

CITY OF TEXAS CITY
REGULAR CALLED CITY COMMISSION MEETING

AGENDA

WEDNESDAY, FEBRUARY 2, 2022 - 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM - CITY HALL
1801 9th Ave. N.
Texas City, TX 77590

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

- (1) ROLL CALL
- (2) INVOCATION
- (3) PLEDGE OF ALLEGIANCE
- (4) PROCLAMATIONS AND PRESENTATIONS
 - (a) Recognition of Sgt. Mickey House, Sr. for his 22 years of service to the Texas City Police Department's SWAT Team.
- (5) REPORTS
 - (a) Financial Quarterly Report
- (6) PUBLIC COMMENTS
- (7) CONSENT AGENDA
 - (a) Approve City Commission Minutes for January 19, 2022 meeting. (City Secretary)
 - (b) Consider and take action on Resolution No. 2022-008, appointing/reappointing members to the Tax Reinvestment Zone (TIRZ) Number One Board of Directors and the Lago Mar Development Authority Board of Directors. (Management Services)
 - (c) Consider and take action on Resolution No. 2022-009, approving the adoption and submission of a Substantial Amendment to the 2020 CDBG Consolidated Plan and the 2021 CDBG Annual Action Plan to HUD. (Community Development)

- (d) Consider and take action on Resolution No. 2022-010, authorizing Assistant Police Chief Jess Colwell to submit and administer a grant for Texas City Police Department. (Police Department)
- (e) Consider and take action on Resolution No. 2022-011, approving and awarding a contract for Bid No. 2022-008 Basalt Rock Annual Contract. (Public Works)
- (8) REGULAR ITEMS
 - (a) Consider and take action on Resolution No. 2022-012, regarding Petition for Consent to Annex land into Galveston County Municipal Utility District No. 31. (Engineering & Planning)
- (9) COMMISSIONERS' COMMENTS
- (10) MAYOR'S 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.

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

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARDS AT CITY HALL, 1801 9TH AVENUE NORTH, TEXAS CITY, TEXAS, AT A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AND ON THE CITY'S WEBSITE ON JANUARY 28, 2022, 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

(5) (a)

Meeting Date: 02/02/2022

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Financial Quarterly Report

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Staff Report

**CITY OF TEXAS CITY
INVESTMENT REPORT
FOR THE QUARTER ENDING DECEMBER 31, 2021**

The City's Investment Policy requires the Director of Finance to submit quarterly reports to the City Commission.

A summary of the transactions in the portfolio for the quarter ending December 31, 2021 are as follows:

	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>
INVESTMENTS-BEG. OF PERIOD	\$ 81,522,101	\$ 81,453,706
INVESTMENT PURCHASES/ADDITIONS/TRANSFERS IN	0	0
INVESTMENT MATURITIES/DELETIONS/TRANSFERS OUT	(1,000,000)	(1,000,000)
AMORTIZATION(PREMIUM/DISCOUNT)	-	-
CHANGE IN FAIR MARKET VALUE	-	(428,990)
INVESTMENTS-END OF PERIOD	<u>\$ 80,522,101</u>	<u>\$ 80,024,716</u>
Interest received quarter ending 12-31-21	\$ 55,688	\$ 55,688
INVESTMENTS-END OF PERIOD PLUS INTEREST	<u><u>\$ 80,577,789</u></u>	<u><u>\$ 80,080,403</u></u>

**CITY OF TEXAS CITY
INVESTMENT REPORT
FOR THE QUARTER ENDING DECEMBER 31, 2021**

Portfolio Composition:

Certificates of Deposit (CDARS)	6.25%
Bank Deposits	19.41%
Treasury Securities and Agency Securities	74.34%

Benchmark Rate of Return:

	@ 12/31/2021	@ 09/30/2021
1 Year Treasury Rate	0.38	0.09
6 Month T-Bill Rate	0.19	0.05
3 Month T-Bill Rate	0.06	0.04
City's Portfolio	0.32	0.32

Weighted Average Maturity of Portfolio:

629.75 days

CITY COMMISSION REGULAR MTG

(7) (a)

Meeting Date: 02/02/2022

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Approve City Commission Minutes for January 19, 2022 meeting. (City Secretary)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Minutes

DRAFT

REGULAR CALLED CITY COMMISSION MEETING

MINUTES

WEDNESDAY, JANUARY 19, 2022 – 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A Regular Called Meeting of the City Commission was held on Wednesday, JANUARY 19, 2022, at 5:00 P.M. in the Kenneth T. Nunn Council Room in City Hall, Texas City, Texas. A quorum having been met, the meeting was called to order at 5:00 p.m. by Mayor Dedrick D. Johnson, Sr.

1. ROLL CALL

Present: Mayor Dedrick D. Johnson
Commissioner At-Large, Mayor Pro Tem Thelma Bowie
Commissioner At-Large Kevin Yackly
Commissioner District 1 Keith Henry
Commissioner District 2 Felix Herrera
Commissioner District 3 Dorthea Jones Pointer
Commissioner District 4 Jami Clark

2. INVOCATION

Led by Pastor Rudy Rios of Temple Baptist Church.

3. PLEDGE OF ALLEGIANCE

Led by Mayor Dedrick D. Johnson, Sr.

Commissioner Keith Henry entered the Council Room.

4. PUBLIC HEARING

- a. Casey Genovese requests to rezone from “A” (Single Family Residential) to “E” (General Business) to construct a retail store.

Kim Golden, City Engineer, provided background information for this rezoning request. The individuals that spoke in favor of the request were Sandy Gomez, Gerald Gary, Trey Rozic, and Tamala Robinson. The individuals that spoke in opposition to the request were Clementine Carter, Daniel Gallagher, and Artum.

Casey Genovese, requestor, answered several questions from Commissioner Dorthea Jones regarding the proposed septic system.

Mayor Johnson stated that if there was no further discussion he would entertain a motion to close the Public Hearing. Commissioner Jami Clark made a motion to close the Public Hearing. Commissioner Felix Herrera made a motion to deny the rezoning request. After Mayor Johnson stated that the Public Hearing must be closed before action on the request could be taken,

Commissioner At-Large Kevin Yackly stated that he seconds the motion to close the Public Hearing. At that time, Commissioner Keith Henry made a motion to approve the rezoning request. Mayor Johnson again stated that the Public Hearing must be closed before action on the rezoning request could be taken. Mayor Johnson asked the City Commission to vote on Commissioner Jami Clark's motion to close the Public Hearing and Commissioner At-Large Kevin Yackly's second to that motion.

Motion by Commissioner District 4 Jami Clark to close the Public Hearing, Seconded by Commissioner At-Large Kevin Yackly

Vote: 6 - 1 CARRIED

NAY: Commissioner District 1 Keith Henry

5. PRELIMINARY ZONING APPROVAL

- a. Consider and take action on the Zoning Change Request from Casey Genovese to rezone from "A" (Single Family Residential) to "E" (General Business) to construct a retail store.

Motion by Commissioner District 2 Felix Herrera to deny the Zoning Change Request, Seconded by Mayor Dedrick D. Johnson

Vote: 4 - 3 CARRIED

NAY: Commissioner At-Large Kevin Yackly
Commissioner District 1 Keith Henry
Commissioner District 3 Dorthea Jones Pointer

6. PUBLIC COMMENTS

Carla Perry, Resident, issued a complaint against her neighbor for having code violations and operating a business in their residential neighborhood. Ms. Perry stated that Code Enforcement has spoken with her neighbor and issued fines to said neighbor several times but she is now requesting that a long-term solution be made.

Mayor Johnson stated that he will contact Ms. Perry directly to gather more information.

7. CONSENT AGENDA

Commissioner Jami Clark made a motion to approve Consent Agenda items a, b, and c. The motion was seconded by Commissioner Dorthea Jones.

- a. Approve City Commission Minutes for January 5, 2022 meeting. (City Secretary)

Vote: 7 - 0 CARRIED

- b. Consider and take action on Resolution No. 2022-005, approving the purchase of materials and installation of new covered canopies at the Texas City Municipal Shooting Range from ASA Builders, Inc., a member of the Choice Partners Purchasing Cooperative. (Recreation and Tourism)

Vote: 7 - 0 CARRIED

- c. Consider and take action on Resolution No. 2022-006, approving the award of the contract to provide Rehabilitation Specialist/Inspector services for the Community Development Department to Mainland Children's Partnership DBA Galveston County Long Term Recovery Group in an amount not to exceed \$50,000. (Community Development)

Vote: 7 - 0 CARRIED

8. COMMISSIONERS' COMMENTS

Commissioner Keith Henry stated his disapproval of the rezoning request vote.

Commissioner At-Large Kevin Yackly stated that the Mardi Gras parade will take place in two weeks.

There were no comments from the other Commissioners.

STAFF COMMENTS

David Zacherl, Fire Chief, stated that COVID-19 cases are on a slow decline.

Dennis Harris, Recreation and Tourism Director, stated that the Father-Daughter Dance will be held at the Doyle Convention Center on February 2nd. Tickets will be capped at 350 participants.

Irene Fattig, Water Billing Supervisor, stated that the new Texas City Dike stickers are available in the Water Department. A Drivers license and water bill (or lease) are required to receive the new Texas City Dike sticker.

Jessica Matos, Adult Services Librarian, gave a brief announcement on Young Adult materials and services that the Moore Memorial Library will offer in February.

9. MAYOR'S COMMENTS

Mayor Johnson apologized to those in attendance for the confusion that ensued during the Public Hearing. Mayor Johnson then explained the purpose of the Zoning Request being reconsidered after coming before the City Commission on November 17, 2021.

10. ADJOURNMENT

Having no further business, Commissioner District 4 Jami Clark made a MOTION to ADJOURN at 6:10 p.m.; the motion was SECONDED by Commissioner District 3 Dorthea Jones. All present voted AYE. MOTION CARRIED.

DEDRICK D. JOHNSON, SR., MAYOR

ATTEST:

Rhomari Leigh, City Secretary
Date Approved:

CITY COMMISSION REGULAR MTG

(7) (b)

Meeting Date: 02/02/2022

Submitted For: Jon Branson, Management Services

Submitted By: Jon Branson, Management Services

Department: Management Services

Information

ACTION REQUEST (Brief Summary)

Approval of Resolution No. 22-008, a resolution appointing/reappointing members to the Tax Reinvestment Zone (TIRZ) Number One Board of Directors and the Lago Mar Development Authority Board of Directors.

BACKGROUND

Typically appointments and re-appointments to the TIRZ Board and the Development Authority occur in September however, due to recent vacancies (Kyle Dickson - COM) and Carlos Garza (COTC) appointments and re-appointments are warranted at this time as further outlined in Exhibit "A".

The College of the Mainland Board of Trustees are recommending the appointment of Mr. Donald G. Gartman as their representative and the Honorable Mayor, Dedrick Johnson is recommending appointment of Ms. Connie Jackson as one of the City of Texas City's appointment.

Re-appointments are recommended for the remaining current members to carry on the successful operation of the Lago Mar development.

ANALYSIS

In order to continue the successful operation of the TIRZ Board and the Development Authority Board it is necessary to proceed with the appointments and re-appointments of both Boards at this time.

To be eligible for appointment to the board by the governing body of the municipality or county that designate the zone, an individual must be at least 18 years of age and:

(1) if the board is covered by Subsection (a) which it is...

(A) be a resident of the county in which the zone is located or a county adjacent to that county: or

(B) own real property in the zone, whether or not the individual resides in the county in which the zone is located or a county adjacent to that County;

All those recommended for appointment and re-appointment meet the necessary qualifications for appointment.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

Exhibit A

RESOLUTION NO. 2022-008

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

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

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

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

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

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

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

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby appoints and/or reappoints the individuals named on the attached **Exhibit "A"**, attached hereto and incorporated herein for all intents and purposes.

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

PASSED AND ADOPTED this 2nd day of February 2022.

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"
Tax Reinvestment Zone Number One
Board of Directors

Position	Name	Term Ends
1. COTC - Chairman	Chris Doyle	9/30/2023
2. COM	Donald Gartman	9/30/2024
3. COTC	James Torres	9/30/2023
4. COTC	Connie Jackson	9/30/2024
5. Galveston County	Rick Wilkenfeld	9/30/2023
6. COTC	Genie Jennings	9/30/2024
7. Galveston County	Stephen Holmes	9/30/2023

Lago Mar Development Authority
Board of Directors

Position	Name	Term Ends
1. COTC - Chairman	Chris Doyle	9/30/2023
2. COM	Donald Gartman	9/30/2024
3. COTC	James Torres	9/30/2023
4. COTC	Connie Jackson	9/30/2024
5. Galveston County	Rick Wilkenfeld	9/30/2023
6. COTC	Genie Jennings	9/30/2024
7. Galveston County	Stephen Holmes	9/30/2023

CITY COMMISSION REGULAR MTG

(7) (c)

Meeting Date: 02/02/2022

Adoption and submission of CDBG 5-Year 2020 Consolidated Plan and 2021 Annual Action Plan Substantial Amendment

Submitted For: Titilayo Smith, Community Development, Housing Autho

Submitted By: Titilayo Smith, Community Development, Housing Autho

Department: Community Development, Housing Autho

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 22-009, approving the adoption and submission of a Substantial Amendment to the 2020 CDBG Consolidated Plan and the 2021 CDBG Annual Action Plan to HUD, reprogramming \$142,475.15 in funds currently allocated to Public Facilities & Improvements, reallocating it to Housing Programs.

BACKGROUND

One of the highest priorities of the City of Texas City is to preserve the existing housing stock and to provide increased housing opportunities that are affordable to lower income residents. Since 1976, the City has received funding resources through the U.S. Department of Housing and Urban Development (HUD) to administer the Community Development Block Grant (CDBG).

The Community Development Department (CDD) would like to increase the number of Texas City residents that can be assisted under the Housing Rehabilitation/Reconstruction Program with \$100,000 of the funds. In addition, the CDD would like to allocate \$42,475 of the funds to Rehabilitation Specialist/Inspector services.

ANALYSIS

The 2020-2024 CDBG Consolidated Plan and the PY 2021 CDBG Annual Action Plan allocated \$142,475.15 to add ADA accessible ramps to two City owned buildings. It has since been determined that one of the buildings already has a ramp and does not need another; and that the second building is not accessible internally so installing an external ramp would be economically inefficient (the building is not currently in use).

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 2022-009

A RESOLUTION APPROVING THE ADOPTION AND SUBMISSION OF A SUBSTANTIAL AMENDMENT TO THE 2020 CDBG CONSOLIDATED PLAN AND THE 2021 CDBG ANNUAL ACTION PLAN TO HUD; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, one of the highest priorities of the City of Texas City is to preserve the existing housing stock and to provide increased housing opportunities that are affordable to lower income residents.; and

WHEREAS, since 1976, the City has received funding resources through the U.S. Department of Housing and Urban Development (HUD) to administer the Community Development Block Grant (CDBG); and

WHEREAS, the 2020-2024 CDBG Consolidated Plan and the PY 2021 CDBG Annual Action Plan allocated \$142,475.15 to add ADA accessible ramps to two City owned buildings; and

WHEREAS, It has since been determined that one of the buildings already has a ramp and does not need another; and that the second building is not accessible internally so installing an external ramp would be economically inefficient (the building is not currently in use).

WHEREAS, the Community Development Department recommends that the City of Texas City increase the number of Texas City residents that can be assisted under the Housing Rehabilitation/Reconstruction Program with \$100,000 of the funds. In addition, the CDD would like to allocate \$42,475 of the funds to Rehabilitation Specialist/Inspector services.

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

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby approves the adoption and submission of a Substantial Amendment to the 2020 CDBG Consolidated Plan and the 2021 CDBG Annual Action Plan to HUD, reprogramming \$142,475.15 in funds currently allocated to Public Facilities & Improvements, reallocating it to Housing Programs.

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

PASSED AND ADOPTED this 2nd day of February 2022.

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) (d)

Meeting Date: 02/02/2022

DJ-Edward Byrne Memorial Justice Assistance Grant Program

Submitted For: Joseph Stanton, Police Department

Submitted By: Rhomari Leigh, City Secretary

Department: Police Department

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 2022-010, authorizing Jess Colwell to submit and administer a grant for TCPD.

BACKGROUND

Assistant Police Chief, Jess Colwell intends to submit a grant application to the Edward Byrne Memorial Justice Assistance grant (JAG) program for communication equipment. In order to submit the grant, Chief Colwell must have permission to submit the grant application and administer the grant on behalf of the City of Texas City, Police Department.

The resolution must state the following:

Permission to submit and administer the grant:

OOG FY23

DJ-Edward Byrne Memorial Justice Assistance Grant Program

Grant Application#: 4460101

CFDA#: 16.1738

Title: Covert Communication Equipment

Requested amount: \$79,067.00

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Attachment

Resolution

RESOLUTION NO. 2022-010

A RESOLUTION AUTHORIZING ASSISTANT POLICE CHIEF JESS COLWELL TO SUBMIT AND ADMINISTER AN APPLICATION FOR A GRANT TO THE DJ-EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, The City of Texas City, Texas, finds it in the best interest of the citizens and the Police Department to apply for the DJ-Edwards Byrne Memorial Justice Assistance Grant Program; and

WHEREAS, the City of Texas City, Texas, designates Assistant Police Chief Jess Colwell to apply and administer funds for the DJ-Edwards Byrne Memorial Justice Assistance Grant Program, Grant Application No. 4460101, CFDA No. 16.1738.

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, approves designates Assistant Police Chief Jess Colwell to apply and administer funds for the DJ-Edwards Byrne Memorial Justice Assistance Grant Program, Grant Application No. 4460101, CFDA No. 16.1738.

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

PASSED AND ADOPTED this 2nd day of February 2022.

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) (e)

Meeting Date: 02/02/2022

Bid # 2022-008 Basalt Rock Annual Contract

Submitted For: Mike McKinley, Public Works

Submitted By: Mike McKinley, Public Works

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Award the annual contract for Bid # 2022-008 Basalt Rock Annual Contract

BACKGROUND

On January 06 and January 13, 2022 a "Notice to Bidders" was published in the local paper and a bid packet was emailed to Vulcan Materials. No other vendors requested a packet. The bid was opened on January 25, 2022 at 2 p.m.. The bid received met all of the requirements.

A bid tabulation is attached for your review.

ANALYSIS

It is the recommendation of the Public Works Department to award Bid # 2022-008 Basalt Rock Annual Contract to Vulcan Materials for the prices listed and authorize the Mayor to execute a contract on behalf of the City Commission.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Exhibit A
Resolution

BID TABULATION

2022-008 BASALT ROCK ANNUAL CONTRACT

Bid Opening: Tuesday, January 25, 2022 at 2:00 p.m.

<u>BIDDER</u>	<u>Basalt Rock</u>
VULCAN MATERIALS	GRADE 3 \$72.18 GRADE 4 \$72.18 GRADE 5 \$72.18

RESOLUTION NO. 2022-011

A RESOLUTION AWARING BID NO. 2022-008 AND AUTHORIZING THE MAYOR TO ENTER INTO AN ANNUAL CONTRACT FOR THE PURCHASE AND DELIVERY OF BASALT ROCK; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on January 6, 2022 and January 13, 2022, a “Request for Bidders” was advertised in the local paper for Basalt Rock annual contract, Bid No. 2022-008; and

WHEREAS, bids opened on January 25, 2022, and the only bid received meeting all specifications was submitted by Vulcan Materials of San Antonio, Texas.

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

SECTION 1: That the successful bidder for the purchase and delivery of Basalt Rock annual contract, Bid No. 2022-008, is Vulcan Materials.

SECTION 2: That the Mayor is hereby authorized to enter into an annual contract with Vulcan Materials, for the purchase and delivery of Basalt Rock annual contract, Bid No. 2022-008, for the respective unit price bid in “**Exhibit A**”, as attached hereto and incorporated herein for all intents and purposes.

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

PASSED AND ADOPTED this 2nd day of February 2022.

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

(8) (a)

Meeting Date: 02/02/2022

Consider and take action regarding Petition for Consent to Annex land into Galveston County Municipal Utility District No. 31

Submitted For: Kim Golden, Transportation and Planning

Submitted By: Veronica Carreon, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST (Brief Summary)

The owner and developer of Marlow Lake Subdivision seeks consent to the annexation of 3.312 acres into MUD 31. The property is part of Marlow Lake Section 4.

BACKGROUND

The owner and developer of Marlow Lake Subdivision seeks consent to the annexation of 3.312 acres into MUD 31. The property is part of Marlow Lake Section 4.

Marlow Lake, Sec 4 is part of a master-planned residential development that will ultimately contain 200 lots. The Planned Unit Development zoning for the overall development of Marlow Lake was approved by City Commission on Sept 7, 2016, and the Master Subdivision Plan for Marlow Lake was approved by the Planning Board on December 5, 2016. In accordance with the City's subdivision ordinance, a Master Plan shall remain valid for 12 months following approval. There has been continuous activity in Marlow Lake since approval of the Master Plan. We reviewed a fully executed copy of the Development Agreement dated September 21, 2016.

The Planning Board recently approved the Preliminary Plat for Marlow Lake Section 4 on November 1, 2021. Section 4 is a continuation of Section 1, Section 2 and Section 3 and will include 52 lots and 3 reserves. The lots here are primarily 60' in width, although some of the corner lots and cul-de-sac lots are slightly wider. The Final Plat and construction drawings were received in January 2022 and are in review.

Staff has no objection to the consent to annexation of the 3.312 acres into MUD 31.

ANALYSIS

ALTERNATIVES CONSIDERED


Fiscal Impact

Attachments

- Consent Memo to City Commission
- GC31 Letter to TC
- GC31 Petition for Consent

GC31 Certificate of Authority
GC31 Survey Map
Resolution

**City of Texas City
Engineering & Planning**

To: City Commission
From: Kim Golden, Engineering & Planning 
cc: Mayor Dedrick Johnson, City Attorney Kyle Dickson
Date: January 26, 2022
Re: Consent to annexation of 3.312 acres into MUD 31

The owner and developer of Marlow Lake Subdivision seeks consent to the annexation of 3.312 acres into MUD 31. The property is part of Marlow Lake Section 4.

Marlow Lake, Sec 4 is part of a master-planned residential development that will ultimately contain 200 lots. The Planned Unit Development zoning for the overall development of Marlow Lake was approved by City Commission on Sept 7, 2016, and the Master Subdivision Plan for Marlow Lake was approved by the Planning Board on December 5, 2016. In accordance with the City's subdivision ordinance, a Master Plan shall remain valid for 12 months following approval. There has been continuous activity in Marlow Lake since approval of the Master Plan.

We reviewed a fully executed copy of the Development Agreement dated September 21, 2016.

The Planning Board recently approved the Preliminary Plat for Marlow Lake Section 4 on November 1, 2021. Section 4 is a continuation of Section 1, Section 2 and Section 3 and will include 52 lots and 3 reserves. The lots here are primarily 60' in width, although some of the corner lots and cul-de-sac lots are slightly wider.

The Final Plat and construction drawings were received in January 2022 and are in review.

Staff has no objection to the consent to annexation of the 3.312 acres into MUD 31.

ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

PHOENIX TOWER
3200 SOUTHWEST FREEWAY
SUITE 2600
HOUSTON, TEXAS 77027
TEL (713) 860-6400
FAX (713) 860-6401
abhr.com

Direct Line: (713) 800-8061
Direct Fax: (713) 800-1516

mwomack@abhr.com

Mai Lynn Womack
Legal Assistant

January 25, 2022

VIA EMAIL: kgolden@texascitytx.gov

VIA FEDERAL EXPRESS

Ms. Kim Golden, City Engineer
City of Texas City
7800 Emmett F. Lowry Expressway
Texas City, TX 77592

Re: Galveston County Municipal Utility District No. 31 (the "District")

Dear Ms. Golden:

The District and the undernamed entity request the consent of the City Commission of the City of Texas City to the annexation of land into the District. Please arrange for this matter to be placed on the next City Commission agenda for consideration. Enclosed are the following documents related to the annexation of the below tract:

Marlow Lake Section 4

- 1) Petition for Consent to Annex 3.312 acres of land from the District and SSLT, LLC ("SSLT"), together with the Certificate of Authority for SSLT; and
- 2) Survey Map of the land to be annexed.

If you should have any questions, please don't hesitate to contact me at the number above or the attorney for the District, Greer Pagan, at (713) 860-6417.

Thank you for your attention in this matter.

Very truly yours,



Mai Lynn Womack
Legal Assistant

January 25, 2022
Page 2

Enclosures

cc/ via email: Ms. Rhomari Leigh, City of Texas City
Mr. Kyle Dickson, City of Texas City
Mr. Greer Pagan (Firm)
Ms. Hope Jeffers (Firm)

PETITION FOR CONSENT TO ANNEX LAND INTO
GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 31

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF TEXAS CITY,
TEXAS:

The undersigned, GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 31 (the "District"), and SSLT, LLC, a Texas limited liability company (the "Petitioner"), acting pursuant to the provisions of Chapter 49, Texas Water Code, particularly Section 49.301 of that Code, together with all amendments and additions thereto, respectfully petition the City Council of the CITY OF TEXAS CITY, TEXAS (the "City"), for its written consent to the annexation by the District of the 3.312-acre tract of land described by metes and bounds in Exhibit A (the "Land"), which is attached hereto and incorporated herein for all purposes. In support of this petition, the undersigned would show the following:

I.

The District is a municipal utility district duly created under the laws of the State of Texas on October 4, 2001. The District was created and organized under the terms and provisions of Article XVI, Section 59, of the Constitution of Texas, and is governed by the provisions of Chapters 49 and 54, Texas Water Code.

II.

The Petitioner holds fee simple title to the Land, as indicated by the certificate of ownership provided by the Galveston Central Appraisal District.

III.

The Petitioner represents that there are no lienholders on the Land.

IV.

The Land is situated wholly within Galveston County, Texas. All of the Land is within the limits of the City. All of the Land may properly be annexed into the District.

V.

The general nature of the work to be done within the Land is the construction, acquisition, maintenance and operation of a waterworks and sanitary sewer system, a drainage and storm sewer system and parks and recreational facilities.

VI.

There is, for the following reasons, a necessity for the above-described work. The Land, which will be developed for commercial and/or residential purposes, is urban in nature, is within the growing environs of the City, is in close proximity to populous and developed sections of Galveston County, and within the immediate future will experience a substantial and sustained residential and commercial growth. There is not now available within the Land an adequate waterworks and sanitary sewer system nor an adequate drainage system, nor parks or recreational facilities, and it is not presently economically feasible for the Land to provide for such systems and facilities itself. Because the health and welfare of the present and future inhabitants of the Land and of lands adjacent thereto require the construction, acquisition, maintenance and operation of an adequate waterworks and sanitary sewer system and a drainage and storm sewer system and parks and recreational facilities, a public necessity exists for the annexation of the Land into the District, to provide for the purchase, construction, extension, improvement, maintenance and operation of such waterworks and sanitary sewer system, and such drainage and storm sewer system and such parks and recreational facilities, so as to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VII.

The undersigned estimate, from such information as they have at this time, that the cost of extending the District's facilities to serve the Land is \$145,000.

VIII.

The Petitioner and the District agree and hereby covenant that if the requested consent to the annexation of the Land to the District is given, the Petitioner and the District will adopt and abide by the conditions set forth in Exhibit B, attached hereto and incorporated herein for all purposes.

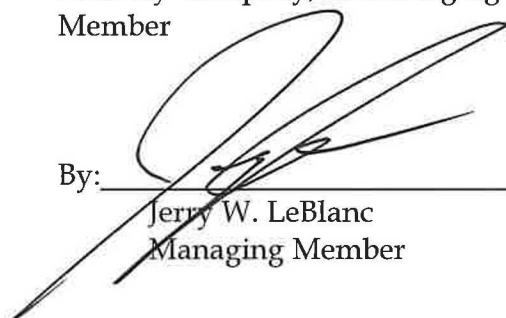
WHEREFORE, the undersigned respectfully pray that this petition be heard and granted in all respects and that the City give its written consent to the annexation of the Land into the District.

[EXECUTION PAGES FOLLOW]

SSLT, LLC, a Texas limited liability company

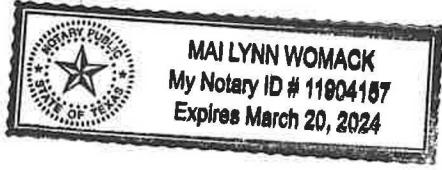
By: Lone Trail Village Development LLC, a Texas limited liability company, its Manager

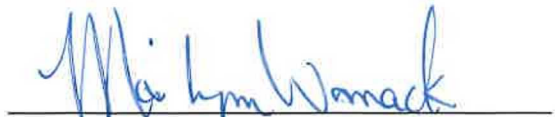
By: Binnacle Development, LLC, a Texas limited liability company, formerly Binnacle Development and Construction Limited Liability Company, its Managing Member

By: 
Jerry W. LeBlanc
Managing Member

THE STATE OF TEXAS §
COUNTY OF HARRIS §
§

This instrument was acknowledged before me on January 24, 2022, by Jerry W. LeBlanc, Managing Member of Binnacle Development, LLC, a Texas limited liability company, Managing Member of Lone Trail Village Development LLC, a Texas limited liability company, Manager of SSLT, LLC, a Texas limited liability company, on behalf of said limited liability companies.




Notary Public, State of Texas

(NOTARY SEAL)

Attachments:
Exhibit A: Description of the Land
Exhibit B: Conditions of the City



LEAGUE CITY OFFICE
Registration Number: 10194549
(281) 554-7739 www.hightidelandsurveying.com
200 HOUSTON AVE, SUITE B | LEAGUE CITY, TX 77573
Mailing | P.O. BOX 16142 | GALVESTON, TX 77552

EXHIBIT "A"

Survey of a 3.312 acre tract of land out of the W. K. Wilson Survey, Abstract No. 208, situated in Galveston County, Texas, said tract being a part of that certain 71.660 acre tract of land conveyed to SSLT, LLC. in deed recorded under Instrument No. 2019049455 in the Office of the County Clerk of Galveston County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at the Southeast corner of said 71.660 acre tract, said point lying in the Northeasterly line of a 100 foot right-of-way granted to Galveston - Houston Electric Railway Company in deed recorded in Volume 241, Page 76 in the Office of the County Clerk of Galveston County, Texas;

Thence North 42°30'05" West along the Northeasterly line of said 100 foot right-of-way, same being the Southwesterly line of said 71.660 acre tract, a distance of 630.67 feet to a point for corner;

Thence over and across said 71.660 acre tract the following courses and distances:

North 47°29'55" East, a distance of 38.82 feet to a point for corner;

North 56°55'41" East, a distance of 111.52 feet to a point for corner;

North 61°15'56" East, a distance of 48.76 feet to a point for corner;

North 64°08'35" East, a distance of 149.57 feet to a point for corner;

South 48°02'47" East, a distance of 40.78 feet to a point for corner;

North 41°57'13" East, a distance of 109.44 feet to a point for corner, said point lying in the Easterly line of said 71.660 acre tract, same being the Westerly line of a 63.7443 acre tract of land conveyed to SSLT, LLC. in deed recorded under Instrument No. 2017011172 in the Office of the County Clerk of Galveston County, Texas;

Thence South 01°54'36" East along the Westerly line of said 63.7443 acre tract, same being the Easterly line of said 71.660 acre tract, a distance of 695.24 feet to the Point of Beginning of the herein described tract, and containing a calculated area of 3.312 acres (144,253 square feet) of land, more or less.

Stephen C. Blaskey
Registered Professional
Land Surveyor No. 5856



SURVEY DATE:	JULY 31, 2020
FILE No.:	0180-0049-0002-000
DRAFTING:	JTK
JOB No.:	20-0381

NOTE:
The Bearings and Distances shown are based on the Texas State Coordinate System of 1983, South Central Zone, and are referenced to N.G.S. Monument "Moses" (AW1623). All units are expressed in U.S. Survey Feet.

Exhibit B

(a) Bonds will be issued by the District only for the purpose of purchasing and constructing, or purchasing or constructing under contract with The City of Texas City, Texas, or otherwise acquiring waterworks systems, sanitary sewer systems, storm sewer systems, drainage facilities, fire-fighting facilities, parks and recreational facilities, and street, road and bridge facilities or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way easements, sites, equipment, buildings, plants, structures, and facilities therefor, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. Such bonds will expressly provide that the District reserves the right to redeem the bonds on any interest-payment date subsequent to the fifteenth (15th) anniversary of the date of issuance without premium and will be sold only after the taking of public bids therefor, and none of such bonds, other than refunding bonds, will be sold for less than 95% of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent (2%) above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date notice of the sale of such bonds is given, and that bids for the bonds will be received not more than forty-five (45) days after notice of sale of the bonds is given. The resolution authorizing the issuance of the District's bonds will contain a provision that any pledge of the revenues from the operation of the District's water and sewer and/or drainage system to the payment of the District's bonds will terminate when and if the City of Texas City, Texas, dissolves the District, takes over the assets of the District and assumes all of the obligations of the District. No land will be added or annexed to the District until The City of Texas City, Texas, has given its written consent by resolution of the City Commission to such addition or annexation.

(b) Any refunding bonds of the District must provide for a minimum of three percent present value savings and no maturity of the refunding bonds may extend beyond the latest maturity of the refunded bonds, unless approved by the City in writing prior to the sale thereof.

(c) Before the commencement of any construction within the District, the District, its directors, officers, or the developers and landowners will submit to the Director of Public Works and the City Engineer of The City of Texas City, Texas, or to his/her designated representative, all plans and specifications for the construction of water, sanitary sewer, and drainage facilities and street, road and bridge facilities to serve the District and obtain the approval of such plans and specifications. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the District, will conform exactly to the specifications of The City of Texas City, Texas. All water service lines and sewer service lines, lift stations, sewage treatment facilities, and appurtenances thereto, installed or used within the District will

comply with The City of Texas City, Texas' standard plans and specifications. Prior to the construction of such facilities within the District, the District or its engineer will give written notice by registered or certified mail to the Director of Public Works and the City Engineer, stating the date that such construction will be commenced. The construction of the District's water, sanitary sewer, and drainage facilities and street, road, and bridge facilities will be in accordance with the approved plans and specifications, and with applicable standards and specifications of The City of Texas City, Texas; and during the progress of the construction and installation of such facilities, the District Engineer of record shall periodically monitor and observe the construction of facilities and submit to the City a certification that all facilities have been installed to City and State plans and specifications. Additionally, the District shall provide funds to pay the City's cost of contracting with an inspector to provide full time monitoring and inspection of the construction of facilities. The Director of Public Works and the City Engineer of the City of Texas City, Texas, or his/her designated representative, may make periodic on-the-ground inspections.

CERTIFICATE

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

I, the undersigned Secretary of the Board of Directors of Galveston County Municipal Utility District No. 31, do hereby certify that the attached and foregoing is a true and correct copy of the Petition for Consent to Annex Land Into Galveston County Municipal Utility District No. 31 that was filed with the Board of Directors of the District on January 24, 2022.

WITNESS MY HAND AND SEAL OF SAID DISTRICT on January 24, 2022.

**GALVESTON COUNTY MUNICIPAL
UTILITY DISTRICT NO. 31**

By: Linda Redden
Secretary, Board of Directors

(SEAL)



CERTIFICATE OF AUTHORITY

I, Jerry W. LeBlanc, hereby certify that:

1. I am the sole Managing Member of Binnacle Development, LLC, a Texas limited liability company, formerly known as Binnacle Development and Construction Limited Liability Company, a Texas limited liability company ("Binnacle").
2. Binnacle is the Managing Member of Lone Trail Development LLC, a Texas limited liability company ("Lone Trail");
3. Lone Trail is the Manager of SSLT, LLC, a Texas limited liability company ("SSLT");
4. In such capacity, I am authorized to execute any and all documents in connection with the annexation of land into GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 31 (the "District"), including, specifically, but not limited to, the Petition for Consent to Annex Land into the District, and the Petition for Addition of Certain Land into the District, and any certificates needed by the City of Texas City, Texas, the Texas Commission on Environmental Quality and the Attorney General of Texas (the "Annexation Documents"); and
5. Such execution of the Annexation Documents is duly authorized in accordance with the limited liability company agreements of Binnacle, Lone Trail and SSLT.

WITNESS MY HAND this 24th day of January, 2022.

**BINNACLE DEVELOPMENT, LLC, a Texas
limited liability company**

By: _____

Jerry W. LeBlanc
Managing Member

NOTES:

- 1) This property lies entirely within Shaded Zone X, defined as an area having a 0.2% annual chance of flooding, according to FIRM No. 48167C0245G published August 15, 2019, as established by the Federal Emergency Management Agency.
- 2) This property is subject to any restrictions of record as established by the City, Plat, or Subdivision Covenants and Restrictions; may also be subject to easements and setbacks for utility services and power lines as individually recorded or established by OSHA (call your power company).
- 3) The Bearings and Distances shown are based on the Texas State Coordinate System of 1983, South Central Zone, and are referenced to N.G.S. Monument "Moses" (AW1623). All units are expressed in U.S. Survey Feet.
- 4) Surveyed without benefit of a Title Report.

W.K. WILSON SURVEY
ABST. No. 208

J. SELLERS
SURVEY
ABST. No. 180

Poarch/ Swinbank, LLC.
53.734 Acre Tract
(2015019987 GCDR)

SSLT, LLC.
71.660 Acre Tract
(2019049455 GCDR)

SSLT, LLC.
Pt. 63.7443 Ac.
(2017011172 GCDR)

Binnacle Texas City Ninety, LLC
89.75 Acre Tract
(2018063741 GCDR)

SSLT, LLC.
Pt. 63.7443 Ac.
(2017011172 GCDR)



SCALE: 1" = 100'

LINE	BEARING	DISTANCE
L1	N 47°29'55" E	38.82'
L2	N 56°55'41" E	111.52'
L3	N 61°15'56" E	48.76'
L4	N 64°08'35" E	149.57'
L5	S 48°02'47" E	40.78'
L6	N 41°57'13" E	109.44'

Survey of a 3.312 acre tract of land out of the W. K. Wilson Survey, Abstract No. 208, situated in Galveston County, Texas, said tract being a part of that certain 71.660 acre tract of land conveyed to SSLT, LLC. in deed recorded under Instrument No. 2019049455 in the Office of the County Clerk of Galveston County, Texas, and being more particularly described by metes and bounds on attached Exhibit "A".

I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.

Stephen C. Blaskey

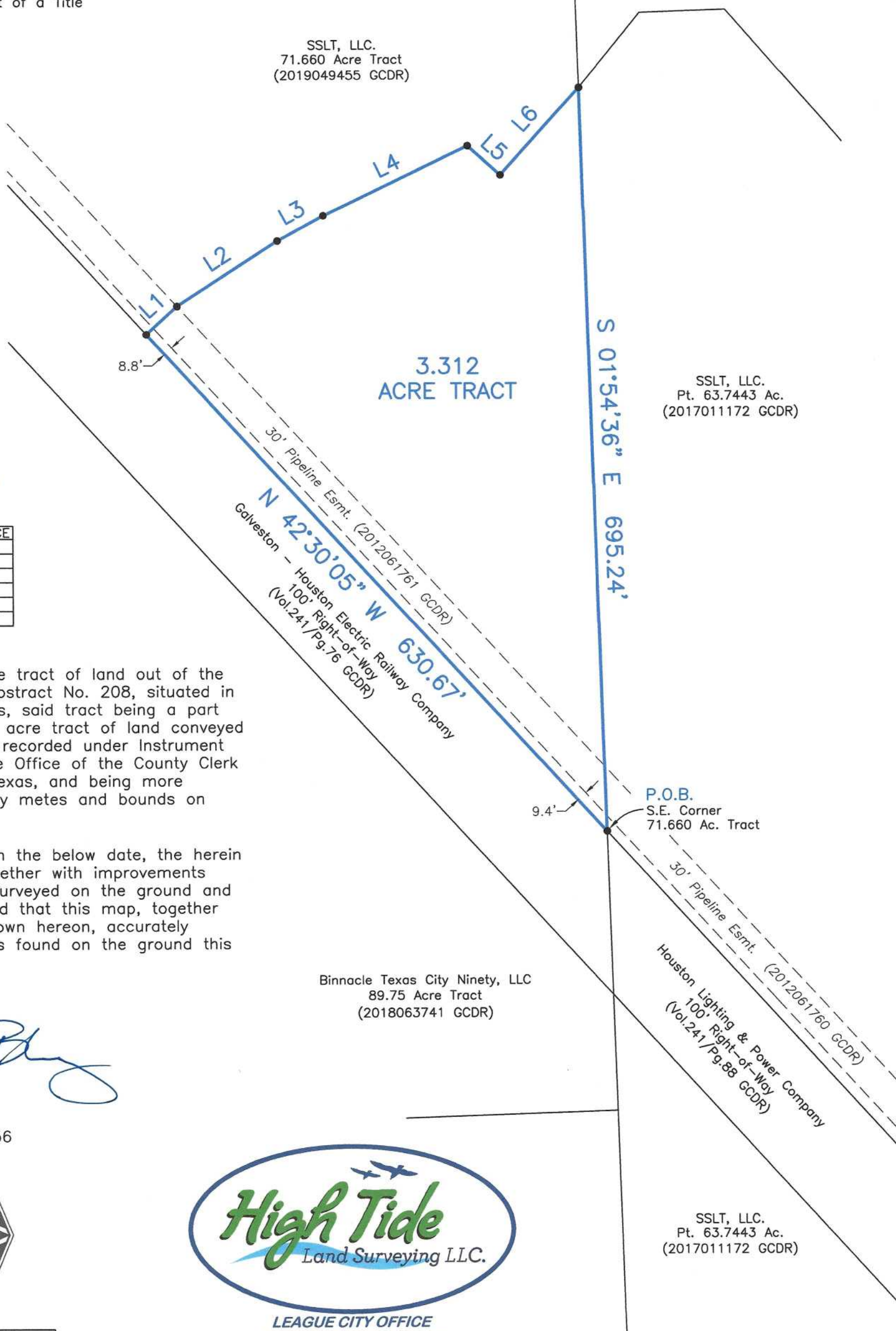
Stephen C. Blaskey
Registered Professional
Land Surveyor No. 5856



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SURVEY DATE:	JULY 31, 2020
FILE No.:	0180-0049-0002-000
DRAFTING:	JTK
JOB No.:	20-0381



RESOLUTION NO. 2022-012

A RESOLUTION APPROVING THE ANNEXATION OF APPROXIMATELY 3.312 ACRES OF LAND INTO MUNICIPAL UTILITY DISTRICT NO. 31; IMPOSING CERTAIN CONDITIONS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, Galveston County Municipal Utility District No. 31 and SSLT, LLC, respectfully petition the City of Texas City, Texas, for the consent to addition of land to MUD No. 31.

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, approves the annexation of approximately 3.312-acre tract, into Galveston County Municipal Utility District No.31, as more fully described in the "Petition for Consent to Annex Land Into A Municipal Utility District" attached and incorporated herein for all purposes.

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

PASSED AND ADOPTED this 2nd day of February 2022.

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