

CITY OF TEXAS CITY
REGULAR CALLED CITY COMMISSION MEETING

AGENDA

WEDNESDAY, OCTOBER 4, 2023 - 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) REPORTS
 - (a) Aquatic Program (Recreation and Tourism)
 - (b) Fire Services (Fire Department)
- (5) PUBLIC HEARING
 - (a) David Newmann requests to rezone the property at 5130 Emmett F. Lowry Expy, Texas City, TX from "C" (Multi-Family Residential) to "E-3" (Outdoor Commercial) to construct Gulf Coast Growers Nursery – a plant nursery.
- (6) PRELIMINARY ZONING APPROVAL
 - (a) Consider and take action on a Zoning Change Request from David Newmann to rezone the property at 5130 Emmett F. Lowry Expy, Texas City, TX, from "C" (Multi-Family Residential) to "E-3" (Outdoor Commercial) to construct Gulf Coast Growers Nursery – a plant nursery.
- (7) PUBLIC COMMENTS

- (8) CONSENT AGENDA
- (a) Approve City Commission Minutes for the September 20, 2023 meeting. (City Secretary)
 - (b) Consider and take action on Resolution No. 2023-111, authorizing the purchase of four (4) new stretchers to replace four (4) that have reached their end of service life as established by the manufacturer. (Fire Department)
 - (c) Consider and take action on Resolution No. 2023-112, awarding a contract for Bid No. 2023-437 Water Line Replacement Project - Phase 20. (Public Works)
- (9) REGULAR ITEMS
- (a) Consider and take action on the first reading of Ordinance No. 2023-37, amending the Texas City Code of Ordinances Title XV Entitled "Land Usage," Chapter 151: Electricity; Section 151.080 Entitled "National Electrical Code Adopted: Conflicting Regulations." (Legal)
- (10) COMMISSIONERS' COMMENTS
- (11) MAYOR'S COMMENTS
- (12) 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 SEPTEMBER 29, 2023, PRIOR TO 5:00 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

RHOMARI LEIGH
CITY SECRETARY

CITY COMMISSION REGULAR MTG

(4) (a)

Meeting Date: 10/04/2023

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST

Aquatic Program (Recreation and Tourism)

BACKGROUND (Brief Summary)

RECOMMENDATION

Fiscal Impact

Attachments

Staff Report

City of Texas City
City Commission
October 4, 2023

2023 Aquatics Programs

Parks, Rec. & Tourism
DEPARTMENT



CITY OF TEXAS CITY

Nessler Family Aquatic Center 2023 Operating Season

82 Total Operating Days

Operating Days

May 6th – May 28th (Weekends)

May 29th – August 11th (Daily)

August 12th – September 4th (Weekends)

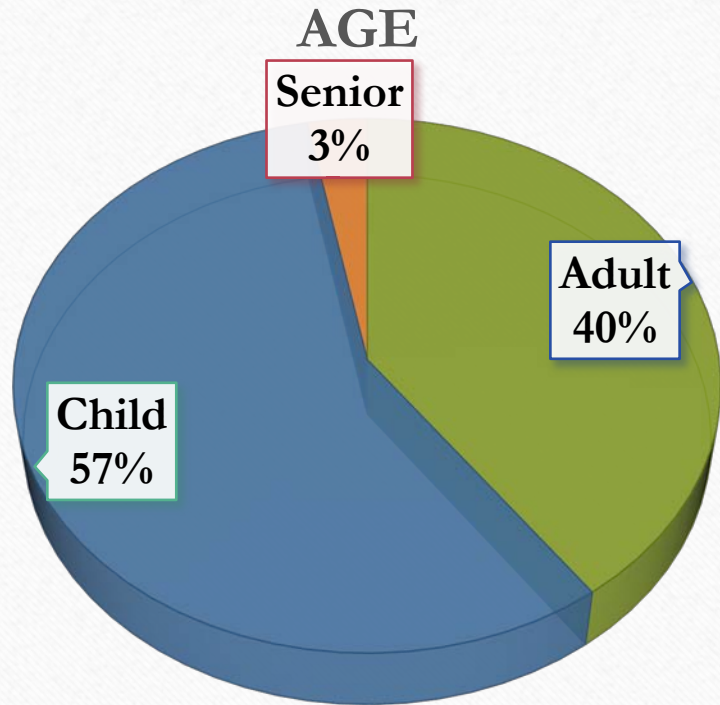
Closures

- Mondays for deep cleaning and
- in-service training

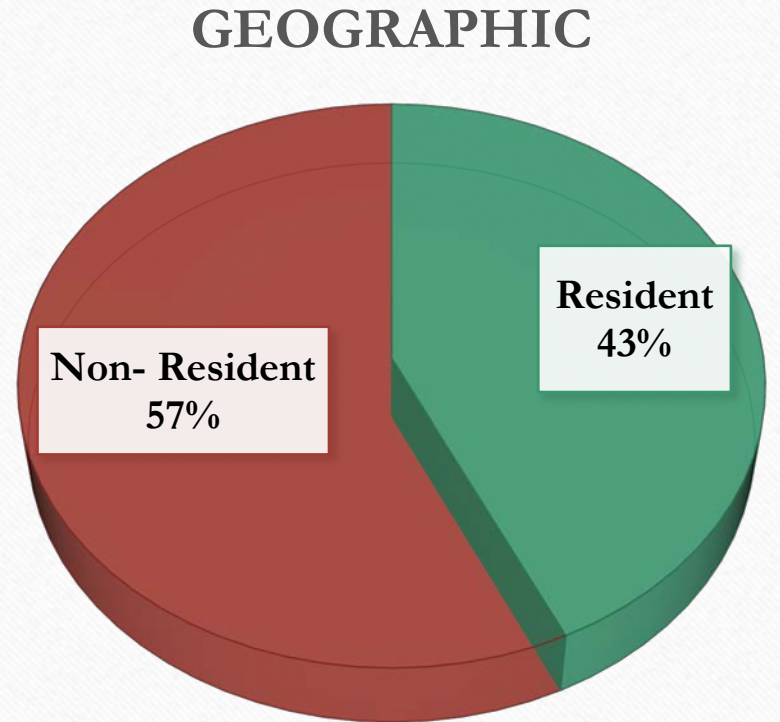


Nessler Family Aquatic Center

2023 Daily Admissions/Attendance Statistics



Total Admissions:
34,764



Age Statistics

Adult: 40%

Child: 57%

Senior: 3%

Geographic Statistics

Resident: 43%

Non-Resident: 57%

2023 Private Pool Party Reservations

Total of 40 Reservations

- 100% Reservation Rate

Reservation Revenue

Resident: \$11,100

Non-Resident: \$1,200

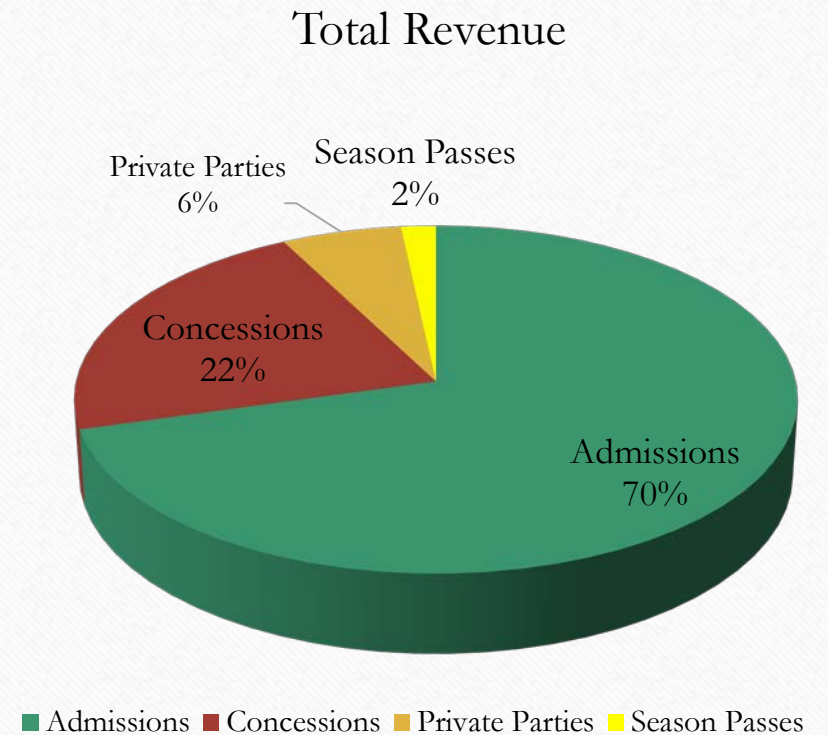
Total: \$12,300



Nessler Family Aquatic Center

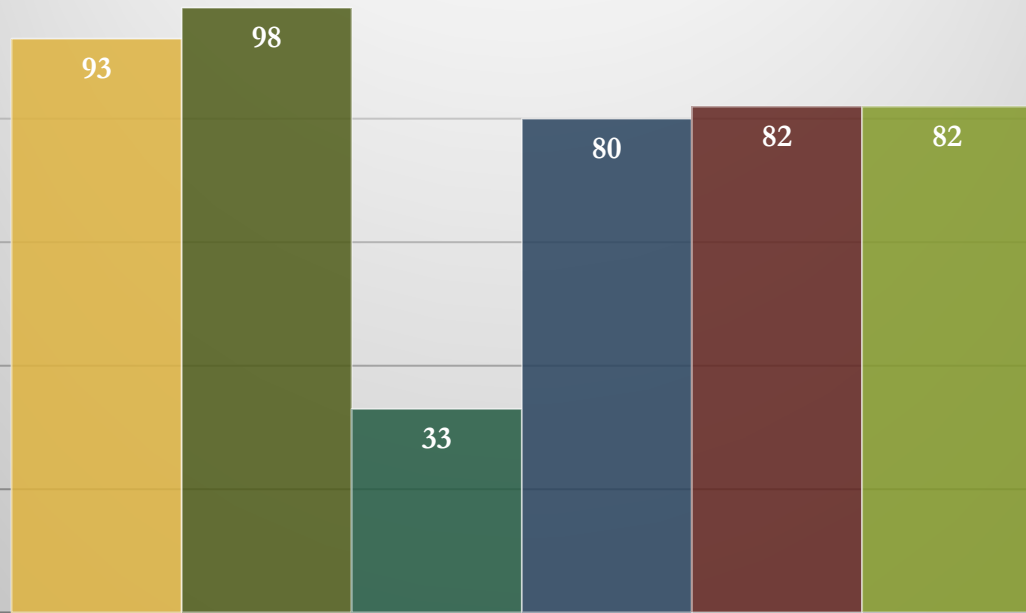
2023 Total Revenue

Daily Admission Revenue:	\$ 146,538
Daily Concession Revenue:	\$ 45,115
Season Pass Revenue:	\$ 3,570
Private Reservation Revenue:	\$ 12,300
<u>Total Revenue:</u>	<u>\$ 208,523</u>

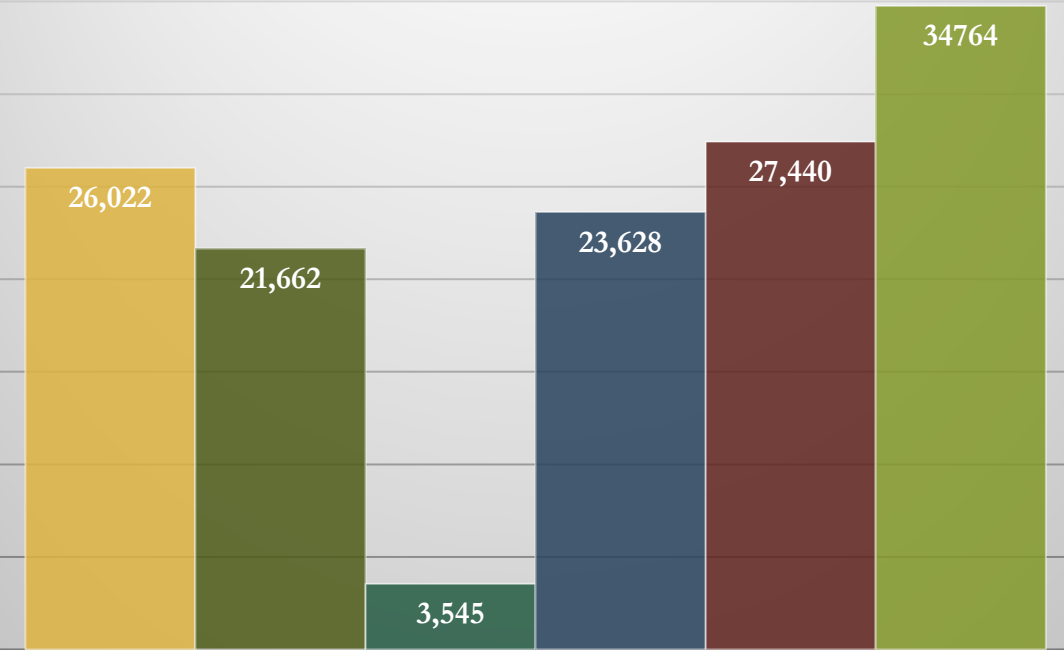


Nessler Park Family Aquatic Center 6 Year Comparison

Operating Days



Total Attendance

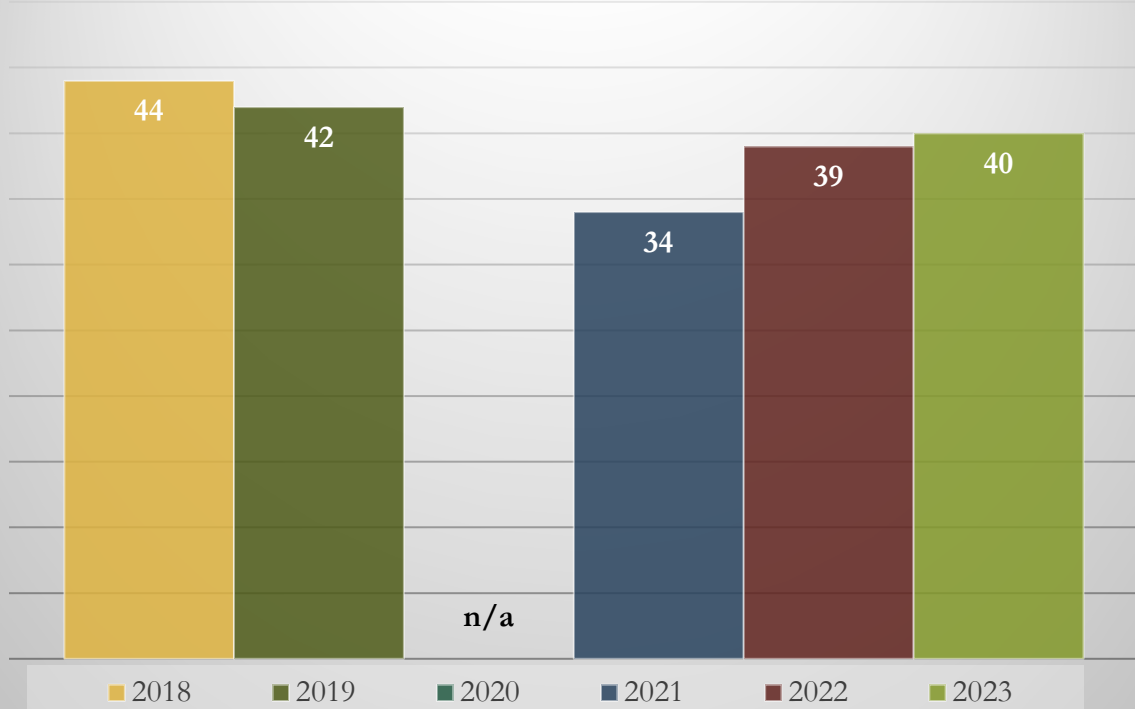


2018 2019 2020 2021 2022 2023

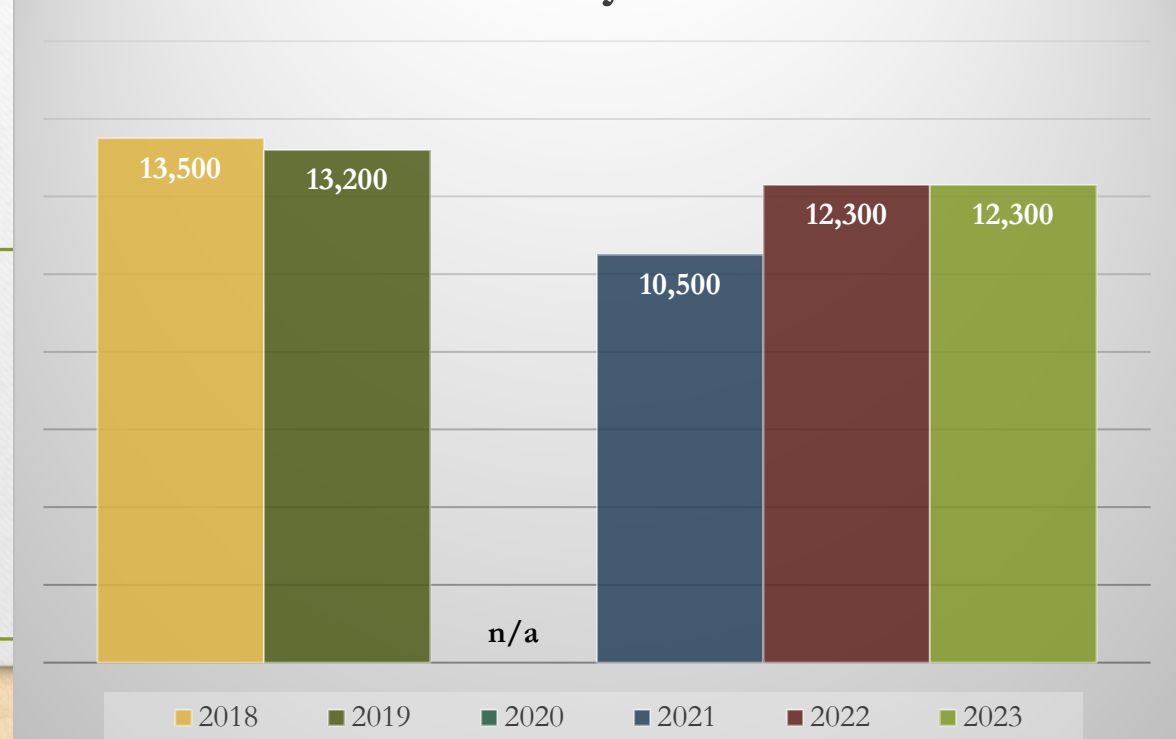
2018 2019 2020 2021 2022 2023

Nessler Park Family Aquatic Center 6 Year Comparison

Private Parties



Private Party Revenues



SWIM LESSONS

Spring

34 Participants

2 Sessions of 4 Levels

Pre-School 4:30-5p

Level 1 6:30-7:15p

Level 2 6:30-7:15p

Adult 7:15-8p

Summer

62 Participants

3 Sessions of 4 Levels

Water Babies 4:30-5p

Pre-School 4:30-5p

Level 1 12:30-1:15p

Level 2 12:30-1:15p

Fall

Oct 2nd – Nov 17th

3 Sessions of 4 Levels

Pre-School 4:30-5p

Level 1 6:30-7:15p

Level 2 6:30-7:15p

Adult 7:15-8p



Natatorium Renovation Project

Completed

- Two large leaks detected and fixed
- U.V. System replaced
- The three main drain covers replaced
- Old sound panels removed
- Replace expansion joint

Planned

- Install Dectron unit
- Install new sound panels
- Replace lighting
- Repainting of the ceiling beams
- Sand filter replacement
- Replace handicap lifts
- Resurface deck flooring

CITY COMMISSION REGULAR MTG

(4) (b)

Meeting Date: 10/04/2023

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST

Fire Services (Fire Department)

BACKGROUND (Brief Summary)

RECOMMENDATION

Fiscal Impact

Attachments

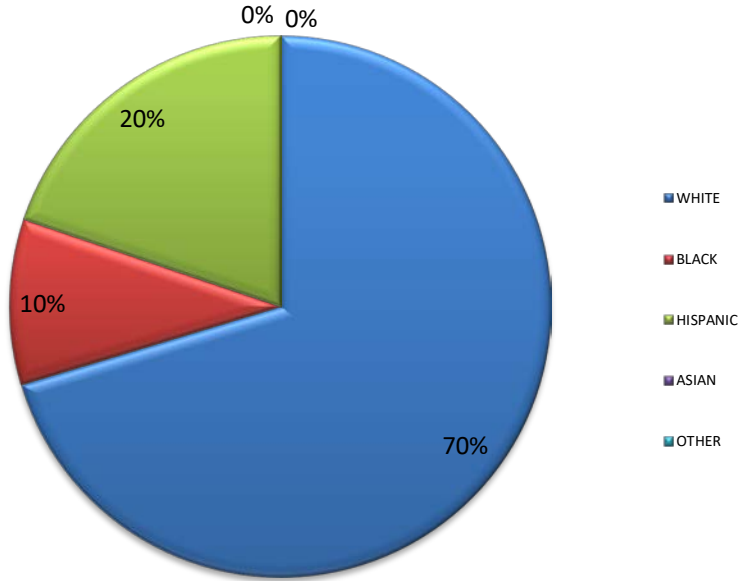
Staff Report



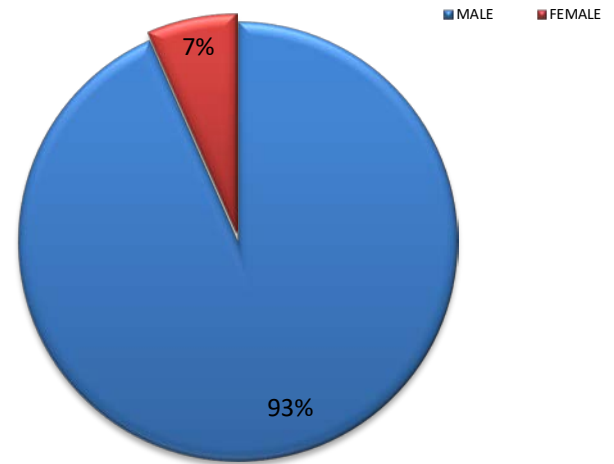
State Of The Texas City Fire Department 2023

92 of 97 Authorized Positions Filled

Ethnicity



Gender



Fire Dept.

- Emergency Response: Fire, EMS, Industrial Response, Water Rescue, Haz/Mat, Confined Space, and
- Plans review, annual commercial inspections, Pre-Fire planning, Public Events, and
- Neighborhood Improvement Services,

and

- Station maintenance
- Apparatus maintenance
- Equipment maintenance

and

- We mow the yard &
- We wash the Trucks



Texas City All Fire/EMS Mutual Aid

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
FIRE	59	63	140	108
EMS	183	182	216	203
Total	242	245	356	311

\$68,445.07 = 7% reduction from last year

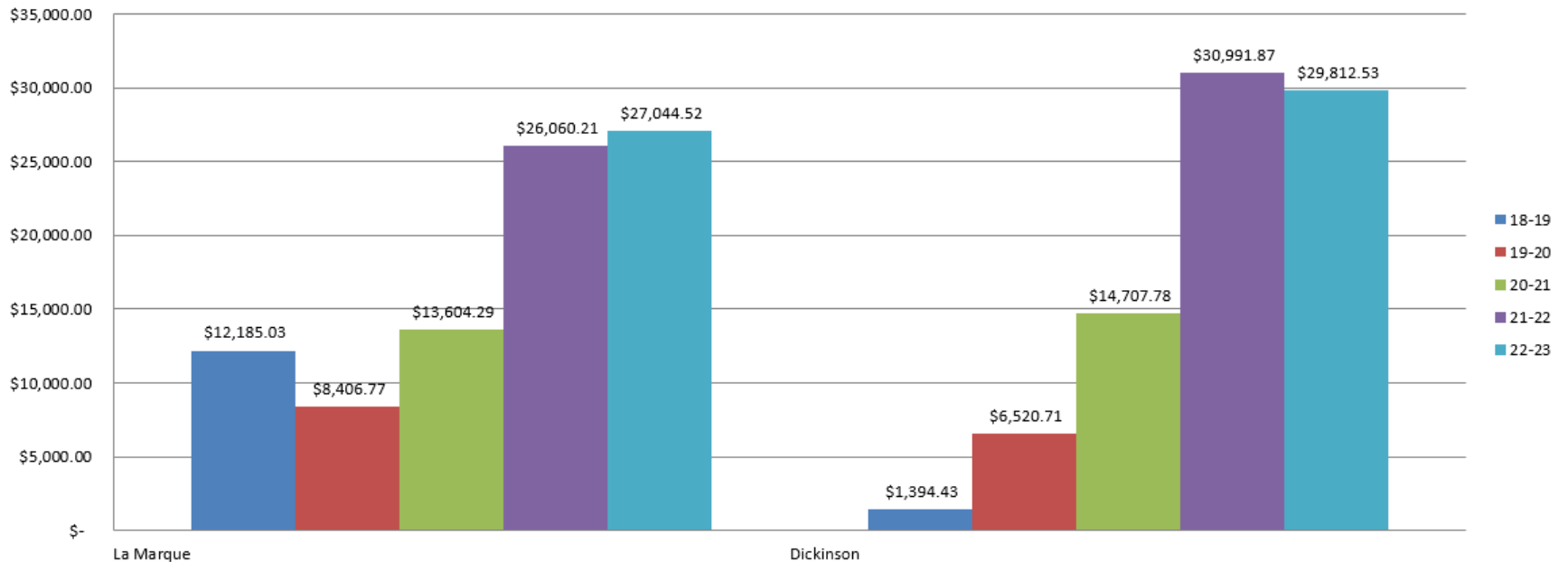
* July 15, 2022 to July 14, 2023

Mutual Aid / Automatic Aid

- Mutual Aid is assistance that is dispatched, upon request, by the responding fire department.
 - Policy: If we have units available we send them. If not, we send them as soon as possible.
 - Works well and has since 1949.
- Automatic Aid is assistance that is dispatched automatically by a reciprocal contractual agreement between two fire departments, communities or fire districts.
 - A unit is dispatched regardless of local circumstance(s).


Mutual Aid / Automatic Aid

Mutual Aid Cost Per HR 2018-2023 La Marque Dickinson





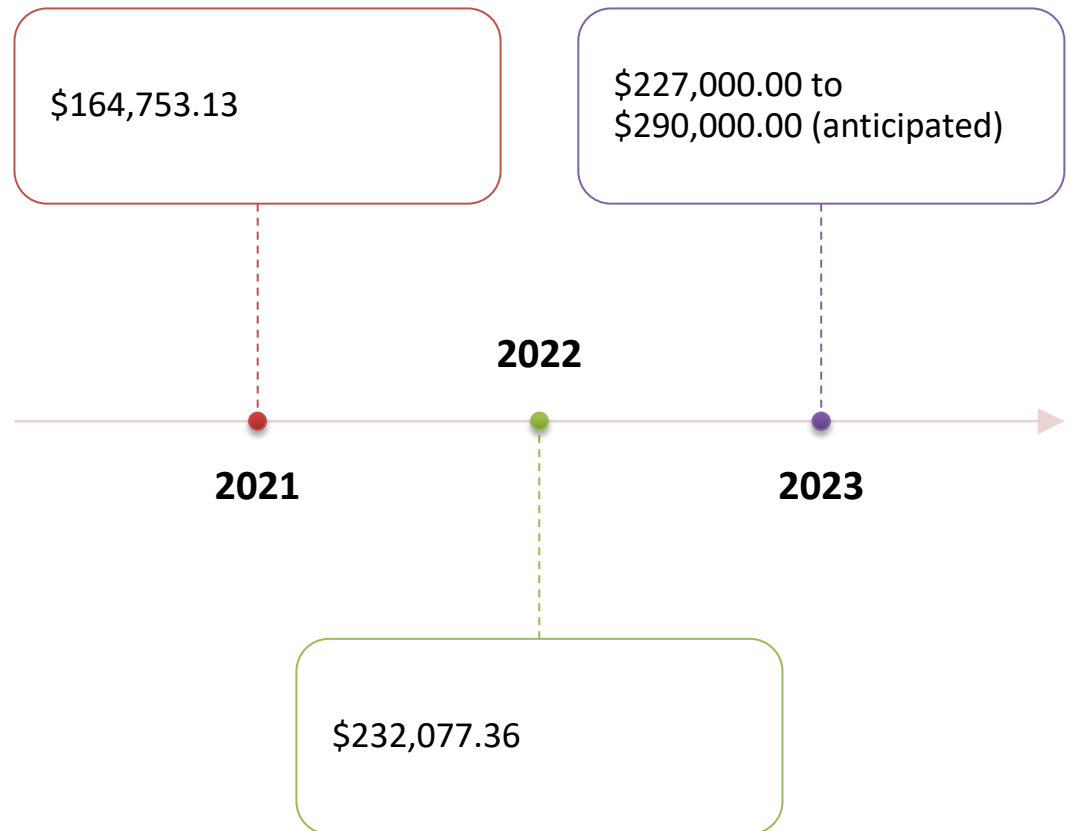
EMS Collections

- **Three Sources of Revenue:**
 - **Billing:** Fire Recovery USA
 - **Collections:** Linebarger, Goggan, Blair & Sampson
 - **Supplemental: Texas Ambulance Supplemental Pay Program** – Contracted with Public Consultants Group
- 

EMS Billing

- **Billing:**
- 5-year average: \$1,507,563.83 (+ 3.7% from previous year) (+6.3% since 2020)
- FY18/19: \$1,481,250.00 32.64%
- FY19/20: \$1,463,728.00 33.5%
- FY20/21: \$1,464,329.35 32.71%
- FY21/22: \$1,716,340.35 35.25%
- FY22/23: \$1,875,928.93 *36.85%
- Goal: 35% up from 33%
- Current: 36.85% through August 2023

Ambulance Supplemental Pay Program

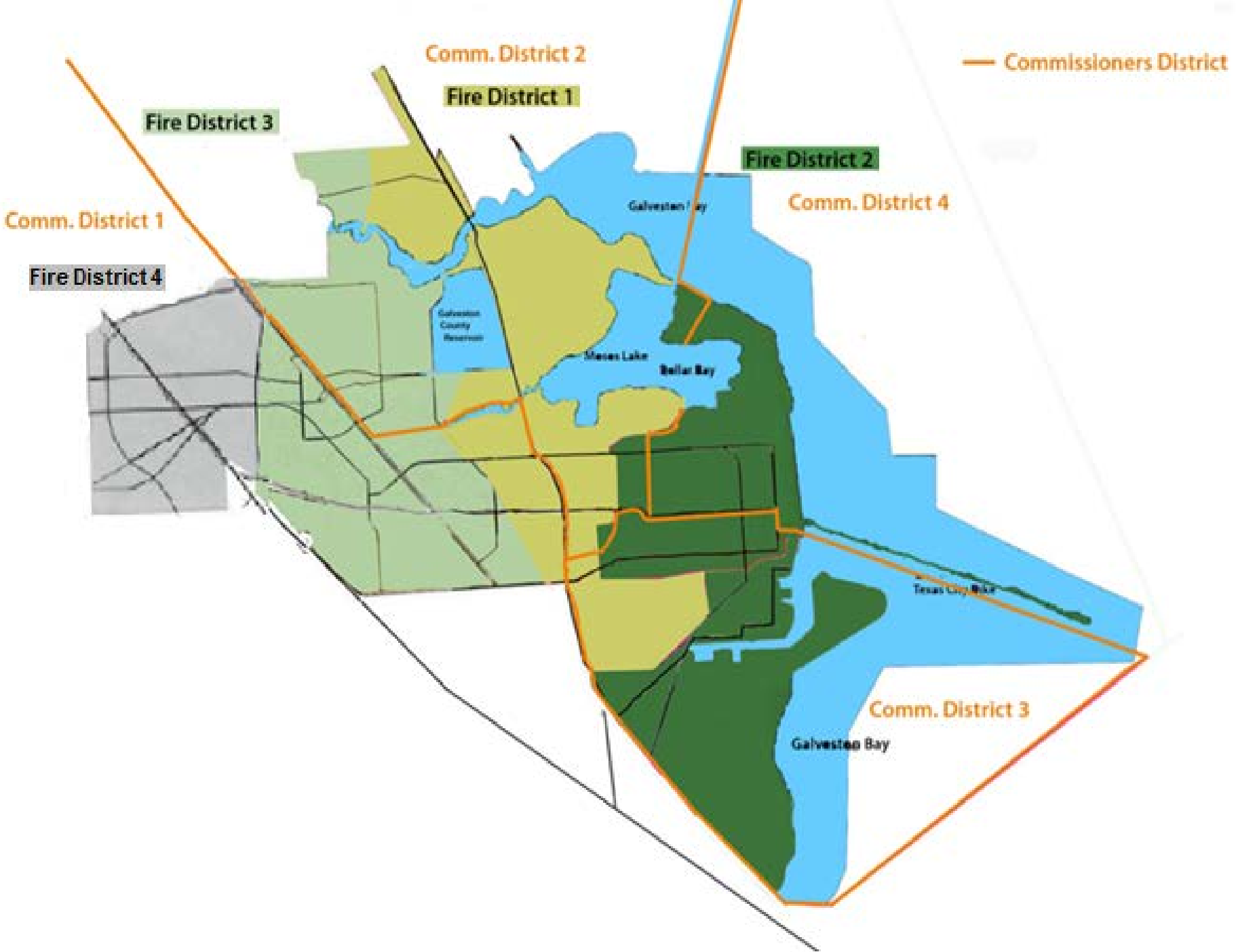


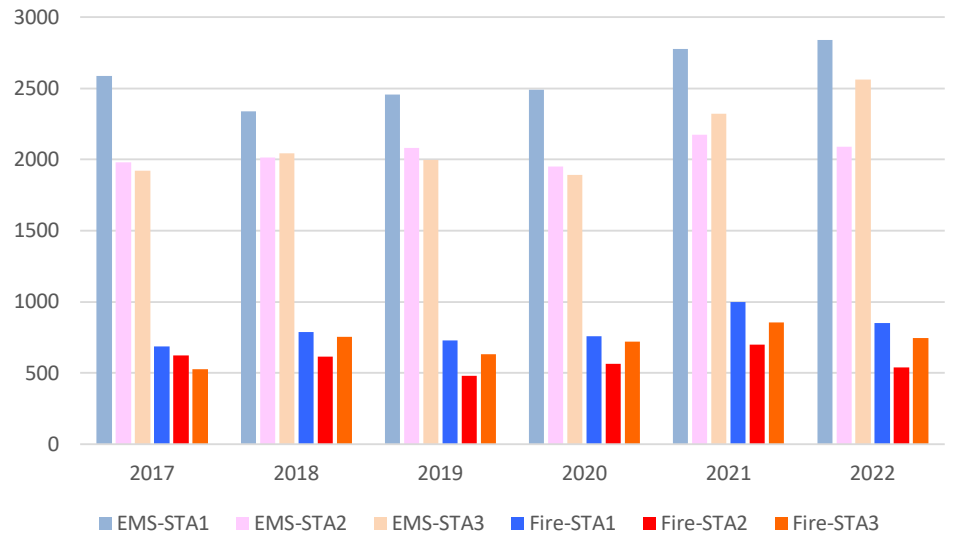
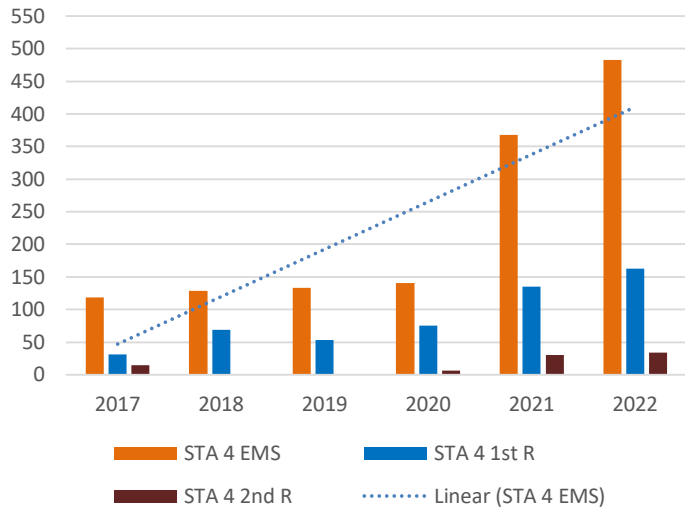
NIS at a Glance

- Substandard Structures – 50 +
- Junk Vehicles – 118 +
- High Grass – 388 +
- Junk & Debris – 70 +

TCISD Magnet Program

- Started with this year's Freshman Class
- 13 Students from Texas City & La Marque High School
- First year – Introduction to Fire Service
- Second Year – Introduction to EMS
- Third Year – Firefighter I
- Fourth Year – Firefighter II & EMT-Basic
- GOAL – Graduate with a certificate or eligible to test in both disciplines with college credit hours.





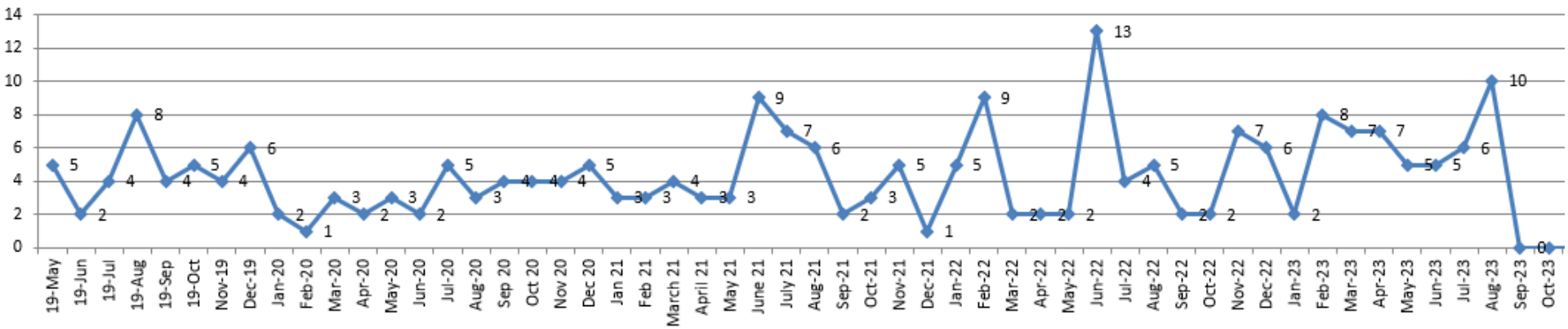
Run Count for Station 4							Total	8320	8551	8370	8375	9826	9629
STA 4 EMS	119	129	133	141	368	483	Total	3271	3124	3183	3249	3773	3693
STA 4 1st R	31	69	53	75	135	163	Fire-STA1	622	615	479	565	700	540
STA 4 2nd R	15	0	1	6	30	34	EMS-STA2	1978	2014	2081	1951	2175	2089
Total	165	198	187	222	533	680	Total	2600	2629	2560	2516	2875	2629
Year	2017	2018	2019	2020	2021	2022	Fire-STA3	526	753	630	720	856	747
							EMS-STA3	1923	2045	1997	1890	2322	2560
							Total	2449	2798	2627	2610	3178	3307
							Year	2017	2018	2019	2020	2021	2022

Station 4: West of FM 2004 & Hwy. 3

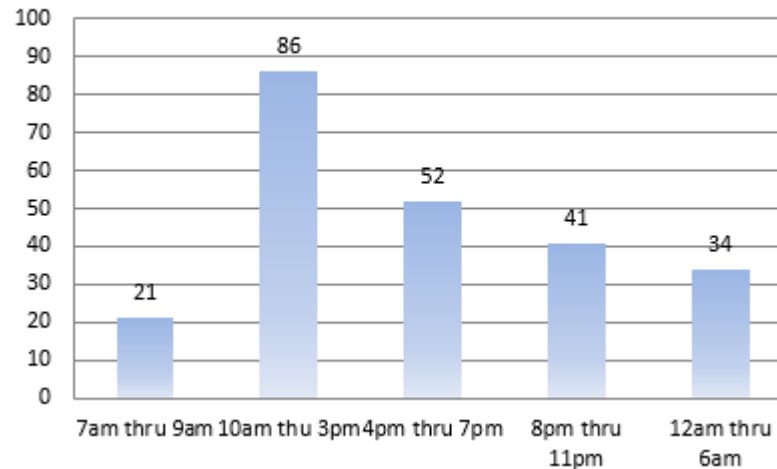
I-45 Traffic Accidents

Plot Area

Vehicle Incidents per Month



Incidents in Time Zones



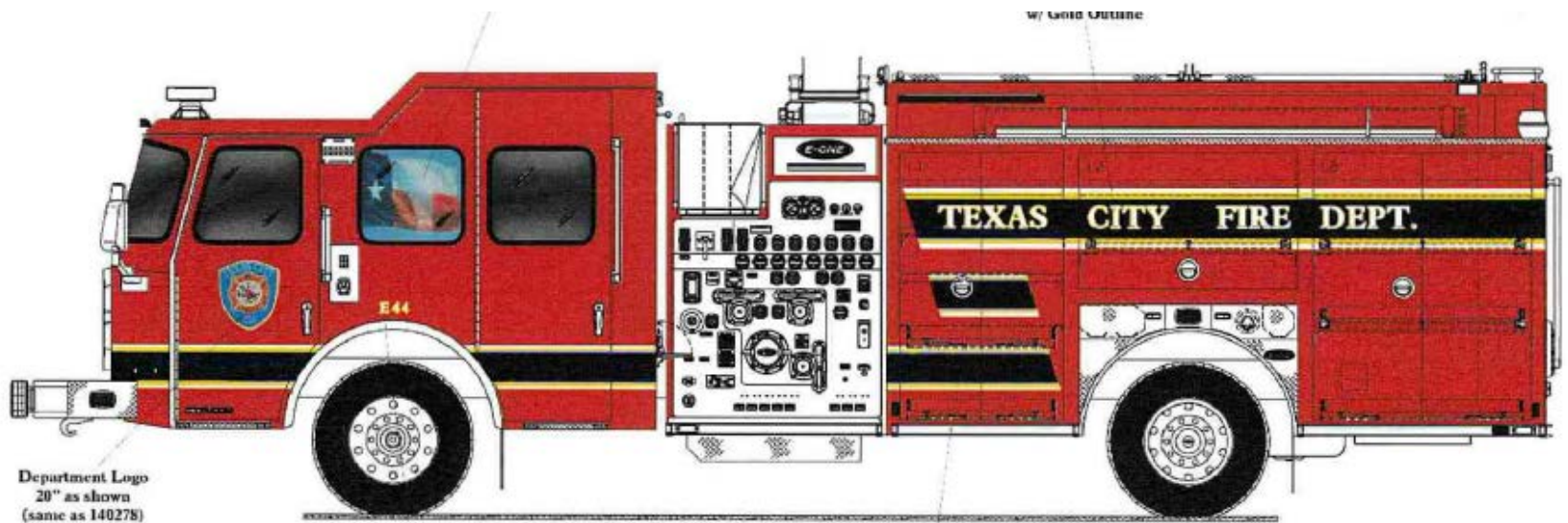
Station 4

- Projected Substantial Completion Date: October 19th
 - Backup Generator delayed until March 2024
 - Medic Unit 45 is delivered
 - Engine 44 is projected for January 2024
 - Ladder 48 is projected for January 2024
 - Open with an active reserve Engine as soon as possible.
 - Grand Opening following Apparatus delivery:
 - January or February 2024.



44

TEXAS CITY
FIRE DEPT.



Department Logo
20" as shown
(same as 140278)

3" Scotchlite White
w/ Gold Outline

Scotchlite Striping
1" White - 1" Gold - 8" Black - 1" Gold - 1" White



Department Logo
28" as shown
(same as 140275)

3" ScotchLac White
w/ Gold Outline

ScotchLac Striping
1" White - 1" Gold - 8" Black - 1" Gold - 1" White



HYUNDAI

DEERE

200D





09.07.2023 14:1



09.07.2023 14:1



09.07.2023 14:14



09.07.2023 14:13

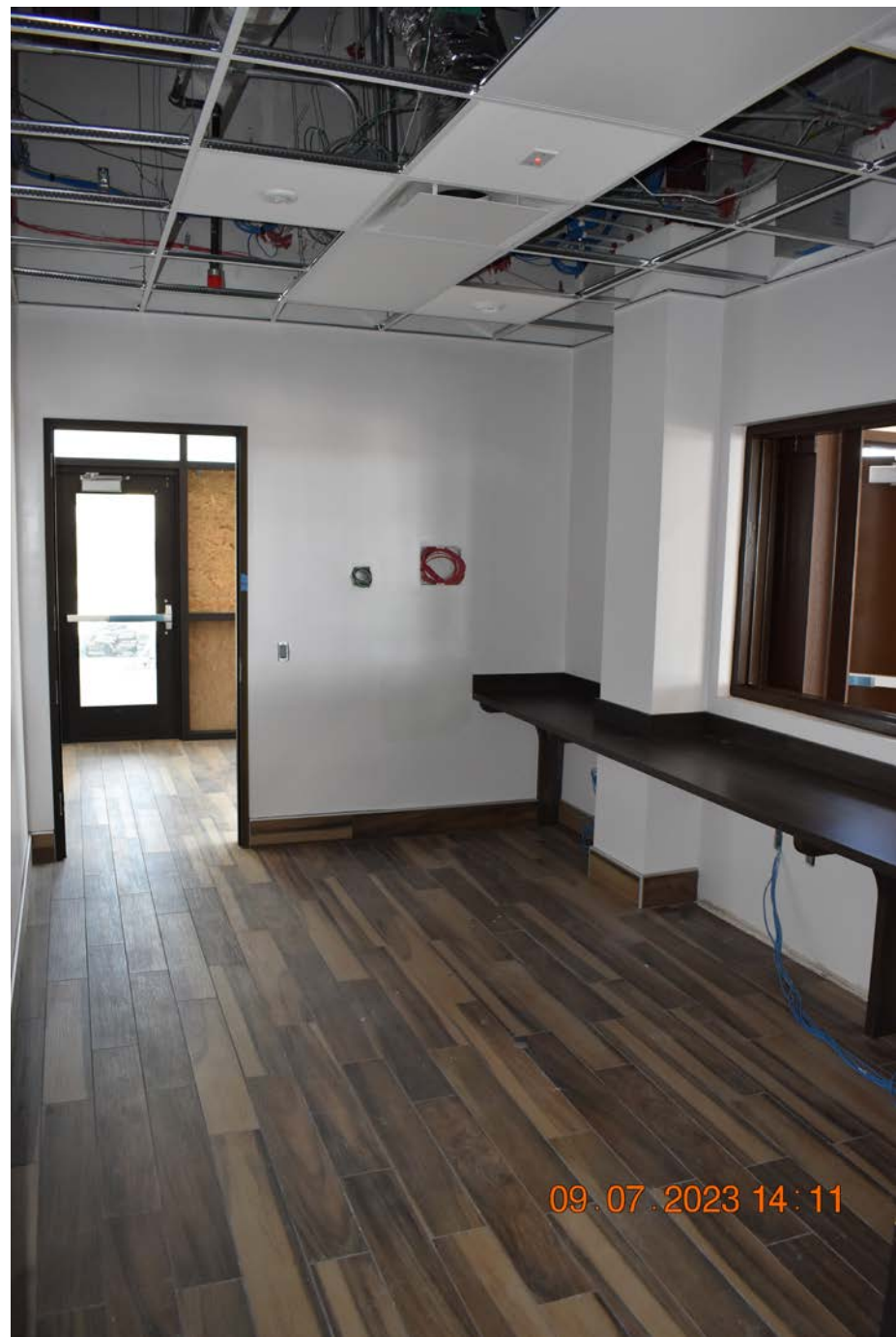


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09.07.2023 14:11



09.07.2023 14:11





09.07.2023 14:13



09.07.2023 14:1



TEXAS CITY
POLICE DEPARTMENT

TEXAS CITY
FIRE DEPARTMENT

4



Questions?

CITY COMMISSION REGULAR MTG

(5) (a)

Meeting Date: 10/04/2023

David Newmann requests to rezone the property at 5130 Emmett F. Lowry Expy from “C” to “E-3”

Submitted For: Kim Golden, Transportation and Planning

Submitted By: Veronica Carreon, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST

David Newmann requests to rezone the property at 5130 Emmett F. Lowry Expy, Texas City, TX from “C” (Multi-Family Residential) to “E-3” (Outdoor Commercial) to construct Gulf Coast Growers Nursery – a plant nursery.

BACKGROUND (Brief Summary)

Applicant, Gulf Coast Growers, has been working in the landscape/nursery industry for over 10 years and seeks to rezone the subject location to open a retail plant nursery. The 6.57-acre site is currently undeveloped raw land adjacent to and west of the EmkenLinton Funeral Home at 5100 Emmett F. Lowry Expy. The parcel has frontage on Emmett F. Lowry Expressway. The subject location is currently zoned District “C” (Multi-Family Residential). The adjacent EmkenLinton Funeral Home site is zoned District “E” (General Business). All other adjacent properties on the east side of the site are undeveloped raw land and also zoned District “C” (Multi-Family Residential). The undeveloped property north and west of the subject location area is zoned District “A” (Single Family Residential). Applicant previously applied for rezoning to District “E-3” in 2021 and received preliminary zoning approval from the City Commission on March 2, 2022. However, more than 12 months passed without application for a building permit, so the preliminary zoning approval expired. Applicant is prepared to move forward with the project and seeks the necessary rezoning. There were no objections to the previous application presented to the Zoning Commission or to the City Commission during the requisite public hearings.

Analysis: There have been no significant changes to the surrounding uses since the previous application for rezoning. The requested rezoning to District “E-3” (Outdoor Commercial) remains appropriate for the intended use to build, open, and operate a plant nursery. Such use is not inconsistent with the existing zoning and use of EmkenLinton Funeral Service, subject to appropriate screening. The requirements of the Gateway Overlay District will apply to the location regardless of other zoning designations. The anticipated use is consistent with the Land Use Plan and within the guidelines of the “Activity Corridor”.

RECOMMENDATION

The Zoning Commission voted unanimously to recommend the requested zoning change at its regular meeting on September 5, 2023 after holding a public hearing upon proper notice mailed to adjacent property owners. There were no objections voiced at the Public Hearing or received in writing. Staff have no objection and recommend approval to the requested rezoning.

Fiscal Impact

Attachments

5130 EFL Zoning Change - Staff Memo

5130 EFL Aerial View

Minutes

CITY OF TEXAS CITY, TEXAS

ENGINEERING & PLANNING DEPARTMENT • OFFICE (409) 643-5936



Mayor:
Dedrick Johnson

Commissioners:
Thelma Bowie
Abel Garza Jr.
DeAndre' Knoxson
Felix Herrera
Dorthea Jones Pointer
Jami Clark

TO: Zoning Commission – Regular meeting on September 5, 2023
FROM: Kim Golden, P.E., Engineering & Planning
CC: Doug Kneupper, P.E.
DATE: August 22, 2023
RE: Request to rezone from District “C” (Multi-Family Residential) to District “E-3” (Outdoor Commercial) to construct a plant nursery. Located to the west of Emken-Linton Funeral Home, Emmett F. Lowry Expy.

Background: Applicant, Gulf Coast Growers, has been working in the landscape/nursery industry for over 10 years and seeks to rezone the subject location to open a retail plant nursery.

Existing conditions: The 6.57-acre site is currently undeveloped raw land adjacent to and west of the Emken-Linton Funeral Home at 5100 Emmett F. Lowry Expy. The parcel has frontage on Emmett F. Lowry Expy.

Existing zoning: The subject location is currently zoned District “C” (Multi-Family Residential). The adjacent Emken-Linton Funeral Home site is zoned District “E” (General Business). All other adjacent properties on the east side of the site are undeveloped raw land and also zoned District “C” (Multi-Family Residential). The undeveloped property north and west of the subject location area is zoned District “A” (Single Family Residential).

Applicant previously applied for rezoning to District “E-3” in 2021 and received preliminary zoning approval from the City Commission on March 2, 2022. However, more than 12 months passed without application for a building permit, so the preliminary zoning approval expired. Applicant is prepared to move forward with the project and seeks the necessary rezoning. There were no objections to the previous application presented to the Zoning Commission or to the City Commission during the requisite public hearings.

Applicant seeks rezoning as District “E-3” (Outside Commercial). Plant nursery and greenhouses are an enumerated principal use for the E-3 district. See Section 160.038.

The District “E” (General Business) zone of the existing Emken-Linton Funeral Home adjacent to the subject property is described in Section 160.035 as “intended to provide for an extensive variety of enclosed retail and commercial services to serve the overall needs of the community.”

GATEWAY OVERLAY DISTRICT: The subject property is also subject to the requirements of Secs 160.065-160.069 Gateway Overlay District. This district requires 100% masonry construction, that all fences be masonry, that all utilities be underground, minimum of 15% landscaping, and other screening requirements.

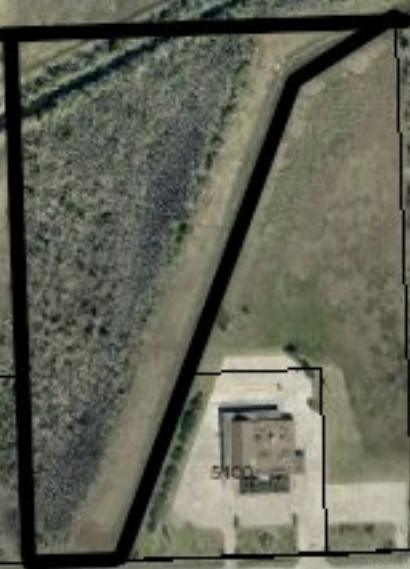
"QPS – Quality Public Service"

LAND USE PLAN: The current land use plans show the subject area as developing within the guidelines of the "Activity Corridor" which include: "These uses are primarily region serving and include malls, commercial, and open display retailing, wholesale, distributing and warehousing operations, restricted light industry, business offices, hotels and motels, and higher density residential development."

Existing infrastructure: There is more than sufficient vehicular access from FM 1764. Driveway permitting will be through TxDOT. Water service is available but will require an extension of the existing main. Sanitary sewer service will be on-site and permitted through Galveston County because public sewer is not available to the site. Drainage and stormwater management issues will be worked through Galveston County Drainage District No. 2.

Analysis: There have been no significant changes to the surrounding uses since the previous application for rezoning. The requested rezoning to District "E-3" (Outdoor Commercial) remains appropriate for the intended use to build, open, and operate a plant nursery. Such use is not inconsistent with the existing zoning and use of Emken-Linton Funeral Service, subject to appropriate screening. The requirements of the Gateway Overlay District will apply to the location regardless of other zoning designations. The anticipated use is consistent with the Land Use Plan and within the guidelines of the "Activity Corridor".

Staff have no objection to the requested rezoning.



(FM 1764)

BIMETT FLOWRY EXPY

5245 1/2

715

4915

701

702

1070

1050

1050

960

956

950

4352

N PALE RD

N PALE RD

ST JOHN
ALLEN
WILKINS
PALE

ZONING COMMISSION SEPTEMBER 5, 2022

The Zoning Commission of the City of Texas City met in a regular meeting on Tuesday, September 5, 2022 at 5:15 p.m. Zoning Commission members present: Chairman Perry O'Brien, Co-Chairman Gary Potter, Thelma Bowie, Aric Owens and Alternate Member Fernando Tello. Staff members present were: Kimberly Golden, Casey Bennett (CBO), David Kinchen (DBO), Kip Urps and Veronica Carreon. Guests were: Jennifer Monroe, Kristin Edwards (TCEDC), Curt Kelly and David Newmann.

Chairman O'Brien indicated a quorum was present and called the meeting to order.

1) APPROVAL OF MINUTES. A motion to approve the minutes of April 24, 2023 was made by Co-Chairman Gary Potter/Commissioner Thelma Bowie. All other members present voted aye.

2) PUBLIC COMMENTS

There were no public comments.

Before presentation, Ms. Kimberly Golden introduced Mr. Kip Urps, the newest Permit Tech for Building Inspections and Mr. Curt Kelly, a former associate of Ms. Golden's from Monroe, Louisiana.

3) Consider and take action on the zoning change request from David Newmann to rezone the property at 5130 Emmett F. Lowry, Texas City from District "C" (Multi-Family Residential) to District "E-3" (Outdoor Commercial) to construct Gulf Coast Growers Nursery – a plant nursery.

Chairman Perry O'Brien asked if this request has been brought to the Zoning Commission before. Ms. Kimberly Golden replied yes and that it was previously approved by the Zoning Commission as a Preliminary Zoning on March 2, 2022. She reminded everyone that by Texas City's ordinance the Applicant has 12 months in which they can make the preliminary approval final or permanent by applying for a building permit. This did not happen within the 12-month period, so the Applicant has returned, re-applied and is ready to move forward with their project.

This is the same project that was presented in 2022 and recommended for the re-zoning.. There have been no significant changes in the surrounding uses.

Staff's recommendation remains unchanged and is to approve the request to rezone.

Chairman O'Brien stated that everything was pretty "cut and dry" and asked if there was anything to add to Ms. Golden's presentation.

The Applicant, Mr. David Newmann, stated he had nothing to add except that the reason for the delay was a new addition to his family and that kind of sidelined them for a little while. Congratulations were then extended to Mr. Newmann.

Co-Chairman Gary Potter then asked Ms. Golden if there were any letters for or against the rezoning request to which she replied none were received.

Chairman O'Brien asked if there were any more questions.

There were no further questions, to which a motion was made by Co-Chairman Gary Potter/Commissioner Thelma Bowie to open the Public Hearing. All other members voted aye. There were no questions or further discussion, to which a motion was made by Commissioner Thelma Bowie/Co-Chairman Gary Potter to close the Public Hearing. All other members voted aye.

After presentation, a motion was made by Co-Chairman Gary Potter/Commissioner Thelma Bowie to recommend approving the zoning change request from District "C" (Multi-Family Residential) to District "E-3" (Outdoor Commercial). All other members present voted aye.

4) Consider and take action on the zoning change request from Saiyad Ali to rezone the property at 921 Texas Avenue, Texas City from District "IBD" (Industrial Business District) to District "E" (General Business) to open Texas City Food Mart – a convenience store with fuel pumps and washateria.

Ms. Golden stated this location has previously been presented to the board for a zoning change but for a different project.

The previous application for a zoning change from District "IBD" (Industrial Business District) to District "E" (General Business) to open and operate the "4 Night Bar & Lounge was denied by the City Commission on August 17, 2022.

At that meeting, the Zoning Commission had recommended not to approve the request and the City Commission did not approve the change in zoning.

This application being presented today is also a request to rezone from District "IBD" (Industrial Business District) to District "E" (General Business). The proposed project is to renovate and expand the existing structure to operate as a convenience store with fuel pumps and a washateria.

The Applicant has told staff that he proposes to add on to the building 10' to 11' in height and also extend it 15' to 20' to the east and to install a washateria that will consist of 25 washers and 25 dryers. The proposed hours of operation would be 9:00 AM – 11:00 PM.

The 0.789-acre lot has a vacant existing structure which has not been open for business for more than 12 months. Prior to COVID-19, it was open as a bar and lounge and has not opened for any use since the covid closure. It has been in a non-conforming use for years. Again, the previous request to rezone was denied.

The property across Texas Avenue is zoned as District "F" (Light Industrial) and is intended to provide for oil and gas warehousing.

The IBD is a transformational zone meaning it is intended to transform the area into a buffer zone between the industry and the businesses north of Texas Avenue. The proposed use does not do this and does not conform with the intent of the IBD. For the reasons enumerated in Ms. Golden's staff memo, staff is recommending that this rezoning request be denied.

The Applicant was provided a copy of Ms. Golden's memo recommending denial of the rezoning application some time ago but wanted to move forward with it.

Chairman O'Brien asked if the Applicant was present, to which Ms. Veronica stated she did not see him present, but she had spoken with him and he had said he would be in attendance.

Ms. Golden added one letter of objection to the zoning change was received and copies provided to the Zoning Commissioners.

Chairman O'Brien reminded everyone that with the Zoning Commission and Planning Board if the Applicant is not in attendance there is certainly no chance of a yes. However, if everyone is okay with it, he believes they can move forward with this and added that this request does not meet the requirements in any form or fashion. Because of this he believes this vote could be wrapped up today.

There were no further comments, to which a motion was made by Co-Chairman Gary Potter/Commissioner Thelma Bowie to open the Public Hearing. All other members voted aye. There were no questions or further discussion, to which a motion was made by Commissioner Thelma Bowie/Co-Chairman Gary Potter to close the Public Hearing. All other members voted aye.

After presentation, a motion was made by Co-Chairman Gary Potter/Commissioner Thelma Bowie to recommend denying the zoning change request from District "IBD" (Industrial Business District) to District "E" (General Business). All other members present voted aye.

5) GENERAL UPDATES

6) Other business. (Any conceptual development proposal requesting to come before the Planning Board)

Chairman O'Brien asked if there was any other business to which there was none. **A motion was made by Co-Chairman Gary Potter/Commissioner Thelma Bowie to adjourn. All members present voted aye.**

Kimberly Golden, Secretary

Date

Minutes approved by the Planning Board at its meeting on _____.

CITY COMMISSION REGULAR MTG

(6) (a)

Meeting Date: 10/04/2023

Zoning Change Request from David Newmann to rezone property at 5130 Emmett F. Lowry Expy from "C" to "E-3"

Submitted For: Kim Golden, Transportation and Planning

Submitted By: Veronica Carreon, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST

Consider and take action on a Zoning Change Request from David Newmann to rezone the property at 5130 Emmett F. Lowry Expy, Texas City, TX from "C" (Multi-Family Residential) to "E-3" (Outdoor Commercial) to construct Gulf Coast Growers Nursery – a plant nursery.

BACKGROUND (Brief Summary)

Applicant, Gulf Coast Growers, has been working in the landscape/nursery industry for over 10 years and seeks to rezone the subject location to open a retail plant nursery. The 6.57-acre site is currently undeveloped raw land adjacent to and west of the EmkenLinton Funeral Home at 5100 Emmett F. Lowry Expy. The parcel has frontage on Emmett F. Lowry Expressway. The subject location is currently zoned District "C" (Multi-Family Residential). The adjacent EmkenLinton Funeral Home site is zoned District "E" (General Business). All other adjacent properties on the east side of the site are undeveloped raw land and also zoned District "C" (Multi-Family Residential). The undeveloped property north and west of the subject location area is zoned District "A" (Single Family Residential). Applicant previously applied for rezoning to District "E-3" in 2021 and received preliminary zoning approval from the City Commission on March 2, 2022. However, more than 12 months passed without application for a building permit, so the preliminary zoning approval expired. Applicant is prepared to move forward with the project and seeks the necessary rezoning. There were no objections to the previous application presented to the Zoning Commission or to the City Commission during the requisite public hearings. Analysis: There have been no significant changes to the surrounding uses since the previous application for rezoning. The requested rezoning to District "E-3" (Outdoor Commercial) remains appropriate for the intended use to build, open, and operate a plant nursery. Such use is not inconsistent with the existing zoning and use of EmkenLinton Funeral Service, subject to appropriate screening. The requirements of the Gateway Overlay District will apply to the location regardless of other zoning designations. The anticipated use is consistent with the Land Use Plan and within the guidelines of the "Activity Corridor".

RECOMMENDATION

The Zoning Commission voted unanimously to recommend the requested zoning change at its regular meeting on September 5, 2023 after holding a public hearing upon proper notice mailed to adjacent property owners. There were no objections voiced at the Public Hearing or received in writing. Staff have no objection and recommend approval to the requested rezoning.

Fiscal Impact

CITY COMMISSION REGULAR MTG

(8) (a)

Meeting Date: 10/04/2023

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST

Approve City Commission Minutes for the September 20, 2023 meeting. (City Secretary)

BACKGROUND (Brief Summary)

RECOMMENDATION

Fiscal Impact

Attachments

Minutes

REGULAR CALLED CITY COMMISSION MEETING

MINUTES

WEDNESDAY, AUGUST 20, 2023 – 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A Regular Called Meeting of the City Commission was held on Wednesday, SEPTEMBER 20, 2023, 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
Thelma Bowie, Commissioner At-Large, Mayor Pro Tem
Abel Garza, Jr. , Commissioner At-Large
DeAndre' Knoxson, Commissioner District 1
Felix Herrera, Commissioner District 2
Jami Clark, Commissioner District 4

Absent: Dorthea Jones Pointer, Commissioner District 3

2. INVOCATION

Led by Mayor Dedrick D. Johnson.

3. PLEDGE OF ALLEGIANCE

Led by Commissioner District 4 Jami Clark.

4. PROCLAMATIONS AND PRESENTATIONS

- a. Daughters of the American Revolution proclaiming September 17-23, 2023, as "Constitution Week."

Susan Polk accepted the proclamation from Mayor Dedrick D. Johnson on behalf of the George Washington chapter of the Daughters of the American Revolution.

- b. Promotion of Captain David Fairchild to the rank of Assistant Chief of Police.

Chief Landis Cravens swore in David Fairchild as the Assistant Chief of Police.

Asst. Chief Fairchild was pinned by his mother and brother.

5. REPORTS

- a. Economic Development Report (Economic Development)

Kristen Edwards, Economic Development Director, gave an update on the completion status of the Economic Development's strategic plans.

6. PUBLIC HEARING

- a. Public hearing in support of or opposition to the City of Texas City's proposed 2023/2024 Fiscal Year Budget.

7. PUBLIC COMMENTS

Shirley Jefferson requested to address the Commission.

8. CONSENT AGENDA

- a. Approve City Commission Minutes for the September 6, 2023 meeting. (City Secretary)

Vote: 6 - 0 CARRIED

- b. Consider and take action on Resolution No. 2023-105, approving the appointments and re-appointments of members to various Texas City Boards, Commissions, and Committees. (City Secretary)

Vote: 6 - 0 CARRIED

- c. Consider and take action on Resolution No. 2023-106, authorizing the Mayor to execute a one-year agreement between the County of Galveston and the City of Texas City for Mutual Aid. (Fire Department)

Vote: 6 - 0 CARRIED

- d. Consider and take action on Resolution No. 2023-107, approving a revised contract between the Galveston County Health District and the City of Texas City for water pollution control and abatement services for the 2024 fiscal year. (Public Works)

Vote: 6 - 0 CARRIED

- e. Consider and take action on Resolution No. 2023-110, awarding a Community Grant to the Baby Stewart Foundation, on behalf of Commissioner DeAndre Knoxson, in the amount of \$5,000.00 (Mayor's Office - Grant Administrations)

Vote: 6 - 0 CARRIED

9. REGULAR ITEMS

- a. Consider and take action on Resolution No. 2023-108, accepting and approving the 2023 Certified Tax Roll. (Finance)

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

Vote: 6 - 0 CARRIED

- b. Consider and take action, by record vote, on Ordinance No. 2023-36, to adopt the City of Texas City's 2023-2024 Fiscal Year Budget. (Finance)

Commissioner District 4 Jami Clark made a motion to adopt the City of Texas City's 2023-2024 Fiscal Year Budget; Commissioner District 2 Felix Herrera seconded the motion.

The record vote was as follows:

Dedrick D. Johnson, Mayor --- aye
Thelma Bowie, Mayor Pro Tern, and Commissioner At-Large --- aye
Abel Garza, Jr., Commissioner At-Large --- aye
DeAndre' Knoxson, Commissioner District 1 --- aye
Felix Herrera, Commissioner District 2 --- aye
Dorthea Jones Pointer, Commissioner District 3 --- absent
Jami Clark, Commissioner District 4 --- aye

Vote: 6 - 0 CARRIED

- c. Consider and take action, by record vote, on Resolution No. 2023-109, ratifying the tax increase reflected in the 2023-2024 Fiscal Year Budget. (Finance)

Ratify the tax increase reflected in the 2023 - 2024 Fiscal Year Budget that will raise more total property taxes than last year's budget by \$2,353,755, or 7.30 percent, and of that amount, \$803,884 is tax revenue to be raised from new property added to the tax roll this year.

Commissioner District 2 Felix Herrera made a motion to ratify the tax increase reflected in the 2023-2024 Fiscal Year Budget; Commissioner District 1 DeAndre' Knoxson seconded the motion.

The record vote was as follows:

Dedrick D. Johnson, Mayor --- aye
Thelma Bowie, Mayor Pro Tern, and Commissioner At-Large --- aye
Abel Garza, Jr., Commissioner At-Large --- aye
DeAndre' Knoxson, Commissioner District 1 --- aye
Felix Herrera, Commissioner District 2 --- aye
Dorthea Jones Pointer, Commissioner District 3 --- absent
Jami Clark, Commissioner District 4 --- aye

Vote: 6 - 0 CARRIED

10. ADJOURNMENT

Having no further business, Commissioner At-Large Abel Garza, Jr. made a MOTION to ADJOURN at 5:52 p.m.; the motion was SECONDED by Mayor Dedrick D. Johnson. All present voted AYE. MOTION CARRIED.

DEDRICK D. JOHNSON, MAYOR

ATTEST:

Rhomari Leigh, City Secretary
Date Approved:

CITY COMMISSION REGULAR MTG

(8) (b)

Meeting Date: 10/04/2023

EMS Stretchers

Submitted For: David Zacherl, Fire Department

Submitted By: David Zacherl, Fire Department

Department: Fire Department

Information

ACTION REQUEST

The stretchers recommended for replacement will reach the manufacturer’s “end of service” life of fifteen (15) years in April 2024. This is an important factor in considering liability and risk related decisions such as mechanical wear, material degradation, and patient injury.

Moreover, these four stretchers will no longer be covered by the annual preventive maintenance and parts replacement program which has the potential to greatly increase stretcher maintenance costs. For example, replacement of a broken lower unit costs approximately \$4,000.00. We have replaced four lower units under the annual maintenance contract at no cost.

BACKGROUND (Brief Summary)

Stretchers are one of our most often used pieces of equipment. The manufacturer has placed a service life on stretchers at 15 years, after which they will no longer provide a service plan for preventive maintenance and parts replacement.

Their reasoning for this is the stresses placed on the frame of the stretcher from weight distribution, movement over uneven surfaces, and subsequent metal deflection causes the metal to weaken with age.

RECOMMENDATION

The Fire Chief recommends the purchase of four (4) new stretchers to replace four (4) that have reached their end of service life as established by the manufacturer.

Fiscal Impact

Funds Available Y/N: Yes

Amount Requested: 80,400.04

Source of Funds: FY 23/24 Budget

Account #: 10120255150

Fiscal Impact:

Funds were approved for use during the FY 23/24 Budget cycle

Attachments

Resolution

Exhibit A

RESOLUTION 23-

A RESOLUTION APPROVING THE PURCHASE OF FOUR POWERPRO XT STRETCHERS FROM STRYKER MEDICAL, FOR USE IN 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 Four (4) PowerPro stretchers from Stryker Medical in the amount of \$80,400.04; and

WHEREAS, funds have been made available for this purchase in the FY 23/24 Budget; and

WHEREAS, this purchase is intended for use in the Medic Units for patient transport.

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 from Stryker Medical in the amount of \$80,400.04 in substantially the same form attached hereto as Exhibit "A".

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

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

PASSED AND ADOPTED this 4th day of October 2023.

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

ATTEST:

APPROVED AS TO FORM:

Rhomari Leigh
City Secretary

Kyle L. Dickson
City Attorney



PowerPro XT (QTY 4)

Quote Number: 10777710

Remit to: **Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Version: 1

Prepared For: ~~TEXAS CITY FIRE DEPT~~

Rep: ~~Tim Garza~~

Attn:

Email: tim.garza@stryker.com

Phone Number:

Service Rep: Jason Pham

Email: jason.pham@stryker.com

Quote Date: 09/07/2023

Expiration Date: 10/07/2023

Contract Start: 09/07/2023

Contract End: 09/06/2024

Delivery Address		End User - Shipping		Bill To Account	
Name:	TEXAS CITY FIRE DEPT	Name:	TEXAS CITY FIRE DEPT	Name:	TEXAS CITY FIRE DEPT
Account #:	20054930	Account #:	20054930	Account #:	20054930
Address:	1725 25TH ST N RM EMS TEXAS CITY Texas 77590-4930	Address:	1725 25TH ST N RM EMS TEXAS CITY Texas 77590-4930	Address:	1725 25TH ST N RM EMS TEXAS CITY Texas 77590-4930

Equipment Products:

#	Product	Description	U/M	Qty	Sell Price	Total
1.0	6506000000	Power-PRO XT	PCE	4	\$22,321.00	\$89,284.00
1.1	6085033000	PR Cot Retaining Post	PCE			
1.2	6506026000	Power Pro Standard Components	PCE			
1.3	6500001430	X-RESTRAINT PACKAGE	PCE			
1.4	0054030000	WRAPPED DOMESTIC PACKAGING	PCE			
1.5	650806160000	ONE PER ORDER, MANUAL, ENG OPT	PCE			
1.6	6085031000	Trendelenburg	PCE			
1.7	6506037000	No Steer Lock Option	PCE			
1.8	6060036017	Short Hook	PCE			
1.9	6506034001	6506 PERFORMANCE-LOAD OPTION	PCE			
1.10	6500028000	120V AC SMRT Charging Kit	PCE			
1.11	6506034000	G-Rated Mattress	PCE			
1.12	6506031000	Siderail Option	PCE			
1.13	6506036000	No HE Section O2 Bottle	PCE			
1.14	0054200994	NO RUNNER	PCE			
1.15	6503315000	3 Stage IV Pole PR Option	PCE			
1.16	6506012003	STANDARD FOWLER	PCE			



PowerPro XT (QTY 4)

Quote Number: 10777710

Remit to: **Stryker Medical**

P.O. Box 93308

Version: 1

Chicago, IL 60673-3308

Prepared For: ~~TEXAS OFFY FIRE DEPT~~

Rep: ~~Tim Garza~~

Attn:

Email: tim.garza@stryker.com

Phone Number:

Service Rep: Jason Pham

Quote Date: 09/07/2023

Email: jason.pham@stryker.com

Expiration Date: 10/07/2023

Contract Start: 09/07/2023

Contract End: 09/06/2024

#	Product	Description	U/M	Qty	Sell Price	Total
1.17	6500130000	Pocketed Back Rest Pouch	PCE			
1.18	6500128000	Head End Storage Flat	PCE			
1.19	6500147000	Equipment Hook	PCE			
1.20	6500241000	Fowler O2 Bottle Holder	PCE			
Equipment Total:						\$89,284.00

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit
TR-SPCOT-PPXT	TRADE-IN-STRYKER POWER COT TOWARDS PURCHASE OF POWERPRO XT	4	-\$2,500.00	-\$10,000.00

Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$1,116.04
Grand Total:	\$80,400.04

Prices: In effect for 30 days

Terms: Net 30 Days



PowerPro XT (QTY 4)

Quote Number: 10777710

Remit to: **Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Version: 1

Prepared For: ~~TEXAS CITY FIRE DEPT~~

Rep: ~~Tim Garza~~

Attn:

Email: ~~tim.garza@stryker.com~~

Phone Number:

Service Rep: Jason Pham

Quote Date: 09/07/2023

Email: ~~jason.pham@stryker.com~~

Expiration Date: 10/07/2023

Contract Start: 09/07/2023

Contract End: 09/06/2024

Terms and Conditions:

Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html.



March 2022

Power-PRO™ XT Cot sole source information

To whom it may concern,

Stryker certifies that we are the sole manufacturer of Stryker's Power-PRO XT Cot (Model 6506). This correspondence is to inform you of the characteristics of the Power-PRO Cot. These characteristics can be broken down into two primary categories: **qualifications** and **ease of use**.

Qualifications:

- **IPX6:** The system is tested to withstand powerful water jets.
- **IEC 60601-1 and IEC 60601-1-2:** The Power-PRO XT Cot conforms to industry standards for mechanical and electrical safety for medical electrical devices, as well as electromagnetic compatibility and immunity.
- **BS EN-1789:2007, clause 4.5.9 when used with Power-LOAD Cot Fastener and X-Restraints:** This is a European dynamic crash test which subjects a 50th percentile dummy to nominal 10g deceleration for a minimum of 50ms. Following the test there shall be no sharp edges.
- **Meets SAE J3027 dynamic crash test safety standards when used with Power-LOAD/Performance-LOAD Cot Fastener and X-Restraints.**

Ease of use:

- The cot has a weight capacity of 700 lb.
- When unloading with the manual release handle, the cot utilizes hydraulic dampening. Thus, the cot will not abruptly jar the operator or patient.
- The battery is placed at the foot end of the stretcher.
- The cot legs power-retract in 3.5 seconds which speeds load time.
- The cot provides a load height of 36" and is operator adjustable to match the deck height of individual ambulances.
- The foot-end of the cot provides lifting bars and operator controls at two different heights, thus providing optimal ergonomics to most operator heights.
- The foot end of the cot contains a large battery indicator light which displays amber or green which indicates battery level. A warning is given by a flashing amber light, providing the operator the time to change the battery before full depletion of power.
- The Model 6506 has 6" x 2" sealed casters and bearings.
- The cot features a foot end mounted hourly usage meter. This tool can be used to determine the timing of preventative maintenance checks.
- The cot features powder-coating of the aluminum frame (including the patient handling surfaces) and sealed caster bearings, thus reducing aluminum oxidation throughout the cot.
- The cot is power washable.

Please contact your Sales Representative for further information.

Sincerely,

John Guyeskey, Sr. Manager, Downstream Marketing

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Emergency Care

3800 E. Centre Avenue, Portage, MI 49002 USA | P +1 269 329 2100 | Toll-free +1 800 327 0770 | stryker.com

CITY COMMISSION REGULAR MTG

(8) (c)

Meeting Date: 10/04/2023

Bid No. 2023-437 Water Line Replacement Project - Phase 20

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

Department: Public Works

Information

ACTION REQUEST

Approve and award a contract for bid number 2023-437 Water Line Replacement Project - Phase 20

BACKGROUND (Brief Summary)

A notice to bidders was published on August 17, 2023 and again August 24, 2023. Bid packets were made available to local area vendors via CIVCASTUSA. Bids were received and opened on September 13, 2023 at 2:00 p.m. The lowest responsible bidder meeting all specifications is McKinney Construction, Inc., from Houston Texas, for the total amount bid \$1,385,381.00

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

RECOMMENDATION

It is the recommendation of the Public Works Department to award bid number 2023-437 to McKinney Construction, Inc., for the total bid amount of \$1,385,381.00, and that the Mayor be authorized to execute a contract on behalf of the City Commission. It is further recommended that the Mayor be authorized to approve change orders, not to exceed 25% of the total contract price, without taking the matter before the City Commission.

Thank you.

Fiscal Impact

Attachments

Exhibit A

Exhibit B



September 25, 2023

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

Re: **Letter of Recommendation for Water Line Replacement Project – Phase 20
BID #2023-437**
City of Texas City
ARKK Job No. 21-038

Dear Mr. Ballast:

On September 13, 2023, eight (8) bids were received for the above referenced project. This project involves the replacement of approximately 15,160 L.F. of existing water lines at locations throughout the City. Following is a summary of our bid evaluation:

1. Bid Tabulation Sheet – Eight (8) construction firms participated in the bidding process. The bids were checked for mathematical errors and/or bid irregularities. The project was bid with a base bid and two (2) Add Alternates. Add Alternate No. 1 and Add Alternate No. 2 includes additional areas for replacement of existing water lines.
2. As discussed with the City of Texas City, the Base Bid, Add Alternate No. 1, and Add Alternate No. 2 were utilized as a basis for award of the contract. The bids for the project (Total Bid) are as follows:

<u>Bidder</u>	<u>Total Bid</u>
McKinney Construction, Inc.	\$1,385,381.00
Faith Utilities, LLC	\$1,469,350.00
Lopez Utilities Contractor, LLC	\$1,485,360.00
Branch Construction Group	\$1,594,675.00
JTM Construction, LLC	\$1,619,954.60
Underground Construction Utilities, LLC	\$1,655,250.00
Texkota Enterprises, LLC	\$1,680,487.00
ISJ Underground Utilities, LLC	\$1,802,014.00

3. Qualifications and References – McKinney Construction, Inc. submitted a list of Qualifications, Subcontractors and Major Suppliers for this project. Based on the information provided, McKinney Construction, Inc. has worked on projects of similar nature in the Greater Houston and Galveston areas. McKinney Construction, Inc.'s personnel are familiar with the City of Texas City's requirements and expectations as they had successfully completed a water line replacement project for the City (Phase 16 - completed in 2020). McKinney Construction, Inc. had completed the work in a satisfactory manner. McKinney Construction, Inc. management team has indicated that they have the personnel and experience to complete Phase 20 water line work and are planning to complete the work successfully.

McKinney Construction, Inc. appears to be a responsible firm that is capable of performing the specified work in a satisfactory manner. For these reasons, we recommend that the City of Texas City award the **Water Line Replacement Project – Phase 20 to McKinney Construction, Inc. for a total amount of \$1,385,381.00.**

If you have any questions, please contact me.

Sincerely,

ARKK ENGINEERS, LLC



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

Cc: Mr. Jack Haralson – City of Texas City

Water Line Replacement Project - Phase 20

ITEM NO.	ITEM DESCRIPTION	UNIT	QUAN.	LOW BIDDER															
				MCKINNEY CONSTRUCTION, INC.		LOPEZ UTILITIES CONTRACTOR, LLC		FAITH UTILITIES, LLC		BRANCH CONSTRUCTION GROUP		JTM CONSTRUCTION, LLC		UNDERGROUND CONSTRUCTION UTILITIES, LLC		TEXKOTA ENTERPRISES, LLC		ISJ UNDERGROUND UTILITIES, LLC	
BASE BID ITEMS:																			
1	2" PVC, Class 200 (SDR 21) Waterline by Augered Construction, All Depths, Complete in Place, the Sum of:	L.F.	40	\$ 20.00	\$ 800.00	\$ 32.00	\$ 1,280.00	\$ 35.00	\$ 1,400.00	\$ 20.00	\$ 800.00	\$ 34.00	\$ 1,360.00	\$ 25.00	\$ 1,000.00	\$ 40.00	\$ 1,600.00	\$ 62.00	\$ 2,480.00
2	4" PVC C-900, Class 235 (DR 18) Waterline by Augered Construction, All Depths, Complete in Place, the Sum of:	L.F.	20	\$ 30.00	\$ 600.00	\$ 38.00	\$ 760.00	\$ 50.00	\$ 1,000.00	\$ 30.00	\$ 600.00	\$ 39.10	\$ 782.00	\$ 35.00	\$ 700.00	\$ 42.00	\$ 840.00	\$ 13.00	\$ 260.00
3	6" PVC C-900, Class 235 (DR 18) Waterline by Augered Construction, All Depths, Complete in Place, the Sum of:	L.F.	1,200	\$ 42.00	\$ 50,400.00	\$ 42.00	\$ 50,400.00	\$ 55.00	\$ 66,000.00	\$ 40.00	\$ 48,000.00	\$ 52.40	\$ 62,880.00	\$ 55.00	\$ 66,000.00	\$ 63.00	\$ 75,600.00	\$ 50.00	\$ 60,000.00
4	6" PVC Certa-Lok, Class 235 (DR 18) Waterline by Augered Construction, All Depths, Complete in Place, the Sum of:	L.F.	100	\$ 65.00	\$ 6,500.00	\$ 49.00	\$ 4,900.00	\$ 65.00	\$ 6,500.00	\$ 50.00	\$ 5,000.00	\$ 52.40	\$ 5,240.00	\$ 55.00	\$ 5,500.00	\$ 75.00	\$ 7,500.00	\$ 50.50	\$ 5,050.00
5	8" PVC C-900, Class 235 (DR 18) Waterline, All Depths, Complete in Place, the Sum of:	L.F.	10700	\$ 58.00	\$ 620,600.00	\$ 49.00	\$ 524,300.00	\$ 51.00	\$ 545,700.00	\$ 59.00	\$ 631,300.00	\$ 64.00	\$ 684,800.00	\$ 68.00	\$ 727,600.00	\$ 73.00	\$ 781,100.00	\$ 70.00	\$ 749,000.00
6	Min 12" Steel Casing with 6" PVC Certa-Lok, Class 235 (DR 18) Waterline for TxDOT Road Crossing, including carrier pipe, spacers and end seals, Complete in Place, the Sum of:	L.F.	120	\$ 175.00	\$ 21,000.00	\$ 385.00	\$ 46,200.00	\$ 250.00	\$ 30,000.00	\$ 225.00	\$ 27,000.00	\$ 128.50	\$ 15,420.00	\$ 250.00	\$ 30,000.00	\$ 185.00	\$ 22,200.00	\$ 113.50	\$ 13,620.00
7	Min 14" Steel Casing with 8" PVC Certa-Lok, Class 235 (DR 18) Waterline for TxDOT Road Crossing, including carrier pipe, spacers and end seals, Complete in Place, the Sum of:	L.F.	220	\$ 185.00	\$ 40,700.00	\$ 425.00	\$ 93,500.00	\$ 280.00	\$ 61,600.00	\$ 275.00	\$ 60,500.00	\$ 179.50	\$ 39,490.00	\$ 250.00	\$ 55,000.00	\$ 200.00	\$ 44,000.00	\$ 205.00	\$ 45,100.00
8	6" Resilient Seated Gate Valve with Box, Complete in Place, the Sum of:	EA	8	\$ 1,500.00	\$ 12,000.00	\$ 1,625.00	\$ 13,000.00	\$ 2,500.00	\$ 20,000.00	\$ 2,000.00	\$ 16,000.00	\$ 1,466.50	\$ 11,732.00	\$ 1,600.00	\$ 12,800.00	\$ 1,400.00	\$ 11,200.00	\$ 2,044.00	\$ 16,352.00
9	8" Resilient Seated Gate Valve with Box, Complete in Place, the Sum of:	EA	38	\$ 2,500.00	\$ 95,000.00	\$ 2,200.00	\$ 83,600.00	\$ 2,800.00	\$ 106,400.00	\$ 2,200.00	\$ 83,600.00	\$ 2,138.30	\$ 81,255.40	\$ 2,000.00	\$ 76,000.00	\$ 2,200.00	\$ 83,600.00	\$ 3,063.50	\$ 116,413.00
10	8" x 6" Tapping Sleeve and Valve with box, Complete in Place, the Sum of:	EA	1	\$ 4,500.00	\$ 4,500.00	\$ 6,500.00	\$ 6,500.00	\$ 4,100.00	\$ 4,100.00	\$ 4,500.00	\$ 4,500.00	\$ 5,228.60	\$ 5,228.60	\$ 5,000.00	\$ 5,000.00	\$ 5,250.00	\$ 5,250.00	\$ 19,425.00	\$ 19,425.00
11	8" x 8" Tapping Sleeve and Valve with box, Complete in Place, the Sum of:	EA	2	\$ 5,800.00	\$ 11,600.00	\$ 6,900.00	\$ 13,800.00	\$ 5,000.00	\$ 10,000.00	\$ 5,500.00	\$ 11,000.00	\$ 6,330.50	\$ 12,661.00	\$ 5,000.00	\$ 10,000.00	\$ 6,250.00	\$ 12,500.00	\$ 17,519.00	\$ 35,038.00
12	Fire Hydrant Assembly Installed on New Water Main, Including Gate Valve and Lead Pipe, Complete in Place, the Sum of:	EA	18	\$ 5,200.00	\$ 93,600.00	\$ 5,400.00	\$ 97,200.00	\$ 5,800.00	\$ 104,400.00	\$ 7,100.00	\$ 127,800.00	\$ 6,246.00	\$ 112,428.00	\$ 5,500.00	\$ 99,000.00	\$ 6,800.00	\$ 122,400.00	\$ 10,893.00	\$ 196,074.00
13	Remove and Salvage Existing Fire Hydrants, Complete in Place, the Sum of:	EA	8	\$ 150.00	\$ 1,200.00	\$ 800.00	\$ 6,400.00	\$ 500.00	\$ 4,000.00	\$ 500.00	\$ 4,000.00	\$ 206.00	\$ 1,648.00	\$ 500.00	\$ 4,000.00	\$ 300.00	\$ 2,400.00	\$ 250.00	\$ 2,000.00
14	Remove and Dispose of Valve Box and Abandon Existing Valves, Complete in Place, the Sum of:	EA	11	\$ 200.00	\$ 2,200.00	\$ 600.00	\$ 6,600.00	\$ 500.00	\$ 5,500.00	\$ 300.00	\$ 3,300.00	\$ 206.00	\$ 2,266.00	\$ 50.00	\$ 550.00	\$ 100.00	\$ 1,100.00	\$ 120.00	\$ 1,320.00
15	2" Wet Connection, Including Coupling and Appurtenances, Complete in Place, the Sum of:	EA	4	\$ 500.00	\$ 2,000.00	\$ 1,800.00	\$ 7,200.00	\$ 750.00	\$ 3,000.00	\$ 400.00	\$ 1,600.00	\$ 516.40	\$ 2,065.60	\$ 500.00	\$ 2,000.00	\$ 600.00	\$ 2,400.00	\$ 84.00	\$ 256.00
16	4" Wet Connection, Including Coupling and Appurtenances, Complete in Place, the Sum of:	EA	1	\$ 800.00	\$ 800.00	\$ 2,200.00	\$ 2,200.00	\$ 750.00	\$ 750.00	\$ 800.00	\$ 800.00	\$ 968.30	\$ 968.30	\$ 1,000.00	\$ 1,000.00	\$ 1,250.00	\$ 1,250.00	\$ 300.50	\$ 300.50
17	6" Wet Connection, Including Coupling and Appurtenances, Complete in Place, the Sum of:	EA	15	\$ 1,500.00	\$ 22,500.00	\$ 2,800.00	\$ 42,000.00	\$ 750.00	\$ 11,250.00	\$ 900.00	\$ 13,500.00	\$ 1,049.60	\$ 15,744.00	\$ 2,000.00	\$ 30,000.00	\$ 1,600.00	\$ 24,000.00	\$ 235.00	\$ 3,525.00
18	8" Wet Connection, Including Coupling and Appurtenances, Complete in Place, the Sum of:	EA	18	\$ 1,800.00	\$ 32,400.00	\$ 3,200.00	\$ 57,600.00	\$ 800.00	\$ 14,400.00	\$ 1,000.00	\$ 18,000.00	\$ 1,179.00	\$ 21,222.00	\$ 2,500.00	\$ 45,000.00	\$ 1,700.00	\$ 30,600.00	\$ 646.50	\$ 11,637.00
19	2" Cut, Plug and Abandon Existing Waterline, Complete in Place, the Sum of:	EA	6	\$ 200.00	\$ 1,200.00	\$ 600.00	\$ 3,600.00	\$ 750.00	\$ 4,500.00	\$ 400.00	\$ 2,400.00	\$ 310.20	\$ 1,861.20	\$ 200.00	\$ 1,200.00	\$ 500.00	\$ 3,000.00	\$ 1.50	\$ 9.00
20	6" Cut, Plug and Abandon Existing Waterline, Complete in Place, the Sum of:	EA	14	\$ 800.00	\$ 11,200.00	\$ 850.00	\$ 11,900.00	\$ 750.00	\$ 10,500.00	\$ 500.00	\$ 7,000.00	\$ 459.20	\$ 6,428.80	\$ 800.00	\$ 11,200.00	\$ 1,200.00	\$ 16,800.00	\$ 156.00	\$ 2,184.00
21	8" Cut, Plug and Abandon Existing Waterline, Complete in Place, the Sum of:	EA	9	\$ 1,000.00	\$ 9,000.00	\$ 975.00	\$ 8,775.00	\$ 750.00	\$ 6,750.00	\$ 800.00	\$ 7,200.00	\$ 521.00	\$ 4,689.00	\$ 1,000.00	\$ 9,000.00	\$ 1,300.00	\$ 11,700.00	\$ 222.50	\$ 2,002.50
22	Short Side Service, Complete in Place, the Sum of:	EA	100	\$ 450.00	\$ 45,000.00	\$ 525.00	\$ 52,500.00	\$ 650.00	\$ 65,000.00	\$ 1,500.00	\$ 150,000.00	\$ 1,160.60	\$ 116,060.00	\$ 1,000.00	\$ 100,000.00	\$ 550.00	\$ 55,000.00	\$ 1,032.00	\$ 103,200.00
23	Long Side Service, Complete in Place, the Sum of:	EA	40	\$ 650.00	\$ 26,000.00	\$ 599.00	\$ 23,960.00	\$ 1,100.00	\$ 44,000.00	\$ 1,750.00	\$ 70,000.00	\$ 2,088.60	\$ 83,544.00	\$ 1,500.00	\$ 60,000.00	\$ 750.00	\$ 30,000.00	\$ 1,358.00	\$ 54,320.00
24	Removal and Replacement of Existing Concrete Sidewalk, Complete in Place, the Sum of:	S.Y.	255	\$ 45.00	\$ 11,475.00	\$ 95.00	\$ 24,225.00	\$ 150.00	\$ 38,250.00	\$ 66.00	\$ 16,830.00	\$ 102.00	\$ 26,010.00	\$ 60.00	\$ 15,300.00	\$ 60.00	\$ 15,300.00	\$ 130.00	\$ 33,150.00
25	Removal and Replacement of Existing Concrete Pavement, Complete in Place, the Sum of:	S.Y.	120	\$ 65.00	\$ 7,800.00	\$ 130.00	\$ 15,600.00	\$ 165.00	\$ 19,800.00	\$ 111.00	\$ 13,320.00	\$ 133.00	\$ 15,960.00	\$ 60.00	\$ 7,200.00	\$ 130.00	\$ 15,600.00	\$ 145.00	\$ 17,400.00
26	Removal and Replacement of Existing Asphalt Pavement, Complete in Place, the Sum of:	S.Y.	270	\$ 55.00	\$ 14,850.00	\$ 110.00	\$ 29,700.00	\$ 150.00	\$ 40,500.00	\$ 30.00	\$ 8,100.00	\$ 113.00	\$ 30,510.00	\$ 60.00	\$ 16,200.00	\$ 60.00	\$ 16,200.00	\$ 110.00	\$ 29,700.00
27	Inlet Protection Barrier, Complete in Place, the Sum of:	EA	15	\$ 75.00	\$ 1,125.00	\$ 450.00	\$ 6,750.00	\$ 150.00	\$ 2,250.00	\$ 100.00	\$ 1,500.00	\$ 69.00	\$ 1,035.00	\$ 50.00	\$ 750.00	\$ 100.00	\$ 1,500.00	\$ 60.00	\$ 900.00
28	Trench Safety System for All Water Mains, Greater than 5-Foot Deep, Complete in Place, the Sum of:	L.F.	2,100	\$ 0.01	\$ 21.00	\$ 1.00	\$ 2,100.00	\$ 1.00	\$ 2,100.00	\$ 1.00	\$ 2,100.00	\$ 1.00	\$ 2,100.00	\$ 1.00	\$ 2,100.00	\$ 0.01	\$ 21.00	\$ 0.10	\$ 210.00
29	Miscellaneous Allowance for which Approved by the City, Complete in Place, the Sum of:	AL	1	\$ 10,000.00	\$ 10,000.00	\$ 15,000.00	\$ 15,000.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00	\$ 10,000.00	\$ 10,000.00	\$ 1.00	\$ 1.00	\$ 5,000.00	\$ 5,000.00
TOTAL BASE BID ITEMS:					\$ 1,156,071.00		\$ 1,251,550.00		\$ 1,234,650.00		\$ 1,345,750.00		\$ 1,385,388.90		\$ 1,404,100.00		\$ 1,394,662.00		\$ 1,525,926.00
SUPPLEMENTAL BID ITEMS:																			
30	Extra Concrete, Complete in Place, the Sum of:	C.Y.	50	\$ 60.00	\$ 3,000.00	\$ 60.00	\$ 3,000.00	\$ 60.00	\$ 3,000.00	\$ 100.00	\$ 5,000.00	\$ 60.00	\$ 3,000.00	\$ 60.00	\$ 3,000.00	\$ 60.00	\$ 3,000.00	\$ 60.00	\$ 3,000.00
31	Wet Condition Bedding, All Sizes, All Depths, Complete in Place, the Sum of:	L.F.	50	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00	\$ 10.00	\$ 500.00	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00
32	Installation and Removal of Piezometers, Complete in Place, the Sum of:	EA	7	\$ 80.00	\$ 560.00	\$ 80.00	\$ 560.00	\$ 80.00	\$ 560.00	\$ 100.00	\$ 700.00	\$ 80.00	\$ 560.00	\$ 80.00	\$ 560.00	\$ 80.00	\$ 560.00	\$ 80.00	\$ 560.00
33	Extra Cement Stabilized Sand, Complete in Place, the Sum of:	C.Y.	50	\$ 15.00	\$ 750.00	\$ 15.00	\$ 750.00	\$ 15.00	\$ 750.00	\$ 30.00	\$ 1,500.00	\$ 15.00	\$ 750.00	\$ 15.00	\$ 750.00	\$ 15.00	\$ 750.00	\$ 15.00	\$ 750.00
34	Extra Bank Sand, Complete in Place, the Sum of:	C.Y.	50	\$ 15.00	\$ 750.00	\$ 15.00	\$ 750.00	\$ 15.00	\$ 750.00	\$ 20.00	\$ 1,000.00	\$ 15.00	\$ 750.00	\$ 15.00	\$ 750.00	\$ 15.00	\$ 750.00	\$ 15.00	\$ 750.00
35	Extra 1" Polyethylene Service Tubing, Complete in Place, the Sum of:	L.F.	200	\$ 4.00	\$ 800.00	\$ 4.00	\$ 800.00	\$ 4.00	\$ 800.00	\$ 4.00	\$ 800.00	\$ 4.00	\$ 800.00	\$ 4.00	\$ 800.00	\$ 4.00	\$ 800.00	\$ 4.00	\$ 800.00
36	Extra 2" Polyethylene Service Tubing, Complete in Place, the Sum of:	L.F.	50	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00
37	Solid Sheet Shoring Ordered Left in Place for All Sizes, Complete in Place, the Sum of:	L.F.	100	\$ 10.00	\$ 1,000.00	\$ 10.00	\$ 1,000.00	\$ 10.00	\$ 1,000.00	\$ 20.00	\$ 2,000.00	\$ 10.00	\$ 1,000.00	\$ 10.00	\$ 1,000.00	\$ 10.00	\$ 1,000.00	\$ 10.00	\$ 1,000.00
38	Well Pointing System, All Depths, Complete in Place, the Sum of:	EA	5	\$ 1,500.00	\$ 7,500.00	\$ 1,500.00	\$ 7,500.00	\$ 1,500.00	\$ 7,500.00	\$ 1,500.00	\$ 7,500.00	\$ 1,500.00	\$ 7,500.00	\$ 1,500.00	\$ 7,500.00	\$ 1,500.00	\$ 7,500.00	\$ 1,500.00	\$ 7,500.00
39	Brace, support, and protect utility structures, Complete in Place, the Sum of:	EA	1	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
40	2" Long Side Water Service, Complete in Place, the Sum of:	EA	1	\$ 750.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 3,000.00	\$ 3,000.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 1,800.00	\$ 1,800.00	\$ 750.00	\$ 750.00
41	2" Short Side Water Service, Complete in Place, the Sum of:	EA	1	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 2,800.00	\$ 2,800.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 1,400.00	\$ 1,400.00	\$ 600.00	\$ 600.00
42	1.5" Long Side Water Service, Complete in Place, the Sum of:	EA	1	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 2,800.00	\$ 2,800.00	\$ 600.00	\$ 600.00	\$ 600.00					

CITY COMMISSION REGULAR MTG

(9) (a)

Meeting Date: 10/04/2023

amending Texas City Code of Ordinances Title XV "Land Usage," Chp 151: Electricity; Section 151.080

Submitted For: Kyle Dickson, City Attorney Office

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST

Consider and take action on the first reading of Ordinance No. 2023-37, amending the Texas City Code of Ordinances Title XV Entitled "Land Usage," Chapter 151: Electricity; Section 151.080 Entitled "National Electrical Code Adopted: Conflicting Regulations." (Legal)

BACKGROUND (Brief Summary)

RECOMMENDATION

Fiscal Impact

Attachments

Ordinance

ORDINANCE NO. 2023-37

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF TEXAS, TEXAS AMENDING THE CODE OF ORDINANCES TITLE XV ENTITLED “LAND USAGE”, CHAPTER 151: ELECTRICITY; SECTION 151.080 ENTITLED “NATIONAL ELECTRICAL CODE ADOPTED: CONFLICTING REGULATIONS” AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; 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 151 – Electricity to adopt the most current National Electric Code;

WHEREAS, the City of Texas City utilizes the code council “Family of Models Building Codes;

WHEREAS, pursuant to TEX. LOCAL GOV’T. CODE § 214.211 *et seq.*, and TEX. HEALTH & SAFTY CODE § 388.003 *et seq.* the city of Texas City, Texas is authorized to adopt standard building codes for residential, commercial and industrial construction; and

WHEREAS, the City Commission determines that amending Title XV, Section 151, 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, THAT:

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 of Texas City’s Code of Ordinances, Section 151.080 (entitled “National Electrical Code Adopted; Conflicting Regulations”) is hereby amended by deleting in its entirety all the existing language in Section 151.080(A) and replacing it with the following:

Sec. 151.080(A) - There is hereby adopted for and by the city an electrical code known as the National Electrical Code (NEC), 2023 edition, with appendices and amendments thereto, passed and recommended by the National Fire Protection Association and approved by the American National Standards Institute, which code is published in book form and which is referred to, incorporated in this section and made a part of this section for all purposes. A copy of such code is filed of record in the office of the City Secretary. Such code is hereby adopted as the

minimum standard for the installation of all electrical wiring, devices and equipment in the city, except as otherwise specifically provided in this chapter. Adoption of subsequent amendments, supplement or new edition(s) is automatic upon publication by American National Standards Institute.

Section 2. This ordinance shall be cumulative of all provisions of the City of Texas City, Texas, 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. It is hereby declared to be the intention of the City Commission of the City of Texas City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Commission without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4. All rights and privileges of the City of Texas City are expressly saved as to any and all violations of the provisions of any Ordinances affecting land use or development, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 5. That this Ordinance shall be read on three (3) separate days and shall become effective upon its final reading, passage, and adoption.

Section 6. That this Ordinance shall be finally passed upon the date of its introduction and shall become effective from and after its passage and adoption and publication by caption only in the official newspaper of the City of Texas City, Texas

PASSED ON FIRST READING this 4th day of October 2023.

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

ATTEST:

Rhomari D. Leigh
City Secretary

PASSED ON SECOND READING this 18th day of October 2023.

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

ATTEST:

Rhomari D. Leigh
City Secretary

PASSED AND FINALLY ADOPTED this 1st day of November 2023.

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

ATTEST:

Rhomari D. Leigh
City Secretary

APPROVED AS TO FORM:

Kyle L. Dickson
City Attorney