

CITY OF TEXAS CITY
REGULAR CALLED CITY COMMISSION MEETING

AGENDA

WEDNESDAY, JULY 17, 2019 - 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) PROCLAMATIONS AND PRESENTATIONS

(a)

Service Awards

Jesus Flores	Water Distribution	07/06/2009	10 years
James Thompson	Sanitation	07/26/1999	20 years
Scotty Floyd	Public Works	07/26/1999	20 years
Tommy Maris	Public Works	07/03/1989	30 years

Retirement

Tommy Maris	Public Works	30 years
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(5) REPORTS

(a) Financial Quarterly Report (Finance)

(b) Building Permits (Inspections Department)

(6) PUBLIC HEARING

(a) Peace Lutheran Church requests to rezone from "A" (Single Family Residential) to "E" (General Business) to operate an event center. Being 5.959 acres out of the W.K. Wilson Survey. Located at 9111 E.F. Lowry Expressway (Planning)

(7) PRELIMINARY ZONING APPROVAL

(a) Approve or deny the request from Peace Lutheran Church to rezone from "A" (Single Family Residential) to "E" (General Business) to operate an event center. (Planning)

(8) CONSENT AGENDA

(a) Approve City Commission Minutes for June 19, 2019 meeting. (City Secretary)

(b) Consider and take action on Resolution No. 19-057, approving of the purchase and delivery of a 2017 Doosan Model DL200-5 Wheel Loader through the BuyBoard Purchasing Cooperative Contract No. 515-16. (Public Works)

(c) Consider and take action on Resolution No. 19-058, approving the purchase of a 2015 685C Motor Grader with approximately 550 hours. (Public Works)

(d) Consider and take action on Resolution No. 19-059, approving Bid No. 2019-067 Personnel Protective Equipment, Fire Hose, Nozzles and Related Equipment Annual Contract. (Purchasing)

(e) Consider and take action on Resolution No. 19-060, approving Bid No. 2019-370, 2019 Pavement Striping Project at Various Locations. (Public Works)

(f) Consider and take action on Resolution No. 19-061, denying the CenterPoint Energy Houston Electric, LLC requested rate increase. (City Secretary)

(g) Consider and take action on Resolution No. 19-062, Texas City CDBG-DR Buyout Program Application Submission. (Emergency Management)

(h) Consider and take action on Resolution No. 19-063, calling a Special Election for Charter Amendments to be held in Texas City and designating polling places. (City Secretary)

(i) Consider and take action on Resolution No. 19-064, authorizing the Mayor to enter into an Election Services Contract with the County of Galveston and the City of Texas City. (City Secretary)

(j) Consider and take action on Resolution No. 19-065, approving funds for the purchase and installation of new stadium seating at Robinson Field. (Public Works)

(k) Consider and take action on Resolution No. 19-066, approving a contract for Bid No. 2019-369 Lift Station 29 Improvements Project. (Public Works)

(l) Consider and take action on Resolution No. 19-67, approving a contract for Bid No. 2019-367 Texas City Moore Memorial Library Renovation Project. (Public Works)

(m) Consider and take action on Resolution No. 19-068, approving the purchase of materials and service for the Godard Park facilities repair project. (Recreation and Tourism)

- (n) Consider and take action on Resolution No. 19-069, approving the amending the city's Five-Year Consolidated Plan, program years 2015, 2017 and 2018 Action Plans and Budgets to increase funding for reconstruction. (Community Development)
- (o) Consider and take action on Resolution No. 19-070, awarding the housing reconstruction Bid at 1113-9th Ave N to DSW Homes in the amount of \$193,600.00. (Community Development)
- (p) Consider and take action on Resolution No. 19-071, accepting a Charter Amendment recommendation concerning Article III, Section 3. City Secretary. (City Secretary)
- (9) REGULAR ITEMS
 - (a) Consider and take action on Ordinance No. 19-16, approving minor modifications to the Flood Damage Prevention Ordinance, as required by FEMA. (Inspections)
 - (b) Consider and take action on Ordinance No. 19-17, approving to permanently rezone the property at 3210 Gulf Freeway from "A" (Single Family Residential) to "C" (Multi-family Residential) to construct apartments and townhomes. (Planning)
 - (c) Consider and take action on Ordinance No. 19-18, amending the City's fiscal year 2018-2019 budget to appropriate funds for the purchase of capital items for the Public Works Department. (Finance)
 - (d) Consider and take action on Ordinance No. 19-19, amending the City's fiscal year 2018-2019 budget to appropriate funds for Lift Station 29 Improvements Project. (Finance)
 - (e) Consider and take action on Ordinance No. 19-20, amending the City of Texas City's 2018/2019 fiscal year budget to transfer funds from the General Fund to the Capital Equipment Replacement Fund. (Finance)
- (10) PUBLIC COMMENTS
- (11) MAYOR'S COMMENTS
- (12) COMMISSIONERS' COMMENTS
- (13) 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 12, 2019, PRIOR TO 5:00 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

NICHOLAS J. FINAN
CITY SECRETARY

CITY COMMISSION REGULAR MTG

(4) (a)

Meeting Date: 07/17/2019

July 2019 Service Awards

Submitted For: Jennifer Price, Human Resources

Submitted By: Susan Sensat, Administration

Department: Administration

Information

ACTION REQUEST (Brief Summary)

Service Awards

Jesus Flores	Water Distribution	07/06/2009	10 years
James Thompson	Sanitation	07/26/1999	20 years
Scotty Floyd	Public Works	07/26/1999	20 years
Tommy Maris	Public Works	07/03/1989	30 years

Retirement

Tommy Maris	Public Works	30 years
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BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

CITY COMMISSION REGULAR MTG

(6) (a)

Meeting Date: 07/17/2019

Peace Lutheran Church Rezoning

Submitted For: Jean Vincent, Transportation and Planning

Submitted By: Jean Vincent, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST (Brief Summary)

Peace Lutheran Church requests to rezone from "A" (Single Family Residential) to "E" (General Business) to operate an event center. Being 5.959 acres out of the W.K. Wilson Survey. Located at 9111 E.F. Lowry Expressway

BACKGROUND

This request was approved during a Public Hearing held before the Zoning Commission on June 18, 2019. There was no opposition to the request and the request is not in conflict with the Land Use Plan.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Zoning Minutes

Applicants Statement

Staff Memo and Exhibits

ZONING COMMISSION MINUTES

June 18, 2019

The Zoning Commission of the City of Texas City met in a regularly scheduled meeting and Public Hearing on Tuesday, June 18, 2019 at 5:15 p.m. Commission members present were: Chairman Perry O'Brien, Gary Potter and Commissioner Bruce Clawson. Staff members present were: George Schonert, Shawna Bellows, Dennis Harris and Doug Kneupper. Citizens present were: Charlie Phinney; Arthur Janecka; Blanca Contreras and Ricardo Contreras.

Chairman O'Brien addressed those present and explained the procedures for the Public Hearing. He indicated a quorum was present and called the meeting to order.

APPROVAL OF MINUTES: The minutes from May 7, 2019 were approved on a motion by Gary Potter/Bruce Clawson. All members present voted aye.

ITEM NO. 1 Peace Lutheran Church requests to rezone from "A" (Single Family Residential) to "E" (General Business) to operate an event center. Being 5.959 acres out of the W.K. Wilson Survey. Located at 9111 E.F. Lowry Expressway. Mr. Kneupper provided the background information for this request. He stated the church owns 5.9 acres of partially developed property and the applicant intends to use an existing building on the church campus as a privately operated event center. In order to use the property this way, a change in the zoning is needed. This will not affect the church function as that use is allowed in General Business districts also. The Land Use Plan supports the intended zoning and use and there is an Activity Corridor area shown along E.F. Lowry Expressway. Within this category, higher intensity commercial, outdoor display and warehousing land uses are supported. As indicated on the zoning map, most of the surrounding properties are zoned single-family residential; however, to the east and adjacent to the church property is an existing multi-family zoning with apartments. There is approximately 500 feet of separation between the proposed Event Center and the boundary of the apartment property. Mr. Kneupper continued by stating the site plan shows four existing structures making up the church campus. The building labeled Family Center is where the private event center activities will occur. Based on the surrounding land uses, development and zoning, access from adjacent thoroughfares, and the ability to provide adequate water for fire protection, city Staff has no objection to the rezoning request. Mr. Potter asked if the parking shown on the site plan was already in place and Mr. Kneupper responded that the applicant was showing they had the ability to increase the parking if required. Commissioner Clawson asked who the applicants were. Blanca Contreras, the event center operator, then addressed the commission and provided a business plan along with photos of the before and after of the improvements being made to the building. Commissioner Clawson asked Dennis Harris, Fire Marshal, his opinion on the proposed use. Mr. Harris replied the Fire Department is working with the applicant to ensure that all Life Safety and Fire Code requirements are being met. He has no opposition to the proposed use. After discussion, **a motion was made by Gary Potter/Bruce Clawson to open the Public Hearing. All members present voted aye.** Chairman O'Brien asked if there were

any additional comments or questions and there were none. **A motion was then made by Bruce Clawson/Gary Potter to close the Public Hearing. All members present voted aye.** There was no further discussion and **a motion was then made by Bruce Clawson/Gary Potter to approve the request to rezone to "E" (General Business) to operate an event center. All members present voted aye.**

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

Perry O'Brien, Chairman



Zoning Commission Secretary



Peace Lutheran Church

Rev. Matthew Brackman, Pastor

*9111 Emmett P. Loney Expressway
Texas City, Texas 77501*

*Church: (409) 938-1277 Fax: (409) 938-7704
Church e-mail: peace.lutheran@yahoo.com*

April 9, 2019

To Whom It May Concern:

Peace Lutheran Church is seeking to lease one building to Chandelier Reception Hall, and are therefore requesting a change in zoning for that building.

As best I can I have marked landscaping and construction items, which have been added over the years since the Family Center was built in 1987.

Peace Lutheran allowed Chandelier to handle the "build out" for their business. I have provided the original floor plan of the building. Please note any changes they may have made.

I included a bid for Air Conditioner work to the Family Center. This will only proceed if Chandelier continues since it was designed for their need.

Like most others we (Peace Lutheran) are concerned with cost. We appreciate your help in informing us of what items we and Chandelier will need to address. Two possible concerns are parking and if a fire sprinkler system will be required. You may have additional items. If costs exceed what Peace Lutheran and Chandelier are capable of with this project, then we will not continue our application.

Thank you for your help, and may our Lord bless and keep each of your departments and Texas City as a whole.



Pax Christi,

Rev. Matthew Brackman

Google Maps

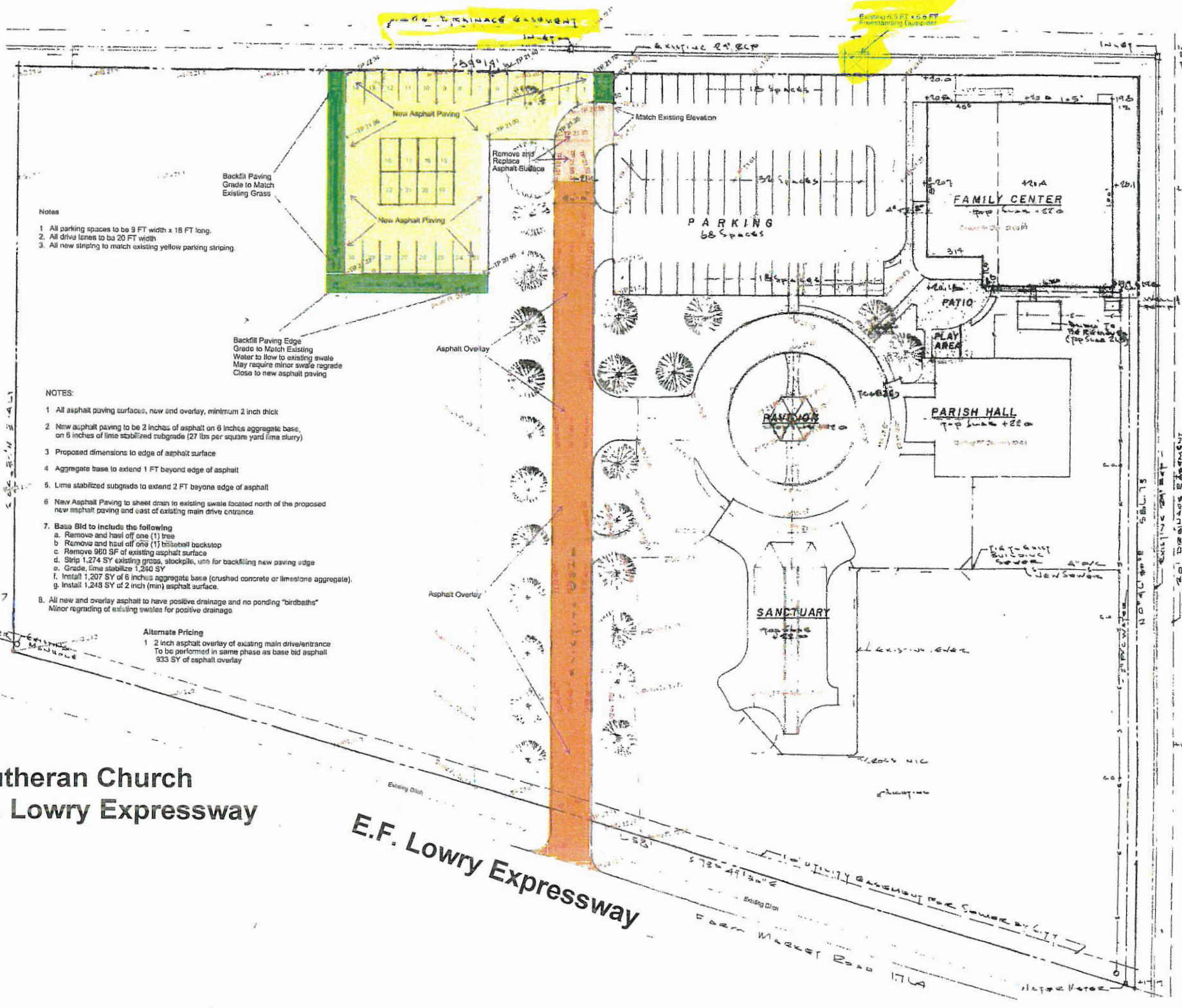


Imagery ©2019 Google, Map data ©2019 Google 100 ft

 Building zone change
 With property

Google Maps 9111 Emmett F Lowry Expy





Notes

1. All parking spaces to be 9 FT width x 18 FT long.
2. All drive lanes to be 20 FT width
3. All new striping to match existing yellow parking striping.

NOTES:

1. All asphalt paving surfaces, new and overlay, minimum 2 inch thick
2. New asphalt paving to be 2 inches of asphalt on 6 inches aggregate base, on 6 inches of lime stabilized subgrade (27 lbs per square yard lime slurry)
3. Proposed dimensions to edge of asphalt surface
4. Aggregate base to extend 1 FT beyond edge of asphalt
5. Lime stabilized subgrade to extend 2 FT beyond edge of asphalt
6. New Asphalt Paving to sheet drain to existing swale located north of the proposed new asphalt paving and east of existing main drive entrance.
7. Base Bid to include the following
 - a. Remove and haul off one (1) tree
 - b. Remove and haul off one (1) bristolball backstop
 - c. Remove 960 SF of existing asphalt surface
 - d. Strip 1,274 SY existing grass, stockpile, use for backfilling new paving edge
 - e. Grade, lime stabilize 1,240 SY
 - f. Install 1,207 SY of 6 inches aggregate base (crushed concrete or limestone aggregate).
 - g. Install 1,243 SY of 2 inch (min) asphalt surface.
8. All new and overlay asphalt to have positive drainage and no ponding "birdbaths" Minor regrading of existing swales for positive drainage


Alternate Pricing

1. 2 inch asphalt overlay of existing main drive/entrance To be performed in same phase as base bid asphalt 933 SY of asphalt overlay

Peace Lutheran Church
9111 E.F. Lowry Expressway

E.F. Lowry Expressway

Memo

To: Zoning Commission
From: Doug Kneupper, City Engineer 
CC:
Date: June 12, 2019
Re: General Business Zoning, Peace Lutheran Church, 9111 E.F. Lowry Expressway

Background: The applicant (church) owns 5.9 acres of partially developed property on EF Lowry Expressway midway between Century Blvd. and Amburn Road. The applicant intends to utilize an existing building on the church campus as a privately operated Event Center. To be able to utilize the property in this manner, a zone change is needed from the current Single-Family Residential to General Business. This will not affect the church function as that use is allowed in General Business districts also.

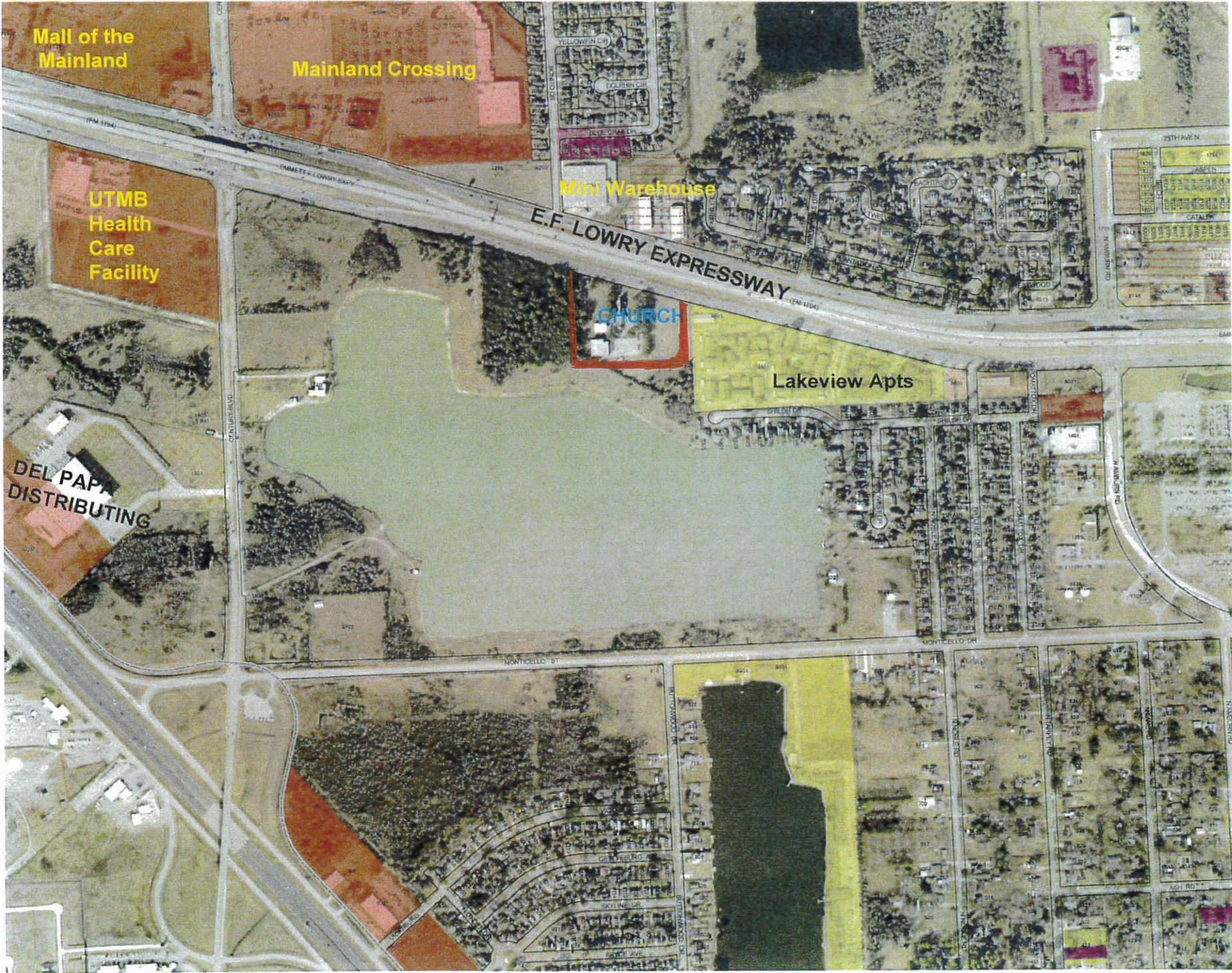
The Land Use Plan supports the intended zoning and use. There is an Activity Corridor area shown along EF Lowry Expressway. Within this category, higher intensity commercial, outdoor display and warehousing land uses are supported.

As indicated on the attached zoning map, most of the surrounding properties are zoned single-family residential. To the east and adjacent to the church property is existing multi-family zoning with apartments. However, there is approximately 500 feet of separation between the proposed Event Center and the boundary of the apartment property.

Analysis / Recommendation: If approved, the General Business zoning would accommodate an extensive variety of enclosed retail and commercial services serving the overall needs of the community. The site plan shows four existing structures making up the church campus. The building labeled Family Center is where the private event center activities will occur. City water is available to the site and can provide adequate fire protection for the intended use. Sewer is also readily available to this site. Access from EF Lowry Expressway (a major transportation corridor) is important for General Business zoning and provides good vehicle circulation for this location. FEMA Flood Insurance Rate Maps indicate this property is not in a floodplain area, so the existing building will not need to be elevated.

Based on the surrounding land uses, development and zoning, access from adjacent thoroughfares, the ability to provide adequate water for fire protection, city staff has no objection to the rezoning request.

EXISTING ZONING MAP EXHIBIT



Land Use Plan for Texas City

Land Use Areas

Established Neighborhoods are the built-up areas of the City which are generally characterized by satisfactory structural housing conditions and neighborhoods mostly free from blighting influences such as mixed land use patterns, abandoned buildings, and street layouts inappropriate for residential development. These predominantly residential neighborhoods may include some undeveloped tracts which should also become residential. Any proposed nonresidential development should be limited, carefully reviewed, and only adjacent to designated major thoroughfares and/or activity corridors. Zoning and capital improvement policies should protect and enhance established neighborhoods.

Neighborhood Growth Areas are intended to accommodate Texas City's needs for new residential neighborhoods and related shopping areas and community facilities for the foreseeable future. Community facilities may include parks, schools, libraries, fire stations, and recreation centers. Development of neighborhood growth areas in general accordance with the Neighborhood Unit Concept allows for a diversity of housing types and convenient access to community facilities and retail centers while still identifying and protecting single-family residential areas from intrusion of incompatible land uses and heavy vehicular traffic.

Waterfront Conservation & Recreation Areas are wetlands, flood plains, limited uplands and other areas of natural beauty adjacent to Galveston Bay, Moses Lake, Dollar Bay and Moses and Dickinson Bayous. These areas are, for the most part, not developable due to environmental considerations or flooding potential or because it is not economically feasible for either the City or private developers to provide the necessary access or infrastructure. They will remain primarily as open space. Federally defined wetlands should be identified and protected. Flood plains and uplands should be utilized for passive and Active Park and recreational and tourism type uses including marinas, restaurants, hotels, and related retail.

Activity Corridors, parallel freeway and highways with higher intensity land uses. These uses are primarily region serving and include malls, commercial, and open display retailing, wholesale, distributing and warehousing operations, restricted light industry, business offices, hotels and motels, and higher density residential development. The depths of these corridors may vary slightly on either side of the freeway or highway dependent upon specific types of land uses. The intensity of development should decrease in proportion to the distance from the freeway or highway.

Low Intensity Activity Corridor, is located along the east side of State Highway 146, north of Moses Lake, the corridor serves as a transition zone between the high way and the habitat of the Altwater Prairie Chicken and endangered species. Limited low intensity commercial, Business Park, warehouse, recreation and tourism related uses are appropriate in accordance with the development standards of the State Highway 146 overlay-zoning district. Because of the adjacent to the Altwater Prairie Chicken Preserve, residential uses are not recommended.

Revitalization Corridors are the areas of Texas City where prompt action is needed to prevent or reverse deterioration, specifically along Texas Avenue and 6th Street. These corridors are characterized by dilapidated structures, fair to poor housing conditions, incompatible mixture of land uses and declining numbers of housing units and small businesses. Recommended approaches to conserving and revitalizing these areas are discussed in the "Goals and Strategies for Texas City" report prepared by the Goals 2000 Committee.

Business and Light Industrial Growth Areas should consist of a combination of office and mixed commercial uses, research and development facilities and light industrial plants in coordinated, master planned campus like settings. Interdependent and complimentary businesses and industries are ideal for these areas. The business and light industrial growth areas shown on the Plan are well served by existing freeways, thoroughfares, and major railways. A number of pipelines are also located in these areas. Planning for the types of uses identified herein can be more easily accommodated with the existing pipelines and other physical conditions.

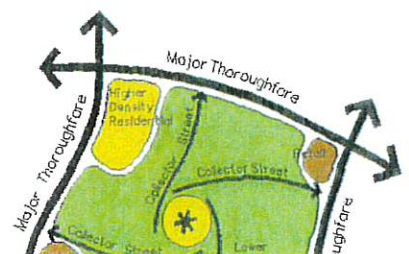
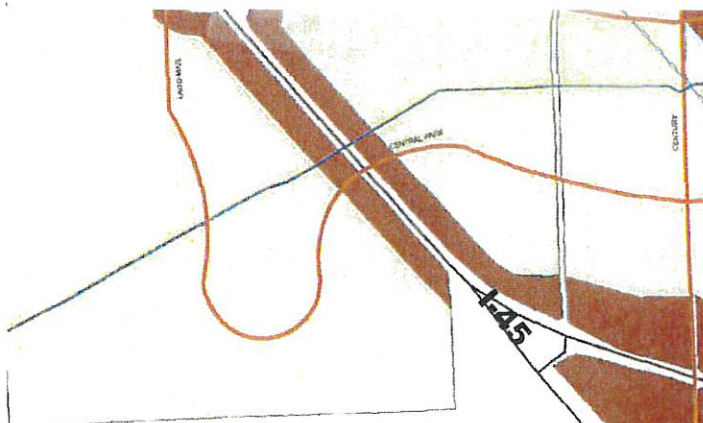
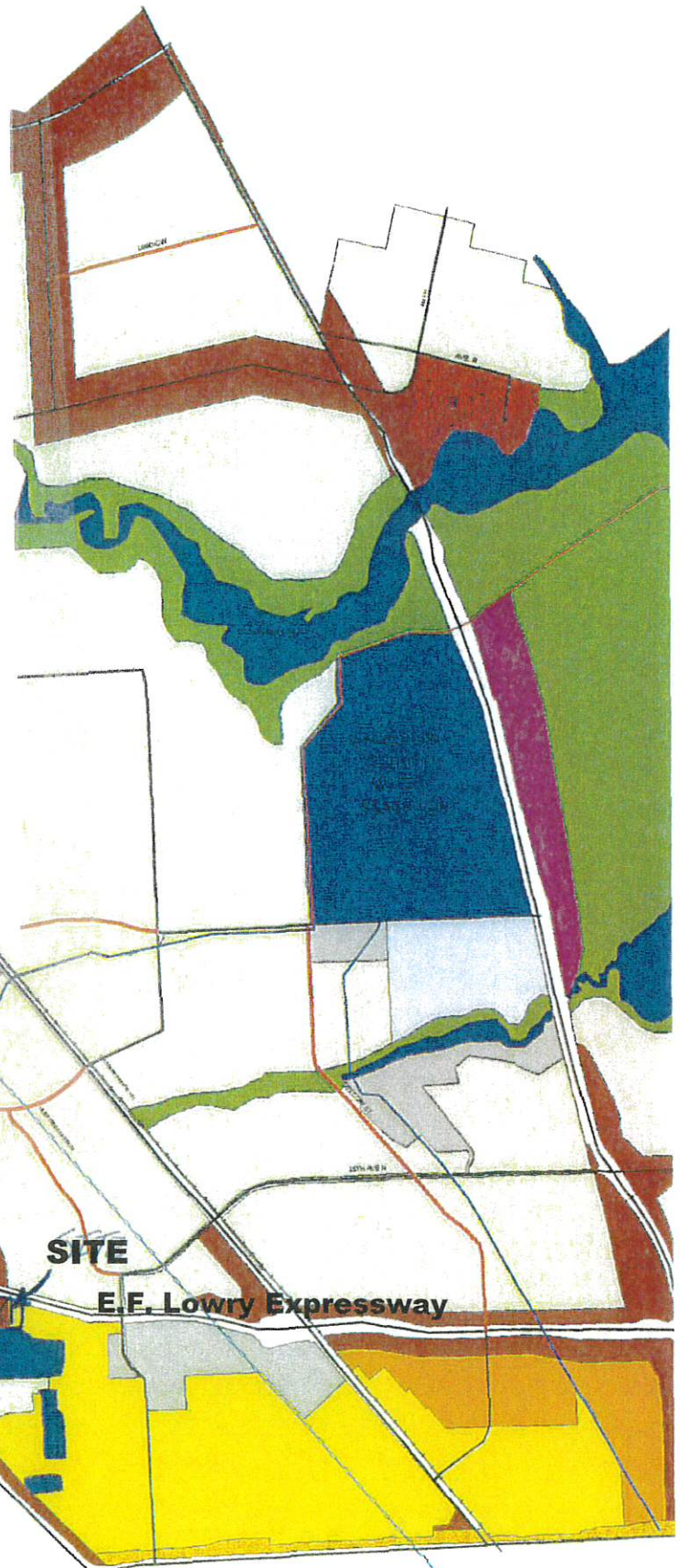
Industrial Areas provide for intensive industrial, manufacturing and maritime related uses located nonadjacent to residential neighborhoods. Future expansion of heavy industrial uses should be limited to Shoal Point, the ship channel district and remaining undeveloped lands to the south of the existing petrochemical facilities.

A. **Industrial Transition Zone** - This zone is located parallel with and adjacent to the south side of Texas Avenue. Any proposed development within the Industrial Transition Zone should be limited to nonresidential uses. Typical land uses for this zone could consist of outdoor storage, office professional, commercial, and industrial warehousing. This zone will require enhanced performance standards, i.e., setbacks, parking, landscaping, and screening. The intent for the enhanced performance standards is to provide reasonable aesthetics and visual screening to the industrial land use south of 5th Avenue South.

B. **Dickinson Bayou Transition Zone** - This zone is located on the north side of Dickinson Bayou east of 29th Street and south of Avenue R. Land uses within this zone include all uses except heavy industry. This zone will require enhanced performance standards, i.e., setbacks, parking, landscaping and screening that are intended to provide a more attractive waterfront environment.

Public / Institutional Areas include major government, educational, and medical facilities located throughout the City.

Growth Reserves are recommended as long-term expansion areas of the City that could not be economically served with City utilities in the foreseeable future. These areas are also beyond the limits of the existing hurricane protection levee. Development should be directed away from these reserves and into recognized activity corridors and neighborhood growth areas. Any interim uses should be monitored to avoid threatening Texas City's long-term growth prospects.



CITY COMMISSION REGULAR MTG

(7) (a)

Meeting Date: 07/17/2019

Rezoning - Peace Lutheran church

Submitted For: Jean Vincent, Transportation and Planning

Submitted By: Jean Vincent, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST (Brief Summary)

This request is ready for final action by the Commission to either approve or deny.

BACKGROUND

This rezoning request was granted unanimous approval during a Public Hearing held before the Zoning Commission on June 18, 2019. It is now ready for final dispensation.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

CITY COMMISSION REGULAR MTG

(8) (a)

Meeting Date: 07/17/2019

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Approve City Commission Minutes for June 19, 2019 meeting. (City Secretary)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Minutes

DRAFT

REGULAR CALLED CITY COMMISSION MEETING

MINUTES

WEDNESDAY, JUNE 19, 2019 – 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A Regular Called Meeting of the City Commission was held on Wednesday, June 19, 2019, 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 5:02 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 Commissioner At-Large Phil Roberts.

3. PLEDGE OF ALLEGIANCE

Led by Commissioner At-Large Bruce Clawson.

4. ANNOUNCEMENTS

a. Cancellation of the July 3, 2019, Regular City Commission Meeting.

Mayor Doyle announced that the July 3, 2019, Regular Commission Meeting is canceled.

5. PROCLAMATIONS AND PRESENTATIONS

b. Service Awards

John Young	Public Works	06/15/2009	10 years
Laquita Walker	Sanitation	06/08/2009	10 years
Mark Lovell	Fire	06/08/2009	10 years
Dagoberto Barrera	Public Works	06/08/2004	15 years
Charles Cotton	Sanitation	06/07/1999	20 years
Joe Valdez	Waste Water Treatment Plant	06/24/1994	25 years

6. REPORTS

a. Collections (Municipal Court)

Tammy Odom, Municipal Court Supervisor, gave a PowerPoint presentation updating the City Commission on milestones the Municipal Court has achieved since 2018.

b. Senior Citizens Program (Recreation and Tourism)

Lenor 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 presentation also gave an update on the transportation, meals, and activities that are available through the Senior Program.

7. PUBLIC HEARING

a. Amendment to the Tax Increment Reinvestment Zone Number One (TIRZ 1) Project Plan

Mayor Doyle opened the floor to anyone wanting to speak before the City Commission about the TIRZ 1 Amendment.

No one came forth.

Motion by Commissioner District 4 Jami Clark, Seconded by Mayor Pro Tem, Commissioner At-Large Phil Roberts to close the Public Hearing.

Vote: 6 - 0 CARRIED

8. CONSENT AGENDA

Motioned by Commissioner District 2 Abel Garza, Jr, seconded by Commissioner District 4 Jami Clark to approve Consent Agenda items a. b, c, d, and f.

a. Approve City Commission Minutes for June 5, 2019 meeting. (City Secretary)

Vote: 6 - 0 CARRIED

b. Consider and take action on Resolution No. 19-052, approving the purchase of one (1) used 2012 Medic Unit from Frazer, Ltd. (Fire Department)

Vote: 6 - 0 CARRIED

c. Consider and take action on Resolution No. 19-053, authorizing the submission of a Community Development Block Grant Disaster Recovery (CDBG-RD) Application to the General Land Office. (Emergency Management)

Vote: 6 - 0 CARRIED

- d. Consider and take action on Resolution No. 19-054, approving the purchase of one (1) Physio Control Lifepak 15 Monitor/Defibrillator/Pacer and one (1) LUCAS Chest Compression Device from Physio Control. (Fire Department)

Vote: 6 - 0 CARRIED

- e. Consider and take action on Resolution No. 19-055, re-naming 4th Street North from Texas Avenue to 14th Avenue North to ML King Jr. Street and removing ML King Jr. designation from 1st Avenue South from Bay Street to 10th Street South. (City Engineer)

Pulled by Mayor Doyle.

Mayor Doyle stated that on June 22, 2019, there will be a dedication of this park and encouraged that City Staff attend.

Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner District 2 Abel Garza, Jr.

Vote: 6 - 0 CARRIED

- f. Consider and take action on Resolution No. 19-056, approving the adoption of tax abatement guidelines. (City Secretary)

Vote: 6 - 0 CARRIED

9. REGULAR ITEMS

- a. Consider and take action on Ordinance No. 19-14, amending the City's fiscal year 2018-2019 budget to appropriate funds for the purchase of capital items for the Fire Department. (Finance)

Laura Boyd, Finance Director, stated that because Resolution Number 19-052 and 19-054 were approved, it is necessary to make an amendment to the 2018-2019 budget for these capital items.

Motion by Commissioner District 4 Jami Clark, Seconded by Mayor Pro Tem, Commissioner At-Large Phil Roberts

Vote: 6 - 0 CARRIED

- b. Consider and take action on Ordinance No. 19-15, approving the amended Project Plan for the Tax Incentive Reinvestment Zone Number One (TIRZ 1). (City Secretary)

Nicholas Finan, Executive Director of Management Services, stated that being that there were no objections during the Public Hearing, it is recommended that the City Commission advocate for an amendment to the TIRZ 1 Project Plan.

Motion by Commissioner District 4 Jami Clark, Seconded by Mayor Pro Tem, Commissioner At-Large Phil Roberts

Vote: 6 - 0 CARRIED

10. STAFF COMMENTS

Luke Alvey, Library Director, stated that the Summer Reading Program has a high participation rating this year.

Rhomari Leigh, Admin. Assistant, wished everyone a Happy Juneteenth.

Nicole Best, Recreation Superintendent, stated that on Friday, June 21st there will be a Movie in the Park starting at dusk. On Saturday, June 22nd there will be an Official Dedication of the Texas City African American Cultural Park.

11. MAYOR'S COMMENTS

Mayor Doyle wished everyone a Happy Fourth of July.

12. COMMISSIONERS' COMMENTS

Commissioner District 4 Jami Clark gave kudos to the Recreation and Tourism Department for their Senior Program.

Commissioner At-Large Phil Roberts informed that Texas City was highlighted during a H-GAC Meeting for the Livable Centers work that the City has done.

13. ADJOURNMENT

Having no further business, Commissioner District 2 Abel Garza, Jr. made a MOTION to ADJOURN at 5:40 p.m.; the motion was SECONDED by Commissioner District 4 Jami Clark. All present voted AYE. MOTION CARRIED.

MATTHEW T. DOYLE, MAYOR

ATTEST:

Nicholas J. Finan, City Secretary

CITY COMMISSION REGULAR MTG

(8) (b)

Meeting Date: 07/17/2019

2017 DOOSAN DL200-5 WHEEL LOADER

Submitted For: Mike McKinley, Public Works

Submitted By: Mike McKinley, Public Works

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Approval of the purchase and delivery of a 2017 Doosan Model DL200-5 wheel loader through the BuyBoard Purchasing Cooperative Contract # 515-16, for the total price of \$99,900.00 after trade-in.

BACKGROUND

This equipment is to replace worn equipment and funds have been made available.

The quote is attached for your review.

ANALYSIS

it is the recommendation of the Public Works Department to award the purchase and delivery of the 2017 Doosan Model DL200-5 Wheel Loader, through the BuyBoard Purchasing Cooperative for the total amount of \$ 99,900.00 after trade-in.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

Exhibit A

RESOLUTION NO. 19-057

A RESOLUTION APPROVING THE PURCHASE OF A 2017 DOOSAN MODEL DL200-5 WHEEL LOADER THROUGH BUYBOARD, A LOCAL GOVERNMENT PURCHASING COOPERATIVE PROGRAM CONTRACT No. 515-16; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the Public Works Department requests approval for the purchase of a 2017 Doosan Model DL200-5 Wheel Loader through BuyBoard, a Local Government Purchasing Cooperative Program Contract No. 515-16; and

WHEREAS, this equipment is to replace worn down equipment for the Public Works Department for the purchase price of \$99,900.00 after trade-in.

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 a 2017 Doosan Model DL200-5 Wheel Loader through BuyBoard, a Local Government Purchasing Cooperative Program Contract No. 515-16, for a total price of \$99,900.00, after trade-in, 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 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney



www.rbeverett.com

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

June 24, 2019

BUDGET QUOTE

REVISED

Mr. Abe Zuniga
City of Texas City
10 11th Street
Texas City, Texas 77590

Dear Mr. Zuniga:

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

- (1) **2017 DOOSAN** Model DL200-5 Wheel Loader complete with All Standard Equipment including 2.5 cu. yd. General Purpose Bucket with Bolt-On Cutting Edge, Hydraulic Quick Coupler and 72" Pallet Forks.
Serial Number: DWGCWLBK1010193 Approximate Hours: 969

Price F. O. B. Texas City, Texas.....	\$114,900.00
Less Trade-In Volvo L60E Loader SN: L60EV60090.....	- \$15,000.00
Total	\$99,900.00

Terms: Net on receipt of Invoice (Subject to Credit Approval)
(Credit Cards Not Accepted)
***Equipment may be acquired through the Cooperative Purchasing Contract of BuyBoard Contract 515-16* Quote is valid for 30 Days.**

Thank you for the opportunity of quoting on this equipment. Please let us know if additional information is needed.

Best regards,

R. B. EVERETT & COMPANY
Rick Vincent
Territory Manager



CITY COMMISSION REGULAR MTG

(8) (c)

Meeting Date: 07/17/2019

2015 685C Motor Grader

Submitted For: Mike McKinley, Public Works

Submitted By: Mike McKinley, Public Works

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Consider and take action approving the purchase of a 2015 685C Motor Grader with approximately 550 hours, for the Public Works Department.

BACKGROUND

This piece of equipment would be purchased from ROMCO Equipment Company for \$95,762.00. Due to the age, we were unable to use a purchasing cooperative to purchase this piece of equipment, therefore, a competitive quote is attached for your review.

ANALYSIS

ALTERNATIVES CONSIDERED

It is the recommendation of the Public Works Department to award the purchase of the 2015 685C Motor Grader for the total purchase amount of \$95,762.00 (after trade-in).

Thank you.

Fiscal Impact

Attachments

Resolution

Exhibit A

Exhibit B

RESOLUTION NO. 19-058

A RESOLUTION APPROVING THE PURCHASE OF A 2015 685C MOTOR GRADER WITH APPROXIMATELY 550 HOURS OF USAGE; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the Public Works Department requests approval for the purchase of a 2015 685C Motor Grader with approximately 550 hours of usage; and

WHEREAS, this equipment will be purchased from ROMCO Equipment Company for \$95,762.00

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 a 2015 685C Motor Grader with approximately 550 hours of usage from ROMCO Equipment Company for a total price of \$95,762.00, 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 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

QUOTE INFORMATION

INSTRUCTIONS:

\$3000 - \$49,999.99 - SECURE THREE QUOTES

NOTE: If the purchase is greater than \$3000.00 and no more than \$49,999.99, no less than 3 vendors will be contacted for competitive quotes. The city will also contact at least two HUBs on a rotating basis (Section 252.0215 Local Government Code.) If the list fails to identify a disadvantaged business in Galveston County, the City is exempt from this section. A list of HUB businesses is located Section I Exhibit A, of the Purchasing Policy.

VENDOR NAME ROMCO Equipment			VENDOR NAME				
HUB BUSINESS	YES	NO	PHONE #	HUB BUSINESS	YES	NO	PHONE #
			713-937-3005				
MAILING ADDRESS 8450 Breen Houston, TX 77064			MAILING ADDRESS				
CONTACT PERSON Tray Park			CONTACT PERSON				
PRICE \$ 95,762.00			PRICE				
SHIPPING			SHIPPING				
COMMENTS 550 hrs.			COMMENTS				

VENDOR NAME ASCO Equipment			VENDOR NAME				
HUB BUSINESS	YES	NO	PHONE #	HUB BUSINESS	YES	NO	PHONE #
			713-649-0940				
MAILING ADDRESS 6203 Long Dr. Houston, TX 77087			MAILING ADDRESS				
CONTACT PERSON Frank Priddy			CONTACT PERSON				
PRICE \$99,750.00			PRICE				
SHIPPING			SHIPPING				
COMMENTS 614 hrs.			COMMENTS				

If applicable explain why the appropriate number of quotes were not obtained per instructions

AWARD FACTOR: Check one

- Lowest Price Only Source
- Quality Prof. Service
- Est. Delivery Other _____

Date 06/24/2019

Quote received by Abraham Zuniga / Glenn Riske



8450 Breen Rd / Houston TX 77064 / 713-937-3005 / Fax: 713-937-7541

Quote No. ES10007438
Version: 1
Date: 6/18/2019

Attn: Abraham Zuniga
CITY OF TEXAS CITY
Accounts Payable
Texas City, TX 77590

ROMCO Equipment Co. is pleased to present the following equipment for your consideration:

1 2015 685C MOTOR GRADER (SN: 126871 W/ APPROX. 550 HOURS) EQUIPPED AS FOLLOWS:

- 110 Hp Cummins Tier 3 Turbo Diesel Engine
- 2-Speed Tandem Axle Gearbox
- 15" x 19.5" (8) Ply Tires
- Articulated Frame Design
- Reflective Decals
- Hydraulic Circle Side Shift
- 10' Hydraulic Sliding/Tilting Moldboard
- Suspension Seat
- Fail Safe Braking System
- Enclosed Cab with A/C, Radio & CD Player
- Front / Rear Flood Lights
- Back Up Alarm
- All Standard Equipment

	SALE PRICE:	\$108,762.00
TRADE : 1998 Fiatallis FG65C Motorgrader (SN:85505526):		(\$13,000.00)
	SALE PRICE AFTER TRADE:	\$ 95,762.00

***** NOTE: No Warranty

Price does not include any taxes. The above price is valid for 30 days unless specifically extended by ROMCO Equipment Co.

Notice is hereby given that ROMCO Equipment Co. LLC has assigned its rights under this sales contract to ROMCO Exchange Co. LLC to sell the equipment described herein and, if applicable, to purchase trade-in Property described herein.

Quoted By:

Tray Park
ROMCO Equipment Co.
Equipment Sales
Cell: 713-205-3129
Fax: 713-937-7541
E-mail: tpark@romco.com

EQUIPMENT FOR THE CONSTRUCTION, MINING AND AGGREGATE INDUSTRIES

QUOTATION

ASCO EQUIPMENT
6203 LONG DR
HOUSTON, TX 77087
713-649-0940

DATE: 6/24/2019
SALESMAN: Frank Priddy
ATTENTION: Abraham Zuniga

TO: City of Texas City
 10-11th Street
 Texas City, TX

QUANTITY	PRODUCT INFORMATION	SERIAL NUMBER	EQ NUMBER	PRICE
1	2014 Leeboy 685C motor grader w/110 hp Cummins T3 diesel engine, 11' moldboard, LED working lights, amber strobe, rear mounted scarifier, moldboard float control, vandalism pkg., fail-safe park brake, dynamic braking system, pump de-stroke for secondary braking, back-up alarm, high temp/low oil pressure shutdown, horn and open ROPS. Unit has approximately 614 hours			\$99,750.00

EQUIPMENT SPECIFICATION	TRADE-IN

NOTES
UNIT IS FROM ASCO RENTAL FLEET

Equipment Purchase	\$ 99,750.00
Trade in Allowance	\$ -
Freight	\$ -
Total Proposal	\$ 99,750.00
Sales Tax	
Diesel Tax	
Inventory Tax	
Total w/ Tax	\$ 99,750.00

**I acknowledge that I have been given the option purchase the following:
 Physical Damage Insurance, Extended Warranty, and SiteWatch/Telematics.**
 _____ (initial).

THIS IS NOT A FINANCE OFFER. FINANCING IS SUBJECT TO CUSTOMER CREDIT APPROVAL AND MUST BE DOCUMENTED ON OFFICIAL APPROPRIATE FORMS. PHYSICAL DAMAGE INSURANCE IS REQUIRED ON ALL FINANCE EQUIPMENT AND IS NOT QUOTED HERE. THIS QUOTE DOES NOT INCLUDE ANY APPLICABLE TAXES, DELIVERY FEES, OR OTHER APPLICABLE FEES UNLESS OTHERWISE NOTED ABOVE. NET DUE ON DELIVERY OR APPROVED FINANCE. A CANCELLATION CHARGE OF 20% OF TOTAL PURCHASE PRICE WILL BE ASSESSED AND IS HERBY AGREED TO BY THE CUSTOMER ON ALL CANCELLED ORDERS. ALL USED EQUIPMENT IS SOLD AS IS WHERE IS. ALL USED EQUIPMENT QUOTED IS SUBJECT TO PRIOR SALE AND IS NOT GUARANTEED. PRICE, TERMS, AND DELIVERY DATE ARE SUBJECT TO APPROVAL BY THE MANAGEMENT OF THE COMPANY. QUOTATION EXPIRES IN 10 DAYS UNLESS OTHERWISE NOTED.

ACCEPTED BY	
CUSTOMER: _____	DATE _____
SALESMAN: _____	DATE _____
MANAGER: _____	DATE _____

CITY COMMISSION REGULAR MTG

(8) (d)

Meeting Date: 07/17/2019

2019-067 Personnel Protective Equipment, Fire Hose, Nozzles and Related Equipment

Submitted For: Debbie Gurka, Administration

Submitted By: Debbie Gurka,
Administration

Department: Purchasing

Information

ACTION REQUEST (Brief Summary)

Approve and award Bid No. 2019-067 Personnel Protective Equipment, Fire Hose, Nozzles and Related Equipment Annual Contract.

BACKGROUND

On April 18, 2019 bid packets were mailed to vendors. A letter of recommendation and bid tabulation are attached for your review.

Bids were opened May 7,2019 at 2:00 p.m.

ANALYSIS

ALTERNATIVES CONSIDERED

After reviewing the bids opened on Tuesday, May 7, 2019 at 2:00 p.m., it is the recommendation of Fire Chief, David Zacherl and Assistant Fire Chief, Jesse Rubio to award the bid as follows:

Section 1: Delta Industrial Service & Supply, Port Neches, TX.

Section 2: NAFECO, Decatur, AL.

Section 3: Delta Industrial Service & Supply, Port Neche, TX.

Fiscal Impact

Attachments

Resolution

Letter of Recommendation

Bid Tabulation

NAFECO Purchase Agreement

Delta Industrial Purchase Agreement

RESOLUTION NO. 19-059

A RESOLUTION AWARDDING BID NUMBER 2019-067 AND AUTHORIZING THE MAYOR TO ENTER INTO AN ANNUAL CONTRACT FOR THE PURCHASE AND DELIVERY OF PERSONNEL PROTECTIVE EQUIPMENT, FIRE HOSE AND RELATED EQUIPMENT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on April 18, 2019, bid packets were mailed to area vendors for Bid No. 2019-067 Purchase and Delivery of Personnel Protective Equipment, Fire Hose and Related Equipment Annual Contract; and

WHEREAS, bids were opened on May 7, 2019, and it is the recommendation of the Fire Chief and Assistant Fire Chief that the bids be awarded to:

Section 1: Personnel Protective Equipment to Delta Industrial Service & Supply,
Port Neches, Texas

Section 2: Fire Hose and Nozzle to NAFECO, Decatur, Alabama

Section 3: Foam Concentrate to Delta Industrial Service & Supply, Port Neches,
Texas

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

SECTION 1. That the successful bidders for the purchase and delivery of personnel protective equipment, fire hose, and related equipment annual contract, Bid No. 2019-067, are Delta Industrial Service & Supply and FAFECO for the bid amounts set out on **Exhibit "A"**, attached hereto and made a part hereof.

SECTION 2. That the Mayor is hereby authorized to enter into an annual contract with Delta Industrial Service & Supply and FAFECO, for the purchase and delivery of personnel protective equipment, fire hose and related equipment annual contract.

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

PASSED AND ADOPTED this 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

Texas City Fire Department
Memorandum

To: Debbie Gurka, Purchasing

From: Jesse Rubio, Assistant Fire Chief

Date: June 28, 2019

Re: Bid #2019-067 Personnel Protective Equipment,
Fire Hose, Nozzles and Related Equipment

After reviewing the bids opened on Tuesday, May 7, 2019 at 2:00p.m., it is my recommendation that we award the bids as follows:

Section 1: Personnel Protective Equipment award to Delta Industrial Service as the lowest, responsible total bid, meeting all of these specifications to Bidder: Item 9. Basis of Award.

Section 2: Fire Hose & Nozzles awarded to NAFECO as the lowest, responsible total bid, meeting all of these specification in accordance with Instructions to Bidders: Item 9. Basis of award.

Section 3: Foam Concentrate awarded to Delta Industrial Service & Supply as the lowest, responsible total bid, meeting all of these specifications to Bidder: Item 9. Basis of Award.

If you have any questions or desire additional information, please contact me at your earliest convenience at 409-392-2858 or 409-643-5704

Thank you,

Assistant Fire Chief Jesse Rubio
(Electronically Signed)

Authorized for Distribution:

David B. Zacherl
Fire Chief
(Electronically Signed)

“Working Together to Enhance the Community”

PURCHASE AGREEMENT

STATE OF TEXAS §

COUNTY OF GALVESTON §

THIS AGREEMENT MADE AND ENTERED INTO THIS 18th DAY OF JULY A.D., 2019, by and between the CITY OF TEXAS CITY (OWNER), a municipality in Galveston County, Texas, and NORTH AMERICA FIRE EQUIPMENT CO. INC. (NAFECO) in the City of Decatur, County of Morgan, and the State of Alabama.

DESCRIPTION

WITNESSETH: In consideration of the payments and agreements hereinafter mentioned, to be made and performed by OWNER, SUPPLIER agrees to furnish and deliver Personnel Protective Equipment, Fire Hose, Nozzles and Related Equipment – all items in Section 2 for the unit prices bid as described in:

**BID # 2019-067
ANNUAL CONTRACT
PERSONNEL PROTECTIVE EQUIPMENT, FIRE HOSE, NOZZLES AND RELATED
EQUIPMENT**

The SUPPLIER agrees to furnish and deliver Personnel Protective Equipment, Fire Hose, Nozzles and Related Equipment – all items in Section 2 for the unit prices bid, for a twelve (12) month period, in complete accordance with the OWNER'S specifications, conditions and prices stated in the Bid Form dated May 6, 2019.

AGREEMENT

This Agreement shall consist of the Purchase Agreement, Notice to Bidders, Instructions to Bidders, Conflict of Interest, Special Conditions, Specifications and the Bid Form. These items shall form the Agreement and are as fully a part of the Agreement as if attached to the Agreement.

This contract represents the entire and integrated agreement between the OWNER and the SUPPLIER and supersedes all prior negotiations, representations or agreements, whether written or oral.

The SUPPLIER agrees to furnish and deliver to the OWNER Personnel Protective Equipment, Fire Hose, Nozzles and Related Equipment – all items in Section 2 for the unit prices bid, as stated on the Bid Form for the duration of the contract.

TERM

The SUPPLIER shall supply and deliver Personnel Protective Equipment, Fire Hose, Nozzles and Related Equipment – all items in Section 1 and one item in Section 3, on an “as needed” basis for a twelve (12) month period beginning July 18, 2019 and continuing through July 18, 2020.

Extension of the contract for an additional twelve (12) month period beyond the contract term may be negotiated when prices and conditions remain unchanged.

PAYMENT

The OWNER agrees to make payments in the full amount of the invoice within thirty (30) days following receipt of an invoice.

The amounts to be paid are based on the SUPPLIER’S Bid Form attached hereto and subject to the conditions, which are described in the contract documents.

In WITNESS THEREOF, the parties of these presents have executed this agreement in triplicate in the year and day first above written.

NAFECO
SUPPLIER

CITY OF TEXAS CITY
OWNER

Typed Name: _____
Position: _____

Matthew T. Doyle
MAYOR

DATE

DATE

SEAL

SEAL

ATTEST: _____

ATTEST: _____
Laura Boyd
Director of Finance

PURCHASE AGREEMENT

STATE OF TEXAS §

COUNTY OF GALVESTON §

THIS AGREEMENT MADE AND ENTERED INTO THIS 18th DAY OF JULY A.D., 2019, by and between the CITY OF TEXAS CITY (OWNER), a municipality in Galveston County, Texas, and DELTA INDUSTRIAL SERVICE AND SUPPLY in the City of Port Neches, County of Jefferson, and the State of Texas.

DESCRIPTION

WITNESSETH: In consideration of the payments and agreements hereinafter mentioned, to be made and performed by OWNER, SUPPLIER agrees to furnish and deliver Personnel Protective Equipment, Fire Hose, Nozzles and Related Equipment – all items in Section 1 and one item in Section 3, for the unit prices bid as described in:

**BID # 2019-067
ANNUAL CONTRACT
PERSONNEL PROTECTIVE EQUIPMENT, FIRE HOSE, NOZZLES AND RELATED
EQUIPMENT**

The SUPPLIER agrees to furnish and deliver Personnel Protective Equipment, Fire Hose, Nozzles and Related Equipment – all items in Section1 and one item in Section 3, for the unit prices bid, for a twelve (12) month period, in complete accordance with the OWNER'S specifications, conditions and prices stated in the Bid Form dated May 3, 2019.

AGREEMENT

This Agreement shall consist of the Purchase Agreement, Notice to Bidders, Instructions to Bidders, Conflict of Interest, Special Conditions, Specifications and the Bid Form. These items shall form the Agreement and are as fully a part of the Agreement as if attached to the Agreement.

This contract represents the entire and integrated agreement between the OWNER and the SUPPLIER and supersedes all prior negotiations, representations or agreements, whether written or oral.

The SUPPLIER agrees to furnish and deliver to the OWNER Personnel Protective Equipment, Fire Hose, Nozzles and Related Equipment – all items in Section 1 and one item in Section 3, for the unit prices bid, as stated on the Bid Form for the duration of the contract.

TERM

The SUPPLIER shall supply and deliver Personnel Protective Equipment, Fire Hose, Nozzles and Related Equipment – all items in Section 1 and one item in Section 3, on an “as needed” basis for a twelve (12) month period beginning July 18, 2019 and continuing through July 18, 2020.

Extension of the contract for an additional twelve (12) month period beyond the contract term may be negotiated when prices and conditions remain unchanged.

PAYMENT

The OWNER agrees to make payments in the full amount of the invoice within thirty (30) days following receipt of an invoice.

The amounts to be paid are based on the SUPPLIER’S Bid Form attached hereto and subject to the conditions, which are described in the contract documents.

In WITNESS THEREOF, the parties of these presents have executed this agreement in triplicate in the year and day first above written.

DELTA INDUSTRIAL SERVICE & SUPPLY
SUPPLIER

CITY OF TEXAS CITY
OWNER

Typed Name: _____
Position: _____

Matthew T. Doyle
MAYOR

DATE

DATE

SEAL

SEAL

ATTEST: _____

ATTEST: _____
Laura Boyd
Director of Finance

CITY COMMISSION REGULAR MTG

(8) (e)

Meeting Date: 07/17/2019

Bid # 2019-370 2019 Pavement Striping Project at Various Locations

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

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Approve and award a contract for the 2019 Pavement Striping Project at Various Locations

BACKGROUND

Bid packets were made available to area vendors June 4, 2019. Bids were opened and read aloud on June 25, 2019.

A bid tabulation is attached for your review.

ANALYSIS

The low responsible bidder meeting all specifications was received from Stripe Lines, Inc. in Houston Texas, for the total bid amount of \$148,367.00. It is the recommendation of the Public Works Department to award the contract to Stripe Lines, Inc. for the amount bid and that the Mayor is authorized to execute a contract on behalf of the Commission.

It is further requested that the Mayor be authorized to approve any change orders not to exceed 25% without bringing the matter before the Commission.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution
Exhibit A

RESOLUTION NO. 19-060

A RESOLUTION AWARDING BID NO. 2019-370 THE 2019 PAVEMENT STRIPING PROJECT AT VARIOUS LOCATIONS AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH STRIPE LINES, INC.; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, bids were made available to area vendors on June 4, 2019, for Bid No. 2019-370, The 2019 The Pavement Striping Project at various locations within the City of Texas City; and

WHEREAS, bids were opened on June 25, 2019, and it is the recommendation of the Public Works Department that the bid be awarded to Stripe Lines, Inc., Houston, Texas, for the total bid amount of \$148,367.00.

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

SECTION 1: That the City Commission hereby accepts the contract by Stripe Lines, Inc. for 2019-370, The 2019 The Pavement Striping Project at various locations.

SECTION 2: That the Mayor is hereby authorized to enter into a contract with Stripe Lines, Inc. for the unit prices bid attached hereto as **Exhibit "A"** and made a part hereof for all intents and purposes.

SECTION 3: That the Mayor is hereby authorized to approve change orders, not to exceed twenty-five (25.0%) of the total contract amount, without bringing the matter before the City Commission.

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

PASSED AND ADOPTED this 17th day of June 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

2019-370 2019 Pavement Striping Project At Various Locations

Bid Tabulation

BIDDER	BID BOND	TOTAL BASE BID PHASE I LOCATION(1)	TOTAL BASE BID PHASE II LOCATIONS (A, B, C)	TOTAL BASE BID PHASE II ADD ALTERNATE LOCATION (D)	TOTAL AMOUNT BID (SUM OF PHASE I, II, ADD ALTERNATE)
STRIPE - LINES INC.	Yes	\$57,374.00	\$84,297.00	\$6,696.00	\$148,367
Highway 1 LLC	Yes	\$56,782.00	\$87,943.50	\$7,395.00	\$152,120.50

CITY COMMISSION REGULAR MTG

(8) (f)

Meeting Date: 07/17/2019

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 19-061, denying the CenterPoint Energy Houston Electric, LLC requested rate increase. (City Secretary)

BACKGROUND

On April 5, 2019, CenterPoint Energy Houston Electric, LLC (“CenterPoint” or “Company”) filed an application with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by \$161 million per year. In the filing, the Company asks the City to approve an increase in \$154 million in retail transmission and distribution rates (an increase of about 7.4%) and \$6.8 million in wholesale transmission rates (an increase of about 1.8%). According to CenterPoint, the impact on an average residential customer would be an increase of about \$2.38 per month.

In a prior City action, CenterPoint’s rate request was suspended from taking effect for 90 days, the fullest extent permissible under the law. This time period has permitted the City, through its participation with the Gulf Coast Coalition of Cities (“GCCC”), to determine that the proposed rate increase is unreasonable. Consistent with the recommendations of experts engaged by GCCC, CenterPoint’s request for a rate increase should be denied. Accordingly, the purpose of the Resolution is to deny the rate change application proposed by CenterPoint.

CenterPoint only serves a small portion of Texas City: less than 100 residents and businesses.

ANALYSIS

Explanation of “Be It Resolved” Sections:

1. This paragraph finds that the Company’s application is unreasonable and should be denied.
2. This section requires CenterPoint to maintain its existing rates within the City.
3. This section states that GCCC’s reasonable rate case expenses shall be reimbursed by CenterPoint within 30 days of presentation of an invoice to CenterPoint.
4. This section recites that the Resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.
5. This section provides that the City will notify counsel for CenterPoint and counsel for GCCC of the City’s action by sending a copy of the approved and signed Resolution to each counsel.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 19-061

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

WHEREAS, on or about April 5, 2019, CenterPoint Energy Houston Electric, LLC ("CenterPoint" or "Company"), pursuant to PURA §§ 33.001 and 36.001 filed with the City of Texas City, Texas ("City") a Statement of Intent to change electric delivery rates in all municipalities exercising original jurisdiction within its service area, effective May 10, 2019; and

WHEREAS, the City is an electric utility customer of CenterPoint and a regulatory authority with exclusive original jurisdiction over the rates and charges of CenterPoint within the City; and

WHEREAS, the City is a member of the Gulf Coast Coalition of Cities ("GCCC"), a membership of similarly situated cities served by CenterPoint that have joined together to efficiently and cost-effectively review and respond to electric issues affecting rates charged in CenterPoint's service area; and

WHEREAS, GCCC is an intervenor in the parallel proceeding at the Public Utility Commission of Texas to review CenterPoint's filing; and

WHEREAS, the City, in a reasonably noticed meeting that was open to the public, considered the Company's application; and

WHEREAS, pursuant to its exclusive original jurisdiction over CenterPoint's rates and operations within city limits, the City previously suspended the effective date of the Company's requested rate increase; and

WHEREAS, PURA § 33.023 provides that costs incurred by cities in ratemaking activities are to be reimbursed by the regulated utility; and

WHEREAS, the City's attorneys and consultants recommend that the City deny the application.

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

SECTION 1: That the rates proposed by CenterPoint in an application submitted to the City by CenterPoint on or about April 5, 2019, are hereby found to be unreasonable, and are denied.

SECTION 2: That the Company shall continue to charge its existing rates for transmission and distribution service to customers with the City.

SECTION 3: That GCCC's reasonable rate case expenses shall be reimbursed by CenterPoint within 30 days of presentation of an invoice to CenterPoint.

SECTION 4: That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law, and that the public notice was given of the time, place, and purpose of said meeting, as required.

SECTION 5: A copy of this Resolution shall be sent to CenterPoint, care of Patrick Peters, CenterPoint Energy, Inc., 1005 Congress Avenue, Suite 650, Austin, Texas 78701 (patrick.peters@centerpointenergy.com), and to Chris Brewster at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701 (cbrewster@lglawfirm.com).

PASSED AND APPROVED this 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

CITY COMMISSION REGULAR MTG

(8) (g)

Meeting Date: 07/17/2019

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 19-062, Texas City CDBG-DR Buyout Program Application Submission. (Emergency Management)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

Image

Attachment

RESOLUTION NO. 19-062

A RESOLUTION AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) APPLICATION TO THE TEXAS GENERAL LAND OFFICE AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE CDBG-DR PROGRAM; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City of Texas City, Texas desires to develop a viable community, including decent housing in a suitable living environment and to expand economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist related to flooding that occurred during eligible federally declared disaster in 2017 which represent a threat to public health and safety; and

WHEREAS, it is necessary and in the best interest of the City of Texas City to apply for funding under the CDBG-DR Program.

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

SECTION 1: That a CDBG-DR application is hereby authorized to be filed with the Texas General Land Office for funding consideration under the Local Buyout and Acquisition Program.

SECTION 2: That the requested amount in the application be for \$2,270,138.00 of grant funds to conduct disaster recovery buyouts and acquisitions of real property impacted by Hurricane Harvey.

SECTION 3: That the Mayor is designated as the Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and participation in the CDBG-DR Program.

SECTION 4: That the City Attorney is designated to oversee all grant activities so as to ensure there are no Conflicts of Interest.

SECTION 5: That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.

PASSED AND ADOPTED this 17th day of July 2019.

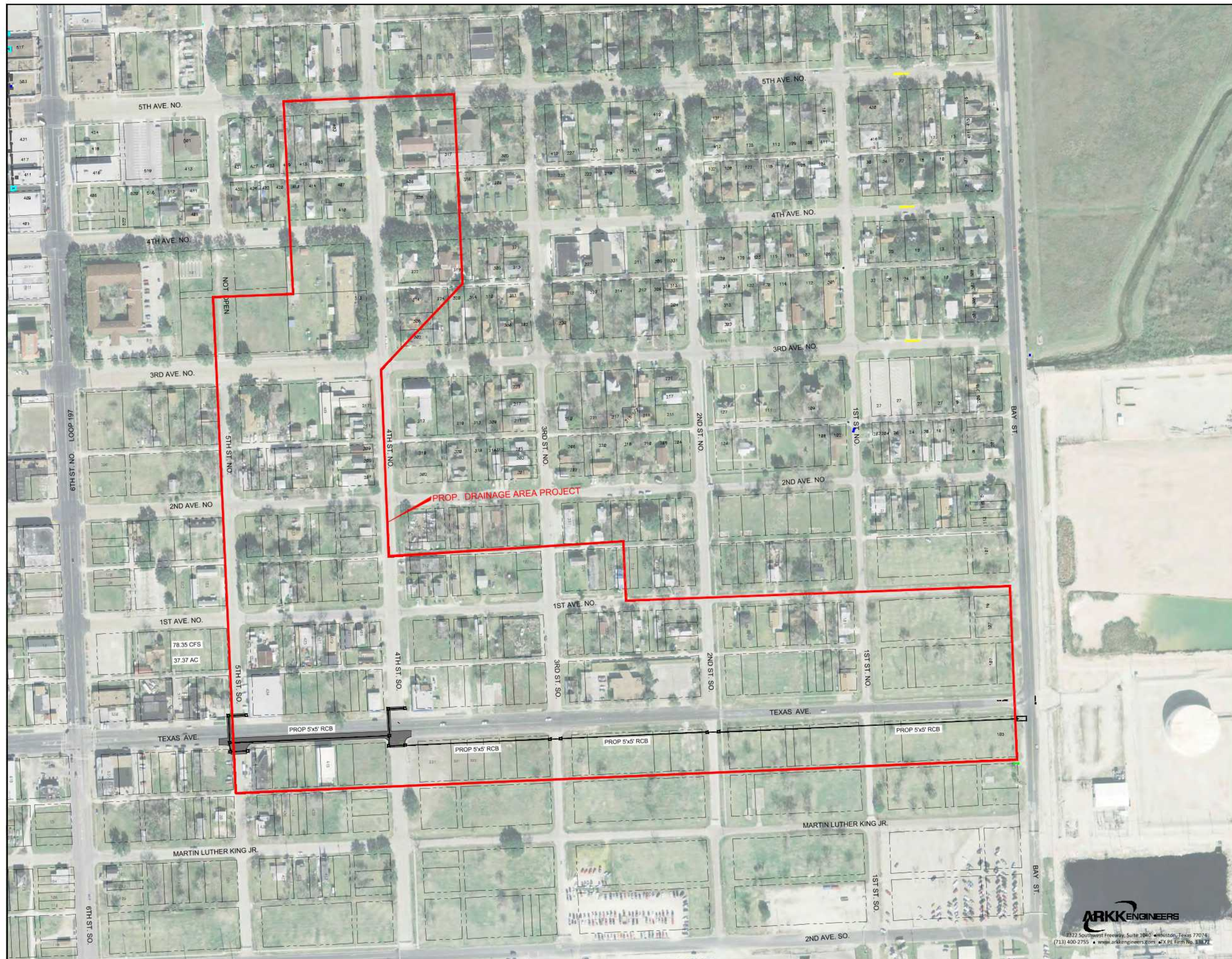
Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney



**City of Texas City
Texas Avenue Drainage Project
Preliminary Cost Estimate**

ITEM	ITEM DESCRIPTION	UNIT	QUAN.	UNIT PRICE
1	Mobilization (Not to Exceed 3% of the Total Bid), Complete in Place, the Sum of:	LS	1	\$51,000.00
2	Traffic Control and Regulation, Complete in Place, the Sum of:	LS	1	\$40,000.00
3	Project Sign, Per Detail, Complete in Place each parking lot, the Sum of:	LS	1	\$1,000.00
4	2" HMAC Type D overlay, includes trackless tack coat, complete in place, the sum of:	TON	790	\$110.00
5	Full depth base repair, including sawcutting, excavation, placement and compaction of 8" cement stabilized sand subgrade and 8" flexible base material, complete in place, the sum of:	SY	300	\$75.00
6	Mill & Overlay 2" Asphalt Pavement , Complete in Place, the sum of	SY	6,830	\$19.00
7	Lime stabilized subgrade (8"), Complete in Place, the Sum of:	SY	2,200	\$5.50
8	Lime (Type A or B) for subgrade stabilization at 48 lb/sy, Complete in Place, the Sum of:	TON	60	\$175.00
9	Reinforced concrete pavement (8"), Complete in Place, the Sum of:	SY	2,100	\$60.00
10	Remove and Replace Existing Driveway, Complete in Place, the Sum of:	SY	100	\$70.00
11	Remove Concrete Curb, all types, Complete in Place, the Sum of:	LF	600	\$5.00
12	Remove and Dispose Existing Asphalt/Concrete Pavement & Sidewalks, Complete in Place, the Sum of:	SY	2,200	\$4.00
13	Remove Existing storm sewer culverts all sizes, Complee in Place, the sum off	LF	400	\$15.00
14	Remove Existing Inlet/manhole, Complee in Place, the sum off	EA	8	\$500.00
15	Wheel Chair Ramp per ADA Requirements, Complete in Place, the Sum of:	SY	100	\$100.00
16	Proposed 4" thick concrete sidewalk, including sawcutting, subgrade, reinforcement and joints, Complete in Place, the Sum of:	SY	500	\$60.00
17	Inlet (Type C) , Complete in Place, the Sum of:	EA	8	\$2,500.00
18	Inlet (Type E) , Complete in Place, the Sum of:	EA	4	\$5,000.00
19	5" Slope Paving for Type "E" Inlet, Complete in Place, the Sum of:	SY	40	\$75.00
20	Proposed Large Storm Manhole, Complete in Place, the Sum of:	EA	2	\$10,000.00
21	Proposed Large Connection Storm Manhole, Complete in Place, the Sum of:	EA	1	\$25,000.00
22	Reinforced concrete pipe (24"), Complete in Place, the Sum of:	LF	350	\$100.00
23	Reinforced concrete box (5'x5'), Complete in Place, the Sum of:	LF	2,600	\$425.00
24	Pavement Markings, (thermoplastic, complete in place the sum of:	LS	1	\$20,000.00
25	Inlet protection barrier for erosion control, Complete in Place, the Sum of:	EA	15	\$150.00
26	Reinforced Filter fabric barrier, Complete in Place, the Sum of:	LF	3,050	\$2.50

CONSTRUCTION

ENGINEERING & CONSTRUCTION PHASE SERVICES

TOTAL PROJECT COST:

TOTAL AMOUNT
\$51,000.00
\$40,000.00
\$1,000.00
\$86,900.00
\$22,500.00
\$129,770.00
\$12,100.00
\$10,500.00
\$126,000.00
\$7,000.00
\$3,000.00
\$8,800.00
\$6,000.00
\$4,000.00
\$10,000.00
\$30,000.00
\$20,000.00
\$20,000.00
\$3,000.00
\$20,000.00
\$25,000.00
\$35,000.00
\$1,105,000.00
\$20,000.00
\$2,250.00
\$7,625.00

\$1,806,445.00

270,966.75 15.00%
2,077,411.75

CITY COMMISSION REGULAR MTG

(8) (h)

Meeting Date: 07/17/2019

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 19-063, calling a Special Charter Amendment Election to be held in Texas City and designating polling places. (City Secretary)

BACKGROUND

The City Council approved in April the recommended changes in the City Charter by the Charter Review Committee. The schedule at that time called for the election in November. To meet the deadline, the City needs to call a Special Election for Charter Amendment. Staff is working with the County to prepare a contract. The official polling places will be the Nessler Center and Carver Park Recreation Center. However, as done in the past, the county has created the ability for voters to vote at any county election polling places which will include other locations in Texas City, League City, Hitchcock, and other cities. The resolution includes the dates and times for the early voting and hours. See the attachment for the schedule that was provided in April for the Charter Review Amendments.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

Attachment

RESOLUTION NO. 19-063

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS, CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF TEXAS CITY, TEXAS, ON TUESDAY, NOVEMBER 5, 2019, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M., ESTABLISHING DAYS, HOURS AND LOCATIONS FOR EARLY VOTING, FOR THE PURPOSE OF AMENDING THE CITY CHARTER; DESIGNATING THE POLLING LOCATIONS; AND MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on September 5, 2018, the City Commission approved the formation of a Charter Review Committee; and

WHEREAS, on April 17, 2019 the City Commission approved all Charter amendment recommendations of the Charter Review Committee; and

WHEREAS, the **Texas Local Government Code** Section 9.003 requires an election to vote on Charter Amendments, and that it must be on a uniform election date. The Special Election will be called on November 5, 2019, that being a uniform election date under the **Texas Election Code**.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS:

SECTION 1: That notice is hereby given that a Special Election will be held in and throughout the City of Texas City, Texas, on Tuesday, November 5, 2019.

SECTION 2: That early voting for the election shall be conducted under the direction of the City Secretary, and shall be on the dates set forth in the attached Notice of Election (see **Exhibit “A”**).

SECTION 3: That the City Secretary shall have the authority to modify polling locations, if necessary.

SECTION 4: That the Mayor is hereby authorized to execute said Notice of Election.

SECTION 5: That the City Secretary is hereby directed to cause notice to be given of said election by publication in the local newspaper of the City of Texas City, Texas, in accordance with *The City Charter* and **Texas Election Code**. (See **Exhibit “A”**).

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

PASSED AND ADOPTED this 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

November 2019 Election Calendar

(Dates subject to change)

Resolution calling for November 5, 2019, election and signing a contract with Galveston County	July 17, 2019 or August 7, 2019
Development of election ballot by City Secretary and City Attorney (also translate to Spanish)	July to August 7, 2019
Last Day to Order General Election or Election on a Measure	Monday, August 19, 2019
Last Day to File for Place on General Election Ballot (for local political subdivisions ONLY) ²	Monday, August 19, 2019 at 5:00 p.m.
Public Information effort to gain support for the proposed amendments, to include public hearings, new stories, mailings, civic club presentations, etc.	August, September, and October 2019
Last Day to Register to Vote	Monday, October 7, 2019
First Day of Early Voting	Monday, October 21, 2019 (17th day before election day falls on a Saturday, first day moves to next business day)
Last Day to Apply for Ballot by Mail (Received, not Postmarked)	Friday, October 25, 2019
Last Day of Early Voting	Friday, November 1, 2019
Last day to Receive Ballot by Mail	Tuesday, November 5, 2019 (election day) at 7:00 p.m. (unless a late-arriving deadline applies)
Canvass by commission of election results	November 20, 2019 (or as required by County and State)
Printing and codification of amended Charter	To be determined

CITY COMMISSION REGULAR MTG

(8) (i)

Meeting Date: 07/17/2019

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 19-064, authorizing the Mayor to enter into an Election Services Contract with the County of Galveston and the City of Texas City. (City Secretary)

BACKGROUND

The last two City elections, the City contracted with the County. They can spread costs among other entities since they now do county-wide voting. This November election contract for the Charter Amendments is similar to our general election contract in May except that there will be more early voting days as prescribed by State law, less entities to share the costs with and we pay by the proposition, which is 18 amendments versus 3 or three positions. The City Attorney is reviewing. Attached is a draft.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

Attachment

RESOLUTION NO. 19-064

A RESOLUTION APPROVING A CONTRACT FOR THE MANAGEMENT OF THE TEXAS CITY SPECIAL ELECTION WITH THE GALVESTON COUNTY ELECTION DIVISION FOR THE CITY OF TEXAS CITY CHARTER AMENDMENTS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City of Texas City (“City”) will hold a Special Election on November 5, 2019, for the City of Texas City Charter Amendments; and

WHEREAS, the City has determined that it is in the best interest and benefit to the citizens of the City to enter into an election agreement with the Galveston County Election Division for the purpose of early voting and Election Day voting.

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

SECTION 1: That the City Commission finds it in the best interest of the City to allow the Galveston County Election Division to manage the Texas City Special Election of November 5, 2019, for the City of Texas City Charter Amendments.

SECTION 2: That the Mayor, or designee, is authorized to execute such Contract for Election Services.

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

PASSED AND ADOPTED this 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

Contract for Election Services
Local Entity Countywide Vote Center Elections

DRAFT

This Contract is made and entered into this ____ day of _____, 20____
by and between Hon. Dwight D. Sullivan, County Clerk and County Election Officer for
Galveston County (herein known as "Galveston County") and
_____ on behalf of _____ ("Entity").

This Contract is being entered into pursuant to Texas Election Code, Chapter 31,
Subchapter D for the purpose of ensuring that Galveston County and the Entity understand
the tasks each is to perform in connection with the following election and any subsequent
runoff election, to-wit:

Purpose of Election: _____

November 5, 2019
Election Date

December 10, 2019
Runoff Election Date

Early Voting will be held on Oct 21-25 2019 from 8 a.m. to 5 p.m. and October 28-
November 1, 2019 with the polls being open from 7 a.m. to 7 p.m. On Election Day the polls
will be open from 7 a.m. to 7 p.m.

1. Duties and Services of Galveston County. Galveston County shall be responsible
for performing the following duties and furnishing the following services and equipment
in connection with the election and any subsequent runoff election.
 - 1.1. Program, or arrange to have programmed, the ballot.
[Cost: Based upon the number of contests on the ballot. See the Fee Schedule]
 - 1.2. Arrange to have published the legal notices of the first test of the electronic
tabulating equipment as provided in Texas Election Code §127.096 and conduct all
required tests of the electronic tabulating equipment under Texas Election Code
§§127.096-127.098 and §§129.021-129.023. The first test shall be conducted at
least five days prior to the election. In addition, it will be performed during normal
business hours and open to the public.
[Cost: The cost for publishing the notice will be split equally between all the entities
involved. See the Fee Schedule]
 - 1.3. Provide technical and equipment support for the electronic poll books, voting
machines and equipment being provided to the Entity. In the event there is an
equipment failure Galveston County shall try to remedy the problem over the phone.
If unable to do so, will dispatch to locations within Galveston County the appropriate
technical support personnel and equipment to correct the failure.
[Cost: Included in the 10% election fee]

- 1.4. On behalf of the Entity, obtain Official Voter Registration lists from the Voter Registrar to be used during Early Voting and on Election Day.
[See Section 2.3 below]
- 1.5. Provide Ballot by Mail services for the Entity.
[See the Fee Schedule]
- 1.6. Hire Judges, Alternate Judges, and clerks to serve as election workers at the various polling locations. Workers will be paid in accordance with Section 3 of this contract and will be required to complete election training (at the discretion of the Elections Division) as a prerequisite for serving. Workers will be paid \$40 for attending training.
- 1.7. Select the countywide vote center polling locations in coordination with the Entity and with the approval of Galveston County Commissioners' Court.
- 1.8. Provide the Entity *and where possible the candidates running for office, a sample ballot for them to proof and approve or provide corrections.
[See sections 2.6 and 2.7 for related information]

*The Entity will be responsible for providing Galveston County with the email and contact information for each candidate who will be on the ballot.

For additional Duties of Galveston County see section (5) Fee Schedule of Galveston County below.

2. Duties and Services of the Entity. The Entity will be responsible for performing the duties and services set forth in this section and will consummate this contract on or before August 2, 2019. Contracts submitted after this date will require a \$500 fee which will be non-refundable regardless of whether the Entity cancels its election.
 - 2.1. Prepare and submit any required submissions to the U.S. Department of Justice under the Federal Voting Rights Act of 1965 for its election and runoff election.
 - 2.2. Publish notices of the election in accordance with Section 4.003(a) of the Texas Election Code.
 - 2.3. Provide Galveston County with the Entity's requirements for Official Voter Registration lists for early voting and Election Day.
 - 2.4. In accordance with Texas Election Code §4.008 as amended, deliver written notice of the election to Galveston County.
 - 2.5. It is understood that the Entity may need to modify its election order after August 19, 2019, to reflect the actual early voting and Election Day polling locations once the final determination has been made as to which entities will actually be holding an election.

If the Entity wishes to select additional polling locations within its footprint, it will submit a list and the contact information for each facility to Galveston County by

August 21, 2019. Regardless of who selects the polling locations the Entity shall comply with Texas Election Code §43.062, and shall notify prospective voters of the new location by placing a notice at the old polling location and a notice at the new polling location.

[See Section 1.7 for additional information on the selection of countywide polling places]

- 2.6. Provide to Galveston County the language for any ballot propositions, the names of election contests, the names of candidates as they are to appear on the ballot, a copy of a sample ballot, ballot draw information and a completed "Requirements to Program the Ballot" form. These materials will be provided in an electronic form to Galveston County by no later than August 20, 2019. All language on the ballot must be provided in both English and Spanish in a Word format. Any other languages required by law, must also be provided in a Word format as well (e.g., Harris County, Chinese and Vietnamese). In addition, the Entity will collect and provide to Galveston County the names, addresses, phone numbers and email addresses of all the candidates who are to appear on its ballot. This information will be used to send candidates copies of the ballot proofs for their review.

[See Section 1.8]

- 2.7. Return to Galveston County, by September 17, 2019, confirmation that the sample ballots Galveston County has prepared and provided to the Entity are satisfactory or provide changes that need to be made. Galveston County intends to conduct the L&A test on the Entity's ballot no later than September 19, 2019

The Entity shall have a representative present during the testing who will sign an affidavit signifying the ballot proofs are accurate and acceptable to the Entity. If unable to attend, a representative may send a signed electronic response approving the ballot.

[See Section 1.8 for related information on ballot proofing]

- 2.8. Galveston County will be conducting elections for numerous Entities on the same day. The parties understand that each election has its own challenges and requirements and that failure to provide the information outlined in Section 2 of this contract by the dates specified will place an undue burden on Galveston County that may hinder the ability to provide the services to the Entity in a timely and accurate manner. Should the Entity miss the deadlines, and/or fail to notify the County of any special circumstances (e.g., adding portions of another county to their election, additional languages required, or unopposed candidates on the ballot) there may be additional charges incurred, up to \$1,000.00, to be determined by the Chief Deputy of Elections. Should Galveston County be unable to provide the services in a timely and accurate manner the Entity, to the extent allowed under the Constitution and Laws of the State of Texas, shall hold Galveston County and employees harmless from any election errors and corresponding liability and/or damages that may result, including but not limited to the costs incurred related to an election contest and/or the need to conduct a subsequent election.

- 2.9. As required by §67.017(b) and the Secretary of State's Office, the Entity must submit an electronic precinct-by-precinct report to the Secretary of State's Office by no later than the 30th day after Election Day.

- 2.10. Unless otherwise stipulated, Galveston County will transport or have the Presiding Election Judges transport on its behalf, the voting machines and equipment to and from the Entity's early voting and Election Day voting locations.
- 2.11. Monitor, with the assistance of Galveston County, the overall conduct of its election in Entity's jurisdiction including the observation of the tabulating of the results.
- 2.12. Entity to pay a \$125 fee per early voting and Election Day polling locations within its jurisdiction for additional support staff to provide the Entity and its Judges election support services throughout the term of this contract.
3. Cancellation of Contract: Except for contracts consummated after August 2, 2019, the Entity may cancel this contract without incurring any expenses by notifying Galveston County of its intention to cancel by no later than two (2) business days after its candidates filing deadline of August 22, 2019. The Entity will be obligated to pay Galveston County a \$500 fee if cancelled after this grace period.
4. Special Provision: Bilingual Poll Worker Requirements. Galveston County was a party in Civil Action No. 3:07 CV 377 styled "The United States of America, Plaintiff, v. Galveston County, Texas, Defendant in the United States District Court for the Southern District of Texas, Galveston Division". It entered into a Consent Decree that acknowledged it is covered under both Section 4(f)(4) of the Voting Rights Act as amended and 42 U.S.C. §1973(b)(4) Section 4(f)(4) to provide Spanish language written materials and assistance to voters. Galveston also has an obligation to ensure that its polling places and poll workers comply with the Help America Vote Act of 2002 ("HAVA"), 42 U.S.C. §§15301 et. seq. Although this Consent Decree expired December 31, 2010, Galveston County agreed that it is permanently enjoined from:
- a) Failing to provide in Spanish "any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots," that they provide in English as required by Section 4(f)(4) of the Voting Rights Act, 43 U.S.C. 1973b(f)(4); and
 - b) Failing to ensure that poll workers provide and receive adequate training regarding (1) the use of providing provisional ballots under Section 302(a) of HAVA; and (2) the display of all HAVA-required signs under Section 302(b) of HAVA.
5. Fee Schedule of Galveston County: Galveston County agrees to perform these services at the following rates:
- a) Provide to the Election Judges all necessary election supplies, which are to be returned to Galveston County after the polls close on Election Night.
Cost: \$50 per kit
 - b) Arrange for staff to receive the supplies and equipment being returned by the Election Judges on Election Night.
Cost: Overtime for staff and part time workers hired to provide this service will be evenly split between the entities contracting with Galveston County.
 - c) Provide all necessary voting machines and equipment for use at early voting and Election Day locations.

Cost: \$465 per Verity Touch, \$506 per Verity Controller and \$577 per Verity Touch with access.

- d) Transport the voting machines and equipment to and from the voting locations.
Cost: \$125 delivery per location
- e) Program the ballot and conduct the Logic and Accuracy Testing of the counting equipment.
Cost: Determined by the number of contests on the ballot: \$600 for up to ten contests, \$1,200 for up to 20, \$1,800 for up to 30, \$2,450 for up to 40 and \$3,000 for 41 or more contests.
- f) Provide a central counting station, supplies, equipment and the tabulating and supervisory personnel needed to tabulate. Prepare the unofficial tabulation results and unofficial/official canvass report.
Cost: \$400 for use of the equipment plus overtime for county employees doing the tabulation if applicable.
- g) Assist the Entity in the general overall supervision of the election and any subsequent runoff election.
Cost: Included in the 10% election fee
- h) Conduct early voting, Election Day Voting, and bilingual training.
Cost: \$50 per person per class
- i) Two or more electronic poll pads will be deployed (at the discretion of the Elections Division) to each polling location.
No Cost
- j) Galveston County will partner with the Entities to determine the polling locations within their jurisdictions.
- k) Hire judges, alternate judges, and clerks that are trained by Galveston County and are registered voters from within one of the jurisdictions holding an election.
Cost: Base cost of \$10 per hour per worker. Any worker who serves more than 40 hours in a given pay week will be compensated at time and a half for the hours served in excess of 40 hours.
- l) Elections Mobile App: Entities contracting elections with Galveston County will have their election information included on the Elections Mobile App.
Cost: up to \$500.
- m) The cost for all printed ballots (ballots by mail, sample ballots and test ballots) is \$.25 per sheet.
- n) Ballots by Mail: Galveston County will provide ballot by mail processing services to the Entity. The cost for this service is \$3.00 per ballot (\$3.50, if a multi-page ballot).
- o) The Entity may have an observer present during the tabulation of the votes. The name and contact information of the observer must be provided to and approved by the Presiding Judge of the Central Count Station on the form prescribed by the Texas Secretary of State upon arrival at the location.

6. Compensation, Billing, and Payment. In accordance with Section 31.100(d) of the Texas Election Code the Entity will pay Galveston County the greater of Seventy-Five (\$75.00) Dollars or ten percent (10%) of the total amount of this contract for general supervision of the election. Pursuant to Texas Election Code §31.098, Galveston County may contract with third persons for election services and supplies agreed to herein and the Entity hereby agrees to pay for these third party costs when invoiced by Galveston County.

Galveston County will invoice the Entity for services rendered under this contract. The Entity will make payment to Galveston County in accordance with the terms and provisions of what is commonly referred to as the Texas Prompt Payment Act.

7. Voting System. The Hart Intercivic Verity equipment as approved by the Texas Secretary of State will be the voting system used in providing services under this contract.

8. Authorized Representatives. Galveston County's authorized representative for all purposes of this contract is its Chief Deputy Clerk for Elections.

The Entity's authorized representative for all purposes of this contract is:

Name (Print and sign)	Phone #

9. General Provisions. As specified in Texas Election Code §31.096 this contract may not change:

- a) The authority with whom applications of candidates for a place on a ballot are filed;
- b) The authority with whom documents are filed under Texas Election Code S251.001 et. seq.; or
- c) The authority to serve as custodian of voted ballots or other election records.

As set forth in Texas Election Code §31.099 not later than the 10th day after the date this contract is executed Galveston County shall file a copy of this contract with the County Treasurer and the County Auditor.

10. WAIVER OF DAMAGES. The parties acknowledge that the Hart Intercivic Verity System and the programming of paper ballots is highly technical and that it is conceivable that despite the efforts of Galveston County it might fail during an election or might contain errors. The Entity agrees that should the electronic voting system fail, it will not make any claim against Galveston County or any of their full or part-time employees, independent contractors or agents for damages of any kind, including but not limited to any and all costs relating to an election contest and/or costs and damages incurred for having to conduct a second election caused as a result of such failure or error.

The Entity acknowledges that holding multiple simultaneous elections presents logistical problems and other problems over and above a single election. Galveston County and its employees and agents will attempt to help ensure that these simultaneous elections are conducted without error or mishap, but on occasion, errors or mishaps do occur. Accordingly, the Entity agrees that should an error or mishap occur that it will not make any claim against Galveston County, or their full or part-time employees, independent contractors or agents for damages of any kind including but not limited to any and all costs relating to an election contest and/or costs and damages incurred by the Entity for having to conduct a second election, as a result of such error or mishap.

If legal action is filed against the Entity involving its election and if Galveston County is named as a party to this legal action and the complaint is based solely on allegations made against the Entity, the Entity shall be solely responsible for all costs and defense of that suit. In addition, the Entity shall be required to provide adequate legal counsel for Galveston County and, upon notice to the Entity, Galveston County shall be entitled to settle such claim or legal action upon terms it deems most advantageous to itself.

For purposes of implementing this contract, Galveston County and the Entity designate the following individuals to submit and/or receive information or notices to Galveston County or the Entity:

Galveston County:

Dwight D. Sullivan, County Clerk
Attention: Ernest Murrie, Chief Deputy Clerk for Elections
Galveston County Justice Center
600 59th Street, Suite 2001
Galveston, TX 77551-4180

P.O. Box 17253
Galveston, Texas 77552-7253
409-770-5108
Email: ernest.murrie@co.galveston.tx.us

Entity:

Phone: _____

Email: _____

This contract will be submitted to the Galveston County Commissioners' Court to be placed on the Consent Agenda as a Receive and File Item.

11. Galveston County Title VI Assurance Clause. Galveston County is committed to ensuring that no person, on the ground of race, color, national origin, religion, sex, age, disability or Veteran status, shall be subjected to discrimination, excluded from participation, or denied the benefits of, its programs and activities.

In accordance with this policy Galveston County requires its service providers and contractors to agree that during the performance of this contract the service provider or contractor for itself, its assignees and successors will abide by the following:

Compliance with Non-Discrimination Laws and Regulations. During the performance of this contract, contractor, for itself, its assignees and successors in interest (hereinafter referred to as "contractor") agrees as follows:

- 1) Compliance with Regulations. The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, DOT) Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are incorporated herein by reference and made a part of this contract.
- 2) Nondiscrimination. The contractor, with regard to the work performed by it during the contract, shall not discriminate on the basis of race, color, national origin, religion, sex, age, disability or Veteran status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- 3) Solicitations for Subcontractors, Including Procurement of Materials and Equipment. In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, religion, sex, age, disability or Veteran status.
- 4) Information and Reports. The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by Galveston County or the Texas Department of Transportation to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to Galveston County or the Texas Department of Transportation as appropriate, and shall set forth what efforts it has made to obtain the information.
- 5) Sanctions for Noncompliance. In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, Galveston County shall impose such contract sanctions as it or the Texas Department of Transportation may determine to be appropriate, including, but not limited to:
 - a) withholding of payments to the contractor under the contract until the contractor complies, and/or

b) cancellation, termination, or suspension of the contract, in whole or in part.

6) Incorporation of Provisions. The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as Galveston County or the Texas Department of Transportation may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request Galveston County to enter into such litigation to protect the interests of Galveston County, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Executed this _____ day of _____, 20____.

Galveston County:

Dwight D. Sullivan
County Clerk

Entity:

Name: _____

- | | |
|---|------------------------------------|
| <input type="checkbox"/> City Manager | <input type="checkbox"/> Mayor |
| <input type="checkbox"/> Superintendent | <input type="checkbox"/> President |
| <input type="checkbox"/> City Secretary | <input type="checkbox"/> Other |
| <input type="checkbox"/> Chair County Executive Committee | |

Received and Filed:
Galveston County

Hon. Mark Henry
County Judge
Attest:

Dwight D. Sullivan
County Clerk

Date: _____

Date Copy of Agreement Furnished
to County Treasurer: _____

Date Copy of Agreement Furnished
to County Auditor: _____

CITY COMMISSION REGULAR MTG

(8) (j)

Meeting Date: 07/17/2019

Robinson Field Renovation

Submitted For: Mike McKinley, Public Works

Submitted By: Mike McKinley, Public Works

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Approve and award funds for the purchase and installation of new stadium seating at Robinson Field.

BACKGROUND

The purchase will be made through TIPPS Purchasing Cooperative, contract # 181101.

A copy of the quote is attached for your review.

ANALYSIS

It is the recommendation of the Public Works Department to enter in an agreement with GT Grandstands out of Plant City, Florida, through TIPS purchasing cooperative for the amount of \$288,100.00.

A copy of the quote is attached for your review.

Thank you

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

Exhibit A

RESOLUTION NO. 19-065

A RESOLUTION AWARDED FUNDS FOR THE PURCHASE AND INSTALLATION OF NEW SEATING AT ROBINSON FIELD; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the supply purchase will be made through TIPPS Purchasing Cooperative, Contract Number 181101; and

WHEREAS, it is the recommendation of the Public Works Department to enter into an agreement with GT Grandstands, Plant City, Florida, in the amount of \$288,100.00.

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

SECTION 1: That the City Commission awards TIPPS Purchasing Cooperative Contract Number 181101 to GT Grandstands, Plant City, Florida.

SECTION 2: That the Mayor is hereby authorized to enter into an agreement with GT Grandstands for an amount not to exceed the unit prices quoted in **Exhibit "A"**, attached hereto for all intents and purposes and to change orders not to exceed twenty-five percent (25.0%) of the total contract without taking the matter before the City Commission.

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

PASSED AND ADOPTED this 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney



A PLAYCORE Company

2810 Sydney Rd.
Plant City, FL 33566
813-305-1415p
813-305-1419f
www.gtgrandstands.com

PROPOSAL/SCOPE OF WORK
Robison Field Renovation
Texas City, TX
GTG Quote #7400

July 5, 2019

Provide labor and material required to furnish and install new aluminum planking to replace the existing wood planking, including removal of existing wood planking, as described below:

- Existing Bleacher Features:
 - 13 Row Mitered Bleacher, Approx. 267' at rear
 - 11" Rise / 26" tread
 - Two large treads" 56" and 60" respectively.
 - "Combined" tread between existing aluminum deck: 82 ½"
 - (8) Aisles in varying widths
- New Nominal 2" x 12" anodized aluminum seats
- New Semi-closedmill finished aluminum deck
- New Anodized aluminum risers
- New aisle aluminum aisle filler planks with contrasting nosing
- New aluminum support angles in existing stringer bays that are greater than 6'
- Existing aisle handrails are to be reinstalled after wood replacement
- One-year warranty

Price for Materials Delivered and Installed: \$267,500

Add \$20,600 to furnish and install new intermediate aisle steps in the existing aisles. This option does not include replacing the aisle handrails and assumes the existing aisle handrails can be reused.

Preliminary Project Schedule:

Submittal Drawings: 4-6 weeks after award
Material Delivery: 10-12 weeks after approval
Installation: 6 weeks after delivery

Exclusions:

- All applicable taxes
- Prevailing wage or union labor
- Any modification to the existing guardrail railing

- Any ADA modifications
- Disposal of the removed wood planking. Owner to provide dumpsters for the disposal of the wood planking
- Removal of oxidation/staining from mill finish aluminum plank
- All liquidated damages
- Bonding
- Permits or permit fees
- Signed and sealed drawings

Qualifications:

- Economical mill finish tread planking has been specified for all walking surfaces on this project. This mill finish planking may have water stains (dark black, brown, or white) present resulting from unavoidable condensation that occurs during packaging, transporting, and storage preceding installation. Removal of these stains or board replacement upon completion of installation is not part of our proposal. A clear anodized finish may be purchased to eliminate potential stains if selected as an upgrade finish at additional cost by change order prior to placement of the aluminum order for the project.
- Owner to provide access to through and around site for staging and equipment
- Prices are based on current market value of aluminum, steel and freight prices. Any pricing beyond 30 days may be affected by these fluctuations.
- This scope of work will become part of the contract
- Progress payments shall be incorporated into the contract
- Project delays caused by outside agencies beyond 90 days of contract completion date will be cause for change order for material cost increases
- All quotes are quoted according to IBC/ICC 300 building codes

Pricing is valid for 30 days.

If you have any questions or need further information, please call me.

Thank you,

Dallas Sullivent
GT Grandstands, Inc.
940-282-9600

CITY COMMISSION REGULAR MTG

(8) (k)

Meeting Date: 07/17/2019

Bid # 2019-369 Lift Station 29 Improvements Project

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

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Approve and award a contract for bid # 2019-369 Lift Station 29 Improvements Project.

BACKGROUND

On June 5, 2019, notice was published and bid packets were made available from ARKK Engineers, through CivcastUSA. On June 27, 2019 bids were received, opened, and read aloud.

The lowest responsible bidder meeting all requirements was R & B Group, Inc. for the total bid amount of \$1,089,166.00.

A bid tabulation and letter of recommendation from the project engineering firm, ARKK Engineers, are attached for your review.

ANALYSIS

It is the recommendation of the Public Works Department that the City Commission award this project to R & B Group, Inc. for the total bid amount of \$1,089,166.00 and authorize the Mayor to execute a contract on behalf of the City Commission. Public Works further recommends that the Mayor be authorized to execute any change orders, not to exceed 25% of the contract amount, without bringing the matter before the City Commission.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

- Resolution
 - Exhibit A
 - Exhibit B
 - Exhibit C
 - Exhibit D
-

RESOLUTION NO. 19-066

A RESOLUTION AWARDING BID NO. 2019-369 LIFT STATION 29 IMPROVEMENTS PROJECT AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH R&B GROUP, INC.; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on June 5, 2019, bid packets were made available from ARKK Engineers, through CivicastUSA, to local area vendors for Bid No. 2019-369 Lift Station 29 Improvements Project; and

WHEREAS, bids were opened on June 27, 2019, and it is the recommendation of the Public Works Department and ARKK Engineers, LLC to award Bid No. 2019-369 to R & B Group, Inc, Houston, Texas, in the amount of \$1,089,166.00.

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

SECTION 1: That the City Commission awards Bid No. 2019-369 Lift Station 29 Improvements Project to R & B Group, Inc.

SECTION 2: That the Mayor is hereby authorized to enter into a contract with R & B Group, Inc. for the unit prices bid attached hereto as **Exhibit "A"** and to approve change orders not to exceed twenty-five percent (25.0%) of the total contract without taking the matter before the City Commission.

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

PASSED AND ADOPTED this 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney



July 3, 2019

Mr. Doug Kneupper, P.E.
City Engineer
City of Texas City
928 5th Avenue North
Texas City, Texas 77590

Re: **Letter of Recommendation - Lift Station 29 Improvements Project**
BID #2019-369
City of Texas City
ARKK Job No. 19-016

Dear Mr. Kneupper:

On June 27, 2019, the City of Texas City received bids for the above referenced project. This project involves improvements to Lift Station 29. Following is a summary of our bid evaluation:

1. Bid Tabulation Sheet –Four (4) construction firms participated in the bidding process. The bid was checked for mathematical errors and/or bid irregularities.

<u>Bidder</u>	<u>Total Bid</u>
R&B Group, Inc.	\$1,089,166.00
Gilleland Smith Construction, Inc.	\$1,126,696.00
RJ Construction Company, Inc.	\$1,180,000.00
Black Castle General Contractor	\$1,299,796.00

Qualifications and References – R&B Group, Inc. submitted a List of Qualifications, Subcontractors and Major Suppliers for this project.

ARKK Engineers has worked with R&B Group, Inc. previously on similar projects and they have completed the work in a timely manner. R&B Group appears to be a responsible firm that is capable of performing the specified work in a satisfactory manner. For these reasons, we recommend that the City of Texas City award the **Lift Station 29 Improvements Project to R&B Group, Inc. for a total amount of \$1,089,166.00.**

If you have any questions, please contact me.

Sincerely,

ARKK ENGINEERS, LLC

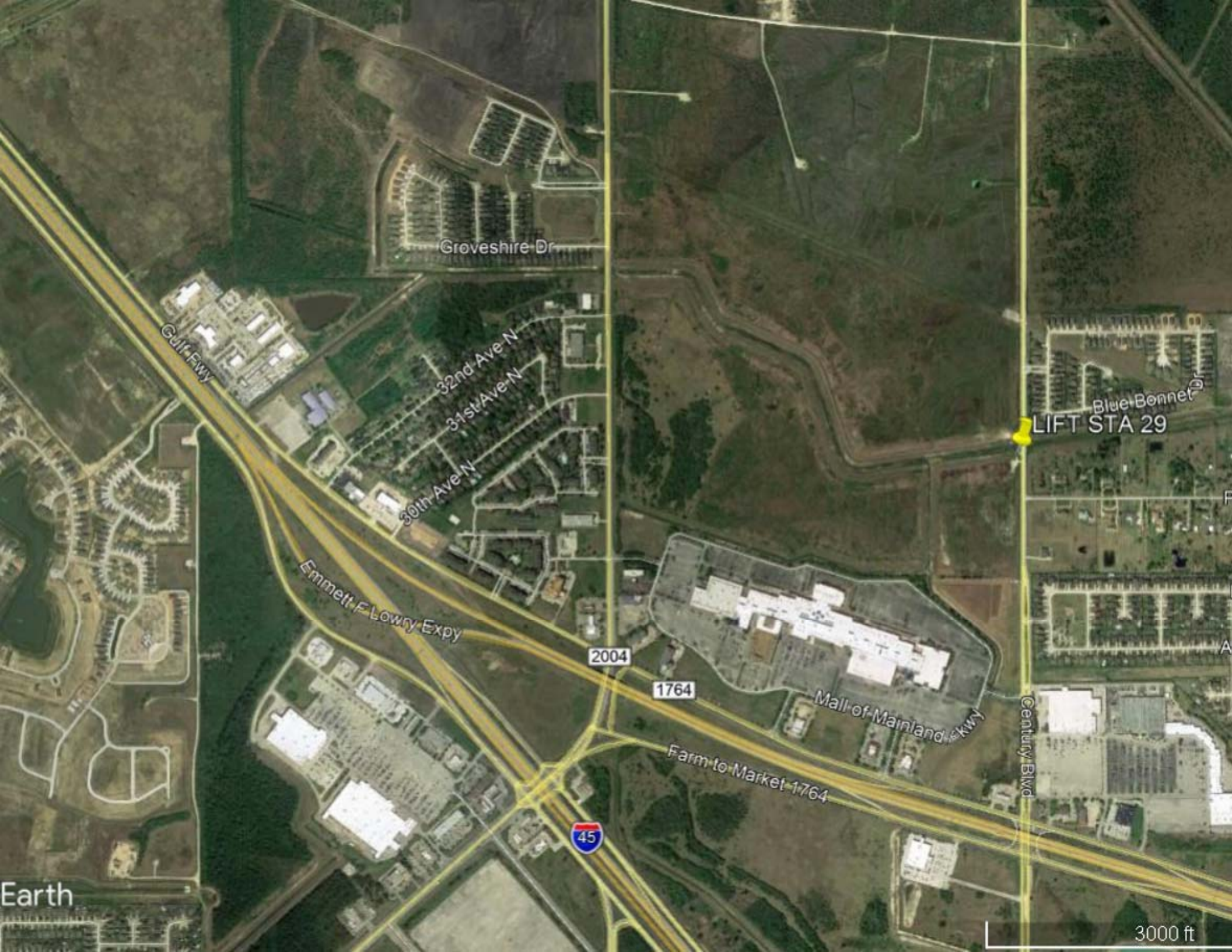


Mr. Madhu Kilambi, P.E.

Senior Project Manager

Cc: Mr. Corbin Ballast – City of Texas City

ITEM NO.	ITEM DESCRIPTION	UNIT	QUAN.	LOW BIDDER							
				R&B Group, Inc.		Gilleland Smith Construction, Inc.		RJ Construction Company, Inc.		Black Castle General Contractor	
BASE BID ITEMS:											
1	Site preparation and Demolition, complete in place, the sum of:	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 85,000.00	\$ 85,000.00	\$ 111,000.00	\$ 111,000.00
2	Filter Fabric Fencing, complete in place, the sum of:	LF	440	\$ 2.00	\$ 880.00	\$ 1.00	\$ 440.00	\$ 10.00	\$ 4,400.00	\$ 4.00	\$ 1,760.00
3	Trench safety system for force main construction, for depths greater than 5-feet, complete in place, the sum of:	LF	116	\$ 1.00	\$ 116.00	\$ 1.00	\$ 116.00	\$ 10.00	\$ 1,160.00	\$ 12.00	\$ 1,392.00
4	Bypass pumping, including all piping, valves, connections, electrical, instrumentation, and controls to provide temporary wastewater bypassing operations, complete in place, the sum of:	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 130,000.00	\$ 130,000.00	\$ 98,000.00	\$ 98,000.00	\$ 97,700.00	\$ 97,700.00
5	Lift Station No. 29 construction, all work shown on Plans and described in Specifications including as follows, but not limited to: Discharge piping, site work and fill, purchase and installation of pumps, including all piping, fittings, guide rails, lift chains, vent, hatches, roof slab and reinforcement per structural drawings, valves, bollards, pump control panel and pump controller, lighting and receptacles, submersible pump motor feeders and terminal boxes, electrical service equipment, autosensory controls, SCADA equipment, generator, transducer and floats, yard light, and all incidentals necessary to complete the work for a complete and operating system, complete in place, the sum of:	LS	1	\$ 820,000.00	\$ 820,000.00	\$ 777,000.00	\$ 777,000.00	\$ 805,520.00	\$ 805,520.00	\$ 886,300.00	\$ 886,300.00
6	Electric Service Allowance for electric service by the local Electric Service Provider. Exact amount will be reimbursed to Contractor upon submittal of invoice from Electric Service Provider for a lump sum of:	LS	1	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
7	14-inch PVC SDR 26, Class 160, sanitary sewer force main, complete in place, the sum of:	LF	96	\$ 200.00	\$ 19,200.00	\$ 120.00	\$ 11,520.00	\$ 200.00	\$ 19,200.00	\$ 349.00	\$ 33,504.00
8	12-inch PVC SDR 26, Class 160, sanitary sewer force main, complete in place, the sum of:	LF	20	\$ 300.00	\$ 6,000.00	\$ 110.00	\$ 2,200.00	\$ 100.00	\$ 2,000.00	\$ 284.00	\$ 5,680.00
9	Connect proposed 12" force main to existing 12" force main, use restrained coupling, complete in place, the sum of:	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 500.00	\$ 500.00	\$ 3,000.00	\$ 3,000.00	\$ 5,860.00	\$ 5,860.00
10	Concrete fencing, 8' high, complete in place, the sum of:	LF	300	\$ 150.00	\$ 45,000.00	\$ 110.00	\$ 33,000.00	\$ 120.00	\$ 36,000.00	\$ 180.00	\$ 54,000.00
11	CMU block fencing, 5'-4" high, includes poured curb per detail, complete in place, the sum of:	LF	14	\$ 150.00	\$ 2,100.00	\$ 200.00	\$ 2,800.00	\$ 350.00	\$ 4,900.00	\$ 320.00	\$ 4,480.00
12	Double-swing gate, 8' high, 12' wide clear opening, by DesignMaster or equal, complete in place, the sum of:	EA	2	\$ 5,000.00	\$ 10,000.00	\$ 5,000.00	\$ 10,000.00	\$ 5,500.00	\$ 11,000.00	\$ 5,900.00	\$ 11,800.00
13	Concrete driveways and site paving (6" thick reinforced concrete pavement, reinforcement and joints, compacted select fill subgrade, grading, mixing, compacting and curing), complete in place, the sum of:	SY	570	\$ 75.00	\$ 42,750.00	\$ 100.00	\$ 57,000.00	\$ 100.00	\$ 57,000.00	\$ 60.00	\$ 34,200.00
TOTAL BASE BID ITEMS:					\$ 1,067,046.00		\$ 1,104,576.00		\$ 1,157,180.00		\$ 1,277,676.00
BASE BID ITEMS:											
14	Well pointing for sanitary sewer force main, all depths complete in place, the sum of:	LF	116	\$ 25.00	\$ 2,900.00	\$ 25.00	\$ 2,900.00	\$ 25.00	\$ 2,900.00	\$ 25.00	\$ 2,900.00
15	Wet condition bedding for sanitary sewer force main, all sizes, complete in place the sum of:	LF	116	\$ 20.00	\$ 2,320.00	\$ 20.00	\$ 2,320.00	\$ 20.00	\$ 2,320.00	\$ 20.00	\$ 2,320.00
16	Installation and removal of piezometer, complete in place, the sum of:	EA	1	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
17	Extra cement stabilized sand, complete in place, the sum of:	CY	50	\$ 20.00	\$ 1,000.00	\$ 20.00	\$ 1,000.00	\$ 30.00	\$ 1,500.00	\$ 20.00	\$ 1,000.00
18	Extra concrete, all classes, complete in place, the sum of:	CY	10	\$ 80.00	\$ 800.00	\$ 80.00	\$ 800.00	\$ 100.00	\$ 1,000.00	\$ 80.00	\$ 800.00
19	Cash allowance for miscellaneous items as directed by the Engineer, the sum of:	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
TOTAL SUPPLEMENTAL ITEMS:					\$ 22,120.00		\$ 22,120.00		\$ 22,820.00		\$ 22,120.00
TOTAL SUPPLEMENTAL ITEMS:					\$ 1,089,166.00		\$ 1,126,696.00		\$ 1,180,000.00		\$ 1,299,796.00



Groveshire Dr

Gulf Fwy

32nd Ave N

31st Ave N

30th Ave N

Emmett F Lowry Expy

2004

1764

Mall of Mainland Expy

Farm to Market 1764

45

Blue Bonnet Dr
LIFT STA 29

Century Blvd

Earth

3000 ft



Energy

PROPERTY OF TEXAS CITY WATERWORKS AND POWER DEPARTMENT

TEXAS CITY WATERWORKS AND POWER DEPARTMENT

CITY COMMISSION REGULAR MTG

(8) (I)

Meeting Date: 07/17/2019

Bid # 2019-367 Texas City Moore Memorial Library Renovation Project

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

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Approve and award a contract for bid # 2019-367 Texas City Moore Memorial Library Renovation Project.

BACKGROUND

On June 3, 2019 notice was published and bid packets were made available to to local area vendors. Bids were received, opened, and read aloud on Tuesday July 2, 2019 at 2 p.m..

The lowest responsible bidder meeting all requirements was Ardent Construction, LLC. for the total bid amount of \$955,000.00.

A bid tabulation and letter of recommendation are attached for your review.

ANALYSIS

It is the recommendation of the Public Works Department that the City Commission award this project to Ardent Construction, Inc. for the total bid amount \$955,000.00. and that the Mayor is authorized to enter into a contract on behalf of the City Commission. Public works further requests that the Mayor be authorized to execute any change order, not to exceed 25% of the contract amount, without bringing the matter before the City Commission.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

Exhibit A

Exhibit B

RESOLUTION NO. 19-067

A RESOLUTION AWARDING BID NO. 2019-367 TEXAS CITY MOORE MEMORIAL LIBRARY RENOVATION PROJECT AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ARDENT CONSTRUCTION, LLC; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on June 3, 2019, bid packets were made available to local area vendors for Bid No. 2019-367 Texas City Moore Memorial Library Renovation Project; and

WHEREAS, bids were opened on July 2, 2019, and it is the recommendation of the Public Works to award Bid No. 2019-367 Texas City Moore Memorial Library Renovation Project to Ardent Construction, LLC, Friendswood, Texas, in the amount of \$955,000.00.

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

SECTION 1: That the City Commission awards Bid No. 2019-367 Texas City Moore Memorial Library Renovation Project to Ardent Construction, LLC.

SECTION 2: That the Mayor is hereby authorized to enter into a contract with Ardent Construction, LLC for the unit prices bid attached hereto as **Exhibit "A"** and to approve change orders not to exceed twenty-five percent (25.0%) of the total contract without taking the matter before the City Commission.

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

PASSED AND ADOPTED this 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan

Russell F. Plackemeier

City Secretary

City Attorney



Date: July 8, 2019

Mayor Matthew T. Doyle and
Members of the City Commission
City Hall
1801 9th Avenue North
Texas City, Texas 77590

RE: Contractor Approval/ TCMML Renovation

Ladies and Gentlemen:

On July 2, 2019, the City received a bid in the amount of \$955,000.00 from **Ardent Construction** for the Texas City Moore Memorial Library Renovation project. I have attached a copy of the bid tabulation with bids from all bidding contractors for your review.

Ardent Construction has successfully delivered several quality building projects for the City. It is my recommendation that they be awarded this renovation due to their performance on previous City projects. Please authorize the Mayor to award this project to Ardent on behalf of the City Commission, so the Contract process can get underway.

Respectfully,

DJ Hutchinson
Project Administrator

/cc: Tom Kessler, Director of Public Works
Rita Williams, Purchasing

2019-367 TEXAS CITY MOORE MEMORIAL LIBRARY RENOVATION PROJECT

Bid Tabulation

BIDDER	BID BOND	ADDEN-DUM	TOTAL AMOUNT BID
LIBRARY DESIGN SYSTEMS			No Bid
ENTERPRISE BUILDERS			No Bid
TUCON CONSTRUCTIONS	Y	3	\$1,202,027.00
BFJ CONSTRUCTION	Y	3	\$1,378,270.00
ARDENT CONSTRUCTION, LLC.	Y	3	\$955,000.00
TREVINO GROUP	Y	3	\$1,135,000.00

CITY COMMISSION REGULAR MTG

(8) (m)

Meeting Date: 07/17/2019

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Approval of the purchasing of materials and services for the repair project at Godard Park facilities from Generocity Services Inc., a member of the Choice Partners Purchasing Cooperative.

BACKGROUND

On Monday, November 5, 2018 a meeting was held at Godard Park with Generocity Services Inc. regarding three (3) structures, Major Field Press Box Building, Minor Field Press & Restroom Building and Peewee Field Restroom Building. On December 11, 2018 a proposal was submitted to the Parks, Recreation & Tourism Department Park Superintendent. On June 14, 2019 a updated scope of work was submitted. A copy of this proposal is attached for your review.

ANALYSIS

It is the recommendation of the Parks, Recreation & Tourism Department that the City of Texas City purchase materials and services from Generocity Services Inc., a member of the CHOICE PARTNERS contract # 16/054JN-05 in the amount of \$72,023.10, funds are available in the FY 2018-19 budget.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

Exhibit A

RESOLUTION NO. 19-068

A RESOLUTION APPROVING THE PURCHASE OF MATERIALS AND SERVICE FOR THE GODARD PARK FACILITIES REPAIR PROJECT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the materials purchased, and repair services will be awarded to Generocity Services, Inc., a member of Choice Partners, a Purchasing Cooperative, Contract No. 16/054JN-05; and

WHEREAS, it is the recommendation of the Parks, Recreation and Tourism Department to award the Godard Park Facilities Repair Project to Generocity Services, Inc., Friendswood, Texas, in the amount of \$72,023.10.

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

SECTION 1: That the City Commission awards the Godard Park Facilities Repair Project to Generocity Services, Inc.

SECTION 2: That the Mayor is hereby authorized to enter into an agreement with Generocity Services, Inc. for an amount not to exceed the unit prices quoted in **Exhibit "A"**, attached hereto 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 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan

Russell F. Plackemeier

City Secretary

City Attorney



Generocity Services Inc
1212 Winding Way
Friendswood, Texas 77546
(281) 250-4155 Tel. (713) 456-2812 Fax

June 14, 2019

Mr. Charles Thompson
Facilities Dept.
Client: City of Texas City
Address: Texas City, Tx 77590

Re: City of Texas City-Godard Major Field Press Box Rev. 1

Dear Mr. Thompson,

Generocity Services Inc. is pleased to present our preliminary proposal for the above referenced project. This project is priced in accordance with our CHOICE PARTNERS Contract # 16/054JN-05 and excludes proprietary vendor and Owner's separate contractor pricing.

PRELIMINARY DESIGN SPECIFICATION WAIVER

All designs and specifications presented herewith are preliminary and are subject to change after review of changes due to customer requests. Any costs associated with preliminary design and scope changes will be added to the final cost of the project.

SCOPE OF WORK

Provide material, labor, equipment, and supervision to complete the following:

1. Obtain local authority permit prior to beginning work.
2. Remove 1,155 square feet of existing single layer of 33' x 35' composition shingle roof.
3. Remove and replace existing fascia board with Hardie and paint.
4. Remove felt paper on 1,155 square feet.
5. Rotten or deteriorated decking substrate to be assessed upon inspection and request for change order created
6. Dry in roof with synthetic underlayment.
7. Install new metal roof edging.
8. Install 1,155 square feet of new 30-year fiberglass shingles in owner's choice of standard colors.
9. Install 6 hand driven hot dipped galvanized nails per shingle, installed to meet manufacture's 130 mph requirements.
10. Install ridgetop attic roll-vent or whirly-bird vents.
11. Remove 220 square feet of existing T-111 wood siding and trim on gable end-wall.
12. Remove 220 square feet of existing foam insulation substrate behind T-111 siding.
13. Install 220 square feet of 1/2" cdx substrate.
14. Install 220 square feet of moisture barrier Tyvek.
15. Install approximately 220 square feet of new Hardie siding on gable end-wall.
16. Remove and replace 204 square feet of rotten damaged soffit and replace with Hardie product.
17. Paint approximately 500 square feet of new Hardie surface with two coats of finished paint.
18. Contractor to provide T.W.I.A. windstorm inspection.
19. All work performed by contractor to have guarantee on roofing and remodeling for 10 years on craftsmanship.
20. Clean up and dispose of all non-hazardous job-specific trash and debris at an off-site location.

Time of construction:
To be determined.

VOLUNTARY ALTERNATES

Item #1 Install Super Span-X Roof

In lieu of new architectural profile composition roof. Install new 26ga. Screw down "R" panel roof with associated 26ga ridge caps, eave trim, and rake trim. All colors to be determined.

Add.....\$3.92 per square foot

TECHNICAL CLARIFICATIONS

1. Components and activities specifically excluded from this proposal:
 - a. Design and/or construction of permanent site storm water detention or drainage structures.
 - b. Testing of existing concrete slabs for moisture, alkali, and other contamination. Generocity Services will not be responsible for poor performance of adhered floor coverings on moisture-laden or contaminated floor slabs.
 - c. Subsurface dewatering, or the pumping of facility leaks and spills.
2. Our proposal includes the cost of providing materials and equipment called out by model numbers within the inquiry documents. When final engineering, calculations, shop drawings, or other documentation do not support the item physical characteristics, size, shape, operational requirements, etc. required by the Client, then changes may require additional cost.
3. If any code interpretation, that may be issued by the Client, his agents, the Municipal Plan Checking Department, Code Enforcement Department, or Inspection Department results in additional or more stringent project requirements than those shown graphically on the inquiry drawings, or that is specifically named or directed within the inquiry specifications (as they relate to the drawings), the additional cost shall be assessed and passed on to the Client.

COMMERCIAL TERMS & CONDITIONS

1. Validation Period: This proposal is valid for a period of 30 calendar days after the "DATE" indicated above.
 2. Material Cost Escalation: Due to the volatile and unpredictable global materials market pricing, Generocity Services, Inc. can not guarantee project-specific pricing for the validation period stated above. If material orders and required shipments are made at current pricing, we will honor the material cost. If the cost of the material increases before shipment, then the change in price will be passed on to the Client/Owner.
 3. Generocity Services Inc. will not perform work changes unless authorized in writing by the Client before the work begins. All cost assessments will include the cost of tangible items and the additional costs associated with schedule delays and extensions.
 5. When materials and permanent equipment that are purchased for this project are stored either on or off site as a result of delays by Client (or Owner), or the contractors, or agents of the same, progress pay requests will include these materials and equipment items for Client approval and payment within the contract pay period.
 6. Generocity Services, Inc. will not be held responsible for damages to any concealed, hidden or buried equipment, structures, pipelines, electrical lines, cables, grounding, underground utilities and other obstacles.
 7. Generocity Services, Inc. will not be held responsible for personal injury from accidents resulting from encounters with any concealed, hidden or buried equipment, structures, pipelines, electrical lines, cables, grounding, and other obstacles.
 8. Downtime or delays caused by Owner and/or Client during the field construction operations shall be assessed by Generocity Services, Inc. and reimbursed by Owner and/or Client.
 9. Repair costs and touch-up costs made necessary by damage caused by Owner's and/or Client's personnel will be assessed by Generocity Services Inc. and passed on to the Client.
 10. Our pricing is based on a 40-hour workweek. We have not included the cost of holiday or overtime work hours.
-

Cost Breakdown:

R S Means Estimate	\$26,811.91
Houston CCI .920	\$(2,144.95)
Choice Partners .84	\$(3,946.71)
Sub Total	\$20,720.24
Grand Total	\$20,720.24

We appreciate the opportunity to present this proposal and look forward to your review and approval.

Sincerely,

Justin James

Justin James
Project Manager
Generocity Services Inc.

Texas

Data Release : Year 2018 Quarter 4 Unit Cost Estimate

Quantity	Line Number	Description	Unit	O&P	Ext. Mat	Ext. Labor O&P	Ext. Total	Notes
1	013113200200	Field personnel, project manager, average	Week	\$ -	-	\$ 3,950.00	\$ 3,950.00	
2	013113200260	Field personnel, superintendent, average	Week	\$ -	-	\$ 7,350.00	\$ 7,350.00	
2	015433400105	Rent aerial lift, telescoping boom to 45' high, 500 lb. capacity, diesel, incl. Hourly Oper. Cost	Week	\$ -	-	\$ -	\$ 3,198.80	
2	015436501700	Mobilization or demobilization, crane, truck-mounted, up to 75 ton, (driver only)	Ea.	\$ -	-	\$ 354.00	\$ 354.00	
5	024119192045	Selective demolition, rubbish handling, 0'-100' haul, load, haul, dump and return, wheeled, cost to be added to demolition cost	C.Y.	\$ -	-	\$ 207.50	\$ 207.50	
5	024119192085	Selective demolition, rubbish handling, haul and return, add per each extra 100' haul, wheeled, cost to be added to demolition cost	C.Y.	\$ -	-	\$ 95.75	\$ 95.75	
220	060505106130	Selective demolition, wood framing, wood framing, sheathing from walls, 1/2", from walls	S.F.	\$ -	-	\$ 202.40	\$ 202.40	
220	061636100602	Sheathing, plywood on walls, CDX, 1/2" thick	S.F.	\$ -	149.60	\$ 257.40	\$ 407.00	
11.55	070505103125	Selective demolition, thermal and moisture protection, roofing, roofing felt, #30	Sq.	\$ -	-	\$ 199.24	\$ 199.24	

11.55	072510102810	Weather barriers, building paper, asphalt felt, 50% recycled content, 2 sq per roll, #30	Sq.	\$	114.35	\$	211.37	\$	325.71
11.55	073113100500	Asphalt shingles, premium, laminated multi-layered shingles, class A, 300-385 lb/sq	Sq.	\$	3,303.30	\$	2,413.95	\$	5,717.25
424	074646100080	Fiber cement siding, panel siding, grooved woodgrain texture, 5/16" thick	S.F.	\$	619.04	\$	746.24	\$	1,365.28
200	074646100090	Fiber cement siding, wood starter strip	L.F.	\$	100.00	\$	658.00	\$	758.00
136	076510109324	Sheet metal flashing, steel sheets, flexible, galvanized, 24 gauge, including up to 4 bends	S.F.	\$	142.80	\$	609.28	\$	752.08
35	077226100430	Ridge vents, molded polyethylene, excl. shingles	L.F.	\$	107.10	\$	137.20	\$	244.30
136	079213200100	Joint sealants, caulking and sealants, bulk acrylic latex, 1/2" x 1/2", in place	L.F.	\$	62.56	\$	325.04	\$	387.60
	080505100200	Door demolition, exterior door, single, 3' x 7' high, 1-3/4" thick, remove	Ea.	\$	-	\$	-	\$	-
	080505102000	Door demolition, door frames, metal, remove	Ea.	\$	-	\$	-	\$	-
	080505102205	Door demolition, door hardware, remove	Ea.	\$	-	\$	-	\$	-
	081213133600	Frames, steel, knock down, hollow metal, single, 14 ga., 5-3/4" deep, 4'-0" x 7'-0"	Ea.	\$	-	\$	-	\$	-
	081313131320	Doors, commercial, steel, flush, full panel, hollow core, hollow metal, 18 ga., 3'-0" x 7'-0" x 1-3/4" thick	Ea.	\$	-	\$	-	\$	-
	087120152600	Door hardware, school, single, classroom, ANSI F88, complete set incl. lever	Door	\$	-	\$	-	\$	-
	087120300040	Door hardware, door closer, rack and pinion, adjustable backcheck, 3 way mount, hold open arm	Ea.	\$	-	\$	-	\$	-
	087120650011	Thresholds, aluminum, 3' long door saddles	L.F.	\$	-	\$	-	\$	-
450	099103200520	Paint preparation, surface protection, placement & removal, masking w/paper	S.F.	\$	36.00	\$	306.00	\$	342.00

	099113700370	Paints & coatings, exterior doors, panel, both sides, roll & brush, primer + 2 coats, exterior latex, incl. frame & trim	Ea.	\$	-	\$	-	\$	-
500	099123721670	Painting walls, complete, on drywall or plaster, primer and 2 finish coats, with roller, including surface preparation	S.F.	\$	115.00	\$	840.00	\$	955.00

R S Means Estimate
 Houston CCI .92
 Choice Partners .84
 Sub Total
 Bond
Grand Total

\$ 26,811.91
 \$ (2,144.95)
 \$ (3,946.71)
 \$ 20,720.24
\$ 20,720.24



Generocity Services Inc
1212 Winding Way
Friendswood, Texas 77546
(281) 250-4155 Tel. (713) 456-2812 Fax

June 14, 2019

Mr. Charles Thompson
Facilities Dept.
Client: City of Texas City
Address: Texas City, Tx 77590

Re: City of Texas City-Minor Field Press Box & Restroom Rev. 1

Dear Mr. Thompson,

Generocity Services Inc. is pleased to present our preliminary proposal for the above referenced project. This project is priced in accordance with our CHOICE PARTNERS Contract # 16/054JN-05 and excludes proprietary vendor and Owner's separate contractor pricing.

PRELIMINARY DESIGN SPECIFICATION WAIVER

All designs and specifications presented herewith are preliminary and are subject to change after review of changes due to customer requests. Any costs associated with preliminary design and scope changes will be added to the final cost of the project.

SCOPE OF WORK

Provide material, labor, equipment, and supervision to complete the following:

1. Obtain local authority permit prior to beginning work.
2. Remove 572 square feet of existing single layer of 22' x 26' composition shingle roof.
3. Remove and replace existing fascia board with Hardie and paint 30" wide around perimeter of entire building approximately 300 square feet.
4. Remove felt paper on 572 square feet.
5. Remove existing conduit and light fixtures as needed to remove roof substrate decking and joist.
6. Remove entire roof substrate.
7. Remove existing 2x6 rafters and roof joist.
8. Provide and install engineered roof trusses on a 5:12 pitch spaced at 24" intervals.
9. Install new 5/8" thick roof decking.
10. Dry in roof with synthetic underlayment.
11. Install new metal roof edging.
12. Install 572 square feet of new 30-year fiberglass shingles in owner's choice of standard colors.
13. Install 6 hand driven hot dipped galvanized nails per shingle, installed to meet manufacture's 130 mph requirements.
14. Install new attic ventilation by means of 2 whirly birds.
15. Paint approximately 300 square feet of new Hardie surface with two coats of finished paint.
16. Contractor to provide T.W.I.A. windstorm inspection.
17. All work performed by contractor to have guarantee on roofing and remodeling for 10-years on craftsmanship.
18. All rotten or damaged wood not mentioned will be replaced at an additional charge and will be reimbursed by client to Generocity Services Inc.
19. Reinstall existing electrical conduit.

20. Install four new surface mounted 40 watt 4' fluorescent electrical fixtures.
21. Clean-up and dispose of all job-specific non-hazardous debris at an off-site location.

Time of construction:
To be determined.

VOLUNTARY ALTERNATES

Item #1 Install Super Span-X Roof

In lieu of new architectural profile composition roof. Install new 26ga. Screw down "R" panel roof with associated 26ga ridge caps, eave trim, and rake trim. All colors to be determined.

Add.....\$3.92 per square foot

Item #2 Provide Engineered Drawings with Engineers Stamp

Provide international building code for structural joist framing Texas windstorm engineer stamp with drawings for new roof trusses.

Add.....\$3,500.00

TECHNICAL CLARIFICATIONS

1. Components and activities specifically excluded from this proposal:
 - a. Design and/or construction of permanent site storm water detention or drainage structures.
 - b. Testing of existing concrete slabs for moisture, alkali, and other contamination. Generocity Services will not be responsible for poor performance of adhered floor coverings on moisture-laden or contaminated floor slabs.
 - c. Subsurface dewatering, or the pumping of facility leaks and spills.
2. Our proposal includes the cost of providing materials and equipment called out by model numbers within the inquiry documents. When final engineering, calculations, shop drawings, or other documentation do not support the item physical characteristics, size, shape, operational requirements, etc. required by the Client, then changes may require additional cost.
3. If any code interpretation, that may be issued by the Client, his agents, the Municipal Plan Checking Department, Code Enforcement Department, or Inspection Department results in additional or more stringent project requirements than those shown graphically on the inquiry drawings, or that is specifically named or directed within the inquiry specifications (as they relate to the drawings), the additional cost shall be assessed and passed on to the Client.

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 9. Repair costs and touch-up costs made necessary by damage caused by Owner's and/or Client's personnel will be assessed by Generocity Services Inc. and passed on to the Client.
 10. Our pricing is based on a 40-hour workweek. We have not included the cost of holiday or overtime work hours.
-

Cost Breakdown:

R S Means Estimate	\$43,061.50
Houston CCI .920	\$(3,444.92)
Choice Partners .84	\$(6,338.65)
<u>Sub Total</u>	<u>\$33,277.93</u>
Grand Total	\$33,277.93

We appreciate the opportunity to present this proposal and look forward to your review and approval.

Sincerely,

Justin James

Justin James
Project Manager
Generocity Services Inc.

B18-12-11-2018 City of Texas City Board Minor Field Press Box and Restrooms Rev. 1

Texas

Data Release : Year 2018 Quarter 4 Unit Cost Estimate

Quantity	Line Number	Description	Unit	O&P	Ext. Mat.	Ext. Labor	Ext. O&P	Ext. Total	Notes
1.5	013113200200	Field personnel, project manager, average	Week	\$	-	\$	5,925.00	\$ 5,925.00	
3	013113200260	Field personnel, superintendent, average	Week	\$	-	\$	11,025.00	\$ 11,025.00	
3	015433400105	Rent aerial lift, telescoping boom to 45' high, 500 lb. capacity, diesel, incl. Hourly Oper. Cost.	Week	\$	-	\$	-	\$ 4,798.20	
2	015436501700	Mobilization or demobilization, crane, truck-mounted, up to 75 ton, (driver only)	Ea.	\$	-	\$	354.00	\$ 354.00	
10	024119192045	Selective demolition, rubbish handling, 0'-100' haul, load, haul, dump and return, wheeled, cost to be added to demolition cost	C.Y.	\$	-	\$	415.00	\$ 415.00	
10	024119192085	Selective demolition, rubbish handling, haul and return, add per each extra 100' haul, wheeled, cost to be added to demolition cost	C.Y.	\$	-	\$	191.50	\$ 191.50	
286	060505104230	Selective demolition, wood framing, joists, 2" x 6"	L.F.	\$	-	\$	306.02	\$ 306.02	
572	060505105688	Selective demolition, wood framing, rafters, 6/12 - 8/12 pitch, 2" x 6", 24" OC	S.F.	\$	-	\$	531.96	\$ 531.96	
572	060505106130	Selective demolition, wood framing, wood framing, sheathing from walls, 1/2", from walls	S.F.	\$	-	\$	526.24	\$ 526.24	
300	060505108030	Selective demolition, wood framing, soffit, plywood, 3/8"	S.F.	\$	-	\$	1,254.00	\$ 1,254.00	

15	060523100520	Nails, prices on material only, box galvanized, based on 50 lb box purchase, 3d to 20d	Lb.	\$	38.55	\$	-	\$	38.55
44	060523600150	Timber connectors, anchor plate, 7 gauge, 9" x 7"	Ea.	\$	1,342.00	\$	772.20	\$	2,114.20
50	060523602900	Timber connectors, extruded aluminum plywood H clip, for 3/4" panels	Ea.	\$	12.00	\$	-	\$	12.00
286	061110182100	Wood framing, joists, 2" x 8"	L.F.	\$	203.06	\$	300.30	\$	503.36
0.31	061110184030	Wood framing, open web joists, 18" deep	M.L.F.	\$	1,441.50	\$	550.25	\$	1,991.75
245	061110361121	Soffit and canopy framing, 2" x 6"	L.F.	\$	173.95	\$	575.75	\$	749.70
600	061636100202	Sheathing, plywood on roof, CDX, 5/8" thick	S.F.	\$	504.00	\$	606.00	\$	1,110.00
200	061636100602	Sheathing, plywood on walls, CDX, 1/2" thick	S.F.	\$	136.00	\$	234.00	\$	370.00
6	070505103125	Selective demolition, thermal and moisture protection, roofing, roofing felt, #30	Sq.	\$	-	\$	103.50	\$	103.50
600	070505103170	Selective demolition, thermal and moisture protection, roofing, asphalt shingles, 1 layer	S.F.	\$	-	\$	450.00	\$	450.00
6	072510102810	Weather barriers, building paper, asphalt felt, 50% recycled content, 2 sq per roll, #30	Sq.	\$	59.40	\$	109.80	\$	169.20
6	073113100500	Asphalt shingles, premium, laminated multi-layered shingles, class A, 300-385 lb/sq	Sq.	\$	1,716.00	\$	1,254.00	\$	2,970.00
300	074646100080	Fiber cement siding, panel siding, grooved woodgrain texture, 5/16" thick	S.F.	\$	438.00	\$	528.00	\$	966.00
192	074646100090	Fiber cement siding, wood starter strip	L.F.	\$	96.00	\$	831.68	\$	727.68
92	076510109324	Sheet metal flashing, steel sheets, flexible, galvanized, 24 gauge, including up to 4 bends	S.F.	\$	96.60	\$	412.16	\$	508.76
26	077226100430	Ridge vents, molded polyethylene, excl. shingles	L.F.	\$	79.56	\$	101.92	\$	181.48
226	079213200100	Joint sealants, caulking and sealants, bulk acrylic latex, 1/2" x 1/2", in place	L.F.	\$	103.96	\$	540.14	\$	644.10

1	080505100200	Door demolition, exterior door, single, 3' x 7' high, 1-3/4" thick, remove	Ea.	\$	-	\$	32.50	\$	32.50	
	080505102000	Door demolition, door frames, metal, remove	Ea.	\$	-	\$	-	\$	-	
	080505102205	Door demolition, door hardware, remove	Ea.	\$	-	\$	-	\$	-	
	081213133600	Frames, steel, knock down, hollow metal, single, 14 ga., 5-3/4" deep, 4'-0" x 7'-0"	Ea.	\$	-	\$	-	\$	-	
	081313131120	Doors, commercial, steel, flush, full panel, hollow core, hollow metal, 18 ga., 3'-0" x 7'-0" x 1-3/4" thick	Ea.	\$	-	\$	-	\$	-	
	087120152600	Door hardware, school, single, classroom, ANSI F88, complete set incl. lever	Door	\$	-	\$	-	\$	-	
	087120300040	Door hardware, door closer, rack and pinion, adjustable backcheck, 3 way mount, hold open arm	Ea.	\$	-	\$	-	\$	-	
	087120650011	Thresholds, aluminum, 3' long door saddles	L.F.	\$	-	\$	-	\$	-	
175	099103200520	Paint preparation, surface protection, placement & removal, masking w/paper	S.F.	\$	14.00	\$	119.00	\$	133.00	
	099113700370	Paints & coatings, exterior doors, panel, both sides, roll & brush, primer + 2 coats, exterior latex, incl. frame & trim	Ea.	\$	-	\$	-	\$	-	
400	099123721670	Painting walls, complete, on drywall or plaster, primer and 2 finish coats, with roller, including surface preparation	S.F.	\$	92.00	\$	672.00	\$	764.00	300sf of hardie panel and 100sf of fascia
2	233723101420	Ventilator, rotary ventilator, wind driven, galvanized, 14" neck diameter, includes base	Ea.	\$	248.00	\$	272.00	\$	520.00	
100	260505100200	Conduit, electric metallic tubing (EMT), 1/2" to 1" diameter, electrical demolition, remove conduit to 10' high, including fittings & hangers	L.F.	\$	-	\$	183.00	\$	183.00	

6	260505101720	Junction boxes, 4" square & octagon, electrical demolition, remove, including removal of supports and terminations	Ea.	\$	-	\$	54.00	\$	54.00
2	260505101780	Receptacle & switch plates, electrical demolition, remove	Ea.	\$	-	\$	5.60	\$	5.60
2	260505101790	Receptacle & switches, 15 to 30 amp, electrical demolition, remove	Ea.	\$	-	\$	10.70	\$	10.70
3.3	260505101840	Wire, THW-THWN-THHN, #12, electrical demolition, removed from in place conduit, to 15' high	C.L.F.	\$	-	\$	43.23	\$	43.23
4	260505102200	Fluorescent fixtures, interior, acrylic lens & hinged frame, 2 lamp, 1' x 4', electrical demolition, remove, surface mount, to 15' high, including supports & whips	Ea.	\$	-	\$	130.00	\$	130.00
12	260519350045	Wire connector, screw type, insulated, #12 to #6	Ea.	\$	6.00	\$	48.00	\$	54.00
3.3	260519901200	Wire, copper, stranded, 600 volt, #12, type THWN-THHN, normal installation conditions in wireway, conduit, cable tray	C.L.F.	\$	38.12	\$	216.15	\$	254.27
6	260533135220	Electric metallic tubing (EMT), field bends, 45 Deg. to 90 Deg., 3/4" diameter	Ea.	\$	-	\$	54.00	\$	54.00
10	260533135340	EMT offsets, 3/4" diameter, to 15' H	Ea.	\$	-	\$	116.00	\$	116.00
4	260533138710	EMT couplings, compression, steel, 3/4" diameter, to 15' H	Ea.	\$	7.56	\$	43.00	\$	50.56
10	260533138810	EMT boxes connectors, compression, steel, 3/4" diameter, to 15' H	Ea.	\$	33.70	\$	65.50	\$	99.20
100	260533140220	Electric metallic tubing, 3/4" diameter, to 10' high, includes 11 couplings per 100'	L.F.	\$	102.00	\$	284.00	\$	386.00
6	260533160220	Outlet boxes, pressed steel, 4" square, 2-1/8" deep, 1" KO	Ea.	\$	19.38	\$	216.00	\$	235.38
6	260533160260	Outlet boxes, pressed steel, covers, raised device, 4" square	Ea.	\$	7.86	\$	67.50	\$	75.36
10	260533251770	Conduit fittings for rigid galvanized steel, grounding bushing, insulated, 3/4" diameter	Ea.	\$	56.50	\$	256.00	\$	311.50

4	265113502040	Fluorescent fixture, interior, surface mounted, acrylic wrap around lens, 2-40 W, 11" W x 4' L, incl lamps, mounting hardware and connections	Ea.	\$	200.00	\$	412.00	\$	612.00
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R S Means Estimate
 Houston CCI .92
 Choice Partners .84
 Sub Total
 Bond
Grand Total

\$ 43,061.50
 \$ (3,444.92)
 \$ (6,338.65)
 \$ 33,277.93
 \$ **33,277.93**



Generocity Services Inc
1212 Winding Way
Friendswood, Texas 77546
(281) 250-4155 Tel. (713) 456-2812 Fax

December 7, 2018

Mr. Charles Thompson
Facilities Dept.
Client: City of Texas City
Address: Texas City, Tx 77590

Re: City of Texas City Parks Board-Pee wee Restroom Rev. 1

Dear Mr. Thompson,

Generocity Services Inc. is pleased to present our preliminary proposal for the above referenced project. This project is priced in accordance with our CHOICE PARTNERS Contract # 16/054JN-05 and excludes proprietary vendor and Owner's separate contractor pricing.

PRELIMINARY DESIGN SPECIFICATION WAIVER

All designs and specifications presented herewith are preliminary and are subject to change after review of changes due to customer requests. Any costs associated with preliminary design and scope changes will be added to the final cost of the project.

SCOPE OF WORK

Provide material, labor, equipment, and supervision to complete the following:

1. Obtain local authority permit prior to beginning work.
2. Remove 550 square feet of existing single layer of 23' x 23' composition shingle roof.
3. Remove and replace existing fascia board with Hardie and paint.
4. Remove felt paper on 550 square feet.
5. Rotten or deteriorated decking substrate to be assessed upon inspection and request for change order created
6. Dry in roof with synthetic underlayment.
7. Install new metal roof edging.
8. Install 550 square feet of new 30-year fiberglass shingles in owner's choice of standard colors.
9. Install 6 hand driven hot dipped galvanized nails per shingle, installed to meet manufacture's 130 mph requirements.
10. Remove 200 square feet of existing T-111 wood siding and trim on gable end-wall.
11. Remove 200 square feet of existing foam insulation substrate behind T-111 siding.
12. Install 200 square feet of 1/2" cdx substrate.
13. Install 200 square feet of moisture barrier Tyvek.
14. Install approximately 200 square feet of new Hardie siding on gable end-wall.
15. Remove and replace 100 square feet of rotten damaged soffit and replace with Hardie product.
16. Paint approximately 300 square feet of new Hardie surface with two coats of finished paint.
17. Contractor to provide T.W.I.A. windstorm inspection.
18. All work performed by contractor to have guarantee on roofing and remodeling for 10 years on craftsmanship.
19. Clean-up and dispose of all job-specific non-hazardous debris at an off-site location.

Time of construction:
To be determined.

VOLUNTARY ALTERNATES

Item #1 Install Super Span-X Roof

In lieu of new architectural profile composition roof. Install new 26ga. Screw down "R" panel roof with associated 26ga ridge caps, eave trim, and rake trim. All colors to be determined.

Add.....\$3.92 per square foot

TECHNICAL CLARIFICATIONS

1. Components and activities specifically excluded from this proposal:
 - a. Design and/or construction of permanent site storm water detention or drainage structures.
 - b. Testing of existing concrete slabs for moisture, alkali, and other contamination. Generocity Services will not be responsible for poor performance of adhered floor coverings on moisture-laden or contaminated floor slabs.
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COMMERCIAL TERMS & CONDITIONS

1. Validation Period: This proposal is valid for a period of 30 calendar days after the "DATE" indicated above.
2. Material Cost Escalation: Due to the volatile and unpredictable global materials market pricing, Generocity Services, Inc. can not guarantee project-specific pricing for the validation period stated above. If material orders and required shipments are made at current pricing, we will honor the material cost. If the cost of the material increases before
3. shipment, then the change in price will be passed on to the Client/Owner.
4. Generocity Services Inc. will not perform work changes unless authorized in writing by the Client before the work begins. All cost assessments will include the cost of tangible items and the additional costs associated with schedule delays and extensions.
5. When materials and permanent equipment that are purchased for this project are stored either on or off site as a result of delays by Client (or Owner), or the contractors, or agents of the same, progress pay requests will include these materials and equipment items for Client approval and payment within the contract pay period.
6. Generocity Services, Inc. will not be held responsible for damages to any concealed, hidden or buried equipment, structures, pipelines, electrical lines, cables, grounding, underground utilities and other obstacles.
7. Generocity Services, Inc. will not be held responsible for personal injury from accidents resulting from encounters with any concealed, hidden or buried equipment, structures, pipelines, electrical lines, cables, grounding, and other obstacles.
8. Downtime or delays caused by Owner and/or Client during the field construction operations shall be assessed by Generocity Services, Inc. and reimbursed by Owner and/or Client.
9. Repair costs and touch-up costs made necessary by damage caused by Owner's and/or Client's personnel will be assessed by Generocity Services Inc. and passed on to the Client.
10. Our pricing is based on a 40-hour workweek. We have not included the cost of holiday or overtime work hours.

Cost Breakdown:

R S Means Estimate	\$23,324.19
Houston CCI .920	\$(1,865.94)
Choice Partners .84	\$(3,433.32)
<u>Sub Total</u>	<u>\$18,024.93</u>
Grand Total	\$18,024.93

We appreciate the opportunity to present this proposal and look forward to your review and approval.

Sincerely,

Justin James

Justin James
Project Manager
Generocity Services Inc.

B18-12-09-2018B City Of Texas City Board Peewee Restrooms Rev. 1

Texas

Data Release : Year 2018 Quarter 4

Unit Cost Estimate

Quantity	Line Number	Description	Unit	O&P	Ext. Mat	Ext. Labor O&P	O&P	Ext. Total	Notes
1	013113200200	Field personnel, project manager, average	Week	\$ -	-	\$ 3,950.00	\$	\$ 3,950.00	
2	013113200260	Field personnel, superintendent, average	Week	\$ -	-	\$ 7,350.00	\$	\$ 7,350.00	
2	015433400105	Rent aerial lift, telescoping boom to 45' high, 500 lb. capacity, diesel, Inci. Hourly Oper. Cost.	Week	\$ -	-	\$ -	\$	\$ 3,198.80	
2	015436501700	Mobilization or demobilization, crane, truck-mounted, up to 75 ton, (driver only)	Ea.	\$ -	-	\$ 354.00	\$	\$ 354.00	
6	024119192045	Selective demolition, rubbish handling, 0'-100' haul, load, haul, dump and return, wheeled, cost to be added to demolition cost	C.Y.	\$ -	-	\$ 249.00	\$	\$ 249.00	
6	024119192085	Selective demolition, rubbish handling, haul and return, add per each extra 100' haul, wheeled, cost to be added to demolition cost	C.Y.	\$ -	-	\$ 114.90	\$	\$ 114.90	
200	060505106130	Selective demolition, wood framing, wood framing, sheathing from walls, 1/2", from walls	S.F.	\$ -	-	\$ 184.00	\$	\$ 184.00	
100	060505108030	Selective demolition, wood framing, soffit, plywood, 3/8"	S.F.	\$ -	-	\$ 418.00	\$	\$ 418.00	
200	061636100602	Sheathing, plywood on walls, CDX, 1/2" thick	S.F.	\$ 136.00	-	\$ -	\$	\$ 370.00	
5.5	070505103125	Selective demolition, thermal and moisture protection, roofing, roofing felt, #30	Sq.	\$ -	-	\$ 94.88	\$	\$ 94.88	

550	070505103170	Selective demolition, thermal and moisture protection, roofing, asphalt shingles, 1 layer	S.F.	\$	-	\$	412.50	\$	412.50	\$	412.50
5.5	072510102810	Weather barriers, building paper, asphalt felt, 50% recycled content, 2 sq per roll, #30	Sq.	\$	54.45	\$	100.65	\$	100.65	\$	155.10
5.5	073113100500	Asphalt shingles, premium, laminated multi-layered shingles, class A, 300-385 lb/sq	Sq.	\$	1,573.00	\$	1,149.50	\$	1,149.50	\$	2,722.50
300	074646100080	Fiber cement siding, panel siding, grooved woodgrain texture, 5/16" thick	S.F.	\$	438.00	\$	528.00	\$	528.00	\$	966.00
184	074646100090	Fiber cement siding, wood starter strip	L.F.	\$	92.00	\$	605.36	\$	605.36	\$	697.36
92	076510109324	Sheet metal flashing, steel sheets, flexible, galvanized, 24 gauge, including up to 4 bends	S.F.	\$	96.60	\$	412.16	\$	412.16	\$	508.76
23	077226100430	Ridge vents, molded polyethylene, excl. shingles	L.F.	\$	70.38	\$	90.16	\$	90.16	\$	160.54
100	079213200100	Joint sealants, caulking and sealants, bulk acrylic latex, 1/2" x 1/2", in place	L.F.	\$	46.00	\$	239.00	\$	239.00	\$	285.00
	080505109200	Door demolition, exterior door, single, 3' x 7' high, 1-3/4" thick, remove	Ea.	\$	-	\$	-	\$	-	\$	-
	080505102000	Door demolition, door frames, metal, remove	Ea.	\$	-	\$	-	\$	-	\$	-
	080505102205	Door demolition, door hardware, remove	Ea.	\$	-	\$	-	\$	-	\$	-
	081213133600	Frames, steel, knock down, hollow metal, single, 1-4 ga., 5-3/4" deep, 4'-0" x 7'-0"	Ea.	\$	-	\$	-	\$	-	\$	-
	081313131120	Doors, commercial, steel, flush, full panel, hollow core, hollow metal, 18 ga., 3'-0" x 7'-0" x 1-3/4" thick	Ea.	\$	-	\$	-	\$	-	\$	-
	087120152600	Door hardware, school, single, classroom, ANSI F88, complete set incl. lever	Door	\$	-	\$	-	\$	-	\$	-
	087120300040	Door hardware, door closer, rack and pinion, adjustable backcheck, 3 way mount, hold open arm	Ea.	\$	-	\$	-	\$	-	\$	-
	087120650011	Thresholds, aluminum, 3' long door saddles	L.F.	\$	-	\$	-	\$	-	\$	-

175	099103200520	Paint preparation, surface protection, placement & removal, masking w/paper	S.F.	\$	14.00	\$	119.00	\$	133.00	
1	099113700370	Paints & coatings, exterior doors, panel, both sides, roll & brush, primer + 2 coats, exterior latex, incl. frame & trim	Ea.	\$	16.85	\$	219.00	\$	235.85	
400	099123721670	Painting walls, complete, on drywall or plaster, primer and 2 finish coats, with roller, including surface preparation	S.F.	\$	92.00	\$	672.00	\$	764.00	300sf of hardie panel and 100sf of fascia

R-S Means Estimate
 Houston CCI .92
 Choice Partners .84
 Sub Total
 Bond
Grand Total

\$ 23,324.19
 \$ (1,865.94)
 \$ (3,433.32)
 \$ 18,024.93
 \$ 18,024.93

CITY COMMISSION REGULAR MTG

(8) (n)

Meeting Date: 07/17/2019

Approve Amendment of Consolidated Plan and Budget 2015-2019

Submitted For: Sheila Bowden, Community Development, Housing Autho

Submitted By: Sheila Bowden, Community Development, Housing Autho

Department: Community Development, Housing Autho

Information

ACTION REQUEST (Brief Summary)

Approve amending the city's Five-Year Consolidated Plan, program years 2015, 2017 and 2018 Action Plans and Budgets to increase funding for reconstruction.

BACKGROUND

On August 15, 2015 the City completed its Five Year Consolidated Plan 2015-2019 which was approved by the U.S. Department of Housing and Urban Development (HUD). In program years 2015, 2017 and 2018 the city submitted its Action plans and budgets, which was also, approved by HUD. In the 2017 Action plan the city allocated \$107,000, for the reconstruction of 1113-9th Ave N. After the bids were received it was determined that the allocation was approximately \$88,000 under cost.

Staff is requesting to use balances from its program year 2015:

Housing Rehabilitation: \$32,810.13

Demolition: \$1,118.59

Program Year 2017

Demolition: \$23,987.08

Program Year: 2018

Housing Rehabilitation: \$23,961.96

= \$81,877.76 to add the reconstruction balance of \$106,063.47 for

\$187,941.23

There is also, \$11,000 in the housing fund to add to the \$187,941.23 to build the structure at cost of \$193,600.

The 30-day public notice for citizens comments will not expire until July, 29, 2019 however, no written or verbal comments have been received as of this day.

ANALYSIS

ALTERNATIVES CONSIDERED

No other feasible options or alternatives.

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 19-069

A RESOLUTION AMENDING THE CITY OF TEXAS CITY'S FIVE-YEAR CONSOLIDATION PLAN FOR PROGRAM YEARS 2015, 2017 AND 2018 AND THE 2018 ACTION PLAN AND BUDGET TO INCREASE FUNDING FOR RECONSTRUCTION; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, On August 15, 2015, the City completed its Five-Year Consolidated Plan 2015-2019 which was approved by the U.S. Department of Housing and Urban Development (HUD). In program years 2015, 2017 and 2018 the city submitted its Action Plans and Budgets, which were also, approved by HUD. In the 2017 Action Plan the city allocated \$107,000.00 for the reconstruction of 1113-9th Ave N. After the bids were received it was determined that the allocation was approximately \$88,000.00 under cost; and

WHEREAS, Staff is requesting to use balances from:

Program year 2015:

Housing Rehabilitation:	\$32,810.13
Demolition:	\$1,118.59

Program Year 2017

Demolition:	\$23,987.08
-------------	-------------

Program Year: 2018

Housing Rehabilitation:	\$23,961.96
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Totaling \$81,877.76 to add the reconstruction balance of \$106,063.47 for a grand total of \$187,941.23. There is also, \$11,000 in the housing fund to add to the \$187,941.23 to build the structure at cost of \$193,600; and

WHEREAS, the 30-day public notice for citizen's comments will not expire until July, 29, 2019 however, no written or verbal comments have been received as of this day.

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

SECTION 1: That the Community Development 2015, 2017 and 2018 Program Year Action Plans are amended to increase funding for reconstruction.

SECTION 2: That a copy of said amended Community Development 2015, 2017, and 2018 Program Year Action Plans are attached hereto and made a part hereof for all intents and purposes and the Director of Community Development is authorized to apply for and execute all documents necessary.

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

PASSED AND ADOPTED this 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

CITY COMMISSION REGULAR MTG

(8) (o)

Meeting Date: 07/17/2019

Approve Award to Bidder for Reconstruction

Submitted For: Sheila Bowden, Community Development, Housing Autho

Submitted By: Sheila Bowden, Community Development, Housing Autho

Department: Community Development, Housing Autho

Information

ACTION REQUEST (Brief Summary)

Consider awarding the housing reconstruction bid at 1113- 9th Ave N to DSW in the amount of \$193,600.00

BACKGROUND

The projected located at 1113-9th Ave N proposed in the amount of \$ 107,000, is to construct a three bedroom 2 bath, ADA compliant home measuring approximately 1,265 square feet. The original home of 1,192 square foot was built in 1960. The original home was needed extensive rehabilitation over 50% which required a substantial rehabilitation to bring it into full code compliance. The project falls in the targeted revitalization area.

Notice to bidders was published in the Galveston daily news on May 22nd and 30th, Approximately 20 contractors were emailed/mailed a bid package taken from a list of businesses that previously expressed interest in bidding on Community Development projects. Three potential bidders attended the pre-construction meeting, one bid was submitted by DSW Homes.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

Bid Publication & Tab

RESOLUTION NO. 19-070

A RESOLUTION AWARDED BID NO. 2019-363 CONSTRUCTION OF A THREE BEDROOM, TWO BATHROOM, SINGLE FAMILY DWELLING LOCATED AT 1113 9TH AVENUE NORTH, TEXAS CITY, TEXAS, GALVESTON COUNTY, AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH DSW HOMES, LLC; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on May 22, 2019, and May 30, 2019, a notice to bidders was published in The Galveston Daily Newspaper and bid packets were made available to local area vendors for Bid No. 2019-363 Construction of a three (3) bedroom, two (2) bathroom, Single Family Dwelling located at 1113 9th Avenue North, Texas City, Texas, Galveston County; and

WHEREAS, bids were opened on June 19, 2019, and it is the recommendation of the Community Development to award Bid No. 2019-363 Construction of a three (3) bedroom, two (2) bathroom, Single Family Dwelling located at 1113 9th Avenue North, Texas City, Texas, Galveston County to DSW Homes, LLC, Galveston, Texas in the amount of \$193,600.00.

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

SECTION 1: That the City Commission awards 2019-363 Construction of a three (3) bedroom, two (2) bathroom, Single Family Dwelling located at 1113 9th Avenue North, Texas City, Texas, Galveston County to DSW Homes, LLC.

SECTION 2: That the Mayor is hereby authorized to enter into a contract with DSW Homes, LLC for the unit prices bid attached hereto as **Exhibit "A"** and to approve change orders not to exceed twenty-five percent (25.0%) of the total contract without taking the matter before the City Commission.

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

PASSED AND ADOPTED this 17th day of July 2019.

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

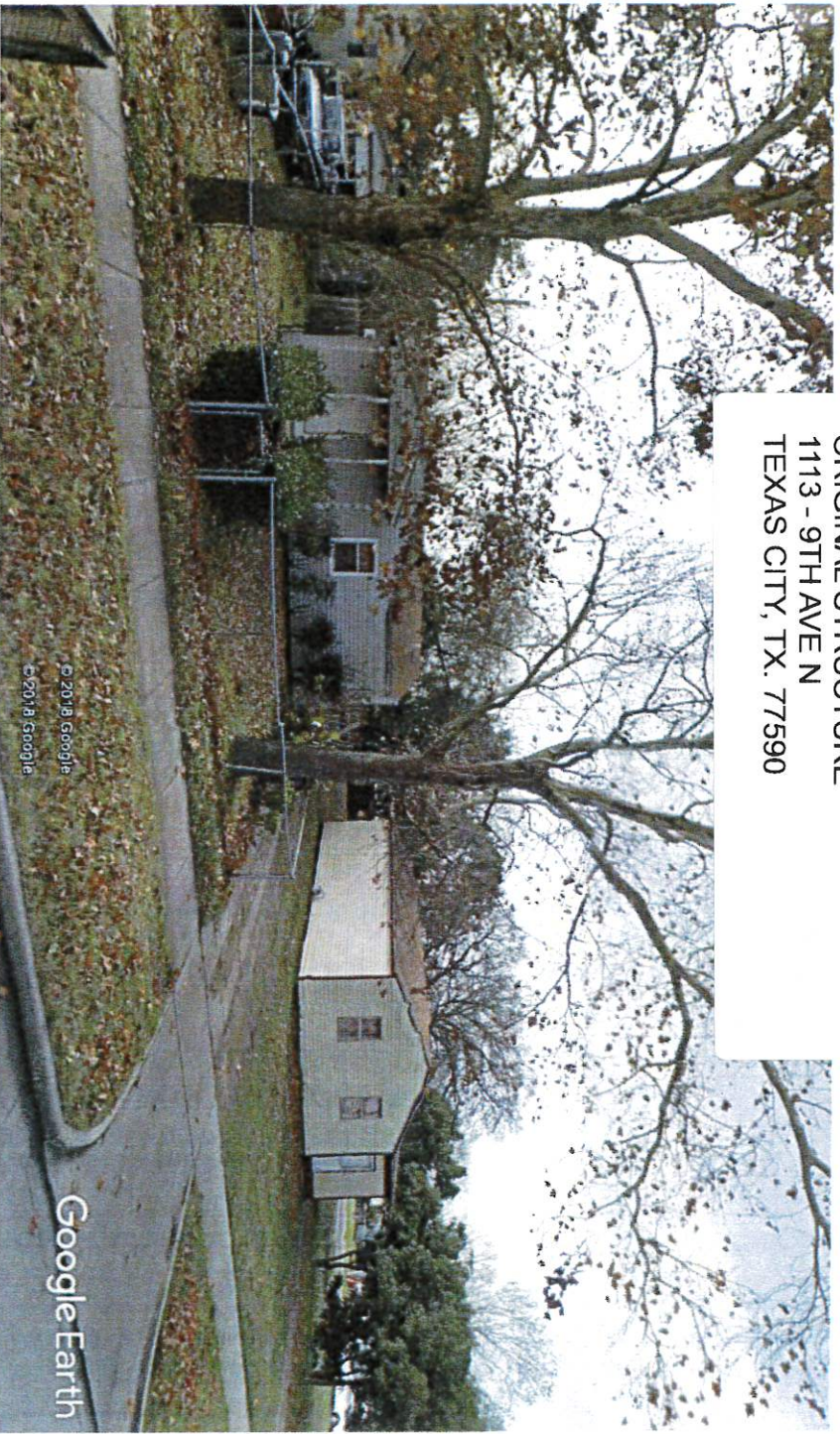
ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

ORIGINAL STRUCTURE
1113 - 9TH AVE N
TEXAS CITY, TX. 77590



Google Earth

feet
meters



10

5



Google Earth



SITE MAP

1. Reconnection of all utility services to the new unit shall be determined prior to bid, and the costs to carry out those requirements shall be calculated into the Contractor's submitted bid.
2. **Preserve and protect the 40" oak on the front right side of the property** by ensuring that no excavation is performed or any materials stored near or within the drip line. Utilize orange plastic construction fencing installed on temporary wooden posts approximately 6' around the trunk to ensure that the drip line of this tree is protected throughout the construction process. Preserve to the extent feasible, the other large trees on the property which do not interfere with construction.
3. **THE LOT SHALL BE GRADED TO THE EXTENT FEASIBLE (PRESERVING THE LARGE OAK TREE AT THE FRONT OF THE PROPERTY WITHOUT DRIVING ANY EQUIPMENT OR DEPOSITING ANY ADDITIONAL SOIL OVER THE DRIP LINE),**

Affidavit of Publication

STATE OF TX)
COUNTY OF GALVESTON) SS

Donna Rhoades, being duly sworn, says:


That she is Donna Rhoades of the The Galveston County Daily News, a daily newspaper of general circulation, printed and published in Galveston, Galveston County, TX; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:
May 22, 2019, May 30, 2019

The City of Texas City is requesting sealed bids for the construction of a three (3) Bedroom, two (2) bath single-family home located at 1113 - 9th Ave N

The Texas City Community Development Department proposes to use funds from its 2017 Program Year Community Development Block Grant (CDBG) Bids must be sealed and marked **RFB # 2019-363** and delivered to: The City of Texas City Purchasing Department 1801 - 9th Avenue North of Texas City, Texas 77592-2608 or you may secure a bid packet by calling the Purchasing Dept. at (409) 643 5950

Bidders are required to submit one (1) original bid and one (1) copy. Bids must be completed and submitted on the forms found within the Specifications and marked RFB # 2019-363. The right to accept any bid, or to reject any or all bids and to waive all formalities is hereby reserved by the City of Texas City, Texas.


That said newspaper was regularly issued and circulated on those dates.
SIGNED:



Donna Rhoades

Subscribed to and sworn to me this 30th day of May 2019.

Sealed bids will be received until **2:00 P.M., Central Standard Time, Wednesday, June 19th, 2019** at the Purchasing Department 1801-9th Ave N, Texas City, TX. 77590 and then publicly opened and read aloud. Bids received after that time will not be accepted. The bidder shall furnish all labor, materials and equipment to perform all work for the construction project

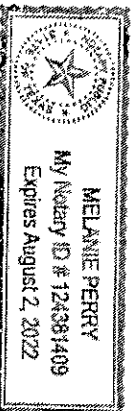


Melanie Perry, Notary Public, State of Texas, Galveston County, TX

My commission expires: August 02, 2022

Plans, specifications and bid documents are available at the Texas City Purchasing Department 1801 - 9th Avenue North or City Hall Annex or 928 - 5th Ave N Office of Community Development.

13103524 00472184



CITY OF TEXAS CITY
1801-9th Ave. North
TEXAS CITY, TX 77590

Bid security in the amount of five (5) percent of the total bid will be required to accompany the bids. The City of Texas City reserves the right to waive any minor informality or irregularity and to reject any or all proposals and to accept the proposal which in its opinion, is most advantageous to the City

Please direct all inquiries regarding this notice to bid to Sheila Bowden, Program Coordinator, Office of Community Development (409) 643 5731

Dated: May 22 2019

Published: May 22, 30, 2019
00472184

BID TABULATION

Bid # 2019-363

Construction of a Three Bedroom, Two Bath, Single Family Dwelling
1113 – 9th Ave. N. Texas City, TX.

Bid Opening: Wednesday, June 19, 2019 at 2:00 p.m.

				DSW HOMES	
				\$ 190,650.00	Base Bid Amount
				\$ 2950.00	Alternate Bid 2 5" Concrete Walk/Porch
				\$ 193,600.00	Total Bid

CITY COMMISSION REGULAR MTG

(8) (p)

Meeting Date: 07/17/2019

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 19-071, accepting a Charter Amendment recommendation concerning Article III, Section 3. City Secretary. (City Secretary)

BACKGROUND

In April the Charter Review Committee made recommendations on Charter Amendments. Since then, the City Secretary, James Hartshorn resigned to take a job in Pflugerville. With this change, several things were reviewed internally as well as what other cities do with respect to appointment and oversight of the City Secretary. Many cities have the City Secretary appointed by and report to the Chief Executive Officer of the City. This is done for day to day oversight, not overstating the importance of the position which is no longer an administrative position in most cities (like a police chief or fire chief), city councils/commissions do not see the City Secretary daily or have interaction with the position regularly, and most of the directive and establishment of the agenda is done by the Chief Executive Officer. Texas City is strengthening the wording to clarify the Mayor is the Chief Executive Officer who is at City Hall regularly to oversee the City Secretary and the mayor is over other staff that can be assigned to assist or oversee aspects of the City Secretary position. In addition, the position of the City Secretary has other duties and incorporates other positions that fall directly under the mayor such as Management Services, Records Managements, Communications/Media, etc. Therefore to be more in line with how Texas City operates with the Mayor being the Chief Executive Officer, better oversight, multiple duties outside the typical City Secretary responsibilities, it is recommended the change of the attached Charter Amendment to place the City Secretary under the Mayor be placed on the Charter Amendments. The change has been discussed with Bob Senter, Chair of the Charter Review Committee, and he concurs and did not feel it was necessary to call the Charter Review Committee together for this one item. Phil Roberts is also aware of the change and is supportive and requested that the item be placed on this agenda for concurrence by the City Commission.

The attached recommended changes.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 19-071

A RESOLUTION ACCEPTING AND/OR AMENDING THE CHARTER AMENDMENT RECOMMENDATIONS PRESENTED BY THE TEXAS CITY CHARTER REVIEW COMMITTEE; SELECTING AMENDMENTS FOR A CHARTER AMENDMENT REFERENDUM; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on September 5, 2018, the City Commission approved a Charter Review Committee to review the City Charter to be chaired by Bob Senter; and

WHEREAS, on January 2, 2019, the City Commission approved the additional members to the Charter Review Committee and the hiring of a consultant, Don Edmonds as part of the review of the City Charter; and

WHEREAS, on April 17, 2019, the Texas City Charter Review committee presented multiple recommendations before the City Commission; and

WHEREAS, with internal review and research it is recommended that the City Secretary position also be updated, in respects to duties, oversight and to whom the position reports to; and

WHEREAS, the City Attorney will review the recommendations and determine the ballot wording.

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 approve the following recommendation to be presented to the voters of Texas City for consideration in a Charter Amendment referendum to be held in November of 2019:

ARTICLE III. SECTION 3. CITY SECRETARY

The commission shall appoint a city secretary, who shall hold his/her office at the pleasure of the commission.

The Chief Executive Officer shall appoint a city secretary, who shall hold his/her office at the pleasure of and report to the Chief Executive Officer or his/her designee.

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

PASSED AND ADOPTED this 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

CITY COMMISSION REGULAR MTG

(9) (a)

Meeting Date: 07/17/2019

Submitted For: George Schonert, Inspections

Submitted By: Rhomari Jackson, City Secretary

Department: Inspections

Information

ACTION REQUEST (Brief Summary)

To make minor modification the Flood Damage Prevention Ordinance, as required by FEMA.

BACKGROUND

On February 15, 2019 the City received a Letter of Final Flood Hazard Determination, which provided us with the following instructions: Because the FIS report establishing the flood hazard information for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter. Prior to August 15, 2019, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(d and e) of the NFIP regulations (44 CFR 59, etc.) by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature. It must be emphasized that all the standards specified in Paragraph 60.3(d and e) of the NFIP regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations apply and other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions: 1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(d and e); 2. Adopting all the standards of Paragraph 60.3(d and e) into one new, comprehensive set of regulations; or 3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(d and e). Corrections(highlighted red) have been made to the existing Ordinance...See 157.07 and 157.09 in the attachments. Also, find a copy of the Final Flood Hazard Determination Letter in attachments.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Ordinance

Attachment

ORDINANCE NO. 19-16

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, CHAPTER 157, BY AMENDING SECTION 157.07, “BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD” AND SECTION 58-39 “COMPLIANCE WITH CHAPTER”; 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.

WHEREAS, the City of Texas City, Texas, is a home-rule city; and,

WHEREAS, the City of Texas City, Texas, seeks to amend The Code of Ordinances of the City of Texas City, Chapter 157 (Flood Ordinance), 157.07, “Basis For Establishing Areas Of Special Flood Hazard” And Section 58-39 “Compliance With Chapter for clarification;

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

SECTION 1: That **The Code of Ordinances of the City of Texas City, Texas**, Chapter 58 (Floods), is amended to read and provide as follows:

“Sec. 157.07. Basis for Establishing Areas Of Special Flood Hazard

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for **Galveston County, Texas and Incorporated areas, dated August 15, 2019**, with accompanying flood insurance rate maps and flood boundary-floodway maps (FIRM and FBFM) and any revisions thereto, are hereby adopted by reference and declared to be a part of this chapter.

SECTION 2: That **The Code of Ordinances of the City of Texas City, Texas**, Chapter 58 (Floods), is amended by amending section 58-39 to read and provide as follows:

No structure or land shall hereafter be located, altered or have its use changed without full compliance with the terms of this chapter and other applicable regulations, **including the standards of Paragraph 60.3(d&e) of the NFIP regulations (44 CFR 59, etc.)**These standards are the minimum requirements and do not supersede any State or Local requirements of a more stringent nature.

SECTION 3: 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 4: 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 5: That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6: 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.

PASSED AND ADOPTED this 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

CHAPTER 157: FLOOD DAMAGE PREVENTION

Section

General Provisions

- 157.01 Statutory authority
- 157.02 Findings of fact
- 157.03 Purpose of chapter
- 157.04 Methods of reducing flood losses
- 157.05 Definitions
- 157.06 Applicability of chapter
- 157.07 Basis for establishing areas of special flood hazard
- 157.08 Development permit required
- 157.09 Compliance with chapter
- 157.10 Abrogation of existing agreements or restrictions; conflicting regulations
- 157.11 Interpretation of chapter
- 157.12 Warning and disclaimer of liability

Administration

- 157.25 Floodplain Administrator; duties
- 157.26 Application for development permit; standards for approval
- 157.27 Variances

Flood Hazard Reduction Provisions

- 157.40 General standards
- 157.41 Specific standards
- 157.42 Standards for subdivision proposals
- 157.43 Standards for areas of shallow flooding (AO/AH Zones)
- 157.44 Floodways
- 157.45 Coastal high-hazard areas

GENERAL PROVISIONS

§ 157.01 STATUTORY AUTHORITY.

The legislature of the state has, in Tex. Water Code §§ 16.311 et seq., commonly called the Flood Control and Insurance Act of Texas, delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Commission does ordain the provisions of this chapter.

(1998 Code, § 58-31)

§ 157.02 FINDINGS OF FACT.

(A) The flood hazard areas of the city are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(B) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

(1998 Code, § 58-32)

§ 157.03 PURPOSE OF CHAPTER.

It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (A) Protect human life and health;
- (B) Minimize expenditure of public money for costly flood control projects;
- (C) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (D) Minimize prolonged business interruptions;
- (E) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (F) Help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas; and
- (G) Ensure that potential buyers are notified that property is in a flood area.

(1998 Code, § 58-33)

§ 157.04 METHODS OF REDUCING FLOOD LOSSES.

In order to accomplish its purposes, this chapter uses the following methods:

- (A) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (B) Require that uses vulnerable to floods, including facilities which serve as such uses, be protected against flood damage at the time of initial construction;
- (C) Control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters;
- (D) Control filling, grading, dredging and other development which may increase flood damage; and
- (E) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

(1998 Code, § 58-34)

§ 157.05 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPEAL. A request for a review of the Floodplain Administrator's interpretation of any provision of this chapter, or a request for a variance.

AREA OF SHALLOW FLOODING. A designated AO, AH or VO Zone on a community's flood insurance rate map (FIRM) with a 1% chance or greater annual chance of flooding to an average depth of one to three feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD. The land in the floodplain within a community subject to a 1% or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

BASE FLOOD. The flood having a 1% chance of being equalled or exceeded in any given year.

BREAKAWAY WALL. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

COASTAL HIGH-HAZARD AREA. The area subject to high-velocity waters, including but not limited to hurricane wave wash or tsunamis. The area is designated on a FIRM as Zone V1-30, VE or V.

CRITICAL FEATURE. An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

DEVELOPMENT. Any human-made change in improved and unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

ELEVATED BUILDING.

(1) A non-basement building:

(a) Built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE or V to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the flow of the water; and

(b) Adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood.

(2) In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X and D, the term **ELEVATED BUILDING** also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of Zones V1-30, VE or V, the term **ELEVATED BUILDING** also includes a building otherwise meeting the definition of **ELEVATED BUILDING**, even though the lower area is enclosed by means of breakaway walls, if the breakaway walls meet the standards of § 60.3(e)(5) of the National Flood Insurance Program regulations.

EXISTING CONSTRUCTION. For the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM, or before 1-1-1975, for FIRMs effective before that date. **EXISTING CONSTRUCTION** may also be referred to as **EXISTING STRUCTURES**.

FLOOD and FLOODING. A general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters; and/or

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD INSURANCE RATE MAP (FIRM). An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY. The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, and the water surface elevation of the base flood, as well as the flood boundary-floodway map.

FLOOD PROTECTION SYSTEM. Those physical structural works for which funds have been authorized, appropriated and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a special flood hazard and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

FLOODPLAIN and **FLOODPRONE AREA.** Any land area susceptible to being inundated by water from any source. (See **FLOOD** and **FLOODING** .)

FLOODWAY and **REGULATORY FLOODWAY.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FUNCTIONALLY DEPENDENT USE. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include longterm storage or related manufacturing facilities.

HABITABLE FLOOR. Any floor usable for the following purposes: working, sleeping, eating, cooking or recreation or a combination thereof. A floor used for storage purposes only is not a **HABITABLE FLOOR** .

HIGHEST ADJACENT GRADE. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

LEVEE. A human-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM. A flood protection system which consists of levees and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's **LOWEST FLOOR** ; provided that, such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of § 60.3 of the National Flood Insurance Program regulations.

MANUFACTURED HOME. A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term **MANUFACTURED HOME** also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term **MANUFACTURED HOME** does not include park trailers, travel trailers and other similar vehicles.

MEAN SEA LEVEL. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

NEW CONSTRUCTION. For floodplain management purposes, structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community.

START OF CONSTRUCTION. For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. Law No. 97-348) being 16 U.S.C. §§ 3501 et seq., includes substantial improvement and means the date the building permit was issued; provided, the actual **START** of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual **START** means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basements, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

STRUCTURE. A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL IMPROVEMENT.

(1) Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, ***SUBSTANTIAL IMPROVEMENT*** is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

(2) The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to ensure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

VARIANCE. A grant of relief to a person from the requirements of this chapter, when specific enforcement would result in unnecessary hardship. A ***VARIANCE***, therefore, permits construction or development in a manner otherwise prohibited by this chapter. (For full requirements, see § 60.6 of the National Flood Insurance Program regulations.)

VIOLATION. The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4) or (e)(5) of the National Flood Insurance Program regulations is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION. The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(1998 Code, § 58-35)

§ 157.06 APPLICABILITY OF CHAPTER.

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the city.

(1998 Code, § 58-36)

§ 157.07 BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD.

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for **Galveston County, Texas and Incorporated areas, dated August 15, 2019.** with accompanying flood insurance rate maps and flood boundary-floodway maps (FIRM and FBFM) and any revisions thereto, are hereby adopted by reference and declared to be a part of this chapter.

(1998 Code, § 58-37)

§ 157.08 DEVELOPMENT PERMIT REQUIRED.

A development permit shall be required to ensure conformance with the provisions of this chapter.

(1998 Code, § 58-38)

§ 157.09 COMPLIANCE WITH CHAPTER.

No structure or land shall hereafter be located, altered or have its use changed without full compliance with the terms of this chapter and other applicable regulations, **Including the standards of Paragraph 60.3(d&e) of the NFIP regulations(44 CFR 59, etc.)These standards are the minimum requirements and do not supercede any State or Local requirements of a more stringent nature**

(1998 Code, § 58-39)

This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter and another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(1998 Code, § 58-40)

§ 157.11 INTERPRETATION OF CHAPTER.

In the interpretation and application of this chapter, all provisions shall be:

- (A) Considered as minimum requirements;
- (B) Liberally construed in favor of the City Commission; and
- (C) Deemed neither to limit, nor repeal, any other powers granted under state statutes.

(1998 Code, § 58-41)

§ 157.12 WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur, and flood heights may be increased by human-made or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the city or any official or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

(1998 Code, § 58-42)

ADMINISTRATION

§ 157.25 FLOODPLAIN ADMINISTRATOR; DUTIES.

(A) *Designation.* The Chief Building Official is hereby appointed the Floodplain Administrator to administer and implement the provisions of this chapter and appropriate sections of 44 C.F.R. (the National Flood Insurance Program regulations) pertaining to floodplain management.

(1998 Code, § 58-61)

(B) *Duties.* Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following.

(1) The Floodplain Administrator shall maintain and hold open for public inspection all records pertaining to the provisions of this chapter.

(2) The Floodplain Administrator shall review permit applications to determine whether proposed building sites will be reasonably safe from flooding.

(3) The Floodplain Administrator shall review, approve or deny all applications for development permits required by this chapter.

(4) The Floodplain Administrator shall review permits for proposed development to ensure that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required (including permits required under § 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. §§ 1251 et seq.).

(5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Floodplain Administrator shall make the necessary interpretation.

(6) The Floodplain Administrator shall notify, in riverine situations, adjacent communities and the state coordinating agency, which is the State Water Commission, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the

(7) The Floodplain Administrator shall ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When base flood elevation data has not been provided in accordance with § 157.07 of this chapter, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of §§ 157.40 through 157.45 of this chapter.

(9) When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(1998 Code, § 58-62)

§ 157.26 APPLICATION FOR DEVELOPMENT PERMIT; STANDARDS FOR APPROVAL.

(A) Application for a development permit shall be presented to the Floodplain Administrator on forms furnished by him or her and may include, but shall not be limited to, plans in duplicate drawn to scale showing the location, dimensions and elevation of proposed landscape alterations and existing and proposed structures, and their location in relation to areas of special flood hazard. Additionally, the following information is required:

- (1) Elevation, in relation to mean sea level, of the lowest floor (including basement) of all new and substantially improved structures;
- (2) Elevation, in relation to mean sea level, to which any non-residential structure shall be floodproofed;
- (3) A certificate from a registered professional engineer or architect that the non-residential floodproofed structure shall meet the floodproofing criteria of § 157.41(B) of this chapter;
- (4) A description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development; and
- (5) A record of all such information in accordance with § 157.25(B) of this chapter.

(B) Approval or denial of a development permit by the Floodplain Administrator shall be based on all of the provisions of this chapter and the following relevant factors:

- (1) The danger to life and property due to flooding or erosion damage;
- (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (3) The danger that materials may be swept onto other lands to the injury of others;
- (4) The compatibility of the proposed use with existing and anticipated development;
- (5) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (6) The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges and public utilities and facilities such as sewer, gas, electrical and water systems;
- (7) The expected height, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- (8) The necessity to the facility of a waterfront location, where applicable;
- (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; and
- (10) The relationship of the proposed use to the Comprehensive Plan for that area.

§ 157.27 VARIANCES.

- (A) The Appeal Board as established by the city shall hear and render judgment on requests for variances from the requirements of this chapter.
- (B) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision or determination made by the Floodplain Administrator in the enforcement or administration of this chapter.
- (C) Any person aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.
- (D) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- (E) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this section.
- (F) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in § 157.26(B) of this chapter have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- (G) Upon consideration of the factors noted in this section and the intent of this chapter, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this chapter as set out in § 157.03 of this chapter.
- (H) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (I) Prerequisites for granting variances are as follows.
- (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (2) Variances shall only be issued upon:
 - (a) Showing a good and sufficient cause;
 - (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety or extraordinary public expense, create nuisances, cause fraud or victimization of the public or conflict with existing local laws or ordinances.
 - (3) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (J) Variances may be issued by the city for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use; provided that:
- (1) The criteria outlined in divisions (A) through (I) above are met; and
 - (2) The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

§ 157.40 GENERAL STANDARDS.

In all areas of special flood hazard, the following provisions are required for all new construction and substantial improvements.

- (A) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- (B) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (C) All new construction or substantial improvements shall be constructed with materials resistant to flood damage.
- (D) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering and accumulating within the components during conditions of flooding.
- (E) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (F) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.
- (G) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- (H) All new construction or any substantial improvement located in a non-special flood hazard shall be constructed at seven feet mean sea level or 18 inches above the curb of the street, whichever is greater.

(1998 Code, § 58-81) (Ord. 08-16, passed 5-7-2008)

§ 157.41 SPECIFIC STANDARDS.

In all areas of special flood hazard where base flood elevation data has been provided as set forth in §§ 157.07, 157.25(B) or 157.42 of this chapter, the following provisions are required.

- (A) *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation. A registered professional engineer, architect or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this division (A), as proposed in § 157.26(A)(1) of this chapter, is satisfied.
- (B) *Non-residential construction.* New construction and substantial improvements of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to or above the base flood level or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is water-tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this division (B). A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.
- (C) *Enclosures.* New construction and substantial improvements with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria.
 - (1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - (2) The bottom of all openings shall be no higher than one foot above grade.
 - (3) Openings may be equipped with screens, louvers, valves or other coverings or devices; provided that, they permit the automatic entry and exit of floodwaters.
- (D) *Manufactured homes.*

(1) All manufactured homes to be placed within Zone A shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

(2) All manufactured homes shall be in compliance with division (D)(1) above.

(3) All manufactured homes to be placed or substantially improved within Zones A1-30, AH and AE on the community's FIRM shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation, and shall be securely anchored to an adequately anchored foundation system in accordance with the provisions of this division (D).

(1998 Code, § 58-82)

§ 157.42 STANDARDS FOR SUBDIVISION PROPOSALS.

(A) All subdivision proposals, including manufactured home parks and subdivisions, shall be consistent with §§ 157.02 through 157.04.

(B) All proposals for the development of subdivisions, including manufactured home parks and subdivisions, shall meet the development permit requirements of §§ 157.08 and 157.26 of this chapter and the provisions of this subchapter.

(C) Base flood elevation data shall be generated for subdivision proposals and other proposed developments, including manufactured home parks and subdivisions, which are greater than 50 lots or five acres, whichever is lesser, if not otherwise provided pursuant to §§ 157.07 or 157.25(B)(8) of this chapter.

(D) All subdivision proposals, including manufactured home parks and subdivisions, shall have adequate drainage provided to reduce exposure to flood hazards.

(E) All subdivision proposals, including manufactured home parks and subdivisions, shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(1998 Code, § 58-83)

§ 157.43 STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES).

(A) Located within the areas of special flood hazard established in § 157.07 of this chapter are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident.

(B) Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply.

(1) All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to seven feet mean sea level or 18 inches above the curb of the street; or above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified).

(2) All new construction and substantial improvements of non-residential structures shall:

(a) Have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified); or

(b) Together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is water-tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads or effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this section, as proposed in § 157.26(A)(1) of this chapter, are satisfied.

(4) Within Zones AH and AO, adequate drainage paths shall be required around structures on slopes, to guide floodwaters around and away from proposed structures.

§ 157.44 FLOODWAYS.

(A) Located within the areas of special flood hazard established in § 157.07 of this chapter are areas designated as floodways.

(B) Since the floodway is an extremely hazardous area due to the velocity of floodwater, which carries debris and potential projectiles and has erosion potential, the following provisions shall apply.

(1) Encroachments are prohibited, including fill, new construction, substantial improvements and other development, unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(2) If division (B)(1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this subchapter.

(1998 Code, § 58-85)

§ 157.45 COASTAL HIGH-HAZARD AREAS.

(A) Located within the areas of special flood hazard established in § 157.07 of this chapter are areas designated as coastal high-hazard areas (Zones V1-30, VE and/or V).

(B) These areas have special flood hazards associated with high-velocity waters from tidal surges and hurricane wave wash; therefore, in addition to meeting all provisions outlined in this subchapter, the following provisions also apply.

(1) The elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures shall be obtained, and whether or not such structures contain a basement. The Floodplain Administrator shall maintain a record of all such information.

(2) All new construction shall be located landward of the reach of mean high tide.

(3) (a) All new construction and substantial improvements shall be elevated on pilings and columns so that:

1. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level; and

2. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a 1% chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

(b) A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this division (B)(3).

(4) All new construction and substantial improvements shall have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood latticework or insect screening intended to collapse under wind or water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or the supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than ten and not more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

(a) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and

(b) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Maximum wind and water loading values to be used in this determination shall each have a 1% chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

(5) If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access or storage. Such space shall not be used for human habitation.

(6) The use of fill for structural support of buildings is prohibited.

(7) Human-made alteration of sand dunes and mangrove stands which would increase potential flood damage is prohibited.

(1998 Code, § 58-86)

CITY COMMISSION REGULAR MTG

(9) (b)

Meeting Date: 07/17/2019

Ordinance for Permanent Rezoning

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 permanently rezone the property at 3210 Gulf Freeway from "A" (Single Family Residential) to "C" (Multi-family Residential) to construct apartments and townhomes. Being 9.4 acres out of Lots 9,11 of the Waterman's S/d.

BACKGROUND

This development has been given preliminary rezoning approval by the City Commission on October 3, 2018 and has been given Site Plan approval by the Planning Board. The building permit for the development has been issued and it is now ready for Multi-Family Residential zoning to be finalized.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Ordinance

Aerial Map

ORDINANCE NO. 19-17

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE ZONING ORDINANCE, TO PERMANENTLY REZONE PROPERTY FOR FIRST BAPTIST CHURCH FROM “A” (SINGLE FAMILY RESIDENTIAL), TO “C” (MULTI-FAMILY RESIDENTIAL) BEING 9.4 ACRES OUT OF LOTS 9, 11 OF THE WATERMAN’S SUBDIVISION, TEXAS CITY, GALVESTON COUNTY, TEXAS; ORDERING SAID CHANGES MADE ON THE CITY ZONING MAP; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; DISPENSING WITH THE CHARTER 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, proper notice has been given and public hearing was held and given unanimous approval by the City Commission on October 3, 2018; and

WHEREAS, building permits for the development have been issued and is ready to have the Multi-Family Residential zoning be finalized; and

WHEREAS, and it is the considered opinion of the City Commission that said Ordinance be amended and changed.

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

SECTION 1: That certain property described as being 9.4 acres out Lots 9, 11 of the Waterman’s Subdivision Texas City, Galveston County, Texas, currently zoned as “A” (Single Family Residential), is hereby rezoned and classified as “C” (Multi-Family Residential) to construct apartments and townhomes.

SECTION 2: That the City Engineer shall designate said changes from “A” (Single Family Residential) to “C” (Multi-Family Residential), as hereinabove provided, on the original zoning map, as amended, and on the duplicate copy thereof kept in the Office of the City Planning Board.

SECTION 3: That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. 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 4: That the Charter requirement for reading this Ordinance on three (3) separate days has been dispensed by a majority vote of the City Commission.

PASSED AND ADOPTED this 17th day of July 2019

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

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Legend
📍 3210 Gulf Fwy

Demontrond

I-45

3210 Gulf Fwy

Google Earth

© 2018 Google



1000 ft



CITY COMMISSION REGULAR MTG

(9) (c)

Meeting Date: 07/17/2019

Amend fiscal year 2018-2019 budget

Submitted For: Laura Boyd, Finance

Submitted By: Laura Boyd, Finance

Department: Finance

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Ordinance No. 19-18, amending the City's fiscal year 2018-2019 budget to appropriate funds for purchase of capital items for the Public Works Department. (Finance)

BACKGROUND

As referenced in Resolution 19-057 and Resolution 19-058, the Public Works Department is purchasing a 2017 Doosan Model DL200-5 wheel loader and a 2015 685C Motor Grader.

The wheel loader cost of \$99,900, after trade-in, and the motor grader cost of \$95,762, will be funded through the City's Capital Equipment Replacement Fund, Miscellaneous Equipment account.

ANALYSIS

Budget Amendment:

Capital Equipment Replacement Fund (Fund 602):

Miscellaneous Equipment	\$195,662.00
Unassigned fund balance	(\$195,662.00)

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Ordinance

ORDINANCE NO. 19-18

AN ORDINANCE AMENDING ORDINANCE NO. 18-26, ADOPTING THE CITY OF TEXAS CITY'S 2018-2019 FISCAL YEAR BUDGET TO APPROPRIATE FUNDS FOR THE PURCHASE OF CAPITAL ITEMS FOR THE PUBLIC WORKS DEPARTMENT; 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. 18-26, the City Commission of the City of Texas City, Texas, adopted its budget for Fiscal Year 2018-2019; and

WHEREAS, a budget amendment is needed to appropriate funds to pay for the purchase of capital items for the Public Works Department.

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 2018-2019 of the City of Texas City, Texas, is hereby amended as follows:

Budget Amendment:

Capital Equipment Replacement Fund (Fund 602):

Miscellaneous Equipment	\$195,662.00
Unassigned Fund Balance	(\$195,622.00)

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 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

CITY COMMISSION REGULAR MTG

(9) (d)

Meeting Date: 07/17/2019

Amend fiscal year 2018-2019 budget

Submitted For: Laura Boyd, Finance

Submitted By: Laura Boyd, Finance

Department: Finance

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Ordinance No. 19-19, amending the City's fiscal year 2018-2019 budget to appropriate funds for Lift Station 29 Improvements Project. (Finance)

BACKGROUND

As referenced in Resolution 19-066, ARKK Engineers and the Public Works Department have recommended R & B Group, Inc. be awarded the construction contract for the Lift Station 29 Improvements Project at a cost of \$1,089,166.00.

This project will be funded from the City's Zone 2 Sewer Capital Recovery Fund unassigned fund balance.

ANALYSIS

Budget Amendment:

Capital Recovery Zone 2 Sewer Fund (Fund 256):

Lift Station Improvements \$1,089,166.00

Unassigned fund balance (\$1,089,166.00)

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Ordinance

ORDINANCE NO. 19-19

AN ORDINANCE AMENDING ORDINANCE NO. 18-26, ADOPTING THE CITY OF TEXAS CITY'S 2018-2019 FISCAL YEAR BUDGET TO APPROPRIATE FUNDS FOR LIFT STATION 29 IMPROVEMENTS PROJECT; 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. 18-26, the City Commission of the City of Texas City, Texas, adopted its budget for Fiscal Year 2018-2019; and

WHEREAS, a budget amendment is needed to appropriate funds to pay for the construction contract that has been awarded to R & B Group, Inc., for the Lift Station 29 Improvements Project.

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 2018-2019 of the City of Texas City, Texas, is hereby amended as follows:

Budget Amendment:

Capital Recovery Zone 2 Sewer Fund (Fund 256):

Lift Station Improvements	\$1,089,166.00
Unassigned Fund Balance	(\$1,089,166.00)

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 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney

CITY COMMISSION REGULAR MTG

Ord 13-52

Meeting Date: 07/17/2019

Amend the fiscal year 2018/2019 budget

Submitted For: Laura Boyd, Finance

Submitted By: Laura Boyd, Finance

Department: Finance

Information

ACTION REQUEST (Brief Summary)

Consider approval of a request to amend the fiscal year 2018-2019 budget.

BACKGROUND

A budget amendment is needed to transfer funds from the General Fund (fund 101) to the Capital Equipment Replacement Fund (fund 602). These two funds work together for the purchase of capital equipment and machinery. Each Fund 101 department needing capital equipment purchases that equipment through Fund 602 and then makes annual payments from their General Fund budget so that when the equipment needs to be replaced, funds are available for that purpose. A few years ago the General Fund departments only paid a portion of their annual fees to Fund 602. This amendment of \$2,000,000.00 is needed to help make up for what was not contributed in those years.

Funds will come from the General Fund's unassigned fund balance.

ANALYSIS

Budget Amendment:

General Fund-Fund 101

Transfer to Other Funds increase of \$2,000,000.00

Capital Equipment Replacement Fund-Fund 602

Transfer from General Fund increase of \$2,000,000.00

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Ordinance

ORDINANCE NO. 19-20

AN ORDINANCE AMENDING ORDINANCE NO. 18-26, ADOPTING THE CITY OF TEXAS CITY'S 2018-2019 FISCAL YEAR BUDGET TRANSFER FUNDS FROM THE GENERAL FUND TO THE CAPITAL EQUIPMENT REPLACEMENT FUND; 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. 18-26, the City Commission of the City of Texas City, Texas, adopted its budget for Fiscal Year 2018-2019; and

WHEREAS, a budget amendment is needed to transfer funds from the General Fund (Fund 10) to Capital Equipment Replacement Fund (Fund 602).

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 2018-2019 of the City of Texas City, Texas, is hereby amended as follows:

Budget Amendment:

General Fund (Fund 101):

Transfer to Other Funds increase of \$2,000,000.00

Capital Equipment Replacement Fund (Fund 602):

Transfer from General Fund Increase of \$2,000,000.00

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 17th day of July 2019.

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

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Russell F. Plackemeier
City Attorney