

**CITY OF TEXAS CITY
REGULAR CALLED CITY COMMISSION MEETING**

*** * AGENDA * ***

**FEBRUARY 6, 2008 - 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM - CITY HALL**

1. INVOCATION

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND PRESENTATIONS

4. CONSENT AGENDA: All of the following items on the Consent Agenda are considered to be routine by the City Commission and will be enacted by one motion. There will not be separate discussion of these items unless a Commission Member or citizen so requests. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

- a.** Consider approval of minutes from the January 16, 2008, Regular Called City Commission Meeting.
- b.** Consider for approval **Resolution No. 08-07** awarding the **annual contract** for the purchase and delivery of **Liquefied Chlorine Gas**, which is to be utilized by the City's Waste Water Treatment Plant. (Purchasing Dept.)
- c.** Consider approval of **Resolution No. 08-08** awarding the **annual contract** for the purchase and delivery of **Sodium Bisulfite**, which is to be utilized by the City's Waste Water Treatment Plant. (Purchasing Dept.)
- d.** Consider approval of **Resolution No. 08-10** awarding the **annual contract** for the purchase and delivery of **Cement Stabilized Sand**. (Purchasing Dept.)
- e.** Consider approval of **Resolution No. 08-09** awarding an **Engineering Contract** for the design phase and the inspection construction phase services for **Lift Station Improvements**. (Transportation and Planning Dept.)
- f.** Approval of **Resolution 08-11** appointing **Clemon Prevost to Position 2 of the Board of Directors of the Lago Mar Development Authority** for a term beginning on the date of adoption and ending on December 31, 2008.

5. EXECUTIVE SESSION

The City Commission will hold a closed executive meeting pursuant to the provisions in Title 5 of the Texas Government Code as follows:

- a.** Consultation with Attorney - litigation update. - Tex. Gov. Code Section 551,071
Consulation with Attorney.

The time is _____.

6. RECONVENE INTO REGULAR MEETING

"The City Commission is now reconvened in to its Regular City Commission meeting and the time is _____. The City Commisison will/or will not take further action in regards to the executive session."

7. REGULAR ITEMS

- a. Consider approval of **Ordinance No. 08-06 amending** the City of Texas City's fiscal year 2007/2008 **budget to close 2006/2007 fiscal year purchase orders.** (Finance Dept.)
- b. Consider approval of Ordinance No. **08-07 to permanently rezone from "C" (Mulit-family Residential), "D" (Neighborhood Service), "E" (General Business) and "F-1" (Outdoor Industrial) to "H" (Heavy Industry) to administratively correct the existing land use designation.** Being all of Blocks 40, 41,64,65, 66, 67, 79, 80, 81, 82, 83 and 84 of the T.C. 1st and a portion of Blocks 12,13, 36, 37, 38 and 39, of T.C. 1st Addition, save and except Lots 4 & 5, Blk. 67, T.C. 1st Addition. Being an area bounded by 6th Street, Bay Street, 2nd Avenue South and 4th Avenue South. (Inspections Dept.)

8. PUBLIC COMMENTS

9. MAYOR'S COMMENTS

10. COMMISSIONERS' COMMENTS

NOTICE OF ANY SUBJECT APPEARING ON THIS AGENDA REGARDLESS OF HOW THE MATTER IS STATED MAY BE ACTED UPON BY THE CITY COMMISSION.

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

I CERTIFY THAT THE ABOVE NOTICE OF THE MEETING WAS POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING, 1801 9TH AVENUE NORTH, TEXAS CITY, TEXAS ON THE DATE LISTED BELOW AT 5:00 P.M.

PAMELA A. LAWRENCE
CITY SECRETARY

DATED: _____

Minutes

CITY COMMISSION AGENDA 2

Date: 02/06/2008

Submitted By: Pam Lawrence, Administration

Department: Administration

Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Consider approval of minutes from the January 16, 2008, Regular Called City Commission Meeting.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link: [CC Minutes
1-16-2008](#)

CITY OF TEXAS CITY
REGULAR CALLED CITY COMMISSION MEETING

* * M I N U T E S * *

WEDNESDAY, JANUARY 16, 2008– 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A REGULAR CALLED MEETING OF THE CITY COMMISSION was held on Wednesday, January 16, 2008, at 5:00 P.M. in the Kenneth T. Nunn Council Room in City Hall, Texas City, Texas, with the following in attendance: **Mayor Matthew T. Doyle; Commissioners: Mike Land, Tommy Clark, Dee Ann Haney, Dedrick Johnson, Donald Singleton, and Carl Sullivan.**

The **Mayor** called upon **Pastor Carl Fitzgerald, Landmark Missionary Baptist Church**, to offer the **Invocation**. The Mayor thanked Pastor Fitzgerald for his attendance and for offering the invocation. **Commissioner Sullivan** led all present in the **recitation of the Pledge of Allegiance**.

The **Mayor** made the following **presentation**:

SERVICE YEAR AWARD PINS were presented to the following:

CHARLES WHITE, JR.	PUBLIC WORKS DEPT.	20 YEARS
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The Mayor declared a quorum present and called the meeting to order at 5:00 p.m.

1. CONSENT AGENDA

- a. Consider approval of minutes from the January 2, 2008, Regular Called City Commission Meeting.
- b. Consider approval of **Resolution No. 08-005** approval of **2008 HGAC Law Enforcement Training Reimbursement Grant**. (Police Dept.)

RESOLUTION NO. 08-005

A RESOLUTION ACCEPTING THE HOUSTON-GALVESTON AREA COUNCIL GRANT IN THE AMOUNT OF \$28,051.00 FOR TEXAS CITY POLICE DEPARTMENT LAW ENFORCEMENT TRAINING ACADEMY; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

- c. Consider approval of **Resolution 08-006** recommending that **Galveston County M.U.D. No. 54** award construction contract for the water well/plant project to **R & B Group**. (Purchasing Dept.)

RESOLUTION NO. 08-006

A RESOLUTION OF THE CITY OF TEXAS CITY, TEXAS, TO APPROVE AND RECOMMEND THAT GALVESTON COUNTY M.U.D. NO. 54 AWARD CONSTRUCTION CONTRACT FOR THE WATER WELL/PLANT PROJECT TO R & B GROUP; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Commissioner Land made a MOTION to APPROVE the CONSENT AGENDA; the

motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.

2. REGULAR ITEMS

- a. Consider approval of the **third and final reading of Ordinance No. 07-47 amending the "Master Land Use Plan" of the City of Texas City, to amend the Industrial Transition Zone and to add Dickinson Bayou Transition.** (Planning Dept.)

ORDINANCE NO. 07-47

AN ORDINANCE AMENDING THE "MASTER LAND USE PLAN" OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, TO AMEND THE INDUSTRIAL TRANSITION ZONE AND TO ADD DICKINSON BAYOU TRANSITION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR THE READING OF THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.

No changes.

Commissioner Johnson made a MOTION to APPROVE the third and final reading of Ordinance No. 07-47 amending the "Master Land Use Plan" of the City of Texas City, to amend the Industrial Transition Zone and to add Dickinson Bayou Transition; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.

- b. Consider approval of **Ordinance 08-03 amending the Code of Ordinances, City of Texas City**, Chapter 40 by rezoning from "A" (Single Family Residential) to "F-1" (Outdoor Industrial) for general office use, warehouse, temporary storage of equipment and vehicles; being 5.99 acres out of Lot 3, Blk. 4, H. Ferguson Survey, in the 3000 block of Loop 197 North, Texas City, Texas. (Inspections Dept.)

Larry Iles, Director of Inspections, reported that this item was previously granted preliminary rezoning approval by the Zoning Commission and the City Commission. A building permit has been issued; the property is now ready to be permanently rezoned by ordinance.

ORDINANCE NO. 08-03

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE ZONING ORDINANCE, BY REZONING FROM DISTRICT "A", SINGLE FAMILY RESIDENTIAL, TO DISTRICT "F-1", OUTDOOR INDUSTRIAL, FOR GENERAL OFFICE USE, WAREHOUSE, TEMPORARY STORAGE OF EQUIPMENT AND VEHICLES BEING 5.99 ACRES OUT OF LOT 3, BLOCK 4, J. FERGUSON SURVEY, LOCATED IN THE 3000 BLOCK OF LOOP 197 NORTH, TEXAS CITY, GALVESTON COUNTY, TEXAS; ORDERING SAID CHANGES MADE ON THE CITY ZONING MAP; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; DISPENSING WITH THE CHARTER REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.

Commissioner Sullivan made a MOTION to APPROVE Ordinance 08-03 amending the Code of Ordinances, City of Texas City, Chapter 40 by rezoning from "A" (Single Family Residential) to "F-1" (Outdoor Industrial) for general office use, warehouse, temporary storage of equipment and vehicles; being 5.99 acres out of Lot 3, Blk. 4, H.

Ferguson Survey, in the 3000 block of Loop 197 North, Texas City, Texas; Commissioner Clark SECONDED the motion. All present voted AYE. MOTION CARRIED.

- c. Consider approval of **Ordinance 08-02 amending the Code of Ordinances, City of Texas City**, Chapter 40 by rezoning from "F" (Light Industry) to "F-1" (Outdoor Industrial) to construct a fuel station with above ground tanks; being Lots 1-12,13-24, Blk. 146 and 139 Kohfeldt's 2nd Addition, located at 102 Hwy. 146, Texas City, Texas. (Inspections Dept.)

Larry Iles, Director of Inspections, reported that this item also was previously granted preliminary rezoning approval by the Zoning Commission and the City Commission. A building permit has been issued; the property is now ready to be permanently rezoned by ordinance.

ORDINANCE NO. 08-02

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE ZONING ORDINANCE, BY REZONING FROM DISTRICT "F", LIGHT INDUSTRY, TO DISTRICT "F-1", OUTDOOR INDUSTRIAL, TO CONSTRUCT A FUEL STATION WITH ABOVE GROUND TANKS BEING LOTS 1-12, 13-24, BLOCK 146 AND 139, KOHFELDT'S 2ND ADDITION, LOCATED AT 102 HIGHWAY 146, TEXAS CITY, GALVESTON COUNTY, TEXAS; ORDERING SAID CHANGES MADE ON THE CITY ZONING MAP; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; DISPENSING WITH THE CHARTER REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.

Commissioner Land made a MOTION to APPROVE Ordinance 08-02 amending the Code of Ordinances, City of Texas City, Chapter 40 by rezoning from "F" (Light Industry) to "F-1" (Outdoor Industrial) to construct a fuel station with above ground tanks; being Lots 1-12,13-24, Blk. 146 and 139 Kohfeldt's 2nd Addition, located at 102 Hwy. 146, Texas City, Texas.; Commissioner Haney SECONDED the motion. All present voted AYE. MOTION CARRIED.

- d. Consider approval of **Ordinance No. 08-04 amending the City of Texas City's fiscal year 2007/2008 budget to accept donated funds from Dow Chemical.** (Finance Dept.)

Cheryl Hunter, Financial Director, reported that a budget amendment is needed to accept donated funds from Dow Chemical. The funds, in the amount of \$165,000.00, will be used to purchase an emergency response mobile command center and other emergency response equipment for the City of Texas City's Emergency Response System. The donated funds must be fully expended by September 25, 2008. the funding will be appropriated in the department of Emergency Management, which the Director of Emergency Management will oversee and be responsible for project compliance.

ORDINANCE NO. 08-04

AN ORDINANCE AMENDING ORDINANCE NO. 07-32, ADOPTING THE 2007-2008 FISCAL YEAR BUDGET TO ACCEPT DONATED FUNDS FROM DOW CHEMICAL TO PURCHASE AN EMERGENCY RESPONSE MOBILE COMMAND CENTER; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET IN THE OFFICE OF THE GALVESTON COUNTY CLERK AND THE STATE COMPTROLLER'S OFFICE; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS

ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Commissioner Sullivan made a MOTION to APPROVE Ordinance No. 08-04 amending the City of Texas City's fiscal year 2007/2008 budget to accept donated funds from Dow Chemical; Commissioner Clark SECONDED the motion. All present voted AYE. MOTION CARRIED.

- e. Consider approval of **Ordinance 08-05 amending the Code of Ordinances, City of Texas City, Chapter 40 by adding Section 40-45, District CIMU, Commercial/Industrial/Mixed Use for the Dickinson Bayou Transition Area.**
(Planning Dept.)

ORDINANCE NO. 08-05

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE ZONING ORDINANCE, BY ADDING SECTION 40-45, DISTRICT CIMU, COMMERCIAL/INDUSTRIAL/MIXED USE FOR THE DICKINSON BAYOU TRANSITION AREA; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; DISPENSING WITH THE CHARTER REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.

Don Carroll reported that there had been no changes.

Commissioner Clark made a MOTION to APPROVE Ordinance 08-05 amending the Code of Ordinances, City of Texas City, Chapter 40 by adding Section 40-45, District CIMU, Commercial/Industrial/Mixed Use for the Dickinson Bayou Transition Area; Commissioner Singleton SECONDED the motion. All present voted AYE. MOTION CARRIED.

Upon Commissioner Carl Sullivan, Sr.'s retirement of 22 years of dedicated service to the citizens of Texas City as Commission District 2, a reception honoring the Commissioner would follow the meeting.

Mayor Matthew T. Doyle said it that it has been a melancholy week for him. This isn't Commissioner Sullivan's last meeting but knowing Carl he probably would sneak off if he knew we were was doing this. Addressing Commissioner Sullivan, Mayor Doyle said, "You have been a lot of help to me when I first became commissioner and you certainly have been a lot of help to me after becoming mayor. We have been lucky in the City of Texas City to have someone that would dedicate 22 years of their life to serve the City; you just don't find people that are willing to give that kind of time and you gave it sincerely and selflessly to the public at the risk of missing some opportunities with your family. When asked what the one single thing is that I appreciate about Carl Sullivan, I answered there are two things: the dedication that he has to the working men and women of Texas City and throughout the County and secondly was how when a citizen called on him it wasn't just a call he would go visit that citizen and find out what that citizen needed and certainly report it back to me in detail what they needed. I know this isn't good bye forever but it certainly is a milestone for the City of Texas City to have someone like you retiring from this position."

Each Commissioner stated that it has been a great pleasure to work with Commissioner Sullivan and that he was going to be missed.

Commissioner Land stated that he had the honor of not only serving with Carl but also serving under Carl as a police officer and he was always so easy to work with. Speaking to Commissioner Sullivan, Commissioner Land said, "I always looked up to you, I admire your character and integrity".

Commissioner Johnson said, "it has definitely been a learning experience to serve with you and I know that the Commission is going to miss your expertise. When it comes to industry, every time someone presents something dealing with industry (such as tax abatement) my head turns to the right to see what Carl is thinking about because he is the expert on that. He has been a quiet strength on this Commission and I want you to know I have learned from afar".

Echoing Commissioner Land, Commissioner Clark commented, "when you think of Carl Sullivan you think of integrity and character and I know we have all enjoyed working with him. We wish you much happiness in your retirement not only from this but in your new locale".

Mayor Doyle remarked that he will miss him the most on Youth In Government Day. The trend has been young ladies that have served as Carl's shadow on that day and Carl without a doubt even when he was out of town had a corsage delivered to that person that served under him. When we say he is the consummate gentleman, he not only does it, he acts it, he shows it and he does it with style all the time. The Mayor acknowledged the presence of former mayor, Chuck Doyle and Carlos Garza, the head of the iron workers, Richard Dee; County Commissioners Brian Lamb, Stephen Holmes, and Pat Doyle, County Judge Yarbrough; and Mayor pro tem Bill Charbonneau, from La Marque.

County Judge Yarbrough said that Texas City in general has been blessed over the years to have good people serve on its City Commission and Mayor's office. Rarely do you see someone that gives 22 years of their life to serve their community as Carl has done. It starts with being good people and that is what Carl is and he is a friend of all of us. All of the Commissioner's Court is here except (County) Commissioner Clark who had other appointments this afternoon, but we wanted to take time to read a proclamation that we approved this morning at Commissioner's Court. The Judge read and presented Commissioner Sullivan with the Proclamation.

Richard, head of the Iron Workers, remarked that Carl has served labor well; he is a good friend and a good mentor. Texas City is really lucky to have had him all these years. Carl, I congratulate you.

Carlos Garza, former mayor of Texas City, commented that during five administrations there has been one common thread that is Carl Sullivan.

Former mayor, Chuck Doyle congratulated Carl and his family. "To me, Carl epitomizes why Texas City has the best governance of any government in Galveston County and probably in Texas because we have people like Carl that are willing to serve and sacrifice time from the family and time from the job and other endeavors of life to serve the people of Texas City and we truly believe that we are here to serve and not be served when you are serving the citizens of Texas City and that is why this is such a good government. You have been a great friend to me I told Matt that he was really going to miss him because Carl is the kind of person on the Commission that mayors love because he is going to keep you straight, he is

going to advise you, he is going to give you good advice and he is going to tell you how he feels on all the issues, he is never going to hit you from the blind side, he is going to be upfront with you and that is what keeps you guiding the ship straight. One thing that we all have to remember is the greatest award for having done a good job is to have done it and you did it my friend. Congratulations.”

A photo show compiled of photos of the Commission’s tenure in office was shown.

The Mayor presented Commissioner Sullivan with a jacket that had the City’s seal on the back; and he presented a bouquet of yellow roses to the Commissioner’s wife, Lucy.

Commissioner Carl Sullivan said that he came by in front of city hall and saw the sign that said thanks Carl Sullivan and he thought what in the world is going on. Had I known this I probably would have skipped out, this is not my forte. I served the citizens of Texas City since 1986 –I don’t know of any commissioner or mayor that has served for any reason other than to try to do what is right for the citizens. I have enjoyed this time with the city. This is some of the reason that I am leaving right now – family – he introduced his family, his children and grandchildren. I really love Texas City – I love the citizens here. This is a unique place. I think a lot of cities should take some of what we show here and put it into effect in there own cities and quit all the squabbling that goes on and look at what is good for their citizens. The Commissioner said that the one thing that he would like to see done is an increase in the Mayor and Commission’s salary or expense account. The citizens of Texas City need to look at that. The salary and expense account has been the same for 22 years that he has been on the Commission. Commissioner Sullivan said that he is going to do his best to see that we get somebody here to put that (to give an increase to all the commissioners and the mayor) on the ballot for the May election - they deserve it. The Commissioner said that he appreciated everything that has been said here today, he thanked every one and said we have a good community here and he has been fortunate to serve.

Having no further business, **Commissioner Land made a MOTION to ADJOURN at 5:40 p.m.; the motion was SECONDED by Commissioner Sullivan. All present voted AYE. MOTION CARRIED.**

MATTHEW T. DOYLE, MAYOR

ATTEST:

Pamela A. Lawrence
City Secretary

pal 1-17-2008

Liquefied Chlorine Gas Annual Contract CITY COMMISSION AGENDA 2

Date: 02/06/2008

Submitted By: Rita Williams, Purchasing

Department: Purchasing

Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Approve and award Bid # 2008-893 for the purchase and delivery of Liquefied Chlorine Gas Annual Contract; to be utilized by the City's Waste Water Treatment Plant.

BACKGROUND

Bid packets were mailed to three (3) area vendors on January 7, 2008. A bid tabulation is attached for your review.

Bids opened Tuesday, January 22, 2008 at 2:00 p.m.

ANALYSIS

The low responsible bid meeting all specifications was received from Altivia Corporation, in Houston, for the unit price of \$572.00 per cylinder.

It is my recommendation to award the annual contract to Altivia Corporation and that the Mayor is authorized to execute a contract on behalf of the City Commission.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link:
Exhibit A

Link:
Res.
08-007

BID TABULATION

Bid # 2008-893
LIQUEFIED CHLORINE GAS ANNUAL CONTRACT

Bid Opening: Tuesday, January 22, 2008 @ 2:00 p.m.

VENDOR	UNIT PRICE
Altivia Corporation Houston, Texas	\$0.286 per lb. = \$572.00/ton per cylinder
DXI Industries, Inc. Houston, Texas	\$0.3125 per lb. = \$625.00/ton per cylinder
PREVIOUS CONTRACT PRICING	\$572.00 per cylinder

RESOLUTION NO. 08-007

A RESOLUTION AWARDING A BID AND AUTHORIZING THE MAYOR TO ENTER INTO AN ANNUAL CONTRACT FOR THE PURCHASE AND DELIVERY OF LIQUEFIED CHLORINE GAS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on January 7, 2008, bids were mailed to three (3) area vendors for the purchase and delivery of liquefied chlorine gas annual contract, Bid No. 2008-893; and

WHEREAS, bids opened on Tuesday, January 22, 2008, and the lowest bid received meeting specifications was submitted by Altivia Corporation.

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

SECTION 1: That the successful bidder for the purchase and delivery of liquefied chlorine gas annual contract, Bid No. 2008-893, is Altivia Corporation.

SECTION 2: That the Mayor is hereby authorized to enter into an annual contract with Altivia Corporation for the purchase and delivery of liquefied chlorine gas annual contract, Bid No. 2008-893, for the respective unit price bid in Exhibit "A", as attached hereto and incorporated herein for all intents and purposes.

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

PASSED AND ADOPTED this 6th day of February, 2008.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney

Sodium Bisulfite Annual Contract CITY COMMISSION AGENDA 2

Date: 02/06/2008

Submitted By: Rita Williams, Purchasing

Department: Purchasing

Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Approve and award Bid # 2008-894 for the purchase and delivery of Sodium Bisulfite Annual Contract; to be utilized by the City's Waste Water Treatment Plant.

BACKGROUND

Bid packets were mailed to four (4) area vendors on January 7, 2008. A bid tabulation is attached for your review.

Bids opened Tuesday, January 22, 2008 at 2:00 p.m.

ANALYSIS

The low responsible bid meeting all specifications was received from DXI Industries, Inc., in Houston, for the unit price of \$0.1049 per wet pound.

It is my recommendation to award the annual contract to DXI Industries, Inc. and that the Mayor is authorized to execute a contract on behalf of the City Commission.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link:
[Exhibit A](#)

Link:
[Res.](#)
[08-008](#)

BID TABULATION

SODIUM BISULFITE ANNUAL CONTRACT

Bid #2008-894

Bid Opening: Tuesday, January 22, 2008 @ 2:00 p.m.

VENDOR	UNIT PRICE PER WET POUNDS
DXI Industries, Inc. Houston, Texas	\$0.1049
Commercial Chemical Products, Inc. dba Poolsure Houston, Texas	\$0.1095
Calabrian Corporation Port Neches, Texas	\$0.1157
Previous Contract Pricing	\$0.0895

RESOLUTION NO. 08-008

A RESOLUTION AWARDING A BID AND AUTHORIZING THE MAYOR TO ENTER INTO AN ANNUAL CONTRACT FOR THE PURCHASE AND DELIVERY OF SODIUM BISULFITE; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on January 7, 2008, bids were mailed to four (4) area vendors for the purchase and delivery of sodium bisulfite annual contract, Bid No. 2008-894; and

WHEREAS, bids opened on Tuesday, January 22, 2008, and the lowest bid received meeting specifications was submitted by DXI Industries, Inc.

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

SECTION 1: That the successful bidder for the purchase and delivery of sodium bisulfite annual contract, Bid No. 2008-894, is DXI Industries, Inc.

SECTION 2: That the Mayor is hereby authorized to enter into an annual contract with DXI Industries, Inc. for the purchase and delivery of sodium bisulfite annual contract, Bid No. 2008-894, for the respective unit price bid in Exhibit "A", as attached hereto and incorporated herein for all intents and purposes.

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

PASSED AND ADOPTED this 6th day of February, 2008.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney

Cement Stabilized Sand Annual Contract CITY COMMISSION AGENDA 2

Date: 02/06/2008

Submitted By: Rita Williams, Purchasing

Department: Purchasing

Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Approve and award Bid # 2008-895 for the purchase and delivery of Cement Stabilized Sand Annual Contract.

BACKGROUND

Bid packets were mailed to two (2) area vendors on January 7, 2008. A bid tabulation is attached for your review.

Bids opened Wednesday, January 23, 2008 at 2:00 p.m.

ANALYSIS

The low responsible bid meeting all specifications was received from JDB Services, Inc., in Pasadena, for the unit prices bid as follows:

1 1/2 Sack	2 Sack	3 Sack
\$16.07 per ton	\$18.49 per ton	\$23.24 per ton

It is my recommendation to award the annual contract to JDB Services Inc. and that the Mayor is authorized to execute a contract on behalf of the City Commission.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link:

Exhibit A

Link: Res

08-010

BID TABULATION

Bid # 2008-895
CEMENT STABILIZED SAND ANNUAL CONTRACT

Bid Opening: Wednesday, January 23, 2008 @ 2:00 p.m.

VENDOR	1½ Sack	2 Sack	3 Sack
JDB Services, Inc. Pasadena, Texas	\$16.07 per ton	\$18.49 per ton	\$23.24 per ton
Gulf Coast Limestone, Inc. Seabrook, Texas	\$19.17 per ton	\$20.17 per ton	\$29.99 per ton
Previous Contract Pricing	\$13.37 per ton	\$15.12 per ton	\$19.28 per ton

RESOLUTION NO. 08-010

A RESOLUTION AWARDING A BID AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH JDB SERVICES, INC. FOR THE ANNUAL PURCHASE AND DELIVERY OF CEMENT STABILIZED SAND; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on January 7, 2008, bids were opened for the annual purchase and delivery of cement stabilized sand, Bid No. 2008-895; and

WHEREAS, the lowest bid meeting specifications was submitted by JDB Services, Inc.

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

SECTION 1: That the successful bidder for the annual purchase and delivery of cement stabilized sand is JDB Services, Inc.

SECTION 2: That the Mayor is hereby authorized to enter into an agreement with JDB Services, Inc. for the annual purchase and delivery of cement stabilized sand, on an as-needed basis, at its bid price of SIXTEEN AND 07/100 DOLLARS (\$16.07) per one-and-one-half- (1½) sack ton, EIGHTEEN AND 49/100 DOLLARS (\$18.49) per two- (2) sack ton, and TWENTY-THREE AND 24/100 DOLLARS (\$23.24) per three- (3) sack ton, as more fully described in Exhibit "A" attached hereto.

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

PASSED AND ADOPTED this 6th day of February, 2008.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney

Lift Station Improvements CITY COMMISSION AGENDA 2

Date: 02/06/2008

Submitted By: Edna Patterson, Transportation and Planning

Submitted For: James McWhorter

Department: Transportation and Planning

Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Approval to award an Engineering Contract to Claunch & Miller, Inc. (CMI) for Lift Station Improvements in the amount of \$94,950.00 for design phase and \$32,000.00 for the inspection construction phase services for a total contract amount of \$126,950.00.

BACKGROUND

The City recently completed an update of the evaluation of all the lift stations located within the city. The study updated the condition of the existing lift station wet well, and provided a prioritization of the lift stations requiring rehabilitation and/or upgrades. The seven Lift Stations are Lift Station No. 1 (Bay Street), Lift Station No. 4 (17th Street and 5th Avenue N.), Lift Station No. 9 (5th Avenue S. and 27th Street), Lift Station No. 14 (Dike Road and Bay Street), Lift Station No. 17 (Albert Street and F.M. 1765(Texas Ave.)), Lift Station No. 21 (Blue Jay Lane), Lift Station No. 24 (Mentor Drive and Hwy. 3).

ANALYSIS

ANALYSIS:

CMI will perform the necessary engineering services for implementing the design, bidding, and installation of the improvements to the seven Lift Stations. This is part of City's ongoing efforts to rehab and improve sanitary lines throughout the City.

ALTERNATIVES CONSIDERED

Fiscal Impact

Funds Available Y/N: Yes

Amount Requested: \$126,950.00

Source of Funds: Sewer Revenue

Account #: 510-706-55685

Fiscal Impact:

Engineering fees for all lift station rehab projects will be charged to one account (510-706-55685) instead of distributing the fees to each lift station project.

Attachments

Link:
LIFTsta

Link:
Res.
08-009

THE STATE OF TEXAS

COUNTY OF GALVESTON

AGREEMENT FOR SERVICES

This Agreement entered into as of the ____ day of _____, A.D., 2008, by and between Claunch & Miller, Inc. ("Consultant"), and the City of Texas City, Texas, ("Client").

WITNESSETH:

WHEREAS, the Client has requested various services of the Consultant with respect to Engineering Services for the City of Texas City Proposal for Engineering Services for the City of Texas City's "Lift Station Improvements Project ("Project")".

NOW, THEREFORE, *Client* and *Consultant* hereby agree as follows:

1. **Engagement of Consultant** - *Consultant* hereby agrees to perform the services required under the scope of work related to the *Project*, and to provide *Client* with copies of the information, opinions, and other such documents made the basis of the scope of services, which is set out in Attachment "A" and made a part of this contract. *Consultant* agrees to initiate the following services that are set out in Attachment "A" upon receipt of an executed copy of this Agreement.
2. **Availability of Information** - *Client* agrees to provide *Consultant* with all available information pertinent to the *Project*. *Client* will also provide copies of reports, drawings, and other data, and will, at *Consultant's* request, provide written authorization to review *Client's* files relative to the *Project* which may be in possession of third parties. *Consultant* agrees to return all original documents to *Client* upon completion of the *Project*, but reserves the right to make and keep reproducible copies of all such material.

in accordance with this provision, *Consultant* shall be paid for all services performed to the date of termination.

11. Governing Law - This Agreement shall be deemed to have been made under, and shall be construed and interpreted in accordance with the laws of the State of Texas. The venue of any suit for enforcement or construction of this contract shall be in Galveston County, Texas.

12. Indemnification.

FOR CONSIDERATION RECEIVED, Consultant agrees to indemnify, save, and hold harmless the City of Texas City, Texas, its employees, officials, and agents from any and all claims, actions, damages, lawsuits, proceedings, judgments, or liabilities, for personal injury, death, or property damage to the extent or degree on a comparative basis of fault resulting from the acts or omissions of the Consultant or acts or omissions of others under the Consultant's supervision or control, arising out of the performance of this agreement.

In the event of any cause of action or claim asserted by a party to this Agreement or any third party, the City will provide the Consultant timely notice of such claim, dispute or notice. Thereafter, the undersigned shall at its own expense, faithfully and completely defend and protect the City against any and all liabilities arising from this claim, cause of action or notice.

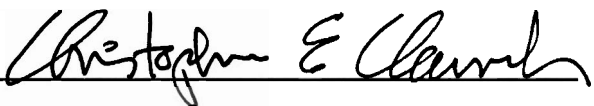
If the undersigned should fail to so defend, the City may defend, pay or settle the claim or other cause of action with full rights of recourse against the undersigned for any and all fees, costs, expenses, and payments arising from Consultant's negligence, or the negligence of others under the Consultant's supervision and control, including but not limited to attorney fees and settlement payments, made or agreed to be paid, in order to discharge the claim, cause of action, dispute or litigation.

13. Home Rule Municipality

The City is a municipality incorporated under the laws of the State of Texas, and all laws regulating and concerning Texas municipalities apply, including budgetary laws, The City Charter and The City Code. Consultant acknowledges that the City may only act through its City Commission or a duly authorized representative of City Commission, and that any act of an employee or officer of the City that is not duly authorized is void.

ENTERED INTO AND AGREED by the parties hereto as the day and year first written.

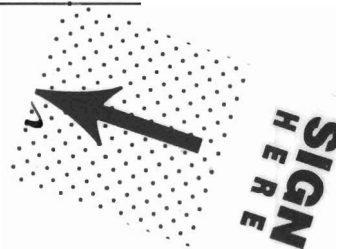
CLAUNCH & MILLER, INC.
Consultant

BY: 
CHRISTOPHER E. CLAUNCH, P.E.
President

CITY OF TEXAS CITY, TEXAS
Client

BY: _____
MAYOR OF CITY OF TEXAS CITY

ATTEST: _____
City Secretary





CLAUNCH & MILLER, INC.

Engineering Consultants

EXHIBIT "A"

January 28, 2008

Mr. Mike Hogan, P.E.
Director of Utilities
City of Texas City
301 6th Street North
Texas City, Texas 77590

Re: Proposal for Engineering Design and Construction Phase Services
for Lift Station Improvements Project (Lift Stations 1, 4, 9, 14, 17, 21, and 24)

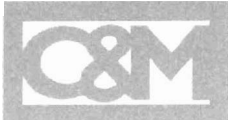
Dear Mr. Hogan:

As requested, Claunch & Miller, Inc. (CMI) is pleased to submit this proposal for performing engineering and construction phase services for the above referenced project. The proposal is based on our understanding of the project as discussed from previous meetings and conversations. The lift stations improvements identified as part of this project are based on recommendations from the "2007 Lift Station Evaluation Study Update" submitted to the City in June 2007. For your convenience this proposal consists of General Overview, Scope of Services, and Fee.

GENERAL OVERVIEW

Claunch & Miller, Inc. recently completed an update of the evaluation of all the lift stations located within the City of Texas City ("2007 Lift Station Evaluation Study Update" (Study)). This study updated the 1999 Study and updated the condition of the existing lift station wet well, and provided a prioritization of the lift stations requiring rehabilitation and/or upgrades. Based on the recommendations from the study, the estimated construction cost for performing improvements to seven (7) lift stations prioritized as part of this study is \$635,500.

At this time, it is anticipated that the improvements will be designed and bid as a single construction package. During the design phase, CMI will prepare a letter report identifying the specific improvements recommended for each lift station with updated cost estimates. Depending on the magnitude of the improvements identified for each lift station, there is a potential for some improvements to be performed on an individual project basis by obtaining quotes from individual vendors for performing the improvements. Due to recent cost fluctuations recently observed with the lift station improvement work, there is also a potential for some of the improvements to be bid as add alternates to accommodate the available budget. CMI will coordinate with the City and apprise them of the cost fluctuations and obtain concurrence with the project packaging and the add alternates.



Based on our conversations, it is our understanding that Utility Department personnel will be providing full-time site representation services for the project with support from CMI personnel. As discussed, in lieu of full time site representation for the project a budget for increased site representation will be included in this proposal.

The lift stations identified for performing improvements include:

- **Lift Station No. 1 (Bay Street)**

The improvements include the removal of the existing dry-well pumps (shaft-driven) and the installation of two new 800 gpm dry-well submersible pumps (approx. 30 hp) in the existing well. Piping will be replaced only to the extent needed. The existing control panels will be removed and replaced with all new electrical equipment, with a solid-state SCADA-ready/compatible controller, with back-up float system. The existing hatches will be replaced with similar units. The wet well will be rehabilitated with a spray-on cementitious liner and an epoxy overcoat.

Estimated Construction Cost: \$199,875

- **Lift Station No. 4 (17th Street and 5th Avenue North)**

The project includes installing two 260 gpm submersible pumps and rails in the existing wet well. The existing single submersible pump may be salvaged and reused. The existing control panel will be replaced. The pump access hatch will be replaced with a new aluminum unit. The pumps will be controlled by a float system, using a control panel. Discharge piping improvements will be made. New wooden fencing will be provided.

Estimated Construction Cost: \$93,025

- **Lift Station No. 9 (5th Avenue South and 27th Street)**

The project includes the removal of the single suction lift pump and motor assembly and the installation of two new 150 gpm submersible pumps and rails in the existing wet well. The existing control panel will be replaced. The pump access hatches will also be replaced and modifications will be made to the lift station top. Improvements will be made to the discharge piping system. The pumps will be controlled by a float system, using a control panel.

Estimated Construction Cost: \$133,800

- **Lift Station No. 14 (Dike Road and Bay Street)**

The project includes removal of the existing single submersible pump and the installation of two new 25 gpm submersible grinder pumps in the existing wet well/manhole. The existing control panel will be replaced. The pumps will be controlled by a float system, using a control panel. A new top will be installed on the wet well/manhole. The existing fence will be replaced with a wooden fence.

Estimated Construction Cost: \$40,000



- **Lift Station No. 17 (Albert Street and F.M. 1765 (Texas Avenue))**

The project includes the removal of the existing single submersible pump and the removal of an existing single dry-well pump, and the installation of two new 160 gpm submersible pumps and rails. The existing control panel will be replaced. The pumps will be controlled by a float system, using a control panel. The wet well will be rehabilitated with a spray-on cementitious liner and an epoxy overcoat.

Estimated Construction Cost: \$81,300

- **Lift Station No. 21 (Blue Jay Lane)**

The project includes installing two 190 gpm submersible pumps and rails in the existing wet well. The existing single submersible pump may be salvaged and reused. The existing Control Panel should be reused if possible. The pumps will be controlled by a float system, using a control panel. New discharge piping and valves are to be installed.

Estimated Construction Cost: \$50,000

- **Lift Station No. 24 (Mentor Drive and Highway 3)**

The project includes the removal of an existing submersible pump and the installation of two new 10 gpm grinder pumps and rails in the existing wet well. The existing control panel will be replaced. The pumps will be controlled by a float system, using an 'off-the-shelf' control panel. Modifications to the lift station top and hatch may be required. Improvements to the discharge piping and valves may be included.

Estimated Construction Cost: \$37,500

This proposal addresses the engineering services that CMI will provide the City of Texas City during the Design and Construction Phases. CMI will utilize the services of an electrical engineering sub-consultant for the electrical components and control system designs. This proposal does not include costs for performing topographic surveying or geotechnical engineering work since existing drawings will be utilized for the preparations of plan drawings.

SCOPE OF SERVICES

I. DESIGN PHASE

A. Design Phase Services

- Perform field reconnaissance of each of the sites to obtain information on surface features and other information that would impact design and construction. A detailed topographic survey will not be performed. A geotechnical investigation will not be performed.

Prepare project specifications, bid documents and construction drawings based on the anticipated improvements.



- The lift station rehabilitation design shall include the site plan, demolition, mechanical and piping details, site work, and electrical/control systems. The SCADA system is not part of this project.
- Prepare a final cost estimate for the project.
- Coordinate with the City of Texas City during the design process and provide draft documents for the City to review and comment upon.
- Incorporate appropriate comments with the final bid documents.
- Coordinate with Texas Commission on Environmental Quality (TCEQ) during the design phase. Furnish necessary documentation to TCEQ for their review and approval.
- Incorporate appropriate comments into the final bid documents.
- Furnish three (3) sets of construction documents to the City.

B. Special Services

1. Reproduction

Costs for reproduction will be charged under special services for reproduction of plans, specifications and reports beyond the three (3) sets of construction documents provided (as listed in the design services) to the City.

- Reproduction for review sets, submittals to the City, governmental agencies, and utility companies will be included in the cost for reproduction.

II. CONSTRUCTION PHASE SERVICES

A. Construction Administration Services

- Assist the City in obtaining bids for the project. The City of Texas City will advertise the project and will absorb all related advertising costs. CMI will coordinate with the City and will assist in developing the wording of the advertisement.
- Dispense construction documents from CMI's office to potential bidders.
- During the bidding process, provide information to and answer questions from potential bidders concerning the Project's construction documents and prepare addendums as necessary.



- Attend and conduct a pre-bid conference.
- Evaluate the bids and the qualifications of the apparent low bidders and advise the City as to the acceptability of the apparent low bidder.
- Review and respond accordingly to all submittals as required by the contract specifications.
- Prepare change orders necessitated by field conditions.
- Review the contractor's pay estimates, evaluate the completion of work, and make payment recommendations to the City.
- Visit the site at various stages of construction to observe the progress and quality of executed work and to determine in general if such work is proceeding in accordance with the Contract Documents. Full time site representation is not included as part of the Construction Administration tasks.
- Claunch & Miller, Inc. (CMI) will not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor(s). CMI's effort will be directed toward providing a greater degree of confidence for the City of Texas City that the completed work of Contractor(s) will conform to the Contract Documents, but CMI will not be responsible for the failure of Contractor(s) to perform the work in accordance with the Contract Documents. During site visits and on the basis of on-site observations CMI shall keep the City informed of the progress of the work, shall endeavor to guard the City against defects and deficiencies in such work and may disapprove or reject work failing to conform to the Contract Documents.
- Conduct a final inspection of the Project and make a recommendation for Final Payment on the Project.

B. Special Services

1. Increased Site Representation Services

- Provide increased support to the City's personnel as needed and conduct progress meeting with the City and Contractor during construction. Provide engineering and technical office personnel support on a periodic and as needed basis throughout construction. These office personnel, consisting of Professional Engineers and design staff, provide on-site support to address contractor's questions, and conflicts uncovered in the field.
- The on-site representative will be provided in an effort to aid in the process of observing performance of work of the Contractor(s). Through more extensive on-



site observations of the work in progress, CMI shall endeavor to provide further protection for the City of Texas City against defects and deficiencies in the work of the contractor(s); but the furnishing of such on-site representative will not make Claunch & Miller, Inc. responsible for construction means, methods, techniques, sequences or procedures or safety precautions or programs, or for Contractor(s) failure to perform their work in accordance with the Contract Documents.

FEE

The fee is separated into: Design Phase, and Construction Phase. Any Additional Services requested by the City will be invoiced and paid for at the direct cost plus 15% and CMI labor costs at raw labor cost times a factor of 3.05. Such tasks and costs will only be performed upon authorization from the City.

Design Phase

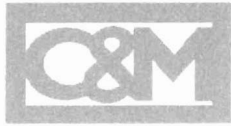
Design Phase Services:	The lump sum amount of:	\$ 94,200.00
Special Services:		
*Reproduction:	Cost plus 15%	\$ 750.00

Construction Phase Services

Construction Administration services:	The lump sum amount of:	\$ 22,000.00
Special Services:		
*Increased Site Representation Services:		
(Hourly and expense cost plus 15%)		<u>\$ 10,000.00</u>
	Total Fee:	\$126,950.00

*At this time the magnitude of these tasks are not known. Therefore budgetary amounts are provided. These figures may increase or decrease depending upon actual work required. If an increase becomes necessary it can be accomplished by utilizing available funds from other line items that have under run or by contract amendment.

Hourly charges shall be charged based on a raw labor rate times a multiplier of 3.05, reimbursable expenses will be charged at cost plus 15% and mileage will be charged at \$0.41/mile.



Claunch & Miller, Inc. appreciates the opportunity to submit this proposal and we look forward to working with the City of Texas City on this very important project.

Sincerely,

CLAUNCH & MILLER, INC.

A handwritten signature in black ink that reads 'Madhu Kilambi'.

Madhu Kilambi, P.E.
Senior Project Manager

Cc: Mr. James F. McWhorter, P.E. – City of Texas City
Mr. Tom Kessler, P.E. – City of Texas City

ATTACHMENT "B"
INSURANCE LIMITS

1.	General Liability	Each Occurrence:	\$1,000,000
		Damage to Rented Premises	\$1,000,000
		Medical Expenses (any one person)	\$10,000
		Personal and Adv. Injury	\$1,000,000
		General Aggregate:	\$2,000,000
		Products - Comp/Op Agg:	\$2,000,000
2.	Automobile Liability	Combined Single Limit:	\$1,000,000
3.	Excess Liability Umbrella Form	Each Occurrence:	\$3,000,000
		Aggregate:	\$3,000,000
4.	Worker's Compensation and Employers Liability	Each Accident:	\$500,000
		Disease - Each Employee:	\$500,000
		Disease - Policy Limit:	\$500,000
5.	Professional Liability	Each Claim	\$1,000,000
		Policy Year Aggregate	\$1,000,000

RESOLUTION NO. 08-009

A RESOLUTION APPROVING A PROPOSAL AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CLAUNCH AND MILLER, INC., TO PROVIDE ENGINEERING SERVICES FOR IMPLEMENTING THE DESIGN, BIDDING, AND INSTALLATION OF THE IMPROVEMENTS TO THE SEVEN (7) LIFT STATIONS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City recently completed an update of the evaluation of all the lift stations located within the city; and

WHEREAS, the study updated the condition of the existing lift station wet well, and provided a prioritization of the lift stations requiring rehabilitation and/or upgrades; and

WHEREAS, the seven (7) lift stations needing improvements are Lift Station No. 1 (Bay Street), Lift Station No. 4 (17th Street and 5th Avenue N.), Lift Station No. 9 (5th Avenue S. and 27th Street), Lift Station No. 14 (Dike Road and Bay Street), Lift Station No. 17 (Albert Street and F.M. 1765 (Texas Ave.)), Lift Station No. 21 (Blue Jay Lane), and Lift Station No. 24 (Mentor Drive and Highway 3); and

WHEREAS, Claunch & Miller, Inc., has submitted a proposal to provide engineering services for implementing the design, bidding, and installation of the improvements to the seven (7) Lift Stations.

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

SECTION 1: That the City Commission hereby accepts the proposal by Claunch & Miller, Inc., to provide engineering services for implementing the design, bidding and installation of the improvements to the seven (7) Lift Stations.

SECTION 2: That the Mayor is hereby authorized to enter into an Agreement with Claunch & Miller, Inc., to provide engineering services for implementing the design, bidding, and installation of the seven (7) Lift Stations, as outlined in the attached Exhibit "A" which is made a part hereof for all intents and purposes.

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

PASSED AND ADOPTED this 6th day of February, 2008.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney

Attachment – Claunch & Miller Professional Services Agreement-
Lift Station Improvements

Board Appointment to Lago Mar Development Authority CITY COMMISSION AGENDA 2

Date: 02/06/2008
Submitted By: Rachel Wyatt, City Attorney Office
Submitted For: Bobby Gervais
Department: City Attorney Office
Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Approval of Resolution 08-XX appointing Clemon Prevost to Position 2 of the Board of Directors of the Lago Mar Development Authority for a term beginning on the date of adoption and ending on December 31, 2008.

BACKGROUND

City Commission approved Resolution No. 07-84 creating the Lago Mar Development Authority and with such approval, approved the Articles of Incorporation and the Bylaws for the Lago Mar Development Authority which appointed seven (7) Board Members. Position 2 was appointed temporarily until another member could be appointed.

ANALYSIS

City Commission should appoint Clemon Prevost to Position 2 of the Board of Directors of the Lago Mar Development Authority.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link:
Res.
08-011

RESOLUTION NO. 08-011

A RESOLUTION APPOINTING BOARD MEMBER TO THE LAGO MAR DEVELOPMENT AUTHORITY; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City Commission approved Resolution No. 07-84 creating the Lago Mar Development Authority; and

WHEREAS, with such approval, the City Commission approved the Articles of Incorporation and the Bylaws for the Lago Mar Development Authority which appointed seven (7) Board Members; and,

WHEREAS, Position 2 was appointed temporarily until another member could be appointed to fill that position.

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

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby appoints Clemon Prevost to Position 2 of the Board of Directors of the Lago Mar Development Authority for a term beginning on the date of passage and adoption of this Resolution and ending on December 31, 2009.

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

PASSED AND ADOPTED this 6th day of February, 2008.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney

7.a.

Amend the fiscal year 2007/2008 budget to close 2006/2007 fiscal year purchase orders.

CITY COMMISSION AGENDA 2

Date: 02/06/2008

Submitted By: Cheryl Hunter, Finance

Submitted For: Cheryl Hunter

Department: Finance

Agenda Area: Regular Items

Information

ACTION REQUEST (Brief Summary)

Consider approval of a request to amend the fiscal year 2007/2008 budget to close 2006/2007 fiscal year purchase orders.

BACKGROUND

Purchase orders that are outstanding at the end of the fiscal year are to be cancelled and rolled into the new fiscal year. Since encumbrances impact budgets, the current fiscal year's budget must be increased to reflect outstanding encumbrances from the 2006/2007 fiscal year.

ANALYSIS

Please see the attachment which reflect the budget amendment amounts for each fund.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link: [Close](#)
[2006/07 PO's](#)

[Budget](#)
[Amendment](#)

Link: [Ord. 08-06](#)

**CITY OF TEXAS CITY
CLOSE PURCHASE ORDERS FISCAL YEAR 2006/2007**

GENERAL FUND

ADMINISTRATION-101:

101-101-52660	OFFICE SUPPLIES	570
101-101-52680	JANITORIAL SUPPLIES	223
101-101-52710	SAFETY PROGRAM	115
101-101-53680	PROFESSIONAL FEES	60
101-101-53780	PUBLICATIONS & LEGALS	843
TOTAL ADMINISTRATION		<u>1,810</u>

LEGAL-102:

101-102-53680	PROFESSIONAL FEES	6,332
TOTAL LEGAL		<u>6,332</u>

PURCHASING-103:

101-103-52660	OFFICE SUPPLIES	692
TOTAL PURCHASING		<u>692</u>

PLANNING-104:

101-104-52610	PHOTO, BLUEPRINTING SUPPLIES	42
101-104-52780	MISC. MATERIALS & SUPPLIES	968
101-104-53680	PROFESSIONAL FEES	300
TOTAL PLANNING		<u>1,309</u>

DATA PROCESSING-105:

101-105-52660	OFFICE SUPPLIES	1,000
TOTAL DATA PROCESSING		<u>1,000</u>

POLICE-201:

101-201-52060	CLOTHING & UNIFORMS	5,212
101-201-52600	ID PHOTO SUPPLIES	1,081
101-201-52620	CRIMINAL INVESTIGATIONS	13,792
101-201-52680	JANITORIAL SUPPLIES	404
101-201-53100	FOOD & JAIL SUPPLIES	53
101-201-53340	MAINT-EQUIP. & TIRES	34
TOTAL POLICE		<u>20,574</u>

FIRE-202:

101-202-52060	CLOTHING & UNIFORMS	1,130
101-202-52540	SUPPLIES-FOOD, MISC	183
101-202-52780	MISC. MATERIALS & SUPPLIES	45
101-202-53340	MAINT-EQUIP & TIRES	1,397
101-202-53540	MAINT-BUILDING & GROUNDS	24
101-202-54220	MEDICAL FEES	6,625
101-202-54300	TRAINING & PERSONNEL	5,681
101-202-55010-06003	CAPITAL-STORAGE FACILITY	179,000
TOTAL FIRE		<u>194,084</u>

INSPECTIONS-203:

101-203-52680	JANITORIAL SUPPLIES	16
TOTAL INSPECTIONS		<u>16</u>

**CITY OF TEXAS CITY
CLOSE PURCHASE ORDERS FISCAL YEAR 2006/2007**

GENERAL FUND

<u>TRAFFIC & TRANSPORTATION-204:</u>		
101-204-53390	TRAFFIC SIGNAL REPAIR	3,494
TOTAL TRAFFIC & TRANSPORTATION		<u>3,494</u>
 <u>MUNICIPAL COURT-205:</u>		
101-205-52660	OFFICE SUPPLIES	776
TOTAL MUNICIPAL COURT		<u>776</u>
 <u>EMERGENCY MANAGEMENT-206:</u>		
101-206-54150	EMERGENCY MANAGEMENT	3,735
101-206-55030	OFFICE EQUIPMENT	5,248
TOTAL EMERGENCY MANAGEMENT		<u>8,983</u>
 <u>PUBLIC WORKS-301:</u>		
101-301-52110	LIQUID ASPHALT	33,053
101-301-52140	LIMESTONE	98,540
101-301-52150	DRAINAGE MATERIALS	38,190
101-301-52160	LIMESTONE & SAND	1,558
101-301-52680	JANITORIAL SUPPLIES	272
101-301-55250-07002	ST. IMPROVEMTS-16TH AVE.	67,692
TOTAL PUBLIC WORKS		<u>239,305</u>
 <u>SANITATION-302:</u>		
101-302-52660	OFFICE SUPPLIES	212
101-302-53340	MAINT-EQUIP & TIRES	16,372
101-302-53540	MAINT-BUILDING & GROUNDS	1,541
101-302-53545	MAINT-DIKE	12,513
101-302-54510	RECYCLING PROGRAM	352
101-302-54570	LANDFILL DISPOSAL FEES	14,759
TOTAL SANITATION		<u>45,748</u>
 <u>RAINWATER PUMP STATION-303:</u>		
101-303-53440	MAINT-PHYSICAL PLANT	153,553
101-303-53680	PROFESSIONAL FEES	6
TOTAL RAINWATER PUMP STATION		<u>153,559</u>
 <u>RECREATION & TOURISM-401:</u>		
101-401-52460	RECREATIONAL SUPPLIES	3,302
101-401-52680	JANITORIAL SUPPLIES	555
101-401-52700	PROGRAMS & AWARDS	1,239
101-401-53340	MAINT-EQUIP & TIRES	33
101-401-55010-07005	IMPROVEMTS-LOWRY CENTER	167,920
101-401-53550	IMPROVEMTS-MUSEUM	3,797
TOTAL RECREATION & TOURISM		<u>176,846</u>
 <u>LIBRARY-402:</u>		
101-402-52680	JANITORIAL SUPPLIES	195
101-402-54020	BOOKS & PUBLICATIONS	15
TOTAL LIBRARY		<u>210</u>

**CITY OF TEXAS CITY
CLOSE PURCHASE ORDERS FISCAL YEAR 2006/2007**

GENERAL FUND

BAYOU GOLF COURSE-403:		
101-403-52680	JANITORIAL SUPPLIES	9
101-403-52780	MISC. MATERIALS & SUPPLIES	2,035
101-403-53340	MAINT-EQUIP. & TIRES	1,741
101-403-53540	MAINT-BUILDING & GROUNDS	5,258
101-403-55010-07007	IMPROVEMENTS-CLUBHOUSE	5,508
101-403-55010-07009	IMPROVMTS-CONCRETE CONST.	19,000
TOTAL BAYOU GOLF COURSE		33,552
TOTAL GENERAL FUND ENCUMBRANCE OUTSTANDING		888,292

**CITY OF TEXAS CITY
CLOSE PURCHASE ORDERS FISCAL YEAR 2006/2007**

CERTIFICATES OF OBLIGATION, SERIES 2005 FUND

104-202-55030-05006	PUBLIC SAFETY SOFTWARE	<u>9,946</u>
		9,946
TOTAL CO'S FUND ENCUMBRANCE OUTSTANDING		<u>9,946</u>

**CITY OF TEXAS CITY
CLOSE PURCHASE ORDERS FISCAL YEAR 2006/2007**

SPECIAL REVENUE FUNDS

MUNICIPAL COURT TECHNOLOGY FUND-204:

204-205-52660	OFFICE SUPPLIES	1,514
204-205-55030-06015	LASERFICHE IMAGING SYSTEM	1,127
TOTAL MUNICIPAL COURT TECHNOLOGY FUND		2,641

COMMUNITY DEVELOPMENT GRANT FUND-260:

260-601-55250	STREET IMPROVEMENTS	8,240
TOTAL COMMUNITY DEVELOPMENT GRANT FUND-260		8,240

COMMUNITY DEVELOPMENT GRANT FUND-261:

260-601-55250	STREET IMPROVEMENTS	84,718
TOTAL COMMUNITY DEVELOPMENT GRANT FUND-261		84,718

COMMUNITY DEVELOPMENT GRANT FUND-262:

262-601-53970	CODE ENFORCEMENT	811
TOTAL COMMUNITY DEVELOPMENT GRANT FUND-262		811

SPECIAL DISTRICTS FUND-GRAND CAY

287-070-53684	ENGINEERING FEES	40,661
TOTAL SPECIAL DISTRICTS FUND-GRAND CAY		40,661

EMS FUND-295:

295-207-52300	MEDICAL SUPPLIES	425
295-207-53340	MAINT-EQUIPMENT & TIRES	376
295-207-54300	TRAINING & PERSONNEL	35
TOTAL EMS FUND		836

TOTAL SPECIAL REVENUE FUND ENCUMBRANCE OUTSTANDING		137,906
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**CITY OF TEXAS CITY
CLOSE PURCHASE ORDERS FISCAL YEAR 2006/2007**

CONSTRUCTION FUNDS

CONSTRUCTION FUND-BONDS 2005-408:

408-301-55550-05015 ST. IMPROVEMENTS-9TH & 9TH

5,137,758

TOTAL CONSTRUCTION FUND-BONDS 2005

5,137,758

TOTAL CONSTRUCTION FUND ENCUMBRANCE OUTSTANDING

5,137,758

**CITY OF TEXAS CITY
CLOSE PURCHASE ORDERS FISCAL YEAR 2006/2007**

WATER REVENUE FUND

WATER DISTRIBUTION-705:

501-705-53400	MAINT-WATER LINES	65,755
501-705-53430	MAINT-STORAGE TANKS	21,550
501-705-55010-06017	WATER LINE REPLACEMENT-PHASE 6	47,467
501-705-55010-07013	WATER LINE REPLACEMENT-PHASE 7	1,807,557
501-705-55560-06018	WATER TANK IMPROVEMENTS-ORCHID	<u>72,000</u>
TOTAL WATER DISTRIBUTION		2,014,329
 TOTAL WATER REVENUE FUND ENCUMBRANCE OUTSTANDING		 <u><u>2,014,329</u></u>

**CITY OF TEXAS CITY
CLOSE PURCHASE ORDERS FISCAL YEAR 2005/2006**

SEWER REVENUE FUND

SEWER-702:

510-702-53420	MAINT-SEWER LINES	24,934
510-702-55680-06019	PHASE 9 SEWER REHAB	122,676
510-702-55680-07015	PHASE 10 SEWER REHAB	<u>1,992,952</u>
TOTAL SEWER		2,140,562

WASTEWATER TREATMENT-703:

510-703-52190	MATERIALS & CONNECTIONS	240
510-703-52770	LAB SUPPLIES	742
510-703-53340	MAINT-EQUIP. & TIRES	201
510-703-53440	MAINT-PHYSICAL PLANT	848
510-703-53460	SLUDGE CONTRACT	6,320
510-703-55050	PHYSICAL PLANT IMPROVEMENTS	<u>16,250</u>
TOTAL WASTEWATER TREATMENT		24,600

LIFT STATION-706:

510-706-53450	MAINT-LIFT STATIONS	<u>65,891</u>
TOTAL LIFT STATION		65,891

TOTAL SEWER REVENUE FUND ENCUMBRANCE OUTSTANDING		<u><u>2,231,053</u></u>
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**CITY OF TEXAS CITY
CLOSE PURCHASE ORDERS FISCAL YEAR 2006/2007**

CORPORATIONS

ECONOMIC DEVELOPMENT CORPORATION-801:

801-050-55010-03003 LOWRY CENTER IMPROVEMENTS

220,784

TOTAL ECONOMIC DEVELOPMENT CORPORATION

220,784

TOTAL CORPORATIONS ENCUMBRANCE OUTSTANDING

220,784

ORDINANCE NO. 08-06

AN ORDINANCE AMENDING ORDINANCE NO. 07-32, ADOPTING THE 2007-2008 FISCAL YEAR BUDGET TO INCREASE FUNDING TO THE EXISTING BUDGET TO BALANCE ENCUMBRANCES FROM FISCAL YEAR 2006-2007; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET IN THE OFFICE OF THE GALVESTON COUNTY CLERK AND THE STATE COMPTROLLER'S OFFICE; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, by Ordinance No. 07-32, the City Commission of the City of Texas City, Texas, adopted its budget for Fiscal Year 2007-2008; and,

WHEREAS, in order to balance encumbrances from fiscal year 2006-2007 it is necessary to increase the existing budget.

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

SECTION 1: That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2: That the budget for Fiscal Year 2007-2008 of the City of Texas City, Texas, is hereby amended in substantially the same form as Exhibit A attached hereto and a part hereof for all intents and purposes:

SECTION 3: That the chief executive officer shall file or cause to be filed a copy of this budget amendment in the office of the Galveston County Clerk and the State Comptroller's Office.

SECTION 4: That the Charter requirement for reading this Ordinance on three (3) separate days has been dispensed by a majority vote of all members of the City Commission.

SECTION 5: That this Ordinance shall be finally passed and adopted on the date of its introduction and shall become effective from and after its passage and adoption.

PASSED AND ADOPTED this 6th day of February, 2008.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney

Ordinance for Permanent Rezoning for Sterling Chemicals

CITY COMMISSION AGENDA 2

Date: 02/06/2008

Submitted By: Jean Vincent, Inspections

Department: Inspections

Agenda Area: Regular Items

Information

ACTION REQUEST (Brief Summary)

Need ordinance to permanently rezone property. Sterling Chemicals to rezone from "C" (Multifamily Residential), "D" (Neighborhood Service), "E" (General Business) and "F-1" (Outdoor Industrial) to "H" (Heavy Industry) to administratively correct the existing land use designation.

Being all of Blocks 40, 41, 64, 65, 66, 67, 79, 80, 81, 82, 83 and 84 of the T.C. 1st and a portion of Blocks 12, 13, 36, 37, 38 and 39, of T.C. 1st Addition, save and except Lots 4 & 5, Blk. 67, T.C. 1st Addition.

Being an area bounded by 6th Street, Bay Street, 2nd Avenue South and 4th Avenue South.

BACKGROUND

This went before the City Commission on December 5, 2007 for a Public Hearing to rezone the property. The ordinance needs to be done to permanently rezone this area. The Zoning Commission also gave approval to this request prior to the City Commission rezoning Public Hearing.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link: [CC Public Hearing 12-05-2007](#)

Link: [Notice of Public Hearing](#)

Link: [Ord. 08-07](#)

Form Routing/Status

Route Seq Inbox

Approved By Date

Status

Jean Vincent 01/16/2008 11:47 AM CREATED

1	Planning	Don Carroll	01/16/2008 12:00 PM	APRV
2	Paralegal	Rachel Wyatt	01/22/2008 03:48 PM	APRV
3	Jean Vincent (Originator)	Jean Vincent	01/22/2008 04:26 PM	APRV
4	Paralegal	Rachel Wyatt	01/23/2008 02:24 PM	APRV
5	Paralegal	Rachel Wyatt	01/23/2008 02:24 PM	APRV
6	Jean Vincent (Originator)	Jean Vincent	01/23/2008 02:27 PM	APRV
7	Paralegal	Rachel Wyatt	01/30/2008 10:28 AM	APRV
8	Jean Vincent (Originator)	Jean Vincent	01/30/2008 10:45 AM	APRV
9	Paralegal	Rachel Wyatt	01/30/2008 11:09 AM	APRV
10	Inspections	Jean Vincent	01/31/2008 02:34 PM	APRV
11	Finance	Cheryl Hunter	02/01/2008 08:42 AM	APRV
12	Paralegal	Rachel Wyatt	02/01/2008 01:01 PM	APRV
13	City Attorney Office	Rachel Wyatt	02/01/2008 01:02 PM	APRV
14	Paralegal	Rachel Wyatt	02/01/2008 01:27 PM	APRV
15	Mayor			NEW
16	City Secretary			

Form Started By: Jean Vincent

Started On: 01/16/2008 11:47 AM

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Commission of Texas City will hold a **PUBLIC HEARING** on **Wednesday, December 5, 2007 at 5:00 p.m.** in the Kenneth T. Nunn Room at City Hall. The purpose of the Public Hearing is to hear citizens' opinion in favor of or in opposition to the City of Texas City's rezoning requests.

REQUEST BY: Sterling Chemicals to rezone from "C" (Multi-Family Residential), "D" (Neighborhood Service), "E" (General Business) and "F-1" (Outdoor Industrial) to "H" (Heavy Industry) to administratively correct the existing land use designation.

BEING: Being all of Blocks 40, 41, 64, 65, 66, 67, 79, 80, 81, 82, 83 and 84 of the T.C. 1st and a portion of Blocks 12, 13, 36, 37, 38 and 39, of T.C. 1st Addition, save and except Lots 4 & 5, Blk. 67, T.C. 1st Addition.

LOCATED: Bound by 6th Street, Bay Street, 2nd Avenue South and 4th Avenue South, Galveston County, Texas City, Texas.

Any citizen wishing to voice his or her opinion in favor of or in opposition to the above change is invited to be present and will be heard. If you are opposed to this rezoning request, you must submit valid reasons for opposition in writing to the City Commission of Texas City, P. O. Drawer 2608, Texas City, TX 77592-2608. Written comments will be accepted and considered on or before the date of the Public Hearing. After hearing the rezoning request, you may withdraw your opposition should your objections be satisfied. Your withdrawal should be in writing to the City Commission.

/s/ Pamela A. Lawrence
Pamela Lawrence, City Secretary
City of Texas City

Date of posting: November 15, 2007

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held before the Texas City Zoning Commission at 5:15 p.m. on Tuesday, November 6, 2007 in the Conference Room at City Hall Annex. The purpose of the Public Hearing is to hear citizens' opinion in favor of or in opposition to the City of Texas City rezoning requests.

REQUEST BY: Sterling Chemicals to rezone from "C" (Mulit-family Residential), "D" (Neighborhood Service), "E" (General Business) and "F-1" (Outdoor Industrial) to "H" (Heavy Industry) to administratively correct the existing land use designation.

BEING: Being all of Blocks 40, 41,64,65, 66, 67, 79, 80, 81, 82, 83 and 84 of the T.C. 1st and a portion of Blocks 12,13, 36, 37, 38 and 39, of T.C. 1st Addition, save and except Lots 4 & 5, Blk. 67, T.C. 1st Addition.

LOCATED: Bound by 6th Street, Bay Street, 2nd Avenue South and 4th Avenue South.

Any citizen wishing to voice his opinion in favor of or in opposition to the above change is invited to be present and will be heard. If you are opposed to the proposed rezoning you must submit valid reasons for opposition in writing to the Zoning Commission of Texas City, P.O. Drawer 2608, Texas City TX 77592-2608. Written comments will be accepted and considered on or before the date of the Public Hearing. After hearing the rezoning request, you may withdraw your opposition should your objections be satisfied. Your withdrawal should be in writing to the Zoning Commission.

Respectfully,

Donald R. Carroll
City Planner

DRC:jv

DATED: October 9, 2007

ORDINANCE NO. 08-07

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE ZONING ORDINANCE, BY REZONING FROM DISTRICT “C”, (MULTI-FAMILY RESIDENTIAL), “D”, (NEIGHBORHOOD SERVICE), “E” (GENERAL BUSINESS) AND “F-1” (OUTDOOR INDUSTRIAL) TO “H” (HEAVY INDUSTRY) TO ADMINISTRATIVELY CORRECT THE EXISTING LAND USE DESIGNATION, BEING ALL OF BLOCKS 40, 41, 64, 65, 66, 67, 79, 80, 81, 82, 83 AND 84 OF THE TEXAS CITY 1ST ADDITION AND A PORTION OF BLOCKS 12, 13, 36, 37, 38 AND 39, OF TEXAS CITY 1ST ADDITION, SAVE AND EXCEPT LOTS 4 AND 5, BLOCK 67, TEXAS CITY 1ST ADDITION, BOUND BY 6TH STREET, BAY STREET, 2ND AVENUE SOUTH AND 4TH AVENUE SOUTH, IN TEXAS CITY, GALVESTON COUNTY, TEXAS; ORDERING SAID CHANGES MADE ON THE CITY ZONING MAP; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; DISPENSING WITH THE CHARTER REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.

WHEREAS, due and proper notice has been given and public hearing held and all other required action taken to amend the Zoning Ordinance for the City of Texas City, Texas, and it is the considered opinion of the City Commission that said Ordinance be amended and changed as follows for the public welfare, good, economy, and enjoyment.

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

SECTION 1: That certain property located within the City of Texas City, being all of Blocks 40, 41, 64, 65, 66, 67 79, 80, 81, 82, 83 and 84 of the Texas City 1st Addition and a portion of Blocks 12, 13, 36, 37, 38 and 39, of Texas City 1st Addition, save and except Lots 4 and 5, Block 67, Texas City 1st Addition bound by 6th Street, Bay Street, 2nd Avenue South and 4th Avenue South, Texas City, Galveston County, Texas, currently zoned as District “C” (Multi-family Residential), “D” (Neighborhood Service), “E” (General Business) and “F-1” (Outdoor Industrial) to “H” (Heavy Industry) to administratively correct the existing land use designation.

SECTION 2: That the City Engineer shall designate said changes from District “C” (Multi-family Residential), “D” (Neighborhood Service), “E” (General Business) and “F-1” (Outdoor Industrial) to “H” (Heavy Industry), as hereinabove provided on the original zoning map, as amended, and on the duplicate copy thereof kept in the Office of the City Planning

Board.

SECTION 3: That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. In the event any section, clause, sentence, paragraph, or part of this Ordinance shall be for any reason adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, invalidate, or impair the remainder of this Ordinance.

SECTION 4: That the Charter requirement for reading this Ordinance on three (3) separate days has been dispensed by a majority vote of the City Commission.

SECTION 5: That this Ordinance shall be finally passed upon the date of its introduction and shall become effective from and after its passage and adoption and publication by caption only in the official newspaper of the City.

PASSED AND ADOPTED the 6th day of February, 2008.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Pam Lawrence
City Secretary

Robert Gervais
City Attorney