CITY OF BAYTOWN

NOTICE OF MEETING

CITY COUNCIL REGULAR MEETING
THURSDAY, APRIL 8, 2021
6:30 P.M.
COUNCIL CHAMBER, CITY HALL
2401 MARKET STREET, BAYTOWN, TEXAS 77520

Due to the COVID 19 Disaster and the CDC's recommendation regarding social distancing measures, the public may not be allowed to be physically present at this meeting, as there is a limited amount of space when maintaining the required 6-feet separation from others.

For those members of the public that cannot or do not wish to be physically present at the meeting, they will be able to participate through two-way communications. For video conferencing, use the following website www.zoom.com, click on "join a meeting" on the top right-hand corner, and input the following Meeting ID: 824 8124 0712. For telephone conferencing please use the following toll-free number: 1-888-788-0099, Meeting ID: 824 8124 0712.

Any person, who is participating through video/teleconferencing and is interested in speaking on any item on the agenda, must submit his/her request via email to the City Clerk at cityclerk@baytown.org. The request must include the speaker's name, address, and phone number that will be used if teleconferencing as well as the agenda item number. The request must be received prior to the posted time of the meeting.

The agenda packet is accessible to the public in both HTML and PDF formats at the following link: https://www.baytown.org/city-hall/city-clerk/agendas-minutes. After the meeting, a video recording of this meeting will be made available to the public at https://www.baytown.org/city-hall/city-clerk/agendas-minutes.

AGENDA

CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

PLEDGE AND INVOCATION
Council Member Heather Betancourth, District No. Four

1. MINUTES

a. Consider approving the minutes of the City Council Work Session and Regular Meeting held on March 11, 2021.

2. RECOGNITIONS AND CITIZEN COMMUNICATIONS

a. Receive the Texas Public Pool Council's 2020 Waterpark of the Year Award for Pirates Bay.

3. PUBLIC HEARINGS

a. Conduct the first public hearing giving all interested persons the right to appear and be heard on the need to continue the City's juvenile curfew ordinance.

4. PROPOSED RESOLUTIONS

a. Consider a resolution repealing Resolution No. 2705 regarding (i) the issuance of a Notice of Intent to issue Certificates of Obligation for the convention center facilities and related infrastructure and (ii) advanced funding.

b. Consider a resolution granting the petition of Earl W. Wilburn, Jr., for the proposed annexation of approximately 71.66 acres of land in Harris County, Texas, including 69.50 acres of land, legally described as Tract 37A-5, Abstract 21, G. Ellis Survey, Baytown, Harris County, Texas, along with approximately 2.16 acres being the entire width of N. Main Street right-of-way extending northwards approximately 1335.01 feet from the current city limits.

5. REPORTS

a. Receive and discuss a presentation from the Juneteenth Committee regarding the 2021 Juneteenth Celebration.

b. Present the 2020 Racial Profiling Report.

6. DISCUSSIONS

a. Discuss the upcoming Aquatics season at Pirates Bay Water Park and Calypso Cove.

7. CONSENT

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

a. Consider an ordinance authorizing acceptance, closeout and release of retainage to Angel Brothers Enterprises, LTD, for the South Main Street Drainage Improvements Phase 1 Project CDBG-DR 19-076-002-B351.

b. Consider an ordinance authorizing the purchase and installation of a partial upgrade of the Heating, Ventilation, and Air Conditioning (HVAC) Daikin Air Conditioning System from Heat Transfer Solutions, Inc., for the Public Works and Engineering Operations Building Remodel Project through the BuyBoard.

c. Consider an ordinance authorizing the purchase of twenty-five (25) Motorola APX6000XE portable radios and related equipment from Motorola Solutions Inc. through Houston-Galveston Area Council (H-GAC) for the Fire Department.

d. Consider an ordinance authorizing an agreement for the purchase of rescue equipment from Dooley Tackaberry through the 2020 UASI Grant for the department's technical rescue team.

e. Consider an ordinance repealing, in part, Ordinance No. 14,659, regarding the purchase of three (3) Chevrolet Tahoes from Lake Country Chevrolet through The Interlocal Purchasing System (TIPS), and authorizing the purchase of three (3) Chevrolet Tahoe Fire Vehicles, including related emergency equipment and installation, from Freedom Chevrolet, through the Tarrant County Cooperative Agreement.

f. Consider an ordinance authorizing an Interlocal Agreement with the City of Houston for the use of a 2008 Ford F550 Bucket Truck for law enforcement purposes.

g. Consider authorizing Change Order No. 1 to Apollo Environmental Strategies, Inc., for the Bayland Marina Basin and Channels Dredging Project.

h. Consider an ordinance authorizing the award of the Annual Nuisance Abatement Mowing Contract to McLemore Building Maintenance, Inc., and Hydrozone Landscape Corporation.

i. Consider a resolution authorizing the City of Baytown to accept the 2021 grant from the Office of National Drug Control Policy for the Houston High Intensity Drug Trafficking Area Program.

j. Consider a resolution establishing criteria for the creation of a voting plan for the City of Baytown.

8. MANAGER'S REPORT

Notice is hereby given in accordance with Section 551.0415 of the Texas Government Code, the City Council of the City of Baytown may receive a report about items of community interest from City staff and/or a member of the City Council, but no action or possible action shall be taken or discussed concerning the subject of such report, except as provided by Section 551.042 of the Texas Government Code.

a. Present information regarding the Sunday, April 11th Funday Pop Up Park at WC Britton Park.

9. ADJOURN

PUBLIC NOTICE IS GIVEN THAT IN ADDITION TO ANY EXECUTIVE SESSION LISTED ABOVE, THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE SECTIONS 551.071 - 551.090 TO DISCUSS ANY OF THE MATTERS LISTED ABOVE.

THE CITY OF BAYTOWN IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE PLEASE CALL 281-420-6522, FAX 281-420-6586, OR CONTACT 281-420-6522 VIA RELAY TEXAS AT 711 OR 1-800-735-2988 FOR TYY SERVICES. FOR MORE INFORMATION CONCERNING RELAY TEXAS, PLEASE VISIT: HTTP://RELAYTEXAS.COM

Approved for posting:

Rick Davis, City Manager

Posted by:

Angela Jackson, Acting City Clerk

(SEAL)

Posted this 1st day of April, 2021 at 5:00 P.M.

BAYTOWN CITY COUNCIL MEETING **1. a.**

Meeting Date: 04/08/2021

Subject: City Council Work Session and Regular Meeting held on March 11, 2021.

Prepared for: Angela Jackson, City Clerk's Office

Prepared by: Raquel Martinez, City Clerk's Office

Department: City Clerk's Office

Information

ITEM

Consider approving the minutes of the City Council Work Session and Regular Meeting held on March 11, 2021.

PREFACE

This item allows the City Council to review and approve the minutes of the City Council Work Session and Regular Meeting held on March 11, 2021.

Fiscal Impact

Fiscal Year:

Acct Code:

Source of Funds (Operating/Capital/Bonds):

Funds Budgeted Y/N:

Amount Needed:

Fiscal Impact (Additional Information):

There is no fiscal impact for this item.

Attachments

March 11, 2021, WS Draft Minutes

March 11, 2021, CC Draft Minutes

D R A F T
MINUTES OF THE REGULAR WORK SESSION OF THE
CITY COUNCIL OF THE CITY OF BAYTOWN

March 11, 2021

The City Council of the City of Baytown, Texas met in a Regular Work Session on Thursday, March 11, 2021, at 5:30 P.M., in the Council Chamber of the Baytown City Hall, 2401 Market Street, Baytown, Texas with the following in attendance:

Laura Alvarado	Council Member
Jacob Powell	Council Member
Charles Johnson	Council Member
Mike Lester	Council Member
Heather Betancourth	Mayor Pro Tem
Kevin Troller	Assistant City Manager
Karen Horner	City Attorney
Leticia Brysch	City Clerk

Mayor Capetillo convened the March 11, 2021, City Council Regular Work Session with a quorum present at 5:30 P.M., all members were present with the exception of Council Member Johnson who arrived at 5:31 P.M., and Mayor Capetillo and Council Member Presley, who were both absent.

1. DISCUSSIONS

a. Receive and discuss a presentation regarding the City of Baytown Storm Water Master Plan.

Director of Public Works and Engineering, Frank Simoneaux presented the summary of results from the 2020 Master Drainage Plan. He introduced Mr. Al Flores and Mr. Jacob, representatives from Dannenbaum Engineering, the consultant firm who completed the study, as well as introduced Mr. Irwin Burton, the City Engineer, and Mr. Jesus Fabela, Drainage Foreman.

Mr. Simoneaux stated that the objectives of the study were to understand the existing drainage system and patterns, put that into a computerized model to further understand the effects of different types of improvements, and how that would affect the city's drainage, and to identify drainage improvements that could be implemented to improve drainage within the city. He noted that prior to 2020, the City's CIP did not really have any drainage projects included and further noted that most of the master plans that he has seen focused on high-level studies which just looks at regional projects and detention, but he instructed Dannenbaum Engineering to provide recommended improvements that would be more usable and could translate easily into capital improvement projects, which they did.

Mr. Simoneaux stated that the evaluation process included a meeting with city staff, whereas, the areas of town that were known to have recurring flooding problems were identified. He stated that during the year 2020, the Drainage Ordinance and the Floodplain Ordinance was updated, which changed some of the work Dannenbaum had to do, and they did without charges to the city. He stated that twenty of the twenty-one systems reviewed require some level of improvement.

Mr. Simoneaux stated that West Baytown, Danubina, Fayle, James, and North Alexander were all identified as having recurring drainage problems. He stated that each of the twenty-one systems were categorized as two different priorities based on the level of ponding with a two-year storm event. He stated that if the ponding was greater than one foot beyond the right-of-way with a two-year storm event it was categorized as a high priority system, the priority systems had from zero to one foot of ponding within the right-of-way, and the lower priority systems did not have any ponding in the right-of-way.

Further during the presentation, Mr. Simoneaux stated with regards to the high priority system, there were three areas identified, a large area in Danubina and two (2) adjacent areas in West Baytown. He stated that Danubina was by far the largest and most expensive system for improvements which was broken into three different phases with the first phase being the Harris County Flood Channel Improvements that includes a detention pond and trunk line. He noted that this area was submitted for funding under CDBG last fall; however, during the process of the master plan there were no final numbers. He noted that the grant was submitted less than the cost and if approved there would have to be some partnership opportunities with Harris County, especially considering the part of the improvement that includes their channel. Additionally, he provided maps demonstrating what would happen when improvements are done. He further noted that the maps were only estimates being in the model stage, but more accurate data would be available from the survey after the final design.

With regards to West Baytown, Mr. Simoneaux stated that there were two drainage areas with improvements broken into different phases with Phase 1 being the trunk line going down Oklahoma. He noted that this area was submitted for funding under Harris County Partnership Grant applied for in January and staff was waiting on a response, which if received, would be an approximate fifty percent grant.

He went through the other priorities in the same manner as the previous by providing a map of the estimated improvements. He stated that the James area drainage improvements include the detention it shared with Danubina and that the cost was included in the detention required for that area. He stated that although the tension would be located in the same place, staff would estimate how much was needed for that particular project. Additionally, he noted that other improvements included some strong drainage pipe.

With regards to the Narcille area, Mr. Simoneaux stated that there was a detention system shared with the Vine area that would need some channel improvements and storm drainage pipe. He stated that the North Alexander area needed detention and storm drainage improvements and was submitted under a CDBG grant last fall, in which staff

is waiting for a response. He stated that the West Main area needed detention and storm sewer improvements and that the Rollingbrook from Garth to Main area was much improved under the proposed conditions. Additionally, he stated that the North Main at State Highway 146 needed detention and storm sewer upgrades and noted that the remainder of the systems were listed as low priority systems.

In summary, Mr. Simoneaux stated that there were twenty projects identified with three being high priority, seven being priority, and ten being low priority. He stated that all systems proposed were storm sewer improvements that would capture the five-year event and further stated that the hundred-year event would be contained within the right-of-way. He stated that the next steps were to identify funding sources for all of the projects and seek opportunities for right-of-way. Lastly, he stated that it would be better to purchase vacant land now for the detention before it develops and further noted that staff would coordinate with the Harris County Flood Control on any project.

Council Member Alvarado inquired where and if the Mississippi Street trunk line was included in the Master Plan and further noted that it was not included with the grant for the Harris County. In response to Council Member Alvarado's inquiry, Mr. Al Flores with Dannenbaum Engineering stated that the area in question was on the West Baytown drainage improvement. Council Member Alvarado further commented to continue and concentrate on the Oklahoma trunk line as work was already done in that area. Mr. Simoneaux stated that he believed that the mentioned trunk line was in Phase 2 of the proposed improvements, but he would verify.

Council Member Lester noted that District 6 was approximately two-thirds of the overall general map and the numbers associated with the area was huge and typically meant that they were going to get pushed further and further back. He also noted that Districts 6, 2, and 1 were at the bottom end collecting the water from other areas. In response to Council Member Lester's comment, Mr. Simoneaux stated that staff would seek outside funding to assist with such issue.

b. Discuss any or all of the agenda items on the City Council Regular Meeting Agenda for March 11, 2021.

There was no discussion for this item.

2. <u>ADJOURN</u>

With there being no further business to discuss, Mayor Pro Tem Betancourth adjourned the March 11, 2021, City Council Regular Work Session at 5:53 P.M.

_____

Angela Jackson, Acting City Clerk
City of Baytown

DRAFT
MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF BAYTOWN

March 11, 2021

The City Council of the City of Baytown, Texas, met in a Regular Meeting on Thursday, March 11, 2021, at 6:30 P.M. in the Council Chamber of the Baytown City Hall, 2401 Market Street, Baytown, Texas with the following in attendance:

Laura Alvarado	Council Member
Chris Presley	Council Member
Charles Johnson	Council Member
Jacob Powell	Council Member
Mike Lester	Council Member
Heather Betancourth	Mayor Pro Tem
Kevin Troller	Assistant City Manager
Karen Horner	City Attorney
Leticia Brysch	City Clerk
Mike Holden	Interim Sergeant at Arms

Mayor Pro Tem Betancourth convened the March 11, 2021, City Council Regular Meeting with a quorum present at 6:30 P.M., all members were present with the exception of Mayor Capetillo who was absent.

Pledge of Allegiance, Texas Pledge, and Invocation was led by Council Member Chris Presley.

Due to the COVID 19 Disaster and the CDC's recommendation regarding social distancing measures there was limited amount of space when maintaining the required 6-feet separation from others. However, the meeting allowed for two-way communications for members of the public who were not allowed to be physically present at this meeting.

1. THE CROSSINGS AT BAYTOWN PUBLIC IMPROVEMENT DISTRICT

a. Conduct a public hearing regarding the advisability of the proposed improvements associated with The Crossings at Baytown Public Improvement District.

At 6:32 P.M., Mayor Pro Tem Betancourth opened and conducted the public hearing regarding the advisability of the proposed improvements associated with the Crossings at Baytown Public Improvement District (PID).

Economic Development Manager Bret Gardella summarized the public hearing and stated that the developers made a presentation to council in November of last year and also before the Planning and Zoning Commission which was very well received by both. He noted that the

second meeting before Planning and Zoning was scheduled for Tuesday, which was the reason for the public hearing at this current meeting. Mr. Gardella stated that there were only two (2) property owners that would be impacted by such request, in which both are members of the PID, the PUD, and the development. Additionally, he stated that the property owners received the publications along with the letters sent to them and were interested in this PID being created.

Harvey Oyler and David Isaac registered to speak at the public hearing regarding agenda item 1.a.

Mr. Harvey Oyler, 6722 Crosby Cedar Bayou Road, noted that his property adjoins the subject property. He stated that he was unable to find a website or information concerning the two (2) applicants that signed a petition and inquired if the City vetted those companies as to their ability to financially and technically complete this project. In response to Mr. Oyler's inquiry, Mr. Gardella stated that both of the property owners were vetted along with the PID counsel and the PID consultant.

Mr. Oyler further inquired if the multifamily units would be low-income or rent-subsidized units and what type of fencing barrier wall would be expected next to his property line as he was concerned of the noise and trespassing. Mr. Gardella stated that the units would not be subsidized units or low-income in any sense, but probably be at the top end of the market. With regards to the fence barrier, Mr. Nathan Dietrich, Assistant Director of Planning and Development Services, stated that along the major thoroughfares of the collectors that share the property's development or property line would be masonry-type walls. He stated that on the backsides where there are single-family residential developments there should be a 6-foot-high wooden fence that borders around the rest of the property.

Additionally, Mr. Oyler inquired when Phase 1 would start. Mr. Gardella stated that Phase 1 could start as early as the end of the third quarter or potentially the fourth quarter of this current year.

Mr. David Isaac stated that he kept in touch with such developments throughout the few months, particularly on how the tax dollars were spent. Additionally, he stated that this was an adequate proposal that would do well and perhaps even create jobs that would spur the Baytown economy.

At 6:37 P.M., Mayor Pro Tem closed the public hearing regarding agenda item 1.a. Human Resources Director Carol Flynt presented the item and provided a video presentation for all the individuals that received years of service awards for the month of February.

2. <u>CONSENT</u>

A motion was made by Council Member Charles Johnson, and seconded by Council Member Mike Lester approving the consent agenda items 2.a. through 2.d. The vote was approved as follows:

Ayes: Council Member Laura Alvarado, Council Member Chris Presley, Council Member Charles Johnson, Mayor Pro Tem Heather Betancourth, Council Member Jacob Powell and Council Member Mike Lester

Nays: None

Other: Mayor Brandon Capetillo (Absent)

Approved

a. Consider an ordinance authorizing the purchase and installation of micro-surfacing from Intermountain Slurry Seal, Inc., utilizing the City of Baytown's Cooperative Purchase Agreement with the City of North Richland Hills.

ORDINANCE NO. 14,684

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AUTHORIZING THE PAYMENT OF FOUR HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($450,000.00) TO INTERMOUNTAIN SLURRY SEAL, INC., FOR THE PURCHASE AND INSTALLATION OF MICRO -SURFACING, THROUGH A COOPERATIVE PURCHASING AGREEMENT WITH THE CITY OF NORTH RICHLAND HILLS; MAKING OTHER PROVISIONS RELATED THERETO; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

b. Consider an ordinance authorizing a lease and installation of a 12,000-gallon propane tank from Propane Specialty Services through the Texas Local Government Purchasing Cooperative for the industrial fire props at the Fire Training Center.

ORDINANCE NO. 14,685

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AUTHORIZING THE PAYMENT OF AN AMOUNT NOT TO EXCEED SEVENTY THOUSAND AND NO/100 DOLLARS ($70,000.00) TO PROPANE SPECIALTY SERVICES FOR THE PURCHASE AND INSTALLATION OF A 12,000-GALLON PROPANE TANK THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUY BOARD); MAKING OTHER PROVISIONS RELATED THERETO; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

c. Consider a resolution amending the 2020-2024 Citizen Participation Plan adopted via Resolution No. 2667 on July 23, 2020.

RESOLUTION NO. 2,707

A RESOLUTION OF TIIE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AMENDING TIIE 2020-2024 CITIZEN PARTICIPATION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK. GRANT PROGRAM, WHICH PLAN WAS ADOPTED VIA RESOLUTION 2667 ON JULY 23, 2020; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

d. Consider a resolution authorizing the City Manager to accept a grant from the Texas Department of Housing and Community Affairs for the Texas Emergency Rental Assistance Program and authorizing the City to participate in the Texas Eviction Diversion Program.

RESOLUTION NO. 2,708

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE TEXAS EMERGENCY RENTAL ASSISTANCE PROGRAM; DESIGNATING AN AUTHORIZED REPRESENTATIVE FOR ALL PURPOSES UNDER SUCH GRANT; AUTHORIZING THE CITY OF BAYTOWN TO PARTICIPATE IN THE TEXAS EVICTION DIVERSION PROGRAM; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

3. APPOINTMENTS

a. Consider confirmation of the City Manager's appointment of the City of Baytown Director of Public Affairs.

Consider confirmation of the City Manager's appointment of the City of Baytown Director of Public Affairs.

Assistant City Manager Kevin Troller presented the agenda item and acknowledged staff, as well as, the recruiter for their hard work on the appointment. He stated that there were several vetting processes that ultimately determined the top 12 from over 100 applicants. He stated that the top four (4) were invited for interviews and the top two (2) were invited back a second time. Additionally, he stated that the City Manager selected Thomas Reeves to be the Public Affairs Director.

Mr. David Isaac registered to speak regarding agenda item 3.a. He acknowledged his appreciation for the position being filled and further noted that the public affairs office should also be adequately staffed. Additionally, he recommended that the Public Affairs Director play a part of the business incubation efforts.

Council Member Presley stated that the City of Baytown had never had a public affairs position until around the year 2009 and because he always has the taxpayers' dollars in mind he believed that things worked okay without the position. He stated that to increase the position from one (1) to three (3) was not exactly transformative as there was no need to fix what was not broken. He further stated that he subscribes to the City Manager being front and center of issues related to the media and think council members are elected to play a role as well. Additionally, he stated that Mr. Reeves was highly qualified and he was willing to give the idea another try.

Further during the discussion, Mr. Troller noted that he has been with the City through the entire time of the initial position and due to the legislative needs along with the complexities of the City there should be a professional who is focused and specifically trained on crafting the message of challenging issues to assist the City Manager and Mayor.

Lastly, Council Member Alvarado acknowledged Alice Jauregui for her tremendous work as the interim during the process of staffing the public affairs director position and extended welcome to Mr. Reeves.

A motion was made by Council Member Charles Johnson, and seconded by Council Member Chris Presley approving the appointment of Thomas Reeves as the City of Baytown Director of Public Affairs. The vote was approved as follows:

Ayes: Council Member Laura Alvarado, Council Member Chris Presley, Council Member Charles Johnson, Mayor Pro Tem Heather Betancourth, Council Member Jacob Powell and Council Member Mike Lester

Nays: None

Other: Mayor Brandon Capetillo (Absent)

Approved

4. MANAGER'S REPORT

a. Present information regarding the opening of the City's six (6) spray parks for the 2021 Summer season.

Assistant Manager Kevin Troller presented the agenda item and stated that the city's six (6) spray parks located at Roseland, Bergeron, McElroy, Pelly, Central Heights, and Jenkins Park open for the 2021 summer season on Saturday, March 13, 2021, 10:00 A.M. He stated that all of the parks would remain open through Sunday, November 7, 2021.

Mr. Troller recognized Mr. Dietrich for doing a phenomenal job on a situation during a board of adjustment meeting that took well over 45 minutes to resolve. He further recognized some of great activities throughout the community during the past weekend to include but not limited to a dog medicine give away that went extremely well, a dog frisbee tournament at Jenkins Park, a pop-up park at Carver and Oakwood neighborhoods, and the Hearts and Hands distribution at Lee High School. Lastly, he recognized Zachary Start for his customer service, Benny Schafer from Public Works and Engineering who received his Hot Mix Asphalt Certification, and Officer Jason Cox who got his Masterpiece Officer Certification.

Additionally, all city staff involved during the Board of Adjustments meeting was also recognized for doing a great job.

5. ADJOURN

With there being no further business to discuss, Mayor Pro Tem Betancourth adjourned the March 11, 2021, City Council Regular Meeting at 6:52 P.M.

_____
Angela Jackson, Acting City Clerk
City of Baytown

BAYTOWN CITY COUNCIL MEETING **2. a.**

Meeting Date: 04/08/2021
Subject: Texas Public Pool Council Award
Prepared for: Scott Johnson, Parks and Recreation
Prepared by: Leticia Brysch, City Clerk's Office
Department: Parks and Recreation

Information

ITEM

Receive the Texas Public Pool Council's 2020 Waterpark of the Year Award for Pirates Bay.

PREFACE

Pirates Bay was named Waterpark of the Year by Texas Public Pool Council for 2020. This award is given to waterparks who go above and beyond not just in operations but in planning, implementation, design, and innovation. 30+ waterparks are eligible for this award in the state; and the extensive plans for how we were going to operate safely during COVID was a major reason for our selection.

Fiscal Impact

Fiscal Year:	2021
Acct Code:	50113
Source of Funds (Operating/Capital/Bonds):	Operating
Funds Budgeted Y/N:	
Amount Needed:	0

Fiscal Impact (Additional Information):

BAYTOWN CITY COUNCIL MEETING **3. a.**

Meeting Date: 04/08/2021

Subject: First Public Hearing: Continuation of Juvenile Curfew Ordinance

Prepared for: Mike Holden, Police **Prepared by:** Karen Horner, Legal

Department: Police

Information

ITEM

Conduct the first public hearing giving all interested persons the right to appear and be heard on the need to continue the City's juvenile curfew ordinance.

PREFACE

Conduct a first public hearing giving all interested persons the right to appear and be heard on the need to continue the City's juvenile curfew ordinance. The current curfew ordinance was enacted on May 11, 2006, was reviewed and continued on April 23, 2009, April 26, 2012, April 23, 2015, and April 24, 2018. Pursuant to state law, before the third anniversary of the adoption of a juvenile curfew ordinance and every third year thereafter, the City Council shall:

1. review the ordinance's effects on the community and on the problems the ordinance was intended to remedy;
2. conduct public hearings on the need to continue the ordinance; and
3. abolish, continue or modify the ordinance.

This is the first public hearing concerning the need to continue the ordinance. Another public hearing is scheduled to be held on April 22nd. After the second public hearing, the City Council may abolish, continue or modify the ordinance. The juvenile curfew ordinance will automatically expire if Council fails to act. Curfew hours are from 11:00 p.m. on Sundays, Mondays, Tuesdays, Wednesdays, and Thursdays until 6:00 a.m. the following day and from 12:01 a.m. until 6:00 a.m. on Saturdays and Sundays.

BAYTOWN CITY COUNCIL MEETING **4. a.**

Meeting Date: 04/08/2021

Subject: Resolution - Repealing Resolution No. 2705 regarding the issuance of a Notice of Intent to Issue CO's for the Convention Center & Infrastructure

Prepared for: Rick Davis, City Management **Prepared by:** Karen Horner, Legal

Department: City Management

Information

ITEM

Consider a resolution repealing Resolution No. 2705 regarding (i) the issuance of a Notice of Intent to issue Certificates of Obligation for the convention center facilities and related infrastructure and (ii) advanced funding.

PREFACE

This proposed resolution repeals Resolution No. 2705, which authorized (i) the issuance of a Notice of Intent to issue Certificates of Obligation for the Convention Center Facilities and related infrastructure and (ii) advanced funding.

On April 1, 2021, the Board of Directors of the Municipal Development District ("MDD") directed the General Manager to pursue the possible restructuring of the MDD's bond issuance to include an additional $20.5 million for purpose of financing the City Facilities and to make a report of his findings. Such restructuring would serve as as an alternative to the issuance of Certificates of Obligation by the City.

Based upon recent discussions with the Texas Attorney General's Office, the City's bond counsel reported that they raised no concern with the issuance by the MDD of sales tax revenue bonds to finance the City Facilities associated with the Convention Center. As such, this proposed resolution rescinds the City's notice of intent to issue certificates of obligations, which was passed by the City Council on March 4, 2021.

Attachments

Resolution - Repealing NOI

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, REPEALING RESOLUTION NO. 2705 REGARDING (I) THE PUBLICATION OF THE NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION FOR THE CONVENTION CENTER FACILITIES AND RELATED INFRASTRUCTURE AND (II) OTHER MATTERS RELATED THERETO; AND PROVIDING FOR THE PUBLICATION AND THE EFFECTIVE DATE THEREOF.

****

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council of the City of Baytown, Texas, hereby repeals Resolution No. 2705 regarding (i) the publication of the Notice of Intention to issue Certificates of Obligation for the convention center facilities and related infrastructure and (ii) other matters related thereto.

Section 2: This resolution shall take effect from and after ten (10) days from its passage by the City Council. The Interim City Clerk is hereby directed to give notice hereof by causing the caption of this resolution to be published in the official newspaper of the City of Baytown at least twice within ten (10) days after passage of this resolution.

INTRODUCED, READ and PASSED, by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____
BRANDON CAPETILLO, Mayor

ATTEST:

_____
ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____
KAREN L. HORNER, City Attorney

BAYTOWN CITY COUNCIL MEETING **4. b.**

Meeting Date: 04/08/2021

Subject: Consider a petition for voluntary annexation of approximately 71.66 acres

Prepared for: Martin Scribner, Planning and Development Services

Prepared by: Harold Cheek, Planning and Development Services

Department: Planning and Development Services

Information

ITEM

Consider a resolution granting the petition of Earl W. Wilburn, Jr., for the proposed annexation of approximately 71.66 acres of land in Harris County, Texas, including 69.50 acres of land, legally described as Tract 37A-5, Abstract 21, G. Ellis Survey, Baytown, Harris County, Texas, along with approximately 2.16 acres being the entire width of N. Main Street right-of-way extending northwards approximately 1335.01 feet from the current city limits.

PREFACE

This resolution is the first step in granting the petition of Earl W. Wilburn, Jr., for the proposed annexation of approximately 69.50 acres and the adjacent North Main Street right-of-way extending northwards approximately 1,335 feet from its current terminus and containing approximately 2.16 acres, for a total proposed annexation of 71.66 acres. The subject property address is 8902 North Main Street and is legally described as a portion of Lot 13 of the Geo Ellis League Subdivision in the George Ellis League, Abstract No. 21, Harris County, Texas.

The subject tract currently has one single-family residence.

This resolution will direct the preparation of a service plan for the subject area, and will allow staff to negotiate and draft a written agreement regarding services for the subject area per the requirement of the annexation law (Loc Gov't Code §43.0672).

The applicant's petition and a vicinity map are attached for your review.

Fiscal Impact

Fiscal Year:

Acct Code:

Source of Funds (Operating/Capital/Bonds):

Funds Budgeted Y/N:

Amount Needed:

Fiscal Impact (Additional Information):

There is no fiscal impact associated with this item.

Attachments

Resolution - Granting Petition

Exhibit A - Petition

Surveys

Vicinity Map

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, GRANTING THE PETITION OF EARL W. WILBURN, JR., FOR THE PROPOSED ANNEXATION OF APPROXIMATELY 71.66 ACRES OF LAND IN HARRIS COUNTY, TEXAS, INCLUDING 69.50 ACRES OF LAND ADDRESSED AS 8902 N. MAIN STREET AND LEGALLY DESCRIBED AS TRACT 37A-5, ABSTRACT 21, G. ELLIS SURVEY, BAYTOWN, HARRIS COUNTY, TEXAS, ALONG WITH APPROXIMATELY 2.16 ACRES, BEING THE ENTIRE WIDTH OF N. MAIN STREET RIGHT-OF-WAY EXTENDING NORTHWARDS APPROXIMATELY 1335.01 FEET FROM THE CURRENT CITY LIMITS, HARRIS COUNTY, TEXAS; AUTHORIZING THE PREPARATION OF A SERVICE PLAN; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

****

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council of the City of Baytown, Texas, hereby grants the petition of Earl W. Wilburn, Jr., for the proposed annexation of approximately 71.66 acres of land in Harris County, Texas, including 69.50 acres of land, addressed as 9802 N. Main Street, and legally described as Tract 37A-5, Abstract 21, G. Ellis Survey, Baytown, Harris County, Texas, along with approximately 2.16 acres, being the entire width of N. Main Street right-of-way extending northwards approximately 1335.01 feet from the current city limits. Said petition is attached hereto as Exhibit "A" and incorporated herein for all intents and purposes.

Section 2: That the City Council of the City of Baytown, Texas, hereby authorizes and directs the Planning and Development Services Department to prepare a service plan for the property identified in Section 1 hereof.

Section 3: This resolution shall take effect immediately from and after its passage by the City Council of the City of Baytown.

INTRODUCED, READ and PASSED, by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____
BRANDON CAPETILLO, Mayor

ATTEST:

_____
ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____
KAREN L. HORNER, City Attorney

R:\Karen Horner\Documents\Files\City Council\Resolutions\2021\April 8\GrantingAnnexationPetitionofEarlWWilburnJr.doc

Exhibit "A"

Planning and Development Services
2401 Market Street
Baytown, TX 77520
Phone: 281-420-5394
Planning@baytown.org

CITY OF BAYTOWN

PETITION REQUESTING ANNEXATION

Incomplete applications will not be accepted. Indicate "N/A" when an item does not pertain to your application.

STATE OF TEXAS

COUNTY OF HARRIS/CHAMBERS

COME NOW, Earl W. Wilburn Jr., Owner(s) of the real property describes as follows to-wit:

(Describe property and attach metes and bounds)

The site is 36.002 acres of land. Castlerock Communities is proposing to develop a 266 single family lot community with amenities.

(State property location, for example, the property is located north of I-10 near N. Main Street.)

The site is located adjacent to North Main St. east of Goose Creek Memorial High School, north of Wallisville Rd and south of FM 1942.

(State the purpose of this annexation – What will be built, placed, etc.)

- ✔ Residential/Manufactured (Number of Lots) 266
- ☐ Commercial Business (Business type) _____
- ☐ Restaurant (Number of seats) _____
- ☐ Office Building (Number of Occupants) _____
- ☐ Other (description) _____
- ☐ Multifamily (Number of Units) _____
- ☐ RV Park (Number of Pads) _____
- ☐ Hotel/Motel (Number of Beds) _____
- ☐ Retail (Number of Washrooms) _____

Said tract is one-half mile or less in width; is contiguous to the city limits of Baytown; and is vacant and without residence or on which fewer than three qualified voters reside.

Application Fee: voluntary annexations are $300.00

(I), (We), Earl W. Wilburn Jr., the Owner(s) of the above-described property request annexation of the property by the City of Baytown.

SIGNED this the 15TH day of JAN, 2021.

Earl W Wilburn Jr	
Owner	Owner
Earl W. Wilburn Jr - Owner	
Name & Title	Name & Title
3614 Turtle Cove Dr Pasadena T	
Address	Address
713-882-0368	
Telephone Number	Telephone Number
ewwandkk@swbell.net	
Email Address	Email Address

Acknowledgement

State of Texas §

County of Harris / Chambers §

BEFORE ME, the undersigned authority, on this day personally appeared Earl W. Walburn Jr., know to me to be the person(s) whose name(s) is/are subscribed hereto, and who acknowledged that he/she/they executed the same for the purpose and consideration therein expressed.

To certify which witness my hand and official seal on this the 15 day of January, 2021.

Notary Public * STATE OF T E X A S

MARITZA GARCIA
Notary ID # 13150458-5
My Commission Expires
MARCH 27, 2022
(seal)

Corporate Acknowledgement

State of Texas §

County of Harris/Chambers §

This instrument was acknowledged before me on_____, 20_____, by _____, as_____of _____ _____, a corporation and on behalf of said corporation.

To certify which witness my hand and official seal on this the _____ day of _____, 20_____,

Notary Public * STATE OF T E X A S

(seal)

AFTER RECORDING, RETURN TO:
City of Baytown
Attn: Planning Department
P. O. Box 424
Baytown, TX 77522-0424

Planning and Development Services
2401 Market Street
Baytown, TX 77520
Phone: 281-420-5394
Planning@baytown.org

CITY OF BAYTOWN

PETITION REQUESTING ANNEXATION

Incomplete applications will not be accepted. Indicate "N/A" when an item does not pertain to your application.

STATE OF TEXAS

COUNTY OF HARRIS/CHAMBERS

COME NOW, Jo Anne Gill, Owner(s) of the real property describes as follows to-wit:

(Describe property and attach metes and bounds)

The site is 33.502 acres of land. Castlerock Communities is proposing to develop a 266 single family lot community with amenities.

(State property location, for example, the property is located north of I-10 near N. Main Street.)

The site is located adjacent to North Main St. east of Goose Creek Memorial High School, north of Wallisville Rd and south of FM 1942.

(State the purpose of this annexation – What will be built, placed, etc.)

- ☑ Residential/Manufactured (Number of Lots) 266
- ☐ Commercial Business (Business type) _____
- ☐ Restaurant (Number of seats) _____
- ☐ Office Building (Number of Occupants) _____
- ☐ Other (description) _____
- ☐ Multifamily (Number of Units) _____
- ☐ RV Park (Number of Pads) _____
- ☐ Hotel/Motel (Number of Beds) _____
- ☐ Retail (Number of Washrooms) _____

Said tract is one-half mile or less in width; is contiguous to the city limits of Baytown; and is vacant and without residence or on which fewer than three qualified voters reside.

Application Fee: voluntary annexations are $300.00

(I), (We), Jo Anne Gill, the Owner(s) of the above-described property request annexation of the property by the City of Baytown.

SIGNED this the 15 day of January, 20 21.

Carl W. Wilkins Jr. POA
Owner

Jo Anne Gill - Owner
Name & Title

15406 Icet Creek Ave. Baytown
Address

281-782-8562
Telephone Number

billy@combscommercial.com
Email Address

Owner

Name & Title

Address

Telephone Number

Email Address

Acknowledgement

State of Texas §

County of Harris / Chambers §

BEFORE ME, the undersigned authority, on this day personally appeared Earl W. Wilburn Jr., know to me to be the person(s) whose name(s) is/are subscribed hereto, and who acknowledged that he/she/they executed the same for the purpose and consideration therein expressed.

To certify which witness my hand and official seal on this the 15 day of January, 2021.

Notary Public * STATE OF T E X A S

MARITZA GARCIA
Notary ID # 13150458-5
My Commission Expires
MARCH 27, 2022

Corporate Acknowledgement

State of Texas §

County of Harris/Chambers §

This instrument was acknowledged before me on_____, 20_____, by _____, as_____of _____ _____, a corporation and on behalf of said corporation.

To certify which witness my hand and official seal on this the _____ day of _____, 20____,

Notary Public * STATE OF T E X A S

(seal)

AFTER RECORDING, RETURN TO:
City of Baytown
Attn: Planning Department
P. O. Box 424
Baytown, TX 77522-0424

Planning and Development Services
2401 Market Street
Baytown, TX 77520
Phone: 281-420-5394
planning@baytown.org

CITY OF BAYTOWN

Annexation Petition Checklist

The following list of submittal requirements shall be used by the applicant to prepare a complete annexation petition. The City shall also use the checklist to verify the completeness of the application at the time it is submitted. Applicants are responsible for submitting complete applications. Incomplete applications will be rejected and returned to the applicant.

✓ **Universal Development Application** – complete with all required signatures and notarized.

✓ **Application Fee** – $300.00.

✓ **Petition Requesting Annexation** – complete with all required signatures and notarized.

✓ **Survey Map** – complete with narrative metes and bounds description of property and sealed by a Registered Professional Surveyor (R.P.L.S.).

✓ **Authorization:**

Ownership – a recorded deed or other recorded instrument verifying ownership. **Agent Information** – if you are an agent and not the property owner, then you shall submit a notarized statement from the owner naming you as agent for this application. **Signatory Authorization** – if the property is owned by any entity or corporation and not an individual, please submit Articles of Incorporation or other documentation verifying signatory authorization.

✓ **Zoning Amendment Application** – a complete Zoning Amendment Application must be submitted at the same time as this annexation petition. This will place the property in a zoning district once annexed into the City. The annexation and zoning amendment process will occur concurrently.

By signing below I acknowledge that I have reviewed the general information and submittal requirements checklist and have included the required submittal items and reviewed them for completeness and accuracy.

Earl W. Wilburn Jr. — Applicant Signature

1-15-2021 — Date

Earl W. Wilburn, Jr. — Applicant Printed Name

Notes:

1) All bearings referenced to the Texas State Plane Coordinate System, South Central Zone NAD 83, (2001, Adjustment)

2) This survey was prepared from information furnished by Charter Title Company as agent for Fidelity National Title Insurance Company, effective date August 26, 2019, issued September 10, 2019. G.F. No. ch-7686-10760019000875L. The surveyor did not abstract subject property.

The following item in Schedule B, item 10 are as follows:

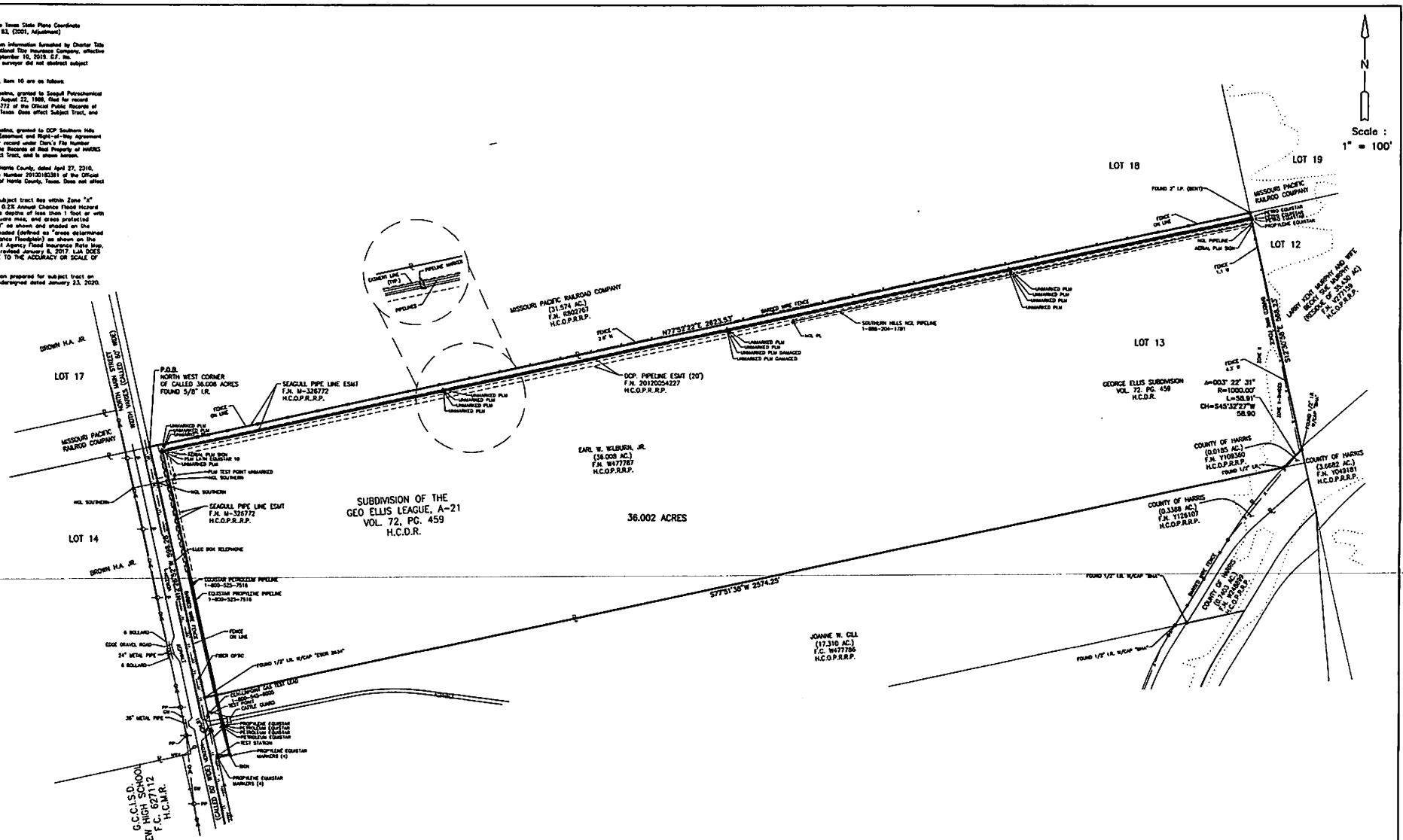
d. Right of Way easement for pipeline, granted to Seagull Petrochemical Corporation, by instrument dated August 22, 1988, filed for record under Clerk's File Number M-326772 of the Official Public Records of Real Property of HARRIS County, Texas. Does affect Subject Tract, and is shown hereon.

e. Right of Way easement for pipeline, granted to DCP Southern Hills Pipeline, LLC, by the Permanent Easement and Right-of-Way Agreement dated January 27, 2012, filed for record under Clerk's File Number 20120254227 of the Official Public Records of Real Property of HARRIS County, Texas. Does affect Subject Tract, and is shown hereon.

f. Dedication of Easement(s) by Harris County, dated April 27, 2210, filed for record under Clerk's File Number 20120180381 of the Official Public Records of Real Property of Harris County, Texas. Does not affect Subject Tract.

3) By graphical plotting, the subject tract lies within Zone "X" shaded, (defined as "areas of 0.2% Annual Chance Flood Hazard areas of 1% flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-year flood" as shown and shaded on the Rate Map) and Zone "X", unshaded (defined as "areas determined to be outside 0.2% Annual Chance Floodplain) as shown on the Federal Emergency Management Agency Flood Insurance Rate Map, Map No. 48201C0753 M, map revised January 6, 2017. LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.

4) Metes and bounds description prepared for subject tract on separate instrument by the undersigned dated January 23, 2020.



SURVEYOR'S CERTIFICATION

To: Meritage Homes of Texas, LLC, an Arizona Limited Liability Company, Earl W. Wilburn Jr., and Charter Title Company as agent for Fidelity National Title Insurance Company

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.

DATED JANUARY 23, 2020

Keith W. Monroe
Registered Professional Land Surveyor
Texas Registration No. 4797

STATE OF TEXAS REGISTERED KEITH W. MONROE 4797 PROFESSIONAL LAND SURVEYOR

LEGEND

HIGH BANK	
4' BARBED WIRE FENCE	
TELEPHONE PEDESTAL	
POWER POLE - PP	
GUY WIRE - GW	
OVERHEAD ELECTRIC - OHE	
SIGN	
WOOD FENCE	
PIPELINE MARKER - PLM	

LAND TITLE SURVEY OF 36.002 ACRES
A PORTION OF LOT 13 OF THE
GEO ELLIS LEAGUE SUBDIVISION
IN THE
GEORGE ELLIS LEAGUE,
ABSTRACT NO. 21
HARRIS COUNTY, TEXAS

JANUARY, 2020 JOB NO. LJAS001-2040-5400

LJA Surveying, Inc.
2929 Briarpark Drive
Suite 175
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
T.B.P.L.S. Firm No. 10194382

Notes:

1) All bearings referenced to the Texas State Plane Coordinate System, South Central Zone NAD 83, (2001, Adjustment)

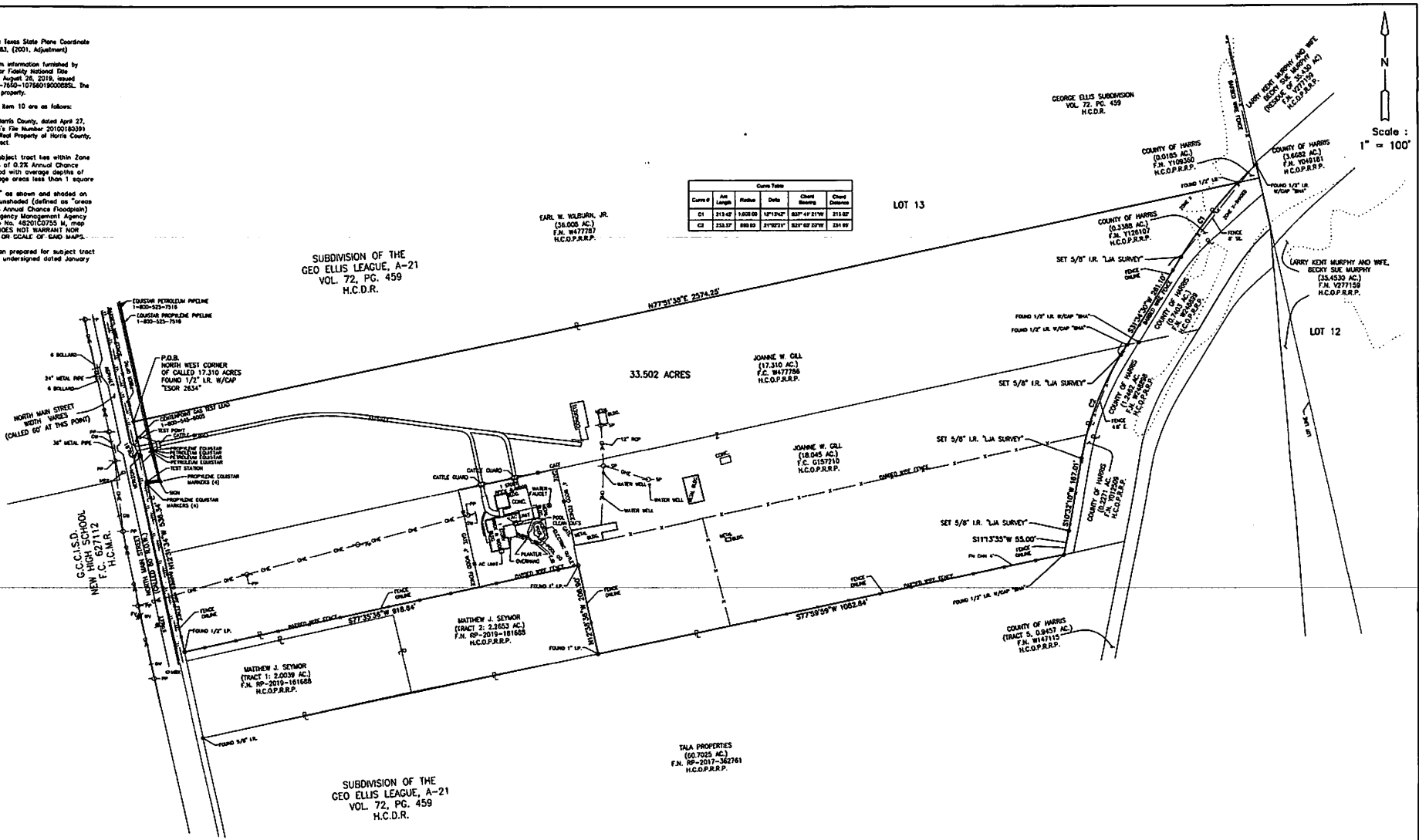
2) This survey was prepared from information furnished by Charter Title Company as agent for Fidelity National Title Insurance Company, effective date August 28, 2019, issued September 10, 2019. G.F. No. ch-7650-10786018000885. the surveyor did not abstract subject property.

The following item in Schedule B, item 10 are as follows:

f. Dedication of Easement(s) by Harris County, dated April 27, 2010, filed for record under Clerk's File Number 20100180391 of the Official Public Records of Real Property of Harris County, Texas. Does not affect Subject Tract

3) By graphical plotting, the subject tract lies within Zone "X" shaded, (defined as "areas of 0.2% Annual Chance Flood Hazard areas of 1% flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood" as shown and shaded on the Rate Map) and Zone "X", unshaded (defined as "areas determined to be outside 0.2% Annual Chance Floodplain) as shown on the Federal Emergency Management Agency Flood Insurance Rate Map, Map No. 48201C0755 M, map revised January 6, 2017. LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.

4) Metes and bounds description prepared for subject tract on separate instrument by the undersigned dated January 23, 2019.



Curve Table						
Curve #	Arc Length	Radius	Delta	Chord Bearing	Chord Distance	
C1	313.42'	1,620.00	12°11'54.2"	S33°41'21"W	313.02'	
C2	253.37'	899.93	21°02'21"	S25°02'22"W	251.99'	

LEGEND

HIGH BANK	
4' BARBED WIRE FENCE	
TELEPHONE PEDESTAL	
POWER POLE – PP	
GUY WIRE – GW	
OVERHEAD ELECTRIC – OHE	
SIGN	
WOOD FENCE	
FIRE HYDRANT – FV	
WATER VALVE – WV	
ELECTRIC JUNCTION BOX	

SURVEYOR'S CERTIFICATION

To: Meritage Homes of Texas, LLC, an Arizona Limited Liability Company, Joanne W. Gill, and Charter Title Company as agent for Fidelity National Title Insurance Company

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.

DATED JANUARY 23, 2020

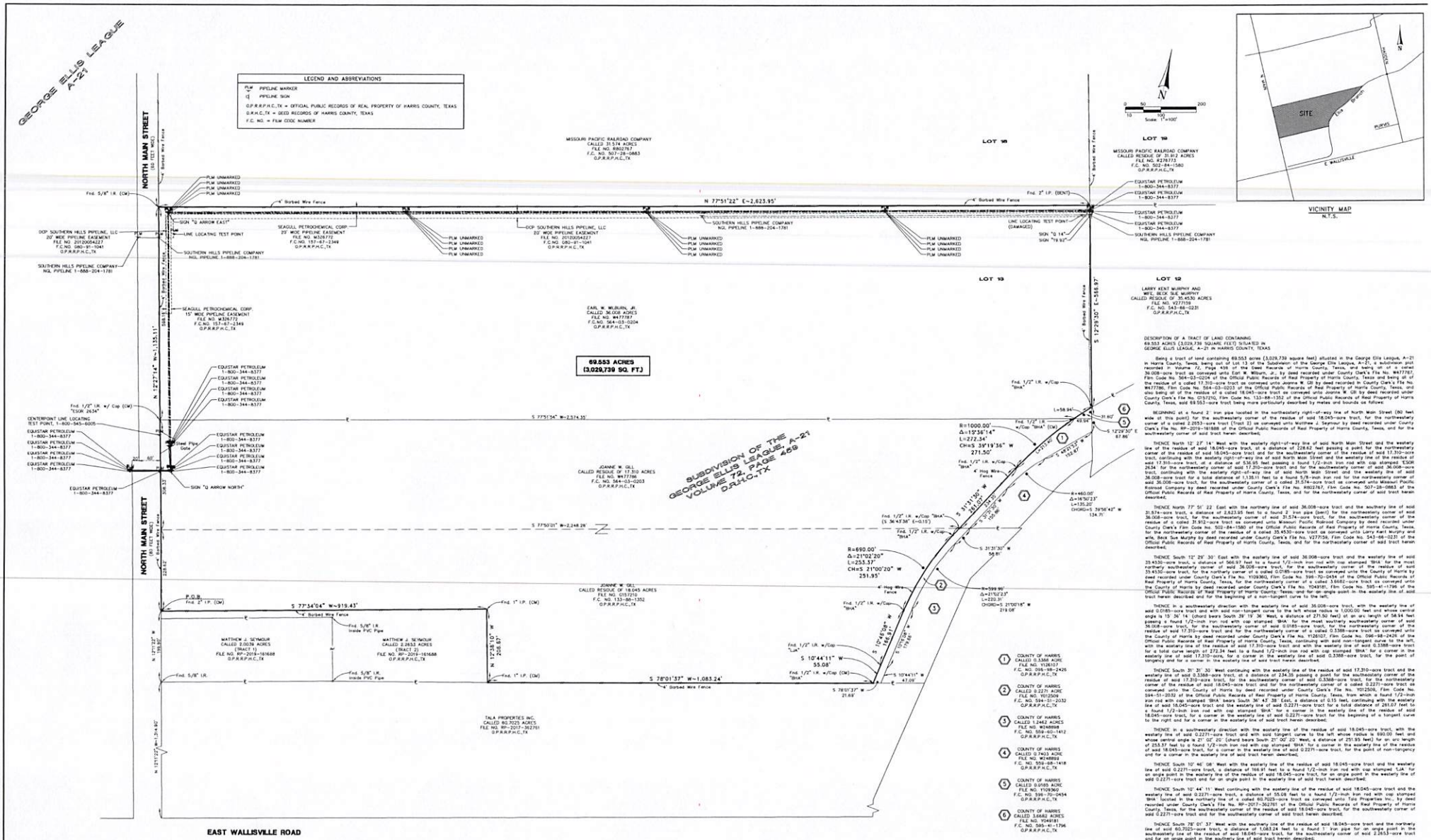
Keith W. Monroe
Registered Professional Land Surveyor
Texas Registration No. 4797

STATE OF TEXAS REGISTERED KEITH W. MONROE 4797 PROFESSIONAL LAND SURVEYOR

LAND TITLE SURVEY OF 33.502 ACRES A PORTION OF LOT 13 OF THE GEO ELLIS LEAGUE SUBDIVISION IN THE GEORGE ELLIS LEAGUE, ABSTRACT NO. 21 HARRIS COUNTY, TEXAS

JANUARY, 2020 JOB NO. LJA5001-2040-5400

LJA Surveying, Inc.
2929 Briarpark Drive
Suite 175
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5020
T.B.P.L.S. Firm No. 10194382



DESCRIPTION OF A TRACT OF LAND CONTAINING 69.553 ACRES (3,029,739 SQUARE FEET) SITUATED IN GEORGE ELLIS LEAGUE, A-21 IN HARRIS COUNTY, TEXAS

Being a tract of land containing 69.553 acres (3,029,739 square feet) situated in the George Ellis League, A-21 in Harris County, Texas, being out of Lot 13 of the Subdivision of the George Ellis League, A-21, a subdivision plat recorded in Volume 72, Page 456 of the Deed Records of Harris County, Texas, and being all of a called 36.008-acre tract as conveyed unto Earl W. Wilburn, Jr. by deed recorded under County Clerk's File No. W477767, Film Code No. 564-03-0204 of the Official Public Records of Real Property of Harris County, Texas and being all of the residue of a called 17.310-acre tract as conveyed unto Joanne W. Gill by deed recorded in County Clerk's File No. W477786, Film Code No. 564-03-0203 of the Official Public Records of Real Property of Harris County, Texas, and also being all of the residue of a called 18.045-acre tract as conveyed unto Joanne W. Gill by deed recorded under County Clerk's File No. U317210, Film Code No. 133-88-1352 of the Official Public Records of Real Property of Harris County, Texas, said 69.553-acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 2" iron pipe located in the northeasterly right-of-way line of North Main Street (80 feet wide at this point) for the southeasterly corner of the residue of said 18.045-acre tract, for the northwesterly corner of a called 2.2653-acre tract (Tract 2) as conveyed unto Matthew J. Seymour by deed recorded under County Clerk's File No. RP-2019-161688 of the Official Public Records of Real Property of Harris County, Texas, and for the southeasterly corner of said tract herein described;

THENCE North 12° 27' 14" West with the westerly right-of-way line of said North Main Street and the easterly line of the residue of said 18.045-acre tract, at a distance of 228.62 feet passing a point for the northeasterly corner of the residue of said 18.045-acre tract and for the southeasterly corner of the residue of said 17.310-acre tract, continuing with the easterly right-of-way line of said North Main Street and the westerly line of the residue of said 17.310-acre tract, at a distance of 536.85 feet passing a found 1/2-inch iron rod with cap stamped "ESOR 2634" for the northeasterly corner of said 17.310-acre tract and for the southeasterly corner of said 36.008-acre tract, continuing with the easterly right-of-way line of said North Main Street and the westerly line of said 36.008-acre tract for a total distance of 1,135.11 feet to a found 5/8-inch iron rod for the northeasterly corner of said 36.008-acre tract, for the southeasterly corner of a called 31.574-acre tract as conveyed unto Missouri Pacific Railroad Company by deed recorded under County Clerk's File No. R802767, Film Code No. 507-28-0883 of the Official Public Records of Real Property of Harris County, Texas, and for the northeasterly corner of said tract herein described;

THENCE North 77° 51' 22" East with the northerly line of said 36.008-acre tract and the southerly line of said 31.574-acre tract, a distance of 2,623.95 feet to a found 2" iron pipe (bent) for the northeasterly corner of said 36.008-acre tract, for the southeasterly corner of said 31.574-acre tract, for the southwesterly corner of the residue of a called 31.912-acre tract as conveyed unto Missouri Pacific Railroad Company by deed recorded under County Clerk's Film Code No. 502-84-1580 of the Official Public Records of Real Property of Harris County, Texas, for the northeasterly corner of the residue of a called 35.4530-acre tract as conveyed unto Larry Kent Murphy and wife, Beck Sue Murphy by deed recorded under County Clerk's File No. V277759, Film Code No. 543-66-0231 of the Official Public Records of Real Property of Harris County, Texas, and for the northeasterly corner of said tract herein described;

THENCE South 12° 29' 30" East with the easterly line of said 36.008-acre tract and the westerly line of said 35.4530-acre tract, a distance of 556.97 feet to a found 1/2-inch iron rod with cap stamped "BHA" for the most northerly southeasterly corner of said 36.008-acre tract, for the southwesterly corner of the residue of said 35.4530-acre tract, for the northerly corner of a called 0.0165-acre tract as conveyed unto the County of Harris by deed recorded under County Clerk's File No. Y109360, Film Code No. 399-70-0454 of the Official Public Records of Real Property of Harris County, Texas, for the northeasterly corner of a called 3.6682-acre tract as conveyed unto the County of Harris by deed recorded under County Clerk's File No. Y049181, Film Code No. 595-41-1796 of the Official Public Records of Real Property of Harris County, Texas; and for an angle point in the westerly line of said tract herein described and for the beginning of a non-tangent curve to the left;

THENCE in a southwesterly direction with the easterly line of said 36.008-acre tract, with the westerly line of said 0.0165-acre tract and with said non-tangent curve to the left whose radius is 1,000.00 feet and whose central angle is 15° 36' 14" (chord bears South 39° 19' 36" West, a distance of 271.50 feet) at an arc length of 58.94 feet passing a found 1/2-inch iron rod with cap stamped "BHA" for the most southerly southwesterly corner of said 36.008-acre tract, for the southwesterly corner of said 0.0165-acre tract, for the northwesterly corner of the residue of said 17.310-acre tract and for the northwesterly corner of a called 0.3388-acre tract as conveyed unto the County of Harris by deed recorded under County Clerk's File No. Y126107, Film Code No. 096-98-2426 of the Official Public Records of Real Property of Harris County, Texas, continuing with said non-tangent curve to the left, with the easterly line of the residue of said 17.310-acre tract and with the westerly line of said 0.3388-acre tract for a total curve length of 272.34 feet to a found 1/2-inch iron rod with cap stamped "BHA" for a corner in the easterly line of said 17.310-acre, for a corner in the westerly line of said 0.3388-acre tract, for the point of tangency and for a corner in the easterly line of said tract herein described;

THENCE South 31° 31' 30" West continuing with the easterly line of the residue of said 17.310-acre tract and the westerly line of said 0.3388-acre tract, at a distance of 234.35 passing a point for the southeasterly corner of the residue of said 17.310-acre tract, for the southeasterly corner of said 0.3388-acre tract, for the northeasterly corner of the residue of said 18.045-acre tract and for the northeasterly corner of a called 0.2271-acre tract as conveyed unto the County of Harris by deed recorded under County Clerk's File No. Y012506, Film Code No. 594-51-2032 of the Official Public Records of Real Property of Harris County, Texas, from which a found 1/2-inch iron rod with cap stamped "BHA" bears South 36° 47' 38" East, a distance of 0.15 feet, continuing with the easterly line of said 18.045-acre tract and the westerly line of said 0.2271-acre tract for a total distance of 261.07 feet to a found 1/2-inch iron rod with cap stamped "BHA" for a corner in the easterly line of the residue of said 18.045-acre tract, for a corner in the westerly line of said 0.2271-acre tract for the beginning of a tangent curve to the right and for a corner in the easterly line of said tract herein described;

THENCE in a southwesterly direction with the easterly line of the residue of said 18.045-acre tract, with the westerly line of said 0.2271-acre tract and with said tangent curve to the left whose radius is 690.00 feet and whose central angle is 21° 02' 20" (chord bears South 21° 00' 20" West, a distance of 251.95 feet) for an arc length of 253.37 feet to a found 1/2-inch iron rod with cap stamped "BHA" for a corner in the easterly line of the residue of said 18.045-acre tract, for a corner in the westerly line of said 0.2271-acre tract, for the point of non-tangency and for a corner in the easterly line of said tract herein described;

THENCE South 10° 44' 11" West with the easterly line of the residue of said 18.045-acre tract and the westerly line of said 0.2271-acre tract, a distance of 168.91 feet to a found 1/2-inch iron rod with cap stamped "LJA" for an angle point in the easterly line of the residue of said 18.045-acre tract, for an angle point in the westerly line of said 0.2271-acre tract and for an angle point in the easterly line of said tract herein described;

THENCE South 10° 44' 11" West continuing with the easterly line of the residue of said 18.045-acre tract and the westerly line of said 0.2271-acre tract, a distance of 55.08 feet to a found 1/2-inch iron rod with cap stamped "BHA" located in the northerly line of a called 60.7025-acre tract as conveyed unto Tala Properties Inc., by deed recorded under County Clerk's File No. RP-2017-362761 of the Official Public Records of Real Property of Harris County, Texas, for the southeasterly corner of the residue of said 18.045-acre tract, for the southwesterly corner of said 0.2271-acre tract and for the southeasterly corner of said tract herein described;

THENCE South 78° 01' 37" West with the southerly line of the residue of said 18.045-acre tract and the northerly line of said 60.7025-acre tract, a distance of 1,083.24 feet to a found 1" iron pipe for an angle point in the southeasterly line of the residue of said 18.045-acre tract, for the southeasterly corner of said 2.2653-acre tract and for an angle point in the southerly line of said tract herein described;

THENCE North 12° 38' 10" West with the westerly line of the residue of said 18.045-acre tract and the easterly line of said 2.2653-acre tract, a distance of 206.87 feet to a found 1" iron pipe for an angle point in the southerly line of the residue of said 18.045-acre tract, for the northeasterly corner of said 2.2653-acre tract and for an angle point in the southerly line of said tract herein described;

THENCE South 77° 34' 04" West with the southerly line of the residue of said 18.045-acre tract and the northerly line of said 2.2653-acre tract, a distance of 919.43 feet to the POINT OF BEGINNING and containing 69.553 acres (3,029,744 square feet) of land, more or less.

NOTES:

1. ALL BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE NO. 4204, NAD83 (2011). MONUMENTS MARKED "CM" WERE HELD FOR CONTROLLING MONUMENTS.

2. ALL FIELD INFORMATION SHOWN HEREON IS BASED ON AN "ON-THE-GROUND" SURVEY PERFORMED ON JANUARY 29, 2021.

3. THIS SURVEY DRAWING IS REFERENCED TO A METES AND BOUNDS DESCRIPTION PREPARED BY COBB, FENDLEY & ASSOCIATES, INC. OF EVEN DATE.

4. THE WORD CERTIFY IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL JUDGMENT BY THE SURVEYOR, WHICH IS BASED ON HIS/HER BEST KNOWLEDGE, INFORMATION AND BELIEF.

5. SQUARE FOOTAGE AREA SHOWN HEREON IS FOR INFORMATION ONLY AND SURVEYOR DOES NOT CERTIFY ACCURACY OF SURVEY TO NEAREST SQUARE FOOT.

6. ABSTRACTING FOR THE SUBJECT TRACT WAS PERFORMED BY COBB, FENDLEY & ASSOCIATES, INC. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT SO THEREFORE THERE MAY BE EASEMENTS AND/OR RESTRICTIVE COVENANTS OF RECORD AFFECTING THE PROPERTY WHICH ARE NOT SHOWN HEREON.

FLOODPLAIN INFORMATION

THE PROPERTY SHOWN HEREON (EITHER IN TOTAL OR A PORTION) IS LOCATED IN THE FOLLOWING ZONE(S) BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS 48201C0755M, REVISED JANUARY 6, 2017:

UNSHADED ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

ELEVATIONS WERE NOT OBTAINED ON THE SUBJECT PROPERTY.

DETERMINATION OF THE FLOOD ZONE IS BASED ON THE GRAPHICAL DELINEATION OF THE ZONES AS DEPICTED ON THE FLOOD PLAIN MAPS.

IF THIS PROPERTY IS NOT WITHIN AN IDENTIFIED FLOOD HAZARD AREA, THIS INFORMATION DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOODPLAIN INFORMATION SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

SURVEYORS CERTIFICATE

IN MY PROFESSIONAL OPINION, THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND DURING THE COURSE OF A BOUNDARY SURVEY CONDUCTED UNDER MY SUPERVISION ON JANUARY 29, 2021, AND THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1B, CONDITION II URBAN SURVEY.

WITNESS MY HAND AND SEAL THIS 24TH DAY OF FEBRUARY, 2021 AT HOUSTON, TEXAS.

AURELIO D. CORTES
REGISTERED PROFESSIONAL LAND SURVEYOR #5413

STATE OF TEXAS REGISTERED AURELIO D. CORTES 5413 PROFESSIONAL SURVEYOR

PROJECT	A BOUNDARY SURVEY OF A 69.553 ACRE (3,029,739 SQ. FT.) TRACT SITUATED IN THE GEORGE ELLIS SURVEY, A-21 IN HARRIS COUNTY, TEXAS.
OWNER	EARL W. WILBURN, JR. JOANNE W. GILL
LOCATION	NORTH MAIN STREET NORTH OF WALLISVILLE ROAD

CobbFendley
TBPE Firm Registration No. 174
TBPLS Firm Registration No. 10194672
13430 Northwest Freeway, Suite 1100 Houston, Texas 77040
713.462.3042 | fax 713.462.2362 | www.cobbfendley.com

DRAWN BY:	DATE:	SHEET	OF	REVISED
AC	2-24-2021	1	1	
DESIGNED BY:	SCALE: 1"=100'	F.B. NO.	3/44	
AC	CHK'D BY: AC	PROJECT NO.	2110-001-01-01	

2110-001-01-01_Boundary_24x36 normal

DESCRIPTION OF A TRACT OF LAND CONTAINING
69.553 ACRES (3,029,739 SQUARE FEET) SITUATED IN
GEORGE ELLIS LEAGUE, A-21 IN HARRIS COUNTY, TEXAS

Being a tract of land containing 69.553 acres (3,029,739 square feet) situated in the George Ellis League, A-21 in Harris County, Texas, being out of Lot 13 of the Subdivision of the George Ellis League, A-21, a subdivision plat recorded in Volume 72, Page 456 of the Deed Records of Harris County, Texas, and being all of a called 36.008-acre tract as conveyed unto Earl W. Wilburn, Jr., by deed recorded under County Clerk's File No. W477787, Film Code No. 564-03-0204 of the Official Public Records of Real Property of Harris County, Texas and being all of the residue of a called 17.310-acre tract as conveyed unto Joanne W. Gill by deed recorded in County Clerk's File No. W477786, Film Code No. 564-03-0203 of the Official Public Records of Real Property of Harris County, Texas, and also being all of the residue of a called 18.045-acre tract as conveyed unto Joanne W. Gill by deed recorded under County Clerk's File No. G157210, Film Code No. 133-88-1352 of the Official Public Records of Real Property of Harris County, Texas, said 69.553-acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 2" iron pipe located in the northeasterly right-of-way line of North Main Street (80 feet wide at this point) for the southwesterly corner of the residue of said 18.045-acre tract, for the northwesterly corner of a called 2.2653-acre tract (Tract 2) as conveyed unto Matthew J. Seymour by deed recorded under County Clerk's File No. RP-2019-161688 of the Official Public Records of Real Property of Harris County, Texas, and for the southwesterly corner of said tract herein described;

THENCE North 12° 27' 14" West with the easterly right-of-way line of said North Main Street and the westerly line of the residue of said 18.045-acre tract, at a distance of 228.62 feet passing a point for the northwesterly corner of the residue of said 18.045-acre tract and for the southwesterly corner of the residue of said 17.310-acre tract, continuing with the easterly right-of-way line of said North Main Street and the westerly line of the residue of said 17.310-acre tract, at a distance of 536.95 feet passing a found 1/2-inch iron rod with cap stamped "ESOR 2634" for the northwesterly corner of said 17.310-acre tract and for the southwesterly corner of said 36.008-acre tract, continuing with the easterly right-of-way line of said North Main Street and the westerly line of said 36.008-acre tract for a total distance of 1,135.11 feet to a found 5/8-inch iron rod for the northwesterly corner of said 36.008-acre tract, for the southwesterly corner of a called 31.574-acre tract as conveyed unto Missouri Pacific Railroad Company by deed recorded under County Clerk's File No. R802767, Film Code No. 507-28-0883 of the Official Public Records of Real Property of Harris County, Texas, and for the northwesterly corner of said tract herein described;

THENCE North 77° 51' 22" East with the northerly line of said 36.008-acre tract and the southerly line of said 31.574-acre tract, a distance of 2,623.95 feet to a found 2" iron pipe (bent) for the northeasterly corner of said 36.008-acre tract, for the southeasterly corner of said 31.574-acre tract, for the southwesterly corner of the residue of a called 31.912-acre tract as conveyed unto Missouri Pacific Railroad Company by deed recorded under County Clerk's Film Code No. 502-84-1580 of the Official Public Records of Real Property of Harris County, Texas, for the northwesterly corner of the residue of a called 35.4530-acre tract as conveyed unto Larry Kent Murphy and wife, Beck Sue Murphy by deed recorded under County Clerk's File No. V277159, Film Code No. 543-66-0231 of the Official Public Records of Real Property of Harris County, Texas, and for the northeasterly corner of said tract herein described;

THENCE South 12° 29' 30" East with the easterly line of said 36.008-acre tract and the westerly line of said 35.4530-acre tract, a distance of 566.97 feet to a found 1/2-inch iron rod with cap stamped "BHA" for the most northerly southeasterly corner of said 36.008-acre tract, for the southwesterly corner of the residue of said 35.4530-acre tract, for the northerly corner of a called 0.0185-acre tract as conveyed unto the County of Harris by deed recorded under County Clerk's File No. Y109360, Film Code No. 596-70-0454 of the Official Public Records of Real Property of Harris County, Texas, for the northwesterly corner of a called 3.6682-acre tract as conveyed unto the County of Harris by deed recorded under County Clerk's File No. Y049181, Film Code No. 595-41-1796 of the Official Public Records of Real Property of Harris County, Texas, and for an angle point in the easterly line of said tract herein described and for the beginning of a non-tangent curve to the left;

THENCE in a southwesterly direction with the easterly line of said 36.008-acre tract, with the westerly line of said 0.0185-acre tract and with said non-tangent curve to the left whose radius is 1,000.00 feet and whose central angle is 15° 36' 14" (chord bears South 39° 19' 36" West, a distance of 271.50 feet) at an arc length of 58.94 feet passing a found 1/2-inch iron rod with cap stamped "BHA" for the most southerly southeasterly corner of said 36.008-acre tract, for the southwesterly corner of said 0.0185-acre tract, for the northwesterly corner of the residue of said 17.310-acre tract and for the northwesterly corner of a called 0.3388-acre tract as conveyed unto the County of Harris by deed recorded under County Clerk's File No. Y126107, Film Code No. 096-98-2426 of the Official Public Records of Real Property of Harris County, Texas, continuing with said non-tangent curve to the left, with the easterly line of the residue of said 17.310-acre tract and with the westerly line of said 0.3388-acre tract for a total curve length of 272.34 feet to a found 1/2-inch iron rod with cap stamped "BHA" for a corner in the easterly line of said 17.310-acre, for a corner in the westerly line of said 0.3388-acre tract, for the point of tangency and for a corner in the easterly line of said tract herein described;

THENCE South 31° 31' 30" West continuing with the easterly line of the residue of said 17.310-acre tract and the westerly line of said 0.3388-acre tract, at a distance of 234.35 passing a point for the southeasterly corner of the residue of said 17.310-acre tract, for the southwesterly corner of said 0.3388-acre tract, for the northeasterly corner of the residue of said 18.045-acre tract and for the northwesterly corner of a called 0.2271-acre tract as conveyed unto the County of Harris by deed recorded under County Clerk's File No. Y012509, Film Code No. 594-51-2032 of the Official Public Records of Real Property of Harris County, Texas, from which a found 1/2-inch iron rod with cap stamped "BHA" bears South 36° 43' 38" East, a distance of 0.15 feet, continuing with the easterly line of said 18.045-acre tract and the westerly line of said 0.2271-acre tract for a total distance of 261.07 feet to a found 1/2-inch iron rod with cap stamped "BHA" for a corner in the easterly line of the residue of said 18.045-acre tract, for a corner in the westerly line of said 0.2271-acre tract for the beginning of a tangent curve to the right and for a corner in the easterly line of said tract herein described;

THENCE in a southwesterly direction with the easterly line of the residue of said 18.045-acre tract, with the westerly line of said 0.2271-acre tract and with said tangent curve to the left whose radius is 690.00 feet and whose central angle is 21° 02' 20" (chord bears South 21° 00' 20" West, a distance of 251.95 feet) for an arc length of 253.37 feet to a found 1/2-inch iron rod with cap stamped "BHA" for a corner in the easterly line of the residue of said 18.045-acre tract, for a corner in the westerly line of said 0.2271-acre tract, for the point of non-tangency and for a corner in the easterly line of said tract herein described;

THENCE South 10° 46' 08" West with the easterly line of the residue of said 18.045-acre tract and the westerly line of said 0.2271-acre tract, a distance of 166.91 feet to a found 1/2-inch iron rod with cap stamped "LJA" for an angle point in the easterly line of the residue of said 18.045-acre tract, for an angle point in the westerly line of said 0.2271-acre tract and for an angle point in the easterly line of said tract herein described;

THENCE South 10° 44' 11" West continuing with the easterly line of the residue of said 18.045-acre tract and the westerly line of said 0.2271-acre tract, a distance of 55.08 feet to a found 1/2-inch iron rod with cap stamped "BHA" located in the northerly line of a called 60.7025-acre tract as conveyed unto Tala Properties Inc., by deed recorded under County Clerk's File No. RP-2017-362761 of the Official Public Records of Real Property of Harris County, Texas, for the southeasterly corner of the residue of said 18.045-acre tract, for the southwesterly corner of said 0.2271-acre tract and for the southeasterly corner of said tract herein described;

THENCE South 78° 01' 37" West with the southerly line of the residue of said 18.045-acre tract and the northerly line of said 60.7025-acre tract, a distance of 1,083.24 feet to a found 1" iron pipe for an angle point in the southeasterly line of the residue of said 18.045-acre tract, for the southeasterly corner of said 2.2653-acre tract and for an angle point in the southerly line of said tract herein described;

THENCE North 12° 38' 10" West with the westerly line of the residue of said 18.045-acre tract and the easterly line of said 2.2653-acre tract, a distance of 206.67 feet to a found 1" iron pipe for an angle point in the southerly line of the residue of said 18.045-acre tract, for the northeasterly corner of said 2.2653-acre tract and for an angle point in the southerly line of said tract herein described;

THENCE South 77° 34' 04" West with the southerly line of the residue of said 18.045-acre tract and the northerly line of said 2.2653-acre tract, a distance of 919.43 feet to the **POINT OF BEGINNING** and containing 69.553 acres (3,029,744 square feet) of land, more or less.

Notes:

1. All bearings shown hereon are based on the Texas State Coordinate System, South Central Zone (4204), NAD 83, 2001 adjustment. Found monuments marked "CM" were held for controlling monuments.

2. Square footage area shown is for information only and surveyor does not certify accuracy of survey to nearest square foot.

3. This metes and bounds description is referenced to a survey drawing prepared by Cobb, Fendley & Associates, Inc. dated February 24, 2021, and titled "A BOUNDARY SURVEY OF A 69.553 ACRES (3,029,739 SQ. FT.) TRACT SITUATED IN THE GEORGE ELLIS SURVEY, A-21 IN HARRIS COUNTY, TEXAS".

Cobb, Fendley & Associates, Inc.
TBPELS Firm Registration No. 100467
13430 NW Freeway, Suite 1100
Houston, TX 77040
Phone: 713-462-3242

Job Number 2110-001-01-01
February 24, 2021

LIMITED DURABLE GENERAL POWER OF ATTORNEY

This Limited Durable General Power of Attorney made and entered into on _____, 2021, by JO ANNE GILL, 15406 Icet Creek Ave., Baytown, Texas 77523-1501, is as follows:

1. Agents. I appoint the following individual as my true and lawful attorney-in-fact: EARL W. WILBURN, JR., 3614 Turtle Cove Dr. Pasadena, TX (hereinafter referred to as "my Agent"). The term "Agent" as used herein shall refer to my attorney-in-fact and any successor attorney-in-fact named herein, who are empowered to act for me, and in my name, place and stead.

2. Scope of Authority. Without limiting this power of attorney given hereby to my Agent, but merely by way of example, I grant to my Agent each of the following powers:

A. To execute on my behalf, any and all petitions and ancillary documents related to (i) the zoning of the property described on Exhibit "A" attached hereto (the "Property"), (ii) the creation of a public improvement district on the Property, and (iii) the annexation of the Property into any municipal utility district and/or the City of Baytown, Texas.

I grant to my said Agent full power and authority to do and perform all and every act and thing whatsoever requisite, necessary, and proper to be done in the exercise of any of the rights and powers herein granted, as I might or could do if personally present, hereby ratifying and confirming all that my said Agent, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted provided.

3. Disability, Incapacity or Death of Principal. This power of attorney shall not terminate on my subsequent disability or incompetency. My death shall not revoke or terminate this agency as to the attorney-in-fact, agent or other person who, without actual knowledge of my death, acts in good faith under this power of attorney. Any action so taken, unless otherwise invalid or unenforceable, shall be binding upon me and my heirs, devisees, and personal representatives. An affidavit, executed by the Agent stating that said Agent does not have, at the time of doing an act pursuant to this power of attorney, actual knowledge of the revocation or termination of this power of attorney, is, in the absence of fraud, conclusive proof of the non-revocation or non-termination of the power at that time.

4. Revocation. This general power of attorney may be voluntarily revoked either by my written acknowledgment of revocation presented to my Agent, or if this power of attorney has been filed of record in the county of my residence then by my written revocation entered of record in the offices of the County Clerk of said county. I agree that any third party who receives a copy of this document may act under it. Revocation of the power of attorney is not effective as to a third party until the third party receives actual notice of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney. I do not revoke any other agency-type arrangements I have entered into with others including but not limited to General Powers of Attorney, Durable Powers of Attorney for Health

Care, Medical Powers of Attorney, Directives to Physicians, Directives to Physicians and Family or Surrogates, and multi-party account agreements at financial institutions.

5. Interpretation and Governing Law. This instrument is to be construed and interpreted as a durable limited general power of attorney. The enumeration of specific items, acts, rights, or powers herein does not limit or restrict, and it is to be construed or interpreted as limiting or restricting the general power herein granted to my Agent to the enumeration of specific powers herein.

This Limited Durable General Power of Attorney is dated the day and year shown above.

Jo Anne Gill

JO ANNE GILL

STATE OF TEXAS §
§
COUNTY OF Chambers §

BEFORE ME, the undersigned authority, on this day personally appeared JO ANNE GILL, known to me to be the declarant whose name is subscribed to the foregoing instrument and all of being by me duly sworn, the declarant, JO ANNE GILL, declared to me in my presence that said instrument is her Durable General Power of Attorney and that she had willingly and voluntarily made and executed it as her free act and deed for the purposes and conditions therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME by the said declarant, JO ANNE GILL, on this 14 day of Jan, 2021.

Cynthia Wood

Notary Public, State of Texas

CYNTHIA WOOD
Notary Public, State of Texas
Comm. Expires 01-26-2024
Notary ID 11853826

Notes:

1) All bearings referenced to the Texas State Plane Coordinate System, South Central Zone NAD 83, (2001, Adjustment)

2) This survey was prepared from information furnished by Charter Title Company as agent for Fidelity National Title Insurance Company, effective date August 26, 2019, issued September 10, 2019. G.F. No. ch-7660-1076601900088SL. The surveyor did not abstract subject property.

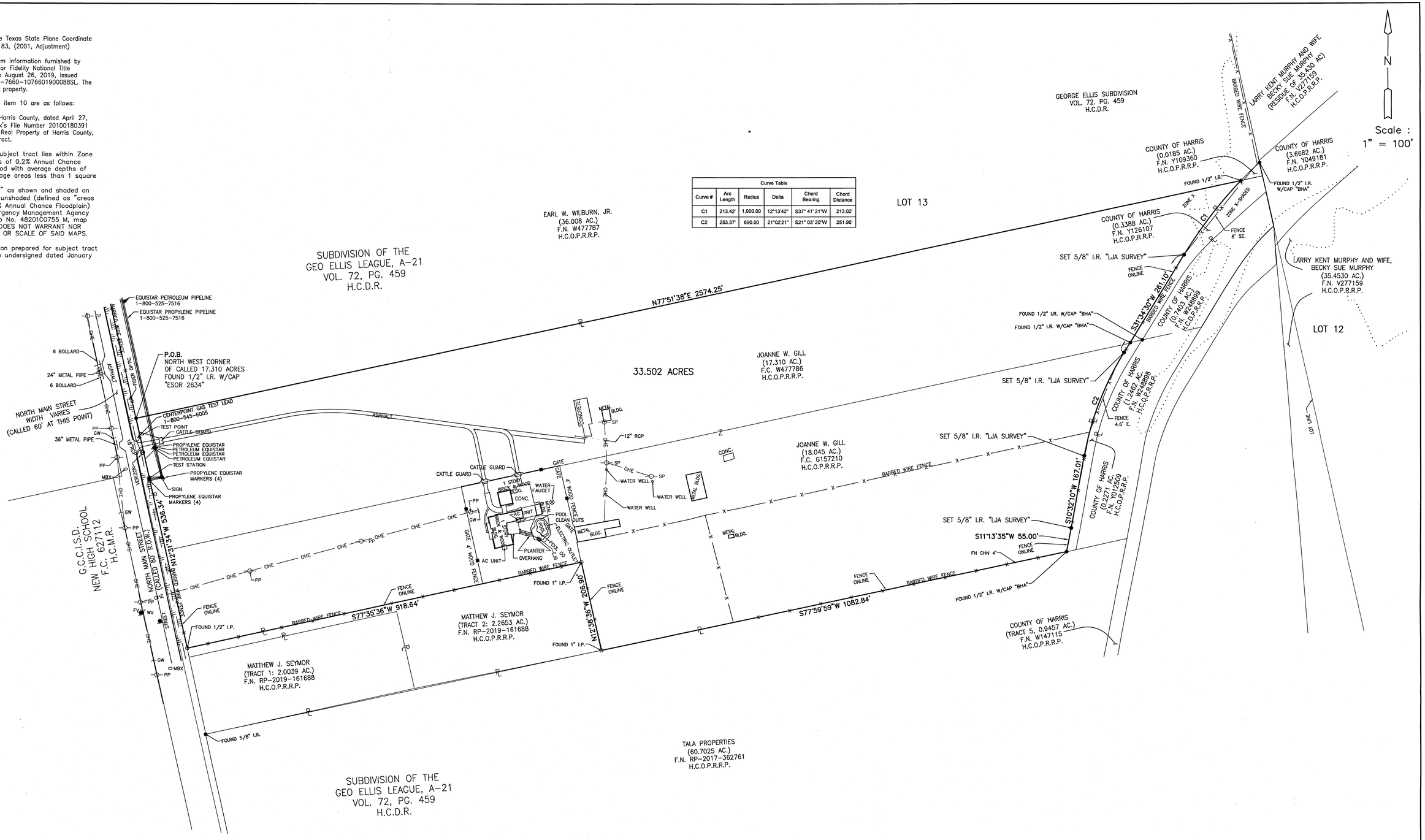
The following item in Schedule B, item 10 are as follows:

f. Dedication of Easement(s) by Harris County, dated April 27, 2010, filed for record under Clerk's File Number 20100180391 of the Official Public Records of Real Property of Harris County, Texas. Does not affect Subject Tract.

3) By graphical plotting, the subject tract lies within Zone "X" shaded, (defined as "areas of 0.2% Annual Chance Flood Hazard areas of 1% flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood" as shown and shaded on the Rate Map) and Zone "X", unshaded (defined as "areas determined to be outside 0.2% Annual Chance Floodplain) as shown on the Federal Emergency Management Agency Flood Insurance Rate Map, Map No. 48201C0755 M, map revised January 6, 2017. LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.

4) Metes and bounds description prepared for subject tract on separate instrument by the undersigned dated January 23, 2019.

Curve Table					
Curve #	Arc Length	Radius	Delta	Chord Bearing	Chord Distance
C1	213.42'	1,000.00	12°13'42"	S37° 41' 21"W	213.02'
C2	253.37'	690.00	21°02'21"	S21° 03' 20"W	251.95'



SURVEYOR'S CERTIFICATION

To: Meritage Homes of Texas, LLC, an Airizona Limited Liability Company, Joanne W. Gill, and Charter Title Company as agent for Fidelity National Title Insurance Company

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifiactions for a Category 1A Condition II Survey.

DATED JANUARY 23, 2020

Keith W. Monroe
Registered Professional Land Surveyor
Texas Registration No. 4797

STATE OF TEXAS REGISTERED KEITH W. MONROE 4797 PROFESSIONAL LAND SURVEYOR

LEGEND

HIGH BANK
4' BARBED WIRE FENCE
TELEPHONE PEDESTAL
POWER POLE – PP
GUY WIRE – GW
OVERHEAD ELECTRIC – OHE
SIGN
WOOD FENCE
FIRE HYDRANT – FV
WATER VALVE – WV
ELECTRIC JUNCTION BOX

LAND TITLE SURVEY OF 33.502 ACRES
A PORTION OF LOT 13 OF THE
GEO ELLIS LEAGUE SUBDIVISION
IN THE
GEORGE ELLIS LEAGUE,
ABSTRACT NO. 21
HARRIS COUNTY, TEXAS

JANUARY, 2020 JOB NO. LJAS001-2040-5400

LJA Surveying, Inc.
2929 Briarpark Drive
Suite 175
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
T.B.P.L.S. Firm No. 10194382

Notes:

1) All bearings referenced to the Texas State Plane Coordinate System, South Central Zone NAD 83, (2001, Adjustment)

2) This survey was prepared from information furnished by Charter Title Company as agent for Fidelity National Title Insurance Company, effective date August 26, 2019, issued September 10, 2019. G.F. No. ch-7660-1076601900087SL. The surveyor did not abstract subject property.

The following item in Schedule B, item 10 are as follows:

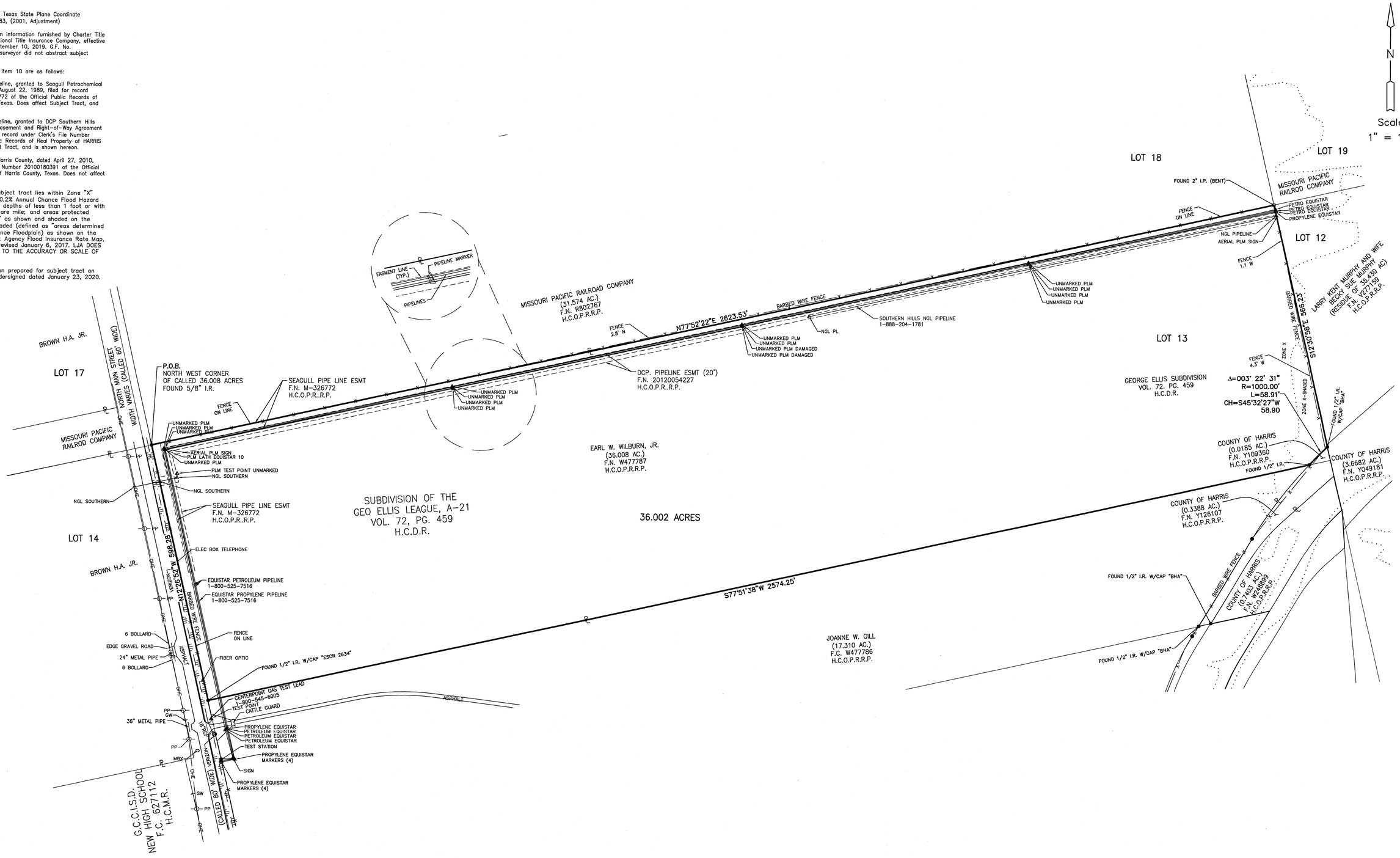
d. Right of Way easement for pipeline, granted to Seagull Petrochemical Corporation, by instrument dated August 22, 1989, filed for record under Clerk's File Number M-326772 of the Official Public Records of Real Property of HARRIS County, Texas. Does affect Subject Tract, and is shown hereon.

e. Right of Way easement for pipeline, granted to DCP Southern Hills Pipeline, LLC, by the Permanent Easement and Right-of-Way Agreement dated January 27, 2012, filed for record under Clerk's File Number 20120054227 of the Official Public Records of Real Property of HARRIS County, Texas. Does affect Subject Tract, and is shown hereon.

f. Dedication of Easement(s) by Harris County, dated April 27, 2010, filed for record under Clerk's File Number 20100180391 of the Official Public Records of Real Property of Harris County, Texas. Does not affect Subject Tract.

3) By graphical plotting, the subject tract lies within Zone "X" shaded, (defined as "areas of 0.2% Annual Chance Flood Hazard areas of 1% flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood" as shown and shaded on the Rate Map) and Zone "X", unshaded (defined as "areas determined to be outside 0.2% Annual Chance Floodplain) as shown on the Federal Emergency Management Agency Flood Insurance Rate Map, Map No. 4820IC0755 M, map revised January 6, 2017. LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.

4) Metes and bounds description prepared for subject tract on separate instrument by the undersigned dated January 23, 2020.



SURVEYOR'S CERTIFICATION

To: Meritage Homes of Texas, LLC, an Airizona Limited Liability Company, Earl W. Wilburn Jr., and Charter Title Company as agent for Fidelity National Title Insurance Company

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifiactions for a Category 1A Condition II Survey.

DATED JANUARY 23, 2020

Keith W. Monroe
Registered Professional Land Surveyor
Texas Registration No. 4797

STATE OF TEXAS REGISTERED KEITH W. MONROE 4797 PROFESSIONAL LAND SURVEYOR

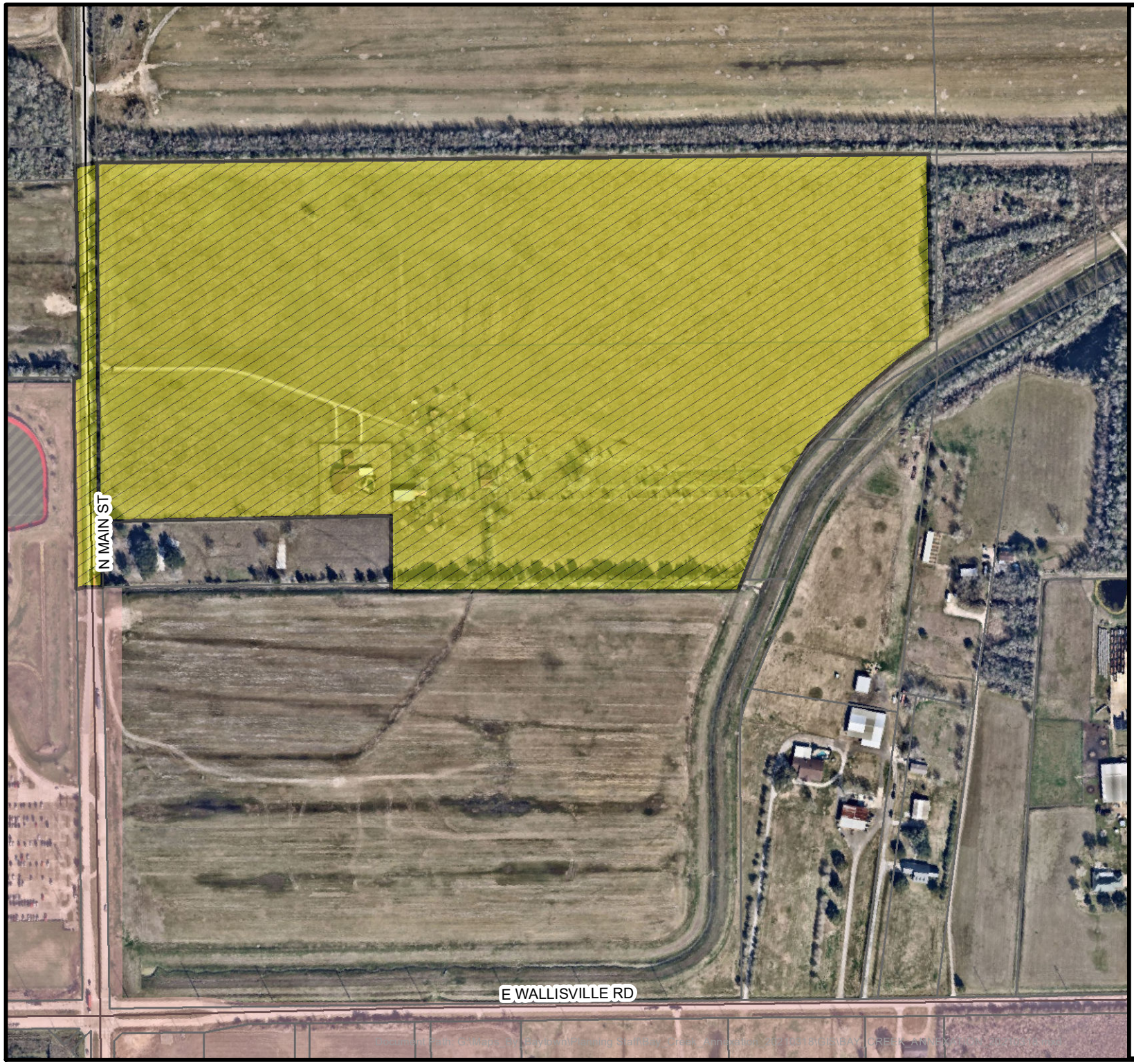
LEGEND

HIGH BANK	
4' BARBED WIRE FENCE	—x—
TELEPHONE PEDESTAL	
POWER POLE – PP	
GUY WIRE – GW	
OVERHEAD ELECTRIC – OHE	—OHE—
SIGN	
WOOD FENCE	
PIPELINE MARKER – PLM	

LAND TITLE SURVEY OF 36.002 ACRES
A PORTION OF LOT 13 OF THE
GEO ELLIS LEAGUE SUBDIVISION
IN THE
GEORGE ELLIS LEAGUE,
ABSTRACT NO. 21
HARRIS COUNTY, TEXAS

JANUARY, 2020 JOB NO. LJAS001-2040-5400

LJA Surveying, Inc.
2929 Briarpark Drive
Suite 175
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
T.B.P.L.S. Firm No. 10194382



Bay Creek Annexation

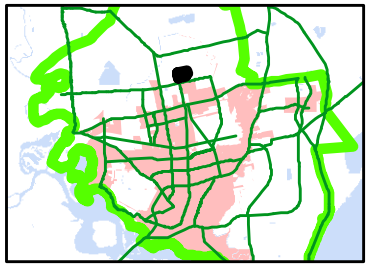
Total Annexation Area
Approx. 71.66 acres

LEGEND

Subject Property

Parcels

City Limit



The City of Baytown Texas makes no warranty, representation, or guarantee regarding the accuracy of this map. This map is intended for display purposes only and does not replace official recorded documents.

1 inch = 417 feet

Date 2021-03-26

BAYTOWN CITY COUNCIL MEETING **5. a.**

Meeting Date: 04/08/2021
Subject: Juneteenth Committee Presentation
Prepared for: Rick Davis, City Management
Prepared by: Raquel Martinez, City Clerk's Office
Department: City Management

Information

ITEM

Receive and discuss a presentation from the Juneteenth Committee regarding the 2021 Juneteenth Celebration.

PREFACE

This item allows for City Council to receive and discuss a presentation from the Juneteenth Committee regarding the 2021 Juneteenth Celebration.

Fiscal Impact

Fiscal Year:
Acct Code:
Source of Funds (Operating/Capital/Bonds):
Funds Budgeted Y/N:
Amount Needed:

Fiscal Impact (Additional Information):

There is no fiscal impact for this item.

BAYTOWN CITY COUNCIL MEETING **5. b.**

Meeting Date: 04/08/2021

Subject: Present 2020 Racial Profiling Report

Prepared for: Mike Holden, Police

Prepared by: Leticia Brysch, City Clerk's Office

Department: Police

Information

ITEM

Present the 2020 Racial Profiling Report.

PREFACE

In compliance with state law, Interim Police Chief Mike Holden will present the annual racial profiling report to the Council.

Fiscal Impact

Fiscal Year:

Acct Code:

Source of Funds (Operating/Capital/Bonds):

Funds Budgeted Y/N:

Amount Needed:

Fiscal Impact (Additional Information):

There is no fiscal impact.

BAYTOWN CITY COUNCIL MEETING **6. a.**

Meeting Date: 04/08/2021

Subject: Discuss the 2021 Swim Season at Pirates Bay and Calypso Cove

Prepared for: Scott Johnson, Parks and Recreation

Prepared by: Scott Johnson, Parks and Recreation

Department: Parks and Recreation

Information

ITEM

Discuss the upcoming Aquatics season at Pirates Bay Water Park and Calypso Cove.

PREFACE

Staff will present the upcoming plans for the 2021 Aquatic season at Pirates Bay Water Park and Calypso Cove.

Fiscal Impact

Fiscal Year:

Acct Code:

Source of Funds (Operating/Capital/Bonds):

Funds Budgeted Y/N:

Amount Needed:

Fiscal Impact (Additional Information):

There is no fiscal impact associated with this item.

BAYTOWN CITY COUNCIL MEETING **7. a.**

Meeting Date: 04/08/2021

Subject: Consider authorizing the closeout of the South Main St. Drainage Improvements Phase 1 Project

Prepared for: Andrea Brinkley, Public Works/Engineering/BAWA, C.I.P

Prepared by: Malik Michel, Public Works/Engineering/BAWA

Department: Public Works/Engineering/BAWA

Information

ITEM

Consider an ordinance authorizing acceptance, closeout and release of retainage to Angel Brothers Enterprises, LTD, for the South Main Street Drainage Improvements Phase 1 Project CDBG-DR 19-076-002-B351.

PREFACE

This proposed ordinance provides for the acceptance, closeout and final payment in the amount of $384,531.27 which includes $42,885.70 of retainage to Angel Brothers Enterprises, LTD., for the South Main St. Drainage Improvements Phase 1 Project, (CDBG-DR 19-076-002-B351).

This project completes drainage improvements from the intersection of W. Texas Avenue and S. Main Street to the intersection of W. Gulf Avenue and S. Main Street. The scope included replacing and upsizing the underground storm drainage system located on South Main Street along with replacement of the roadway pavement, sidewalk and utility adjustments.

The original contract amount was $1,237,528.65. There were five change orders resulting in a revised contract amount. The first change order was an administrative correction, with no change in cost. The second change order added street pavement marking items that were not accounted for originally but required, in the amount of ($137.00). The third change order was for various items required for the completion of the project, in the amount of ($7,925.00). The fourth change order was for field corrections in the amount of $6,291.00. The fifth change order was a true up change order in the amount of ($36,398.00). The total revised contract amount was $1,199,359.65. A total of 49 days was added to the contract for a total contract duration of 229 days.

This project was funded by the Texas General Land Office Community Development Block Grant Disaster Recovery (CDBG-DR 19-076-002-B351) provided funding up to $1,802,857.00 Contract No. 19-076-002-B351.

The project was completed for a total amount of $1,199,359.65. The project fulfills the grant requirements as set for by the Community Development Block Grant Contract No.

19-076-002-B351.

Fiscal Impact

Fiscal Year:	2021
Acct Code:	27008-85001-FG27008-85001
Source of Funds (Operating/Capital/Bonds):	Capital
Funds Budgeted Y/N:	Y
Amount Needed:	$384,531.27

Fiscal Impact (Additional Information):

Attachments

Ordinance - Final Pay South Main Street Drainage Improvements Phase 1 Project
Pay Estimate #7
Project Map

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, ACCEPTING THE SOUTH MAIN STREET DRAINAGE IMPROVEMENTS PHASE 1 PROJECT; AUTHORIZING FINAL PAYMENT OF THE SUM OF THREE HUNDRED EIGHTY-FOUR THOUSAND FIVE HUNDRED THIRTY-ONE AND 27/100 DOLLARS ($384,531.27) TO ANGEL BROTHERS ENTERPRISES, LTD, FOR SAID PROJECT; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

****

WHEREAS, the City of Baytown contracted with Angel Brothers Enterprises, LTD, for the South Main Street Drainage Improvements Phase 1 Project, (the "Project"); and

WHEREAS, all of the said improvements, as provided in the plans and specifications heretofore prepared by the City's engineer and as approved and adopted by the City Council, have been performed and completed in full accordance with all of the terms and conditions of the aforesaid contract; and

WHEREAS, the City's engineer, in the manner provided by the terms of the said contract and the plans and specifications thereof, has approved the South Main Street Drainage Improvements Phase 1 Project, has heretofore issued his Certificate of Final Acceptance, has certified same to the City Council, and has recommended that it accept and receive said work and improvements as constructed and completed by the contractor; and

WHEREAS, there remains due and owing to Angel Brothers Enterprises, LTD, the sum of THREE HUNDRED EIGHTY-FOUR THOUSAND FIVE HUNDRED THIRTY-ONE AND 27/100 DOLLARS ($384,531.27); NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council hereby accepts and approves the above-described work and improvements, and finds and determines that all of said improvements have been completed as provided in the plans and specifications thereof, and in full accordance with all of the terms and provisions of the aforesaid contract.

Section 2: That the Certificate of Final Acceptance heretofore issued by the City's engineer and certified to the City Council is hereby accepted and received.

Section 3: That final payment to Angel Brothers Enterprises, LTD, in the amount of THREE HUNDRED EIGHTY-FOUR THOUSAND FIVE HUNDRED THIRTY-ONE AND 27/100 DOLLARS ($384,531.27) is hereby authorized.

Section 4: This ordinance shall take effect immediately from and after its passage by the City Council of the City of Baytown.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____
BRANDON CAPETILLO, Mayor

ATTEST:

_____
ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____
KAREN L. HORNER, City Attorney

3003 Kilgore Parkway
Baytown, Tx. 77523
281-421-5721

Estimate and Certification for Payment

PROJECT: South Main Drainage Improvements

OWNER CITY OF BAYTOWN
Address: 2401 Market Street
Baytown, TX 77520

ATTN: Malik Michel

Estimate No: 7 & Final
Invoice No.
Start Date: 20-Jul-20
Current Contract Completion Date: 6-Mar-21
Estimate Cut Off Date: 3/15/2021
Date of Estimate: 3/15/2021

Project DR2002
P.O. No. 2006990

Initial Contract Time	180 days
Current Approved Extensions + or -	0 days
Previous Approved Extensions + or -	49 days
Total Contract Time	229 days
Spent Days	229 days
Days Remaining	0 days
Rain Days To Date	5 days

A. Contract Amount to Date:

1. Contract Price: $1,237,528.65

2. Approved Change Orders:		Date	Amount		
	#1	1/8/2020	$0.00		
	#2	12/11/2020	($137.00)		
	#3	2/24/2021	($7,925.00)		
	#4	3/11/2021	$6,291.00		
	True up Change order #5	3/17/2021	($36,398.00)		
	Total Changes to Date:	5		+ or -	($38,169.00)

Total Contract Amount: **$1,199,359.65**

B. Earnings to Date:

1. Previous Work Completed:	71.51%	Previous Earnings:	$857,714.08
2. Work Completed this Period:	28.49%	Earnings This Period:	$341,645.57
3. Materials on Site:			
		Total Earnings:	**$1,199,359.65**

C. Reductions:

1. Retainage: 0.00% of $1,199,359.65 $0.00

Total Payments Due:	$1,199,359.65
Less Previous Payments:	$814,828.38
Total Amount Due Contractor This Estimate:	$384,531.27

The undersigned Contractor certifies that to the best of his knowledge, information, and belief that the Work has been completed in accordance with the Plans and Specifications and the current payment shown on this Application for Payment is now due.

Prepared By: Sarath Aga Date: 3/18/2021
Contractor:

The foregoing estimate of work completed is true and correct to the best of my knowledge and belief.

Agreed: N/A Date: N/A
Construction Manager:

Approved by: Nathan Seshadri Date: 03/18/2021
Engineer:

Approved by: Date: 3/18/2021
Project Manager:

Approved by: Date: 3/18/2021
Asst Director,CIP Public Works & Engineering

Approved by: Date: 03/18/2021
Director of Public Works & Engineering

SOUTH MAIN ST DRAINAGE IMPROVEMENTS

SCHEDULE OF VALUES

ESTIMATE NO.: 7 & Final

ESTIMATE PERIOD: 2/1/2021-3/18/2021

PROJECT TOTALS

BID ITEM	DESCRIPTION	BID QTY.	UNIT	UNIT PRICE	TOTAL	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY PREVIOUS PERIODS	AMOUNT PREVIOUS PERIODS	TOTAL QUANTITY TO DATE	TOTAL AMOUNT TO DATE	PERCENT COMPLETE
BASE UNIT PRICES FOR- GENERAL												
1	MOBILIZATION/DEMOBILIZATION (3% MAXIMUM OF TOTAL BID)	1	LS	$20,500.00	$ 20,500.00	0.25	$ 5,125.00	0.75	$ 15,375.00	1	$ 20,500.00	100.00%
2	TRAFFIC CONTROL AND REGULATIONS	1	LS	$6,800.00	$ 6,800.00	0.25	$ 1,700.00	0.75	$ 5,100.00	1	$ 6,800.00	100.00%
3	FLAGGERS	1	LS	$4,000.00	$ 4,000.00		$ -	0	$ -	0	$ -	0.00%
4	STORM WATER POLLUTION PREVENTION PLAN (CONCRETE WASH TRUCK AREA, DAILY STREET SWEEPING)	1	LS	$2,250.00	$ 2,250.00	0.25	$ 562.50	0.75	$ 1,687.50	1	$ 2,250.00	100.00%
5	FILTER FABRIC FENCE	160	LF	$5.50	$ 880.00		$ -	160	$ 880.00	160	$ 880.00	100.00%
6	SITE PREPARATION	16	STA	$1,250.00	$ 20,000.00		$ -	16	$ 20,000.00	16	$ 20,000.00	100.00%
7	STABILIZED CONSTRUCTION EXIT	2	EA	$1,650.00	$ 3,300.00		$ -	0	$ -	0	$ -	0.00%
BASE UNIT PRICES FOR- STORM SEWER												
8	REMOVE 10" DIA. RCP STORM SEWER	24	LF	$15.00	$ 360.00		$ -	24	$ 360.00	24	$ 360.00	100.00%
9	REMOVE 15" DIA. RCP STORM SEWER	208	LF	$15.00	$ 3,120.00		$ -	208	$ 3,120.00	208	$ 3,120.00	100.00%
10	REMOVE 18" DIA RCP STORM SEWER	343	LF	$15.00	$ 5,145.00		$ -	343	$ 5,145.00	343	$ 5,145.00	100.00%
11	REMOVE 24" DIA RCP STORM SEWER	136	LF	$15.00	$ 2,040.00		$ -	136	$ 2,040.00	136	$ 2,040.00	100.00%
12	REMOVE 30" DIA RCP STORM SEWER	396	LF	$15.00	$ 5,940.00		$ -	396	$ 5,940.00	396	$ 5,940.00	100.00%
13	REMOVE INLETS (ALL TYPES)	10	EA	$580.00	$ 5,800.00		$ -	10	$ 5,800.00	10	$ 5,800.00	100.00%
14	REMOVE MANHOLES (ALL TYPES, ALL DEPTHS)	4	EA	$700.00	$ 2,800.00		$ -	4	$ 2,800.00	4	$ 2,800.00	100.00%
15	PROP CURB INLETS-10 FEET LENGTH	13	EA	$3,500.00	$ 45,500.00		$ -	13	$ 45,500.00	13	$ 45,500.00	100.00%
16	PROP CONCRETE MANHOLES-NORMAL DEPTH	2	EA	$3,300.00	$ 6,600.00		$ -	2	$ 6,600.00	2	$ 6,600.00	100.00%
17	PROP 5' X 3' REINFORCED CONCRETE BOX STORM SEWER	718	LF	$302.00	$ 216,836.00		$ -	718	$ 216,836.00	718	$ 216,836.00	100.00%
18	PROP 15" RCP	80	LF	$71.00	$ 5,680.00		$ -	80	$ 5,680.00	80	$ 5,680.00	100.00%
19	PROP 18" RCP	52	LF	$81.00	$ 4,212.00		$ -	52	$ 4,212.00	52	$ 4,212.00	100.00%
20	PROP 24" RCP	189	LF	$93.00	$ 17,577.00		$ -	189	$ 17,577.00	189	$ 17,577.00	100.00%
21	PROP 30" RCP	97	LF	$111.00	$ 10,767.00		$ -	97	$ 10,767.00	97	$ 10,767.00	100.00%
22	PROP STORM CONCRETE 8" X 5" JUNCTION BOX	6	EA	$9,500.00	$ 57,000.00		$ -	6	$ 57,000.00	6	$ 57,000.00	100.00%
23	PROP SANITARY SEWER CONFLICT MANHOLE-NORMAL DEPTH	1	EA	$4,750.00	$ 4,750.00		$ -	1	$ 4,750.00	1	$ 4,750.00	100.00%
24	PROP STORM MANHOLE RISER	1	EA	$1,415.00	$ 1,415.00		$ -	1	$ 1,415.00	1	$ 1,415.00	100.00%
25	TRENCH SAFETY SYSTEM (FURNISH AND INSTALL) (5-10 FEET)	1200	LF	$1.50	$ 1,800.00		$ -	1200	$ 1,800.00	1200	$ 1,800.00	100.00%
BASE UNIT PRICES FOR- PAVING												
26	REMOVE/DISPOSE EXISTING PAVEMENT-ALL CONCRETE PAVEMENT THICKNESSES WITH/WITHOUT ASPHALT OVERLAY	7014	SY	$8.50	$ 59,619.00		$ -	7014	$ 59,619.00	7014	$ 59,619.00	100.00%
27	REMOVE/DISPOSE EXISTING DRIVEWAYS AND SIDEWALKS	774	SY	$11.00	$ 8,514.00		$ -	774	$ 8,514.00	774	$ 8,514.00	100.00%
28	REMOVING EXISTING PLANTERS	2	EA	$275.00	$ 550.00		$ -	2	$ 550.00	2	$ 550.00	100.00%
29	8" JOINT REINFORCED CONCRETE PAVING (COMPLETE IN PLACE)	5585	SY	$50.75	$ 283,438.75	2120	$ 107,590.00	3465	$ 175,848.75	5585	$ 283,438.75	100.00%
30	LIME STABILIZED SUBGRADE 8" THICK	6852	SY	$3.70	$ 25,352.40	1979.02	$ 7,322.37	4872.98	$ 18,030.03	6852	$ 25,352.40	100.00%
31	LIME- FOR LIME STABILIZED SUBGRADE (24 LB/SY)	80	TON	$187.00	$ 14,960.00	16	$ 2,992.00	51	$ 9,537.00	67	$ 12,529.00	83.75%
32	6" CONCRETE CURB	1880	LF	$3.50	$ 6,580.00	1096	$ 3,836.00	784	$ 2,744.00	1880	$ 6,580.00	100.00%
33	CONCRETE CURB WALL-HEIGHT VARIES 6" TO 18"	375	LF	$37.00	$ 13,875.00		$ -	375	$ 13,875.00	375	$ 13,875.00	100.00%
34	24" CONCRETE CURB AND GUTTER	266	LF	$50.00	$ 13,300.00	245	$ 12,250.00	21	$ 1,050.00	266	$ 13,300.00	100.00%
35	ROADWAY EXCAVATION	2667	CY	$12.50	$ 33,337.50		$ -	2667	$ 33,337.50	2667	$ 33,337.50	100.00%
36	8" THICK HOT MIX ASPHALT BASE COURSE WITH 124 LBS/CY	1846	SY	$52.00	$ 95,992.00	1463	$ 76,076.00	383	$ 19,916.00	1846	$ 95,992.00	100.00%
37	1 1/2" HOT MIX LAID SURFACE COURSE (165 LBS/SY)	1846	SY	$12.00	$ 22,152.00	1463	$ 17,556.00	383	$ 4,596.00	1846	$ 22,152.00	100.00%
38	SITE RESTORATION INCLUDING FURNISH AND INSTALL SODDING	17	STA	$1,250.00	$ 21,250.00	9	$ 11,250.00	8	$ 10,000.00	17	$ 21,250.00	100.00%
39	6" REINFORCED CONCRETE DRIVEWAYS WITH COMPACTED STABILIZED SUBGRADE AS SHOWN ON PLANS (COMPLETE IN PLACE)	250	SY	$77.00	$ 19,250.00	178	$ 13,706.00	72	$ 5,544.00	250	$ 19,250.00	100.00%
40	2" HMAC DRIVEWAYS WITH COMPACTED STABILIZED SUBGRADE AS SHOWN ON PLANS (COMPLETE IN PLACE)	58	SY	$51.00	$ 2,958.00	58	$ 2,958.00	0	$ -	58	$ 2,958.00	100.00%
41	5' WIDE CONCRETE SIDEWALKS	10500	SF	$6.50	$ 68,250.00	5687	$ 36,965.50	4813	$ 31,284.50	10500	$ 68,250.00	100.00%
42	WHEELCHAIR RAMP WITH LANDING AND DETECTABLE WARNING SURFACE	500	SF	$37.00	$ 18,500.00	207	$ 7,659.00	293	$ 10,841.00	500	$ 18,500.00	100.00%
43	ALUMINUM SIGNS (GROUND MOUNTED) REMOVE, STORE AND REINSTALL EXISTING STREET SIGNS	10	EA	$115.00	$ 1,150.00	10	$ 1,150.00	0	$ -	10	$ 1,150.00	100.00%
44	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) 4" DOUBLE SOLID YELLOW	900	LF	$1.20	$ 1,080.00	246	$ 295.20	654	$ 784.80	900	$ 1,080.00	100.00%

SCHEDULE OF VALUES

SOUTH MAIN ST DRAINAGE IMPROVEMENTS

ESTIMATE NO.: 7 & Final

PROJECT TOTALS

ESTIMATE PERIOD: 2/1/2021-3/18/2021

BID ITEM	DESCRIPTION	BID QTY.	UNIT	UNIT PRICE	TOTAL	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY PREVIOUS PERIODS	AMOUNT PREVIOUS PERIODS	TOTAL QUANTITY TO DATE	TOTAL AMOUNT TO DATE	PERCENT COMPLETE
45	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) 24" SOLID WHITE	100	LF	$6.00	$ 600.00		$ -	100	$ 600.00	100	$ 600.00	100.00%
46	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) 12" SOLID WHITE	200	LF	$3.00	$ 600.00	200	$ 600.00	0	$ -	200	$ 600.00	100.00%
47	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) WORD "R" SOLID YELLOW	4	EA	$150.00	$ 600.00	2	$ 300.00	0	$ -	2	$ 300.00	50.00%
48	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) WORD "X" SOLID YELLOW, DOUBLE	2	EA	$300.00	$ 600.00	1	$ 300.00	0	$ -	1	$ 300.00	50.00%
49	ALUMINUM SIGNS (GROUND MOUNTED) FURNISH AND INSTALL	2	EA	$380.00	$ 760.00	2	$ 760.00	0	$ -	2	$ 760.00	100.00%
50	REMOVE, FURNISH AND REPLACE TRAFFIC SIGNAL LOOP DETECTOR (COMPLETE IN PLACE)	4	EA	$465.00	$ 1,860.00		$ -		$ -	0	$ -	0.00%
BASE UNIT PRICES FOR- WATER												
50	REMOVE EXISTING WATER LINE	314	LF	$20.00	$ 6,280.00		$ -		$ -	0	$ -	0.00%
51	8" DIA DIP WATER LINE HORIZONTAL AND VERTICAL OFFSET WITH RESTRAINED JOINTS	350	LF	$103.00	$ 36,050.00		$ -		$ -	0	$ -	0.00%
BASE UNIT PRICES FOR- WASTEWATER												
52	8" SANITARY SEWER SERVICE LINE-SINGLE-FAR SIDE	2	EA	$2,160.00	$ 4,320.00		$ -	2	$ 4,320.00	2	$ 4,320.00	100.00%
53	SANITARY SEWER SERVICE STUB RECONNECTION	2	EA	$600.00	$ 1,200.00		$ -	2	$ 1,200.00	2	$ 1,200.00	100.00%
54	8" SANITARY SEWER DUCTILE IRON PIPE	18	EA	$121.00	$ 2,178.00		$ -	18	$ 2,178.00	18	$ 2,178.00	100.00%
EXTRA UNIT PRICE TABLE: TO BE USED UPON AUTHORIZATION BY THE CITY AND ENGINEER OF RECORD												
55	EXCAVATION AROUND OBSTRUCTIONS	100	CY	$11.00	$ 1,100.00		$ -		$ -	0	$ -	0.00%
56	EXTRA HAND EXCAVATION	100	CY	$7.50	$ 750.00	100	$ 750.00		$ -	100	$ 750.00	100.00%
57	EXTRA MACHINE EXCAVATION	200	CY	$11.00	$ 2,200.00		$ -		$ -	0	$ -	0.00%
58	EXTRA PLACEMENT OF BACKFILL MATERIAL	100	CY	$13.00	$ 1,300.00		$ -		$ -	0	$ -	0.00%
59	EXTRA PLACEMENT OF GRANULAR FILL	20	CY	$60.00	$ 1,200.00		$ -		$ -	0	$ -	0.00%
60	EXTRA CEMENT STABILIZED SAND	20	CY	$85.00	$ 1,700.00		$ -		$ -	0	$ -	0.00%
61	EXTRA WATER FITTINGS IN PLACE	20	TON	$275.00	$ 5,500.00		$ -		$ -	0	$ -	0.00%
62	18" OVEREXCAVATE TRENCH BOTTOM	250	LF	$11.00	$ 2,750.00		$ -		$ -	0.00	$ -	0.00%
CASH ALLOWANCE TABLE												
CA1	NPDES PERMITS	1	EA	$400.00	$ 400.00		$ -		$ -	0	$ -	0.00%
CA2	FLOOD PLAIN MANAGEMENT OFFICE DEVELOPMENT PERMIT	1	EA	$400.00	$ 400.00		$ -		$ -	0	$ -	0.00%
	TOTAL BASE BID				**$1,237,528.65**		**$311,703.57**		**$854,754.08**		**$1,166,457.65**	**94.26%**
	CHANGE ORDER											
CO2.1	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) 4" DOUBLE SOLID YELLOW	550	LF	$1.20	$ 660.00	114	$ 136.80	436	$ 523.20	550	$ 660.00	100.00%
CO2.2	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) 24" SOLID WHITE	210	LF	$6.00	$ 1,260.00	108	$ 648.00	71	$ 426.00	179	$ 1,074.00	85.24%
CO2.3	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) 12" SOLID WHITE	368	LF	$3.00	$ 1,104.00	116	$ 348.00	252	$ 756.00	368	$ 1,104.00	100.00%
CO2.4	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) WORD "R" SOLID YELLOW	2	EA	$600.00	$ 1,200.00	2	$ 1,200.00		$ -	2	$ 1,200.00	100.00%
CO2.5	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) WORD "X" SOLID YELLOW, DOUBLE	1	EA	$150.00	$ 150.00	1	$ 150.00		$ -	1	$ 150.00	100.00%
CO2.6	ELIMINATION OF TRAFFIC SIGNAL LOOP DETECTOR	1	LS	($1,860.00)	$ (1,860.00)	1	$ (1,860.00)		$ -	1	$ (1,860.00)	100.00%
CO2.7	ELIMINATION OF REMOVAL OF 6" WATER LINE	1	LS	($6,280.00)	$ (6,280.00)	1	$ (6,280.00)		$ -	1	$ (6,280.00)	100.00%
CO2.8	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) 4" BRK WHITE (CO #2)	80	LF	$2.25	$ 180.00	80	$ 180.00	0	$ -	80	$ 180.00	100.00%
CO2.9	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) 8" SOLID WHITE (CO #2)	720	LF	$2.00	$ 1,440.00	260	$ 520.00	460	$ 920.00	720	$ 1,440.00	100.00%
CO2.10	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) WORD "ONLY" WHITE (CO #2)	2	EA	$150.00	$ 300.00	2	$ 300.00	0	$ -	2	$ 300.00	100.00%
CO2.11	REFLECTORIZED PAVEMENT MARKER (THERMOPLASTIC) LEFT TURN ARROW WHITE (CO #2)	2	EA	$150.00	$ 300.00	2	$ 300.00	0	$ -	2	$ 300.00	100.00%
CO2.12	TY II-A-A REFLECTORIZED PAVEMENT MARKERS (CO #2)	63	EA	$6.00	$ 378.00	29	$ 174.00	34	$ 204.00	63	$ 378.00	100.00%
CO2.13	TY II-C-R REFLECTORIZED PAVEMENT MARKERS (CO #2)	11	EA	$6.00	$ 66.00	2	$ 12.00	9	$ 54.00	11	$ 66.00	100.00%
CO2.14	ADDITIONAL STREET SIGN TO BE PROVIDED BY OWNER	1	EA	$415.00	$ 415.00	1	$ 415.00	0	$ -	1	$ 415.00	100.00%
CO2.15	W1-7T TRAFFIC SIGN	1	EA	$550.00	$ 550.00	1	$ 550.00	0	$ -	1	$ 550.00	100.00%
CO3.1	REMOVE AND REPLACE TRUCK ROUTE SIGN	1	EA	$550.00	$ 550.00	1	$ 550.00		$ -	1	$ 550.00	100.00%

SCHEDULE OF VALUES

SOUTH MAIN ST DRAINAGE IMPROVEMENTS

ESTIMATE NO.: 7 & Final

PROJECT TOTALS

ESTIMATE PERIOD: 2/1/2021-3/18/2021

BID ITEM	DESCRIPTION	BID QTY.	UNIT	UNIT PRICE	TOTAL	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY PREVIOUS PERIODS	AMOUNT PREVIOUS PERIODS	TOTAL QUANTITY TO DATE	TOTAL AMOUNT TO DATE	PERCENT COMPLETE
CO3.2	STAMPED CONCRETE (BROWN-RED)	100	SF	$7.00	$ 700.00	100	$ 700.00		$ -	100	$ 700.00	100.00%
CO3.3	CONCRETE FLUME	1	EA	$1,750.00	$ 1,750.00	1	$ 1,750.00		$ -	1	$ 1,750.00	100.00%
CO3.4	ELIMINATION 8" DIP WATER LINE	-350	LF	$103.00	$ (36,050.00)		$ -		$ -	0	$ -	0.00%
CO3.5	ADDITIONAL SODDING E PEARCE, S MAIN, E TEXAS	4.6	STA	$1,250.00	$ 5,750.00	4.6	$ 5,750.00		$ -	4.6	$ 5,750.00	100.00%
CO3.6	REMOVAL OF EXISTING DIP WATER LINE	450	LF	$20.00	$ 9,000.00	450	$ 9,000.00		$ -	450	$ 9,000.00	100.00%
CO3.7	8" SANITARY SEWER SERVICE LINE-SINGLE-FAR SIDE	1	EA	$2,160.00	$ 2,160.00	1	$ 2,160.00		$ -	1	$ 2,160.00	100.00%
CO3.8	6" REINFORCED CONCRETE DRIVEWAYS (COWBOY CEDAR LOUNGE)	45	SY	$77.00	$ 3,465.00	45	$ 3,465.00		$ -	45	$ 3,465.00	100.00%
CO3.9	PROP SANITARY SEWER CONFLICT MANHOLE-NORMAL DEPTH	1	EA	$4,750.00	$ 4,750.00	1	$ 4,750.00		$ -	1	$ 4,750.00	100.00%
C04.1	REMOVE AND REPLACE CONCRETE SIDEWALKS (NW CORNER S MAIN AND TEXAS)	8.5	SY	$68.35	$ 581.00	8.5	$ 581.00		$ -	8.5	$ 581.00	100.00%
C04.2	PEDESTRIAN CROSSWALK ON PEARCE AVE	84	SY	$59.25	$ 4,977.00	84	$ 4,977.00		$ -	84	$ 4,977.00	100.00%
CO4.3	REMOVE AND REPLACE CONCRETE SIDEWALKS (SW CORNER S MAIN AND TEXAS)	10.5	SY	$69.80	$ 733.00	10.5	$ 733.00		$ -	10.5	$ 733.00	100.00%
CO 5.1	TRUE UP CHANGE ORDER	1	LS	($36,398.00)	$ (36,398.00)		$ -		$ -	0	$ -	0.00%
	TOTAL CHANGE ORDERS				**-$38,169.00**		**$31,209.80**		**$2,883.20**		**$34,093.00**	**-89.32%**
	GRAND TOTAL FOR PROJECT				**$1,199,359.65**		**$341,645.57**		**$857,714.08**		**$1,199,359.65**	**100.00%**

Section 00615

PARTIAL WAIVER OF LIEN AND PAYMENT AFFIDAVIT

The undersigned contracted with City of Baytown to furnish New Construction in connection with certain improvements to real property located in the City of Baytown, TX and owned by the City of Baytown which improvements are described as follows: Concrete paving and drainage improvements on S Main Street from Texas to Gulf.

In consideration of Pay Estimate No. 7 in the amount of $ 384,531.27 the undersigned, on oath, states that all persons and firms who supplied labor and materials to the undersigned in connection with said Project will be fully paid within 30 days of the date of this document by the undersigned for such work through March 18, 2021.

In consideration of the payment herewith made, the undersigned does fully and finally release and hold harmless the City of Baytown and its surety, if any, through the above date from any and all claims, liens, or right to claim or lien, arising out of this Project under any applicable bond, law or statue.

It is understood that this affidavit is submitted to induce payment of the above sum and for use by the City of Baytown in assuring the Owner and others that all liens and claims relating to the said Project furnished by the undersigned are paid.

Garrett Goza

Signature

Garrett Goza, Vice President

Printed Name & Title

Angel Brothers Enterprises

Company Name

State of Texas
County of Harris

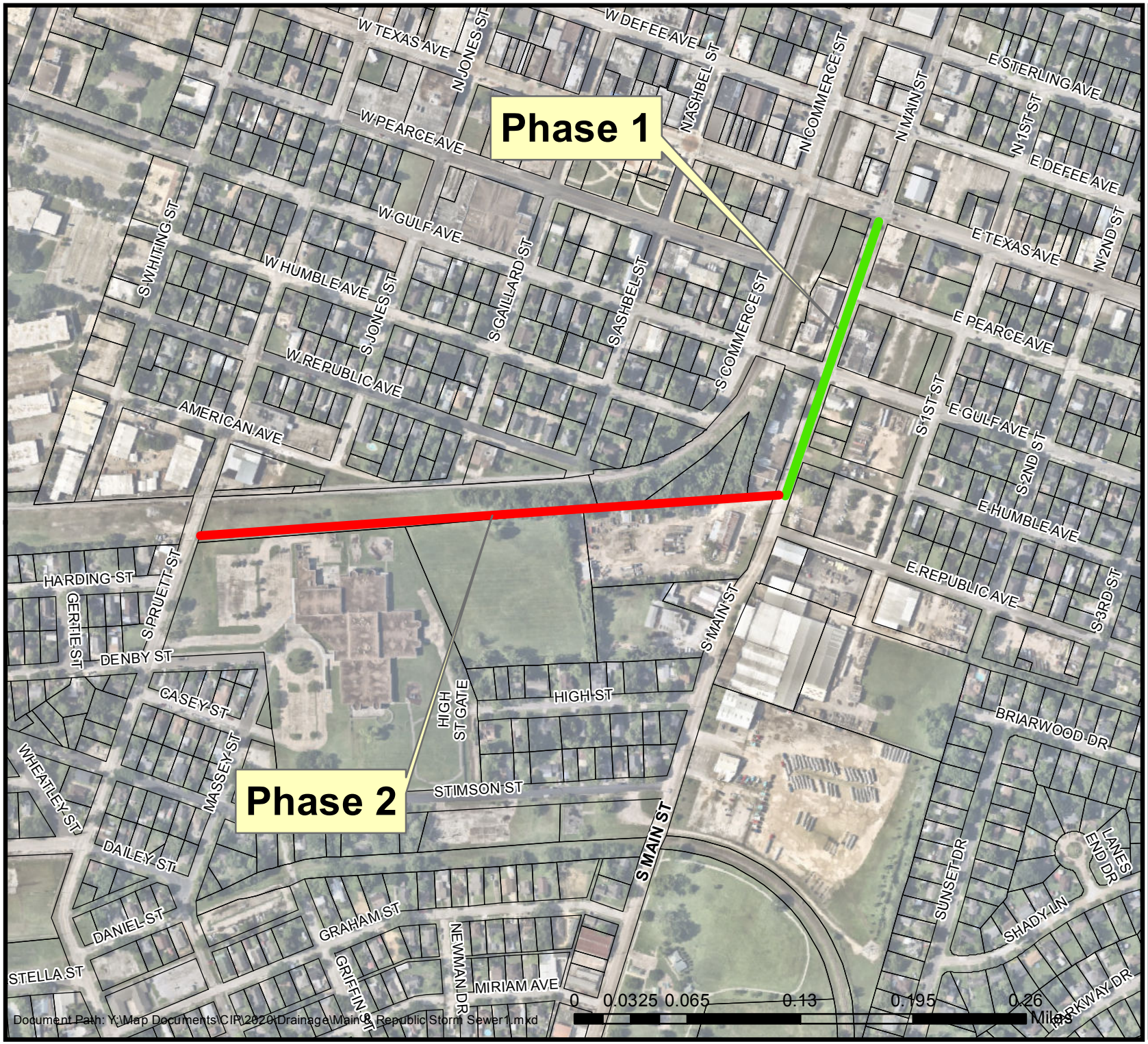
Subscribed and sworn to, before me, this 18th day of March, 2021

My Commission Expires: 4.15.2022

Kelly K. Reynolds

Notary Public

KELLY K. REYNOLDS NOTARY PUBLIC STATE OF TEXAS ID 12824222-1 EXP 04-15-2022



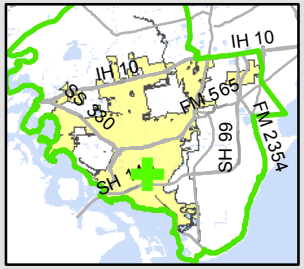
BAYTOWN

N
W E
S

MAIN & REPUBLIC STORM SEWER

PROPOSED IMPROVEMENTS TO EXISTING STORM SEWER

PREPARED BY
MATT BAILEY
Date: 6/15/2020



The City of Baytown Texas makes no warranty, representation, or guarantee regarding the accuracy of this map. This map is intended for display purposes only and does not replace official recorded documents.

BAYTOWN CITY COUNCIL MEETING **7. b.**

Meeting Date: 04/08/2021

Subject: Authorize Upgrade On HVAC System for Public Works/Engineering Operations Building Remodel

Prepared for: Frank Simoneaux, Public Works/Engineering/BAWA

Prepared by: Wendy McClain, Public Works/Engineering/BAWA

Department: Public Works/Engineering/BAWA

Information

ITEM

Consider an ordinance authorizing the purchase and installation of a partial upgrade of the Heating, Ventilation, and Air Conditioning (HVAC) Daikin Air Conditioning System from Heat Transfer Solutions, Inc., for the Public Works and Engineering Operations Building Remodel Project through the BuyBoard.

PREFACE

This proposed ordinance authorizes the purchase and installation of a partial upgrade of the Heating, Ventilation, and Air Conditioning (HVAC) Daikin Air Conditioning System from Heat Transfer Solutions, Inc., for the Public Works and Engineering Operations Building Remodel Project through the BuyBoard Contract No. 631-20, in an amount not to exceed $118,690.50.

The scope of work for this item includes:

- the installation of eight (8) individual office units,
- one (1) large conference room unit,
- one (1) break area unit,
- one (1) central planning and development area unit, associated hallways, corridors, walk spaces, and
- one (1) mechanical room.

Fiscal Impact

Fiscal Year:	2020-2021
Acct Code:	35110-85001-PBSF3000-85001
Source of Funds (Operating/Capital/Bonds):	Capital
Funds Budgeted Y/N:	Y
Amount Needed:	$118,690.50

Fiscal Impact (Additional Information):

Attachments

Ordinance - Upgrade on HVAC System for Public Works/Engineering Operations Building Remodel

HTS Proposal

Indebtedness Certification

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AUTHORIZING THE PAYMENT OF ONE HUNDRED EIGHTEEN THOUSAND SIX HUNDRED NINETY AND 50/100 DOLLARS ($118,690.50) TO HEAT TRANSFER SOLUTIONS, INC., FOR THE PURCHASE AND INSTALLATION OF A PARTIAL UPGRADE OF THE HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) DAIKIN AIR CONDITIONING SYSTEM FOR THE PUBLIC WORKS AND ENGINEERING OPERATIONS BUILDING REMODEL PROJECT, THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUY BOARD); MAKING OTHER PROVISIONS RELATED THERETO; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

****

WHEREAS, the City of Baytown is a member of the cooperative purchasing program established under Sections 271.082 and 271.083 of the Texas Local Government Code; and

WHEREAS, the Texas Local Government Purchasing Cooperative's Buy Board Program is such a program, allowing municipalities to purchase products and/or services in an efficient, cost effective, and competitive procurement method; and

WHEREAS, the City of Baytown, in making a purchase under a state contract through such cooperative purchasing program, satisfies state law requiring municipalities to seek competitive bids for the purchase of the item; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council of the City of Baytown hereby authorizes the payment of ONE HUNDRED EIGHTEEN THOUSAND SIX HUNDRED NINETY AND 50/100 dollars ($118,690.50) to Heat Transfer Solutions, Inc., for the purchase and installation of a partial upgrade of the Heating, Ventilation, and Air Conditioning (HVAC) Daikin Air Conditioning System for the Public Works and Engineering Operations Building Remodel Project, through the Texas Local Government Purchasing Cooperative (Buy Board).

Section 2: That the City Manager is hereby granted general authority to approve any change order involving a decrease or an increase in costs of FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) or less, provided that the original contract price may not be increased by more than twenty-five percent (25%) or decreased by more than twenty-five percent (25%) without the consent of the contractor to such decrease.

Section 3: This ordinance shall take effect immediately from and after its passage by the City Council of the City of Baytown.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____
BRANDON CAPETILLO, Mayor

ATTEST:

_____
ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____
KAREN L. HORNER, City Attorney

Heat Transfer Solutions, Inc.

HTS Texas

Direct Expansion Solutions, Inc.
DXS

VRF Services of Texas

3350 Yale Street
Houston, Texas 77018
T 832.328.1010
F 832.201.0767

CITY OF BAYTOWN

RE: BUYBOARD Contract #631-20

TOPIC: Remodel Phase II – Admin & Office Areas

LOCATION: Baytown Public Works
2123 Market Street
Baytown, TX 77520

TRADE: Mechanical Contractor

SCOPE OF WORK: Partial Upgrade A/C

DESCRIPTION OF WORK SUBMITTED:

Contractor understands due to budgeting purposes, the complete upgrade of A/C for the building may be performed/released in a series of contracts rather than a singular contract.

Each Phase proposed will be capable of operating as intended both by the manufacturer's design and in accordance with the requests of the Public Works Department as well as to the benefit of The City of Baytown.

The proposed Daikin VRV Heat Pump System will carry a full 10-year parts warranty on all equipment and has a proven track record of energy efficiency. Its unique design and flexibility allow contractor and owner the opportunity to match equipment specifically with the project at each stage of completion making it an ideal choice for any remodel.

ADMIN & OFFICE AREAS Proposal $118,690.50 Installing Contractor HTS

This space is approximately one-third of the total remodel space planned and consists of eight (8) individual office spaces each between 100-200sqft, one (1) large conference room 600sqft, one (1) break area 350sqft, one (1) central planning and development area 400sqft, one (1) mechanical room 175sqft and 1,000 linear feet of associated hallways, corridors and walk spaces.

Mechanical Room will have single cooling only mini-split installed.

Contractor has proposed a Daikin VRV Heat Pump System for these spaces utilizing individual non-ducted cassettes sized for the occupied areas. This equipment choice eliminates the need for costly duct work and affords greater flexibility for equipment placement with more precise comfort control in each area.

Heat Transfer Solutions, Inc.

HTS Texas

Direct Expansion Solutions, Inc.
DXS

VRF Services of Texas

3350 Yale Street
Houston, Texas 77018
T 832.328.1010
F 832.201.0767

Proposed system consists of (2) Outdoor Condensing Units supplying twenty (20) non-ducted cassette units placed throughout the space for optimal comfort. Systems will be configured for best performance and capable of operating independently preventing total loss of A/C should repairs be needed in the future.

Elimination of duct work will also reduce the number of days needed to complete this portion of the remodel and reduce overall construction costs.

All equipment will be installed per manufacturer's recommendations and will carry a one (1) year labor warranty on installation.

Contractor will provide Daikin VRV A/C equipment, refrigerant line sets, drain lines, refrigerant and labor to install the approved equipment. Contractor will demo accordingly existing equipment to make room for new equipment leaving where possible old system for some level of comfort in unapproved areas. Contractor will demo ceiling grid and ceiling tiles only to the extent needed for installation.

Equipment is currently available at the factory in Waller, TX.

Estimated time of completion for this portion of project is: 60 working days pending weather, equipment/material availability and job site accessibility. All work is expected to occur during normal working hours, Monday thru Friday.

Contractor will work with other trades to minimize any down time or delay in completion.

All electrical work materials and labor will be provided by others.

No BAS or automated services are included in this proposal.

City will provide laydown are and make ready for contractor to install outdoor equipment.

City will also provide for complete removal of ceiling grid and ceiling tiles not previously removed by A/C Contractor and replace with new tile and grid and perform all finish work.

A/C Contractor will provide factory startup on new equipment and 8.0 hours of owner training.

Proposal is Valid for 30 days.

Sales tax is not included; bonding and permits are not included; freight is allowed.

Disclaimer: Proposed equipment was not prepared by a certified engineer. No mechanical documents, schedules or other load calculations were provided by City of Baytown to installation contractor. All equipment layout and selections are recommendations. Final selection to be determined by Baytown Public Works. Any changes from recommended selections to final selections could result in pricing adjustments.

Heat Transfer Solutions, Inc.

HTS Texas

Direct Expansion Solutions, Inc.
DXS

VRF Services of Texas

3350 Yale Street
Houston, Texas 77018
T 832.328.1010
F 832.201.0767

Outline of areas for proposed work is attached.

Please let us know if you have any questions or require additional information.

Sherri Morris
C|832-374-3766

03-05-2021

This proposal is Accepted By:

X _____

Authorized Representative

#631-20 - Buyboard Contract

PO# / Contract#

X 3/11/2021

Date

CITY OF BAYTOWN, TEXAS
INDEBTEDNESS CERTIFICATION

Project Name: Public Works and Engineering Remodel- HVAC

Company Name: HTS Texas

Department: Public Works

Date: 03/16/21 **Council Date:** 04/08/21

A review of the above-described company was made in accordance with 2-663 of the City of Baytown Code of Ordinances and the aforementioned company was found:

☐ to be indebted to the City in the following areas:

_____

_____

_____

☑ not to be indebted to the City.

It is hereby certified the above is true and correct based on the best information available.

J. Victor Brownlee 03/16/21

Director of Finance Date

For information regarding this certificate, please contact the Finance Director at 281-420-6531.

If an appeal to this determination is to be filed under section 2-664 of this code, please forward to the following address:

City of Baytown
Director of Finance
P O Box 424
Baytown, TX 77522-0424

BAYTOWN CITY COUNCIL MEETING **7. c.**

Meeting Date: 04/08/2021

Subject: Consider an ordinance authorizing the purchase of twenty-five (25) Motorola APX6000XE portable radios and related equipment from Motorola

Prepared for: Edward Tomjack, Information Technology Services

Prepared by: Edward Tomjack, Information Technology Services

Department: Information Technology Services

Information

ITEM

Consider an ordinance authorizing the purchase of twenty-five (25) Motorola APX6000XE portable radios and related equipment from Motorola Solutions Inc. through Houston-Galveston Area Council (H-GAC) for the Fire Department.

PREFACE

This proposed ordinance authorizes the purchase of twenty-five (25) Motorola APX6000XE portable radios and related equipment from Motorola Solutions Inc., through Houston-Galveston Area Council (H-GAC) Contract RA05-18 in the amount of $117,924.25. The existing Fire Department Motorola XTS5000 portable radios have reached end of life and are no longer repairable.

Fiscal Impact

Fiscal Year:	FY2020-21
Acct Code:	10710-73042
Source of Funds (Operating/Capital/Bonds):	Operating
Funds Budgeted Y/N:	Y
Amount Needed:	$117,924.25

Fiscal Impact (Additional Information):

Attachments

Ordinance - Radios for Fire

Motorola Quote

Indebtedness Certification

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AUTHORIZING THE PAYMENT OF ONE HUNDRED SEVENTEEN THOUSAND NINE HUNDRED TWENTY-FOUR AND 25/100 DOLLARS ($117,924.25) TO MOTOROLA SOLUTIONS, INC., THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FOR THE PURCHASE OF TWENTY-FIVE (25) MOTOROLA APX6000XE PORTABLE RADIOS AND RELATED EQUIPMENT FOR THE FIRE DEPARTMENT; MAKING OTHER PROVISIONS RELATED THERETO; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

****

WHEREAS, the City Council of the City of Baytown has approved an Interlocal Agreement which authorizes the Houston-Galveston Area Council to take bids for certain items on behalf of the City of Baytown; and

WHEREAS, pursuant to such agreement, the Houston-Galveston Area Council has taken bids for twenty-five (25) Motorola APX6000XE portable radios and related equipment; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council of the City of Baytown hereby authorizes the payment of ONE HUNDRED SEVENTEEN THOUSAND NINE HUNDRED TWENTY-FOUR AND 25/100 DOLLARS ($117,924.25) to Motorola Solutions, Inc., through the Houston-Galveston Area Council for the purchase of twenty-five (25) Motorola APX6000XE portable radios and related equipment for the Fire Department.

Section 2: That pursuant to the provisions of Texas Local Government Code Annotated §252.048, the City Manager is hereby granted general authority to approve any change order involving a decrease or an increase in costs of FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) or less, provided that the original contract price may not be increased by more than twenty-five percent (25%) or decreased by more than twenty-five percent (25%) without the consent of the contractor to such decrease.

Section 3: This ordinance shall take effect immediately from and after its passage by the City Council of the City of Baytown.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____
BRANDON CAPETILLO, Mayor

ATTEST:

_____
ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____
KAREN L. HORNER, City Attorney

QUOTE

HGAC Contract RA05-18

VENDOR ADDRESS
Motorola Solutions, Inc.
PO Box 404059
Atlanta, GA 30384-4059

BILLING ADDRESS
CITY OF BAYTOWN
GILBERT GARCIA
FOR FIRE DEPARTMENT

SHIP TO ADDRESS

3/15/21

QTY	ITEM #	DESCRIPTION	COST	EXTENDED
25	H98UCF9PW6BN	APX6000 700/800 MODEL 2.5 PORTABLE	$ 2,998.17	$ 74,954.25
25	QA02006	ADD: XE RUGGED RADIO OPTION UL	$ 584.00	$ 14,600.00
25	QA01427AB	ADD: LIME GREEN COLOR TO RADIO	$ 18.25	$ 456.25
25	Q806	ADD: ASTRO DIGITAL CAI OPERATION	$ -	$ -
25	H38	ADD: SMARTZONE OPERATION	$ -	$ -
25	Q361	ADD: P25 9600 BAUD TRUNKING	$ -	$ -
25	QA00580	ADD: TDMA OPERATION	$ -	$ -
25	G996	ADD: PROGRAMMING OVER P25 (OTAP)	$ -	$ -
25	QA01767	ADD:LINK LAYER RADIO AUTHENTICATION	$ -	$ -
25	QA01648	ADD: ADVANCED SYSTEM KEY	$ -	$ -
25	Q885	ADD: 3 ESSENTIAL SERVICE		$ -
25	Q629	ENH: AES ENCRYPTION	$ 500.00	$ 12,500.00
25	Q498	ENH: MDC & ASTRO P25 OTOR W/ MULTIKEY	N/C	N/C
25	NNTN8860	CHARGER, IMPRES 2, 3A, 115VAC, US/NA	$ 123.75	$ 3,093.75
25	PMMN4160D GREEN	XE IMPRESS FIRE MICROPHONE	$ 492.80	$ 12,320.00
		Prices reflect HGAC Contract RA05-18		

Prepared by: Sam Shimfessel
Phone: (281) 924-9804
Email: samshimfessel@callmc.com

SUBTOTAL	$ 117,924.25
SHIPPING	$ -
TAX	$ -
TOTAL	$ 117,924.25

CITY OF BAYTOWN, TEXAS
INDEBTEDNESS CERTIFICATION

Project Name: Purchase of Twenty-Five (25) Motorola APX6000XE Portable Radios

Company Name: Motorola Solutions, Inc

Department: Information Technology Service (ITS)

Date: 03/31/21 **Council Date:** 04/08/21

A review of the above-described company was made in accordance with 2-663 of the City of Baytown Code of Ordinances and the aforementioned company was found:

☐ to be indebted to the City in the following areas:

_____

_____

_____

☑ not to be indebted to the City.

It is hereby certified the above is true and correct based on the best information available.

W. Victor Rowles 03/31/21

Director of Finance Date

For information regarding this certificate, please contact the Finance Director at 281-420-6531.

If an appeal to this determination is to be filed under section 2-664 of this code, please forward to the following address:

City of Baytown
Director of Finance
P O Box 424
Baytown, TX 77522-0424

BAYTOWN CITY COUNCIL MEETING **7. d.**

Meeting Date: 04/08/2021

Subject: Purchase of Rescue Equipment through the 2020 UASI Grant

Prepared for: Kenneth Dobson, Fire **Prepared by:** Victor Medrano, Fire

Department: Fire

Information

ITEM

Consider an ordinance authorizing an agreement for the purchase of rescue equipment from Dooley Tackaberry through the 2020 UASI Grant for the department's technical rescue team.

PREFACE

This proposed ordinance authorizes an agreement for the purchase of rescue equipment from Dooley Tackaberry for the Baytown Fire Department's Technical Rescue Team. In 2020, the fire department submitted an application for a grant through the Houston Area UASI group and was approved for various rescue equipment such as ropes, webbing, harnesses, and PPE. The rescue equipment items were sent out for bids. The department received three quotes and Dooley Tackaberry submitted the lowest quote for the items.

The rescue equipment will be purchased as part of the 2020 UASI Grant and gives the Technical Rescue Team that capability to continue to safely perform high angle and confined space rescue.

Fiscal Impact

Fiscal Year:	20/21
Acct Code:	21063-84042-FG21063-84042
Source of Funds (Operating/Capital/Bonds):	UASI Grant
Funds Budgeted Y/N:	Y
Amount Needed:	66,671.71

Fiscal Impact (Additional Information):

Attachments

Ordinance - Rescue Equipment

Indebtedness Certification

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AUTHORIZING THE PAYMENT OF SIXTY-SIX THOUSAND SIX HUNDRED SEVENTY-ONE AND 71/100 DOLLARS ($66,671.71) TO DOOLEY TACKABERRY, INC., FOR THE PURCHASE OF RESCUE EQUIPMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUY BOARD); MAKING OTHER PROVISIONS RELATED THERETO; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

****

WHEREAS, the City of Baytown is a member of the cooperative purchasing program established under Sections 271.082 and 271.083 of the Texas Local Government Code; and

WHEREAS, the Texas Local Government Purchasing Cooperative's Buy Board Program is such a program, allowing municipalities to purchase products and/or services in an efficient, cost effective, and competitive procurement method; and

WHEREAS, the City of Baytown in making a purchase under a state contract through such cooperative purchasing program satisfies state law requiring municipalities to seek competitive bids for the purchase of the item; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council of the City of Baytown hereby authorizes the payment of SIXTY-SIX THOUSAND SIX HUNDRED SEVENTY-ONE AND 71/100 DOLLARS ($66,671.71) to Dooley Tackaberry, Inc., for the purchase of rescue equipment through the Texas Local Government Purchasing Cooperative (Buy Board).

Section 2: That the City Manager is hereby granted general authority to approve any change order involving a decrease or an increase in costs of FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) or less, provided that the original contract price may not be increased by more than twenty-five percent (25%) or decreased by more than twenty-five percent (25%) without the consent of the contractor to such decrease.

Section 3: This ordinance shall take effect immediately from and after its passage by the City Council of the City of Baytown.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____

BRANDON CAPETILLO Mayor

ATTEST:

_____

ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____

KAREN L. HORNER, City Attorney

CITY OF BAYTOWN, TEXAS
INDEBTEDNESS CERTIFICATION

Project Name: Purchase of Rescue Equipment through the 2020 USA

Company Name: Dooley Tackaberry

Department: Fire

Date: 03/30/21 **Council Date:** 04/08/21

A review of the above-described company was made in accordance with 2-663 of the City of Baytown Code of Ordinances and the aforementioned company was found:

☐ to be indebted to the City in the following areas:

_____

_____

_____

☑ not to be indebted to the City.

It is hereby certified the above is true and correct based on the best information available.

W. Victor Brownlee 03/30/21

Director of Finance Date

For information regarding this certificate, please contact the Finance Director at 281-420-6531.

If an appeal to this determination is to be filed under section 2-664 of this code, please forward to the following address:

City of Baytown
Director of Finance
P O Box 424
Baytown, TX 77522-0424

BAYTOWN CITY COUNCIL MEETING **7. e.**

Meeting Date: 04/08/2021

Subject: Purchase three (3) Chevrolet vehicles and related emergency equipment

Prepared for: Kenneth Dobson, Fire **Prepared by:** Ronald Roberts, Fire

Department: Fire

Information

ITEM

Consider an ordinance repealing, in part, Ordinance No. 14,659, regarding the purchase of three (3) Chevrolet Tahoes from Lake Country Chevrolet through The Interlocal Purchasing System (TIPS), and authorizing the purchase of three (3) Chevrolet Tahoe Fire Vehicles, including related emergency equipment and installation, from Freedom Chevrolet, through the Tarrant County Cooperative Agreement.

PREFACE

This proposed ordinance repeals, in part, Ordinance No. 14,659, regarding the purchase of three (3) Chevrolet Tahoes from Lake Country Chevrolet through The Interlocal Purchasing System (TIPS), as Lake County Chevrolet is unable to provide the Tahoes. Therefore, this proposed ordinance authorizes the purchase three (3) Chevrolet Tahoe Fire Vehicles, including related emergency equipment and installation, from Freedom Chevrolet, through the Tarrant County Cooperative Agreement #2019-014, in the amount of $152,188 for the Fire Department.

These are replacement vehicles that will be outfitted with the appropriate emergency equipment and technology to effectively serve our citizens.

The Fire Department proposed an ordinance authorizing the purchase of three (3) Chevrolet Tahoe's from Lake County Chevrolet through The Interlocal Purchasing System (TIPS) back in January. Council approved this ordinance at the January 28, 2021 City Council Meeting. Lake County Chevrolet was unsuccessful in obtaining the three (3) Chevrolet Tahoe's for the Fire Department. Therefore, this ordinance repeals, in part, Ordinance No. 14,659.

Fiscal Impact

Fiscal Year:	2020/2021
Acct Code:	35004-84043
Source of Funds (Operating/Capital/Bonds):	Capital
Funds Budgeted Y/N:	Y
Amount Needed:	$152,188.00

Fiscal Impact (Additional Information):

Attachments

Ordinance - Tahoes for Fire Department
2021 Fire Tahoe quote
Indebtedness Certification

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, REPEALING, IN PART, ORDINANCE NO. 14,659, REGARDING THE PURCHASE OF THREE (3) CHEVROLET TAHOES FROM LAKE COUNTRY CHEVROLET THROUGH THE INTERLOCAL PURCHASING SYSTEM (TIPS); AUTHORIZING THE PAYMENT OF ONE HUNDRED FIFTY-TWO THOUSAND ONE HUNDRED EIGHTY-EIGHT AND NO/100 DOLLARS ($152,188.00) TO FREEDOM CHEVROLET, THROUGH A COOPERATIVE PURCHASING AGREEMENT WITH TARRANT COUNTY, FOR THE PURCHASE OF THREE (3) CHEVROLET TAHOES FOR THE FIRE DEPARTMENT; MAKING OTHER PROVISIONS RELATED THERETO; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

****

WHEREAS, on January 28, 2021, the City Council authorized, through Ordinance No. 14,659, the purchase of three (3) Chevrolet Tahoes from Lake Country Chevrolet through The Interlocal Purchasing System (TIPS); and

WHEREAS, Lake County Chevrolet has been unsuccessful in obtaining the three (3) Chevrolet Tahoe's for the Fire Department; and

WHEREAS, the City is able to purchase the three (3) Chevrolet Tahoe's for the Fire Department through its Interlocal Agreement for cooperative purchasing with Tarrant County; and

WHEREAS, pursuant to such agreement, the City may make purchases based upon the bids received by Tarrant County; and

WHEREAS, Tarrant County has taken bids for the three (3) Chevrolet Tahoe's for the Fire Department; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council of the City of Baytown, Texas, hereby repeals only that portion of Ordinance No. 14,659, that authorizes the purchase of three (3) Chevrolet Tahoes from Lake Country Chevrolet through The Interlocal Purchasing System (TIPS).

Section 2: That the City Council of the City of Baytown, Texas, hereby authorizes the payment of ONE HUNDRED FIFTY-TWO THOUSAND ONE HUNDRED EIGHTY-EIGHT AND NO/100 DOLLARS ($152,188.00) to Freedom Chevrolet, through a cooperative purchasing agreement with Tarrant County, for the purchase of three (3) Chevrolet Tahoes for the Fire Department.

Section 3: That pursuant to the provisions of Texas Local Government Code Annotated §252.048, the City Manager is hereby granted general authority to approve any change order involving a decrease or an increase in costs of FIFTY THOUSAND AND NO/100

DOLLARS ($50,000.00) or less, provided that the original contract price specified in Section 1 may not be increased by more than twenty-five percent (25%) or decreased by more than twenty-five percent (25%) without the consent of the contractor to such decrease.

Section 4: This ordinance shall take effect immediately from and after its passage by the City Council of the City of Baytown.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____
BRANDON CAPETILLO, Mayor

ATTEST:

_____
ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____
KAREN L. HORNER, City Attorney

R:\Karen Horner\Documents\Files\City Council\Ordinances\2021\April 8\TarrantCountyPurchaseofTrucks4FireDepartment1.doc

FREEDOM CHEVROLET

8008 MARVIN D LOVE FWY
DALLAS, TEXAS 75237
972-707-9474 fax 972-780-3320

QUOTE 2410046325

QUOTE

Customer

Name	CITY OF BAYTOWN FIRE DEPARTMENT
Address	201 E. WYE DRIVE
City	BAYTOWN State TX ZIP 77521
Phone	

Date	3/25/2021
Order No.	
Rep	BERT STULL
FOB	

Qty	Description	Unit Price	TOTAL
2	2021 TAHOE-PPV-2WD-stock spec Siddons-Martin Upfit 2410046 INCL	$ 53,121.00	$106,242.00
1	2021 TAHOE-PPV-2WD-stock spec Siddons-Martin Upfit 2410045 INCL	$45,946.00	$45,946.00
	TARRANT COUNTY CONTRACT CONTRACT NUMBER 2019-014		
	PLEASE MAIL PAYMENT TO: Freedom Chevrolet 8008 Marvin D. Love Fwy Dallas, Tx. 75237		
	TERMS: NET 30		

Subtotal	$152,188.00
Shipping & Handling	$0.00
Taxes State	
TOTAL	$152,188.00

Payment Details

- ○ Cash
- ◉ Check
- ○ Credit Card

Name _____
CC # _____
Expires _____

Office Use Only

PLEASE REMIT PAYMENT TO FREEDOM CHEVROLET

CITY OF BAYTOWN, TEXAS
INDEBTEDNESS CERTIFICATION

Project Name: Capital Purchase for Fire EMS

Company Name: Freedom Chevrolet

Department: Fire

Date: 03/31/21 **Council Date:** 04/08/21

A review of the above-described company was made in accordance with 2-663 of the City of Baytown Code of Ordinances and the aforementioned company was found:

☐ to be indebted to the City in the following areas:

_____

_____

_____

☑ not to be indebted to the City.

It is hereby certified the above is true and correct based on the best information available.

W. Victor Bromley 03/31/21

Director of Finance Date

For information regarding this certificate, please contact the Finance Director at 281-420-6531.

If an appeal to this determination is to be filed under section 2-664 of this code, please forward to the following address:

City of Baytown
Director of Finance
P O Box 424
Baytown, TX 77522-0424

BAYTOWN CITY COUNCIL MEETING **7. f.**

Meeting Date: 04/08/2021

Subject: Interlocal Agreement with the City of Houston for the Use of a Vehicle

Prepared for: Mike Holden, Police **Prepared by:** Karen Horner, Legal

Department: Police

Information

ITEM

Consider an ordinance authorizing an Interlocal Agreement with the City of Houston for the use of a 2008 Ford F550 Bucket Truck for law enforcement purposes.

PREFACE

This proposed ordinance authorizes an Interlocal Agreement with the City of Houston for the use of a 2008 Ford F550 Bucket Truck for law enforcement purposes.

Under this agreement, the City of Baytown will have the right to use the City of Houston's truck for law enforcement surveillance operations for a period of two years, which will automatically renew until one of the parties terminates the agreement with 60 days' written notice. In exchange, the City of Baytown will be responsible for housing, repairing and insuring the truck.

Attachments

Ordinance - Houston Interlocal Agreement

Exhibit A - City of Houston Interlocal Agreement

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST TO AN INTERLOCAL AGREEMENT WITH THE CITY OF HOUSTON FOR THE USE OF A 2008 FORD F550 BUCKET TRUCK FOR LAW ENFORCEMENT PURPOSES; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

****

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council of the City of Baytown, Texas, hereby authorizes the City Manager to execute and the City Clerk to attest to an Interlocal Agreement with the City of Houston for the use of a 2008 Ford F550 Bucket Truck for law enforcement purposes. A copy of said agreement is attached hereto as Exhibit "A," and incorporated herein for all intents and purposes.

Section 2: This ordinance shall take effect immediately from and after its passage by the City Council of the City of Baytown.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____
BRANDON CAPETILLO, Mayor

ATTEST:

_____
ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____
KAREN L. HORNER, City Attorney

INTERLOCAL AGREEMENT
State of Texas

This Interlocal Government Agreement is entered into on the date countersigned by the City Controller ("Effective Date") pursuant to the Interlocal Cooperation Act, Texas Government Code, Chapter 791, by and between the City of Houston, hereinafter referred to as "HOUSTON" and the City of Baytown, hereinafter called "BAYTOWN".

1. Scope and Use

This agreement sets forth the understanding for BAYTOWN's operation and use of a 2008 Ford F550 Bucket Truck owned by HOUSTON known as and hereafter referred to as "Bucket Truck". The Bucket Truck has the intended use of assisting with law enforcement technical surveillance operations. In consideration for BAYTOWN housing, maintaining, repairing and insuring the Bucket Truck, HOUSTON shall provide the Bucket Truck to BAYTOWN for its operation and use for the term set forth below, subject however to any conditions, mutual covenants, terms, provisions and conditions contained herein.

2. Term

This Agreement shall be for a term of three years commencing upon the Effective Date, subject to termination as set forth herein ("Initial Term"). Upon expiration of the Initial Term, this Agreement shall be automatically renewed for two successive one-year periods ("Renewal Term") unless either party gives sixty (60) days prior written notice of non-renewal.

3. Laws and Restrictions

BAYTOWN shall comply with all applicable laws, ordinances, restrictions, and regulations as may be required. Violation of any federal, state, county, or city laws, ordinances, and/or regulations now existing or hereafter made may be considered as cause

for termination of this Agreement. Any monies spent pursuant to this agreement must be from current revenues available to the paying party.

4. Condition of Unit

BAYTOWN accepts the Bucket Truck in "as is" condition. Houston makes no representation or warranty as to the condition of the Bucket Truck to be accepted by Baytown.

5. Repairs and Maintenance

BAYTOWN is responsible for all repairs and maintenance of the Bucket Truck for the duration of this Agreement. The required repairs and maintenance include, but are not limited to: replacement of parts and labor necessary to keep the Bucket Truck in an operable and safe condition for its intended use.

6. Conditions and Duties

6.1 At a time and location to be determined by the Parties, HOUSTON shall make the Bucket Truck available for receipt by BAYTOWN, assist in providing training to Baytown employees for the appropriate use of the Bucket Truck and accept the Bucket Truck back upon termination of the agreement.

6.2 BAYTOWN agrees that it will use the Bucket Truck in a safe manner and only for its generally intended purposes.

6.3 BAYTOWN shall ensure that any personnel operating the Bucket Truck has been trained in its operation and functions, that (with the exception of operation incidental to repair) only law enforcement personnel shall operate the Bucket Truck, and that law enforcement personnel operating the Bucket Truck receive initial training and refresher training at least every two years.

6.4 BAYTOWN also agrees that it will not sell, convey, or in any way dispose of the Bucket Truck in any manner.

6.5 HOUSTON agrees that BAYTOWN may apply paint that is commonly accepted for law enforcement use and/or may apply any BAYTOWN logos to the Bucket Truck. Prior to returning the Bucket Truck to the City, Baytown shall remove any logo or paint and restore the Bucket Truck to its original condition subject to reasonable wear and tear.

6.6 BAYTOWN agrees to make the Bucket Truck available to HOUSTON within 14 business days of receiving a written request from the HPD Chief unless the Bucket Truck is otherwise engaged in operations by BAYTOWN.

6.7 BAYTOWN agrees to return the Bucket Truck to HOUSTON at the expiration or upon termination of this Agreement.

6.8 HOUSTON will not be liable for any physical injuries or any property damages caused by BAYTOWN in its use of the Bucket Truck, including the property of BAYTOWN, its officials, residents, agents or employees. Furthermore, HOUSTON will not be liable for any claim or right to compensation accruing from such injuries or damages.

6.9 No other use of the Bucket Truck shall be permitted, other than the rights herein specifically granted.

7. <u>Insurance</u>

7.1 Throughout the term of this Agreement, BAYTOWN shall maintain statutory workers' compensation coverage on its employees, and shall carry additional insurance against public liability for injury to persons (including death) and damage to property resulting from or arising out of, or alleged to have arisen from or resulted from,

BAYTOWN use of the Bucket Truck. Such insurance policy shall be in an amount not less than the maximum amount of liability exposure to which BAYTOWN and HOUSTON are exposed by virtue of Chapter 101 of the Texas Civil Practice and Remedies Code as it currently exists or to which it may be amended.

7.2 BAYTOWN agrees to waive any right of recovery against HOUSTON for loss or damage to persons or property with respect to the use of the Bucket Truck and to fully cooperate in the defense of the HOUSTON in cases of legal action stemming from the use of the Bucket Truck.

7.3 HOUSTON is under no obligation to furnish insurance coverage of any kind covering the Bucket Truck. In addition, in the event of partial or complete inoperable use of the Bucket Truck during the term of this Agreement, HOUSTON shall have no duty or obligation to make any repairs or to otherwise restore the Bucket Truck to an operable unit.

8. Use of Proceeds of Insurance

Any insurance proceeds received by the parties from any insurance on the Bucket Truck will, to the greatest extent practicable, be committed to repairing the Bucket Truck. If the Bucket Truck is incapable of being repaired, such proceeds will be used in replacing the vehicle. If replacement is not viable, the proceeds will be allocated as mutually agreed.

9. Termination

Either party reserves the right to cancel this agreement at any time. The party desiring cancellation must provide the other party with sixty (60) calendar day written notice.

10. Communications

The parties agree to mail or fax all communications to the following addresses, unless another address or fax number is provided in writing by either party.

Houston Police Department	**Baytown Police Department**
Art Acevedo Chief of Police 1200 Travis Street, 16th Floor Houston Texas 77002 Fax (713) 308 – 1671	Mike Holden Interim Chief of Police 3200 N. Main St. Baytown, Texas 77521 Fax (281) 427 - 5037

11. **Non-Appropriation of Funds.** The Parties' duties to pay money under this Agreement is limited in its entirety by the provisions of this Section. Each Party paying for the performance of governmental functions or services must make these payments from current revenues available to the paying party. Baytown recognizes that under Article II, Sections 19 and 19a of the City's Charter, and Article XI, Section 5 of the Texas Constitution, Houston may not obligate itself by contract to pay more money than the amount the City Council appropriates, and further recognizes that the City Council has not appropriated or allocated any funds as of the Countersignature Date for carrying out the purposes under this Agreement; and notwithstanding any other provision of this Agreement, that might otherwise be construed to the contrary, shall have no obligations to expend any Houston funds except to the extent that the Houston City Council, at its sole discretion, appropriates such funds.

12. Miscellaneous

12.1 This agreement constitutes the entire agreement between parties. No oral representation made prior to or after this agreement's execution will have any force and effect unless they are reduced to writing.

12.2 This agreement may be modified or amended upon the parties' mutual consent as evidenced in writing.

12.3 No waiver by HOUSTON of any fault performance by BAYTOWN in the past will constitute a waiver of any subsequent default.

12.4 Any invalidity of any part of the agreement will not cause the remaining parts to be invalid.

12.5 This agreement is governed by the laws of Texas. Venue shall lie exclusively in Harris County, Texas.

EXECUTED on the dates set forth below.

City of Houston

ATTEST/SEAL:
Signed by:

_____
City Secretary

CITY OF HOUSTON, TEXAS

_____
Mayor

APPROVED:

_____
Chief of Police,
Houston Police Department

COUNTERSIGNED BY:

_____
City Controller

APPROVED AS TO FORM:

_____
Assistant City Attorney
L.D. File No. _____

DATE COUNTERSIGNED:

_____

City of Baytown

_____
Brandon Capetillo, Mayor

_____
Date

_____
Rick Davis, City Manager

_____
Date

Baytown Police Department

_____
Mike Holden,
Interim Chief of Police

_____
Date

BAYTOWN CITY COUNCIL MEETING **7. g.**

Meeting Date: 04/08/2021

Subject: Authorizing Change Order No. 1 for the Bayland Marina Dredging Project

Prepared for: Scott Johnson, Parks and Recreation

Prepared by: Scott Johnson, Parks and Recreation

Department: Parks and Recreation

Information

ITEM

Consider authorizing Change Order No. 1 to Apollo Environmental Strategies, Inc., for the Bayland Marina Basin and Channels Dredging Project.

PREFACE

Consider authorizing a Change Order No. 1 to Apollo Environmental Strategies, Inc., for the dredging of the Bayland Marina Basin, boat ramp access channel, ship channel connection channel and repair/replacement to the aids to navigation along the channels in the amount of $154,215.00. This will increase the project to $1,049,248.00.

The project was to dredge approximately 62,190 cubic yards of material and place into the Port of Houston's Spilman Island disposal site located directly across the Houston Ship Channel from Bayland Marina, on the south side of the Hartman Bridge. Prior to the project start in January 2021, a pre-construction survey was conducted indicating that an additional 13,410 cubic yards of silt was needed in the project area. The original survey was conducted following Hurricane Harvey.

The project was delayed by the Army Corps of Engineers' dredge project in the Houston Ship Channel. The project began in late February and is expected to be completed in mid-April. Repair/replacement of the aids to navigation (Channel Markers) is included in the project.

The current estimate of the project is:

- Dredge Contractor (Apollo) $895,033.00
- Change Order Number 1 (Apollo) $154,215.00
- Port of Houston, ACE Tipping Fees $504,047.00
- Consultant Fees (Moffatt and Nichol) $98,900.00
- Total estimated Project $1,652,195.00

  FEMA may reimburse up to 90% of the project.

Fiscal Impact

Fiscal Year: 2019

Acct Code:	21505-85001-PRMD4625-85001
Source of Funds (Operating/Capital/Bonds):	FEMA/MDD
Funds Budgeted Y/N:	Y
Amount Needed:	$154,215.00

Fiscal Impact (Additional Information):

90% FEMA Grant Funds and 10% City Match

Attachments

Ordinance - Change Order No. 1

Exhibit A - Change Order No. 1

Site Map

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AUTHORIZING CHANGE ORDER NO. 1 TO THE BAYLAND MARINA BASIN AND CHANNELS DREDGING PROJECT WITH APOLLO ENVIRONMENTAL STRATEGIES, INC., FOR EMERGENCY REPAIRS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY-FOUR THOUSAND TWO HUNDRED FIFTEEN NO/100 DOLLARS ($154,215.00); AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

****

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council does hereby authorize Change Order No. 1 to the Bayland Marina Basin and Channels Dredging Project with Apollo Environmental Strategies, Inc., for emergency repairs in an amount not to exceed ONE HUNDRED FIFTY-FOUR THOUSAND TWO HUNDRED FIFTEEN NO/100 DOLLARS ($154,215.00). A copy of said change order is attached hereto, marked Exhibit "A" and made a part hereof for all intents and purposes.

Section 2: This ordinance shall take effect immediately from and after its passage by the City Council of the City of Baytown.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____
BRANDON CAPETILLO, Mayor

ATTEST:

_____
ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____
KAREN L. HORNER, City Attorney

Exhibit "A"

CITY OF BAYTOWN
PUBLIC WORKS & ENGINEERING
2123 Market St.
Baytown, Texas 77520

CHANGE ORDER

For Bayland Marina Dredging Project

Date of Issuance:	3/31/2021	**Change Order No.:**	**1**
Contractor:	Apollo Environmental	**CoB Project No.:**	**n/a**
Designer:	Moffatt & Nichol	**P.O. No.:**	**2007386**

Explanation:

This change order encompasses the following:

Description of Work	**Cost**	**Time**
1 Increase in Contract Dredge Quantities	$ 154,215.00	6 Days
2	$ -	0 Days
3	$ -	Days
4	$ -	Days
5	$ -	Days

Please attach back-up documentation

Cost & Time Change Summary	**Cost**	**Time**
Original Contract:	$ 895,033.00	100 Days
Previous Change Order(s):	$ -	0 Days
Contract prior to this change order:	$ 895,033.00	100 Days
Net increase (decrease) from this change order	$ 154,215.00	6 Days
Revised Contract:	**$ 1,049,248.00**	**106** Days

Finance Approval: _____ Date: _____

RECOMMENDED:

By: Ray Devlin, PE Date: 3/31/2021
Design Engineer

RECOMMENDED:

By: _____ Date: _____
Director of Parks and Recreation

ACCEPTED*:

By: _____ Date: _____
Contractor

APPROVED:

By: _____ Date: _____
City Manager

*Contractor agrees to perform change(s) included in this Change Order for the price and time indicated. The prices for changes included all costs associated with this Change Order.

No work is to be done until this change order is executed. No payment to the Contractor (or Consultant) shall be made for work included in the change order until the Contractor's pay estimate is updated.

Revise the project plans and specifications as referenced and insofar as the original project drawings and specifications are inconsistent, this Change Order governs. Upon execution by all parties, the following changes identified for the contract value and/or contract time shown, are made part of the contract.

City of Baytown Public Works & Engineering

Bayland Marina Maintenance Dredging Project

Change Order No. 1 Supporting Information

Change Order No. 1 grants Apollo Environmental Strategies, Inc. additional time to complete the dredging, including the additional dredged material quantities described herein. The additional time is contingent upon the complete removal of all equipment from the Spilman Placement Area before April 22, 2021.

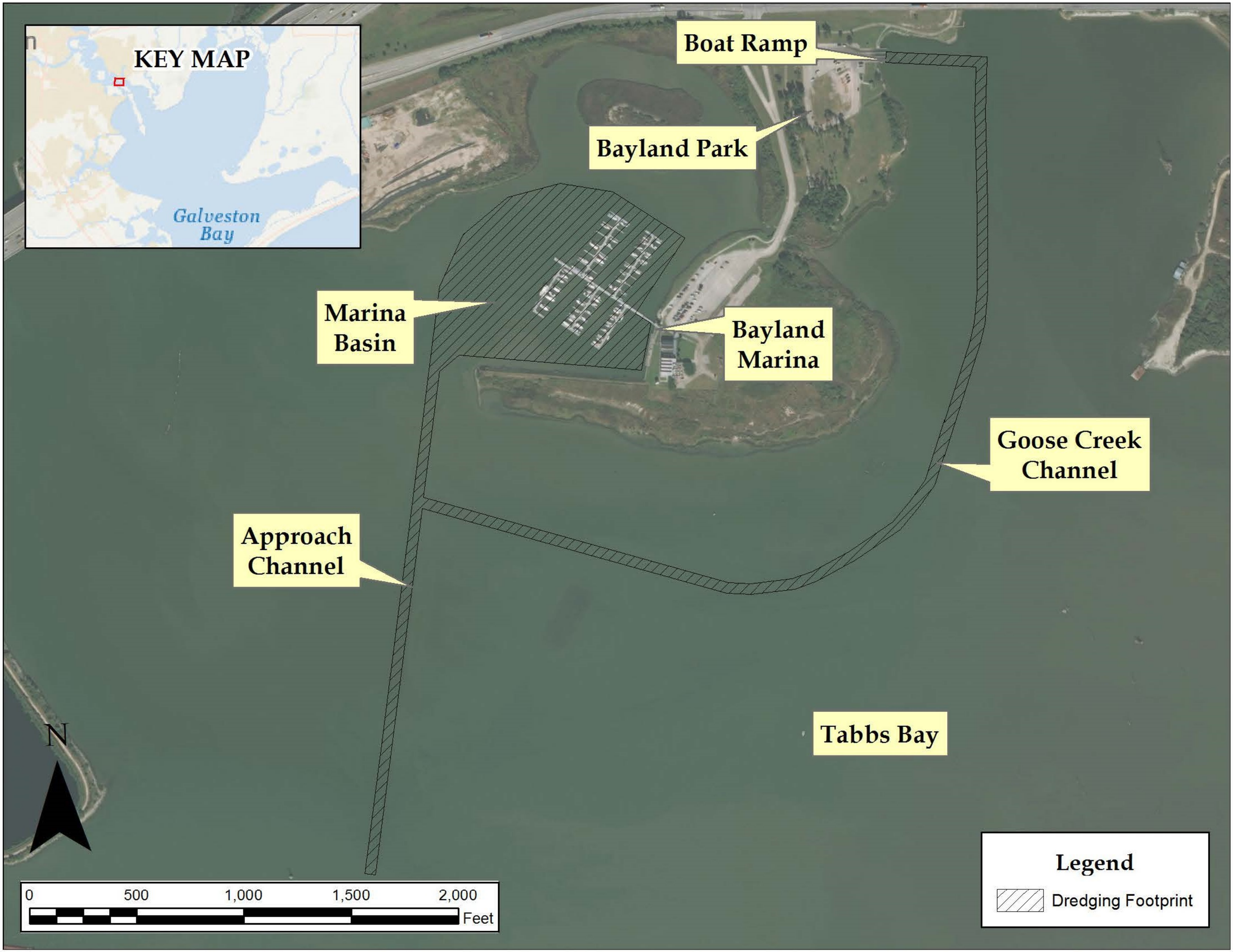


Figure 2-1: Site location and dredging footprint

BAYTOWN CITY COUNCIL MEETING **7. h.**

Meeting Date: 04/08/2021

Subject: Consider an ordinance awarding the Annual Nuisance Abatement Mowing Contract for the Health Department

Prepared for: Tony Gray, Health **Prepared by:** Carla Hommel, Finance

Department: Health

Information

ITEM

Consider an ordinance authorizing the award of the Annual Nuisance Abatement Mowing Contract to McLemore Building Maintenance, Inc., and Hydrozone Landscape Corporation.

PREFACE

This proposed ordinance authorizes the award of the Annual Nuisance Abatement Mowing Contract for the Health Department in the amount of $275,000 with McLemore Building Maintenance, Inc., and Hydrozone Landscape Corporation. Notice of the Invitation to Bid were sent to 24 potential vendors and two (2) bids were received. These bids were opened and publicly read aloud on March 17, 2021, at 2:00 pm at City Hall in the Contract Coordinator's office utilizing Zoom Meetings.

This contract is used by the Health Department for vacant lot mowing and illegal dump-site cleanup. Due to the sporadic nature and number of work orders necessary to be processed during peak season, more than one contractor is required to perform mowing services. The contract has fixed rates and includes disposal reimbursement for illegal dump-site cleanup.

The amount of award is an estimated amount and allows for renewals with future consumer price index increases if requested by the contractors. Both contractors have provided past excellent service.

Fiscal Impact

Fiscal Year:	2021
Acct Code:	Multiple
Source of Funds (Operating/Capital/Bonds):	Operating
Funds Budgeted Y/N:	Y
Amount Needed:	$275,000.00

Fiscal Impact (Additional Information):

40020-74056
40020-74058
40020-73001

Attachments

Ordinance - Award Annual Nuisance Abatement Mowing Contract

Indebtedness Certification

Indebtedness Certification

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, ACCEPTING THE BIDS OF MCLEMORE BUILDING MAINTENANCE, INC., AND HYDROZONE LANDSCAPE CORPORATION FOR THE ANNUAL NUISANCE ABATEMENT MOWING CONTRACT, AND AUTHORIZING PAYMENT IN THE AMOUNT OF TWO HUNDRED SEVENTY-FIVE THOUSAND AND NO/100 DOLLARS ($275,000.00); MAKING OTHER PROVISIONS RELATED THERETO; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

****

WHEREAS, the City Council of the City of Baytown did authorize the Purchasing Department for the City of Baytown to advertise for bids for the Annual Nuisance Abatement Mowing Contract to be received March 17, 2021; and

WHEREAS, notice to bidders as to the time and place, when and where the contract would be let was published pursuant to the provisions of Chapter 252 of the Texas Local Government Code; and

WHEREAS, all bids were opened and publicly read at City Hall at 2:00 p.m., Wednesday, March 17, 2021, as per published notice to bidders; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council of the City of Baytown hereby accepts the bid of McLemore Building Maintenance, Inc., and Hydrozone Landscape Corporation for the Annual Nuisance Abatement Mowing Contract in the amount of TWO HUNDRED SEVENTY-FIVE THOUSAND AND NO/100 DOLLARS ($275,000.00) and authorizes payment thereof.

Section 2: That pursuant to the provisions of Texas Local Government Code Annotated §252.048, the City Manager is hereby granted general authority to approve any change order involving a decrease or an increase in costs of FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) or less, subject to the provision that the original contract price may not be increased by more than twenty-five percent (25%) or decreased by more than twenty-five percent (25%) without the consent of the contractor to such decrease.

Section 3: This ordinance shall take effect immediately from and after its passage by the City Council of the City of Baytown.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____
BRANDON CAPETILLO, Mayor

ATTEST:

_____
ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____
KAREN L. HORNER, City Attorney

CITY OF BAYTOWN, TEXAS
INDEBTEDNESS CERTIFICATION

Project Name: Annual Nuisance Abatement Mowing

Company Name: Hydrozone Landscape Corp

Department: Health

Date: 3/30/21 **Council Date:** 04/08/21

A review of the above-described company was made in accordance with 2-663 of the City of Baytown Code of Ordinances and the aforementioned company was found:

☐ to be indebted to the City in the following areas:

_____

_____

_____

☑ not to be indebted to the City.

It is hereby certified the above is true and correct based on the best information available.

N. Victor Bromley 3/30/21

Director of Finance Date

For information regarding this certificate, please contact the Finance Director at 281-420-6531.

If an appeal to this determination is to be filed under section 2-664 of this code, please forward to the following address:

City of Baytown
Director of Finance
P O Box 424
Baytown, TX 77522-0424

CITY OF BAYTOWN, TEXAS
INDEBTEDNESS CERTIFICATION

Project Name: Annual Nuisance Abatement Mowing

Company Name: McLemore Building Maintenance

Department: Health

Date: 3/30/21 **Council Date:** 04/08/21

A review of the above-described company was made in accordance with 2-663 of the City of Baytown Code of Ordinances and the aforementioned company was found:

☐ to be indebted to the City in the following areas:

_____

_____

_____

☑ not to be indebted to the City.

It is hereby certified the above is true and correct based on the best information available.

W. Victor Crowley 3/30/21

Director of Finance Date

For information regarding this certificate, please contact the Finance Director at 281-420-6531.

If an appeal to this determination is to be filed under section 2-664 of this code, please forward to the following address:

City of Baytown
Director of Finance
P O Box 424
Baytown, TX 77522-0424

BAYTOWN CITY COUNCIL MEETING **7. i.**

Meeting Date: 04/08/2021

Subject: 2021 Houston High Intensity Drug Trafficking Area (HIDTA) Grant.

Prepared for: Victor Brownlees, Finance **Prepared by:** Karen Horner, Legal

Department: Finance

Information

ITEM

Consider a resolution authorizing the City of Baytown to accept the 2021 grant from the Office of National Drug Control Policy for the Houston High Intensity Drug Trafficking Area Program.

PREFACE

This proposed resolution authorizes the City of Baytown to accept a 2021 grant from the Office of National Drug Control Policy ("ONDCP") for the Houston High Intensity Drug Trafficking Area ("HIDTA") Program and authorizes the City Manager to take all other appropriate actions to implement the grant.

The City has been informed that it has been awarded a grant from the HIDTA Program. This grant totals $1,213,291.00 for program administrative costs plus allowable indirect costs to the City of Baytown. The Police Department is acting as the agent for this federal project. Funds are available through the Office of National Drug Control Policy. This program will be funded 100% by the Federal Government and no matching City funds are required. This will be the twenty-fifth (25) year of the program.

Attachments

Resolution - HIDTA

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AUTHORIZING THE CITY MANAGER TO MAKE APPLICATION TO THE OFFICE OF NATIONAL DRUG CONTROL POLICY FOR A 2021 GRANT FOR THE HOUSTON HIGH INTENSITY DRUG TRAFFICKING AREA PROGRAM IN THE AMOUNT OF ONE MILLION TWO HUNDRED THIRTEEN THOUSAND TWO HUNDRED NINETY-ONE AND NO/100 DOLLARS ($1,213,291.00); DESIGNATING AN AUTHORIZED REPRESENTATIVE; AUTHORIZING THE REPRESENTATIVE TO ACCEPT OR AFFIRM ANY GRANT AWARD THAT MAY RESULT THEREFROM; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Manager of the City of Baytown is hereby authorized to make application to the Office of National Drug Control Policy for a 2021 grant for the Houston High Intensity Drug Trafficking Area Program in the amount of ONE MILLION TWO HUNDRED THIRTEEN THOUSAND TWO HUNDRED NINETY-ONE AND NO/100 DOLLARS ($1,213,291.00).

Section 2: That the City Manager is hereby designated as the authorized representative for all purposes under the grant.

Section 3: That the City Manager of the City of Baytown is hereby authorized to accept or affirm any grant award that may result from the above application.

Section 4: This resolution shall take effect immediately from and after its passage by the City Council of the City of Baytown.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____
BRANDON CAPETILLO, Mayor

ATTEST:

_____
ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____
KAREN L. HORNER, City Attorney

BAYTOWN CITY COUNCIL MEETING **7. j.**

Meeting Date: 04/08/2021

Subject: Consider Establishing Redistricting Criteria

Prepared for: Karen Horner, Legal **Prepared by:** Karen Horner, Legal

Department: Legal

Information

ITEM

Consider a resolution establishing criteria for the creation of a voting plan for the City of Baytown.

PREFACE

This proposed resolution establishes the criteria to be observed in the redistricting process. The proposed criteria provide the best opportunity for the redistricting decision to withstand the scrutiny of the Department of Justice and challenges that could be raised by interested parties.

In developing, evaluating and adopting a voting plan for the City, the proposed resolution provides that the City Council shall, where possible, use easily identifiable geographic boundaries as district boundaries and maintain communities of interest in a single district and avoid splitting neighborhoods when drawing district boundaries. Additionally, the following criteria are also enumerated:

1. use whole county voting precincts when drawing districts;
2. base the new plan, to the extent possible, on the existing council district;
3. draw districts that are relatively equal in size;
4. draw districts that are compact and contiguous; and
5. recognize incumbent-constituency relations by keeping existing members of the council in their districts.

This item supports goal of an equal distribution of residential population across the City's six (6) single member council districts.

Attachments

Resolution - Redistricting Criteria

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, ESTABLISHING CRITERIA FOR DEVELOPMENT AND EVALUATION OF A VOTING PLAN FOR THE CITY OF BAYTOWN, TEXAS; AND PROVIDING FOR THE PUBLICATION AND THE EFFECTIVE DATE THEREOF.

****

WHEREAS, Article II, Sections 12 and 17 of the Charter of the City of Baytown provide that the City of Baytown shall be divided into districts according to the latest population figures; and

WHEREAS, it is deemed advisable that the City of Baytown be redistricted to apportion the City into council districts, which will reflect the new population figures for the City as determined by the Federal Census of 2020; and

WHEREAS, it is the intent of the City that the apportionment be in full compliance with the Voting Rights Act and with all other relevant law; and

WHEREAS, the City desires to afford all persons in the community an opportunity to participate in the redistricting process; NOW THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council of the City of Baytown, Texas, in developing, evaluating and adopting a voting plan for the City, the City Council shall where possible, use easily identifiable geographic boundaries as district boundaries and maintain communities of interest in a single district and avoid splitting neighborhoods when drawing district boundaries. Additionally, the City Council shall utilize the following criteria:

1. use whole county voting precincts when drawing districts;

2. base the new plan, to the extent possible, on the existing council district;

3. draw districts that are relatively equal in size;

4. draw districts that are compact and contiguous; and

5. recognize incumbent-constituency relations by keeping existing members of the council in their districts.

Section 2: This resolution shall take effect from and after ten (10) days from its passage by the City Council. The Interim City Clerk is hereby directed to give notice hereof by causing the caption of this resolution to be published in the official newspaper of the City of Baytown at least twice within ten (10) days after passage of this resolution.

INTRODUCED, READ and PASSED, by the affirmative vote of the City Council of the City of Baytown this the 8th day of April, 2021.

_____
BRANDON CAPETILLO, Mayor

ATTEST:

_____
ANGELA JACKSON, Interim City Clerk

APPROVED AS TO FORM:

_____
KAREN L. HORNER, City Attorney

R:\Karen Horner\Documents\Files\City Council\Resolutions\2021\April 8\RedistrictingCriteria.doc

BAYTOWN CITY COUNCIL MEETING **8. a.**

Meeting Date: 04/08/2021
Subject: Sunday Funday Pop Up Park at WC Britton Park
Prepared for: Scott Johnson, Parks and Recreation
Prepared by: Scott Johnson, Parks and Recreation
Department: Parks and Recreation

Information

ITEM

Present information regarding the Sunday, April 11th Funday Pop Up Park at WC Britton Park.

PREFACE

The Parks and Recreation Department is taking its show on the road and bringing an all new "Pop-Up-Park" to a park near you. The monthly events are designed to bring neighbors together and to highlight the city's smaller neighborhood parks. The April event is scheduled at WC Britton Park.

The monthly event is planned on one Sunday of each month from March through October from 2pm – 5pm. The event will bring Town Square events to neighborhood parks across the city. The remaining schedule includes:

- April 11 – W.C. Britton Park
- May 2 – Central Heights Park
- June 6 – Bergeron Park
- July 11 – Pelly Park
- August 1 – Lincoln Cedars Park
- September 12 – Ginger Creek Estates Park
- October 10 – Allenbrook Park

Each event will be tailored to the host park; for example, the May, June, and July parks all have spray parks.

The WC Britton Park, 1305 Arizona Street, will feature a concert from Ryan Guidry and the Picture Book Band. There will be games, free ice cream, visits from different city departments with activities, and more.

Fiscal Impact

Fiscal Year:	2021
Acct Code:	50110
Source of Funds (Operating/Capital/Bonds):	Operating

Funds Budgeted Y/N: Y

Amount Needed: 0.00

Fiscal Impact (Additional Information):