# CITY OF TEXAS CITY REGULAR CALLED CITY COMMISSION MEETING

# **AGENDA**

WEDNESDAY, NOVEMBER 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)	Proclaiming November 7-11, 2022 as Municipal Court Week.
	(b)	Recognize Evelyn Baecker and Marsha Worley for achieving their Level I Court Clerk Certification.
(5)		REPORTS
	(a)	Financial Quarterly Report
(6)		PUBLIC COMMENTS
(7)		CONSENT AGENDA
	(a)	Approve City Commission Minutes for October 19, 2022 meeting. (City Secretary)

- (b) Consider and take action on Resolution No. 2022-111, authorizing the purchase of one
   (1) LIFEPAK 15 Monitor/Defibrillator and one (1) LUCAS Chest Compression System from Stryker Medical in the amount of \$53,989.11. (Fire Department)
- (c) Consider and take action on Resolution No. 2022-112, approving of a one-year extension to November 3, 2023, of the preliminary rezoning previously granted to Broad Reach Power- 505 34th St. North, to rezone from District "A" (Single Family Residential) to District "F" (Light Industrial). (Transportation and Planning)
- (d) Consider and take action on Resolution No. 2022-113, approving the purchase of a Doosan DL320-7 wheeled loader for the Sanitation Department. (Public Works)
- (e) Consider and take action on Resolution No. 2022-114, approving the purchase of eCivis software for the management of City grants. (Mayor's Office)
- (f) Consider and take action on Resolution No. 2022-115, approving and awarding Commission Grant funds in the amount of \$1,500.00 to assist Communities in Schools Galveston County. (Mayor Dedrick D. Johnson)
- (g) Consider and take action on Resolution No. 2022-116, appointing Larry Edrozo to the Texas City Economic Development Board of Directors. (Management Services)

# (8) REGULAR ITEMS

- (a) Consider and take action on Ordinance No. 2022-28, adopting an amendment to the Zoning Ordinance to add two alternate members to the Planning Board and to provide that alternate members will sit and serve when a member is absent. (Transportation and Planning)
- (b) Consider and take action on Resolution No. 2022-117, adopting Redistricting Plan A for City Commission Districts. (Management Services)
- (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 OCTOBER 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

(4) (b)

Meeting Date: 11/02/2022

Municipal Court Clerk Certification Presentation **Submitted For:** Tammy Odom, Municipal Court **Submitted By:** Tammy Odom, Municipal Court

**Department:** Municipal Court

# Information

# **ACTION REQUEST**

Recognize Evelyn Baecker and Marsha Worley for achieving their Level I Court Clerk Certification.

# **BACKGROUND** (Brief Summary)

Recognize Evelyn Baecker and Marsha Worley for achieving their Level I Court Clerk Certification.

# **RECOMMENDATION**

Recognize Evelyn Baecker and Marsha Worley for achieving their Level I Court Clerk Certification.

# **Fiscal Impact**

# **Attachments**

**CERTIFICATION** 

# TEXAS CITY MUNICIPAL COURT CLERKS CERTIFIED

Court Clerks Evelyn Baecker and Marsha Worley of the Texas City Municipal Court of Record have completed all of the requirements for Level I of the Municipal Court Clerk Certificiation Program and were awarded certification by the Texas Court Clerks Association in conjunction with the Texas Municipal Courts Education Center, the Texas Municipal Courts Association, and Texas State University San Marcos. Evelyn and Marsha have served in the court since 2020 and 2021 respectively.

To qualify for Level I Certification, clerks must complete 40-hours of continuing education and pass a three part, four-hour exam. Areas covered by the examination include an overview of the courts, ethics, authoritity and duties, procedures before trial, trial processes, post-trial procedures, state and city reports, traffic law, communications and stress management, and juneniles.

These clerks now join only 647 clerks state-wide to have achieved this certification in the 25 years of the programs existance.

Please join me in congratulating Evelyn and Marsha on their outstanding accomplishment.

**Meeting Date:** 11/02/2022

Submitted By: Rhomari Leigh, City Secretary

**Department:** City Secretary

# Information

# **ACTION REQUEST**

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

# **BACKGROUND** (Brief Summary)

**RECOMMENDATION** 

# **Fiscal Impact**

# **Attachments**

Minutes

(7) (a)

### REGULAR CALLED CITY COMMISSION MEETING

# MINUTES

# WEDNESDAY, OCTOBER 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, OCTOBER 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.

### 1. ROLL CALL

Present: Dedrick D. Johnson, Mayor

Abel Garza, Jr., Commissioner At-Large DeAndre' Knoxson, Commissioner District 1 Felix Herrera, Commissioner District 2 Jami Clark, Commissioner District 4

Absent: Thelma Bowie, Commissioner At-Large, Mayor Pro Tem

Dorthea Jones Pointer, Commissioner District 3

# 2. INVOCATION

Led by Rev. Matthew Brackman of Peace Lutheran Church.

# 3. PLEDGE OF ALLEGIANCE

Led by Commissioner District 1 DeAndre Knoxson.

# 4. PROCLAMATIONS AND PRESENTATIONS

a.

Service Award

Susan Sensat Administration 10/01/2007 15 years

b. Captain Dennis Harris promoted to Assistant Fire Chief Firefighter Brent Black promoted to Engineer

David Zacherl, Fire Chief, promoted Captain Dennis Harris to Assistant Fire Chief and Firefighter Brent Black to Engineer.

# 5. PUBLIC HEARING

a. Public Hearing on the redistricting of the City of Texas City's Commissioner Districts.

Jon Branson, Executive Director of Management Services, presented information on the proposed Redistricting Plan A provided by Bickerstaff Heath Delgado Acosta LLP.

# 6. PUBLIC COMMENTS

Barbra White, resident, invited the Commission to volunteer at the Community Thanksgiving Feast on Thanksgiving Day from 11:00 am - 1:00 pm.

# 7. CONSENT AGENDA

Motioned by Commissioner At-Large Abel Garza, Jr., seconded by Commissioner District 4 Jami Clark, to approve Consent Agenda items a, b, c, d, e, f, g, h, I, j, and k.

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

Vote: 5 - 0 CARRIED

Consider and take action on Resolution No. 2022-100, authorizing the purchase of one (1)
 Type I Medic Unit through the H-GAC Buy Program from Frazer/Sterling McCall in the amount
 of \$232,122.00 to replace a 1993 International/E-One EMS transport capable Rescue Unit.
 (Fire Department)

Vote: 5 - 0 CARRIED

 c.
 Consider and take action on Resolution No. 2022-101, approving a five (5) year agreement with Priority Dispatch to provide software and training to the Texas City Dispatch Center. (Fire Department)

Vote: 5 - 0 CARRIED

 d.
 Consider and take action on Resolution No. 2022-102, approving the purchase of a new ancillary vehicle to be assigned to and used at Fire Station N. 4. (Fire Department)

Vote: 5 - 0 CARRIED

e.

Consider and take action on Resolution No. 2022-103, approving the purchase of 477 Visa gift cards in the amount of \$50.00 each to be given to the City Employees (full-time and part-time), as an incentive for continued outstanding customer service and performance. (Human Resources)

Vote: 5 - 0 CARRIED

 f.
 Consider and take action on Resolution No. 2022-104, approving the purchase of a Schwarze Model A7 Tornado Regenerative Air Street Sweeper. (Public Works) Vote: 5 - 0 CARRIED

g.

Consider and take action on Resolution No. 2022-105, approving the purchase of four (4) different pieces of equipment from R. B. Everett & Co. (Public Works)

Vote: 5 - 0 CARRIED

h.

Consider and take action on Resolution No. 2022-106, approving a five (5) year contract with SirsiDynix for the Integrated Library System with an upgrade of the public-facing catalog. (Library)

Vote: 5 - 0 CARRIED

i.

Consider and take action on Resolution No. 2022-108, approving and awarding Commission Grant funds in the amount of \$5,000.00 to assist the Texas City FFA. (Commissioner Felix Herrera)

Vote: 5 - 0 CARRIED

j.

Consider and take action on Resolution No. 2022-109, approving and awarding Commission Grant funds in the amount of \$3,000.00 to assist the Texas City Citizens Police Academy Alumni Association (TCCPAAA). (Commissioner Abel Garza, Jr.)

Vote: 5 - 0 CARRIED

k.

Consider and take action on Resolution No. 2022-110, approving the purchase of HPE Compute, Storage, and Networking components from CDW-G. (Information Technology)

Vote: 5 - 0 CARRIED

8. REGULAR ITEMS

a.

Consider and take action on Resolution No. 2022-107, approving the purchase of thirteen (13) vehicles for the Police Department fleet. (Police Department)

Motion by Commissioner District 2 Felix Herrera, Seconded by Commissioner District 1 DeAndre' Knoxson

Vote: 5 - 0 CARRIED

b.	Consider and take action on Ordinance No. 2022-26 amending the City's fiscal year 2022-2023 budget to appropriate additional funds for purchase of Police Department vehicles. (Finance)
	Motion by Commissioner District 2 Felix Herrera, Seconded by Commissioner District 1 DeAndre' Knoxson
	Vote: 5 - 0 CARRIED
C.	Consider and take action on Ordinance No. 2022-27, approval of a request to amend the fiscal year 2022-2023 budget to appropriate part of the Grants Administrator's salary and benefits to the General Fund. (Finance)
	Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner At-Large Abel Garza, Jr.
	Vote: 5 - 0 CARRIED
9.	ADJOURNMENT
p.m.; th	no further business, Commissioner District 4 Jami Clark made a MOTION to ADJOURN at 5:29 ne motion was SECONDED by Commissioner District 1 DeAndre Knoxson. All present voted AYE. IN CARRIED.
	DEDRICK D. JOHNSON, MAYOR
ATTES	T:

Rhomari Leigh, City Secretary Date Approved:

(7) (b)

Meeting Date: 11/02/2022

LIFEPAK 15 and LUCAS purchase

**Submitted For:** David Zacherl, Fire Department **Submitted By:** David Zacherl, Fire Department

**Department:** Fire Department

### Information

# **ACTION REQUEST**

Authorize the purchase of One (1) LIFEPAK 15 Monitor/Defibrillator and One (1) LUCAS Chest Compression System from Stryker Medical in the amount of \$53,989.11.

# **BACKGROUND** (Brief Summary)

All current Texas City medic units are equipped with these advanced life-saving devices. Stryker Medical is the sole source provider for LIFEPAK 15 Monitor/Defibrillators and LUCAS Chest Compression Systems in the U.S. and Canada. LIFEPAK 15's are used to monitor heart rhythm, deliver cardiac shock to restore heart rhythm, monitor vital signs, and send cardiac information to the hospital for pre-arrival decision-making. LUCAS chest compression system provide steady, paced heart rhythms without interruption and enable the paramedic(s) to perform other activities associated with cardiac arrest without interruption of CPR.

### RECOMMENDATION

The Fire Chief and EMS Director recommend purchase at this time.

# **Fiscal Impact**

Funds Available Y/N: Yes

Amount Requested: \$53,989.11

Source of Funds: Capital Equipment Replacement Fund

Account #: 602-202-55020

**Fiscal Impact:** 

This proposed medical equipment purchase is funded in the Fy22/23 Annual Budget.

### **Attachments**

Resolution Exhibit A

### **RESOLUTION NO. 23-**

A RESOLUTION APPROVING THE PURCHASE OF ONE (1) LIFEPAK 15 MONITOR/DEFIBRILLATOR AND ONE (1) LUCAS CHEST COMPRESSION SYSTEM, FOR THE FIRE DEPARTMENT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

**WHEREAS,** the Fire Department desires to purchase One (1) LIFEPAK 15 Monitor/Defibrillator and One (1) LUCAS Chest Compression System from Stryker Medical in the amount of \$53,989.11; and

WHEREAS, funds have been made available for this purchase in the FY 22/23 Annual Budget; and

WHEREAS, this purchase is intended for use by the Fire Department in life saving emergencies.

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

**SECTION 1:** That the City Commission on the City of Texas City, Texas, hereby approves the purchase of One (1) LIFEPAK 15 Monitor/Defibrillator and One (1) LUCAS Chest Compression System from Stryker Medical in the amount of \$53, 989.11 in substantially the same form as attached hereto as Exhibit "A".

**SECTION 2:** That this equipment is to be utilized by the Fire Department.

**SECTION 3:** That this resolution shall be in full force and effective from and after its passage and adoption.

PASSED AND ADOPTED this 2nd day of November, 2022.

	Dedrick D. Johnson, Sr., Mayor City of Texas City, Texas
ATTEST:	APPROVED AS TO FORM:
Rhomari Leigh	Kyle L. Dickson
City Secretary	City Attorney

# stryker

# Lifepak 15 and LUCAS

Quote Number: 10593383

Prepared For:

TEXAS CITY FIRE DEPT

Remit to:

Stryker Medical

P.O. Box 93308

Version:

Attn:

Chicago, IL 60673-3308

Rep:

Tim Garza

Email:

tlm.garza@stryker.com

Phone Number:

Quote Date:

10/12/2022

Expiration Date: 01/10/2023

Delivery Address		End User -	End User - Shipping - Billing		Bill To Account		
Name:	TEXAS CITY FIRE DEPT	Name:	TEXAS CITY FIRE DEPT	Name:	TEXAS CITY FIRE DEPT		
Account #:	1509736	Account #:	1509736	Account #:	1509736		
Address:	1725 25TH ST N RM 1	Address:	1725 25TH ST N RM 1	Address:	1725 25TH ST N RM 1		
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# **Equipment Products:**

#	Product	Description	Qty S	ell Price	Total
1.0	99577-001958	LIFEPAK 15 V4 Monitor/Defib - Manual & AED, Trending, Noninvasive Pacing, SpO2, SpCO, NIBP, 12-Lead ECG, EtCO2, Temp, BT. Incl at N/C: 2 pr QC Electrodes (11996-000091) & 1 Test Load (21330-001365) per device, 1 Svc Manual CD (26500-003612) per order	1	\$35,966.28	\$35,966.28
2.0	41577-000290	Ship Kit -QUIK-COMBO Therapy Cable; 2 rolls100mm Paper; RC-4, Patient Cable, 4ft.; NIBP Hose, Coiled; NIBP Cuff, Reusable, adult; 12-Lead ECG Cable, 4-Wire Limb Leads, 5ft; 12-Lead ECG Cable, 6-Wire Precordial attachment; Temperature Adapter Cable, 5ft	7	\$0.00	\$0.00
3.0	11577-000004	Station Battery Charger - For the LP15	1	\$1,943.10	\$1,943.10
4.0	21330-001176	LP 15 Lithium-ion Battery 5.7 amp hrs	4	\$490.45	\$1,961.80
5,0	11996-000323	Masimo RED LNC?? Patient Cable, 4 FT. For use with LNCS Patient Sensors.	1	\$204.00	\$204.00
6.0	11171-000017	Masimo LNCS DCI, Adult SpO2 only Reusable Sensor. For use with LNC Patient Cable.	1	\$322.15	\$322.15
7.0	11171-000032	Masimo Rainbow DCI-DC8, Adult Reusable Direct Connect SpO2, SpCO, SpMet Sensor, 8 FT	1	\$1,006.40	\$1,006.40
8.0	21300-008159	LIFEPAK 15 NIBP Straight Hose, 6'	1	\$72.25	\$72.25
9.0	11160-000011	NIBP Cuff-Reusable, Infant	1	\$22.95	\$22.95
10.0	11160-000013	NIBP Cuff-Reusable, Child	1	\$26.35	\$26.35
11.0	11160-000015	NIBP Cuff-Reusable, Adult	1	\$31.45	\$31.45
12.0	11160-000017	NIBP Cuff -Reusable, Large Adult	1	\$36.55	\$36.55

# stryker

# Lifepak 15 and LUCAS

Quote Number:

10593383

Remit to:

Stryker Medical

P.O. Box 93308

Version:

Chicago, IL 60673-3308

Prepared For:

TEXAS CITY FIRE DEPT

Rep:

Tim Garza

Attn:

Email:

tim.garza@stryker.com

Phone Number:

Quote Date:

10/12/2022 Expiration Date: 01/10/2023

#	Product	Description	Qty S	ell Price To	id a la l
13.0	11577-000002	LIFEPAK 15 Basic carry case w/right & left pouches; shoulder strap (11577-000001) included at no additional charge when case ordered with a LIFEPAK 15 device	1	\$334.05	\$334.05
14.0	11220-000028	LIFEPAK 15 Carry case top pouch	1	\$60,35	\$60.35
15.0	11260-000039	LIFEPAK 15 Carry case back pouch	1	\$85.85	\$85.85
16.0	11996-000474	4G Modem: Verizon Cellular (for use on customer data plan; purchased separately)	1	\$1,194.25	\$1,194.25
17.0	99576-000063	LUCAS 3, v3.1 Chest Compression System, Includes Hard Shell Case, Slim Back Plate, (2) Patient Straps, (1) Stabilization Strap, (2) Suction Cups, (1) Rechargeable Battery and Instructions for use With Each Device	1	\$15,860.88	\$15,860.88
18.0	11576-000060	LUCAS Desk-Top Battery Charger	1	\$1,224.00	\$1,224.00
19.0	11576-000071	LUCAS External Power Supply	1	. \$387.60	\$387.60
20.0	11576-000080	LUCAS 3 Battery - Dark Grey - Rechargeable LiPo	1	\$748.85	\$748.85
#140 001 0000000000000000000000000000000	TOTAL CONTRACTOR AND		Equipmer	nt Total:	\$61,489.11

# **Trade In Credit:**

Product	Description	Qty (	redit Ea. Tot	ăl Credit
TR-LP12B-LP15	TRADE-IN-STRYKER LIFEPAK 12B TOWARDS PURCHASE OF LIFEPAK 15	1	~\$5,000.00	-\$5,000.00
TR-SPCOT-LUC3	TRADE-IN-STRYKER POWER COT TOWARDS PURCHASE OF LUCAS 3.1	1	-\$2,500.00	-\$2,500.00

# **Price Totals:**

Estimated Sales Tax (0.000%):	\$0.00		
Freight/Shipping:	\$634.84		
Grand Total:	\$5 <b>3,98</b> 9.1 <b>1</b>		

Prices: In effect for 30 days

Terms: Net 30 Days

# stryker

# Lifepak 15 and LUCAS

Quote Number: 10593383

Remit to:

Stryker Medical

P.O. Box 93308

Version:

Prepared For:

Chicago, IL 60673-3308

Attn:

Ren:

Tim Garza

Email:

tim.garza@stryker.com

Phone Number:

Quote Date:

10/12/2022

TEXAS CITY FIRE DEPT

Expiration Date: 01/10/2023

Contact your local Sales Representative for more information about our flexible payment options.



#### April 2022

Stryker is the sole-source provider in the Hospital (hospitals and hospital-owned facilities), Emergency Response Services and Emergency Response Training (paramedics, professional and volunteer fire) markets in the U.S. and Canada for the following products:

- New LIFEPAK® 15 monitor/defibrillators
- New LIFEPAK 20e defibrillator/monitors
- New LIFEPAK CR2 automated external defibrillators
- New LIFEPAK 1000 automated external defibrillators
- New LUCAS® chest compression system
- CODE-STAT™ data review software and service

Stryker is the sole-source provider in all markets for the following products and services:

- RELI™ (Refurbished Equipment from the Lifesaving Innovators) devices
- LIFENET® system and related software
- ACLS (non-clinical) LIFEPAK defibrillator/monitors
- LIFELINKcentral™ Government Campus Solution
- · MultiTech 4G and Titan III gateways
- · Factory-authorized inspection and repair services which include repair parts, upgrades, inspections and repairs

Stryker does not authorize any third parties to sell these products or services in the markets listed above. We will not fulfill orders placed by non-authorized businesses seeking to resell our products or services. If you have questions, please feel free to contact your local Stryker customer service representative at 800.442.1142.

Sincerely,

Matt Van Der Wende, Vice President, Americas Sales

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Stryker or its affiliated entities own, use, or have applied for the following trademarks or services marks: LIFELINKcentral, LIFEPAK, LUCAS, CODE-STAT, RELI, LIFENET, Stryker. All other trademarks are trademarks of their respective owners or holders. The absence of a product, feature, or service name, or logo from this list does not constitute a waiver of Stryker's trademark or other intellectual property rights concerning that name or logo.

(7)(c)

**Meeting Date:** 11/02/2022

1 year extension of the preliminary rezoning previously granted to Broad Reach Power

**Submitted For:** Veronica Carreon, Transportation and Planning **Submitted By:** Veronica Carreon, Transportation and Planning

**Department:** Transportation and Planning

### Information

# **ACTION REQUEST**

Consider approval of a one-year extension to November 3, 2023 of the preliminary rezoning previously granted to Broad Reach Power to rezone from District "A" (Single Family Residential) to District "F" (Light Industrial). Located at the southwest corner of 6th Avenue North and 34th Street North, 505 34th St. North

# **BACKGROUND (Brief Summary)**

Texas City ordinances require preliminary zoning approval to be made permanent by applying for a building permit within twelve months from the date of approval. The Applicant has not yet applied for a building permit due to supply chain issues and extended lead times of up to 52 weeks relating to the large pieces of equipment required for the project. The project design is approximately 32% complete. The current project milestone schedule shows construction expected to commence in September 2023.

### RECOMMENDATION

The Planning Board considered the request at its regular meeting on October 17, 2022 and voted without opposition to recommend approval of the extension of time as requested. Upon review, staff recommends approval of the extension of time the preliminary zoning request for twelve additional months until November 3, 2023.

# **Fiscal Impact**

# **Attachments**

Staff Report
BRP Request for Extension
BRP Site Plan
BRP Aerial Image
Resolution

# Engineering & Planning

# Memo

To: Planning Board – Regular meeting on October 17, 2022

From: Kim Golden, P.E., City Engineer

Date: October 13, 2022

Re: F, LIGHT INDUSTRIAL, Zoning (500 block 34th Street N)

**Background**: On November 3, 2021 the City Commission gave preliminary zoning approval to the request by Broad Reach Power to rezone from District "A" Single Family to District "F" Light Industrial approximately 3.0 acres at the southwest corner of 6<sup>th</sup> Avenue N and 34<sup>th</sup> Street N. The Zoning Commission reviewed and recommended the zoning change following a public hearing on October 12, 2021.

The undeveloped property on the west side of 34<sup>th</sup> Street N., is in close proximity to TNMP's Service Center and Substation. The applicant's project will install Battery Energy Storage Systems (BESS) to improve local electrical grid reliability. There will be four individual units, with the largest component in each unit being a 40 foot long container with the battery storage modules.

Texas City ordinances require preliminary zoning approval to be made permanent by applying for a building permit within twelve months from the date of approval. The Applicant has not yet applied for a building permit due to supply chain issues and extended lead times of up to 52 weeks relating to the large pieces of equipment required for the project. The project design is approximately 32% complete. The current project milestone schedule shows construction expected to commence in September 2023.

**Requested Action:** Applicant requests an extension of 12 months until November 3, 2023 for the preliminary zoning approval to complete its design and commence construction of the project.

**Analysis/ Recommendation**: The request for extension of time is timely because the preliminary zoning approval has not yet expired. The extension appears warranted due to supply chain issues outside of Applicant's control. See attached letter. The requested zoning change to District F Light Industrial remains consistent with the Land Use Plan. If made permanent, the Light Industrial zoning could be developed with light manufacturing, wholesale, and warehousing operations in an enclosed area. Development of this tract will require adherence to city standards with appropriate open space, landscaping, screening, and other zoning provisions.

City water and sewer are readily available to the site, but the only utility need is for fire protection. For drainage considerations, the applicant will coordinate with the City's Public

Works Dept. to properly outfall into the adjacent channel. Primary access for this property will be from 34<sup>th</sup> Street, a City facility. However, once installed, the BESS will need little attention and maintenance. All improvements and development of the property will require a Detailed Site Plan to be reviewed by city staff and approved by the Planning Board. The property is located within the 0.2% annual flood chance area (formerly described as 500-year floodplain).

Upon review, staff recommends **approval of the extension of time** the preliminary zoning request for twelve additional months until **November 3, 2023.** 



Wednesday, October 5, 2022

Dear Texas City Planning and Zoning Commission,

Broad Reach Power would like to formally request an extension to the permitting period for BRP Zeya BESS LLC property located in Texas City off 34<sup>th</sup> Street.

Broad Reach Power Subdivision - Replat of LOT2A in the Highway 146 Business Park Minor Replat No. 2

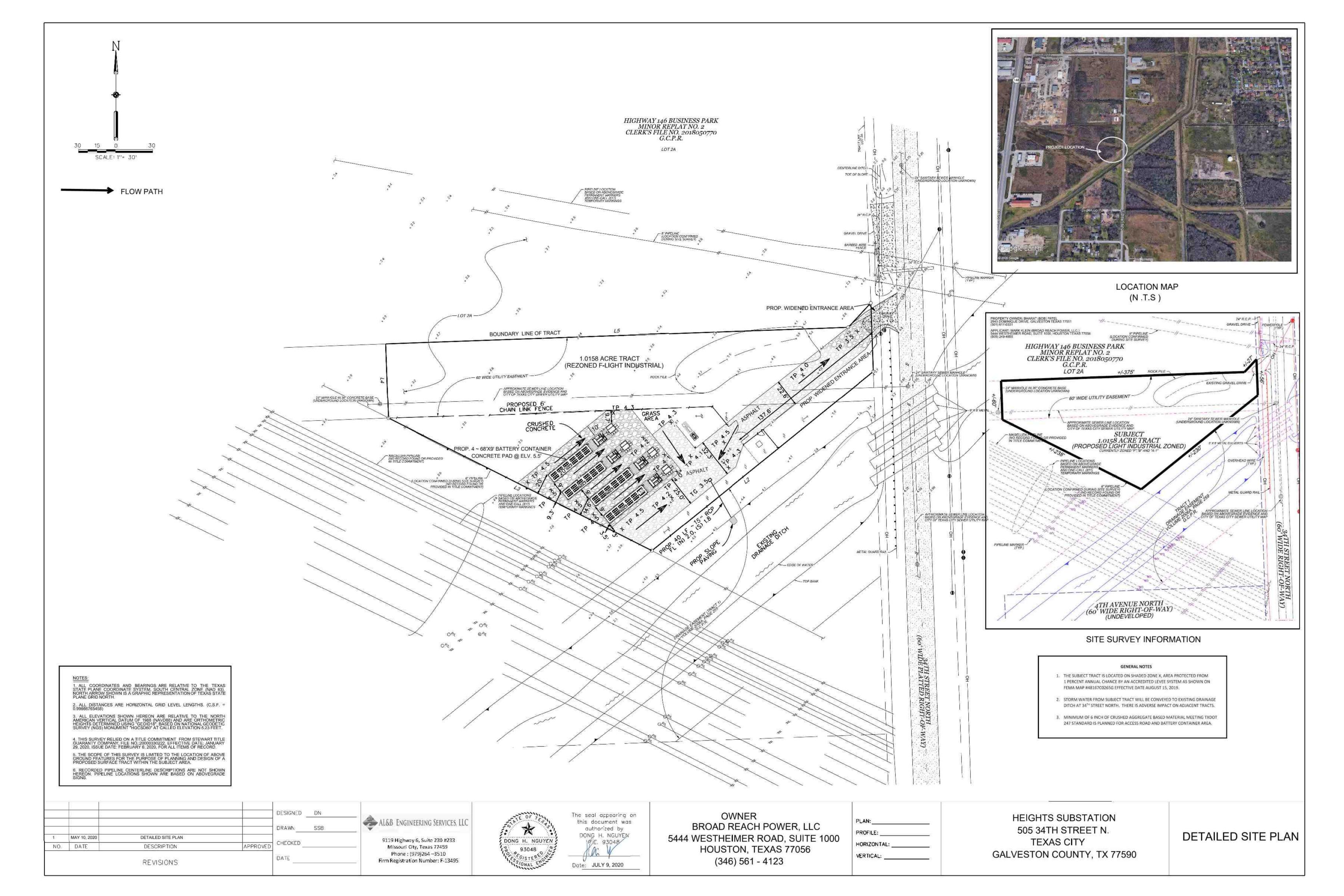
Due to supply constraints for larger pieces of equipment for the project site, the project has been delayed from the original timeline. Therefore, permitting requests will not be in place within the 1-year period following the re-zoning approval. Broad Reach Power would like to request an extension to the 1-year period due to the delay in the project timeline.

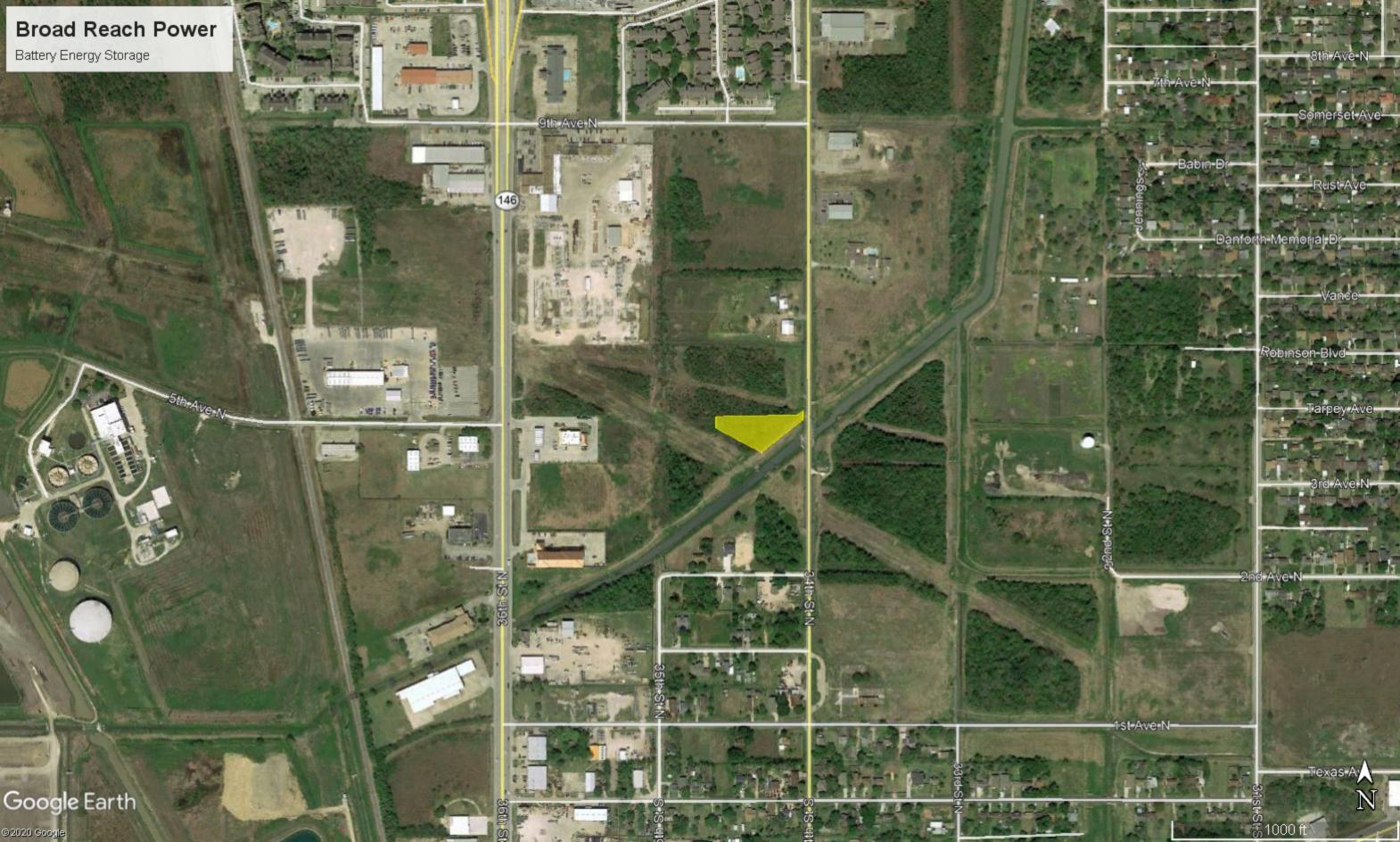
Please consider this letter as an official request for extension for your consideration. We are happy to provide any further information that you may require.

Best Regards,

Gemy Thomas

Gemy Thomas Pre-Construction Manager Broad Reach Power 333 Clay St, Suite 2800 Houston, TX 77002





### RESOLUTION NO. 2022-112

A RESOLUTION APPROVING AN ONE-YEAR EXTENSION TO NOVEMBER 3, 2023, FOR A PRELIMINARY REZONING PREVIOUSLY GRANTED TO BROARD REACH POWER LOCATED AT THE SOUTHWEST CORNER OF 6TH AVENUE NORTH AND 34TH STREET NORTH TO REZONE FROM DISTRICT "A" (SINGLE FAMILY RESIDENTIAL) TO DISTRICT "F" (LIGHT INDUSTRIAL); AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

**WHEREAS**, on November 3, 2021, the City Commission gave preliminary approval to the request by Broad Reach Power located at the southwest corner of 6th Avenue North and 34th Street North to rezone from District "A" (single family residential) to District "F" (light industrial); and

**WHEREAS,** the applicant requests an extension of 12 months until November 3, 2023 for the preliminary zoning approval to complete its design and commence construction of the project; and

**WHEREAS**, the Texas City Planning Board and City Staff recommends approval of the extension of time the preliminary zoning request for twelve additional months until November 3, 2023.

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

**SECTION 1:** That the preliminary approval to the request by Broad Reach Power located at the southwest corner of 6th Avenue North and 34th Street North to rezone from District "A" (single family residential) to District "F" (light industrial) is hereby extended to November 3, 2023.

**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 November 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

(7) (d)

**Meeting Date:** 11/02/2022

Purchase of a Doosan DL320-7 Wheel Loader for the Sanitation Department

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

**Department:** Public Works

# Information

# **ACTION REQUEST**

Approve the purchase of a Doosan DL320-7 wheeled loader for the Sanitation Department.

# **BACKGROUND** (Brief Summary)

The Sanitation Department is requesting approval for the purchase of a Doosan DL320-7 wheeled loader from R B Everett via BuyBoard Contract # 597-19. The total price for this piece of equipment is, \$244,036.71, which is funded by the Capital Equipment Replacement Fund of the 2022-23 City Budget

A copy of the R B Everett / BuyBoard Worksheet is attached for your review.

# RECOMMENDATION

It is the recommendation of the Public Works Department that the purchase of the Doosan DL320-7 wheeled loader for the Sanitation Department be approved for the total amount of \$244,036.71.

Thank you

# **Fiscal Impact**

# **Attachments**

Exhibit A Resolution

# CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

# BUYBOARD 597-19

End User: City of Texas City		R.B. Everett & Co. Rep:	Rick Vincent		
Contact: Mike Stump		281-991-8161 Date:	713-805-7970 10/14/22		
Product Description: Doosan DL320-7 V	Vheel Loader	A. Base Price:	\$ 235,241.73		
B. Published Options [Itemize Each Be	low]				
Options	Bid Price	Options	Bid Price		
Additional Counterweight	\$2,484.72				
Load Isolation	\$3,314.44				
Fender	\$1,038.26				
LED Headlamps	\$479.20				
JRB Coupler	\$7,271.36				
C. Unpublished Options [Itemize each	helow not t	Total of B. Published Options:	\$ 14,587.98		
		Options	Bid Price		
Options Pemberton 4.25 cu. yd. Trash Bucket	\$22,685.00	Options	Bid Frice		
with Dual Paddle Clamps and Full					
Sides					
		Total of C. Unpublished Options:	\$ 22,685.00		
D. Contract Price Adjustment	Discount:	13%	(\$32,478.00)		
E. Freight Charges:			\$2,500.00		
F. Total of A + B + C + D + E = F			\$ 242,536.71		
G. Quantity Ordered	1	x F =	\$ 242,536.71		
H. Non-Equipment Charges & Credits		P. D. I.	\$1,500.00		
I TOTAL PURCHASE PRICE			\$ 244,036,71		

### **RESOLUTION NO. 2022-113**

A RESOLUTION AUTHORIZING THE PURCHASE OF A DOOSAN DL320-7 WHEELED LOADER FROM R. B. EVERTT & CO. THROUGH BUYBOARD CONTRACT NO. 597-19 IN THE AMOUNT OF \$244,036.71; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

**WHEREAS**, the Public Works Department- Sanitation requests approval for the purchase of a Doosan DL320-7 wheeled loader from R B Everett via BuyBoard Contract No. 597-19. The total price for this piece of equipment is, \$244,036.71, which is funded by the Capital Equipment Replacement Fund of the 2022-23 Texas City Adopted Budget.

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

**SECTION 1:** That the City Commission of the City of Texas City, Texas, hereby approves the purchase of a Doosan DL320-7 wheeled loader from R B Everett via BuyBoard Contract No. 597-19. The total price for this piece of equipment is, \$244,036.71, as set out on the quote attached hereto as **Exhibit** "A" and made a part hereof for all intents and purposes.

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

PASSED AND ADOPTED this 2nd day of November 2022.

PPROVED AS TO FORM:
do I. Dielroop
ele L. Dickson v Attornev

(7) (e)

**Meeting Date:** 11/02/2022 Purchase of eCivis Software

**Submitted For:** Titilayo Smith, Community Development, Housing Autho **Submitted By:** Titilayo Smith, Community Development/ Grant Admin

**Department:** Mayor's Office

### Information

# **ACTION REQUEST**

Approve the purchase of eCivis software for the management of grants citywide via the OMNIA contract for the 1st year purchase price of \$52,705 using Professional Fees account #101-101-53680. This subscription purchase is based on a 5-year term.

Years 2-5 are priced as follows:

Year 2 is \$30,297.75

Year 3 is \$31,812.64

Year 4 is \$33,403.27

Year 5 is \$35,073.43

# **BACKGROUND** (Brief Summary)

On 9/27/22, Mayor Johnson centralized the management of all City grants by creating the Grants Administrator position. The City currently receives approximately \$55,000,000 in grants from various sources. These grants are allocated to different City departments. The centralization of grants administration will provide guidance and oversight to City departments in managing their post-award grant administration and reporting processes; and processing any donations received by the City. In order to do this effectively and efficiently the Grants Administrator has researched available software that will automate this process, including Govgrants, eCivis, and Amplifund. Based on the City's needs and financial concerns, eCivis was determined to be the best option for purchase. eCivis is a leading grants management system designed for state and local governments and school districts. The software allows the Grants Administrator to search and analyze a comprehensive listing of federal, state, and foundation grant opportunities in addition to oversight.

Moving forward the City should be able to allocate the cost of the subscription to the allowable administration fees for future grants.

# RECOMMENDATION

It is recommended by the Grants Administrator that the City purchase a subscription for eCivis software for the administration of the City's grants.

# **Fiscal Impact**

Funds Available Y/N: Y

Amount Requested: \$52,705

Source of Funds: General Fund Account #: 101-101-53680

**Fiscal Impact:** 

The software subscription for the first year costs \$52,705 and the money is available in the General Fund. This is a 5-year commitment. Costs for subsequent years (Year 2 is \$30,297.75,Year 3 is \$31,812.64, Year 4 is \$33,403.27, and Year 5 is \$35,073.43) will be allocated to the City's grants as an allowable administration fee. Most grants allow 10%-25% of the grant to be used for administrative costs. The City currently receives approximately \$85,000,000 in grants from various sources.

# **Attachments**

Quote

Resolution

# **GOVERNMENT - PRICE QUOTATION**



### **CARAHSOFT TECHNOLOGY CORP**

carahsoft

11493 SUNSET HILLS ROAD | SUITE 100 | RESTON, VIRGINIA 20190 PHONE (703) 871-8500 | FAX (703) 871-8505 | TOLL FREE (888) 66CARAH WWW.CARAHSOFT.COM | eCivis@CARAHSOFT.COM

TO: Titilayo Smith

Grants Administrator

Texas City TX USA

FROM: **Garrett Smith** 

Carahsoft Technology Corp. 11493 Sunset Hills Road

Suite 100

Reston, Virginia 20190

**EMAIL:** 

tsmith@texascitytx.gov

**EMAIL:** 

Garrett.Smith@carahsoft.com

PHONE: (409) 502-4401 PHONE:

(571) 662-3062

FAX:

(703) 871-8505

**TERMS:** 

OMNIA EDU contract: R191902

Term: April 30, 2025 FTIN:52-2189693

Shipping Point: FOB Destination Credit Cards: VISA/MasterCard/AMEX

Remit To: Same as Above

Payment Terms: Net 30 (On Approved Credit)

Sales Tax May Apply

QUOTE NO: **QUOTE DATE: QUOTE EXPIRES:** 

RFQ NO:

SHIPPING: **TOTAL PRICE:**  10/12/2022 12/31/2022

36200550

**ESD** 

\$52,705.00

		TOTAL QUOTE:				705.00
LINE NO.	PART NO.	DESCRIPTION -	QUOTE PRI	CE	QTY	EXTENDED PRICE
		NON-RECURRING ANNUAL FEE(S)				
1	GN-DMDI-U50M-PM1	Grants Network - Data Migration and Data Integration - Services eCivis, Inc GN-DMDI-U50M-PM1	\$13,500.00	ОМ	1	\$13,500.00
2	PRE-U50M-PM1	Grants Network Grantee Base Implementation - Services eCivis, Inc PRE-U50M-PM1	\$1,575.00	ОМ	1	\$1,575.00
3	POST-U50M-PM1	Grants Network Grantee Full Implementation - Services eCivis, Inc POST-U50M-PM1	\$8,775.00	ОМ	1	\$8,775.00
		NON-RECURRING ANNUAL FEE(S) SUBTOTAL:				\$23,850.00
		RECURRING ANNUAL FEE(S)				
4	POST-U50M-1756	Grants Network Grantee Post-Award - Under \$50 Million - Annual eCivis, Inc POST-U50M-1	\$14,427.50	COOP	1	\$14,427.50
5	PRE-U50M-1756	Grants Network Grantee Pre-Award - Under \$50 Million - Annual eCivis, Inc PRE-U50M-1	\$9,452.50	COOP	1	\$9,452.50
6	PRES-U50M-1756	Grants Network Grantee Pre-Award - State Research - Under \$50 Million - Annual eCivis, Inc PRES-U50M-1	\$4,975.00	COOP	1	\$4,975.00
		RECURRING ANNUAL FEE(S) SUBTOTAL:				\$28,855.00
		SUBTOTAL:				\$52,705.00

QUOTE DATE: QUOTE NO:

10/12/2022 36200550

# **GOVERNMENT - PRICE QUOTATION**



### CARAHSOFT TECHNOLOGY CORP

carahsoft

11493 SUNSET HILLS ROAD | SUITE 100 | RESTON, VIRGINIA 20190
PHONE (703) 871-8500 | FAX (703) 871-8505 | TOLL FREE (888) 66CARAH
WWW.CARAHSOFT.COM | eCivis@CARAHSOFT.COM

NE NO. PART NO. DESCRIPTION - QUOTE PRICE QTY EXTENDED PRICE

TOTAL PRICE: \$52,705.00

TOTAL QUOTE: \$52,705.00

Pricing valid through: 12/31/2022

eCivis annual subscription is based on a 5-year term

eCivis will apply a 5% inflationary increase beginning in year 2

eCivis Annual fees

Year 1 is \$52,705.00 (SaaS and Professional Services)

Year 2 is \$30,297.75

Year 3 is \$31,812.64

Year 4 is \$33,403.27

Year 5 is \$35,073.43

Total 5 Year contract is \$183,292.09

Above pricing in US dollars

The above pricing is inclusive of unlimited users

**Applicable Taxes Extra** 

Pricing is not applicable in response to a formal RFP Process

Above pricing in USD

**Applicable Taxes Extra** 

Terms of Payment:

o Software Subscription (including annual maintenance, support, and hosting services):

Due 100% upon Contract Effective Date (Net 30) and annually in advance for future years

o Professional Services:

Due 100% upon Contract Effective Date (Net 30) or as per mutually agreeable payment milestones

Additional Professional Services are available upon request at eCivis's then current hourly rate, currently set at \$250.00

# Please include the following on your PO:

- PO made out to Carahsoft with our current address (11493 Sunset Hills Road, Suite 100. Reston, VA 20190)
- Payment terms: Net30
- Ship to and bill to address listed

QUOTE DATE: QUOTE NO:

### **RESOLUTION NO. 2022-114**

A RESOLUTION APPROVING THE PURCHASE OF ECIVIS SOFTWARE THROUGH OMNIA EDU CONTRACT NO. R191902; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

**WHEREAS**, the Texas City Grant Administrator recommends the approval of the purchase ofeCivis software for the administration and management of City Grants; and

**WHEREAS**, the purchase of eCivis software for the management of grants citywide will be made through OMNIA EDU Contract No. R191902 for the 1st year purchase price of \$52,705.00 using Professional Fees account #101-101-53680.

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

**SECTION 1:** That the City Commission of the City of Texas City, Texas, hereby approves the purchase of eCivis software through OMNIA EDU Contract No. R191902 in the amount of \$52,705.00, as set out in the contract attached hereto as **Exhibit "A"** and made a part hereof for all intents and purposes.

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

PASSED AND ADOPTED this 2nd day of November 2022.

	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

(7) (f)

Meeting Date: 11/02/2022

Commission Community Grant Award to Communities in Schools Galveston County, Inc.

Submitted For: Dedrick Johnson, Mayor's Office

Submitted By: Titilayo Smith, Community Development/ Grant Admin

**Department:** Mayor's Office

# Information

# **ACTION REQUEST**

Consider and approve award of \$1,500.00 to Communities in Schools under the Texas City Commission Community Grant Fund, sponsored by Mayor Dedrick D. Johnson.

# **BACKGROUND** (Brief Summary)

Communities in Schools Galveston County is a program that will help address issues of truancy, by promoting the importance of school attendance with incentives. Many students who participate in this program are deemed "at risk". Without the intervention and assistance from CIS, these students could fall through the cracks and partake in deviant lifestyles that are not in sync with the progressive goals of Texas City. Helping students become successful will build stronger families. Strong families make strong communities. This little bit, in my opinion, will go a long way! As a former educator, this is important to me. Students can not learn in school, if they are not.... IN SCHOOL.

Communities in Schools Galveston County receives no other consistent sources of outside funding. They rely heavily on an annual budget, supported by grants to manage routine operations as well as infrequent donations from supporters.

# RECOMMENDATION

It is recommended by the Grants Administrator that this request be granted and Communities in Schools Galveston County, Inc. is awarded \$1,500.00 from the Texas City Commission Community Grant Fund.

# **Fiscal Impact**

Funds Available Y/N: Y

**Amount Requested: \$1,500** 

**Source of Funds:** Commission Community Grant Fund

**Account #:** 101-101-53060

**Fiscal Impact:** 

The funds are available under the Texas City Commission Community Grant Fund. Each Commissioner (including the Mayor) is allocated \$5,000 for the year. Mayor Johnson currently has \$2,000 available from his annual allocation.

# **Attachments**



Attention: Mayor of Texas City

My name is Stacie Lewis-Roberts and I am the Communities in Schools-Galveston County Student Support Specialist for Blocker Middle School.

Communities In Schools- GC (CIS) is a non-profit agency, which runs a program through community grants and donations. The overall purpose of the program is to improve the child's Academic, Social & Emotional skills by promoting the importance of school attendance. Vocational, social and personal skills are directly promoted on a oneon-one basis to enable each child to ultimately graduate from high school. CIS promotes and facilitates the coordinated and delivery of community social services, as well as health, educational, and other support services in the school setting for young people and their families living in at risk situations.

My primary focus currently is getting some incentives for our students here at Blocker. Incentives for good behavior, improved attendance, no ISS, or OSS, as well as good grades. I feel that students would perform better with some type of incentive. With your donation I would purchase gift cards to Walmart, Sonic, McDonalds, Chic-Fil-A, I would also buy some footballs, basketballs, soccer balls, as well as snacks, bottled water, Gatorade, and more.

Thank you for your time,

Hace Lewis Roberts Stacie Lewis-Roberts **Program Coordinator** Blocker Middle School 409-916-0700 Ext. 1742

Communities In Schools - GC



# Texas City Commission Community Grant Fund Application

\*This grant application is to be completed and submitted to the Mayor by a member of the Texas City Commission.

MAYOR DEDRICK D. JOHNSON	CITY OF TEXAS CITY District
ame of Sponsoring Commission Member	District
COMMUNITIES IN SCHOOLS G	ALVESTON COUNTY, INC.
Name of Benefittin	g Organization
76-0347	164

**Amount Requested:** \$1500.00 **Date:** 10 / 25 / 2022

# Statement of Purpose and benefit to the Citizens of Texas City:

Communities in Schools Galveston County is a program that will help address issues of truancy, by promoting the importance of school attendance with incentives. Many students who participate in this program are deemed "at risk". Without the intervention and assistance from CIS, these students could fall through the cracks and partake in deviant lifestyles that are not in sync with the progressive goals of Texas City. Helping students become successful will build stronger families. Strong families make strong communities. This little bit, in my opinion, will go a long way! As a former educator, this is important to me. Students can not learn in school, if they are not.... IN SCHOOL.

Other Sources of Funding This Organization is Currently Receiving: <u>Communities in Schools Galveston County receives no other sources of outside funding.</u> They rely heavily on an annual budget as well as donations from supporters.

\*Please note that the submission of this application does not guarantee an allocation of funds. The awarding of this grant is contingent upon several factors, including, but not limited to those it being a qualifying organization, funds availability, purpose of funds requested, and final commission approval.

COMMUNITY MATTERS 2030

# TEXAS CITY COMMISSION COMMUNITY GRANTS GUIDELINES

- 1.) Each member of the Commission can sponsor up to \$5,000 (MAXIMUM) in CITY COMMISSION COMMUNITY GRANT FUNDS in a fiscal year, provided the budget is approved with those grant funds available.
- 2.) Grant requests must be submitted to the Mayor, from the member of the Commission who represents the district most impacted by the grant, or the district where the requesting organization is based.
  Mayor will ensure all required documents are included in the Commission member's request. Mayor will then decide whether or not to advance the request to the City Commission for final approval.
- 3.) The organization requesting funds from the Commission, must do so with a letter or an email. (This should be included in the sponsoring Commission member's request.)
- 4.) The organization requesting funds should be a nonprofit, 501c3 / tax exempt organization whose services will directly benefit citizens of Texas City, Texas.
- 5.) An organization may only receive funds from this funding mechanism once in a three-year period. This ensures fair opportunity and equitable distribution of funds to others who may need assistance and make requests.
- 6.) A majority vote of the City Commission is required for final approval.
- 7.) Commission members should be conservative with the allocation of such funds as they will be requested often by all those aware of the program. We can't solve every financial crisis, but the PURPOSE of these Community Grants is to help those organizations who help our citizens by enhancing the quality of life here in Texas City.

#### Required Documents:

- A.) Letter requesting funds, that also outlines what the funds will be used for.
- B.) A completed Community Grant Fund Application (from the sponsoring Commission member)
- C.) Valid Documentation of Tax Exempt / Non-Profit Status

D.)

(\*This document may be updated periodically to ensure proper administration guidelines are in place, as this is a new fund. See date below.)

#### **RESOLUTION NO. 2022-115**

A RESOLUTION APPROVING THE RELEASE OF COMMISSION GRANT FUNDS AVAILABLE ON BEHALF OF MAYOR DEDRICK D. JOHNSON, IN THE AMOUNT OF \$1,500.00 TO COMMUNITIES IN SCHOOLS GALVESTON COUNTY; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

**WHEREAS**, Mayor Dedrick D. Johnson requests the approval and release of Commission Grant funds in the amount of \$1,500.00 to be awarded to Communities in School Galveston County.

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 release of Commission Grant funds in the amount of \$1,500.00 to be awarded to Communities in School Galveston County.

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

	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) (g)

**Meeting Date:** 11/02/2022

Appointment of Larry Edrozo- EDC

**Submitted For:** Jon Branson, Management Services

**Submitted By:** Rhomari Leigh, City Secretary

**Department:** Management Services

#### Information

# **ACTION REQUEST**

Consider and take action on Resolution No. 2022-116, appointing Larry Edrozo to the Texas City Economic Development Board of Directors. (Management Services)

# **BACKGROUND** (Brief Summary)

On September 21, 2022, the City Commission appointed Mr. George Shannon to the Texas City Economic Development Board of Directors. On October 24, 2022, Mr. George Shannon regretfully informed the Board that he will not be able to fulfill his duties to the board because of a recent promotion in his career.

To continue the uninterrupted and efficient operation of the City through its Boards, Mr. Larry Edrozo is recommended to replace Mr. George Shannon on the Texas City Economic Development Board of Directors.

Mr. Larry Edrozo, Attorney at Law, is a former Commissioner at Large and Mayor Pro-Tem (Mayor Charles Doyle) here in the City of Texas City. He is a long-time resident who is very active in, and knowledgeable about our community.

#### RECOMMENDATION

	Fiscal Impact	
	Attachments	
Resolution		

#### **RESOLUTION NO. 2022-116**

A RESOLUTION APPOINTING MEMBER(S) TO THE TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTERITS PASSAGE AND ADOPTION.

**WHEREAS,** in order to continue the uninterrupted and efficient operation of the Texas City Economic Development Corporation it is necessary to appoint a member to the Board of Directors; and

**WHEREAS,** George Shannon will no longer serve on the Texas Economic Development Corporation Board of Directors; and

**WHEREAS**, the Texas City Economic Development Corporation Board appoints LarryEdrozoto replace George Shannon for a one (1) year term, expiring September 30, 2023.

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 Larry Edrozo to the Texas Economic Development Corporation Board of Directors for a one (1) year term, expiring September 30, 2023.

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

	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

(8) (a)

**Meeting Date:** 11/02/2022

Adoption of a proposed amended ordinance to the Zoning Ordinance **Submitted For:** Veronica Carreon, Transportation and Planning **Submitted By:** Veronica Carreon, Transportation and Planning

**Department:** Transportation and Planning

#### Information

# **ACTION REQUEST**

Adopt a proposed amendment to the Zoning Ordinance to add two alternate members to the Planning Board and to provide that alternate members will sit and serve when a member is absent.

# **BACKGROUND** (Brief Summary)

The City Charter Article XIV City Planning Board authorizes the City Commission to establish and maintain a city planning board and a city zoning commission. Ordinance Section 160.105 adopted by the City Commission in 1998 establishes the Zoning Commission, but is silent as to the Planning Board. The Zoning Commission has five members and two alternate members. The Planning Board operates with five members and no alternate members. The recommended amendment will add positions for two alternate members to the Planning Board. The amendment will also provide for alternate members to sit and serve at meetings in the absence of any regular member for both the Zoning Commission and the Planning Board. At present, alternate members sit and serve on the Zoning Commission only when necessary to make a quorum. The quorum is three.

#### RECOMMENDATION

The proposed amendment was considered by the Planning Board at its regular meeting on October 17, 2022. The Planning Board voted without opposition to recommend adoption of the amendment. The proposed amendment is also recommended by staff.

# **Fiscal Impact**

#### **Attachments**

Staff Memo
Charter Article
Zoning Commission Ordinance
Ordinance

# City of Texas City Engineering & Planning

# Memo

To: Planning Board – Regular Meeting on October 17, 2022

From: Kim Golden, P.E., Engineering & Planning

CC: Doug Kneupper, P.E.

Date: October 13, 2022

Re: Proposed Ordinance – Alternate members

**Background:** The City Charter Article XIV City Planning Board authorize the City Commission to establish and maintain a city planning board (Section 1) and a city zoning commission. (Section 2). Ordinance Section 160.105 adopted by the City Commission in 1998 establishes the Zoning Commission, but is silent as to the Planning Board.

Copies of Charter Article XIV and Ordinance Section 160.105 are attached for reference.

The proposed amendment makes the following changes:

- (1) Formally establishes the city Planning Board in accordance with Article XIV Section 1 of the Charter.
- (2) Affirms the existing appointments and terms of the currently serving members on both the Planning Board and Zoning Commission
- (3) Affirms the existing appointments and terms of the currently serving alternate members of the Zoning Commission
- (4) Establishes positions for two (2) alternate members on the Planning Board
- (5) Provides for alternate members to sit and vote as a member when needed to establish a full panel of five members.

**Requested Action:** Discuss and make a recommendation regarding adoption of the proposed amended ordinance to the City Commission.

**Staff Review and Recommendation**: The proposed amendment makes two changes.

- (1) PLANNING BOARD It creates two positions for alternate members on the Planning Board who will sit and vote as members when needed to establish a full panel of up to five members on the Planning Board.
- (2) ZONING COMMISSION The Zoning Commission already has positions for alternate members who sit and vote as needed to make a quorum of three. The amendment changes this provision to have the alternate members sit and vote when needed to establish a full panel of up to five members.

Consistent with the other provisions of the Charter, the alternate members will be recommended for appointment by the Mayor and confirmed by vote of the City Commission. The terms and other provisions remain unchanged.

The ordinance affirms the appointments and terms of the currently serving members of the Planning Board and Zoning Commission, and of the currently serving alternate members of the Zoning Commission.

Per the Charter, the members of both the Planning Board and the Zoning Commission are uncompensated volunteers. Due to the abundance of development activities in Texas City, both the Planning Board and Zoning Commission meet frequently. Both will sometimes convene in special meetings to accommodate scheduling requirements of developers and to avoid delays to progress of the development schedules. The proposed amendment is recommended to assure at least five members of the Planning Board and five members of the Zoning Commission can meet as regularly scheduled or by special meeting as needed to consider applications and make recommendations to the City Commission.

#### ARTICLE XIV. CITY PLANNING BOARD

#### Sec. 1. Establishment, membership, duties, terms.

The commission may at any time after the adoption of this charter establish and maintain a city planning board of five members to serve without compensation and to have such powers and duties as the commission may prescribe relative to city planning in accordance with state law. The commission by duly enacted ordinance may increase the specified number of board members Two of the members of the planning board shall also be members of the city commission, who shall be appointed by the commission upon the recommendation of the mayor. Each member appointed shall be appointed for a term of four years. Any vacancy in and during the unexpired term of an appointed member shall be filled by the commission upon recommendation of the mayor. The chief executive officer shall provide the planning board with the necessary clerical help, office equipment, and supplies. (Ord. 19-31, passed 11-18-2019)

#### Sec. 2. City Zoning Commission establishment, membership, duties, and terms.

The commission may at any time after the adoption of this Charter establish and maintain a city zoning commission of five members to serve without compensation and to have such powers and duties as the commission may prescribe relative to city zoning in accordance with state law. The commission by duly enacted ordinance may increase the specified number of board members. Members of the board shall be appointed by the commission, upon the recommendation of the mayor. Each member appointed shall be appointed for a term of two years. Any vacancy in and during the unexpired term of an appointed member shall be filled by the commission upon recommendation of the mayor. The chief executive officer shall provide the zoning commission with the necessary help, office equipment, and supplies. (Ord. 19-31, passed 11-18-2019)

#### § 160.105 ZONING COMMISSION.

- (A) Creation. There is hereby constituted a commission to be known as the Zoning Commission of the city.
- (B) Composition. The Zoning Commission shall consist of five members and two alternate members who shall each be appointed by the City Commission, upon recommendation of the Mayor.
- (C) Terms of office. Initially, two members shall be appointed for a term of one year, three for a term of two years and the two alternates for a term of two years. Thereafter, all appointments on such Zoning Commission shall be for a term of two years. Any vacancy on the Zoning Commission in and during the unexpired term of a member thereof shall be filled by the City Commission, upon recommendation by the Mayor.
- (D) Quorum. Any three members shall constitute a quorum for the transaction of business. The affirmative vote of a majority of these attending any meeting at which there is quorum present shall be necessary to pass any motion or recommendation of the Zoning Commission. Alternates shall sit and vote as a member of the Zoning Commission when required to establish a quorum. When more than one alternate is available to fill a vacancy, the Zoning Commission Chairperson shall designate which alternate shall serve.
  - (E) General duties. The Zoning Commission shall have the following powers:
- (1) To recommend the boundaries of the various districts and appropriate regulations to be enforced therein under this chapter, the Charter of the city or the laws of the state to the City Commission and to recommend approval or denial of zoning changes and regulations under this chapter, the Charter of the city or the laws of the state;
- (2) To hear, recommend or determine any matter relating to zoning control as may be specified or required under this chapter, the Charter of the city or the laws of the state; and
- (3) To exercise such duties and powers as may be now or hereafter conferred by this chapter, the Charter of the city or applicable laws of the state.

(1998 Code, App. A, § 40-76)

#### **ORDINANCE NO. 2022-28**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS AMENDING THE CODE OF ORDINANCES TITLE XV ENTITLED "LAND USAGE", CHAPTER 160 – ZONING, ADMINISTRATION AND ENFORECEMENT; SECTION 160.105 AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

**WHEREAS**, the City of Texas City, Texas is authorized to regulate ordinances pursuant to Texas Local Government Code;

**WHEREAS**, the City Commission of the City of Texas City, Texas needs to amend the Code of Ordinance Title XV Entitled "Land Usage", Chapter 160.105 –Zoning Commission; and

**WHEREAS**, the City Commission determines that amending Title XV, Section 160.105, will promote the health, safety and welfare of the City;

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

**SECTION 1:** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Commission hereby further finds and determines that the rules, regulations, terms, conditions, provisions, and requirements of this ordinance are reasonable and necessary to protect the public health, safety, and quality of life. The City Commission of the City of Texas City, Texas Ordinances, Section 160.105 is hereby amended by deleting in its entirety all the existing language in the following section(s) of 160.105 and replacing it with the following:

160.105 Zoning Commission & Planning Board.

# (A) Zoning Commission

- (1) Creation. There is hereby constituted a commission to be known as the Zoning Commission of the City pursuant to TEX. LOC. GOV'T CODE § 211.007 et seq.
- (2) Composition. The Zoning Commission shall consist of five members and two alternate members who shall each be appointed by the City Commission, upon recommendation of the Mayor.
- (3) Terms of office. The Zoning Commission is recognized as lawfully constituted and existing in accordance with the authority of the Charter, and the terms and appointments of the five currently serving members and two currently serving alternate members are affirmed such that all members are serving two-year staggered terms as follows: three members have terms expiring 9/30/2023; two members have terms expiring 9/30/2024; and the two alternate members

have terms expiring 9/30/2023. Thereafter, all appointments on such Zoning Commission shall be for a term of two years. Any vacancy on the Zoning Commission in and during the unexpired term of a member thereof shall be filled by the City Commission, upon recommendation by the Mayor.

- (4) Quorum. Any combination of three members and/or alternate members shall constitute a quorum for the transaction of business. The affirmative vote of a majority of these attending any meeting at which there is quorum present shall be necessary to pass any motion or recommendation of the Zoning Commission. Alternates shall sit and vote as a member of the Zoning Commission when required to establish a panel of up to five members. When more than one alternate is available to fill a single vacancy, the Zoning Commission Chairperson shall designate which alternate shall serve.
  - (5) General duties. The Zoning Commission shall have the following powers:
    - (a) To recommend the boundaries of the various districts and appropriate regulations to be enforced therein under this chapter, the Charter of the City or the laws of the state to the City Commission and to recommend approval or denial of zoning changes and regulations under this chapter, the Charter of the City or the laws of the state:
    - (b) To hear, recommend or determine any matter relating to zoning control as may be specified or required under this chapter, the Charter of the City or the laws of the state; and
    - (c) To exercise such duties and powers as may be now or hereafter conferred by this chapter, the Charter of the City or applicable laws of the state.

#### (B) Planning Board

- (1) Creation. There is hereby constituted a board to be known as the Planning Board of the City. It is recognized that at the time of adoption of this ordinance the Planning Board has existed and functioned in accordance with the authority of the City's Charter.
- (2) Composition. The Planning Board shall consist of five members and two alternate members who shall each be appointed by the City Commission, upon recommendation of the Mayor.
- (3) Terms of office. The Planning Board is recognized as lawfully constituted and existing in accordance with the authority of the Charter, and the terms and appointments of the five currently serving members are affirmed such that all members are serving four-year staggered terms as follows: two members have terms expiring 9/30/2023; one member has term expiring 9/30/2024; one member has term expiring 9/30/2025; and one member has term expiring 9/30/2026. One alternate member shall be appointed to an initial term expiring 9/30/2025. Thereafter, all appointments on such Planning Board shall be for a term of four years. Any vacancy on the

Planning Board in and during the unexpired term of a member or alternate member thereof shall be filled by the City Commission, upon recommendation by the Mayor.

- (4) Quorum. Any combination of three members and/or alternate members shall constitute a quorum for the transaction of business. The affirmative vote of a majority of these attending any meeting at which there is quorum present shall be necessary to pass any motion or recommendation of the Planning Board. Alternates shall sit and vote as a member of the Planning Board when required to establish a panel of up to five members. When more than one alternate is available to fill a single vacancy, the Planning Board Chairperson shall designate which alternate shall serve.
- (5) General duties. The Planning Board shall have the powers, authorities, duties and responsibilities as designated by the City Commission by duly enacted ordinance, including without limitation any such ordinances in effect as of the date of the adoption of this ordinance.
- **SECTION 2:** This ordinance shall be cumulative of all provisions of the City, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.
- **SECTION 3:** That all ordinances or parts of ordinances in conflict herewith are hereby expressly repealed to the extent of such conflict.
- **SECTION 4:** That, in the event any section, clause, sentence, paragraph, or part of this Ordinance shall be for any reason adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, invalidate, or impair the remainder of this Ordinance.
- **SECTION 5:** That the Charter requirement for reading this Ordinance on three (3) separate days has been dispensed by a majority vote of the City Commission.

	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

(8) (b)

Meeting Date: 11/02/2022

Approval of proposed Redistricting Plan A for City Commission Districts

**Submitted For:** Jon Branson, Management Services **Submitted By:** Jon Branson, Management Services

**Department:** Management Services

#### Information

#### **ACTION REQUEST**

Consideration and approval of Redistricting Plan A.

# **BACKGROUND (Brief Summary)**

As a result of the 2020 Census and the population increase within the City Limits of Texas City, it was anticipated the City may need to redistrict its Commission Districts. In order to quantify the need as to wether or not the City needed to redistrict, the City Hired Bob Heath from Bickerstaff, Health, Degaldo and Acosta LLP to perform an analysis of the new population census (blocks). At the May 18, 2022, City Commission meeting, Mr. Heath provided the Commission with the results of the assessment. The data contained in the assessment confirmed the City needed to redistrict. As a result of that information, the City Commission directed Mr. Heath to put together a draft redistricting plan for the Commission to consider.

On July 27, 2022, the City Commission held a Workshop to discuss possible new District Commission boundaries. Based on the information discussed, Mr. Heath put together a draft plan labeled Plan A and presented it to the City Commission on October 5, 2022. The Commission was in agreement with that plan and subsequently held a Public Hearing on October 19, 2022, regarding the proposed plan.

Based on the input from the previous meetings and the Public Hearing, the Commission is now ready to take action on the proposed Redistricting Plan A.

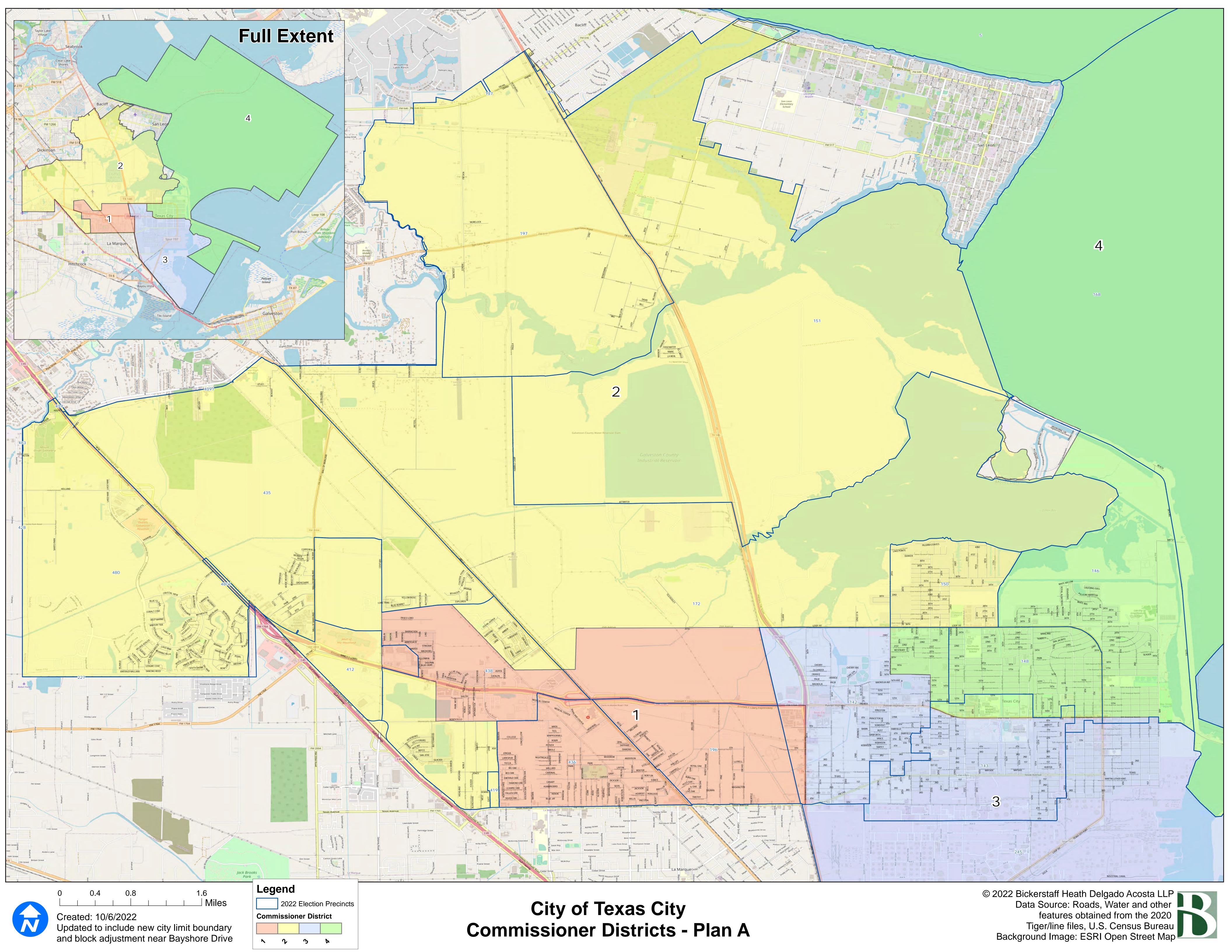
#### RECOMMENDATION

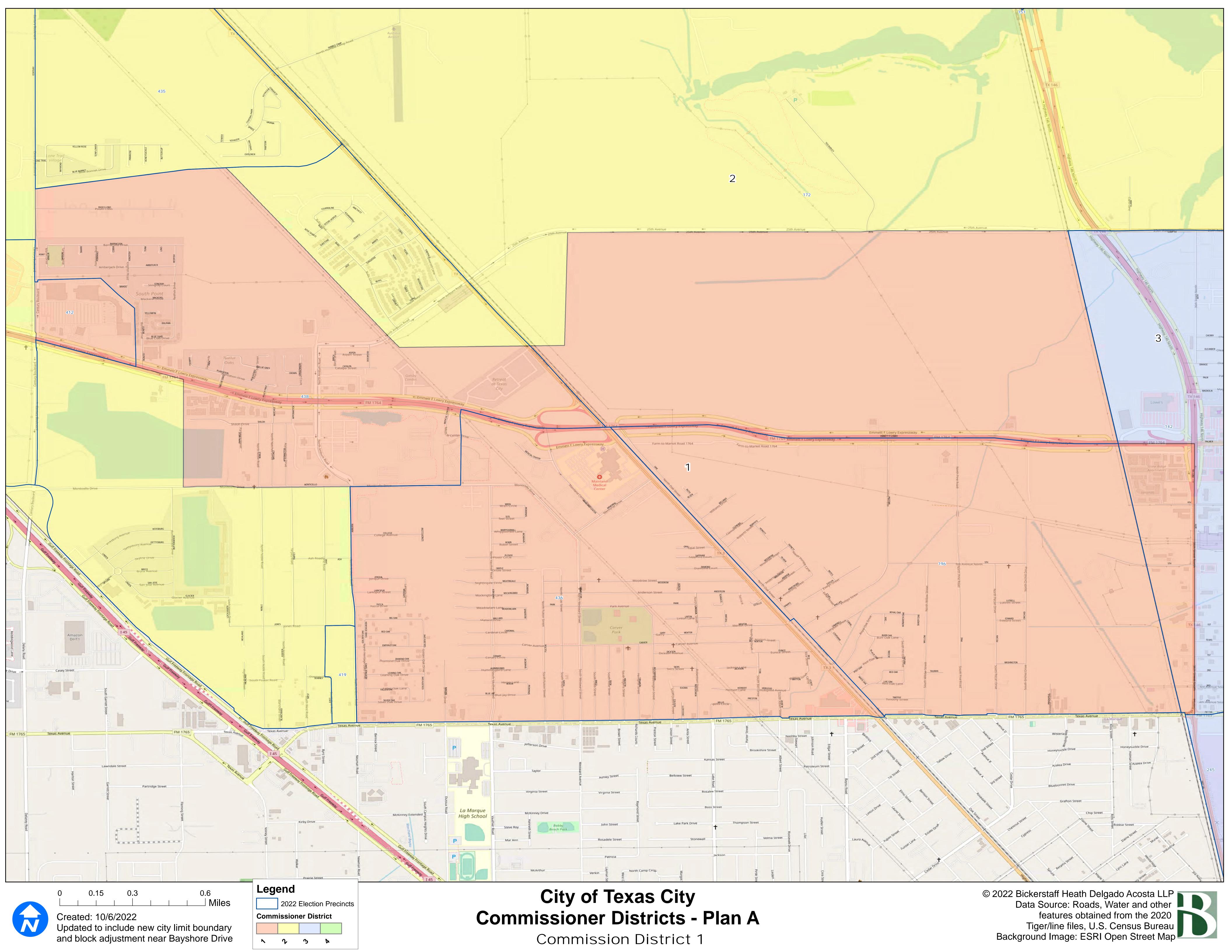
It is recommended the City Commission consider the adoption of Redistricting Plan A.

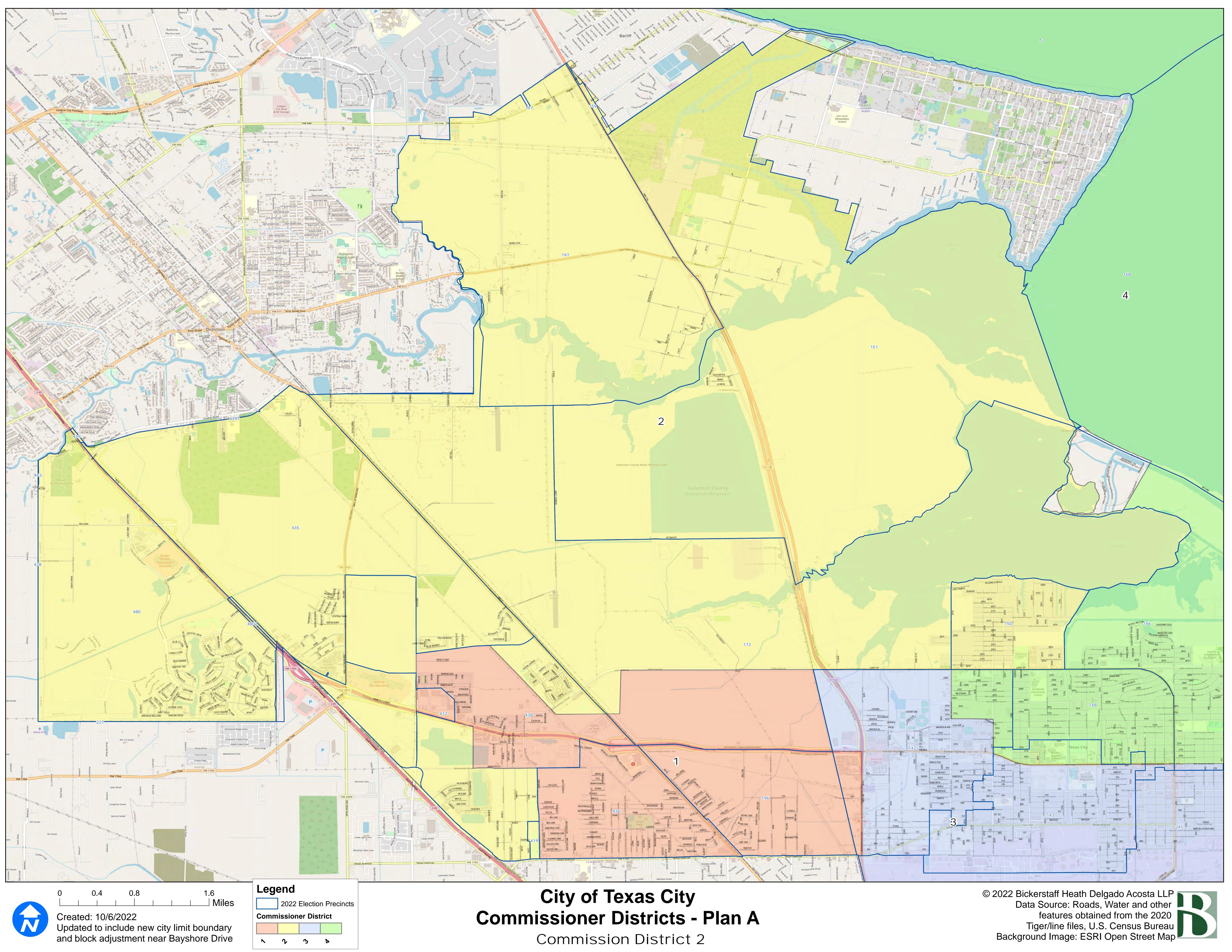
# **Fiscal Impact**

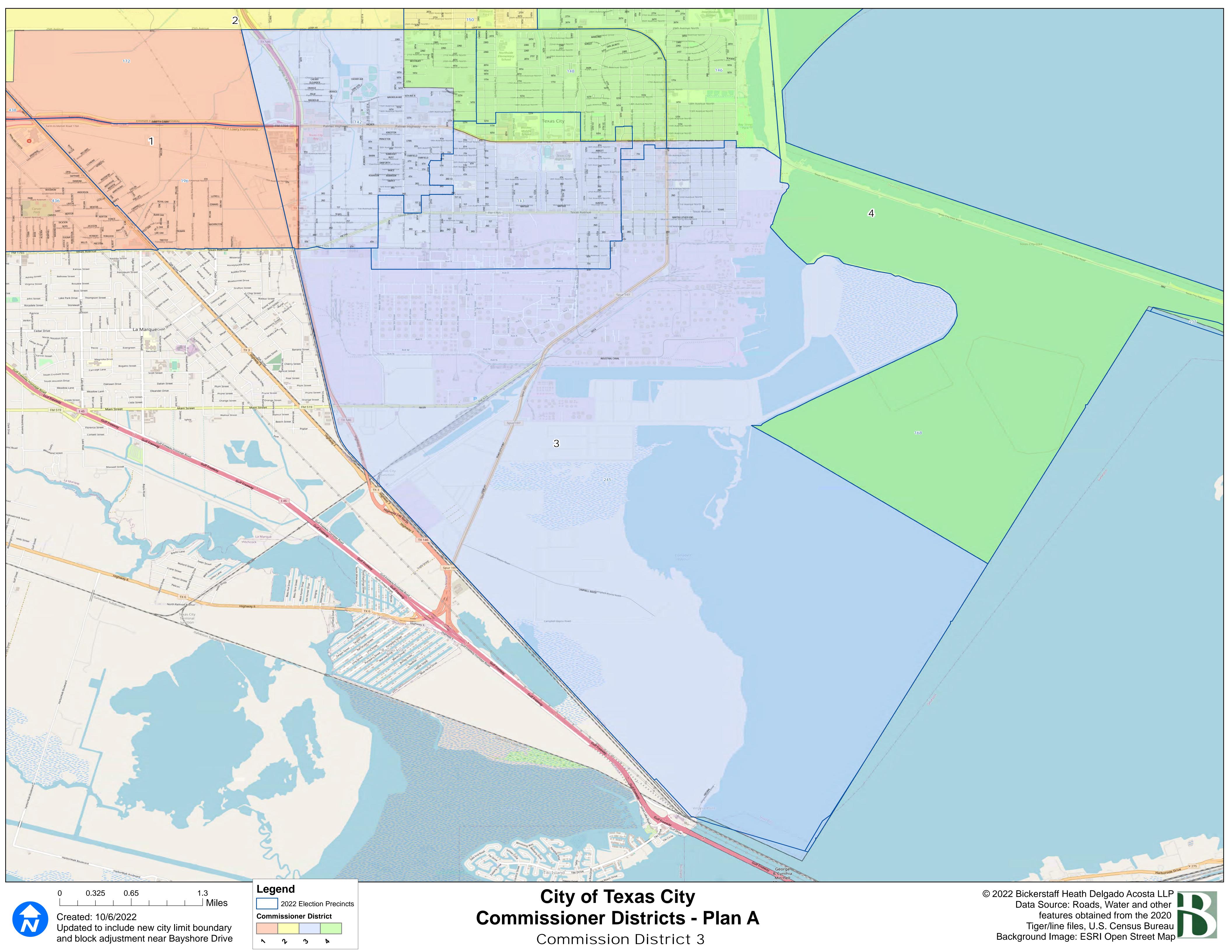
# **Attachments**

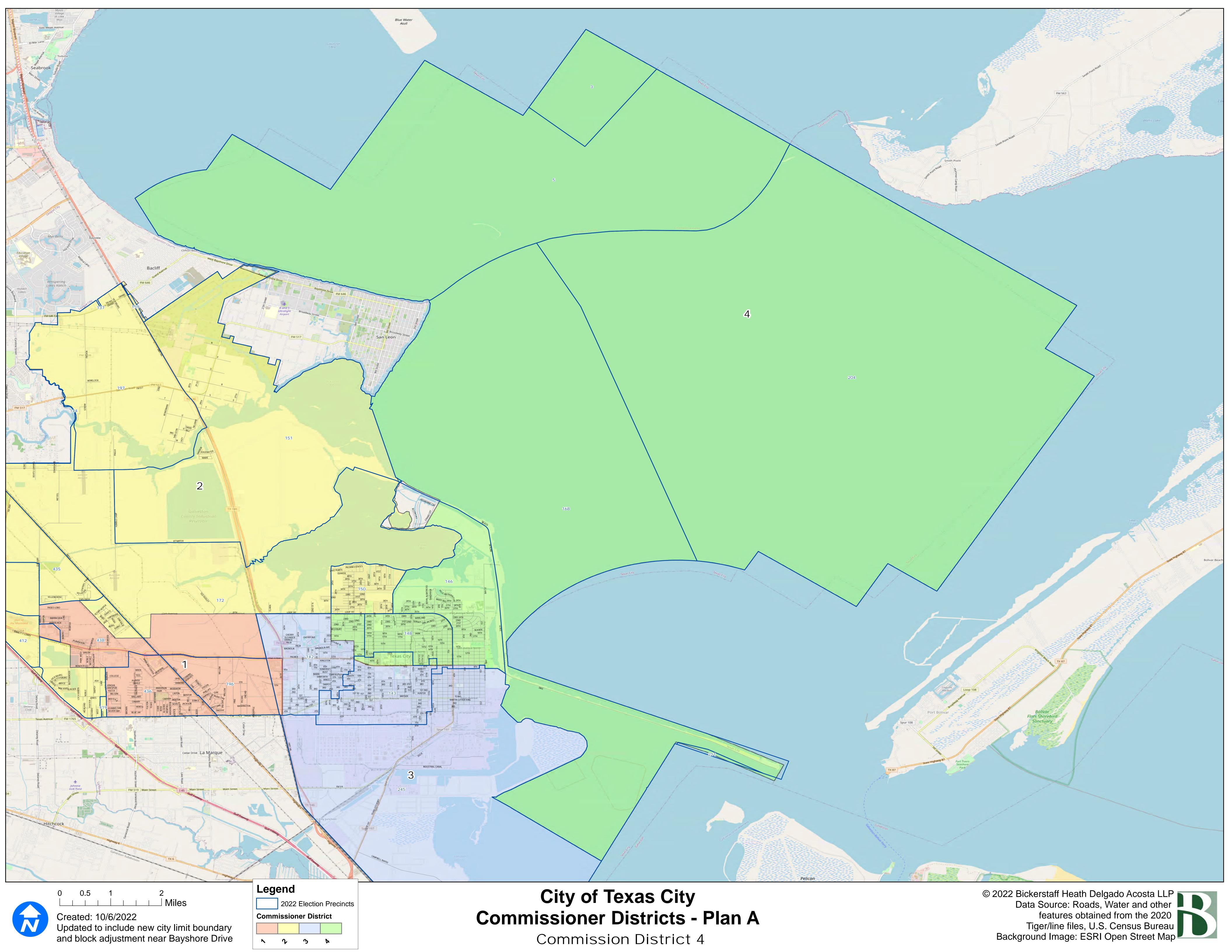
Plan A
Districts 1 - 4
Resolution











#### RESOLUTION NO. 2022-117

A RESOLUTION ADOPTING THE REDISTRICTING PLAN A FOR CITY COMMISSION DISTRICTS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

**WHEREAS,** as a result of the 2020 Census and the population increase within the City Limits of Texas City, it was anticipated the City may need to redistrict its Commission Districts; and

**WHEREAS**, at the May 18, 2022, City Commission meeting, Mr. Heath provided the Commission with the results of the assessment. The data contained in the assessment confirmed the City needed to redistrict; and

**WHEREAS**, based on the information discussed, Mr. Heath put together a draft plan labeled Plan A and presented it to the City Commission on October 5, 2022. The Commission was in agreement with that plan and subsequently held a Public Hearing on October 19, 2022, regarding the proposed plan; and

**WHEREAS**, it is recommended the City Commission consider the adoption of Redistricting Plan A.

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

**SECTION 1:** That the City Commission hereby adopts the Redistricting Plan A.

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

	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