Center from Mitylite, Inc. through Buyboard (contract #503-16) – local government purchasing cooperative. (Recreation and Tourism)
- (g) Consider and take action on a Resolution No. 18-068, authorizing the Mayor to execute a new Interlocal Agreement with Galveston County, nullifying Resolution 18-019, for the reconstruction of portions of Texas Avenue and Century Blvd. (Transportation and Planning)
- (h) Consider and take action on Resolution No. 18-069, awarding Bid No. 2018-055 Gasoline and Diesel Annual Contract. (Public Works)
- (i) Consider and take action on Resolution No. 18-070, awarding Bid No. 2018-054 Laboratory Testing at The Waste Water Treatment Plant Annual Contract. (Public Works)
- (j) Consider and take action on Resolution No. 18-071, Authorizing the Mayor to execute a Trustee Deed Sale for property known as 2509 13th Avenue North. (City Secretary)

(10) REGULAR ITEMS

- (a) Consider and take action on Ordinance No. 18-14, amending the Code of Ordinances, City of Texas City, Texas, Title III "Administration", Chapter 32 "Law Enforcement and Fire Department", Section 32.009 "Police Department; Classes of Positions", by reducing the number of positions within the classification of Sergeant by one and increasing the number of positions within the classification of Corporal/Police Officers by one; prescribing the number of positions with each classification of the classified service of the Police Department. (Police Department)

- (b) Consider and take action on Ordinance No. 18-15, approving the abandonment a 60' right-of-way known as 20th Street North. Being the north 60' x 250 ± feet of 20th Street North, lying between Lots 43, 44A, 45 and Lots 66, 67 and 68 of the Amburn Boat Basin and Terry's Landing S/d. Located on the north end of 20th Street, north of 42nd Avenue and ending at Moses Lake. (Transportation and Planning)
- (c) Consider and take action on Ordinance No. 18-16, amending the City's fiscal year 2017-2018 budget to appropriate funds for the repair of gearbox at Rainwater Pump Station A. (Finance)

(11) PUBLIC COMMENTS

(12) MAYOR'S COMMENTS

(13) COMMISSIONERS' COMMENTS

(14) ADJOURNMENT

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, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARDS AT CITY HALL, 1801 9TH AVENUE NORTH, TEXAS CITY, TEXAS, AT A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AND ON THE CITY'S WEBSITE ON JULY 13, 2018, PRIOR TO 5:00 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

JAMES M. HARTSHORN
CITY SECRETARY

CITY COMMISSION REGULAR MTG

(4)

Meeting Date: 07/18/2018

July 2018 Service Awards

Submitted For: Jennifer Price, Human Resources

Submitted By: Susan Sensat, Administration

Department: Human Resources

Information

ACTION REQUEST (Brief Summary)

Service Awards

Allen Bjerke	Police	07/29/2003	15 years
Gary Lynch	Public Works	07/01/1993	25 years
Curtiss Pope	Police	07/25/1988	30 years
Michael Miller	Public Works	07/13/1988	30 years

Retirements

Robert Burby	Police	14 years
Curtiss Pope	Police	30 years

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

CITY COMMISSION REGULAR MTG

(5) (a)

Meeting Date: 07/18/2018

Submitted By: Rhomari Jackson-Glover, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 18-062, confirming Joseph Stanton as the Mayor's appointment to the Chief of Police and the swearing in of his new position. (City Secretary)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 18-062

A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF JOSEPH STANTON AS THE CHIEF OF POLICE FOR THE CITY OF TEXAS CITY, TEXAS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, Article XII, Section 1, provides that the Chief of Police shall be appointed by the Chief Executive Officer and confirmed by the City Commission.

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 confirms the Mayor's appointment of Joseph Stanton as the Chief of Police for the City of Texas City, Texas.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 18th day of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James M. Hartshorn
City Secretary

Russell F. Plackemeier
City Attorney

CITY COMMISSION REGULAR MTG

(7) (a)

Meeting Date: 07/18/2018

Rezoning Public Hearing - Mark McKim Cottages at Texas City Dike

Submitted For: Jean Vincent, Transportation and Planning

Submitted By: Jean Vincent, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST (Brief Summary)

Request to rezone from "E" (General Business) to "S-P" (Site Plan) to construct 30 rental cottages. Being 2.73 acres out of Abstract 5, J. Wells Survey. Located at 290 Dike Road.

BACKGROUND

Mr. Mark McKim's request to rezone the property to "S-P" (Site Plan) was initially presented to the Planning Board on May 7, 2018 resulting in a recommendation to approve. Next, the project was presented to the Zoning Commission during a Public Hearing held on June 5, 2018. There was no opposition to the request to rezone. After hearing all pertinent information the rezoning request was unanimously approved.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Site Plan
aerial map
zoning minutes
building rendering



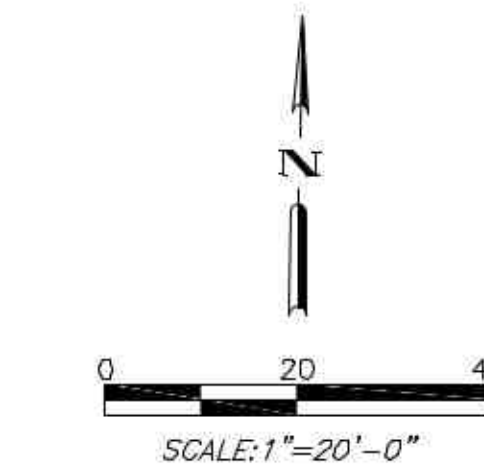
REMAINDER OF
10.271 ACRES TRACT 14
CONVEYED TO CITY-TEXAS CITY
C.F. NO. 010330301

51.500 ACRES TRACT 10
CONVEYED TO CITY-TEXAS CITY
NO RECORD FOUND

0.244 ACRE TRACT 6
CONVEYED TO LEE E. & BRENDA RILAT
C.F. NO. 2007079895

DIKE ROAD
(50 FT. WIDE ROAD)

AREA SUMMARY	
TOTAL SITE	102,896.87 SQFT (2.3622 AC)
38'x14' COTTAGE (38)	20,216 SQFT
70'x38' MLTPLX COTTAGE (1)	2,660 SQFT
AREA PAVING	27,723 SQFT
PARKING SPACE	9



BENCHMARK:

TBM:

FLOODPLAIN:

TEXAS CITY
DIKE COTTAGE
TEXAS CITY, TX

INTERIM REVIEW
Not to be used for construction,
bidding or permit purposes.
Engineer: DINH V. HO, P.E.
PE License No.: 93895
Date: 06/21/18

NO.	DATE	REVISION
△		
△		
△		

PROJECT OWNER:

PROJECT LOCATION:

SITE PLAN



Legend

 290 Dike Rd

Google Earth

© 2018 Google



300 ft

ZONING COMMISSION MINUTES

June 5, 2018

The Zoning commission of the City of Texas City met in a regularly scheduled meeting and Public Hearing on Tuesday, June 5, 2018 at 5:15 p.m. Commission members present were: Vice-Chairman Dee Ann Haney, Bert Dahl and Gary Potter. Staff members present were: Doug Kneupper and Rose DeLao. Citizens present were: Seth & Mark McKim; Lee Rilal and Henry Gomez.

APPROVAL OF MINUTES: The minutes from May 15, 2018 were approved on a motion by Gary Potter/Bert Dahl. All members present voted aye.

Vice-Chairman Haney then addressed those in attendance and explained the procedures for the Public Hearing.

ITEM NO. 1 Mark McKim requests to rezone from “E” (General Business) to “S-P” (Site Plan) to construct 30 rental cottages. Being 2.73 acres out of Abstract 5, J. Wells Survey. Located at 290 Dike Road. Mr. Kneupper provided the background information for this request. He stated the applicant is proposing to develop approximately 30 rental, short-term stay cottages on a 2 acre site on Dike Road. Staff is promoting a zoning change to Site Plan to promote an innovative development concept and to provide compatibility with the adjacent area. The Staff is suggesting this development is similar to an RV Park, so most of the associated criteria for RV Parks will be applied to this proposal. He then listed the criteria and guidelines for RV Parks as stated in the Zoning Ordinance: The project should be located in an area identified as “Waterfront Conservation and Recreation” on the City’s Land Use Plan. The project’s proximity to Bay Street Park and the lagoon will be beneficial for this proposal. The density of units per acre should be between 8 and 10 spaces per acres. This project will have approximately 15 units per acre; however, design and construction of the cottages will follow the City’s building codes and be safer than typical RV’s. A typical RV space needs to accommodate the RV along with a tow vehicle and at times, an additional passenger vehicle. The cottages will be elevated and provide passenger vehicle parking underneath the cottage within the same footprint which also allows for a slightly higher density. City water and sewer is readily accessible. An adequate fire protection system can be provided in accordance with City Fire and Life Safety Codes. The requirements also list a need for each space to have connection to phone, electric and cable lines. All lines shall be installed underground. Each cottage will have electricity and cable. Mr. Kneupper continued by stating that a landscape buffer is required to be provided along all boundaries. The buffer shall be planted with grass and at least one row of tall, deciduous trees planted no more than 20’ apart and one or more rows of bushy shrubs or hedge growing to 5 feet in 3 years. The applicant is considering a combination of landscaping with a perimeter fence. The criteria also states that all interior roads shall be concrete pavement, 20 to 25 feet in width depending on the layout. All the drive areas and parking spaces in this proposal will be concrete. Another criteria is for a hard surface

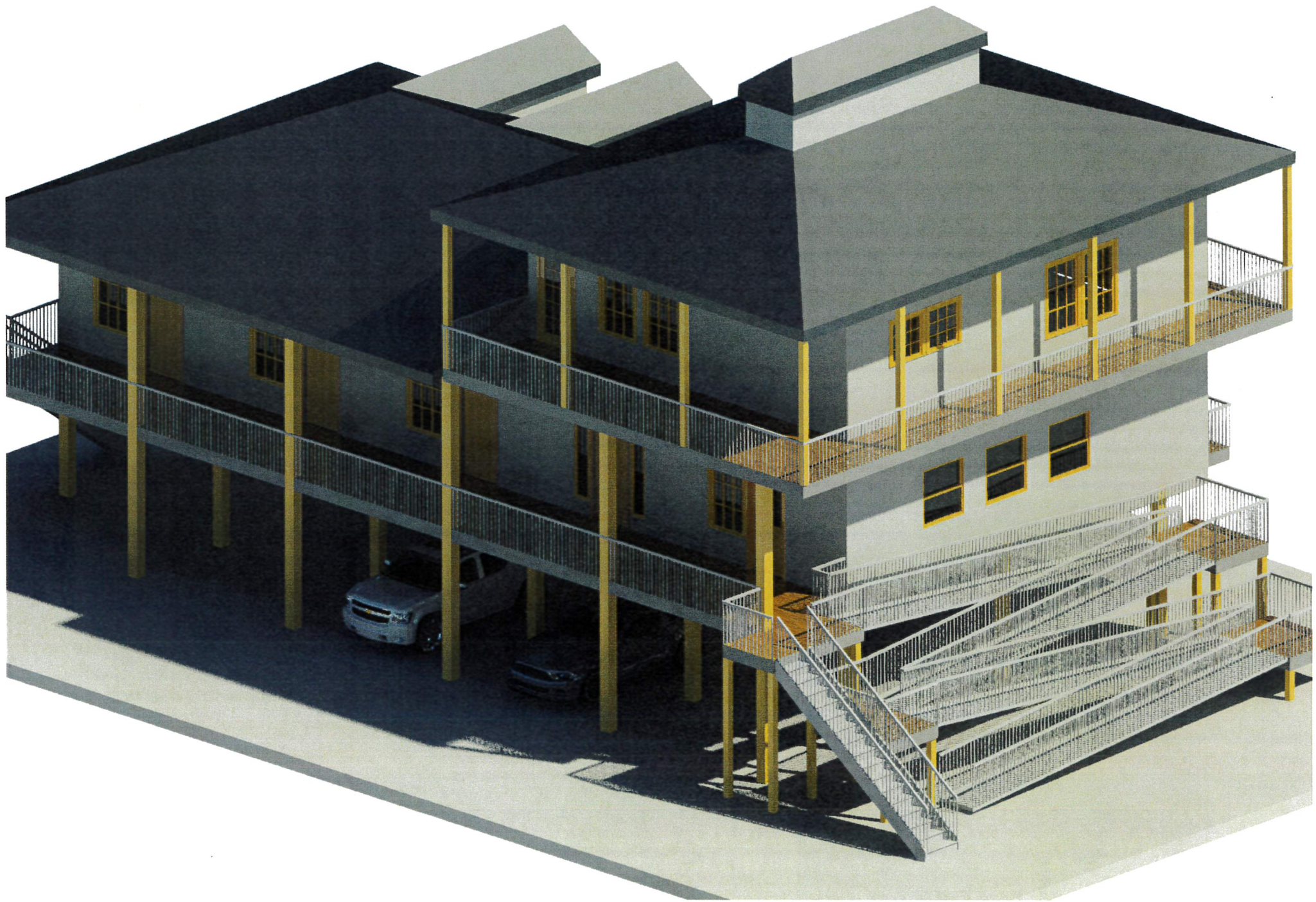
walkway system to be installed from each RV site to each building and amenity site. The driveway and vehicle circulation areas accomplish this for this development. Further review of the detailed Site Plan will be required to verify the pedestrian paths around the pool and barbecue areas. A laundry room is required for RV parks and the applicant has indicated the large multi-plex cottage will have washer and dryer (laundry) facilities inside. Restroom facilities for men and women are required with one toilet, sink and shower for each 15 RV spaces. Each of the proposed cottages will have full bathroom facilities including a shower. Mr. Kneupper continued by stating another requirement is to have open space/recreation areas equivalent to 5% of the gross park area. It appears the pool/lounging area, barbecue area and the pier and open area adjacent to the city's rainwater lagoon accomplishes this. The last requirement is the park must have an activity area in addition to open space and provide activities such as swimming, fishing, boating, tennis or something related. This project will have its own swimming pool, lounging area, barbecue areas and the pier/deck. Since it is adjacent to Bay Street Park additional recreational opportunities are provided. Mr. Kneupper summarized that this cottage proposal on Dike Road appears to be a good, compatible use. While the project is adjacent to the City's storm water lagoon it is not in a 100-year floodplain. The proposed cottages as shown will be elevated and exceed the minimum elevation requirement. This project was presented to the Planning Board and received their unanimous recommendation for approval. The next step for the project is to get a recommendation from the Zoning Commission and final action from the City Commission for rezoning approval. Staff has reviewed the request and offers no objections to the rezoning request. Public Hearing notices were mailed to the surrounding property owners and to date no correspondence has been received. Mr. Dahl asked if these cottages would be nightly or weekly rentals. Mr. McKim, the applicant responded that they will be both. Mr. Mark McKim then provided his presentation to the members and showed pictures of the current operation he has in San Leon. He stated this development has nice interior finishes such as granite countertops, stainless steel appliances, high end bedding, full size bathrooms and other high end accommodations. He continued by stating they have a lot of families that rent these units for vacation and explained the improvements he has made to this development since he purchased it. Mr. McKim stated that there are both weekly and nightly rentals; however, they do have some who have continued to rent these units as they are working in the area. This business offers a daily maid service along with additional amenities such as microwaves, coffee makers, toaster ovens, large TV's , etc. in the units. He continued stating this business is operated by his son Seth who he then introduced to the members. Mr. Potter asked if the units would be 2 bedroom. Mr. McKim stated most would be the model with the bedroom in the back and the couch in the front room which is actually a day bed for children or visitors to sleep on. Vice-chairman Haney asked about what the rent runs on these units. Mr. McKim stated the one particular unit rents for \$350 per night during the busy season. Typically \$600 to \$700 per week. After the presentation, **a motion was made by Bert Dah/Gary Potter to open the Public Hearing. All members present voted aye.** Vice-chairman Haney asked if there was anyone else in attendance to speak in favor of the request.

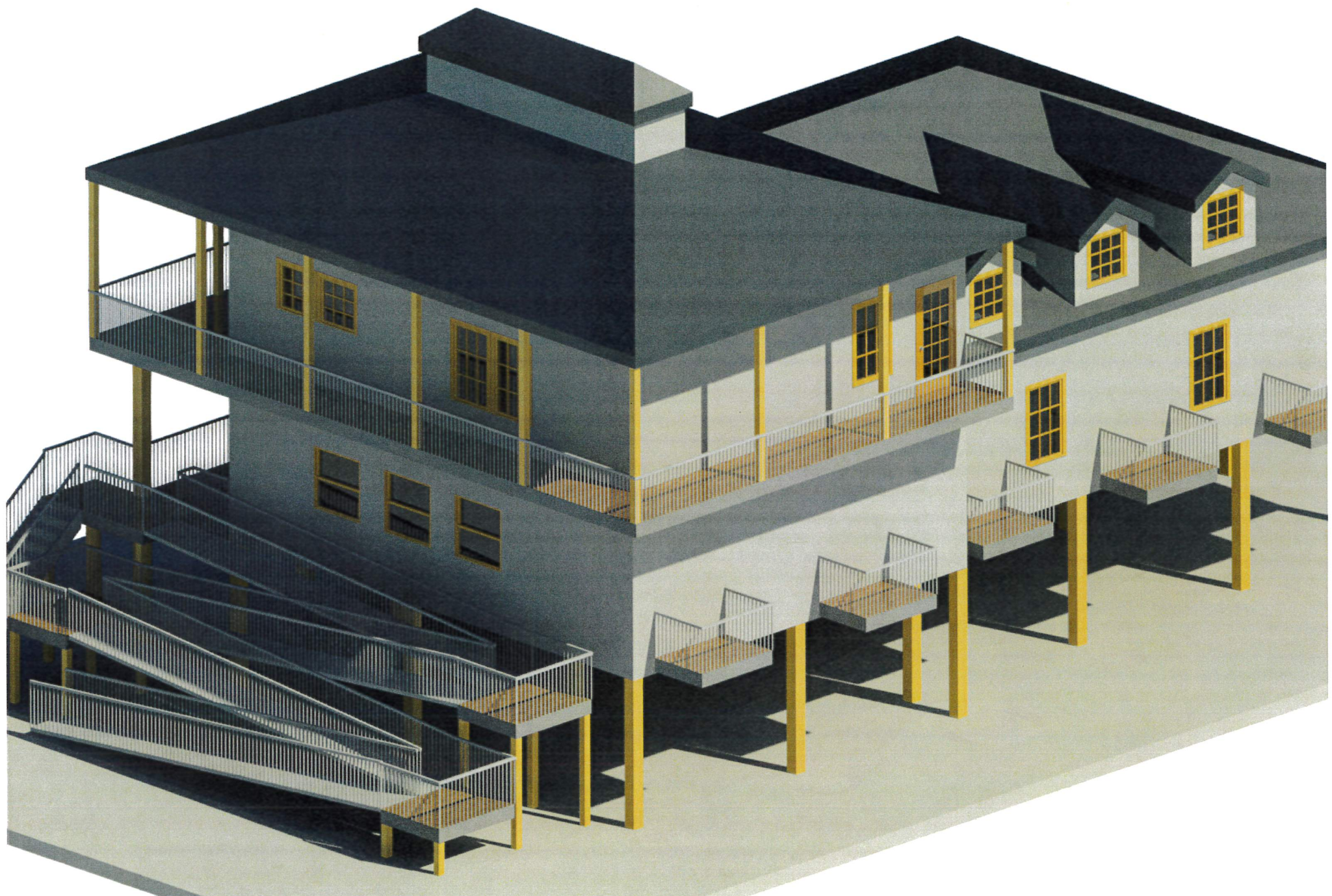
Speaking in favor of the request was Lee Rilat, owner of the adjacent bait camp, who stated he was in favor of the proposed development. There was no one else to speak in favor of the request and those in opposition were asked to speak. There was no one to speak in opposition and **a motion was made by Gary Potter/Bert Dahl to close the Public Hearing. All members present voted aye.** There was no further discussion and **a motion was made by Gary Potter/Bert Dahl to approve the rezoning request. All members present voted aye.**

There was no further business to discuss at this time and **a motion was made by Bert Dahl/Gary Potter to adjourn. All members present voted aye.**

Dee Ann Haney, Vice-Chairman

Doug Kneupper, Secretary





CITY COMMISSION REGULAR MTG

(8) (a)

Meeting Date: 07/18/2018

Preliminary Rezoning Mark McKim - Cottages at Dike

Submitted For: Jean Vincent, Transportation and Planning

Submitted By: Jean Vincent, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST (Brief Summary)

Approve or deny request by Mark McKim to rezone property to "S-P" (Site Plan) to construct rental cottages. Being 2.73 acres out of Abstract 5, J. Wells Survey. Located at 290 Dike Road.

BACKGROUND

This rezoning request was given approval by the Planning Board and the Zoning Commission (during a Public Hearing).

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

CITY COMMISSION REGULAR MTG

(9) (a)

Meeting Date: 07/18/2018

Submitted By: Rhomari Jackson-Glover, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Approve City Commission Minutes for June 20, 2018, meeting. (City Secretary)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Minutes

REGULAR CALLED CITY COMMISSION MEETING

MINUTES

WEDNESDAY, JUNE 20, 2018 – 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A Regular Called Meeting of the City Commission was held on Wednesday, JUNE 20, 2018, at 5:00 P.M. in the Kenneth T. Nunn Council Room in City Hall, Texas City, Texas. A quorum having been met, the meeting was called to order at 5:00 p.m. by Mayor Matthew T. Doyle.

1. ROLL CALL

Present: Matthew T. Doyle, Mayor
Phil Roberts, Mayor Pro Tem, Commissioner At-Large
Bruce Clawson, Commissioner At-Large
Earl Alexander, Commissioner District 1
Abel Garza, Jr., Commissioner District 2
Jami Clark, Commissioner District 4

Absent: Dorthea Jones, Commissioner District 3

2. INVOCATION

Led by Pastor Jerry B. Lee from Greater Bell Zion Missionary Baptist Church.

3. PLEDGE OF ALLEGIANCE

Led by Commissioner District 1 Earl Alexander.

4. PROCLAMATIONS AND PRESENTATIONS

a. Service Awards

Byron Sefcik	Parks & Recreation	06/11/2008	10 years
Patricia Proehl	Municipal Court	06/02/2008	10 years
Glenn Riske	Public Works	06/22/1998	20 years
Artemio Aguilera	Public Works	06/22/1998	20 years
William Fattig	Fire	06/17/1998	20 years
Ruth Sellers	Parks & Recreation	06/15/1998	20 years
Christopher Sonnier	Public Works	06/27/1988	30 years

Retirement

Artemio Aguilera	Public Works	20 years
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Mayor Doyle thanked Artemio Aguilera for his service to the City.

Artemio Aguilera thanked the City Commissioners and introduced his family members that were in attendance.

5. REPORTS

a. Collections (Municipal Court)

Tammy Odom, Municipal Court Supervisor, gave a PowerPoint presentation outlining the milestones the Municipal Court has achieved since 2017.

b. Senior Citizens Program (Recreation and Tourism)

Lenora Mendez, Senior Program Coordinator, gave a PowerPoint presentation on how the Nessler Senior Program is enriching the lives of Texas City's senior citizens. The program offers a variety of classes, transportation services and meals.

6. CONSENT AGENDA

Motioned by Commissioner At-Large Bruce Clawson, Seconded by Commissioner District 4 Jami Clark to approve consent items a through i.

a. Approve City Commission Minutes for June 6, 2018 meeting. (City Secretary)

Vote: 6 - 0 CARRIED

b. Consider and take action on Resolution No. 18-054, approving the rejection of all bids received for Bid No. 2018-349 Family Aquatic Park Employee Parking Lot Improvements. (Public Works)

Vote: 6 - 0 CARRIED

c. Consider and take action on Resolution No. 18-055, approving RFP No. 2018-348 HMA Grant Services-Management Contract. (Purchasing)

Vote: 6 - 0 CARRIED

d. Consider and take action on Resolution No. 18-056, approving Bid No. 2018-052 Building Materials Annual Contract. (Public Works)

Vote: 6 - 0 CARRIED

e. Consider and take action on Resolution No. 18-057, appointing Aric Owens to the Zoning Commission. (City Secretary)

Vote: 6 - 0 CARRIED

- f. Consider and take action on Resolution No. 18-058, authorizing the Mayor to enter into an Interlocal Agreement with the City of Bunker Hill Village. (City Secretary)

Vote: 6 - 0 CARRIED

- g. Consider and take action on Resolution No. 18-059, appointing and/ or re-appointing a member of the Galveston County Health District's Animal Control Advisory Committee. (City Secretary)

Vote: 6 - 0 CARRIED

- h. Consider approval of a Resolution 18-060, authorizing the submittal of the 5th / 4th Ave. Rehabilitation and Added Capacity Project to the H-GAC 2019-2022 Transportation Improvement Program Call for Projects. (Transportation and Planning)

Vote: 6 - 0 CARRIED

- i. Consider and take action on Resolution No. 18-061, appointing Commissioner At-Large Phil Roberts to the Galveston County Transit District Board of Directors. (City Secretary)

Vote: 6 - 0 CARRIED

7. NOTICES

- a. Canceling of the July 4, 2018 Commission Meeting due to Independence Day Holiday.

Mayor Doyle stated that the next City Commission Meeting will be held on July 18, 2018.

8. PUBLIC COMMENTS

Richard Capestani, resident, requested that the City Commission consider taking his three suggestions into effect. First, Mr. Capestani requested that more trees be planted in all City parks, then he requested that the City add solar panels to the roofs of all City buildings. Lastly, Mr. Capestani requested that the City Commission consider adopting an ordinance to require new residential and commercial buildings to have a rain water harvesting system.

David Zacherl, Fire Chief, wished everyone a Happy Fourth of July.

Dennis Harris, Director of Recreation and Tourism, stated that the Kid Fish Event will take place on June 23rd at Carver Park. Mr. Harris also stated that the Fourth of July Parade will start on 4th Avenue and head down 6th Street to the Texas City Museum.

9. MAYOR'S COMMENTS

Mayor Doyle stated that Police Chief Robert Burby will be retiring at the end of the month and Assistant Police Chief Joe Stanton will serve as interim until he is voted in by the City Commission.

10. COMMISSIONERS' COMMENTS

Commissioner At-Large Phil Roberts wished everyone a Happy Fourth of July.

11. ADJOURNMENT

Having no further business, Commissioner At-Large Bruce Clawson made a MOTION to ADJOURN at 5:30 p.m.; the motion was SECONDED by Commissioner District 4 Jami Clark. All present voted AYE. MOTION CARRIED.

MATTHEW T. DOYLE, MAYOR

ATTEST:

James M. Hartshorn, City Secretary

Date Approved:

CITY COMMISSION REGULAR MTG

Res 13-081

Meeting Date: 07/18/2018

Authorizing publication of notice of intention to issue certificates of obligation.

Submitted For: Laura Boyd, Finance

Submitted By: Laura Boyd, Finance

Department: Finance

Information

ACTION REQUEST (Brief Summary)

Request authorization for publication of notice of intention to issue certificates of obligation.
(Finance)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 18-063

A RESOLUTION AUTHORIZING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City Commission of the City of Texas City, Texas (the “City”), deems it advisable to issue certificates of obligation of the City in accordance with the notice hereinafter set forth.

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

SECTION 1: The facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

SECTION 2: The City Secretary is hereby authorized and directed to cause to be published in the manner required by law and in substantially the form attached hereto, a notice of intention to issue certificates of obligation.

SECTION 3: The notice set forth in Section 2 above shall be published once a week for two (2) consecutive weeks in a newspaper which is of general circulation in the City, the date of the first publication to be at least thirty-one (31) days before the date tentatively set in said notice for the passage of the ordinance authorizing the issuance of such certificates of obligation.

SECTION 4: The Mayor, City Secretary, and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this resolution.

SECTION 5: This resolution shall take effect immediately upon its passage.

SECTION 6: The notice and agenda relating to this meeting and heretofore posted by the City Secretary, and the posting thereof, are hereby authorized, approved, and ratified.

PASSED AND ADOPTED this 18th day of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James M. Hartshorn
City Secretary

Russell F. Plackemeier
City Attorney

CITY COMMISSION REGULAR MTG

(9) (c)

Meeting Date: 07/18/2018

Submitted By: Rhomari Jackson-Glover, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 18-064, appointing/ re-appointing members to TIRZ 1 Board of Directors. (City Secretary)

BACKGROUND

This is an annual appointment process. The only difference this year is with Rick Wilkenfeld moving outside the city limits of Texas City, he no longer can serve as one of our city's rep. However, Chris Doyle has been the county rep and lives in Texas City. Both public entities have agreed to switch the position so that we can continue with the continuity of the board. Therefore, Chris Doyle will now be the City's representative and Chair of the TIRZ Board and Lago Mar Development Board and Rick Wilkenfeld will be the County representative. With all of the activity that has finally kicked off in the last couple of years, it was felt keeping the continuity for now was essential.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution
Exhibit A

RESOLUTION NO. 18-064

A RESOLUTION APPOINTING AND/OR REAPPOINTING BOARD MEMBERS ON THE TAX INCREMENT REINVESTMENT ZONE NUMBER ONE (TIRZ 1) BOARD AND LAGO MAR DEVELOPMENT AUTHORITY; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on December 20, 2006, the City Commission adopted Ordinance No. 06-45 creating and designating a reinvestment zone identified as Reinvestment Zone Number One (TIRZ 1); and

WHEREAS, on July 18, 2007, the City Commission approved Resolution No. 2007-084 creating Lago Mar Development Authority, a local government corporation to aid and assist the City in the promotion of the common good and general welfare of the area in and around Reinvestment Zone Number One; and

WHEREAS, the Board of Directors for TIRZ 1 consists of a seven-member panel; and

WHEREAS, according to Article II, Section 1. of the By-Laws of the Lago Mar Development Authority, appointments to the TIRZ 1 Board automatically constitutes appointment to the Lago Mar Development Authority Board; and

WHEREAS, the City Commission deems it in the best interest of the City to appoint and/or reappoint board members to Tax Reinvestment Zone Number One and Lago Mar Development Authority.

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 appoints and/or reappoints the individuals named on the attached **Exhibit "A"**, attached hereto and incorporated herein for all intents and purposes.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 18th day of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James M. Hartshorn
City Secretary

Russell F. Plackemeier
City Attorney

STATE OF TEXAS
PUBLIC
COUNTY OF GALVESTON

§

CERTIFICATE TO COPY OF
§ RECORD

§

I hereby certify, in the performance of the functions of my office, that the attached instrument is a full, true and correct copy of Resolution No. 18-064 as the same appears of record in my office and that said document is an official record from the public office of the City Secretary of the City of Texas City, Galveston County, State of Texas, and is kept in said office.

I further certify that I am the City Secretary of the City of Texas City and that I have legal custody of said record(s), and that I am a lawful possessor and keeper and have legal custody of the records in said office.

In witness whereof I have hereunto set my hand and affixed the official seal of said office this 18th day of July 2018.

Signature

City Secretary

Title

Galveston County, State of Texas

County, State of Texas

EXHIBIT "A"

Tax Reinvestment Zone Number One
Board of Directors

Position	Name	Term Ends
1. COTC- Chairman	Chris Doyle	9/30/2019
2. COM	Kyle Dickson	9/30/2020
3. COTC	James Torres	9/30/2019
4. COTC	Carlos Garza	9/30/2020
5. G.County	Rick Wilkenfeld	9/30/2019
6. COTC	Genie Jennings	9/30/2020
7. G.County	Stephen Holmes	9/30/2019

Lago Mar Development Authority
Board of Directors

Position	Name	Term Ends
1. COTC- Chairman	Rick Wilkenfeld	9/30/2019
2. COM	Kyle Dickson	9/30/2020
3. COTC	James Torres	9/30/2019
4. COTC	Carlos Garza	9/30/2020
5. G.County	Chris Doyle	9/30/2019
6. COTC	Genie Jennings	9/30/2020
7. G.County	Stephen Holmes	9/30/2019

CITY COMMISSION REGULAR MTG

(9) (d)

Meeting Date: 07/18/2018

Submitted By: Rhomari Jackson-Glover, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 18-065, acknowledging the receipt of the 2017 Annual Report for the Tax Increment Reinvestment Zone (TIRZ) One board. (City Secretary)

BACKGROUND

The report was given to the TIRZ. The board voted on the report and accepted it. At this point, the City of Texas City only needs to accept the report.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution
Report

RESOLUTION NO. 18-065

A RESOLUTION ACKNOWLEDGING THE RECEIPT OF THE 2017 ANNUAL REPORT FOR THE TAX INCREMENT REINVESTMENT ZONE NUMBER ONE (TIRZ 1) BOARD; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the 2017 Annual Report for Tax Increment Reinvestment Zone Number One (TIRZ 1) was reviewed and approved by the Board; and

WHEREAS, the City Commission must acknowledge receipt of the TIRZ 1 report so that it can be forwarded to the Texas Comptroller and Office of the Attorney General, as required under Tax Code 311.016; and

WHEREAS, after acknowledging the receipt of the report, it must also be forwarded to College of the Mainland and Galveston County for their records.

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 acknowledges the receipt of the 2017 Annual Report for Tax Increment Reinvestment Zone Number One (TIRZ 1), as set out on **Exhibit "A"**, attached hereto and incorporated herein for all intents and purposes.

SECTION 2 That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 18th day of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James M. Hartshorn
City Secretary

Russell F. Plackemeier
City Attorney

2017 ANNUAL REPORT

**TAX INCREMENT REINVESTMENT ZONE
NUMBER ONE
TEXAS CITY, TEXAS**



Tax Year Ending December, 2017

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CITY OF TEXAS CITY, TEXAS

2017 CITY COMMISSION

Mayor

Hon. Matthew T. Doyle

**Commission
Members**

Bruce Clawson
Commissioner At-Large

Hon. Dee Ann Haney
Commissioner At-Large

Hon. Thelma Bowie
Position 1

Hon. Phil Roberts
Position 2
Mayor Pro-Tem

Hon. Dorthea Jones
Position 3

Hon. Jami Clark
Position 4

**TAX INCREMENT REINVESTMENT ZONE
NUMBER ONE, CITY OF TEXAS CITY, TEXAS
2017 BOARD OF DIRECTORS**

Position 1	Rick Wilkenfeld, Chair Texas City Designee
Position 2	Kyle Dickson College of the Mainland Designee
Position 3	James Torres Texas City Designee
Position 4	Carlos Garza Texas City Designee
Position 5	Chris Doyle Galveston County Designee
Position 6	Genie Jennings Texas City Designee
Position 7	Hon. Stephen Holmes Galveston County Designee

DESCRIPTION OF ZONE

In accordance with the Tax Increment Financing Act (Chapter 311, Tax Code), Ordinance 06-45 of the City of Texas City, Texas (the “City”) established Reinvestment Zone Number One, City of Texas City, Texas (the “Zone”) on December 20, 2006. The Zone, also known as “The Lago Mar TIRZ”, consists of approximately 3,350 acres located in Galveston County, Texas (the “County”). The Project Plan (the “Plan”) was adopted by City Commission on January 2, 2008 by Ordinance 08-01. In addition to City participation in the Zone, the County and College of the Mainland (the “College”) agreed to participate in the Zone.

To aid and assist in the implementation of the Plan, the City created the Lago Mar Development Authority (the “Authority”), a Local Government Corporation incorporated on July 18, 2007. To further facilitate development within the Zone, the City, the Authority, the TIRZ and Galveston County Municipal Utility District No. 54 (“MUD 54”) entered into an agreement (the “Quad Party Agreement”), effective December 19, 2007, detailing the respective roles and responsibilities of the parties in implementing the Plan. The private sector developer for Lago Mar is Land Tejas Texas City Limited, a Texas Limited Partnership, whose General Partner is Land Tejas Corporation (the “Master Developer”). The Authority and the Master Developer entered into a Master Developer Reimbursement Agreement effective January 3, 2008.

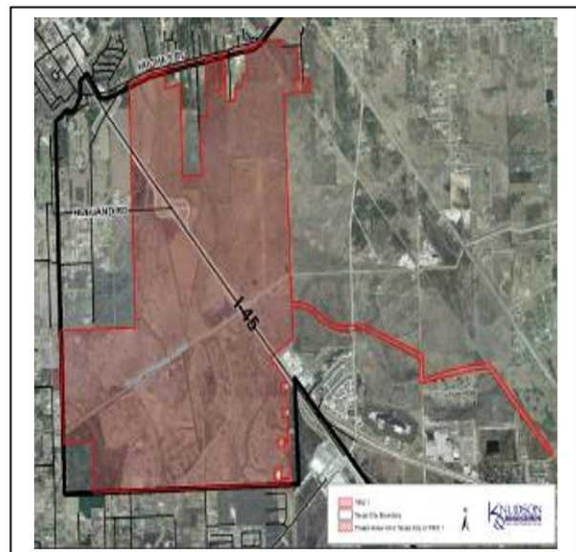
On July 20, 2011, a new agreement was executed between the City, Zone, Authority, MUD 54, Master Developer, and Galveston Premium Outlets LLC (the “Omnibus Agreement”). The Omnibus Agreement modified and amended the terms of the Quad Party Agreement as it relates to the development of the Tanger Outlets Mall projects.

The Zone is situated near the western boundary of Texas City, is bisected by Interstate 45, and at creation was vacant. A map illustrating the location of the Zone within the City follows as Figure 1. Figure 2 depicts the Zone boundary

Figure 1: TIRZ 1 Location Map

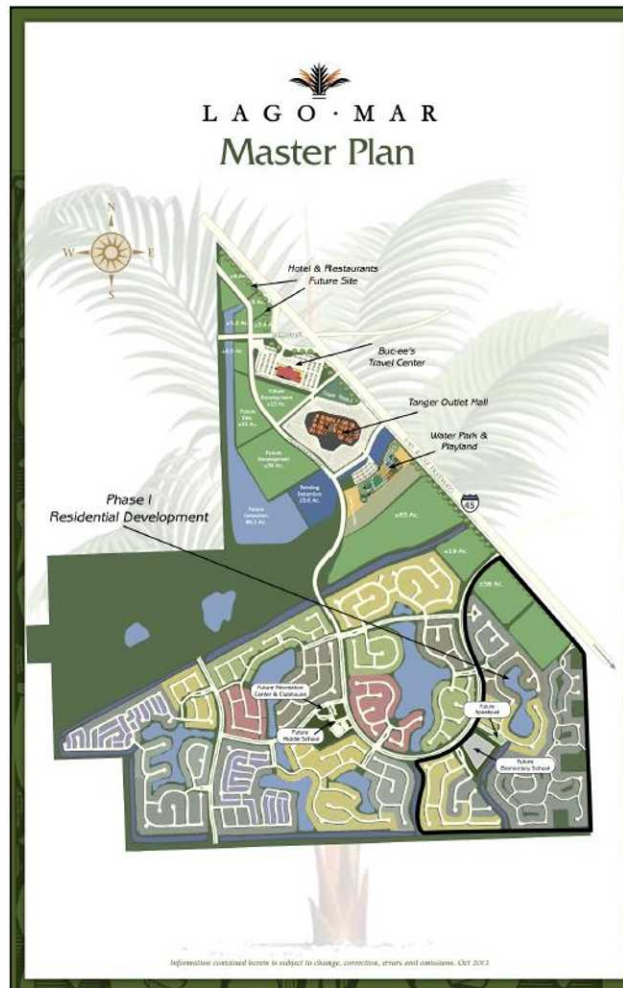


Figure 2: TIRZ 1 Boundary Map



As part of the master planning effort, the City and the Master Developer agreed that a mixed-use component to the development would greatly enhance the economic diversification and tax base growth the City is seeking to promote. To that end the Master Developer has put forth a mixed-use concept plan for approximately 898 acres, planned to include large amenity lakes with detention function, trails connecting the mixed-use area to the broader community and a diversity of commercial uses. The mixed-use concept plan follows as Figure 4.

FIGURE 4: Lago Mar Conceptual Master Plan-October 2013



On October 19, 2012, Tanger Factory Outlet Centers held the ribbon cutting and grand opening of the Tanger Outlets Mall, Texas City. The new mall opened with more than 80 brand name and outlet tenants in approximately 350,000 square feet and has become a major tourist attraction.

STATE OF THE ZONE AND PLAN IMPLEMENTATION IN 2017

Revenue

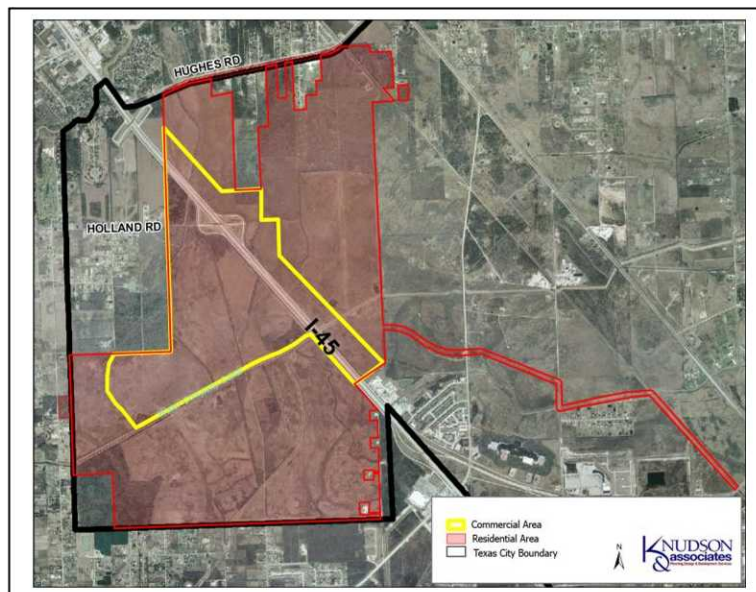
1. The information provided in the section is in accordance with § 311.016 (a) (1) of the Texas Tax Code, which requires inclusion of the amount and source of revenue in the tax increment fund established for the Zone.

In addition to the City's tax increment revenue, interlocal agreements with the County and the College provide for each taxing unit's participation in the Zone. The Plan sets forth a two-tiered participation schedule as follows:

Lago Mar is proposed to be a large master planned community with strong residential and commercial components. The commercial areas of the TIRZ are the very gateway of Texas City and the City seeks to promote the development of these critical areas with a distinctive urban design that establishes a sense of place unique in Galveston County. The City understands that the commercial areas will need time to reach the highest and best uses based on market conditions and to that end the City has proposed and secured a two-tiered participation structure: 100 % participation by the City for 31 years and by the County and the College for 30 years in the commercial area; and 60% for 10 years followed by 40% for 10 years by all entities in the residential areas.

The boundaries of the residential and commercial areas within the TIRZ are shown below as Figure 5.

Figure 5: Commercial and Residential TIRZ Areas



Further within the Residential Area the Plan sets forth a performance-based, enhanced level of participation by the City as follows:

In recognizing the reality of market forces, while wishing to foster the highest quality of single family residential possible, the City has established a base participation level and a second performance-based participation level when certain average value per dwelling unit levels are exceeded in the aggregate. The base participation is shown below and will be enacted when the average value of the single family residential is less than \$180,000. The performance-based participation will be enacted when the average value of the single family residential is greater than \$180,000.

Schedules outlining the varying levels and lengths of participation for both the Commercial Area and the Residential Area follow as Table A and Table B respectively.

Table A: Participation Schedule Commercial Area

Jurisdiction	2017 Tax Rate	2016 Tax Rate	2015 Tax Rate	Years	Participation %
Texas City	\$.577179	\$.497183	\$.44921	2007-2037	100%
Galveston County	\$.5519	\$.552	\$.567	2008-2037	100%
College of the Mainland	\$.216791	\$.208376	\$.202307	2008-2037	100%

Tax Rate Source: Galveston County Central Appraisal District

Table B: Participation Schedule Residential Area

Jurisdiction	2017 Tax Rate	2016 Tax Rate	2015 Tax Rate	Years	Base Participation %	Performance Based %
Texas City	\$.577179	\$.497183	\$.44921	2007-2016	60%	75%
				2017-2026	40%	50%
				2027-2037	-0-	0%
Galveston County	\$.5519	\$.552	\$.567	2008-2017	60%	
				2018-2027	40%	n/a
				2028-2037	-0-	
College of the Mainland	\$.216791	\$.208376	\$.202307	2008-2017	60%	
				2018-2027	40%	n/a
				2028-2037	-0-	

The obligations of the participating taxing jurisdictions, as defined in their respective interlocal agreements, include the timely deposit of tax increment revenue into the City's tax increment revenue fund. Table C below illustrates the growth in appraised value from the base year 2006 compared to the previous 3 years including 2017 for each participating jurisdiction.

Table C: Base Year Market Value by Jurisdiction

COMMERCIAL	TAX YEAR				
Taxing Entity	2006 Base Value (Taxable)	2015 Value (Taxable)	2016 Value (Taxable)	2017 Value (Taxable)	Captured Appraised Value (Increment)
Texas City	\$82,650	\$109,426,210	\$135,695,414	\$129,617,990	\$129,535,340
Galveston County	\$82,650	\$109,426,210	\$135,695,414	\$129,617,990	\$129,535,340
College of the Mainland	\$82,650	\$109,426,210	\$135,695,414	\$129,617,990	\$129,535,340

RESIDENTIAL	TAX YEAR				
Taxing Entity	2006 Base Value (Taxable)	2015 Value (Taxable)	2016 Value (Taxable)	2017 Value (Taxable)	Captured Appraised Value (Increment)
Texas City	\$321,530	\$6,355,030	\$28,195,320	\$38,026,662	\$37,705,132
Galveston County	\$321,530	\$6,355,030	\$28,195,320	\$38,026,662	\$37,705,132
College of the Mainland	\$321,530	\$6,355,030	\$28,195,320	\$38,026,662	\$37,705,132

Table D illustrates the amount of each jurisdiction's incremental revenue to the tax increment fund for the Residential and Commercial Areas for the previous 5 tax years, including 2017.

Table D: Tax Increment Revenue by Year

COMMERCIAL	TAX YEAR				
Taxing Entity	2013	2014	2015	2016	2017
Texas City	\$421,129	\$426,402	\$491,191	\$637,094	\$747,248
Galveston County	\$542,633	\$563,517	\$613,698	\$699,965	\$707,072
County Road & Flood	\$ 5,671	\$ 5,798	\$ 6,291	\$7,372	\$7,448
College of the Mainland	\$205,647	\$199,654	\$221,213	\$267,015	\$280,670
Commercial Total	\$1,175,080	\$1,195,371	\$1,332,393	\$1,611,446	\$1,742,438

RESIDENTIAL	TAX YEAR				
Taxing Entity	2013	2014	2015	2016	2017
Texas City	\$4,514	\$12,952	\$12,779	\$83,058	\$123,704
Galveston County	\$5,816	\$17,117	\$15,966	\$91,255	\$117,001
County Road & Flood	\$ 61	\$ 176	\$ 164	\$961	\$1,232
College of the Mainland	\$2,204	\$ 6,064	\$ 5,755	\$34,811	\$46,459
Residential Total	\$12,595	\$36,309	\$34,664	\$210,085	\$288,396

Total TIRZ Increment Revenue 2017	\$2,030,834
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Expenditures

2. The information provided in this section is in accordance with § 311.016 (a) (2) of the Texas Tax Code, which requires inclusion of the amount and purpose of expenditures from the fund.

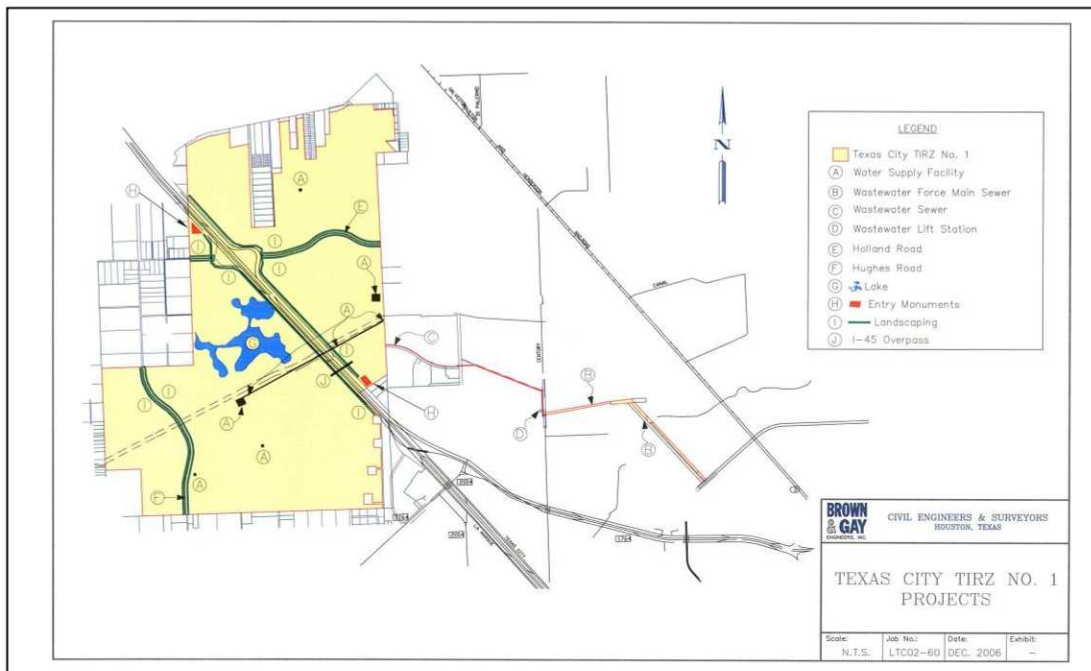
In accordance with the Quad Party Agreement and the Omnibus Agreement, the Authority may from time to time contract TIRZ revenue to one or more of the Municipal Utility Districts within the TIRZ boundary to facilitate the financing of TIRZ improvements. Additionally, the Authority may reimburse the Master Developer for improvements and may construct improvements directly from increment revenue or bond issuance.

In 2017, the Authority paid \$25,013 for legal, accounting/bookkeeping, administrative, and insurance expenses. Additionally, \$1,462,464 was transferred to MUD 54 in accordance with the requirements of the Omnibus Agreement.

Table E: Estimated Project Plan Costs

Estimate of Project Costs	
Project	Estimated Project Cost
Water	
Water Supply Plant	3,469,594
Remote Water Well and Collection Line(s)	1,682,835
Elevated Water Storage Tank(s), Transmission Line(s), and Related Water Plant Items	7,701,308
Water Well(s), Lines, and Related Water Plant Items	7,638,733
Sub-total	20,492,471
Sanitary Sewer	
Wastewater Plant and Related Force Main(s)	1,571,608
Sanitary Sewer Transmission Line(s)	2,468,238
Other Wastewater Projects and Lift Station(s)	2,355,092
Other Force Main(s)	2,519,492
Sub-total	8,914,429
Roadway and Mobility Improvements	
Holland Road Construction and Landscaping	7,447,717
Hughes Road Construction and Landscaping	6,471,177
I-45 / Overpass	5,000,000
I-45 Landscaping	3,901,309
Sub-total	22,820,203
Detention / Retention / Place Making Amenities	
125 ± Acre Lake	28,973,505
Lake Landscaping	2,259,922
Monumentation	2,323,052
Sub-total	33,556,479
Zone Administration	
Legal, Auditing, Planning, Architectural, Engineering, Administration, etc.	2,850,000
Total Estimated Project Costs	88,633,582
<i>Note: It is understood that land costs for major CIP dedications (water plants, water wells, etc.) and professional fees (engineering, planning, architectural, geotechnical, surveying, etc.) are necessary expenses that will be incurred on behalf of the Zone. These fees have been estimated and included in the line-item projections.</i>	

Figure 6: Location of Proposed TIRZ Improvements



TIRZ Authorized Projects in 2017:

In 2017, there were no new projects authorized by the Board.

Interest Due on Outstanding Bonds

3. The information provided in this section is in accordance with § 311.016 (a) (3) of the Texas Tax Code, which requires inclusion of the amount of principal and interest due on outstanding bonded indebtedness.

On August 20, 2014, MUD 54 issued its bonds in the amount of \$11.6 million of which \$7.85 million was construction costs for TIRZ eligible improvements related to the development of the Tanger Outlet Mall site, and the balance was related to non-construction costs. The Omnibus Agreement calls for TIRZ Increment Revenue attributable to land and improvements within MUD 54 to be paid by the Authority annually to cover the debt service on the issued bonds until they are fully paid. The Table F below, taken from the GCMUD 54 Series 2014 Official Statement shows the principal and interest due on those bonds.

Table F: GCMUD 54 Series 2014 Debt Service Schedule

Debt Service Requirements

The following sets forth the actual debt service on the Outstanding Bonds and the Bonds. This schedule does not reflect the fact that twenty-four (24) months of interest was capitalized from Outstanding Bonds proceeds in December 2013 and twelve (12) months of interest will be capitalized from Bond proceeds nor are there any TIRZ Contract Revenue Payments reflected. See "USE AND DISTRIBUTION OF BOND PROCEEDS."

Year	Outstanding Bonds Debt Service Requirements	Plus: The Bonds			Debt Service Requirements
		Principal	Interest	Total	
2014	\$ 134,918.75 (a)		\$ 107,845.31	\$ 107,845.31	\$ 242,764.06 (a)
2015	369,837.50	250,000	431,381.25	681,381.25	1,051,218.75
2016	371,087.50	265,000	426,381.25	691,381.25	1,062,468.75
2017	377,150.00	280,000	421,081.25	701,081.25	1,078,231.25
2018	377,837.50	300,000	415,481.25	715,481.25	1,093,318.75
2019	378,337.50	315,000	409,481.25	724,481.25	1,102,818.75
2020	383,650.00	335,000	402,393.75	737,393.75	1,121,043.75
2021	383,250.00	355,000	394,018.75	749,018.75	1,132,268.75
2022	387,650.00	375,000	384,256.25	759,256.25	1,146,906.25
2023	391,275.00	395,000	373,006.25	768,006.25	1,159,281.25
2024	394,475.00	420,000	361,156.25	781,156.25	1,175,631.25
2025	391,825.00	445,000	347,506.25	792,506.25	1,184,331.25
2026	393,950.00	470,000	331,931.25	801,931.25	1,195,881.25
2027	400,162.50	500,000	314,306.25	814,306.25	1,214,468.75
2028	400,662.50	525,000	294,306.25	819,306.25	1,219,968.75
2029	400,162.50	560,000	273,306.25	833,306.25	1,233,468.75
2030	404,162.50	590,000	250,906.25	840,906.25	1,245,068.75
2031	406,825.00	625,000	227,306.25	852,306.25	1,259,131.25
2032	403,700.00	660,000	201,525.00	861,525.00	1,265,225.00
2033	405,050.00	700,000	173,475.00	873,475.00	1,278,525.00
2034	409,925.00	740,000	143,725.00	883,725.00	1,293,650.00
2035	408,700.00	785,000	112,275.00	897,275.00	1,305,975.00
2036	406,650.00	830,000	76,950.00	906,950.00	1,313,600.00
2037	407,962.50	880,000	39,600.00	919,600.00	1,327,562.50
2038	408,125.00	-	-	-	408,125.00
2039	407,137.50	-	-	-	407,137.50
Total	\$ 10,004,468.75	\$ 11,600,000	\$ 6,913,601.56	\$ 18,513,601.56	\$ 28,518,070.31

(a) Excludes the District's June 1, 2014 debt service payment in the amount of \$134,919.

Base Value & Captured Appraised Value

4. The information provided in this section is in accordance with § 311.016 (a) (4) of the Texas Tax Code, which requires inclusion of the tax increment base and current captured appraised value retained by the Zone.

The captured appraised value of the Zone is the total appraised value of all real property located within the Zone, less the tax increment base value. In each year subsequent to the base year, the Zone will receive tax increment revenue based on ad valorem property taxes levied and collected by each participating taxing unit on the captured appraised value of the Zone.

Base Year:

As of January 1, 2006, the base year for the Zone, the total appraised value of the TIRZ was \$404,180, comprised of \$321,530 for the residential area and \$82,650 for the commercial area.

2017 Total Taxable Value:

On January 1, 2017, the Zone had a total assessed value of \$167,644,652, comprised of \$38,026,662 for the residential area and \$129,617,990 for the commercial area. (See Table C)

2017 Captured Appraised Value:

The total captured appraised value (total taxable value - base year value) as of January 1, 2017 was \$167,240,472, comprised of \$37,705,132 for the residential area and \$129,535,340 for the commercial area. (See Table C.)

Increment Received by Taxing Entities

5. The information provided in this section is in accordance with § 311.016 (a) (5) of the Texas Tax Code, which requires inclusion of the captured appraised value shared by the City and other taxing units, the total amount of tax increments received, and any additional information necessary to demonstrate compliance with the Plan.

For Tax Year 2017 the total increment paid into the increment fund was \$2,030,834. (See Table D.)

**TAX INCREMENT REINVESTMENT ZONE NUMBER ONE
TEXAS CITY, TEXAS
2017 ANNUAL REPORT
Tax Year Ending December 31, 2017**

Prepared by Marsh Darcy Partners, Inc.

CITY COMMISSION REGULAR MTG

(9) (e)

Meeting Date: 07/18/2018

Resolution authorizing an Interlocal Agreement with Gulf Coast Center

Submitted For: Doug Kneupper, Transportation and Planning

Submitted By: Doug Kneupper, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST (Brief Summary)

Consider approval of a Resolution No. 18-066, authorizing an Interlocal Agreement with Gulf Coast Center for the administration of Federal Transit Administration funds for the City's Shared-Use Path project. (Transportation and Planning)

BACKGROUND

The City has been awarded approximately \$410,000 from the Texas Department of Transportation for construction of bicycle and pedestrian shared-use paths in and around Bay Street Park. It has been determined that the most efficient and expedient way to administer, design, and deliver this project is to transfer all funding from TxDOT to the Federal Transit Administration. This transfer of funding has been completed. Since the City is not a direct recipient of FTA funding (and Gulf Coast Center is), the project funding will actually have to be funneled through Gulf Coast Center.

This Interlocal Agreement clearly defines the City's role in designing, bidding, constructing, and administering all facets of this project. In addition, GCC's role of reimbursing eligible expenses using the FTA funding is defined as well. The GCC Board will be considering this same Interlocal Agreement at a July meeting.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution
ILA

RESOLUTION NO. 18-066

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH GULF COAST CENTER FOR THE ADMINISTRATION OF FEDERAL TRANSIT ADMINISTRATION FUNDS FOR THE CITY'S SHARED-USE PATH PROJECT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, pursuant to the Texas Interlocal Cooperation Act, Chapter 791 of the Texas Government Code (the "Act"), by and between, the **City of Texas City**, (the "City"), a political subdivision of the State of Texas incorporated pursuant to Chapter 43 of the Local Government Code, and the **Gulf Coast Center** (the "Center"), established pursuant to provisions of Chapter 534 of the Texas Health & Safety Code Ann. (Vernon 1992), as amended; and

WHEREAS, pursuant to the Act, the City and the Center are authorized to contract with eligible political subdivisions of the state of Texas, to perform governmental functions and services, including governmental functions in which the contracting parties are mutually interested; and

WHEREAS The Center (and its public transportation department Connect Transit), provide public transportation services within the City; and

WHEREAS, the Center and City consistently work together in order to improve access to public transportation and quality of life for residents and visitors; and

WHEREAS, the City was successful in pursuing approximately \$410,000 in Transportation Alternatives-Set Aside (TASA) funding through a program call administered by the Texas Department of Transportation for the construction of pedestrian and bike shared use paths on public right-of-way within the City; and

WHEREAS, the proposed improvements are within three miles of fixed route transit stops, making the project eligible for administration by the Federal Transit Administration (FTA) ; and

WHEREAS, it has been determined that transferring the TASA funding to FTA for administrative purposes would yield the most efficient project delivery process;

WHEREAS, the Center is a direct recipient of the FTA and can administer these funds, if flexed; and

WHEREAS, it is preferable to all parties that the City maintain control of the project and oversee design and construction through direct contractual relationships with third party contractors; and

WHEREAS, so long as all federal requirements and the terms of this Interlocal Agreement are met, the Center can reimburse eligible costs incurred by the City on a basis consistent with the terms of the executed grant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS in consideration of the mutual covenants and conditions contained in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Center agree to the following terms, covenants, and conditions:

SECTION 1: CENTER'S RESPONSIBILITY

Subject to the remaining terms, conditions, and provisions hereof, the Center agrees to the following:

- The transfer of the TASA funding to the FTA under the Center's grantee designation.
- The provision of administrative assistance to accommodate the entry and the approval of the grant within the FTA grant management system.
- The review and reimbursement of invoices on a basis consistent with the terms of the grant within a time period not to exceed thirty (30) days.

SECTION 2: CITY'S RESPONSIBILITY

- The completion and administration of project design and environmental activities using local funding.
- Completing a bid process consistent with all federal requirements.
- Oversight and management of construction phase activities consistent with all FTA required pre-award certifications and contract clauses.
- The preparation of invoices documenting eligible incurred costs to be submitted to the Center on a timely basis.
- Proactive coordination with the Center to ensure that grant disbursement and close out activities are completed on a timely basis.

The retention of all project records for a period of at least three (3) years and the provision of copies of all records to the Center.

SECTION 3: TERM OF AGREEMENT AND CANCELLATION

This Agreement becomes effective when fully executed by the City and the Center and shall remain in force for a period of eighteen (18) months, unless modified by mutual agreement of the Parties or terminated by either Party upon providing ninety (90) days written notice to the other Party.

SECTION 4: LIABILITY

Section 4.01 - No Personal Liability of Center. To the extent allowed by law the Center's officers, either singularly or collectively, are not personally liable on this Agreement or for any breach thereof.

Section 4.02 - No Personal Liability of the City. To the extent allowed by law, the City's officers, agents and employees, either singularly or collectively, are not personally liable on this Agreement or for any breach thereof.

SECTION 5: MISCELLANEOUS

Section 5.01 - Laws. The parties hereto agree to abide with all applicable laws, regulations, and grant provisions of the United States, the State of Texas, and any other lawful authorities having jurisdiction.

Section 5.02 - Notices. All notices, demands, or requests from one party to another shall be in writing and shall be personally delivered, sent by mail, certified, registered, express or overnight, postage prepaid, or sent by facsimile transmission, to the addresses stated in this Section, or to such other address as the party may request in writing, and are deemed to have been given at the time of delivery:

Gulf Coast Center, 10000 Emmett F Lowry, Suite 1220 Texas City, Texas 77591 (express or overnight mail), in any case to the attention of the Executive Director.

City of Texas City, 1801 Ninth Avenue North, Texas City, Texas, (express or overnight mail) to the attention of the City Secretary.

Section 5.03 - Texas Law to Apply and Venue. This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Galveston County, Texas.

Section 5.04 - Legal Construction. In case any one or more of the provisions contained in this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability does not affect any other provision hereof and this Agreement will be construed as if such invalid, illegal, or unenforceable provision had never been contained herein, if consistent with the overall intent of this Agreement.

Section 5.05 - Amendment. No amendment, modification, or alteration of the terms of this Agreement is binding unless in writing, dated subsequent to the Effective Date and executed by the City and the Center or their successors and permitted assigns.

Section 5.06 - Exhibits. All Exhibits attached to this Agreement are incorporated by reference.

Section 5.07 - Counterparts. This Agreement may be executed in any number of counterparts, and each counterpart is deemed to be an original instrument, but all such counterparts together constitute but one Agreement. A photocopy or facsimile reproduction of an original signature of a party on this Agreement binds that party to the terms, covenants and conditions of this Agreement.

Section 5.08 - Time is of the Essence. Time is of the essence in this Agreement.

Section 5.09 - Headings. The headings, captions, and arrangements used in this Agreement are for convenience only and do not affect the interpretation of this Agreement.

SECTION 6: That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 18th day of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James M. Hartshorn
City Secretary

Russell F. Plackemeier
City Attorney

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

INTERLOCAL AGREEMENT
INTERLOCAL CONTRACT

This Interlocal Contract ("Agreement") is made and entered into and effective as of the ____ day of _____, 2018 ("Effective Date") pursuant to the Texas Interlocal Cooperation Act, Chapter 791 of the Texas Government Code (the "Act"), by and between, the **City of Texas City**, (the "City"), a political subdivision of the State of Texas incorporated pursuant to Chapter 43 of the Local Government Code, and the **Gulf Coast Center** (the "Center"), established pursuant to provisions of Chapter 534 of the Texas Health & Safety Code Ann. (Vernon 1992), as amended.

RECITALS

WHEREAS, pursuant to the Act, the City and the Center are authorized to contract with eligible political subdivisions of the state of Texas, to perform governmental functions and services, including governmental functions in which the contracting parties are mutually interested;

WHEREAS, The Center (and its public transportation department Connect Transit), provide public transportation services within the City;

WHEREAS, the Center and City consistently work together in order to improve access to public transportation and quality of life for residents and visitors;

WHEREAS, the City was successful in pursuing approximately \$410,000 in Transportation Alternatives-Set Aside (TASA) funding through a program call administered by the Texas Department of Transportation for the construction of pedestrian and bike shared use paths on public right-of-way within the City;

WHEREAS, the proposed improvements are within three miles of fixed route transit stops, making the project eligible for administration by the Federal Transit Administration (FTA);

WHEREAS, it has been determined that transferring the TASA funding to FTA for administrative purposes would yield the most efficient project delivery process;

WHEREAS, the Center is a direct recipient of the FTA and can administer these funds, if flexed;

WHEREAS, it is preferable to all parties that the City maintain control of the project and oversee design and construction through direct contractual relationships with third party contractors;

WHEREAS, so long as all federal requirements and the terms of this interlocal agreement are met, the Center can reimburse eligible costs incurred by the City on a basis consistent with the terms of the executed grant; and

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Center agree to the following terms, covenants, and conditions:

ARTICLE 1 – CENTER’S RESPONSIBILITY

Subject to the remaining terms, conditions, and provisions hereof, the Center agrees to the following:

- The transfer of the TASA funding to the FTA under the Center’s grantee designation.
- The provision of administrative assistance to accommodate the entry and the approval of the grant within the FTA grant management system.
- The review and reimbursement of invoices on a basis consistent with the terms of the grant within a time period not to exceed thirty (30) days.

ARTICLE 2 – CITY’S RESPONSIBILITY

- The completion and administration of project design and environmental activities using local funding.
- Completing a bid process consistent with all federal requirements.
- Oversight and management of construction phase activities consistent with all FTA required pre-award certifications and contract clauses.
- The preparation of invoices documenting eligible incurred costs to be submitted to the Center on a timely basis.
- Proactive coordination with the Center to ensure that grant disbursement and

close out activities are completed on a timely basis.

- The retention of all project records for a period of at least three (3) years and the provision of copies of all records to the Center.

ARTICLE 3 - TERM OF AGREEMENT AND CANCELLATION

This Agreement becomes effective when fully executed by the City and the Center and shall remain in force for a period of eighteen (18) months, unless modified by mutual agreement of the Parties or terminated by either Party upon providing ninety (90) days written notice to the other Party.

ARTICLE 4 – LIABILITY

Section 4.01 - No Personal Liability of Center. To the extent allowed by law the Center's officers, either singularly or collectively, are not personally liable on this Agreement or for any breach thereof.

Section 4.02 - No Personal Liability of the City. To the extent allowed by law, the City's officers, agents and employees, either singularly or collectively, are not personally liable on this Agreement or for any breach thereof.

ARTICLE 5 – MISCELLANEOUS

Section 5.01 - Laws. The parties hereto agree to abide with all applicable laws, regulations, and grant provisions of the United States, the State of Texas, and any other lawful authorities having jurisdiction.

Section 5.02 - Notices. All notices, demands, or requests from one party to another shall be in writing and shall be personally delivered, sent by mail, certified, registered, express or overnight, postage prepaid, or sent by facsimile transmission, to the addresses stated in this Section, or to such other address as the party may request in writing, and are deemed to have been given at the time of delivery:

Gulf Coast Center, 10000 Emmett F Lowry, Suite 1220 Texas City, Texas 77591
(express or overnight mail), in any case to the attention of the Executive Director.

City of Texas City, 1801 Ninth Avenue North, Texas City, Texas, (express or overnight mail) to the attention of the City Secretary.

Section 5.03 - Texas Law to Apply and Venue. This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Galveston County, Texas.

Section 5.04 - Legal Construction. In case any one or more of the provisions contained in this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability does not affect any other provision hereof and this Agreement will be construed as if such invalid, illegal, or unenforceable provision had never been contained herein, if consistent with the overall intent of this Agreement.

Section 5.05 - Amendment. No amendment, modification, or alteration of the terms of this Agreement is binding unless in writing, dated subsequent to the Effective Date and executed by the City and the Center or their successors and permitted assigns.

Section 5.06 - Exhibits. All Exhibits attached to this Agreement are incorporated by reference.

Section 5.07 - Counterparts. This Agreement may be executed in any number of counterparts, and each counterpart is deemed to be an original instrument, but all such counterparts together constitute but one Agreement. A photocopy or facsimile reproduction of an original signature of a party on this Agreement binds that party to the terms, covenants and conditions of this Agreement.

Section 5.08 - Time is of the Essence. Time is of the essence in this Agreement.

Section 5.09 - Headings. The headings, captions, and arrangements used in this Agreement are for convenience only and do not affect the interpretation of this Agreement.

APPROVED:

APPROVED:

The Gulf Coast Center
Chief Executive Officer

City of Texas City
Mayor

Dated:

Dated:

APPROVED AS TO FORM:

General Counsel

CITY COMMISSION REGULAR MTG

(9) (f)

Meeting Date: 07/18/2018

Submitted By: Rhomari Jackson-Glover, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No.18-067, approving and awarding the purchase of round tables and chairs for the Doyle Convention Center from Mitylite, Inc. through Buyboard (contract #503-16) – local government purchasing cooperative.

BACKGROUND

Currently the Convention Center has 1,000 chairs and 100 tables in its current inventory for the purpose of supporting various public and private events throughout the year. Attached is a request to replace with 1,000 open back stack ganging chairs, 80 aluminum 5ft. round tables and 2 chair dollies. The total cost \$150,936.15. The chairs will come with a 12 year warranty on the frame and 12 months on the fabric and the tables have a limited lifetime warranty.

ANALYSIS

The Recreation and Tourism Department is recommending approving the purchase of new tables, chairs and chair dollies through Mitylite, Inc. Buyboard (contract #503-16) in the amount of \$150,936.15.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 18-067

A RESOLUTION APPROVING THE PURCHASE OF ONE THOUSAND (1,000) CHAIRS, EIGHTY (80) ROUND TABLES, AND TWO (2) CHAIR DOLLIES THROUGH MITYLITE, INC BUYBOARD (CONTRACT NO. 503-16) FOR THE RECREATION AND TOURISM DEPARTMENT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the Recreation and Tourism Department requests approval for the purchase of one thousand (1,000) open back stack ganging chairs, eighty (80) aluminum 5ft. round tables and two (2) chair dollies through Mitylite, Inc. BuyBoard (Contract No. 503-16), a State of Texas Cooperative Purchasing Program; and

WHEREAS, the total purchase price for one thousand (1,000) open back stack ganging chairs, eighty (80) aluminum 5ft. round tables and two (2) chair dollies is \$150,936.15, with a 12 year warranty on the frame and 12 months on the fabric and the tables have a limited lifetime warranty.

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 of one thousand (1,000) open back stack ganging chairs, eighty (80) aluminum 5ft. round tables and two (2) chair dollies through Mitylite, Inc. BuyBoard for the purchase price of \$150,936.15 as set out on the quote attached hereto as **Exhibit "A"** and made a part hereof for all intents and purposes.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 18th day of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James M. Hartshorn
City Secretary

Russell F. Plackemeier
City Attorney

CITY COMMISSION REGULAR MTG

(9) (g)

Meeting Date: 07/18/2018

Interlocal Agreement Between Texas City and Galveston County for Road Projects

Submitted For: Doug Kneupper, Transportation and Planning

Submitted By: Doug Kneupper, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST (Brief Summary)

Consider and take action on a Resolution, authorizing the Mayor to execute an Interlocal Agreement with Galveston County for the reconstruction of portions of Texas Ave. and Century Blvd.

BACKGROUND

In April, 2017, Galveston County Commissioners Court requested that Texas City prepare roadway construction information in preparation for a November 2017 County Bond Election. The City's top priorities were the reconstruction of Texas Ave. between 14th St. and 6th St. and the reconstruction of Century Blvd. between Sea Lion Chemicals and SH 3. With the successful bond election, Galveston County has allocated \$6,290,000 to Texas City for these two projects. Also, up to \$1,000,000 is available from the County with a dollar-for-dollar city match.

This agreement formalizes the activities the City and County will perform for the design and construction of these two projects. Texas City has had numerous discussions with Galveston County officials regarding the County's selection of a qualified firm to perform the work in Texas City.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

ILA from GC

RESOLUTION NO. 18-068

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A NEW INTERLOCAL AGREEMENT WITH THE COUNTY OF GALVESTON TO PARTIALLY FUND IMPROVEMENTS TO CITY STREETS KNOWN AS TEXAS AVENUE AND CENTURY BOULEVARD WITHIN THE CITY LIMITS OF TEXAS CITY, TEXAS MAKING RESOLUTION 18-019 NULL AND VOID; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City of Texas City, Texas, wishes to enter into an Interlocal Agreement, with the County of Galveston, for the reconstruction of a portion of Texas Avenue and Century Boulevard, within the City limits of the City of Texas City, Texas; and

WHEREAS, in April 2017, Galveston County Commissioners Court requested that Texas City prepare roadway construction information in preparation for the November 2017 County Bond Election; and

WHEREAS, the City desires to reconstruct a portion of Texas Avenue; between 14th Street and 6th Street and the reconstruction of Century Boulevard between Sea Lion Chemicals and SH 3; and

WHEREAS, the Galveston County Commissioners Court has allocated \$6,290,000 to the City for these two projects and up to \$1,000,000 to be made available from the County of Galveston with a dollar-for-dollar City match.

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 an Interlocal Agreement with the County of Galveston for reconstruction of a portion of Texas Avenue and Century Boulevard, within the City limits of the City of Texas City, Texas.

SECTION 2: That the Mayor is authorized to negotiate and execute an Interlocal Agreement for the Reconstruction of portion of Texas Avenue and Century Boulevard, within the City Limits of the City of Texas City, Texas, in the form attached hereto as **Exhibit "A"**, and made a part hereof.

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

PASSED AND ADOPTED this 18th of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James M. Hartshorn
City Secretary

Russell F. Plackemeier
City Attorney

MICHAEL C. SHANNON, PE, CFM
COUNTY ENGINEER



NANCY M. BAHER, PE
ASSISTANT COUNTY ENGINEER

THE COUNTY OF GALVESTON
Office of the County Engineer
722 Moody, Galveston, TX 77550
(409) 770-5453

April 18, 2018

City of Texas City
Doug Kneupper
City Engineer
928 5th Ave N
Texas City, Texas 77590

Re: Interlocal Agreement between Galveston County & City of Texas City

Mr. Kneupper,

Attached are two signed originals of the above mentioned document. Please have the City of Texas City execute both documents and return one to me for filing.

Sincerely,

A handwritten signature in blue ink, appearing to read "MCS", written over a light blue horizontal line.

Michael C. Shannon, PE, CFM
County Engineer

The State of Texas §

§

County of Galveston §

Interlocal Agreement to Partially Fund Improvements to City Streets known as Texas Avenue and Century Boulevard within the City Limits of Texas City, Texas

This Agreement is entered into pursuant to Chapter 791 Texas Government Code and Transportation Code §251.012. It is by and between the **County of Galveston**, hereinafter referred to as the "County" and the **City of Texas City**, a home-rule municipality, hereinafter referred to as the "City" both of which are political subdivisions of the State of Texas.

I. Preamble

The Parties agree:

- The County allocated \$6,290,000 in road funds to be used as the County's share for improvements to various city streets in the City of Texas City. In addition, the County allocated up to \$1,000,000 in road bond funds to be used as the County's share for improvements to various city streets in the City provided the City matched the County's additional contribution dollar for dollar, up to \$1,000,000.

II. Project

- Texas Avenue
 - Beginning at the intersection of Texas Ave and 14th Street, reconstruct approximately 3,670 feet of 60-foot wide concrete curb & gutter roadway ending at intersection of 6th Street. This project includes new concrete paving, and storm sewer.
- Century Blvd
 - Beginning at the intersection of Century Blvd. and SH3, construct approximately 2,720 feet of three-lane (38-foot wide) concrete curb and gutter roadway ending at the existing concrete section in front of Sea Lion Chemical. This project will include new concrete paving and storm sewer. This will complete Century Blvd. from the Gulf Freeway all the way to SH3.

III. City Approval

- As required by the **Texas Transportation code §251.02** the City gives its approval to the County to finance the Project up to the limits established herein.

IV. Payment

- The County will partially finance a share of the Project up to a maximum expenditure of \$6,290,000, plus up to an additional \$1,000,000 if matched dollar for dollar by City. The City will be responsible to provide funding for or obtain funding from other outside sources for all additional Project costs, if any. Nothing herein however, shall preclude the County from providing additional funds for this Project, but the County shall be under no obligation to do so.
- If the actual Project costs are less than the \$6,290,000 County allocation, then the County and City may mutually agree to utilize the difference on another road project within the city.

V. Duties

5.1 The County will:

- Design, construct, and manage the project per the City's requirements
- Furnish the City with a set of plans and specifications.
- Transfer any and all warranties to the City
- Resolve any disputes with contractor(s)

5.2 The City will:

- Deal with local citizen issues and questions during design and construction.
- Provide any necessary right-of-way.
- After completion of the Project, be responsible for such maintenance and upkeep as is required to keep the Project properly functioning.

VI. Completion of Project

- Upon completion and acceptance of this Project the County's responsibility under this Agreement ends.

VII. General Provisions:

- Anything in this Agreement to the contrary notwithstanding, a) in no event shall any provision of this Agreement be construed to impose, create or increase any liability to any third party whatsoever; and b) in no manner shall this Agreement be construed to operate for the benefit of any third party.
- This Agreement constitutes the sole and only agreement of the parties hereto and supersedes any prior understanding or written or oral agreement between the parties representing the within subject matter.
- Each party represents that it has full authorization to enter into this Agreement as required by law.
- The parties agree to pay any payments made pursuant to this Agreement from current revenues.

- This Agreement may be executed in multiple originals.
- In case any one or more of the provisions contained in the Agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such fact shall not affect any other provision thereof and this Agreement shall be construed as if the stricken provision had never been contained herein.
- Each party to this Agreement agrees that in any legal action brought hereunder, venue shall lie in Galveston County, Texas. The validity of this Agreement and of its terms and provision, as well as the rights and duties of the parties, shall be governed by the laws of the State of Texas.
- It is expressly understood and agreed that under this Agreement neither party waives, not shall be deemed to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.

Executed this 26th day of March, 2018.

County of Galveston



Attest:

Dwight A. Sullivan

Dwight Sullivan
County Clerk

By: *Mark Henry*
Mark Henry
County Judge

Executed this _____ day of _____, 2018.

City of Texas City

By: _____
Matthew T. Doyle
Mayor

Attest:

James Hartshorn
City Secretary

CITY COMMISSION REGULAR MTG

(9) (h)

Meeting Date: 07/18/2018

Bid # 2018-055 Gasoline and Diesel Annual Contract

Submitted For: Mike McKinley, Public Works **Submitted By:** Mike McKinley, Public Works

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Award Bid # 2018-055 Gasoline and Diesel Annual Contract

BACKGROUND

Bid packets were mailed out to local area vendors. A bid tabulation is attached for your review.

Bids were opened on Thursday July 5, 2018 at 2 p.m..

The low responsible bidder meeting all specifications was received from Apache Oil Company for the unit prices bid.

ANALYSIS

It is the recommendation of the Public Works Department to award Bid # 2018-055 Gasoline and Diesel Annual Contract to Apache Oil Company for the unit prices bid and that the Mayor is authorized to execute this contract on behalf of the City Commission.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution
Exhibit A
Exhibit B

RESOLUTION NO. 18-069

A RESOLUTION AWARDING BID NO. 2018-055 AND AUTHORIZING THE MAYOR TO ENTER INTO ANNUAL CONTRACT FOR THE PURCHASE OF GASOLINE AND DIESEL; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on July 5, 2018 at 2 P.M., bids were opened for the purchase of gasoline and diesel, Bid No. 2018-055; and

WHEREAS, the lowest bid meeting all specifications for the Annual Contract for the purchase of gasoline and diesel was submitted by Apache Oil Company, Houston, Texas, for the unit prices bid per gallon.

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 awards Apache Oil Company for Bid No. 2018-055 Gasoline and Diesel Annual Contract.

SECTION 2: That the Mayor is hereby authorized to enter into an annual contract with Apache Oil Company for the respective unit prices bid in **Exhibit "A"** attached hereto and made a part hereof for all intents and purposes.

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

PASSED AND ADOPTED this 18th day of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James M. Hartshorn
City Secretary

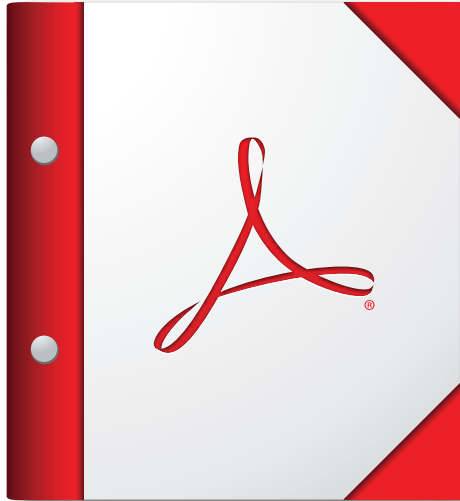
Russell F. Plackemeier
City Attorney

BID TABULATION

Bid # 2018-055
Gasoline and Diesel Annual Contract

Bid Opening: Thursday, July 5, 2018 at 2:00 p.m.

ITEM #	DESCRIPTION	Vendor	Vendor	Vendor
		BAY OIL	APACHE	SUNCOAST
1	Gasoline 87 Octane Unleaded Large Lot Transport - 80,000 gal	+06	+0125	+0696
2	Gasoline 87 Octane Unleaded Medium Lot Bobtail - 90,000 gal	+09	+08	+0860
3	Gasoline 87 Octane Unleaded Small Lot Bobtail - 25,000 gal	+16	+18	+45
4	No. 2 Ultra Low Sulfur Diesel TxLED Large Lot Transport 70,000 gal	+06	+035	+0696
5	No. 2 Ultra Low Sulfur Diesel TxLED Medium Lot Bobtail - 80,000 gal	+09	+105	+0860
6	No. 2 Ultra Low Sulfur Diesel TxLED Small Lot Bobtail - 20,000 gal	+16	+21	+4500
	TOTAL	\$31,500.00	\$27,750.00	\$45,130.00



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CITY COMMISSION REGULAR MTG

(9) (i)

Meeting Date: 07/18/2018

Bid # 2018-054 Laboratory Testing At The Waste Water Treatment Plant Annual Contract

Submitted For: Mike McKinley, Public Works **Submitted By:** Mike McKinley, Public Works

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Approve and award Bid # 2018-054 Laboratory Testing At The Waste Water Treatment Plant Annual Contract

BACKGROUND

On June 8, 2018 a "Notice To Bidders" was published and bid packets were mailed to area vendors.

A bid tabulation is attached for your review.

ANALYSIS

The Public Works Department recommends the award of Bid # 2018-054 Laboratory Testing At The Waste Water Treatment Plant Annual Contract to Environdyne Laboratories, Inc., in Houston for the unit prices bid and that the Mayor is authorized to execute a contract on behalf of the City Commission.

Thank you

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution
Exhibit A

RESOLUTION NO. 18-070

A RESOLUTION AWARDED BID NO. 2018-054 AND AUTHORIZING THE MAYOR TO ENTER INTO ANNUAL CONTRACT FOR LABORATORY TESTING AT THE WASTE WATER TREATMENT PLANT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on June 8, 2018 a "Notice to Bidders" was published and bid packets were mailed to area vendors. On June 26, 2018 bids were opened for Bid No. 2018-054 Laboratory Testing at The Waste Water Treatment Plant Annual Contract; and

WHEREAS, the Public Works department recommends that Bid No. 2018-054 Laboratory Testing at The Waste Water Treatment Plant Annual Contract be awarded to Envirodyne Laboratories, Inc., Houston, Texas.

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 awards Envirodyne Laboratories, Inc. for Bid No. 2018-054 Laboratory Testing at The Waste Water Treatment Plant Annual Contract

SECTION 2: That the Mayor is hereby authorized to enter into an annual contract with Envirodyne Laboratories, Inc. for the respective unit prices bid in **Exhibit "A"** attached hereto and made a part hereof for all intents and purposes.

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

PASSED AND ADOPTED this 18th day of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James M. Hartshorn

Russell F. Plackemeier

City Secretary

City Attorney

City of Texas City

BID TABULATION

2018-054 LABORATORY TESTING AT THE WASTE WATER TREATMENT PLANT ANNUAL CONTRACT

Bid Opening: Tuesday, June 26, 2018 at 2:00 p.m.

EFFLUENT

<u>Vendor</u>	Envirodyne	Xenco	ANA-LAB
1.C-BOD-5 Unit	\$17.00	\$30.00	\$25.00
Annual	\$6,205.00	\$10,950.00	\$9,125.00
2. TSS Unit	\$7.00	\$20.00	\$18.00
Annual	\$2,555.00	\$7,300.000	\$6,570.00
3. NH3-N Unit	\$16.00	\$20.00	\$18.00
Annual	\$5,840.00	\$7,300.00	\$6,570.00
4. BioMonitor. Chr. Unit	\$750.00	\$600.00	\$2,200.00
Annual	\$3,000.00	\$2,400.00	\$8,800.00
5. BioMonitor. Acute Unit	\$150.00	\$700.00	\$650.00
Annual	\$300.00	\$1,400.00	\$1,300.00
6. Enterococci Unit	\$22.00	\$35.00	\$75.00
Annual	\$5,720.00	\$9,100.00	\$19,500.00

City of Texas City

BID TABULATION

2018-054 LABORATORY TESTING AT THE WASTE WATER TREATMENT PLANT ANNUAL CONTRACT

Bid Opening: Tuesday, June 26, 2018 at 2:00 p.m.

INFLUENT

<u>VENDOR</u>	Environdyne	Xenco	ANA-LAB
1.C-BOD-5 Unit	\$17.00	\$25.00	\$18.00
Annual	\$3,570.00	5,250.00	\$3,780.00
2. TSS Unit	\$7.00	\$20.00	\$18.00
Annual	\$1,470.00	\$4,200.00	\$3,780.00
3. NH3-N Unit	\$16.00	\$20.00	\$25.00
Annual	\$3,360.00	\$4,200.00	\$5,250.00

City of Texas City

BID TABULATION

2018-054 LABORATORY TESTING AT THE WASTE WATER TREATMENT PLANT ANNUAL CONTRACT

Bid Opening: Tuesday, June 26, 2018 at 2:00 p.m.

SLUDGE (CLASS A &B)

Vendor	Envirodyne	Xenco Labs	ANA-LAB
1.Fecal Coliform Unit	\$50.00	\$35.00	\$50.00
Annual	\$300.00	\$210.00	\$300.00
2. Metals Unit	\$125.00	\$45.00	\$138.00
Annual	\$750.00	\$270.00	\$828.00
3. Full TCLP Unit	\$750.00	\$500.00	\$705.00
Annual	\$750.00	\$500.00	\$705.00
4. PCB Unit	\$50.00	\$45.00	\$80.00
Annual	\$50.00	\$45.00	\$80.00
5. RCI Unit	\$115.00	\$90.00	\$70.00
Annual	\$115.00	\$90.00	\$70.00
6. Paint Filter Testing Unit	\$5.00	\$25.00	\$13.00
Annual	\$5.00	\$25.00	\$13.00

City of Texas City

BID TABULATION

2018-054 LABORATORY TESTING AT THE WASTE WATER TREATMENT PLANT ANNUAL CONTRACT

Bid Opening: Tuesday, June 26, 2018 at 2:00 p.m.

EXTRA SERVICES

Vendor	Envirodyne	Xenco Labs	ANA-LAB
Total Annual	\$33,990.00	\$53,240.00	66,671.00

EXTRA SERVICES

VENDOR	Envirodyne	Xenco Labs		

CITY COMMISSION REGULAR MTG

(9) (j)

Meeting Date: 07/18/2018

Submitted By: Rhomari Jackson-Glover, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 18-071, Authorizing the Mayor to execute a Trustee Deed sale

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution
Deed

RESOLUTION NO. 18-071

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE TRUSTEE'S DEED ON BEHALF OF THE CITY OF TEXAS CITY FOR PROPERTY LOCATED AT 2509 13TH AVENUE NORTH; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the Mayor, on behalf of the City of Texas City, will sign a Trustee's Deed to transfer over property to Panfilo Perez; and

WHEREAS, if any additional taxes or liens are on the property, the purchaser will be responsible; and

WHEREAS, Panfilo Perez has requested to purchase the property legally described as Lot Seven (7), Speed Addition. Galveston County, Texas, Said Property being More Particularly Described In The Instrument Recorded At Clerks File Number 81226983, Clerks File Number 8126984, Clerks File Number 8126985 And Clerks File Number 8126986, In The Official Deed Records Of Galveston County, Texas.

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

SECTION 1: That the findings and recitals set forth in the preamble hereof are hereby adopted in their entirety.

SECTION 2: That the City Commission approves the transfer of property legally described as Lot Seven (7), Speed Addition. Galveston County, Texas, Said Property being More Particularly Described In The Instrument Recorded At Clerks File Number 81226983, Clerks File Number 8126984, Clerks File Number 8126985 And Clerks File Number 8126986, In The Official Deed Records Of Galveston County, Texas.

SECTION 3: That the Mayor is authorized to execute the Trustee's Deed on behalf of the City of Texas City in order to convey the property to Panfilo Perez.

SECTION 4: That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 18th day July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James M. Hartshorn
City Secretary

Russell F. Plackemeier
City Attorney

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

TRUSTEE'S DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF GALVESTON §

WHEREAS, by Order of Sale, issued by the Galveston County District Court, 10TH Judicial District in Cause Numbered 12-TX-0938 styled "GALVESTON COUNTY, ET AL. VS. SARA MIRANDA, ET AL" the Sheriff of Galveston County, on January 2, 2014, seized and levied upon the right, title and interest the defendants had in the premises hereinafter described; and

WHEREAS, the Sheriff on February 4, 2014, sold and conveyed the premises to **City of Texas City, as Trustee for itself and for Texas City Independent School District, Galveston County and College of the Mainland** for the sum of **One Thousand Ninety and no/100 Dollars (\$1,090.00)**, it being the highest bidder therefore; and

WHEREAS, this sale is authorized pursuant to V.T.C.A., Tax Code §34.05(b).

WHEREAS this sale is authorized pursuant to an Interlocal Agreement between **Galveston County, City of Texas City, Texas City Independent School District and College of the Mainland** as permitted under Texas Government Code §791.011; and

WHEREAS the Interlocal Agreement between **Galveston County, City of Texas City, Texas City Independent School District and College of the Mainland and Drainage District #2** provides that the Mayor of the City of Texas City will execute Trustee's Deeds on behalf of all taxing entities made a party to the Interlocal Agreement pursuant to offers approved pursuant to the Interlocal Agreement.

NOW, THEREFORE, in consideration of the taxes paid by the GRANTEE named below, the receipt and sufficiency of which is acknowledged, **City of Texas City, as Trustee for itself and for Texas City Independent School District, Galveston County and College of the Mainland ("GRANTOR")**, have GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY to **Panfilo Perez, 2509 13TH Avenue North, Texas City, TX 77590 ("GRANTEE")**, the following described real property, to wit:

LOT SEVEN (7), SPEED ADDITION, GALVESTON COUNTY, TEXAS, SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED IN THE INSTRUMENT RECORDED AT CLERKS FILE NUMBER 81226983, CLERKS FILE NUMBER 8126984, CLERKS FILE NUMBER 8126985 AND CLERKS FILE NUMBER 8126986 IN THE OFFICIAL DEED RECORDS OF GALVESTON COUNTY, TEXAS

GRANTOR excludes and excepts from this conveyance any warranties, express or implied, on the property, including, without limitation, any warranties arising by common law or Section 5.023 of the Texas Property Code.

GRANTOR conveys the property:

- a) "as is", "with all faults" and without any warranty as to condition or environmental hazard,
- b) subject to all restrictions, easements, rights-of-way leases, oil, gas and mineral leases, royalties, mineral conveyances, and mineral reservations of record, if any, in the office of the County Clerk of said County,

- c) subject to any right of redemption; and
- d) subject to rights of parties in possession.

GRANTOR disclaims any warranty, guaranty or representation, oral or written, on:

- a) the nature and condition of the property or other items conveyed hereunder, including, without limitation, the water, soil and geology,
- b) the suitability of the property conveyed hereunder for any and all activities and uses which GRANTEE may elect to conduct thereon,
- c) the existence of any environmental hazards or conditions thereon (including but not limited to the presence of asbestos or other hazardous materials),
- d) compliance with applicable environmental laws, rules or regulations; and
- e) the compliance of the property with any laws, ordinances, or regulations of any governmental entity or body.

By acceptance of this deed, GRANTEE acknowledges and agrees:

- a) that GRANTOR acquired the property through foreclosure of a tax lien as Trustee and as such has little, if any, knowledge of the physical or economic characteristics of the property,
- b) GRANTEE has inspected the property and are relying solely on their own investigation of the same and not on any information provided or to be provided by on behalf of GRANTOR,
- c) that any information provided with respect to the property was obtained from a variety of sources,
- d) GRANTOR (1) has not made any independent investigation or verification of such information; and (2) does not make any representations as to the accuracy or completeness of such information; and
- e) that if there are any improvements on the property, GRANTOR shall not be responsible for or liable to GRANTEE for any construction defects, errors, omissions, of any other conditions affecting the property.

GRANTEE or anyone claiming by, through or under GRANTEE, hereby fully releases GRANTOR, its employees, officers, directors, representatives, attorneys and agents from any and all claims that it may now have or hereafter acquire against GRANTOR, its respective employees, officers, directors, representatives, attorneys and agents for any cost, loss, liability, damage, expense, demand, action or cause of action arising from or related to the conveyance of the premises herein as well as any construction defects, errors, omissions, or other conditions affecting the property and other items conveyed hereunder. GRANTEE further acknowledges and agrees that this release shall be given full force and effect according to each of its express terms and provisions, including, but not limited to, those relating to unknown and suspected claims, damages and causes of action. This covenant releasing GRANTOR shall be a covenant running with the property and shall be binding upon GRANTEE, their heirs, successors, beneficiaries and assigns. GRANTOR hereby assigns without recourse or representation of any nature to GRANTEE, effective upon the execution and delivery hereof, any and all claims that GRANTOR may have for any such errors, omissions or defects in the property an other items conveyed hereunder. As a material covenant and condition of this conveyance, GRANTEE agrees that in the event of any such construction defects, errors, omissions or on account of any other conditions affecting the property, GRANTEE shall look solely to GRANTOR's predecessors or to such contractors and consultants as may have contracted for work in connection with the property and other items conveyed hereunder for any redress or relief. Upon the assignment by GRANTOR of its claims, GRANTEE releases GRANTOR of all right, express or implied, GRANTEE may have against GRANTOR arising our of or resulting from any errors, omissions or defects in the property and other items conveyed hereunder. GRANTEE further understands that some of GRANTOR's predecessors in interest may be

or become insolvent, bankrupt, judgment-proof or otherwise incapable of responding in damages, and GRANTEE may have no remedy against such predecessors, contractors or consultants.

GRANTEE hereby further agrees on behalf of himself and his heirs, successors, beneficiaries and assigns to indemnify, protect, defend, save and hold harmless GRANTOR and GRANTOR's elected and appointed officials, employees, officers, directors, representatives, attorneys and agents from and against any and all debts, duties, obligations, liabilities, suits, claims, demands, cause of action, damages, losses, costs and expenses (including, without limitation, attorneys' fees and expenses and court costs) in any way relating to, connected with or arising out of the property and other items conveyed hereunder or the ownership, leasing, use, operation, maintenance and management thereof from and after the date hereof, including, without limitation, the cost of any removal of hazardous substances or contaminants from the property and other items conveyed hereunder.

TO HAVE AND TO HOLD the above described premises together with all and singular the rights and appurtenances thereto in any wise belonging unto GRANTEE, their heirs, and assigns, forever.

Taxes for the current year are to be paid by GRANTEE.

EXECUTED this the ____ day of _____ 2018.

**CITY OF TEXAS CITY, TRUSTEE FOR ITSELF,
GALVESTON COUNTY, TEXAS CITY INDEPENDENT
SCHOOL DISTRICT, GALVESTON COUNTY AND COLLEGE
OF THE MAINLAND**

By: _____
Matthew T. Doyle, Mayor

STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

BEFORE ME, the undersigned authority, on this day personally appeared MATTHEW T. DOYLE as Mayor of the City of Texas City, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this the ____ day of _____, 2018.

NOTARY PUBLIC, in and for the State of Texas

Printed or Typed Name of Notary

**After recording return to:
Panfilo Perez
2509 13th Ave N
Texas City, TX 77590**

CITY COMMISSION REGULAR MTG

(10) (a)

Meeting Date: 07/18/2018

PD Positions Ordinance

Submitted For: Jennifer Price, Human Resources

Submitted By: Jennifer Price, Human Resources

Department: Human Resources

Information

ACTION REQUEST (Brief Summary)

Consider and take action on approval of Ordinance No. 18-15, amending the Code of Ordinances, City of Texas City, Texas, Title III "Administration", Chapter 32 "Law Enforcement and Fire Department", Section 32.009 "Police Department; Classes of Positions", by reducing the number of positions within the classification of Sergeant by one and increasing the number of positions within the classification of Corporal/Police Officers by one; prescribing the number of positions with each classification of the classified service of the Police Department. (Police Department)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Ordinance

ORDINANCE NO. 18-14

AN ORDINANCE AMENDING THE CITY CODE, TITLE III “ADMINISTRATION”, CHAPTER 32 “LAW ENFORCEMENT AND FIRE DEPARTMENT”, SECTION 32.010 “POLICE DEPARTMENT; CLASSES OF POSITIONS; AUTHORIZED STRENGTH”, BY MODIFYING THE CLASSIFICATIONS OF THE AUTHORIZED STRENGTH OF THE POLICE DEPARTMENT BY REDUCING THE NUMBER OF POSITIONS IN THE CLASSIFICATION OF SERGEANT BY ONE AND INCREASING THE NUMBER OF POSITIONS IN THE CLASSIFICATION OF CORPORAL/POLICE OFFICERS BY ONE, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SEVERABILITY CLAUSE; 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 AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.

WHEREAS, section 143.021 of the **Texas Local Government Code** requires the governing body of a municipality to provide for the classification of all police officers; and

WHEREAS, section 143.021 provides that the governing body must establish by ordinance the classifications and number of positions in each classification; and

WHEREAS, the City Commission of the City of Texas City budgeted funds in the Police Department’s salary line item for 68 Corporals/Police Officers and 9 Sergeants. The Police Department has reevaluated these positions and it’s in the best interest of their department to reduce the number of budgeted/authorized Sergeants from 9 to 8 and increase Corporal/Police Officers from 68 to 69.

Effective on January 17, 2018, the following classes of positions, and numbers of positions within each classification, were hereby established in the classified service of the City’s Police Department:

- (1) Assistant Police Chief.....1
- (2) Captain3
- (3) Lieutenant.....4
- (4) Sergeant.....9
- (5) Corporals/Police Officers68

Total: 85

Effective on July 18, 2018, the following classes of positions, and numbers of positions within each classification are hereby established in the classified service of the City’s Police Department:

- (1) Assistant Police Chief.....1
- (2) Captain3
- (3) Lieutenant.....4

(4)	Sergeant.....	8
(5)	Corporals/Police Officers	69

Total: 85

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

SECTION 1: It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable.

SECTION 2: That it is further provided that, in the event any section, clause, sentence, paragraph or part of this Ordinance shall be for any reason adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, invalidate, or impair the remainder of this Ordinance.

SECTION 3: That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

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 and publication by caption only in the official newspaper of the City.

PASSED AND ADOPTED this 18th day of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

 James M. Hartshorn
 City Secretary

 Russell F. Plackemeier
 City Attorney

CITY COMMISSION REGULAR MTG

(10) (b)

Meeting Date: 07/18/2018

Ordinance Abandoning 60' Row known as 20th St. No.

Submitted For: Jean Vincent, Transportation and Planning

Submitted By: Jean Vincent, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST (Brief Summary)

Consider approval of an ordinance to abandon a 60' right-of-way known as 20th Street North. Being the north 60' x 250 ± feet of 20th Street North, lying between Lots 43, 44A, 45 and Lots 66, 67 and 68 of the Amburn Boat Basin and Terry's Landing S/d. Located on the north end of 20th Street, north of 42nd Avenue and ending at Moses Lake.

BACKGROUND

This request was presented to the Planning Board during a Regular Meeting and Public Hearing held on July 2, 2018. There was no opposition to the abandonment request and Planning Board members are recommending approval.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Ordinance

Exhibit A

Aerial

Memo

ORDINANCE NO. 18-15

AN ORDINANCE TO VACATE AND ABANDON AND A RIGHT-OF-WAY ON 20TH STREET NORTH; 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.

WHEREAS, the City of Texas City desires a portion of 20th Street North., north 60' x 250 ± feet of 20th Street North, lying between Lots 43, 44A, 45 and Lots 66, 67 and 68 of the Amburn Boat Basin and Terry's Landing S/d, located on the north end of 20th Street, north of 42nd Avenue and ending at Moses Lake, be vacated and abandoned; and

WHEREAS, the City's request to abandon a specific portion of this street will allow the consolidation of individual tracts and lead to better economic development opportunities; and

WHEREAS, City staff has reviewed this request and there are no objections; and

WHEREAS, the Planning Board met and reviewed the request on July 2, 2018, and recommended it to move forward to City Commission for final consideration.

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

SECTION 1: That the City Commission of the City of Texas City finds it in the best interest of the City to abandon and vacate a portion of 20th Street North., north 60' x 250 ± feet of 20th Street North, lying between Lots 43, 44A, 45 and Lots 66, 67 and 68 of the Amburn Boat Basin and Terry's Landing S/d, located on the north end of 20th Street, north of 42nd Avenue and ending at Moses Lake.

SECTION 2: That the above-described property is hereby declared abandoned.

SECTION 3: That the City of Texas City hereby retains unto itself any existing public and private utility easements on said property, if any.

SECTION 4: That the Mayor is hereby authorized to execute a Quitclaim Deed, if requested, by any abutting property owners.

SECTION 5: That the Charter requirement for reading this Ordinance on three (3) separate days has been dispensed by a majority vote of the City Commission.

SECTION 6: That the City Secretary shall cause to be filed a certified copy of this Ordinance in the Real Property Records of Galveston County, Texas and present notification of the abandonment to the Galveston Central Appraisal District.

SECTION 7: That this Ordinance shall be passed and adopted on the date of its introduction and shall become effective from and after its passage and adoption.

PASSED AND ADOPTED this 18th day of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James Hartshorn
City Secretary

Russell F. Plackemeier
City Attorney

MOSES LAKE

WILLIAM MICHAEL LERA, JR.
and wife,
TANYA S. LERA
C.F. 2009022418
C.F. 2011025352
Lots 44A and 45

Lot 45

S/D Line

Fnd. 1" I.P.

Abandonment Area

Lot 68

Lot 67

TERRY'S LANDING
Plat Record 18, Map No. 484

Lot 44A

S/D Line

Fnd. 1/2" I.P.

ALBERT J. PACHECO III
and wife,
COURTNEY M. PACHECO
C.F. 2017017105
West 100' of Lots 66-68

AMBURN BOAT BASIN
SUBDIVISION
Plat Record 3, Map No. 10

HVAR, INC.
C.F. 2000063984
Lots 42 and 43

Lot 43

Fnd. 1/2" I.P.
Brs. S 87°49'17" W - 0.16'

Fnd. 1" I.P.

Lot 66

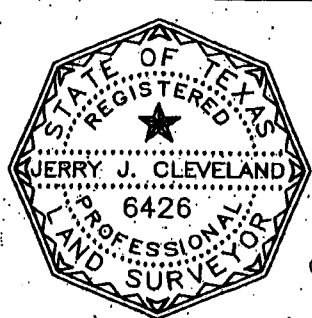
Lot 42

THOMAS G. WESTERN
SURVEY A-204

42nd AVENUE NORTH
(AS MONUMENTED)

LEGEND

- · - · = 10' Easement
- - - - = 6' Easement

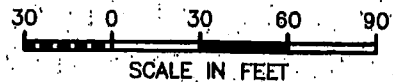


Bearing Basis:
Texas Coordinate System of
1983, South Central Zone
(TXSC Zone 4204); NAD 83

Fnd. 1/2" I.P.

20TH STREET NORTH
(60' R.O.W.)

- Area to Abandon



NOTE: THE EXTERIORS OF ALL EASEMENTS ARE TO INTERSECT WITH THE EXTERIORS OF ALL ADJOINING EASEMENTS OR WITH ADJOINING PROPERTY LINES.

REV.1: JOB NO. 128527B

BY: JJC

DATE: 3/15/18

REV.2: JOB NO.

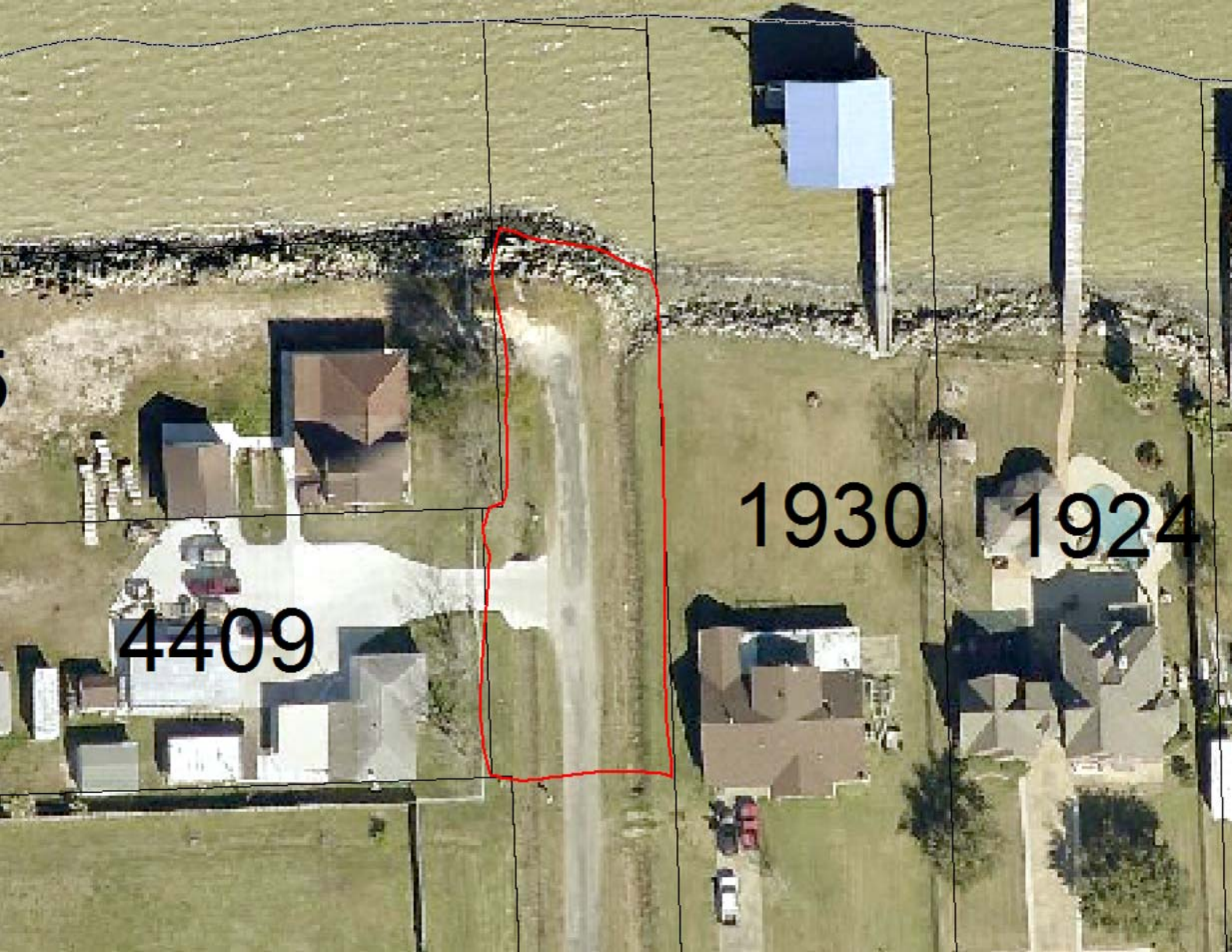
BY:

DATE:

EASEMENT - UNOBSTRUCTED
 COUNTY: GALVESTON
 SURVEY DATE: 2-22-2018
 SCALE: 1" = 60'
 FILE NO. - BOOK: 2017

LAST PLOT DATE: 3-15-2018
 DRAWN BY: JJC
 MAP NO: 6543A
 JOB NO: 128527A
 CHECKED BY: JLG

CenterPoint Energy
 SURVEYING & RIGHT OF WAY
 P.O. Box 1700 Houston, TX 77251-1700
 713-207-2222
 Firm Number: 10027400
 SKETCH NO. 17-0838




5

4409

1930

1924

Memo

To: Planning Board
From: Doug Kneupper, City Engineer 
CC:
Date: 6-19-2018
Re: 60' Right-of-Way Abandonment, 20th Street N.

Background: Large portions of Texas City have been subdivided into a grid or network of public streets and alleys. Most of the streets are improved and paved with either concrete or asphalt. Most of the alleys are utilized for solid waste pick-up and numerous utility services including water, sewer, electric, gas, telephone. However, there are public streets and alleys that have never been utilized or the utility service is limited and can be relocated out of a particular alley. These streets and alleys that are no longer needed can be systematically abandoned and used by the adjacent property. Allowing the abandonment of specific streets and alleys creates the ability to consolidate tracts of land and leads to more favorable development opportunities. This request is to abandon a portion of the very north dead-end of 20th Street N. being approximately 12,100 sq. ft. of street r-o-w that is generally 60' feet wide.

The city's policy for abandonment of streets and alleys requires review and recommendation from the Planning Board with final approval from the City Commission.

Review and Recommendation: The applicants, Michael Lera and A.J. Pacheco own residential lots adjacent to 20th Street N. The applicants' request to abandon the road r-o-w will allow the two owners to fence and better secure their residential properties on Moses Lake.

No individual property owners are affected by this request since the right-of-way is adjacent to property owned entirely by the applicants. Staff's review initially determined that multiple utilities have facilities in the portion of the r-o-w being considered for abandonment; including a City water line, Centerpoint Gas, and City drainage facilities. The applicants have negotiated suitable relocation scenarios with water and gas facilities. For drainage, the applicants will be installing pipes in the roadside ditches to alleviate any future drainage maintenance concerns. This has resulted in letters of "No Objection" from each utility company, contingent on this work being accomplished. The ordinance finalizing this right-of-way abandonment should contain a provision requiring specific written approval from Texas City for any improvements, installations and construction within the abandoned 20th Street right-of-way

Staff recommends approval of this right-of-way abandonment request.

CITY COMMISSION REGULAR MTG

(10) (c)

Meeting Date: 07/18/2018

Amend fiscal year 2017-2018 budget

Submitted For: Laura Boyd, Finance

Submitted By: Laura Boyd, Finance

Department: Finance

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Ordinance 18-16, amending the City's fiscal year 2017-2018 budget to appropriate funds for the repair of gearbox at Rainwater Pump Station A.

BACKGROUND

From Public Works Director:

During recent routine maintenance of the right angle gear boxes @ Station 'A', Paul House & his crew discovered damaged gears in one gearbox. It is essential that we get this repaired. The replacement gear(s) and shaft will have to be custom made. Obtaining three prices was not easy as this is such custom, labor intensive, exact work but Paul found three shops willing to work with him to provide prices, (which is also not easy to work up since the gears and shafts are inside the gear box so they had to work off of what they could see through the inspection portal and take offs from the limited plans that we have located over the years).

Louisiana Gear Corp provided the lowest price at \$51,890. Hahn & Clay was next low @ \$57,895 with Houston Pump & Gear high @ \$76,300.

ANALYSIS

Budget Amendment:

General Fund (Fund 101):

Rainwater Pump Station Maintenance \$52,000.00
Unassigned Fund Balance (\$52,000.00)

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Ordinance

ORDINANCE NO. 18-16

AN ORDINANCE AMENDING ORDINANCE NO. 17-26, AMENDING THE CITY OF TEXAS CITY'S 2017-2018 FISCAL YEAR BUDGET TO APPROPRIATE FUNDS FOR THE REPAIRS TO A GEARBOX AT THE RAINWATER PUMP STATION A; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE BUDGET AMENDMENT IN THE OFFICE OF THE GALVESTON COUNTY CLERK; 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.

WHEREAS, by Ordinance No. 17-26, the City Commission of the City of Texas City, Texas, adopted its budget for Fiscal Year 2017-2018; and

WHEREAS, a budget amendment is needed to appropriate funds totaling \$52,000.00 for the following repairs to a gearbox located at Rainwater Pump Station A.

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 2017-2018 of the City of Texas City, Texas, is hereby amended as follows:

Budget Amendment:

General Fund (Fund 101)

Rainwater Pump Station Maintenance	\$52,000.00
Unassigned Fund Balance	(\$52,000.00)

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.

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 18th day of July 2018.

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

ATTEST:

APPROVED AS TO FORM:

James M. Hartshorn
City Secretary

Russell F. Plackemeier
City Attorney