

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

**\* \* AGENDA \* \***

**WEDNESDAY, JULY 2, 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**
  - a. Consider approval of the June 18, 2008 minutes from the Regular Called City Commission Meeting.
  - b. Consider approval **Resolution No. 08-50** authorizing the Mayor to execute an **Interlocal Governmental Agreement** between the County of Galveston, the City of Texas City and the City of Galveston - **2008 Byrne Justice Assistance Grant** (JAG) Program Award. (Police Dept.)
  - c. Consider approval of **Resolution No. 08-51 amending the CDBG Program Budget** to reallocate funds from the "Community Policing Project" to "Public Housing Improvements Project". (Community Development)
- 5. REGULAR ITEMS**
  - a. Consider approval of the **second reading of Ordinance No. 08-29** approving the revised **Subdivision Ordinance**. (Planning Dept.)
  - b. Consider approval of **Ordinance No. 08-30** establishing a **temporary speed limit reduction** on State Highway 3 from the north city limit to the 0.33 miles north of FM 1764, a distance of approximately 4.9 miles, from 50 and 55 to 45 MPH while road improvements are being completed. (Transportation and Planning Dept.)
- 6. PUBLIC COMMENTS**
- 7. MAYOR'S COMMENTS**
- 8. 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.**

**/s/ Pamela A. Lawrence  
PAMELA A. LAWRENCE  
CITY SECRETARY**

**DATED: June 27, 2008**

**June 18, 2008 City Commission Minutes**  
**CITY COMMISSION AGENDA 2**

**Date:** 07/02/2008

**Submitted By:** Pam Lawrence, Administration

**Department:** Administration

**Agenda Area:** Consent

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**Information**

**ACTION REQUEST (Brief Summary)**

Consider approval of the June 18, 2008 minutes from the Regular Called City Commission Meeting.

**BACKGROUND**

**ANALYSIS**

**ALTERNATIVES CONSIDERED**

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**Fiscal Impact**

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**Attachments**

Link: [6-18-2008](#)  
[CC Minutes](#)

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

**\* \* M I N U T E S \* \***

**WEDNESDAY, JUNE 18, 2008 – 5:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM – CITY HALL**

A **Regular Called Meeting of the City Commission** was held on **Wednesday, June 18, 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: Tommy Clark, Dee Ann Haney, Dedrick Johnson, Mike Land; Donald Singleton and J. W. Wilson.

The Mayor declared a quorum present and called the meeting to order at 5:00 p.m.

The **Mayor** called upon **Father Tom Ponzini, St. Mary of the Miraculous Medal Catholic Church**, to offer the **Invocation**. The Mayor thanked **Father Ponzini** for his attendance and for offering the invocation. **Commissioner Clark** led all present in the **recitation of the Pledge of Allegiance**.

**PROCLAMATIONS AND PRESENTATIONS**

The **Mayor** made the following **presentations**:

**SERVICE YEAR AWARD PINS** were presented to the following:

MIKE GILMORE	WATER DISTRIBUTION	10 YEARS
RUTH SELLERS	RECREATION & TOURISM	10 YEARS
WILLIAM FATTIG	FIRE DEPT.	10 YEARS
ART AGUILERA	PUBLIC WORKS	10 YEARS
GLEN RISKE	PUBLIC WORKS	10 YEARS
CHRIS SONNIER	PUBLIC WORKS	20 YEARS
CARLA COSTELLO	POLICE DEPT.	20 YEARS

Chief Burby presented a **CERTIFICATE OF RECOGNITION** to **Richard Bustamante** for his courageous actions taken on June 3<sup>rd</sup>. Mr. Bustamante stepped in to aid a fellow lifeguard at Carver Park. The Chief commented that it takes a lot of courage to step in when you are severely out numbered.

Chief Burby introduced the new, newly formed Crime Stoppers of Texas City: President, Mark Ciavaglia; Vice President, Jane Baucam; Secretary, Irma Moreno; Treasurer, Walter Treybig, members: Chris DeLesanda, Able Garza, Peggy Green, Pastor Herrin, Terri O'Brien, Warren Jones, Jay Williams, Raymond Guidry. Texas City liaisons: Captain Russel LaRoe, Charles Totty,. This is a start of something we haven't had in Texas City for a while. Mayor Doyle remarked that we are glad to have Crime Stoppers back and we look forward to them being not only active in the city but also in the school district. We appreciate all your efforts and all your dedication to the citizens of the city.

## **PUBLIC HEARING**

- a. Public Hearing for Shahrokh Shahroodi to rezone from "O" (Open Space) to "E" (General Business) for a motel parking lot and sign; being part of Lot 38, Lot 39, Lot 40, Lot 41, Lot 42, Lot 43; Block 143 and part of Block 152 and a 60' abandoned roadway (21<sup>st</sup> Street); Subdivision Clifton by the Sea, being a part of approximately 0.9000 acres; located in the 4700 block of Hwy. 146, Texas City, Texas.

Don Carroll, City Planner, reported that this is a request for Shahrokh Shahroodi which was approved by the Zoning Commission on May 20, 2008 to rezone from "O" (Open Space) to "E" (General Business) for motel parking lot and sign. There were no controversial issues associated with the request. There was no one present to speak in opposition to the rezoning request. The development intent was provided to the Commission by the applicant. Staff departmental comments were provided and the applicant was informed that the proposal would have to adhere to the design standards established in our Sign Ordinance. The sign is for a proposed motel, which will be outside our corporate limits, and as the Commission is aware, we cannot enforce our Zoning Ordinance outside of our city limits. The sign must be located on property zoned "E" (General Business) which it will and must adhere to our Sign Ordinance which is a stand alone ordinance separate from our Zoning Ordinance. The request is not in conflict with the Land Use Plan or Zoning Ordinance. After reviewing the information presented, the Zoning Commission members present unanimously voted to recommend approval of this request.

The Mayor asked if there were anyone present that wished to speak for or against this item; there were none.

- b. Public Hearing to consider CenterPoint Energy Entex's Statement of Intent to raise natural gas rates.

Tom Brocato, Lloyd Gosselink, reported that on June 3, 2008 representatives of the Gulf Coast Coalition discussed the reports prepared by the Gulf Coast Coalition of Cities' consultants Karl Nalepa, Connie Cannady and Randy Woolridge and they also discussed the next steps in CenterPoint's Statement of Intent to raise natural gas rates. The Gulf Coast Coalition of Cities representatives unanimously approved distribution of a rate ordinance that sets rates for CNP in the Texas Coast Division in accordance with the consultants' findings. The Gulf Coast Coalition of Cities also approved a recommendation that cities adopt the ordinance. The deadline for city action is July 9, 2008. In the event a city does not take action by this date, CenterPoint's rate application will be deemed approved.

The Mayor asked if there were anyone present that wished to speak for or against this item; there were none.

**Commissioner Johnson made a MOTION to CLOSE the PUBLIC HEARING; the motion was seconded by Commissioner Singleton. All present voted AYE. MOTION CARRIED.**

## **PRELIMINARY ZONING APPROVAL**

- a. Preliminary rezoning approval for Shahrokh Shahroodi to rezone from "O" (Open Space) to "E" (General Business) for a motel parking lot and sign.

Commissioner Johnson made a MOTION to APPROVE preliminary zoning for Shahrokh Shahroodi to rezone from "O" (Open Space) to "E" (General Business) for a motel parking lot and sign; the motion was seconded by Commissioner Wilson. All present voted AYE. MOTION CARRIED.

**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 the **Minutes** from the June 4, 2008 Regular Called City Commission Meeting.
- b. Consider approval of Resolution No. 08-047 awarding the **annual contract** for the purchase and delivery of **Personnel Protective Equipment, Fire Hose Nozzles and Related Equipment**.

**RESOLUTION NO. 08-047**

A RESOLUTION AWARDED A BID AND AUTHORIZING THE MAYOR TO ENTER INTO AN ANNUAL CONTRACT FOR THE PURCHASE AND DELIVERY OF PERSONNEL PROTECTIVE EQUIPMENT, FIRE HOSE NOZZLES AND RELATED EQUIPMENT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

- c. Consider approval of Resolution No. 08-048 awarding the **annual contract** for the **picked-up and delivered Limestone**.

**RESOLUTION NO. 08-048**

A RESOLUTION AWARDED A BID AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GULF COAST LIMESTONE, INC. AND VULCAN CONSTRUCTION MATERIALS LP FOR THE ANNUAL PURCHASE OF LIMESTONE; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

- d. Consider approval of Resolution No. 08-049 awarding the contract for the **Bayou Golf Course Cart Path Project**.

**RESOLUTION NO. 08-049**

A RESOLUTION AWARDED A BID AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LUCAS CONSTRUCTION COMPANY, INC. FOR THE BAYOU GOLF COURSE CART PATH PROJECT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Commissioner Haney made a MOTION to APPROVE the CONSENT AGENDA; the motion was SECONDED by Commissioner Wilson. All present voted AYE. MOTION CARRIED.

**REGULAR ITEMS**

- a. Consider approval of **Ordinance No. 08-26** permanently rezoning property from "A" (Single Family Residential) to "C" (Multi-Family Residential); being 7.07 acres out of Lot 2, Lollis-Gebhard Subdivision; located on 34<sup>th</sup> Street and

Loop 197 North, Texas City, Texas. [requested by Steve Lollis/Burchfield Development].

This property was previously granted preliminary rezoning approval by the City Commission. A building permit has been issued for the construction to begin and the property is ready to be permanently rezoned.

**ORDINANCE NO. 08-26**

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 "C", MULTI-FAMILY RESIDENTIAL, FOR STEVE LOLLIS/BURCHFIELD DEVELOPMENT TO CONSTRUCT A 240-UNIT SENIOR LIVING COMMUNITY, LOCATED AT 34<sup>TH</sup> STREET AND 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 Singleton made a MOTION to APPROVE Ordinance No. 08-26 permanently rezoning property from "A" (Single Family Residential) to "C" (Multi-Family Residential); being 7.07 acres out of Lot 2, Lollis-Gebhard Subdivision; located on 34<sup>th</sup> Street and Loop 197 North, Texas City, Texas; the motion was SECONDED by Commissioner Johnson. All present voted AYE. MOTION CARRIED.**

- b. Consider approval of **Ordinance No. 08-27** permanently rezoning property from "E" (General Business) to "C" (Multi-Family Residential) for DMA Development; being Lots 3-11, Block 114 and 115, Kohfeldt's 2<sup>nd</sup> Addition; located on Magnolia and Hwy 146, Texas City, Texas. [requested by DMA Development]

This property was previously granted preliminary rezoning approval by the City Commission. A building permit has been issued for the construction to begin and the property is ready to be permanently rezoned.

**ORDINANCE NO. 08-27**

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 "E", GENERAL BUSINESS, TO DISTRICT "C", MULTI-FAMILY RESIDENTIAL, FOR DMA DEVELOPMENT TO CONSTRUCT A 36-UNIT APARTMENT COMPLEX, LOCATED ON THE CORNER OF 3400 MAGNOLIA AND 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.

The Mayor noted that both (Regular Items a. and b.) properties are senior citizens housing projects, Mansions at Moses Lake and MorningStar Project.

**Commissioner Land made a MOTION to APPROVE Ordinance No. 08-27 permanently rezoning property from “E” (General Business) to “C” (Multi-Family Residential) for DMA Development; being Lots 3-11, Block 114 and 115, Kohfeldt’s 2<sup>nd</sup> Addition; located on Magnolia and Hwy 146, Texas City, Texas; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.**

- c. Consider approval of the **first reading** of **Ordinance No. 08-29** approving the revised **Subdivision Ordinance**.

This is a request for approval of the Subdivision Ordinance was approved by the Planning Board on May 19, 2008 (Subdivision Ordinance, Chapter 110). This formulation process included coordination with our consultant, Development Staff and Planning Board. A workshop with our consultant was held on April 16<sup>th</sup>. All concerns raised during the review sessions were properly addressed, all edits requested by Staff and/or Planning Board were made. With this final draft we now have an ordinance that is contemporary and consistent with the best practices in the context of urban design/industry standards. After reviewing the information presented, the Planning Board members present unanimously voted to recommend approval of this request.

Bobby Gervais commented that he was glad to see the variance provisions.

#### **ORDINANCE NO. 08-29**

**AN ORDINANCE AMENDING CHAPTER 110 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE SUBDIVISION ORDINANCE, BY REPEALING THE CURRENT CHAPTER 110 AND ADOPTING A NEW CHAPTER 110 “SUBDIVISIONS”; CONTAINING A SAVINGS CLAUSE; 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.**

**Commissioner Johnson made a MOTION to APPROVE the first reading of Ordinance No. 08-29 approving the revised Subdivision Ordinance; the motion was SECONDED by Commissioner Haney. All present voted AYE. MOTION CARRIED.**

- d. Consider approval of **Ordinance No. 08-28** finding that the existing natural gas distribution **rates of CenterPoint Energy Entex should be reduced**; ordering CenterPoint Energy Entex, Texas Coast Division to reduce its existing rates within the city; adoption specific new residential, small commercial, and large commercial rates and ordering all rates, service charges and tariff language not inconsistent with Attachment A to remain operative; ordering CenterPoint Energy Entex to reimburse the City for its reasonable costs incurred in this rate case and any related ratemaking proceedings or appeals of said proceedings; authorizing the Gulf Coast Coalition of Cities to act on behalf of City and intervene in any proceedings before Administrative or Judicial Bodies.

Mr. Brocato remarked that the three experts hired by the Coalition recommended this ordinance.

#### **ORDINANCE NO. 08-28**

**AN ORDINANCE FINDING THAT THE EXISTING NATURAL GAS DISTRIBUTION RATES OF CENTERPOINT ENERGY ENTEX SHOULD BE REDUCED; ORDERING CENTERPOINT ENERGY ENTEX, TEXAS COAST DIVISION TO REDUCE ITS**



EXISTING RATES WITHIN THE CITY; ADOPTING SPECIFIC NEW RESIDENTIAL, SMALL COMMERCIAL, AND LARGE COMMERCIAL RATES AND ORDERING ALL RATES, SERVICE CHARGES AND TARIFF LANGUAGE NOT INCONSISTENT WITH ATTACHMENT A TO REMAIN OPERATIVE; ORDERING CENTERPOINT ENERGY ENTEX TO REIMBURSE THE CITY FOR ITS REASONABLE COSTS INCURRED IN THIS RATE CASE AND ANY RELATED RATEMAKING PROCEEDINGS OR APPEALS OF SAID PROCEEDINGS; AUTHORIZING THE GULF COAST COALITION OF CITIES TO ACT ON BEHALF OF CITY AND INTERVENE IN ANY PROCEEDINGS BEFORE ADMINISTRATIVE OR JUDICIAL BODIES; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

Commissioner Land made a MOTION to APPROVE the Ordinance No. 08-28 finding that the existing natural gas distribution rates of CenterPoint Energy Entex should be reduced; ordering CenterPoint Energy Entex, Texas Coast Division to reduce its existing rates within the city; adoption specific new residential, small commercial, and large commercial rates and ordering all rates, service charges and tariff language not inconsistent with Attachment A to remain operative; ordering CenterPoint Energy Entex to reimburse the City for its reasonable costs incurred in this rate case and any related ratemaking proceedings or appeals of said proceedings; authorizing the Gulf Coast Coalition of Cities to act on behalf of City and intervene in any proceedings before Administrative or Judicial Bodies; the motion was SECONDED by Commissioner Johnson. All present voted AYE. MOTION CARRIED.

#### **PUBLIC COMMENTS**

George Jones, concerned citizen of Texas City, inquired if the City could pass a law restricting the use of cell phones while driving a motor vehicle.

#### **MAYOR'S COMMENTS**

Important dates:

June 19, 2008 – Juneteenth Poetry Slam

June 21, 2008 – T-Ball Parade

June 23, 2008 – Town Hall Meeting for TC Sanders/Vincent Community Center

July 4, 2008 – City Offices Closed

#### **COMMISSIONERS' COMMENTS**

Having no further business, Commissioner Johnson made a MOTION to ADJOURN at 5:35 p.m.; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.

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MATTHEW T. DOYLE, MAYOR

ATTEST:

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Pamela A. Lawrence, City Secretary

pal: 06-23-2008

## **Approval of 2008 DOJ Byrne-JAG Grant Application Interlocal Agreement**

### **CITY COMMISSION AGENDA 2**

**Date:** 07/02/2008  
**Submitted By:** Carla Costello, Police Department  
**Submitted For:** Robert Burby  
**Department:** Police Department  
**Agenda Area:** Consent

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#### **Information**

##### **ACTION REQUEST (Brief Summary)**

Approval of Interlocal Governmental Agreement Between the County of Galveston, the City of Texas City and the City of Galveston - 2008 Byrne Justice Assistance Grant (JAG) Program Award

This Interlocal Governmental Agreement is entered into in accordance with Chapter 791 of the Texas Government Code. It is by and between the County of Galveston, the City of Texas City and the City of Galveston. Its purpose is to agree to an equal split of the 2008 Byrne Justice Assistance Grant awarded on \$29,497. The County, as fiscal agent, agrees, within 45 days of the date of receipt of the 2008 JAG funds in the amount of \$29,497 to forward to the City of Texas City \$9,832.33 and to forward to the City of Galveston \$9,832.33. The County will retain the balance of the funds.

The County of Galveston, acting on behalf of itself and the other parties, has under joint application No. 2008-F4397-TX-DJ applied for and agreed to act as fiscal agent for the 2008 Justice Assistance Grant (JAG) in the amount of \$29,497.

##### **BACKGROUND**

##### **ANALYSIS**

##### **ALTERNATIVES CONSIDERED**

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#### **Fiscal Impact**

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#### **Attachments**

Link:

Res  
08-50

Link:

2008jag

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**RESOLUTION NO. 08-50**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A INTERLOCAL AGREEMENT WITH THE COUNTY OF GALVESTON AND THE CITY OF GALVESTON REGARDING THE AWARD AND DISTRIBUTION OF THE 2008 BYRNE JUSTICE ASSISTANCE GRANT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, an Interlocal Governmental Agreement is requested between the County of Galveston, the City of Texas City and the City of Galveston for the award and distribution of the 2008 Byrne Justice Assistance Grant (JAG) Program Award, in accordance with Chapter 791 of the Texas Government Code; and,

**WHEREAS**, the County of Galveston, acting on behalf of itself and the other parties, has under joint application No. 2008-F45978-TX-DJ applied for and agreed to act as fiscal agent for the 2008 Justice Assistance Grant (JAG) in the amount of \$29,497.00.

**WHEREAS**, the parties have agreed to an equal split of the 2008 Byrne Justice Assistance Grant awarded of \$29,497.00.

**WHEREAS**, the County, as fiscal agent, agrees, within 45 days of the date of receipt of the 2008 JAG funds in the amount of \$29,497 to forward to the City of Texas City \$9,832.22 and to forward to the City of Galveston \$9,832.33, with the County to retain the balance of the funds.

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

**SECTION 1:** That the City Commission hereby approves an Interlocal Agreement between the County of Galveston, the City of Texas City and the City of Galveston regarding the award and distribution of the 2008 Byrne Justice Assistance Grant (JAG) Program Award.

**SECTION 2:** That the Mayor is authorized to execute the Agreement in substantially the same form as attached hereto as Exhibit "A" and 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 2nd day of July, 2008.**

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

ATTEST:

APPROVED AS TO FORM:

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Pamela A. Lawrence  
City Secretary

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Robert Gervais  
City Attorney

**Interlocal Governmental Agreement  
Between the County of Galveston, the City  
of Texas City and the City of Galveston**

**2008 Byrne Justice Assistance Grant (JAG) Program Award**

This Interlocal Governmental Agreement is entered into in accordance with Chapter 791 of the Texas Government Code. It is by and between the County of Galveston, the City of Texas City and the City of Galveston. Its purpose is to agree to an equal split of the 2008 Byrne Justice Assistance Grant awarded on \$29,497.

**Whereas**, the County of Galveston, acting on behalf of itself and the other parties, has under joint application No. 2008-F4397-TX-DJ applied for and agreed to act as fiscal agent for the 2008 Justice Assistance Grant (JAG) in the amount of \$29,497; and

**Whereas**, each of the parties finds that the performance of this Agreement is in their best interest, that the undertaking of this Agreement will benefit the public, and that the equal division of the JAG award fairly compensates each party for the services or functions they are to render; and

**Now, Therefore, the Parties Agree as Follows:**

**Section 1.**

County, as fiscal agent, agrees, within 45 days of the date of receipt of the 2008 JAG funds in the amount of \$29,497 to forward to the City of Texas City \$9,832.33 and to forward to the City of Galveston \$9,832.33. The County will retain the balance of the funds.

**Section 2.**

The funds each party receives will be used for the purposes set forth in the Program Narrative attached hereto as Attachment 1.

**Section 3.**

Each party to this Agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party. But, nothing in this Agreement shall be construed to waive the doctrine of sovereign or other form of immunity of any party. Nor shall this Agreement be construed to be for the benefit of or create any rights in any party not a signatory hereto.

**GMS Application # 2008-F4397-TX-DJ**

**Section 4.**

The parties do not intend to create any obligations express or implied other than those set out herein.

**Executed** effective this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**County of Galveston**

**Attest:**

\_\_\_\_\_  
**James D. Yarbrough**  
**County Judge**

\_\_\_\_\_  
**Mary Ann Daigle**  
**County Clerk**

**City of Texas City**

**Attest:**

\_\_\_\_\_  
**Matthew T. Doyle**  
**Mayor**

\_\_\_\_\_  
**Pam Lawrence**  
**City Secretary**

**City of Galveston**

**Attest:**

\_\_\_\_\_  
**Lyda Ann Thomas**  
**Mayor**

\_\_\_\_\_  
**Barbara Lawrence**  
**City Secretary**

## Budget Amendment

### CITY COMMISSION AGENDA 2

**Date:** 07/02/2008

**Submitted By:** Sheila Bowden, Community Development, Housing Autho

**Submitted For:** Sheila Bowden

**Department:** Community Development, Housing Autho

**Agenda Area:** Consent

#### Information

#### **ACTION REQUEST (Brief Summary)**

Approve CDBG Program Budget Amendment to reallocate funds in the amount of \$61,018.34 from the "Community Policing Project" to "Public Housing Improvements Project".

#### **BACKGROUND**

In August of 1999, the City approved a budget of \$24,500 to fund the Community Policing and Crime Prevention program for the year 2000. There is a remaining balance of \$5,992.34. For the year 2001 the budget was approved in the amount of \$15,000 which remains unused. In Program Year 2002, \$24,000 was approved and budgeted for the program and it remains unused, and in Program Year 2005, \$16,026 was budgeted and remains. The total amount of funds remaining is \$61,026.00. The Community Development Department is requesting approval to reallocate these funds to the Texas City Housing Authority for Public Housing Improvements which will consist of the renovation of twelve public housing duplex units located in the 7300 block of Blue Jay Drive.

#### **ANALYSIS**

#### **ALTERNATIVES CONSIDERED**

#### Fiscal Impact

#### Attachments

Link:

Res.

08-51

**RESOLUTION NO. 08-51**

**A RESOLUTION APPROVING AN AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM BUDGET; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, the City of Texas City Community Development Department administers the Community Development Block Grant funds; and

**WHEREAS**, in August 1999, the City approved budget of \$24,500 to fund the Community Policing and Crime Prevention Program for 2000; and

**WHEREAS**, there remains a balance of \$5,992.34, plus additional unused budgeted funds of: 2002 - \$24,000 and 2005 - \$16,026, for a total unused budgeted funds of \$61,026.00; and

**WHEREAS**, the Community Development Department requests approval to reallocate these funds to the Texas City Housing Authority for Public Housing Improvements which will consist of the renovation of twelve public housing duplex units located in the 7300 block of Blue Jay Drive.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:**

**SECTION 1:** That the Community Development Block Grant Budget (CDBG) Program Budget is hereby amended to reallocate funds from that Program to the Texas City Housing Authority for Public Housing improvements, consisting of the renovation of twelve public housing duplex units located in the 7300 block of Blue Jay Drive.

**SECTION 2:** That the Director of Community Development is hereby authorized to apply for and execute all documents necessary to amend the budget, including the local newspaper advertisements and public comment hearings.

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

**PASSED AND ADOPTED this 2nd day of July, 2008.**

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



ATTEST:

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Pam Lawrence  
City Secretary

APPROVED AS TO FORM:

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Robert Gervais  
City Attorney

**CITY COMMISSION AGENDA 2**

**Date:** 07/02/2008

**Submitted By:** Pam Lawrence, Administration

**Department:** Administration

**Agenda Area:** Regular Items

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**Information**

**ACTION REQUEST (Brief Summary)**

**REGULAR ITEMS**

**BACKGROUND**

**ANALYSIS**

**ALTERNATIVES CONSIDERED**

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**Fiscal Impact**

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**Attachments**

*No file(s) attached.*

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## Revised Subdivision Ordinance CITY COMMISSION AGENDA 2

**Date:** 07/02/2008

**Submitted By:** Pam Lawrence, Administration

**Department:** Administration

**Agenda Area:** Regular Items

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### Information

#### ACTION REQUEST (Brief Summary)

Consider approval of the second reading of Ordinance No. 08-29 approving the revised Subdivision Ordinance. (Planning Dept.)

#### BACKGROUND

City Commission approved first reading June 18, 2008.

#### ANALYSIS

#### ALTERNATIVES CONSIDERED

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### Fiscal Impact

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### Attachments

Link: [CC Memo](#)  
[Subdivision](#)  
[Ordinance](#)

Link: [Planning](#)  
[Board Minutes](#)

Link: [email from](#)  
[John Webb](#)

Link: [Presentation](#)  
[on Subdivision](#)  
[Ordinance](#)

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# MEMO

**TO:** City Commission

**FROM:** Don Carroll, City Planner

**DATE:** May 29, 2008

**RE:** Subdivision Ordinance

This is a request for approval of the Subdivision Ordinance was approved by the Planning Board on May 19, 2008 (Subdivision Ordinance, Chapter 110). This formulation process included coordination with our consultant, Development Staff and Planning Board. A workshop with our consultant was held on April 16<sup>th</sup>. All concerns raised during the review sessions were properly addressed, all edits requested by Staff and/or Planning Board were made. With this final draft we now have an ordinance that is contemporary and consistent with the best practices in the context of urban design/industry standards. After reviewing the information presented, the Planning Board members present unanimously voted to recommend approval of this request. Please reference the Planning Board minutes of May 19, 2008.

DC:jm

## **APPROVAL OF MINUTES**

On Monday, May 19, 2008 at 5:00 p.m. the Planning Board met in a regularly scheduled meeting. Board members present were: Mayor Doyle, Eloise O'Bryant, Dickie Campbell, Harold Fattig, Jose Boix and Commissioner Haney. Staff members present were: Brian Falk, Don Carroll and Julie Morreale. There were not any citizens present.

**APPROVAL OF MINUTES. A motion to approve the minutes of May 5, 2008 was made by Mayor Doyle/Commissioner Haney. All members present voted aye.** Mrs. Eloise O'Bryant presided over the meeting. The chairperson indicated a quorum was present and called the meeting to order.

**ITEM NO. 1. Discussion of the updated draft of the Subdivision Ordinance, Development Application and Submittals package, Board of Adjustment Application/information to applicants . (Action)** Mr. Carroll verified with Board members present that they received the draft of the Subdivision Ordinance, Development Application and Submittals package, Board of Adjustment Application/ info to applicants. All Board members present stated they had received this draft. Mr. Carroll provided an overview concerning the final draft of the Subdivision Ordinance referring to an e-mail of changes from Mr. John Webb (attached). Commissioner Haney asked if once approved if this information would be online for reference. Mr. Carroll stated the information would be added to the Texas City website. Mr. Jose Boix asked why the information on retention ponds and handicap ramps was omitted. Mr. Carroll stated the Staff has discussed this matter and determined this would be more appropriate to list under engineering specifications, Zoning Ordinance, and/or building code standards. After a brief discussion regarding the changes **a motion to approve the draft of the Subdivision Ordinance, Development Application and Submittals package, Board of Adjustment Application/information to applicants was made by Harold Fattig/Mayor Doyle. All members present voted aye.**

**ITEM NO. 2. Discussion regarding allowable Zoning District Uses within the Business Growth Industrial Area (Land Use Designation) (Action)** Mr. Carroll provided an overview of the recommendation for the area designated as the Business Light Industrial Growth Area. Mayor Doyle questioned if tilt wall construction would be allowed with the Brick Masonry Provisions. Mr. Carroll stated that tilt wall construction is an alternative for the Masonry Provisions. Mr. Harold Fattig asked if only the Activity Corridor would adhere to the Brick Masonry Provision or all areas listed as "F", "F-1" and "Planned Industrial". Mr. Carroll stated if approved all areas would adhere to the provision. After a brief discussion **a motion to approve that "F", "F-1" and "Planned Industrial" adhere to the Brick Masonry Provision as first recommended by Staff during the May 5, 2008 meeting was made by Mayor Doyle/Jose Boix. All members present voted aye.**

**ITEM NO. 3 Other Business**

**-Staff discussion regarding the H-GAC (Houston-Galveston Area Council). (Non Action)**  
Mr. Carroll presented information of the upcoming H-GAC planning Commissioners and Elected

Official Training Workshop to the Board for their consideration.

**There being no further business, a motion was made to adjourn by Dickie Campbell/Commissioner Haney. All members present voted aye.**

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**Eloise O'Bryant, Chairperson**

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**Donald Carroll, Secretary**

**From:** John.Webb@cor.gov [mailto:John.Webb@cor.gov]  
**Sent:** Monday, May 05, 2008 3:47 PM  
**To:** Don Carroll  
**Subject:** Subdivision Ord Latest Draft/Applications & check lists

Don,

Please find attached three (3) pdf files:

1. Updated draft of the Subdivision Ordinance (Draft #5)
2. Development Application and Submittals package
3. Board of Adjustment Application/ info to applicants

1. The updated draft of the Subd. Ord. reflects your most recent changes. In regard to the private park open space requirements, I don't think any bonding requirements are necessary. Especially since this is private property. The Planning Board and City Commission will have authority to accept the location and amount of property to be dedicated to the HOA. Certainly, staff and the City officials will want to ensure the site is suitable (non-floodway property) and accessible at the time of platting. When the improvements are accepted by the City Engineer, the site should be served by a street. But since the City can not require any amenities (playground equipment) nor want to maintain them, no bonding is necessary.

2. The Development application package is generally the same as previously submitted. Some format changes made ( better graphic of TC logo and other misc changes). As I stated before, the cover application sheet is intended for all zoning, plat and site plan applications. The attachments are intended to be separated by type, so you can attach the cover application to only the zoning submittal requirements, etc. This also includes the information required for site plan applications.

3..The BOA application contains a cover application tailored for the BOA with an attached "required information" and an "Information to Applicants" page. I looked at all the application info you currently have and tried to simplify the information

Per a previous e-mail, I had sent a draft Site Plan Ordinance to be inserted into the Zoning Ordinance as a new section 40-52. That draft was dated 03/28/08.

This work product appears to have satisfied Tasks 1 & 2 of the scope of services agreement. The remaining tasks 3 & 4 are in regard to potential miscellaneous amendment to the Zoning Ordinance and Sign Ordinance and represent a relatively minor % of the total fee. Please let me know if you want to pursue these tasks.

When we feel we have made the final modifications to the above noted documents, I will send all in MS Word format for your future editing and updating. I'm sure you will need the Subd Ord and Site Plan ordinance in MS Word for the agenda packet and ultimate Muni Code codification.

As always, I am available to return to Texas City for any Board or Commission meeting to assist in presentations or explanation of the material.

John

John Webb, AICP  
Asst. Director of Development Services - Planning  
City of Richardson  
972-744-4245



# Proposed Subdivision Ordinance

Planning Board Briefing

April 16, 2008



# Background Information

- City staff identified need for comprehensive review and update of the existing Subdivision Ordinance
- The existing ordinance has been modified on several occasions but no comprehensive update since its original adoption

# Goals

- Develop New Subdivision Regulations which:
  - Are in Conformance with the Texas Local Gov't Code
  - Contain "Best Practices"
  - Implement Desired Development in Texas City
  - Provide for an Efficient Review and Approval Process
  - Allow for Flexibility when Necessary

# Components of the Draft Ordinance

- Article I. General
- Article II. Administration
- Article III. Platting Procedures
- Article IV. Design Standards
- Article V. Private Street Development
- Article VI. Construction Plans & Improvements
- Article VII. Legal Provisions

# Article I. General

- City Authority
- Purpose - safe, orderly development of the City
- Enforcement – no building permit or connection of utilities until plat approved
- Consistency with Comprehensive Plan and Zoning Ordinance
- Definitions – expanded list

# Article II. Administration

- Establishing the Authority of the City Engineer – ability to establish standards and specifications for public improvements
- Fees – Currently, there is one flat fee of \$100.00, regardless of size of number of lots

- Fees – Proposed fee schedule for typical plat applications:
  - \$100.00, plus \$5.00 per lot
  - \$100.00 flat fee for amending or minor plats
  - \$10.00 per acre or a portion thereof up to a maximum of \$1,000.00 for a Subdivision Master Plan (20 or more acres)
  - Comparable or less to other cities (League City: \$400.00 + \$8.00/lot; La Marque: \$200.00 + \$8.00/lot)

# Article III. General Platting Procedures

- Application and review process for the various types of plats (preliminary plat, final plat, etc..)
- Application forms and content of the plat to be prescribed by the City
  - Allows application forms and required information to be updated as needed



**CITY OF TEXAS CITY**

Transportation & Planning Dept  
928 5<sup>th</sup> Ave North  
Texas City, Texas 77590  
409.643.5951  
Fax 409.949.3001

**DEVELOPMENT APPLICATION****APPLICATION TYPE****PLEASE CHECK APPROPRIATE BOX BELOW**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Zoning Change      | <input type="checkbox"/> Replat        | <input type="checkbox"/> Subdivision Master Plan |
| <input type="checkbox"/> Detailed Site Plan | <input type="checkbox"/> Minor Plat    | <input type="checkbox"/> ROW Abandonment         |
| <input type="checkbox"/> Preliminary Plat   | <input type="checkbox"/> Amending Plat |  |
| <input type="checkbox"/> Final Plat         | <input type="checkbox"/> Vacating Plat |  |

See appropriate checklist and fee schedule for minimum submittal requirements

**PROPERTY INFORMATION**

Project Name: \_\_\_\_\_  
Project Address or Location: \_\_\_\_\_  
Legal Description: \_\_\_\_\_  
Proposed No. of Lots: \_\_\_\_\_ Gross Acreage: \_\_\_\_\_  
Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_  
Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

**APPLICANT & OWNER INFORMATION**

Name of Applicant: \_\_\_\_\_  
Signature: \_\_\_\_\_ Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Ph: \_\_\_\_\_ Fax: \_\_\_\_\_

Name of Property Owner: \_\_\_\_\_  
Signature: \_\_\_\_\_ Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Ph: \_\_\_\_\_ Fax: \_\_\_\_\_

(The property owner may submit a notarized letter of authorization in lieu of a signed application)

**For Department Use Only**

Date Received: \_\_\_\_\_ Fee Paid: \$ \_\_\_\_\_  
Accepted by: \_\_\_\_\_



## CITY OF TEXAS CITY

Transportation & Planning Dept  
928 6<sup>th</sup> Ave North  
Texas City, Texas 77590  
409.843.6961  
Fax 409.949.3001

### DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS

#### SUBDIVISION PLATS

The following list of submission requirements should be used by the applicant as a guide in preparing a complete application. The City will 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 result in plans being rejected for acceptance or lengthen the development review process.

☐ **Application:** A completed development application including all required signatures.

☐ **Application Fee:**

Subdivision Master Plan	\$10.00 per acre or a portion thereof up to a maximum of \$1,000.00
Preliminary Plat:	\$100.00, plus \$5.00 per lot
Final Plat	\$100.00, plus \$5.00 per lot
Replat	\$100.00, plus \$5.00 per lot
Amending Plat	\$100.00
Administrative Minor Plat	\$100.00
Vacating Plat	\$100.00
Any other Plats	\$100.00
Right-of-Way Abandonment:	\$300.00

☐ **Tax Certification:** A current tax certification for each parcel indicating all taxes on the subject property have been paid to the current year (available from the Galveston County Tax Assessor's Office).

☐ **11" x 17" Plats:** Thirteen (13) copies of the plat

☐ **24" x 36" Plats:** Seven (7) copies of the plat

☐ **Engineering Plans:** Two (2) full sets of the Engineering Plans including the plat and construction plans for a final plat or replat where public improvements are being made. The construction plans shall be 24" x 36" in size and contain all data and calculations related to utilities, drainage or other construction in the subdivision.

SUBDIVISION PLAT SUBMITTAL REQUIREMENTS  
CITY OF TEXAS CITY

Page 1 of 12

### Final Plat Requirements

- o Note volume and page of deed record ownership.
- o Name of record owner and corresponding deed record volume and page for all adjacent unplatted tracts within 100 feet, to include owners across any adjacent ROW.
- o All adjacent platted property within 100 feet shown in dashed lines, labeling lot and block numbers, subdivision name, street names and plat record reference.
- o Any adjacent, previously approved and currently valid preliminary plats, concept plans or development plans shown.
- o Location of city limit lines and/or extraterritorial jurisdiction lines, all survey lines with survey names labeled.
- o All existing easements including pipelines on or adjacent to this tract shown and labeled as to type and size with dimensional ties to property corners and centerline or boundary dimensions and bearings and recording numbers.
- o The locations, street names and dimensional centerline references to existing or approved street intersections on the perimeter of the subdivision or within 200 feet of the perimeter.
- o Legal description of the land to include current owner's deed record reference, survey and abstract, county, state, POB tied to survey corner or previously filed subdivision corner, or USGS monument, property corners labeled as to pins/rods, found or set with sizes shown, and gross acreage.
- o Point of beginning labeled on plat.
- o Two boundary corners geo-referenced by state plane coordinates.
- o Graphic depiction of all boundary lines shown in heavy lines with a description that matches legal description.
- o Existing ROW shown, labeled and dimensioned, i.e. public streets, highways, alleys, private drives, railroads, etc.
- o Utility easements: Where adjacent property is unplatted or platted showing a utility easement (U.E.), provide a minimum 8-foot U.E. along the property line. If adjacent property is platted and shows no easement, provide a 16-foot U.E. along the interior of the property line. The easements shall be a minimum of 16 feet in width, taking eight feet from each lot where the rear of two lots abut each other, and shall be continuous for the entire length of the block. These easements shall parallel as closely as possible the street line frontage of the block. The width of an U.E. shall be increased in accordance with the specific requirements of a utility company.
- o Street ROW and ROW centerline dimensioned with bearings, all streets having street names as approved by preliminary plat or names dissimilar from any existing street names.

SUBDIVISION PLAT SUBMITTAL REQUIREMENTS  
CITY OF TEXAS CITY

Page 6 of 12

# Article III. General Platting Procedures

- Clearly defines the review and approval process (role of the Planning Board and City Commission)
- Allows for the request of additional information when needed
  - Drainage Studies
  - Capacity Calculations
  - Traffic Impact Analysis

# Article III. General Platting Procedures

- Establishes new procedures for approval of Amending Plats or Administrative Minor Plats in accordance with State Law
  - Expedites approval of certain Amending plats without going through replat process
  - Allows for staff review and approval (staff may elect to send plat to Planning Board)
- Establishes procedures for Vacating Plats
- Codifies the procedure for abandonment of right-of-way

# Article III. General Platting Procedures

- Incorporates the Park/Open Space requirements into this article
  - Lowers the threshold for dedicating park/open space from subdivisions with 200 lots to 100 lots
  - Transfers ownership and maintenance responsibilities to the homeowners association
  - Requires a payment in lieu of dedication for subdivisions with less than 100 lots
- Maintains and clarifies procedures for requesting Variances

# Article IV. Design Standards

- Comprehensive section establishing the provision, location and general design of:
  - Streets
  - Sidewalks
  - Lots & Blocks
  - Utility easements
  - Water and Sanitary Sewer System
  - Drainage
- Maintains requirements for lots not served by sanitary sewer service

# Article V. Private Street Developments

- Carries forward the provisions adopted in 2001
- Establishes new Intent and Purpose section
- Requires property owners to participate in a HOA
- Provides for City approval of changes to HOA documents regarding street maintenance
- Requires 2 points of access – one can be dedicated for emergency access only



# Article VI. Construction Plans and Improvements

- New section establishing requirements to submit engineering plans for streets, storm sewers, drainage facilities, water and sanitary sewer lines and other public utilities
- Prepared in accordance with City's Design Standards
- Defines the role of the City Engineer

# Article VII. Legal Provisions

- Establishes penalty for violations
- Provided for severability clause

# Questions & Next Steps

April 16, 2008

Proposed Subdivision Ordinance  
Planning Board Briefing

**TxDot SH3 Temporary Speed reduction  
CITY COMMISSION AGENDA 2**

**Date:** 07/02/2008

**Submitted By:** Edna Patterson, Transportation and Planning

**Submitted For:** Doug Kneupper

**Department:** Transportation and Planning

**Agenda Area:** Consent

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**Information**

**ACTION REQUEST (Brief Summary)**

ACTION REQUEST (Brief summary):

Approve temporary speed limit reduction on State Highway 3 from the north city limit to the 0.33 miles north of FM 1764, a distance of approximately 4.9 miles, from 50 and 55 to 45 MPH while road improvements are being completed.

**BACKGROUND**

BACKGROUND:

Texas Department of Transportation Highway 3 construction project within the city limits.

**ANALYSIS**

ANALYSIS:

Reduction of speed limit will allow for safer driving and working conditions.

**ALTERNATIVES CONSIDERED**

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**Fiscal Impact**

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**Attachments**

Link:

Ord

08-30

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## **ORDINANCE NO. 08-30**

**AN ORDINANCE ESTABLISHING SPEED LIMITS DURING CONSTRUCTION ALONG A PORTION OF STATE HIGHWAY 3 WITHIN THE CORPORATE LIMITS OF THE CITY OF TEXAS CITY AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING A SAVINGS CLAUSE; 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.**

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**WHEREAS**, the Texas Department of Transportation has made it known to the City of Texas City that operations will begin in the near future to upgrade State Highway 3; and

**WHEREAS**, in the interest of safety, it is desirable to maintain a construction speed zone during the construction period; and

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

**SECTION 1:** That a construction speed zone be established along the named highways or parts thereof described as follows:

Along State Highway 3 from the north city limit to 0.33 miles north of FM 1764, a distance of approximately 4.9 miles, 45 MPH, when so signed.

**SECTION 2:** Necessary signs for posting the speed zones will be furnished, installed, and maintained by the direction of the Texas Department of Transportation engineer in charge of the project.

**SECTION 3:** Any person violating the provisions of this ordinance is guilty of a class C misdemeanor and shall, upon conviction, be fined in any sum not to exceed Four Hundred Dollars (\$400.00).

**SECTION 4:** That this Ordinance shall be in effect only during the period of construction and completion of this project shall automatically cancel the speed zones without further action by the City Commission.

**SECTION 5:** That the Charter requirement for reading this Ordinance on three (3) separate days has been dispensed by a majority vote of the City Commission.

**SECTION 6:** That this Ordinance shall be passed and adopted on the date of its introduction and shall become effective from and after its passage and adoption.

**PASSED AND ADOPTED this 2nd day of July, 2008.**

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

ATTEST:

APPROVED AS TO FORM:

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Pamela A. Lawrence  
City Secretary

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Robert Gervais  
City Attorney