

CITY OF TEXAS CITY
REGULAR CALLED CITY COMMISSION MEETING

AGENDA

WEDNESDAY, MAY 5, 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: 893 7710 6149

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) PROCLAMATIONS AND PRESENTATIONS

(a) Older Americans Month 2021

- (b) TCPD Bike Team Presentation
- (5) REPORTS
 - (a) Library Report
- (6) PUBLIC COMMENTS
- (7) CONSENT AGENDA
 - (a) Approve City Commission Minutes for April 21, 2021 meeting. (City Secretary)
 - (b) Consider and take action on Resolution No. 21-030, approving Bid No. 2021-403 Lift Station 23 Rehabilitation Project. (Public Works)
 - (c) Consider and take action on Resolution No. 21-031, approving Bid No. 2021-404 1 MG Elevated Water Tank at Lago Mar. (Public Works)
 - (d) Consider and take action on Resolution No. 21-032, awarding the contract for depository banking services to Texas First Bank. (Finance)
 - (e) Consider and take action on Resolution No. 21-033, denying Texas-New Mexico Power Company's application for approval to amend its distribution costs recovery factor to increase distribution rates within the City and the hiring of Legal Counsel (Lloyd Gosselink Attorneys at Law) and consulting services. (Management Services)
 - (f) Consider and take action on Resolution No. 21-034, approving and adopting the 2021 City of Texas City Tax Abatement Guidelines. (Economic Development)
 - (g) Consider and take action on Resolution No. 21-035, approving the Court Administrator to administratively close all cases older than December 31, 2007, that meet certain criteria. (Municipal Court)
- (8) REGULAR ITEMS
 - (a) Consider and take action on Ordinance No. 21-09, amending the City of Texas City's 2020/2021 fiscal year budget to appropriate additional funds for construction of the west side elevated water tank. (Finance)
- (9) MAYOR'S COMMENTS
- (10) COMMISSIONERS' COMMENTS
- (11) 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 APRIL 30, 2021, 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) (b)

Meeting Date: 05/05/2021

Submitted By: Rhomari Jackson, Management Services

Department: Management Services

Information

ACTION REQUEST (Brief Summary)

TCPD Bike Team Presentation

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Staff Report

TEXAS CITY POLICE BIKE TEAM

Officers Rachael Sbaschnig & Andrew Robison

Captain Rex Spotted Bear & Sergeant Mickey House

OPPORTUNITY AND INVESTMENT

- Develop a stronger partnership with our community- Approachable!
- Costs associated with program significantly less than traditional patrol
- Written policy in place – Guidelines for the Bike Team Operations
- IPMBA Training and Certification – Industry Standard
- Additional Benefits – Fitness and Fun for Police Officers

TRADITIONAL VIEW OF POLICE OFFICERS CHANGES TO MORE SERVICE ORIENTED



Costs associated with bike patrol equipment significantly less!

\$54,854.25



\$ 2,000.00



Bike Patrol Policy

Page 1

TEXAS CITY POLICE DEPARTMENT
GENERAL ORDERS

PATROL

P-33
Police Bicycle Patrol

33.01 PURPOSE

It is the purpose of this policy to provide guidance on the use, utility, and deployment of police bicycles and the general management of police bicycle operations. The Texas City Police Department utilize police bicycles both to address criminal activity and promote positive community relations by increased visibility and accessibility. This accessibility provides an opportunity to enhance the personal relationship between the community and the police department.

32.02 POLICY

- A. Bicycle patrol officers, also referred to as police cyclists, are an important component of this department's strategy for accomplishing its enforcement objectives due to their mobility and stealth, as well as their ability to facilitate a variety of law enforcement and crime prevention operations.
- B. It is the policy of the Texas City Police Department to utilize bicycles to conduct proactive patrol as part of a patrol shift. Police bicycle patrol allows for close citizen contact and are used for directed patrols and crowd control during special events. Use of bike patrols provides police services in the areas where they are assigned which include residential neighborhoods, business districts, retail areas, parks, the trail system and other areas as appropriate.
- C. Approved Bike Team Officers are the only personnel authorized to ride/utilize police bicycles.

1. Personnel Selection Qualifications

A.) In order to reduce the risk of exercise-induced medical problems, pre-screening of candidates is recommended. Any physical fitness testing should be conducted by a qualified fitness and/or medical professional.

(1) Minimum criteria:

- (a) Have completed one full year with the Texas City Police Department
- (b) No disciplinary actions taken against you that resulted in a loss of pay

International Police Mountain Bike Association

IPMBA Basic Police Cyclist
Course Certified

40 Hours in San Antonio,
Texas

December 2020



Chris Masters

International Police Mountain Bike Association

IPMBA Basic Police Cyclist
Course Certified

40 Hours in San Antonio,
Texas

December 2020



International Police Mountain Bike Association

IPMBA Basic Police
Cyclist Course Certified
40 Hours in San Antonio,
Texas
December 2020



SPECIAL ASSIGNMENTS

- **Parades** - Cinco de Mayo, Juneteenth Parade, 4th of July
- **Crime Deterrence** -Use Crime Report Mapping to ID problem areas
- **Children's Bicycle Safety Fair** - Bike Inspections/Discuss safety gear/
Demonstrate safe riding techniques

Bike Patrol Locations



Bike Patrol - Locations



HEALTH BENEFITS FOR BIKE OFFICERS

- Cycling boosts cardiovascular fitness
- Cycling can help you lose weight
- Cycling is easier on the joints than running
- Cycling improves balance and coordination
- Cycling offers mental health benefits – Work becomes more enjoyable

New Bike Team Officers

- Officers Timothy Haynes, Oscar Chavez, and Taide Pineda will be added to the bike team in the very near future. All three officers did an outstanding job testing for a position on the team.

CITY COMMISSION REGULAR MTG

(5) (a)

Meeting Date: 05/05/2021

Submitted By: Rhomari Jackson, Management Services

Department: Management Services

Information

ACTION REQUEST (Brief Summary)

Library Report

BACKGROUND


ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Staff Report

MORE TO COME

WHAT'S NEXT
FOR MMPL?

OUTREACH

GOAL:

To become the health, employment,
and human services information hub
for Galveston County



WHY?

Need continues to grow

Uniquely situated to help

It's our mission!



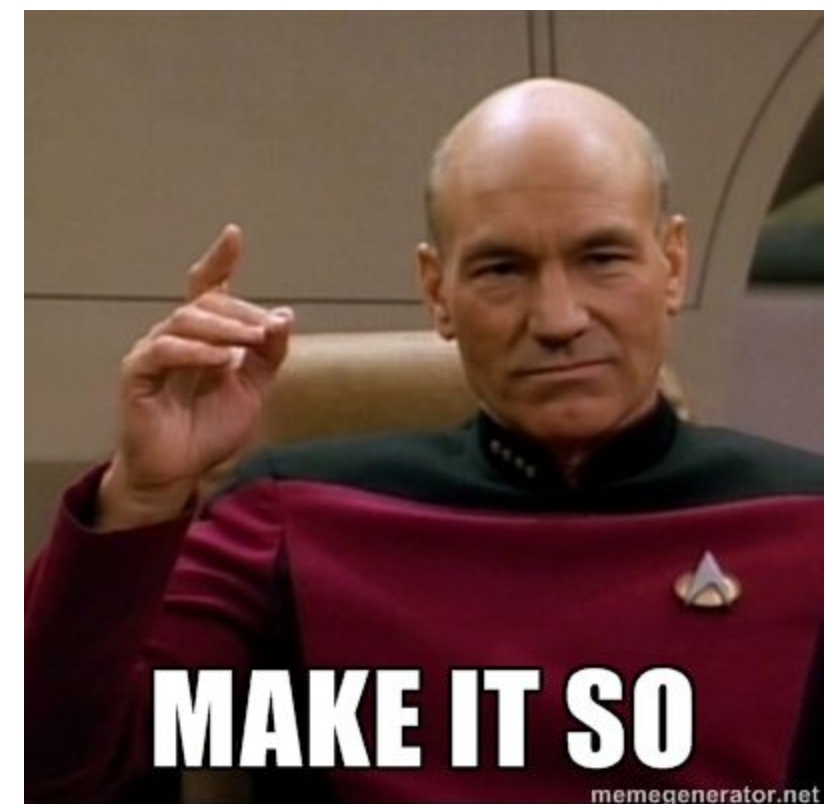
How?

Partnerships - If you want to go fast go alone, if you want to go far go together...

Programming - If you build it, they will come...

Marketing - Tell them the good news...

Service - Excellence is the bar...



PARTNERSHIPS

Ser y Hacer

GALCO Galveston County Library System



Texas City
EST. 1911



Rotary 
Texas City



Workforce Solutions



GOLDEN DIVISION



PROGRAMMING

NEEDS: Jobs, Citizenship, ESL, Health, etc.

LIVELONG LEARNING: Storytimes, Tutoring, Literacy, etc.

COMMUNITY BUILDING: Clubs, Groups, Meeting space, etc.

ZOOM 201: MY MAMA TOLD ME, YOU BETTER ZOOM AROUND!
HOW TO CREATE YOUR OWN ZOOM MEET-UP FOR FAMILY OR OTHER

ZOOM 101: WHO'S AFRAID OF THE BIG BAD ZOOM?
ZOOM BASICS FOR THE BEGINNER
INCLUDED IN THIS SESSION

Date: Tuesday, April 20
Time: 10:00AM
To Register: Email Jessica at jmatos@texascitytx.gov or call 409-643-5977



Adult Program
Spring Virtual Cookbook Club
Spice, Spice Baby

April Themes: Curry & Poultry
Zoom Meet-up: Thursday, April 22nd
Time: 10:00AM
To Register & receive your Zoom link: Call 409-643-5974, or email jmatos@texascitytx.gov



DIY MINI CLOUD LAMPS
FOR AGES 12 - 18

AVAILABLE THRU MARCH WHILE SUPPLIES LAST



IN SPACE, NO ONE CAN HEAR YOU IMPERSONATE...

AMONG US
Discord Gaming Session
For ages 12 - 18

Contact our Young Adult Librarian, Maegan, at (409) 949-3008 or mrocio@texascitytx.gov for access to our new Discord server and our private Among Us room.

Friday, January 29th at 4 PM

MARKETING

Social media

News outlets

Partners

E-blasts



SERVICE

Every question counts!

Excellence is the bar!

Concierge service!

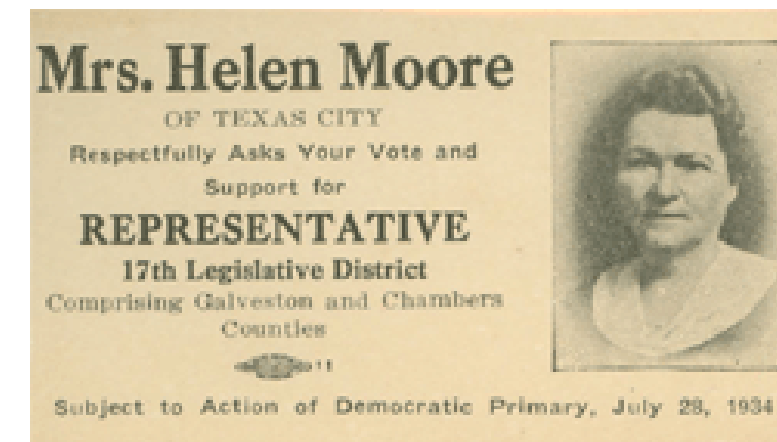


LOCAL HISTORY

Online Archive

Oral Histories

HAGC-Historians and Archivists
Galveston County



LIBRARY ANYWHERE

New website

Online Archive

Oral Histories

More Connectivity



ANY QUESTIONS?



CITY COMMISSION REGULAR MTG

(7) (a)

Meeting Date: 05/05/2021

Submitted By: Rhomari Jackson, Management Services

Department: Management Services

Information

ACTION REQUEST (Brief Summary)

Approve City Commission Minutes for April 21, 2021 meeting. (City Secretary)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Minutes

REGULAR CALLED CITY COMMISSION MEETING

MINUTES

WEDNESDAY, APRIL 21, 2021 – 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A Regular Called Meeting of the City Commission was held on Wednesday, APRIL 21, 2021, 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
Dorthea Jones Pointer, Commissioner District 3
Jami Clark, Commissioner District 4

2. INVOCATION

Led by Pastor Clay Bowers of Northside Baptist Church.

3. PLEDGE OF ALLEGIANCE

Led by Commissioner At-Large Kevin Yackly.

4. PROCLAMATIONS AND PRESENTATIONS

a. Service Awards

David Heckard	Police	04/28/2006	15 years
Robert Wiley	Police	04/26/2006	15 years
Clayton Pope	Police	04/24/2006	15 years
Ryan Gerhardt	Public Works	04/10/2006	15 years

Retirement

William Sherer	Fire	26 years
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b. Sexual Assault Awareness Month

5. REPORTS

a. Community Development Quarterly Report (Code Enforcement)

Dennis Harris, Fire Marshal, gave a PowerPoint presentation over the previous quarter's Code Enforcements efforts.

b. Financial Quarterly Report

Laura Boyd, Finance Director, gave a quarterly investment report.

6. PUBLIC COMMENTS

Ella Brunt, Carl Beach, and Mary Ann Taylor gave comments on behalf of West Rd./ East Rd. residents that are against a convenience store being built at the entrance of their neighborhood.

Debbie Roberts gave a comment on code corruption.

Fredrick Green gave comments on a verdict given on Texas City litigation with Prince Ella Green.

7. CONSENT AGENDA

Motioned by Commissioner District 2 Felix Herrera, seconded by Commissioner At-Large Kevin Yackly, to approve Consent Agenda items a, b, c, d, and e.

a. Approve City Commission Minutes for April 7, 2021 meeting. (City Secretary)

Vote: 7 - 0 CARRIED

b. Consider and Take action on Resolution No. 21-026, awarding Bid No. 2021-095 Code Compliance Abatement for Lawn Care and Maintenance. (Fire Department)

Vote: 7 - 0 CARRIED

c. Consider and take action on Resolution No. 21-027, approving Bid No. 2021-400, 6th St. Decorative Lighting Project. (Management Services)

Vote: 7 - 0 CARRIED

d. Consider and take action on Resolution No. 21-028, approving Bid No. 2021-401 Texas Ave Street Light Replacement Project. (Management Services)

Vote: 7 - 0 CARRIED

e. Consider and take action on Resolution No. 21-029, approving Bid No. 2021-097 Reinforced Concrete Pipe, Curb Inlet, Catch Basin, and Joint Sealer Annual Contract. (Public Works)

Vote: 7 - 0 CARRIED

8. REGULAR ITEMS

a. Consider and take action on Ordinance No. 21-07, amending the City of Texas City's 2020/2021 fiscal year budget to appropriate funds for decorative lighting along 6th Street from 9th Avenue to 2nd Avenue. (Finance)

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

Vote: 7 - 0 CARRIED

- b. Consider and take action on Ordinance No. 21-08, amending the City of Texas City's 2020/2021 fiscal year budget to appropriate funds for lighting replacement along Texas Avenue from 14th Street to 6th Street. (Finance)

Motion by Commissioner District 3 Dorthea Jones Pointer, Seconded by Commissioner District 2 Felix Herrera

Vote: 7 - 0 CARRIED

9. MAYOR'S COMMENTS

Mayor Johnson, Sr. introduced our new Community Development Program Coordinator, Titiayo Odion.

10. COMMISSIONERS' COMMENTS

Commissioner Keith Henry gave kudos to the residents for showing up and advocating for District 1 and 1765.

Mayor Pro Tem Thelma Bowie stated the importance and appreciation for the Texas City Disaster Memorial.

Commissioner Kevin Yackly invited residents to participate in Rotary Club activities to further their advocacy for West Rd./ East Rd.

David Zacherl, Fire Chief, asked everyone to participate in the Brown Family fundraiser.

Thomas Munoz, Emergency Management Director, stated that Monday, April 26th there will be a vaccination site from 3-7pm. Also, there will be a town hall meeting on April 29th.

Dennis Harris, Recreation and Tourism Director, stated that there will be a Cinco de Mayo Parade on May 1st.

11. ADJOURNMENT

Having no further business, Commissioner Jami Clark made a MOTION to ADJOURN at 6:05 p.m.; the motion was SECONDED by Commissioner At Large Kevin Yackly. All present voted AYE. MOTION CARRIED.

DEDRICK JOHNSON, SR., MAYOR

ATTEST:

Rhomari Leigh, City Secretary
Date Approved:

CITY COMMISSION REGULAR MTG

(7) (b)

Meeting Date: 05/05/2021

Bid # 2021-403 Lift Station 23 Rehabilitation 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 # 2021-403 Lift Station 23 Rehabilitation Project.

BACKGROUND

On March 16 & 23, 2021 a notice to bidders was advertised in the local paper and bid packets were made available to local businesses through CivCastUSA and ARKK Engineers, LLC. On April 6, 2021 @ 11:00 a.m. bids were opened and read aloud.

The lowest responsible bidder meeting all the requirements was R & B Group, Inc. for the total amount \$636,635.00.

A bid tabulation with letter of recommendation is attached for your review.

ANALYSIS

It is the recommendation of the Public Works Department that the City Commission award the contract for this project to R & B Group, Inc. for the total bid amount of \$636,635.00 and that the Mayor be authorized to execute a contract on behalf of the City Commission. The Public Works Department further recommends that the Mayor be authorized to approve any change orders, not to exceed 25% of the total contract amount, without bringing the matter before the City Commission.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution
Exhibit A

RESOLUTION NO. 21-030

A RESOLUTION APPROVING BID NUMBER 2021-403 LIFT STATION 23 REHABILITATION PROJECT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the “Notice to Bidders” was published on March 16, 2021 and March 23, 2021. Bids packets were made available via ARKK Engineers and CivCast USA for Bid No. 2021-403 Lift Station 23 Rehabilitation Project; and

WHEREAS, bids were opened April 6, 2021, at 11:00 a.m. The low responsible bid meeting all the specifications was received from R & B Group, Inc. for the total bid amount of \$636,635.00; and

WHEREAS, the Public Works Department recommends that Bid No. 2021-403 Lift Station 23 Rehabilitation Project be awarded to Lucas Construction Company, Inc.

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 Bid No. 2021-403 Lift Station 23 Rehabilitation Project be 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 respective unit prices bid in **Exhibit “A”** attached hereto and made a part hereof for all intents and purposes and to approve change orders not to exceed 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 5th day of May 2021.

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



April 22, 2021

Mr. Corbin Ballast
Director of Utilities
City of Texas City
911 Highway 146 North
Texas City, Texas 77590

Re: **Letter of Recommendation - Lift Station 23 Rehabilitation Project**
BID #2021-403
City of Texas City
ARKK Job No. 20-046

Dear Mr. Ballast:

On April 6, 2021, the City of Texas City received bids for the above referenced project. This project involves upgrades and site improvements to the existing **Lift Station #23** located in an easement accessed from Memorial Drive in Texas City, Texas.

1. Bid Tabulation Sheet –Six (6) construction firms participated in the bidding process. The bids were checked for mathematical errors and/or bid irregularities. T. Gray Utility & Rehab Co., LLC submitted a bid, but did not meet the qualifications required to complete the work identified for this project. Therefore, the bid from T. Gray Utility & Rehab Co., LLC bid was not considered for this project.

The project was bid with a base bid and one (1) add alternate. The Add Alternate included the installation of an access driveway to the Lift Station.

2. As discussed with the City of Texas City, the Base Bid, and Add Alternate #1 were utilized as a basis for award of the contract. The bids for the project (Base Bid + Add Alternate #1) are as follows:

<u>Bidder</u>	<u>Total Bid</u>
R&B Group, Inc.	\$636,635.00*
T & C Construction, Ltd	\$639,416.00
ZuesCon, LLC	\$647,443.00*
CFG Industries, LLC	\$665,975.00
AR Turnkee Construction, Inc	\$683,183.00

Bid adjusted due to mathematical error

ARKK Engineers has worked with R&B Group, Inc. previously on similar projects and they have completed the work in a satisfactory manner. R&B Group is currently working on completing Lift Station No. 12 Rehabilitation Project. R&B Group has recently completed the Lift Station No. 29 Improvements Project for the City of Texas City.

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 23 Rehabilitation Project to R&B Group, Inc. for a total amount of \$636,635.00.**

If you have any questions, please contact me.

Sincerely,

ARKK ENGINEERS, LLC



Mr. Madhu Kilambi, P.E.
Senior Project Manager

cc: Mr. Jack Haralson – City of Texas City

CITY COMMISSION REGULAR MTG

(7) (c)

Meeting Date: 05/05/2021

Bid # 2021-404 1 MG Elevated Water Tank at Lago Mar

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 # 2021-404 1 MG Elevated Water Tank at Lago Mar.

BACKGROUND

On March 30, 2021 and April 6,2021, a notice to bidders was advertised in the local newspaper and bid packets were made available to local businesses through CivCastUSA and ARKK Engineers, LLC.. On April 21, 2021 @ 11:00 a.m. bids were opened and read aloud.

The lowest responsible bidder meeting all of the requirements was Landmark Structures I., L.P. for the total amount \$4,268,000.00.

A letter of recommendation with bid tabulation is attached for your review.

ANALYSIS

It is the recommendation of the Public Works Department that the City Commission award the contract for bid # 2021-404 1 MG Elevated Water Storage Tank at Lago Mar to Landmark Structures I, L.P., for the total amount of \$4,268,000.00 and that the Mayor be authorized to execute a contract on behalf of the City Commission. The Public Works Department further recommends that the Mayor be authorized to approve any change orders, not to exceed 25% of the total contract amount, without bringing the matter before the City Commission.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution
Exhibit A
Attachment

RESOLUTION NO. 21-031

A RESOLUTION APPROVING BID NUMBER 2021-404 1MG ELEVATED WATER TANK AT LAGO MAR; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the “Notice to Bidders” was published on March 30, 2021 and April 6, 2021. Bids packets were made available via ARKK Engineers and CivCast USA for Bid No. 2021-404 1MG Elevated Water Tank at Lago Mar; and

WHEREAS, bids were opened April 21, 2021, at 11:00 a.m. The low responsible bid meeting all the specifications was received from Landmark Structures I, L.P.

WHEREAS, the Public Works Department recommends that Bid No. 2021-404 1MG Elevated Water Tank at Lago Mar be awarded to Landmark Structures I, L.P. in the amount of \$4,268,000.00.

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 Bid No. 2021-404 1MG Elevated Water Tank at Lago Mar be to Landmark Structures I, L.P.

SECTION 2: That the Mayor is hereby authorized to enter into a contract with Landmark Structures I, L.P. for the respective unit prices bid in **Exhibit “A”** attached hereto and made a part hereof for all intents and purposes and to approve change orders not to exceed 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 5th day of May 2021.

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



April 23, 2021

Mr. Doug Kneupper, P.E.
City Engineer
City of Texas City
7800 Emmett F. Lowry Expressway
Texas City, Texas 77591

Re: **Letter of Recommendation for 1 MG Elevated Water Tank at Lago Mar
BID #2021-404**
City of Texas City
ARKK Job No. 20-013

Dear Mr. Kneupper:

On April 21, 2021, two (2) bids were received for the above referenced project. This project includes the construction of a 1 MG composite elevated storage tank and associated work in the Lago Mar Subdivision. Following is a summary of our bid evaluation:

1. Bid Tabulation Sheet – Two (2) construction firms participated in the bidding process. The bids were checked for mathematical errors and/or bid irregularities.
2. The bids for the project are as follows:

<u>Bidder</u>	<u>BASE BID</u>
Landmark Structures I, L.P.	\$4,268,000.00
Phoenix Fabricators and Erectors, LLC.	\$4,633,765.00

Qualifications – Landmark Structures I, L.P. provided a list of qualifications and references with their bid. Landmark Structures I, L.P. is a pre-qualified contractor that meets the experience criteria and specification requirements for this project.

Landmark Structures I, L.P. appears to be a qualified firm and should be able to complete the specified work in a satisfactory manner. For these reasons, we recommend that the City of Texas City award the **1 MG Elevated Water Tank at Lago Mar to Landmark Structures I, L.P. for a total amount of \$4,268,000.00.**

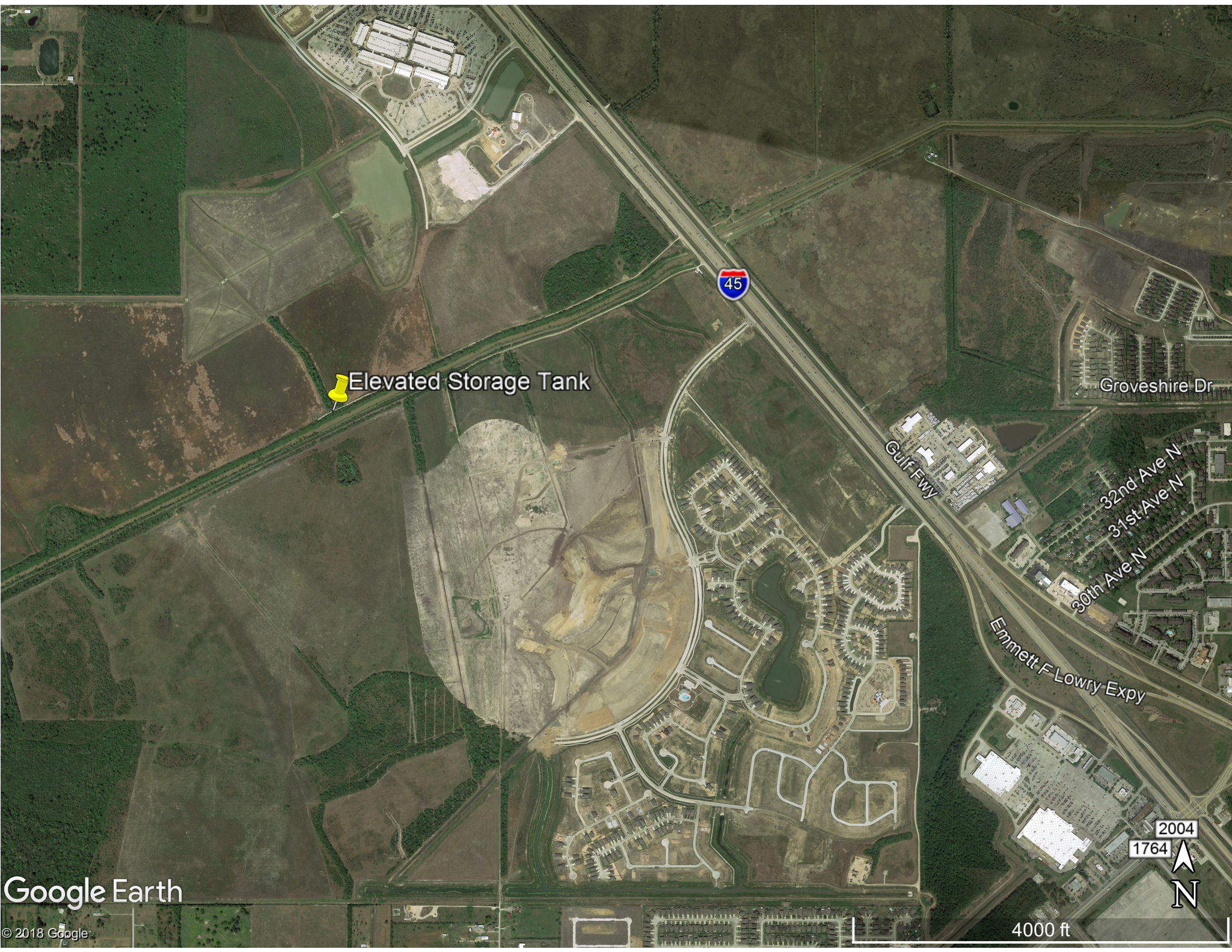
If you have any questions, please contact me.

Sincerely,
ARKK ENGINEERS, LLC



Mr. Madhu Kilambi, P.E.
Senior Project Manager

cc: Mr. Jack Haralson – City of Texas City
Mr. Corbin Ballast – City of Texas City



 Elevated Storage Tank



Groveshire Dr

Gulf FWY

32nd Ave N
31st Ave N
30th Ave N

Emmett F. Lowry Expy

2004
1764



4000 ft

Google Earth

© 2018 Google

CITY COMMISSION REGULAR MTG

Res 10-052

Meeting Date: 05/05/2021

Director of Finance

Submitted For: Laura Boyd, Finance

Submitted By: Laura Boyd, Finance

Department: Finance

Information

ACTION REQUEST (Brief Summary)

Approve and award Bid #2021-096 Banking Services Contract.

BACKGROUND

The Request for Proposals was posted in the Galveston Daily News newspaper on April 1, 2021, and also sent to the following vendors on April 1, 2021:

Texas First Bank
Regions Bank
BBVA Bank
Moody National Bank
Bank of America
Amoco Federal Credit Union
JSC Federal Credit Union

Proposals were due back to the City on Monday, April 26, 2021 at 2:00 p.m.

ANALYSIS

The only proposal received was from Texas First Bank. Texas First Bank fully meets all minimum qualifications.

The Finance Department recommends the depository contract be awarded to Texas First Bank for a term of five years beginning June 1, 2021.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 21-032

A RESOLUTION ACCEPTING A PROPOSAL AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH TEXAS FIRST BANK FOR BANKING SERVICE CONTRACT FOR THE CITY OF TEXAS CITY, TEXAS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on April 1, 2021, bids were sent to area vendors for the Banking Service Contract Bid No. 2021-096, and due back to the City on Monday, April 26, 2021 at 2:00 P.M.; and

WHEREAS, the only proposal received was from Texas First Bank; and

WHEREAS, Texas First Bank fully meets all minimum qualifications; and

WHEREAS, the Finance Department recommends the depository contract be awarded to Texas First Bank for a term of five years beginning June 1, 2021.

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 proposal submitted by Texas First Bank for the City's Banking Service Contract.

SECTION 2: That the Mayor is hereby authorized to enter into an agreement with Texas First Bank for the City's Banking Service Contract.

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

PASSED AND ADOPTED this 5th day of May 2021.

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

ATTEST:

APPROVED AS TO FORM:

Rhomari D. Leigh

Kyle L. Dickson

City Secretary

City Attorney

CITY COMMISSION REGULAR MTG

(7) (e)

Meeting Date: 05/05/2021

Approval of Resolution No. XXXXX a resolution denying Texas-New Mexico Power Company's application to amend its distribution costs recovery factor

Submitted For: Jon Branson, Management Services

Submitted By: Jon Branson, Management Services

Department: Management Services

Information

ACTION REQUEST (Brief Summary)

Approval of Resolution No. XXXX denying Texas-New Mexico Power Company's application for approval to amend its distribution costs recovery factor to increase distribution rates within the City and hiring of Legal Counsel (Lloyd Gosselink Attorneys at Law) and consulting services.

BACKGROUND

On April 5, 2021, Texas-New Mexico Power Company ("TNMP" or "Company") filed an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF") to Increase Distribution Rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in distribution revenues of \$13,959,505.

The resolution authorizes the City to join with the Cities Served by TNMP ("TNMP Cities") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Purpose of the Resolution:

The purpose of the Resolution is to deny the DCRF application proposed by TNMP.

Explanation of "Be It Resolved" Paragraphs in the Resolution

1. This section authorizes the City to participate with TNMP Cities as a party in the Company's DCRF filing, PUC Docket No. 51959.
2. This section authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. Additionally, it authorizes TNMP Cities to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.
3. This paragraph finds that the Company's application is unreasonable and should be denied.
4. This section states that the Company's current rates shall not be changed.
5. The Company will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants approved by TNMP Cities will submit monthly invoices that will be

forwarded to TNMP for reimbursement.

6. 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.

7. This section provides that TNMP and counsel for TNMP Cities will be notified of the City's action by sending a copy of the approved and signed Resolution to counsel.

ANALYSIS

Staff recommends approval of the resolution.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 21-033

A RESOLUTION OF THE CITY OF TEXAS CITY, TEXAS FINDING THAT TEXAS-NEW MEXICO POWER COMPANY'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH TNMP CITIES; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; 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, the City of Texas City , Texas ("City") is an electric utility customer of Texas-New Mexico Power Company ("TNMP" or "Company") with an interest in the rates and charges of TNMP; and

WHEREAS, the Cities Served by Texas-New Mexico Power Company ("TNMP Cities") is a coalition of similarly situated cities served by TNMP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in TNMP's service area in matters before the Public Utility Commission ("Commission") and the courts; and

WHEREAS, on or about April 5, 2021, TNMP filed with the Commission an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF"), Commission Docket No. 51959, seeking to increase distribution rates by \$13,959,505 million annually; and

WHEREAS, the City of Texas City will cooperate with TNMP Cities in coordinating their review of TNMP's DCRF filing with designated attorneys and consultants, prepare a common response, negotiate with the Company, and direct any necessary litigation, to resolve issues in the Company's filing; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if TNMP's Application is granted; and

WHEREAS, working with the TNMP Cities to review the rates charged by TNMP allows members to accomplish more collectively than each city could do acting alone; and

WHEREAS, TNMP Cities' members and attorneys recommend that members who have retained original jurisdiction over electric utility rates deny TNMP's DCRF.

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

SECTION 1: That the City is authorized to participate with TNMP Cities in Commission Docket No. 51959.

SECTION 2: That, subject to the right to terminate employment at any time, the City of Texas City hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal TNMP's DCRF application.

SECTION 3: That the rates proposed by TNMP to be recovered through its DCRF charged to customers located within the City limits should be denied.

SECTION 4: That the Company should continue to charge its existing rates to customers within the City.

SECTION 5: That the City's reasonable rate case expenses shall be reimbursed in full by TNMP within 30 days of the adoption of this Resolution, and within 30 days of presenting monthly bills to TNMP thereafter.

SECTION 6: 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 the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 7: That a copy of this Resolution shall be sent to Scott Seamster, Associate General Counsel, Texas-New Mexico Power Company, 577 N. Garden Ridge Blvd., Lewisville, Texas 75067, and to Thomas Brocato, General Counsel to TNMP Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, TX 78767-1725, or tbrocato@lglawfirm.com.

PASSED AND ADOPTED this 5th day of May 2021.

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

(7) (f)

Meeting Date: 05/05/2021

Renewal of the City of Texas City Tax Abatement Guidelines

Submitted For: Garrett McLeod, Management Services

Submitted By: Garrett McLeod, Management Services

Department: Management Services

Information

ACTION REQUEST (Brief Summary)

Consider and approve the 2021 City of Texas City Tax Abatement Guidelines.

BACKGROUND

On October 16, 2014 the City of Texas City, Texas elected to become eligible to participate in tax abatements by Resolution 14-078. In accordance with Section 312.002 of the Texas Tax Code, we are required to renew our guidelines after two years. City staff has updated the tax abatement guidelines, and prepared them for your review and approval.

ANALYSIS

It is the recommendation of the Economic Development Director to approve the renewal of the City of Texas City Tax Abatement Guidelines.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

City of Texas City Tax Abatement Guidelines

RESOLUTION NO. 21-034

A RESOLUTION OF THE CITY OF TEXAS CITY, TEXAS, PROVIDING FOR ELIGIBILITY TO PARTICIPATE IN TAX ABATEMENT; MAKING CERTAIN FINDINGS OF FACT; ADOPTING GUIDELINES AND CRITERIA FOR CERTAIN TAX ABATEMENT AGREEMENTS IN ACCORDANCE WITH CHAPTER 312 OF THE TEXAS TAX CODE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, pursuant to the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code (the "Act"), the City of Texas City, Texas (the "City") must elect to become eligible to participate in tax abatement; and

WHEREAS, pursuant to the Act, the adoption of tax abatement guidelines and criteria is necessary prior to the creation of a reinvestment zone and prior to executing a tax abatement agreement; and

WHEREAS, the City previously adopted tax abatement guidelines and criteria on October 16, 2014 by Resolution No. 14-078; and

WHEREAS, the City Commission desires to adopt new tax abatement guidelines and criteria specifically applicable to oil and gas, manufacturing, and other industry related projects; and

WHEREAS, the City Commission finds and determines that the guidelines and criteria hereinafter set out are in the best interest of the City to encourage oil and gas, manufacturing, and other industry related development to the exclusion of others; and

WHEREAS, the City Commission acknowledges that the guidelines and criteria hereinafter set out may be amended or repealed only by a vote of three-fourths (3/4) of the City Commission; and,

WHEREAS, the City Commission reaffirms its absolute discretion to approve or reject any application for tax abatement and subsequent related tax abatement agreements.

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

SECTION 1. Purpose. Chapter 312 of the Texas Tax Code allows, but does not obligate or require, the City to grant a tax abatement on the value added to a particular property on account of a specific development project that meets the eligibility requirements set forth in this policy. In order for the City to participate in tax abatement, the City is required to establish guidelines and criteria governing tax abatement agreements. This policy is intended to set forth those guidelines and criteria for persons or entities interested in receiving a tax abatement from the City. This policy shall expire two (2) years from the date pursuant to Sec.312.002(c) of the Texas Tax Code.

SECTION 2. Adoption of Recitals. The City Commission of the City of Texas City, Texas, hereby adopts the recitals of this Ordinance as outlined above.

SECTION 3. Eligibility Election. Pursuant to the provisions of Section 312.002(a) of the Texas Tax Code, the City of Texas City, Texas previously elected to become eligible to participate in tax abatement by Resolution 14-078 which was considered and adopted at a properly notice public meeting occurring on October 16, 2014.

SECTION 4. Projects Eligible for Tax Abatement. To be eligible for tax abatement under this policy, an industrial development project must meet all of the following minimum tax abatement application criteria:

- i. Must contribute a minimum capital investment of \$1,000,000 to the proposed project;
- ii. Must be eligible to conduct business or otherwise operate in the State of Texas;
- iii. Must be located in the corporate limits of the City of Texas City;
- iv. Must complete a Tax Abatement Application in form approved by the City Commission;
- v. Must tender an application fee of \$500 to the City;
- vi. Must require 40% of its employees to reside within the City of Texas City or within the extra territorial jurisdiction (ETJ) as defined by the City; and
- vii. Must tender to the City a current and active Texas Direct Payment Permit or, in the alternative, obtain a Texas Direct Payment Permit from the Texas

Comptroller of Public Accounts for the direct payment of sales and use tax associated with the construction of improvements associated with the proposed project, and where applicable, shall require its contractors and subcontractors to also file for, or present such permit to the City for the direct payment of sales and use tax associated with the construction of improvements associated with the proposed project.

- viii. The City may grant a Specific Residency Waiver to employees upon receiving an application submitting the request and upon the showing of a specific need. The City may negotiate waivers of the residency requirements in any actual Abatement Agreement approved by the City.

SECTION 5. Duration and Abatement Percentages. The duration of any tax abatement shall be for a maximum of 10 years. The percentage of abatement may be negotiated on a case by case basis, but a guideline will be as follows:

Years 1-3	100% Abatement
Years 4-6	50% Abatement
Years 7-10	25% Abatement

SECTION 6. Severability. In the event that one or more of the provisions contained in this Resolution is for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of this Resolution shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein, but shall not affect the remaining provisions of this Ordinance, which shall remain in full force and effect.

PASSED AND ADOPTED this 5th day of May 2021.

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 of Texas City
Tax Abatement Guidelines
2021

SECTION 1. Purpose. Chapter 312 of the Texas Tax Code allows, but does not obligate or require, the City to grant a tax abatement on the value added to a particular property on account of a specific development project that meets the eligibility requirements set forth in this policy. In order for the City to participate in tax abatement, the City is required to establish guidelines and criteria governing tax abatement agreements. This policy is intended to set forth those guidelines and criteria for persons or entities interested in receiving a tax abatement from the City. This policy shall expire two (2) years from the date pursuant to Sec.312.002(c) of the Texas Tax Code.

SECTION 2. Adoption of Recitals. The City Commission of the City of Texas City, Texas, hereby adopts the recitals of this Ordinance as outlined above.

SECTION 3. Eligibility Election. Pursuant to the provisions of Section 312.002(a) of the Texas Tax Code, the City of Texas City, Texas previously elected to become eligible to participate in tax abatement by Resolution 14-078 which was considered and adopted at a properly notice public meeting occurring on October 16, 2014.

SECTION 4. Projects Eligible for Tax Abatement. To be eligible for tax abatement under this policy, an industrial development project must meet all of the following minimum tax abatement application criteria:

- i. Must contribute a minimum capital investment of \$1,000,000 to the proposed project;
- ii. Must be eligible to conduct business or otherwise operate in the State of Texas;
- iii. Must be located in the corporate limits of the City of Texas City;
- iv. Must complete a Tax Abatement Application in form approved by the City Commission;
- v. Must tender an application fee of \$500 to the City;
- vi. Must require 40% of its employees to reside within the City of Texas City or within the extra territorial jurisdiction (ETJ) as defined by the City; and
- vii. Must tender to the City a current and active Texas Direct Payment Permit or, in the alternative, obtain a Texas Direct Payment Permit from the Texas Comptroller of Public Accounts for the direct payment of sales and use tax associated with the construction of improvements associated with the proposed project, and where applicable, shall require its contractors and subcontractors to also file for, or present such permit to the City for the direct payment of sales and use tax associated with the construction of improvements associated with the proposed project.
- viii. The City may grant a Specific Residency Waiver to employees upon receiving an application submitting the request and upon the showing of a specific need. The City may negotiate waivers of the residency requirements in any actual Abatement Agreement approved by the City.

SECTION 5. Duration and Abatement Percentages. The duration of any tax abatement shall be for a maximum of 10 years. The percentage of abatement may be negotiated on a case by case basis, but a guideline will be as follows:

Years 1-3	100% Abatement
Years 4-6	50% Abatement
Years 7-10	25% Abatement

SECTION 6. Severability. In the event that one or more of the provisions contained in this Resolution is for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of this Resolution shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein, but shall not affect the remaining provisions of this Ordinance, which shall remain in full force and effect.

**APPLICATION FOR PROPERTY TAX ABATEMENT
CITY OF TEXAS CITY, TEXAS
(INDUSTRY)**

APPLICATION INSTRUCTIONS

If an Applicant's proposed development qualifies for Tax Abatement pursuant to the initial eligibility criteria established by the City Commission of the City of Texas City, Texas ("City"), as may be amended, the Applicant for Tax Abatement must complete an Application for Property Tax Abatement and submit it, along with all required attachments (collectively the "Application"), to the City Secretary. The Application will become part of any subsequent tax abatement agreement, if approved, and any knowingly false representations by the Applicant or its representatives will be grounds to void or otherwise terminate any tax abatement agreement based on the information contained herein or other agreement authorized and executed in conjunction with a tax abatement agreement. The Applicant must verify that the property subject to the tax abatement is located within the corporate limits of the City of Texas City, Texas ("City").

APPLICATION FEE

Upon the Applicant's submission of the Application, the Applicant must also pay a non-refundable application fee of \$500. The application fee and payment terms for industry related tax abatements shall be determined by the City ("Application Fee").

DISCLOSURE

The City Commission retains the sole authority to approve or deny any Tax Abatement Agreement and is under no obligation to approve any Application or proposed Tax Abatement Agreement.

The City Commission's adoption of tax abatement guidelines and criteria does not (1) limit the City Commission's discretion to decide whether to enter into a specific tax abatement agreement; (2) limit the City Commission's discretion to delegate to its employees the authority to determine whether or not the City Commission should consider a particular application or request for tax abatement; or (3) create any property, contractual, or other legal right of the applicant, person, or entity to have the City Commission consider or grant a specific tax abatement application.

CONFIDENTIALITY

Pursuant to Texas Tax Code Sec. 312.003, information the Applicant provides to the City in connection with its application or request for a tax abatement under Chapter 312 of the Texas Tax Code that describes the specific processes or business activities to be conducted or the equipment or other property to be located on the property for which the Applicant seeks a tax abatement is confidential and not subject to public disclosure until the tax abatement agreement is executed. The Applicant's information in the custody of the City after the agreement is executed is not confidential under this section.

APPLICANT INFORMATION

APPLICATION DATE: _____

COMPANY NAME: _____

COMPANY'S HEADQUARTERS ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

TELEPHONE: _____ **FAX:** _____

COMPANY'S LOCAL ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

LOCAL TELEPHONE: _____ **LOCAL FAX:** _____

- BUSINESS ENTITY:**
- | | |
|--|--------------------------------------|
| <input type="checkbox"/> Sole Proprietor | <input type="checkbox"/> DBA |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other |

If "PARTNERSHIP," please explain in detail applicant's partnership structure:

If "DBA" or "OTHER," please explain in detail the applicant's business entity structure:

State of Incorporation: _____ Years in Galveston County? _____

Is the Applicant authorized to do business in the state of Texas? YES NO

Has the Applicant ever filed for bankruptcy? YES NO

(continued on next page)

If "YES", please explain in detail the applicant's bankruptcy history including but not limited to dates and bankruptcy court(s) having jurisdiction over any bankruptcy proceedings.

REGISTERED AGENT:

REGISTERED AGENT NAME: _____

BUSINESS / FIRM: _____

AGENT'S ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

TELEPHONE: _____ **EMAIL:** _____

COMPANY REPRESENTATIVE AUTHORIZED FOR APPLICANT:

NAME: _____

TITLE: _____

ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

TELEPHONE: _____ **EMAIL:** _____

(continued on next page)

AUTHORIZED COMPANY OFFICIAL:

NAME: _____

TITLE: _____

ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

TELEPHONE: _____ **EMAIL:** _____

AUTHORIZED SIGNATURE ON BEHALF OF APPLICANT: _____

BY SIGNING THIS APPLICATION, THE APPLICANT AND ITS AUTHORIZED COMPANY OFFICIAL REPRESENT TO THE CITY OF TEXAS CITY, TEXAS THAT THE INFORMATION CONTAINED HEREIN IS TRUTHFUL, ACCURATE, AND CORRECT. THE APPLICANT AND ITS AUTHORIZED COMPANY OFFICIAL FURTHER UNDERSTAND THAT ANY CHANGES TO THE INFORMATION CONTAINED HEREIN REQUIRE THE APPLICANT OR ITS AUTHORIZED COMPANY OFFICIAL TO NOTIFY THE CITY OF TEXAS CITY, TEXAS WITHIN THIRTY (30) DAYS.

PROJECT INFORMATION

- PROJECT CATEGORY:** (choose all that apply)
- Warehouse
 - Manufacturing
 - Research & Development
 - Regional Distribution
 - Regional Service Center
 - General Office Building(s)
 - Other

If "OTHER," please describe in detail the type of project or facility:

- PROJECT TYPE:** (choose all that apply)
- New Facility or Structure
 - Expansion of Existing Facility or Structure
 - Modernization of Existing Facility or Structure
 - Other

PROJECT LOCATION:

PHYSICAL ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

MAILING ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

PROJECT LEGAL DESCRIPTION:

Is the Applicant the owner of the real property where the Project will be located? YES NO

If "NO," does the Applicant have an executed lease for the real property where the Project will be located? YES NO

** Please submit a map, survey or plat of the project's legal description with the application.*

TAX ACCOUNT NUMBERS: _____ **NAICS #:** _____

REINVESTMENT ZONE INFORMATION:

Is the Project already located in a tax reinvestment zone? YES NO

If "YES", identify the jurisdiction and state the date the tax reinvestment zone was created? _____

If "NO," does the Applicant have a metes and bounds survey of the real property for the necessary reinvestment zone? YES NO

** Please submit a map of the proposed reinvestment zone with the application, if applicable.*

(continued on next page)

OTHER TAX ABATEMENTS:

Does Applicant intend on seeking tax abatement from Galveston county? YES NO

Does Applicant intend on seeking a Chapter 313 Property Value Limitation Agreement with a school district? YES NO

SCHOOL DISTRICT(S): _____

PRIOR TAX ABATEMENT INFORMATION:

Has the Applicant previously received tax abatement from the City? YES NO

If "YES", date(s) tax abatement agreement(s) executed? _____

Has the Applicant already requested a tax abatement or property value limitation for this Project from another taxing jurisdiction? YES NO If "YES", please provide the following information:

1. Name of each taxing jurisdiction & contact? _____

2. Date(s) for each tax abatement application: _____

3. Date(s) for upcoming public hearing(s) relating to tax abatement application(s)? _____

4. Date each tax abatement agreement was considered by another taxing jurisdiction? _____

5. Date each tax abatement agreement executed? _____

Has applicant included copies of its previous tax abatement applications or prior agreements with this application? YES NO

If "NO", does the Applicant agree to supplement its application with copies of its previous tax abatement applications or agreements? YES NO

If "NO," please describe in detail why not?

Has any taxing jurisdiction issued the Applicant a letter of intent (LOI) to enter into a tax abatement?? YES NO

If "YES", identify the jurisdiction issuing the LOI:

Has applicant included copies of its LOIs with this application? YES NO

If "NO", does the Applicant agree to supplement its application with copies of its LOIs? YES NO

If "NO," please describe in detail why not?

ECONOMIC INFORMATION

What year does the Applicant request tax abatement begin? _____

How many years does the Applicant request tax abatement to continue? _____
(10 year maximum)

CONSTRUCTION ESTIMATES:

Start Month/Year: ____/____ Contract Amount \$_____

Completion Date: ____/____ Peak Construction Jobs: ____ Construction Man-Years: ____

IF MODERNIZATION:

Estimated current economic life of existing structure: _____years

Added economic life from modernization: _____years

PERMANENT JOB CREATION AND RETENTION OF EXISTING PERMANENT JOBS IN GALVESTON COUNTY?

Current employment: _____

Jobs to be retained: _____

Jobs to be created after three (3) years from contract inception: _____ at Jan. 1, 20____

TEXAS CITY RESIDENCY REQUIREMENTS:

Does the Applicant agree to require its senior executive employees, project managers, and other employees receiving compensation in the top 25th percentile to relocate to the City of Texas City or its extraterritorial jurisdiction? YES NO

If "NO," explain why not: _____

STATED APPRAISED VALUE ON SITE:

<u>STATED APPRAISED VALUE ON SITE</u>	LAND	IMPROVEMENTS	TOTAL
Value as of January 1 st preceding abatement (per Galveston County Appraisal District Records and Account Number)	\$ _____	\$ _____	\$ _____
<u>Stated</u> value of new abatable investment (Buildings)	\$ _____	\$ _____	\$ _____
<u>Stated</u> value of new abatable fixed and in place machinery and equipment	\$ _____	\$ _____	\$ _____
<u>Stated</u> value not subject to abatement (e.g. inventory)	\$ _____	\$ _____	\$ _____
<u>Stated</u> value of property subject to ad valorem tax at end of abatement	\$ _____	\$ _____	\$ _____

DIRECT TAX PAYMENT PERMIT: *(Minimum of \$800,000.00 annually in taxable items required)*

Does the Applicant agree to obtain a Texas Direct Payment Permit from the Texas Comptroller in conjunction with the Applicant's construction of its Project? YES NO

If "NO," explain why not: _____

PAYMENTS IN LIEU OF TAXES (PILOTs):

Is the Applicant willing to participate in payments in lieu of taxes to the City to offset the tax abatement?

YES NO

VARIANCE:

Is the Applicant seeking a variance to the tax abatement guidelines?

YES NO

If "YES", attach a letter requesting and justifying the basis for the variance along with any other supplemental information that may be relevant to your request.

FOR INTERNAL USE ONLY

APPLICATION RECEIVED ON: _____

APPLICATION RECEIVED BY: _____ **TITLE:** _____

APPLICATION FEE RECEIVED ON: _____

TAX ABATEMENT TERMS APPROVED (subject to execution of tax abatement agreement):

CITY COMMISSION REGULAR MTG

(7) (g)

Meeting Date: 05/05/2021

MUNICIPAL COURT ADMINISTRATIVE CLOSURES

Submitted For: Tammy Odom, Municipal Court **Submitted By:** Tammy Odom, Municipal Court

Department: Municipal Court

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. _____, approving the Court Administrator to administratively close all cases older than December 31, 2007 that meet certain criteria. (Municipal Court)

BACKGROUND

The municipal court is requesting permission from the Commission to administratively close cases with a violation date prior to December 31, 2007 which the court has determined are uncollectible based on the age of the case, lack of identifying information on the defendant, age of the defendant, and/or absence of the original case files.

The total value of these cases is \$569,398.60. The fine portion of this amount is \$227,408.65. The remaining balance of \$ 351,725.70 are administrative fees, collection agency fees, and state court costs.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 21-035

A RESOLUTION AUTHORIZING THE COURT ADMINISTRATOR TO ADMINISTRATIVELY CLOSE ALL CASES OLDER THAN DECEMBER 31, 2007; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the Municipal Court is requesting permission to administratively close cases with a violation date prior to December 31, 2007, which have been deemed uncollectable; and

WHEREAS, the total value of the cases \$569,398.60 with a fine amount of \$227,408.65 and administrative fees and court cost of \$351,725.70. The purging of these fines will eliminate files that have skewed information.

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

SECTION 1: That the Municipal Court is approved to administratively close all cases with a violation date older than December 31, 2007, which have been deemed uncollectable.

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

PASSED AND ADOPTED this 5th day of May 2021.

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

Ord 13-52

Meeting Date: 05/05/2021

Amend the fiscal year 2020/2021 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 2020-2021 budget to appropriate additional funds for construction of the west side elevated water tank.

BACKGROUND

City of Texas City and Lago Mar area developer, Land Tejas, will share the costs of the design and construction of a one million gallon elevated water tank. The total estimated cost of the project was \$4 million. At the 06/03/2020 meeting, City Commission approved a 50:50 cost sharing agreement between The City and Lago Mar Development Authority (agreement is attached). In 2020, the City received \$2.2 million from Lago Mar, their share of the engineering and construction costs. The City's portion of the engineering costs has already been funded from zone 2 water capital recovery fees. The construction phase will also be funded from zone 2 water capital recovery fees or impact fees.

Budget amendment under Ordinance No. 21-06 was passed by City Commission at their 4/07/2021 meeting to appropriate funds for the construction of the tank. However, the construction phase of the project will be more than was originally estimated, requiring this additional budget amendment.

ANALYSIS

Budget Amendment:

Capital Recovery Water Zone 2 (Fund 255):

Water Tank Improvements	\$126,550.00
Unassigned Fund Balance	(\$63,275.00)
Capital Recovery Fees from Lago Mar Development Authority	(\$63,275.00)

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Ordinance

ORDINANCE NO. 21-09

AN ORDINANCE AMENDING ORDINANCE NO. 20-35 ADOPTING THE 2020-2021 FISCAL YEAR BUDGET TO APPROPRIATE ADDITIONAL FUNDS FOR CONSTRUCTION OF THE WEST SIDE ELEVATED TANK; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET IN THE OFFICE OF THE GALVESTON COUNTY CLERK; 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. 20-35 the City Commission of the City of Texas City, Texas, adopted its budget for Fiscal Year 2020-2021; and

WHEREAS, a budget amendment is needed to appropriate additional funds for the construction of the West side Elevated Water Tank.

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 2020-2021 of the City of Texas City, Texas, is hereby amended as follows:

Capital Recovery Water Zone 2 (Fund 255):

Water Tank Improvements	\$126,550.00
Unassigned Fund Balance	(\$63,275.00)
Capital Recovery Fees from Lago Mar Development Authority	(\$63,275.00)

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 5th day of May 2021.

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