

CITY OF TEXAS CITY
REGULAR CALLED CITY COMMISSION MEETING

AGENDA

WEDNESDAY, JANUARY 6, 2021 - 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM - CITY HALL
1801 9th Ave. N.
Texas City, TX 77590

PLEASE NOTE:

Due to the COVID 19 Disaster and the CDC's recommendation regarding social distancing measures the City Commission will meet in person and electronically. Texas Governor Greg Abbott waived on a temporary basis certain sections of the Texas Open Meetings Act. The meeting will be audible to members of the public and allow for two-way communications for those desiring to participate.

Any person who calls in and is interested in speaking on any item on the Agenda must call the number below and sign in to the conference then wait for the Board President to request any public comments. Public comments may not apply to all items on the agenda.

Those who attend in person may sign a "Request to Address City Commission" form and give it to the City Secretary prior to the beginning of the meeting.

To join the telephone audio conference, please use the following instructions.

Dial: +1 346 248 7799 OR 877 853 5257 (Toll Free) OR 888 475 4499 (Toll Free)
Webinar ID: 825 0169 4454

You will automatically be muted when joining the conference. To raise your hand or notify the call manager for attention, please dial *9 on your phone during the call. When appropriate the call manger will unmute your line and the system will notify you that you can now participate in public comments.

To view the web presentation or listen to audio without participating, please visit <http://commission.texascitytx.gov>

You will then be redirected to the conference and given instructions to enable viewing. We ask that if you will be joining the telephone conference to speak, please mute your computer audio. When using telephone audio with computer audio on, a feedback loop can be created causing disruptive echoing or a loud static. Disruptive audio will cause your line to be muted by the call manager.

After the meeting, a recording of this meeting's audio will be made available to the public, upon request.

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) PRELIMINARY PLAT APPROVAL

(a) Consider approval of a Master Plan for a single-family residential subdivision known as Central Park West.

(5) PUBLIC COMMENTS

(6) CONSENT AGENDA

(a) Approve City Commission Minutes for December 16, 2020 meeting. (City Secretary)

(b) Consider and take action on Resolution No. 21-001, appointing and/or re-appointing members to the Gulf Coast Transit District (GCTD) Board of Directors. (Management Services)

(c) Consider and take action on Resolution No. 21-002, approving a Settlement Agreement with Comcast of Houston, LLC. (Management Services)

(d) Consider and take action on Resolution No. 21-003, appointing and/ or re-appointing Members to the Texas City Housing Authority Board. (Management Services)

(7) MAYOR'S COMMENTS

(8) COMMISSIONERS' COMMENTS

(9) ADJOURNMENT

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

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 DECEMBER 31, 2020, PRIOR TO 5:00 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

RHOMARI LEIGH
CITY SECRETARY

CITY COMMISSION REGULAR MTG

(4) (a)

Meeting Date: 01/06/2021

Subdivision Master Plan for Central Park West

Submitted For: Doug Kneupper, Transportation and Planning

Submitted By: Doug Kneupper, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST (Brief Summary)

Consider approval of a Master Plan for a single-family residential subdivision known as Central Park West.

BACKGROUND

At their meeting on December 7th, the Planning Board reviewed the Master Plan for Central Park West. The project was presented to staff and the Planning Board as a "traditional" single-family subdivision. However, during the meeting, the applicant provided testimony indicating he intended to have the project annexed into a Municipal Utility District (MUD). When considering the use of a MUD to help finance the development of a subdivision, the City's policy has Goals that include:

Improve the overall quality of the City's infrastructure and facilities

Provide a broad range of housing options, including high-end housing.

To accomplish these goals, the City typically looks for amenities and aesthetic improvements not seen in a traditional subdivision. Also, a variety of lot sizes, including 60' and 70' lots helps accomplish the high-end housing component. Those items are not included in this Master Plan. Staff respectfully requests this application for Subdivision Master Plan not be approved.

ANALYSIS

ALTERNATIVES CONSIDERED

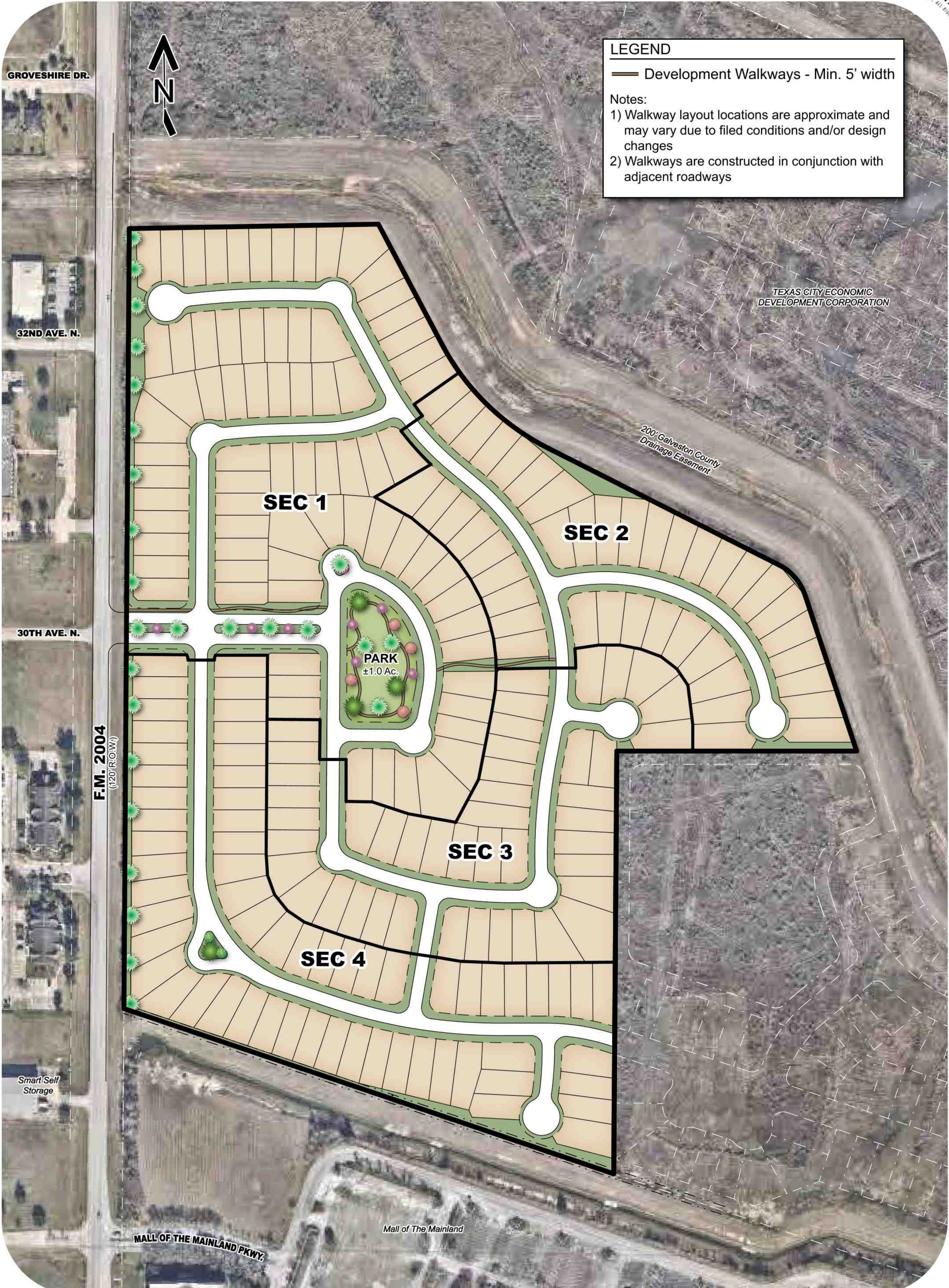
Fiscal Impact

Attachments

Master Plan

Staff Memo

Aerial Image



LEGEND

— Development Walkways - Min. 5' width

Notes:
 1) Walkway layout locations are approximate and may vary due to filed conditions and/or design changes
 2) Walkways are constructed in conjunction with adjacent roadways

LOT SUMMARY

	50'x120'	222 LOTS	100%
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TOTAL 222 LOTS

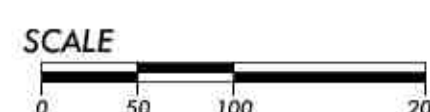
a master plan for
CENTRAL PARK WEST

± 50.6 ACRES OF LAND

prepared for
BINNACLE DEVELOPMENT



24275 Katy Freeway, Ste. 200
 Katy, Texas 77494
 Tel: 281-810-1422



MTA-I-586
 SEPTEMBER 17, 2020

THIS DRAWING IS A GRAPHIC REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. SAID DRAWING IS A SCANNED IMAGE ONLY AND IS SUBJECT TO CHANGE WITHOUT NOTICE. META PLANNING + DESIGN MAY OR MAY NOT INTEGRATE ADDITIONAL INFORMATION PROVIDED BY OTHER CONSULTANTS, INCLUDING BUT NOT LIMITED TO THE TOPICS OF ENGINEERING AND DRAINAGE, FLOODPLAINS, AND/OR ENVIRONMENTAL ISSUES AS THEY RELATE TO THIS DRAWING. NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE PHYSICAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.



F.M. 2004
(120' R.O.W.)

30TH AVE. N.

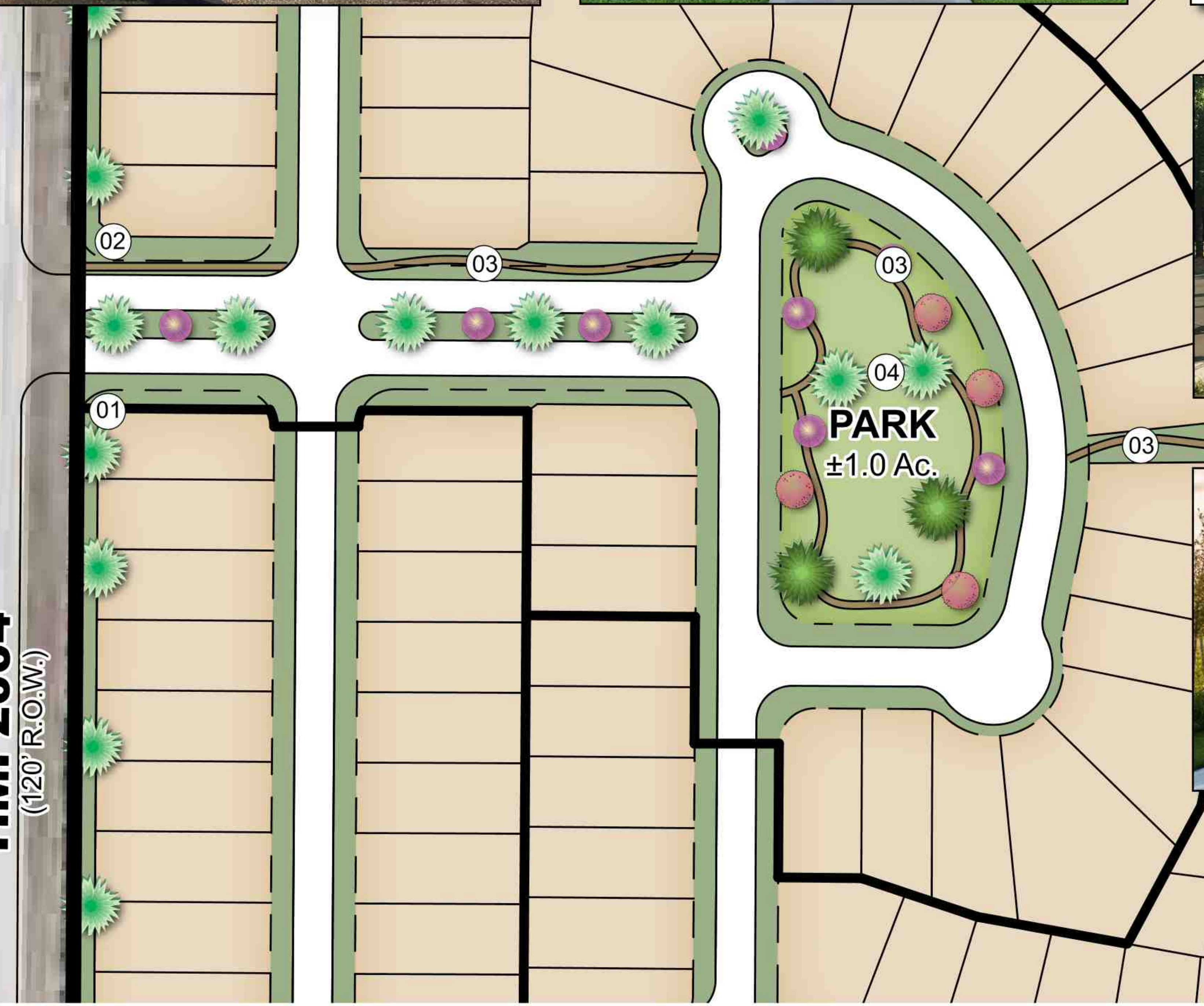


LEGEND

- 01 Main Entry Monument
- 02 Column with Logo Element & Decorative Iron Fencing
- 03 Sidewalk; Min 5 ft width
- 04 Picnic Feature, Splash Pad & Playground

Notes:

- 1) Walkway layout locations are approximate and may vary due to filed conditions and/or design changes
- 2) Walkways are constructed in conjunction with adjacent roadways



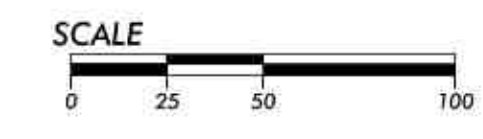
a park plan for
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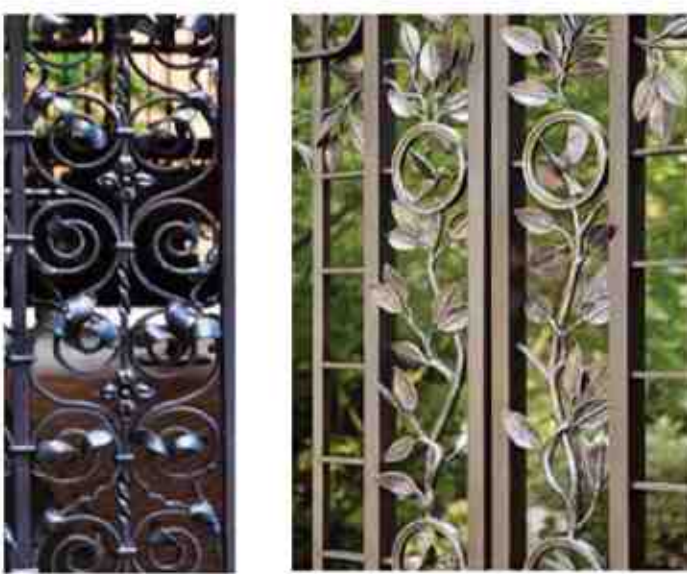
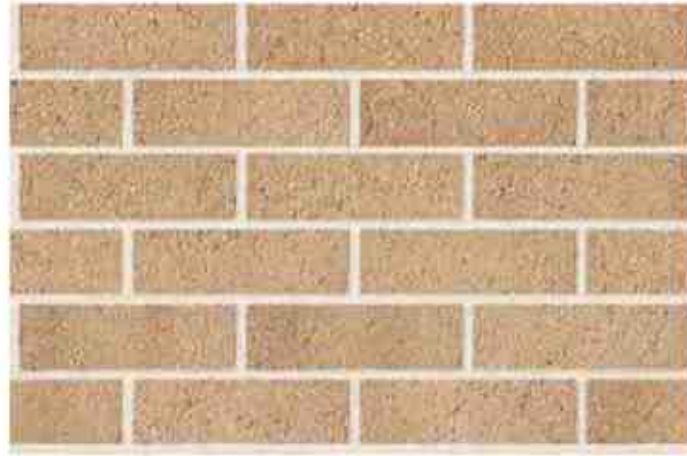


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ENTRY COLUMN W/ DECORATIVE IRON FENCE

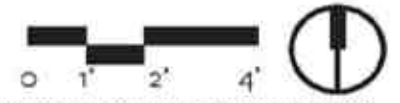


ENTRY MONUMENT



CENTRAL PARK WEST | ENTRY CONCEPT - ELEVATION

Texas City, TX | Prepared For: Tejas Engineering Management | June 5, 2019



PROPOSED DEVELOPER MASONRY FENCE*

*Developer Masonry Fence to be installed along Central Park West Blvd., along FM 2004 and along additional land within the boundary of the Gateway Overlay District boundary. Color, Pattern, and Size of the fence may vary.

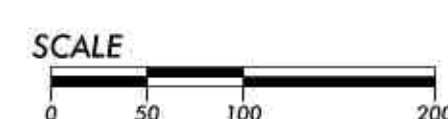
a park plan for
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Memo

To: Planning Board
From: Doug Kneupper, City Engineer
CC:
Date: December 2, 2020
Re: Central Park West (Binnacle Development), Master Subdivision Plan

Background: Binnacle Development (Jerry LeBlanc) has had several meetings with City staff to discuss the proposed single-family residential development. The project will be on 50.6 acres of undeveloped land that is generally east of FM 2004, north of Mall of the Mainland, and across from the Windsor Estates Apts. The entire tract is currently zoned single-family residential. The project will provide 50' wide lots, which is the City's minimum.

The developer is not contemplating any Municipal Utility District creation or annexation for this tract which would require consent from the City.

Staff Analysis / Recommendation: In reviewing the Master Plan, the total lot yield will be approximately 222 lots. As previously stated, all lots will generally be 50' wide by 120' deep, meeting the City's minimum lot size for single-family residential. However, there will be corner lots and cul-de-sac lots that will be wider and have more square footage.

An important component to a viable residential development is providing parks and meaningful open spaces. There is a park and open space areas being provided. The one-acre park site is shown in Section 1. In addition, there is a walking path / sidewalk shown in Section Two that will provide connectivity into the main park area. The developer will construct a solid masonry fence along FM 2004 and along the north and south boundaries, adjacent to FM 2004, within the limits of the Gateway Overlay District.

The developer will need to provide for the creation of a Homeowner's Association that will be responsible for maintenance of parks and common areas. The HOA document will also need to provide strong language regarding the HOA's ability to keep the subdivision clean, attractive, and sustainable by abating nuisance and property maintenance type issues.

Roadway access into Central Park West will be a divided boulevard roadway that connects directly with FM 2004. This roadway will require coordination and approval from TxDOT. With regard to internal vehicle circulation; the Master Plan provides for connectivity to all parts of the subdivision including a connection to a future subdivision to the east.

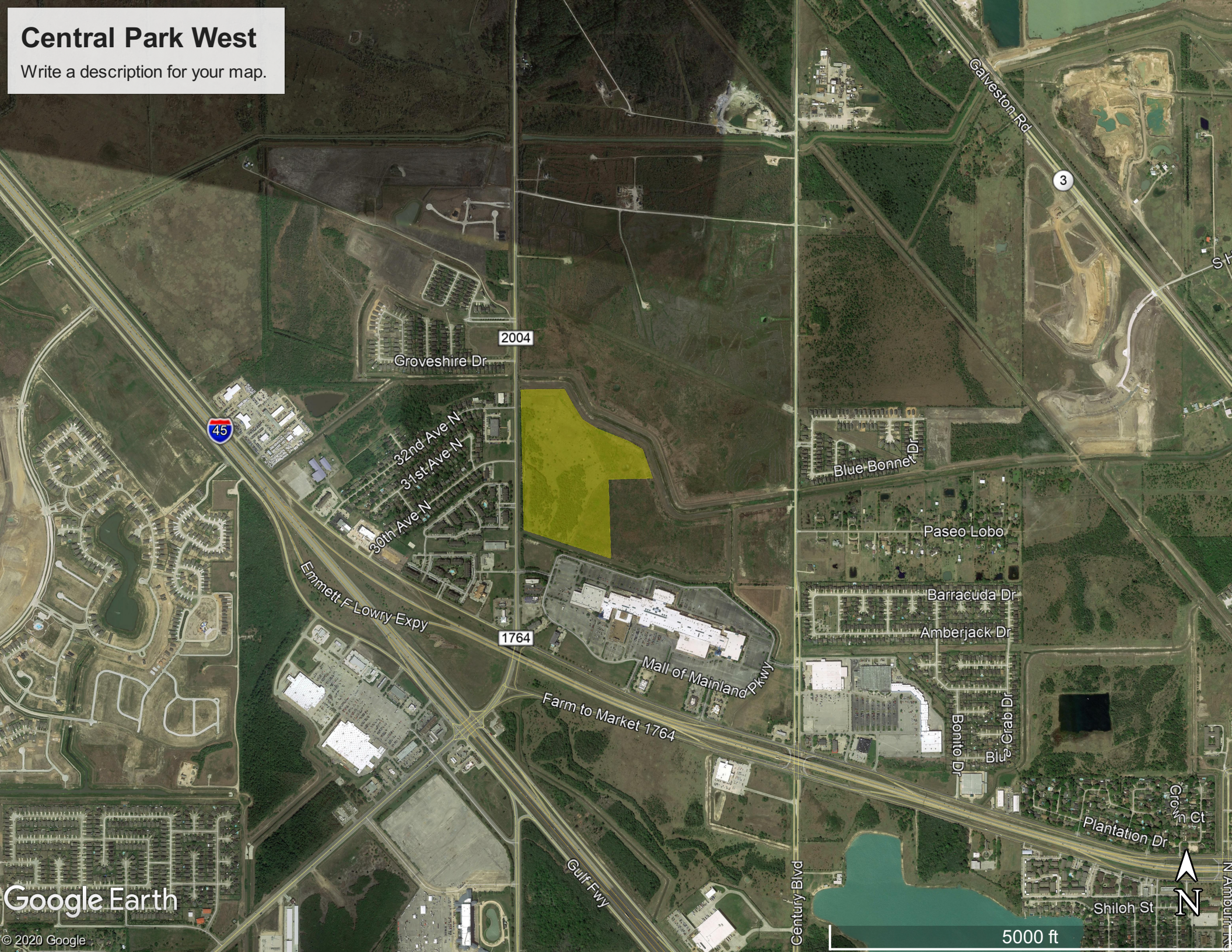
Water distribution facilities are available to serve this project. Sanitary sewer service will require extension of a trunk main from the south boundary of the tract to the main entrance. Drainage

and stormwater management will be coordinated with GCDD #2 and based on a Drainage Study for the Drainage District's Ditch 6 Watershed. Ultimately GCDD #2 will review and have approval authority regarding any stormwater discharge into their Ditch 6 system.

The Planning Board's role is to review the Master Plan and provide a recommendation to City Commission. The Master Plan provides the pathway for the developer to move forward with the project and submit preliminary plats and construction plans for developing the residential sections.

Central Park West

Write a description for your map.



2004

1764

3



CITY COMMISSION REGULAR MTG

(6) (a)

Meeting Date: 01/06/2021

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Approve City Commission Minutes for December 16, 2020 meeting. (City Secretary)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Minutes

REGULAR CALLED CITY COMMISSION MEETING

MINUTES

WEDNESDAY, DECEMBER 16, 2020 – 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A Regular Called Meeting of the City Commission was held on Wednesday, December 16, 2020, 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 5:01 p.m. by Mayor Dedrick Johnson, Sr.

1. ROLL CALL

Present: Dedrick Johnson, Mayor
Thelma Bowie, Commissioner At-Large, Mayor Pro Tem
Kevin Yackly, Commissioner At-Large
Keith Henry, Commissioner District 1
Felix Herrera, Commissioner District 2
Jami Clark, Commissioner District 4

Absent: Dorthea Jones Pointer, Commissioner District 3

2. INVOCATION

Led by Pastor Stephanie Hughes of St. Johns' United Methodist Church.

3. PLEDGE OF ALLEGIANCE

Led by Commissioner District 1 Keith Henry.

4. PROCLAMATIONS AND PRESENTATIONS

a. Service Awards

Randall Johnston Police 12/19/2000 20 years

Michael Fields Public Works 12/11/2000 20 years

5. REPORTS

a. Parks Division (Recreation and Tourism)

Byron Sefcik, Parks Superintendent, gave a PowerPoint presentation. Mr. Sefcik stated that there will be a new memorial tree service offered in lieu of memorial benches.

b. Emergency Management Annual Report (Emergency Management)

Thomas Munoz, Emergency Management Director, gave a PowerPoint presentation.

6. PUBLIC COMMENTS

Henry Gomez, resident, asked for clarification of Resolution No. 20-135 and 20-136.

Vanessa McAfee and Ms. Castile, residents, and raised an issue with the Texas City Police Department

7. CONSENT AGENDA

Commissioner District 2 Felix Herrera made a motion to approve Consent Agenda items a, b, c, d, and f. Motion was seconded by Commissioner At-Large Kevin Yackly.

- a. Approve City Commission Minutes for December 2, 2020 meeting. (City Secretary)

Vote: 6 - 0 CARRIED

- b. Consider and take action on Resolution No. 20-132, extending the Mayor's Declaration of Disaster. (Emergency Management)

Vote: 6 - 0 CARRIED

- c. Consider and take action on Resolution No. 20-133, approving Bid No. 2021-090 for the purchase and delivery of Police Uniforms. (Purchasing)

Vote: 6 - 0 CARRIED

- d. Consider and take action on Resolution No. 20-134, appointing and/or re-appointing a Representative and Alternate to the Houston-Galveston Area Council 2021 General Assembly and Board of Directors. (Management Services)

Vote: 6 - 0 CARRIED

- e. Consider and take action on Resolution No. 20-135, authorizing the write-off of utility receivables past due and deemed to be uncollectible as of September 30, 2020. (Finance)

Pulled by Mayor Dedrick Johnson, Sr.

Laura Boyd, Finance Director, stated that this is an annual end of the year item. Writing-off these past due receivables does not mean that the balance will not still be attempted to be collected, it's only a balancing of the general ledger.

Motion by Commissioner District 2 Felix Herrera, Seconded by Commissioner District 4 Jami Clark

Vote: 6 - 0 CARRIED

- f. Consider and take action on Resolution No. 20-136, authorizing the write-off of EMS receivables past due and deemed to be uncollectible as of September 30, 2020. (Finance)

Vote: 6 - 0 CARRIED

8. REGULAR ITEMS

- a. Consider and take action on Ordinance No. 20-54, amending the City of Texas City's 2020/2021 fiscal year budget to close the 2019-2020 fiscal year purchase orders. (Finance)

Laura Boyd, Finance Director, gave background information on the purpose of this Regular Item.

Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner District 2 Felix Herrera

Vote: 6 - 0 CARRIED

9. MAYOR'S COMMENTS

Mayor Johnson wished everyone a Merry Christmas.

10. COMMISSIONERS' COMMENTS

The Commissioners and City Staff wished everyone a Merry and safe Christmas.

11. ADJOURNMENT

Having no further business, Mayor Pro Tem Thelma Bowie made a MOTION to ADJOURN at 5:58 p.m. MOTION CARRIED.

DEDRICK JOHNSON, SR., MAYOR

ATTEST:

Rhomari Leigh, City Secretary
Date Approved:

CITY COMMISSION REGULAR MTG

(6) (b)

Meeting Date: 01/06/2021

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 21-001, appointing and or re-appointing members to the GCTD Board of Directors. (Management Services)

BACKGROUND

ANALYSIS

It is recommended that Thelma Bowie serve as the Board Representative and Doug Kneupper serve as Alternate.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Attachment
Resolution



Connect
Transit.

gulfcoasttransitdistrict.com

1415 33rd St N
Texas City, TX 77590

T: (409) 944-4446
E: contact@gulfcoasttransitdistrict.com

Social: @GulfCoastTransitDistrict
Facebook | Twitter | Instagram

December 16th, 2020

Mayor Dedrick Johnson, Sr.
City Hall - City of Texas City
1801 9th Avenue North
Texas City, Texas 77592

Re: Appointments to the Gulf Coast Transit District

Dear Mayor Johnson:

The Gulf Coast Transit District (GCTD) was created earlier this year pursuant to action by the Commissioner's Courts of Galveston and Brazoria counties. This new Bi-County Transit District was formed to assume the responsibilities for the provision of public transit services within both counties supported by federal, state, and local financial resources. Pursuant to Chapter 458 of the Texas Transportation Code, the City was invited to appoint a member and alternate to the GCTD Board of Directors. On June 17th, 2020, the Texas City Commission accepted the invitation to become a member of the GCTD and appointed Mayor Matthew Doyle and Commissioner Phil Roberts as member and alternative to the Board of Directors. As these positions are now vacant, it is important that the City Commission appoint new representation to the GCTD Board.

I want to thank Commissioner Thelma Bowie for her participation at our most recent Board meeting. We anticipate that the next GCTD Board meeting will take place on January 19th. As such, we would appreciate your consideration of new appointments to the GCTD Board of Directors as expeditiously as possible.

Sincerely,

Commissioner Stephen D. Holmes
Chairman, GCTD

Cc. Commissioner Dude Payne
Barry Goodman
Sean Middleton

RESOLUTION NO. 21-001

A RESOLUTION APPROVING THE APPOINTMENT OF MEMBERTS TO THE GULF COAST TRANSIT DISTRICT BOARD OF DIRECTORS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, as a result of the City of Texas City's General Election, a representative must be appointed to the Gulf Coast Transit District Board of Directors; and

WHEREAS, Commissioner At-Large Thelma Bowies has accepted the offer to serve as the City's Representative on the Gulf Coast Transit District Board of Directors; and

WHEREAS, Doug Kneupper will continue to serve as the City's Alternate Representative.

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

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby appoints Commissioner At-Large Thelma Bowies as the City of Texas City's Representative and Doug Kneupper as Alternate Representative to the Gulf Coast Transit District Board of Directors.

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

PASSED AND ADOPTED this 6th day of January 2020.

Dedrick D. Johnson, Sr., Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Rhomari D. Leigh
City Secretary

Kyle L. Dickson
City Attorney

CITY COMMISSION REGULAR MTG

(6) (c)

Meeting Date: 01/06/2021

Approval of a Resolution regarding a Settlement Agreement with Comcast of Houston, LLC.

Submitted For: Jon Branson, Management Services

Submitted By: Jon Branson, Management Services

Department: Management Services

Information

ACTION REQUEST (Brief Summary)

Consider and take action authorizing Lloyd Gosselink, Attorneys at Law to enter into a Settlement Agreement with Comcast of Houston, LLC.

BACKGROUND

On December 20, 2017, the City Commission authorized Lloyd Gosselink, Attorneys at Law to enter into a law suit against Comcast of Houston, LLC., (Comcast) on behalf of a coalition of fourteen other area cities alleging that Comcast underpaid cable service franchise fees over a period of 5 plus years. The Commission authorized participation in the suit with the approval of Resolution NO. 17-088. The terms of the agreement with Lloyd Gosselink were that all fourteen cities would share in the cost of the suit on a pro rata percentage basis in order to participate in the Law Suit against Comcast. Any and all proceeds resulting from a favorable outcome of the law suit would be paid out on that same pro rata basis to those cities that participated in the suit. The initial estimated cost for the City of Texas City's to participate in the suit was \$18,645 based on the participation of all fourteen Cities.

After several years of back and forth deliberations between Lloyd Gosselink and Comcast, representatives from both parties engaged in formal mediation on December 8, 2020 to resolve all outstanding issues between the parties. After several hours of mediation, Comcast agreed to pay a total of \$235,000 to be divided among the cities on the pro rata percentage basis as originally agreed upon by each City. In exchange, the parties will execute a **settlement agreement** and mutual release of claims regarding the dispute of the past past franchise fees to the date of the final Settlement Agreement, including the dismissal of the lawsuit.

In summary, the case is set for trial in the fall of 2021, however, will likely be heard long before that time. Just prior to the aforementioned mediation, Comcast filed a Motion for Summary Judgement attacking the cities' theories supporting judgement. While the case likely would have survived the Motion for Summary Judgment, the cities would have incurred additional legal fees responding to the Motion. Additionally, Comcast made it abundantly clear that it was prepared to take the matter through trial and on to future appeals to the Fifth Circuit and the Supreme Court if necessary. Based on the facts of the case and the additional estimated cost to the cities to continue with the suit, the recommendation from Lloyd Gosselink is for all cities to adopt the settlement terms.

The Law firm of Lloyd Gosselink have agreed to absorb a portion of their attorney's fees to ensure that all cities receive the same amount paid to participate in the suit.

ANALYSIS

ALTERNATIVES CONSIDERED

The coalition of cities discussed the possibility of continuing on with the law suit however, based on the additional estimated costs to respond to the Motion for Summary Judgment and the additional costs to continue with the suit, it was the consensus of the participating cities to go with the recommendation from Lloyd Gosselink and adopt the settlement terms.

Fiscal Impact

Attachments

Agenda Request 12.20.2017 Cable Dispute

Resolution Retaining Lloyd Gosselink Re Comcast Dispute

Resolution

CITY COMMISSION REGULAR MTG

(6) (c)

Meeting Date: 12/20/2017

Submitted For: Nick Finan, Management Services

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 17-088, retaining Lloyd Gosselink, et. al, to pursue collection of disputed cable franchise fees. (City Secretary)

BACKGROUND

Almost two years ago, the city had an outside auditor perform an audit of Comcast payments. Over a four year period (maximum we can go back), the auditor indicated a \$156,000 deficiencies on payments. It was broken down into categories - Sales, services, promotions, etc. Comcast disputes that the term gross revenues includes some of the fees our attorneys have determined are to be included. We have responded and hoped for some resolution up to this point. We suggested presenting the issue to the Gulf Coast Coalition of Cities on Franchise Utilities. 14 Cities had decided to have an audit to see if it common. They all found similar underpayments. At this point, it appears the 14 cities or the bulk of them, will retain Lloyd Gosselink to seek necessary remedy to obtain a resolution. By having the 14 cities participate, we expect our share to be \$18,645. Other cities indicating their desire to pursue include Pearland, Sugarland, League City, Alvin, and Galveston. See the attached memo for more details.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

RESOLUTION NO. 17-088

A RESOLUTION TO RETAIN LLOYD GOSSELINK, ET. AL., TO PURSUE VARIOUS ACTIONS ON CABLE FRANCHISE DISPUTE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Texas City retained Newgen Strategies & Solutions to perform an audit of the cable franchise payments that the City received; and

WHEREAS, The audit performed indicated deficiencies in payments in excess of \$150,000; and

WHEREAS, the City of Texas City notified the cable operator, Comcast, of the deficiency and attempted a resolution to the deficiency without any success; and

WHEREAS, The City of Texas City, in working with other cities with similar disputes on the same issues, has decided to retain Lloyd Gosselink, et. al., a law firm that specializes in franchise and utility issues; and

WHEREAS, The City of Texas City desires to utilize all available recourse in working with Lloyd Gosselink, et. al., and the other cities in the region.

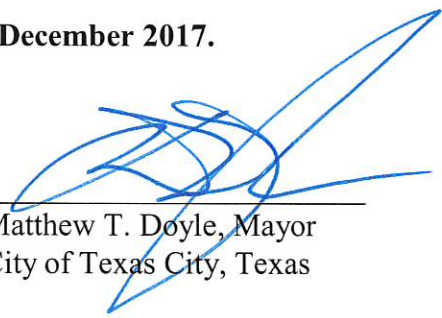
NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

SECTION 1: The City Commission of the City of Texas City authorize the Mayor to retain Lloyd Gosselink, et. al. to pursue the collection of disputed uncollected fees.

SECTION 2: The City of Texas City contribute \$18,645.00 as its contribution to participate with fourteen (14), give or take, cities within the region.

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

PASSED AND ADOPTED this 20th day of December 2017.



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

ATTEST:



James Hartshorn
City Secretary

APPROVED AS TO FORM:



Russell F. Plackemeier
City Attorney

RESOLUTION NO. 21-002

A RESOLUTION AUTHORIZING A SETTLEMENT AGREEMENT WITH COMCAST OF HOUSTON, LLC, SETTling THE LAWSUIT STYLED NO. 4:19-CV-00458; CITY OF ALVIN, ET. AL., V. COMCAST, IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the plaintiff cities in the above-captioned lawsuit, including the City of Texas City, have reached an agreement with Comcast of Houston, LLC to resolve the cable services franchise fee disputes litigated in that lawsuit; and

WHEREAS, the material terms of the Settlement Agreement are payment by Comcast of Houston, LLC to the plaintiff cities in the total amount of \$235,000, to be allocated among the plaintiff cities, including the City of Texas City, in the same percentage as each city's estimated share of the damages in the lawsuit, mutual releases of claims relating to the subject matter of the lawsuit through the date of settlement, and dismissal of the lawsuit, as well as other terms and conditions customary in a litigation settlement agreement.

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 authorizes the City of Texas City to enter into a Settlement Agreement

SECTION 2: That the Mayor or his designee is hereby authorized to execute, and the City Secretary to attest to, a Settlement Agreement between and among the City of Texas City, Texas, and its fellow plaintiff cities on one part, and Comcast of Houston, LLC on the other part, containing the material terms and additional customary terms reflected above.

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

PASSED AND ADOPTED this 6th day of January 2020.

Dedrick D. Johnson, Sr., Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Rhomari D. Leigh
City Secretary

Kyle L. Dickson
City Attorney

CITY COMMISSION REGULAR MTG

(6) (d)

Meeting Date: 01/06/2021

Submitted By: Rhomari Jackson, City Secretary

Department: Management Services

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 21-003, appointing and/ or re-appointing Members to the Texas City Housing Authority Board. (Management Services)

BACKGROUND

It is recommended to place DeAndre' Knoxson and Kyle Dickson on the Housing Authority Board.

ANALYSIS

The Housing Authority currently has 5 members (max is 5). They are as follows: Joyce Dunn. She has been on the Authority since 2013. Her term expires 9/30/21. Elida Matthews. She has been on the Authority since 2013. Her term expires 9/30/2022. Vince Michel. He was appointed in 2020. His term expires on 9/30/2022. *Felix Herrera*. He was initially appointed in 2015 prior to becoming a Commission Member. His term expires on 9/30/2022. *Thelma Bowie*. She was initially appointed in 2018 prior to becoming a Commission Member. Her term expires on 9/30/2021.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 21-003

A RESOLUTION APPOINTING AND/OR REAPPOINTING MEMBERS TO THE HOUSING AUTHORITY BOARD OF THE CITY OF TEXAS CITY; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, in order to continue the uninterrupted and efficient operation of the Housing Authority, it is necessary to appoint or reappoint members to fill two (2) vacant positions; and

WHEREAS, Thelma Bowie and Felix Herrera will no longer serve on the Texas City Housing Authority Board; and

WHEREAS, the Housing Authority Board appoints Kyle Dickson and DeAndre' Knoxson

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

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby appoints or reappoints the individuals named on the attached **Exhibit "A"** to the various Boards and Committees for the terms as stated therein.

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

PASSED AND ADOPTED this 6th day of January 2020.

Dedrick D. Johnson, Sr., Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Rhomari D. Leigh
City Secretary

Kyle L. Dickson
City Attorney

EXHIBIT "A"

Boards, Commissions and Committees	Reappointment	Appointment	Term Expires
Housing Authority	Joyce Dunn		9/30/2021
Housing Authority	Elida Matthews		9/30/2022
Housing Authority	Vince Michel		9/30/2022
Housing Authority	Felix Herrea	Kyle Dickson	9/30/2022
Housing Authority	Thelma Bowie	DeAndre' Knoxson	9/30/2021