

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

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

**WEDNESDAY, AUGUST 20, 2008 - 5:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM - CITY HALL**

- 1. INVOCATION**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PROCLAMATIONS AND PRESENTATIONS**
- 4. PUBLIC HEARING**
  - a. Stepchinski/Singh request to rezone from "A" (Residential) to "E-2" (Freeway Commercial) to construct a hotel; being approximately 20,000 square feet out of Lots 47, 48, 73, and 74 Re-subdivision of 1st Subdivision of Highland Allotment; located between I-45 and Noble Road, Texas City, Texas.
  - b. A public hearing to hear citizens' opinion in favor of or in opposition to the City of Texas City's proposed 2008-2009 Fiscal Year Budget.
- 5. PRELIMINARY ZONING APPROVAL**
  - a. Consider preliminary approval of Stepchinski/Singh request to rezone from "A" (Residential) to "E-2" (Freeway Commercial) to construct a hotel. (Planning Dept.)
- 6. PRELIMINARY/FINAL PLAT APPROVAL**
  - a. Preliminary/Final Plat approval for Lake Pointe Vista located at Lake Pointe Drive and 29th Street. (Planning Dept.)
- 7. CONSENT AGENDA**
  - a. Consider approval of the minutes from the August 6, 2008 Regular Called City Commission Meeting and the August 12, 2008 Special Called City Commission Meeting.
  - b. Consider approval of **Resolution No. 08-066 declaring** a 1991 Allegro Motor Home, previously used by the Police Department, as **surplus** and authorizing the City to sell and/or dispose of the vehicle.
  - c. Considering approval of **Res. 08-065, establishing and adopting Fire Department permit fees.**

- d. Consider approval of **Resolution No. 08-067** awarding the annual **Landscaping Contract**. (Purchasing Dept.)

**8. REGULAR ITEMS**

- a. A. Consider approval of **Ordinance No. 08-37** adopting the **2008-2009 Fiscal Year Budget**. (Financial Dept.)

**9. PUBLIC COMMENTS**

**10. MAYOR'S COMMENTS**

**11. 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: August 15, 2008**

## Rezoning for Stepchinski/Singh CITY COMMISSION AGENDA 2

**Date:** 08/20/2008  
**Submitted By:** Julie Morreale, Planning  
**Submitted For:** Don Carroll  
**Department:** Planning  
**Agenda Area:** Public Hearing

---

---

### Information

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

Request to schedule a rezoning public hearing for Stepchinski/Singh to rezone from "A" (Residential) to "E-2" (Freeway Commercial) for hotel. Being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1st Subdivision of Highland Allotment, Being a part of approximately 20,000 square feet. Between I-45 and Noble Road

#### **BACKGROUND**

This proposed rezoning request was given approval with stipulations by the Zoning Commission on June 17, 2008 and Planning Board on July 7, 2008. It is now ready to go before City Commission for final disposition.

#### **ANALYSIS**

#### **ALTERNATIVES CONSIDERED**

---

---

### Fiscal Impact

---

### Attachments

Link: [CC PH Notice-Stepchinski/Singh](#)  
Link: [Mime City Comm](#)  
Link: [Pub notice](#)  
Link: [opp letters](#)  
Link: [ZC minutes](#)  
Link: [PL board letter](#)  
Link: [PL minutes](#)

---

---

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Commission of Texas City will hold a **PUBLIC HEARING** on **Wednesday, August 20, 2008 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 rezoning requests.

**REQUEST BY:** Gurdev Singh request to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) to construct a hotel.

**BEING:** Approximately 20,000 acres out of Lots 47, 48, 73, and 74 Re-subdivision of 1<sup>st</sup> Subdivision of Highland Allotment.

**LOCATED :** Between I-45 and Noble Road, 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: July 29, 2008

# MEMO

**TO:** City Commission

**FROM:** Don Carroll, City Planner

**DATE:** July 21, 2008

**RE:** Noble Road/Stepchinski/Singh

This request was reviewed by both the Planning Board on July 7, 2008 and the Zoning Commission on June 17, 2008. The request is not in conflict with the City's Land Use Plan or Zoning Ordinance.

There was opposition from property owners within 200 feet. The opposition however is not 20% of the total area adjacent to the site being considered for rezoning and therefore will not require the Super Majority vote.

Staff has recommended that a solid masonry wall (6 ft) with tree planting be constructed along the north property perimeter which is adjacent to residentially zoned property. The remaining perimeter can be a combination of wrought iron with shrubs to complete the landscaping along the perimeter. A detailed site plan will be reviewed in order to check for adherence to the performance standard stipulations required for this development. The Zoning Commission members recommended approval contingent upon satisfying the performance standards stipulations. Staff and Planning Board will comply and make sure this stipulation is adhered to. All members present voted aye – for a detailed summary reference Planning Board and Zoning Commission minutes of June 17, 2008 and July 7, 2008.

DC:jm

## **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, June 3, 2008 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:** Gurdev Singh to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) for hotel.

**BEING:** Being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland Allotment, Being a part of approximately 20,000 acres.

**LOCATED AT:** Between I-45 and Noble Road

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:jm  
DATED: May 13, 2008

Date: 6/14/08

To: City of Texas Zoning Commission

I received a Notice of Public Hearing to request rezoning property in the Texas City area.

I oppose the request of Gurdev Singh to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) for a hotel.

The property being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland Allotment, being a part of approximately 21,000 acres. Located between I-45 and Noble Road, West Texas City, TX 77591.

I feel that this will cause:

More Crime in the area

More traffic in the area

Constant traffic at all hours of the day and night

More speeders in the area

More Litter

Value of our house and property will go down

Respectfully,

Richard Jaramillo

320 Noble Road South

Texarkana City, Tx 77591

409-935-6169

Date: 6-14-08

To: City of Texas Zoning Commission

I received a Notice of Public Hearing to request rezoning property in the Texas City area.

I oppose the request of Gurdev Singh to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) for a hotel.

The property being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland Allotment, being a part of approximately 21,000 acres. Located between I-45 and Noble Road, West Texas City, TX 77591.

I feel that this will cause:

More Crime in the area

More traffic in the area

Constant traffic at all hours of the day and night

More speeders in the area

More Litter

Value of our house and property will go down

Respectfully,

Adolf Jaramillo  
319-Blanchard  
T.C. 77591  
409-9381424



Date: 6-14-08

To: City of Texas Zoning Commission

I received a Notice of Public Hearing to request rezoning property in the Texas City area.

I oppose the request of Gurdev Singh to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) for a hotel.

The property being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland Allotment, being a part of approximately 21,000 acres. Located between I-45 and Noble Road, West Texas City, TX 77591.

I feel that this will cause:

More Crime in the area

More traffic in the area

Constant traffic at all hours of the day and night

More speeders in the area

More Litter

Value of our house and property will go down

\_\_\_\_\_  
\_\_\_\_\_

Respectfully,

Tony + Laura Vargas

309 South Noble Rd

Texas City TX 77591

409 9355974

\_\_\_\_\_

Date: June 15, 2008

To: City of Texas Zoning Commission

I received a Notice of Public Hearing to request rezoning property in the Texas City area.

I oppose the request of Gurdev Singh to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) for a hotel.

The property being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland Allotment, being a part of approximately 21,000 acres. Located between I-45 and Noble Road, West Texas City, TX 77591.

I feel that this will cause:

More Crime in the area

More traffic in the area

Constant traffic at all hours of the day and night

More speeders in the area

More Litter

Value of our house and property will go down

\_\_\_\_\_  
\_\_\_\_\_

Respectfully,

Sandra K. Spung

305 S. Noble Rd

Texas City, Tx 77591

409-935-6014

\_\_\_\_\_

Date: 6-15-8

To: City of Texas Zoning Commission

I received a Notice of Public Hearing to request rezoning property in the Texas City area.

I oppose the request of Gurdev Singh to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) for a hotel.

The property being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland Allotment, being a part of approximately 21,000 acres. Located between I-45 and Noble Road, West Texas City, TX 77591.

I feel that this will cause:

More Crime in the area

More traffic in the area

Constant traffic at all hours of the day and night

More speeders in the area

More Litter

Value of our house and property will go down

Respectfully,

Mary M. Singh

316 South Noble Rd.

Texas City TX 77591

(409) 747-2596

Date: 6-14-08 .

To: City of Texas Zoning Commission

I oppose the request of Gurdev Singh to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) for a hotel.

The property being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland Allotment, being a part of approximately 21,000 acres. Located between I-45 and Noble Road, West Texas City, TX 77591.

I feel that this will cause:

More Crime in the area

More traffic in the area

Constant traffic at all hours of the day and night

More speeders in the area

More Litter

Value of our house and property will go down

Respectfully,

Jack Carr

314 Blanchard

Jasper City Tx 77591

(409) 938-4114

Date: \_\_\_\_\_

To: City of Texas Zoning Commission

I oppose the request of Gurdev Singh to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) for a hotel.

The property being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland Allotment, being a part of approximately 21,000 acres. Located between I-45 and Noble Road, West Texas City, TX 77591.

I feel that this will cause:

More Crime in the area

More traffic in the area

Constant traffic at all hours of the day and night

More speeders in the area

More Litter

Value of our house and property will go down

\_\_\_\_\_  
\_\_\_\_\_

Respectfully,

*Eddie + Sisay Oliver*  
*322 BLANC HARD*  
*Texas City*  
*(409) 938-8552*

Date: 6-14-08

To: City of Texas Zoning Commission

I oppose the request of Gurdev Singh to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) for a hotel.

The property being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland Allotment, being a part of approximately 21,000 acres. Located between I-45 and Noble Road, West Texas City, TX 77591.

I feel that this will cause:

More Crime in the area

More traffic in the area

Constant traffic at all hours of the day and night

More speeders in the area

More Litter

Value of our house and property will go down

\_\_\_\_\_  
\_\_\_\_\_

Respectfully,

Sandra Rogers / Randy R. Rogers

311 Blanchard

Texas City, Tex. 77591  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

To: City of Texas Zoning Commission

I received a Notice of Public Hearing to request rezoning property in the Texas City area.

I oppose the request of Gurdev Singh to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) for a hotel.

The property being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland Allotment, being a part of approximately 21,000 acres. Located between I-45 and Noble Road, West Texas City, TX 77591.

I feel that this will cause:

More Crime in the area

More traffic in the area

Constant traffic at all hours of the day and night

More speeders in the area

More Litter

Value of our house and property will go down

\_\_\_\_\_  
\_\_\_\_\_

Respectfully,

*Norman V. Johnson*  
\_\_\_\_\_  
*301 S Noble*  
\_\_\_\_\_  
*Tex City Texas*  
\_\_\_\_\_  
*77591*  
\_\_\_\_\_  
*409-935-7224*  
\_\_\_\_\_

## ZONING COMMISSION MINUTES

June 17, 2008

The Zoning Commission for the City of Texas City met in a regularly scheduled meeting on Tuesday, June 17, 2008 at 5:15 p.m. Board members present were: Chairman Tom Medlin, Bert Dahl, Gilbert Torres and Yvonne Chatelain. Staff members present were: Don Carroll, Brian Falk, and Julie Morreale. Citizens present were: Larry Hurst, Delia Molina, Nick Stepchinski, Christy Stepchinski, Terry Lera, Hollis Baugh and Dolores Johnson.

Chairman Medlin welcomed everyone and explained the procedure for the Public Hearings.

**APPROVAL OF MINUTES.** The minutes from the June 3, 2008 meeting were approved on a motion by Bert Dahl/Yvonne Chatelain. All members present voted aye.

**ITEM NO. 1 (SP - Planning Industrial Rezoning request) Site Plan Review for Brand Energy Services Inc. Located at 5730 FM 646 East. Being part of Block 7 & Block 8, Subdivision of Semi-Tropical Gardens. Being a portion of approximately 6.672 acres.**

**(Action)** Mr. Carroll stated that 5 property owners were notified of the intent to rezone, to date no letters of opposition have been received regarding the request. Mr. Carroll then read the comments from the various Department Heads. The comments were as follows: Planning Director, "This request is a non conforming use that has extenuating circumstances associated with it. The Land Use Plan has identified this area as an Activity Corridor. It is adjacent to a railroad track and high voltage electrical transmission tower to the east. This transmission line also traverse east and west some distance south and traverse back into the P. H. Robinson Plant. Because of the extenuating circumstances we recommend Site Planned Industrial with special stipulations to be included in a development agreement. See attached stipulations.". Building Official, "No objections". Fire Marshall, "No objections". Tax Assessor-Collector, "No delinquent city, county or school tax". City Engineer, "In conflict with Land Use Plan, would need significant buffering and landscaping enhancements to help compatibility with future surrounding residential." The Public Hearing was then opened on a motion by Bert Dahl/Yvonne Chatelain. All members present voted aye. Mr. Larry Hurst gave a company overview of Brand Energy Services. Ms. Terri Lera stated they are interested in adding a warehouse and small lay down yard for equipment. Mr. Medlin asked if Brand Energy would adhere to the stipulations requested by the Staff. Ms. Lera stated Brand Energy would comply with the requests. Mr. Dahl asked if there were many residential properties in the area. Ms. Lera stated there were not many homes in the area. Mr. Torres asked if this was the best use for the property. Mr. Carroll stated with the transmission lines and railroad tracks in this area that allowing Brand Energy to expand would be a good use for the property and with the enhanced landscaping the residential area would be shielded from the business. After a brief discussion, a motion to close the Public Hearing was made by Yvonne Chatelain/Bert Dahl. All members present voted aye. A motion to approve the rezoning request was made by Bert Dahl/Gilbert Torres. All members present voted aye.

**ITEM NO. 1 Continued from June 3, 2008 meeting - Gurdev Singh requests to rezone from "A-1" (Single Family Residential) to "E-2" (Freeway Commercial) for hotel. Being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland. Being a part of approximately 20,000 square feet. Between I-45 and Noble Road. (Action)** Mr. Carroll stated this item was scheduled to come before the Planning Board on June 16, 2008 but there was not a quorum for the meeting and the meeting was cancelled. Mr. Carroll read the letter



that was prepared for presentation to the Planning Board members (attached). Mr. Carroll also provided pictures of masonry walls in the area, along with information regarding hybrid trees. Mr. Carroll stated that Staff has recommended screening using a masonry fence, but if the applicant disagrees with the recommendation they will have the option under Section 40-59, subsection (f) for appeal to the City Commission for alternative fencing. The Public Hearing was then opened on **a motion by Bert Dahl/Yvonne Chatelain. All members present voted aye.** Mr. Nick Stepchinski presented pictures of wooden fencing, a conceptual plan of the hotel, pictures of the hotel franchise, egress for the hotel and pipeline information for the property (attached). Mr. Stepchinski stated they intend to have a wooden fence with landscaping and that a masonry fence would not cost prohibitive for the project. Mr. Stepchinski stated he has been unable to locate other masonry fences in Texas City for similar rezoning requests. Mr. Carroll stated that a masonry fence is suggested for this project and has been approved for other projects on the Gateway Corridor. Mr. Carroll asked Mr. Stepchinski to present pricing for all fencing options. Mr. Stepchinski questioned the Gateway Ordinance regarding fencing. Mr. Carroll read the Gateway Ordinance regulations to Mr. Stepchinski and gave the intent of the regulation. Mr. Medlin offered to hear from the citizens present in opposition. Mrs. Delia Molina, representing her son, Jimmy Molina, stated her son mailed in a letter of opposition. She stated that he owns the residential property closest to the property in question and they do not want a hotel in the area. She stated she worries about the safety of the neighborhood with a hotel on the property. Ms. Johnson stated she lives four houses down from the potential hotel and worries about the safety of the children in the neighborhood with increased traffic in the area. Ms. Debbie Reynolds asked if fencing would be around the whole hotel. Mr. Carroll stated that the fencing would be on all sides in regards to the residential area. Ms. Reynolds questioned the locations of the entrance and exits for the hotel. Mr. Carroll informed Ms. Reynolds that TXDot would instruct the property owners where that would be available and that information is not given through this Commission. Mr. Carroll continued that the plans at this time are only conceptual. Ms. Reynolds stated that hotels/motels increase the crime rate. Mr. Carroll stated that is outside the scope of this Commission which regulates land use. Mr. Carroll continued with informing the Ms. Reynolds that all information regarding crime that has been offered will be forwarded to the City Commission. After a brief discussion, **a motion to close the Public Hearing was made by Yvonne Chatelain/Bert Dahl. All members present voted aye. A motion to accept the rezoning contingent on the Planning Board and Staff recommendation of screening and entrance on Noble Road to be brought before the Planning Board on July 7, 2008 was made by Gilbert Torres/Bert Dahl. All members present voted aye.**

**ITEM NO. 3 Other Business.** Mr. Carroll stated Staff Recommendations changes to be made for “Light Industry” to adhere to the Brick Masonry Ordinance will be brought to the Zoning Commission after Staff obtain more data.

After a brief discussion **a motion was made by Gilbert Torres/Bert Dahl to adjourn. All members present voted aye.**

---

Rev. Tom Medlin, Chairman

Donald R. Carroll, Secretary

Memorandum

To: Planning Board

From: Don Carroll

Date: June 13, 2008

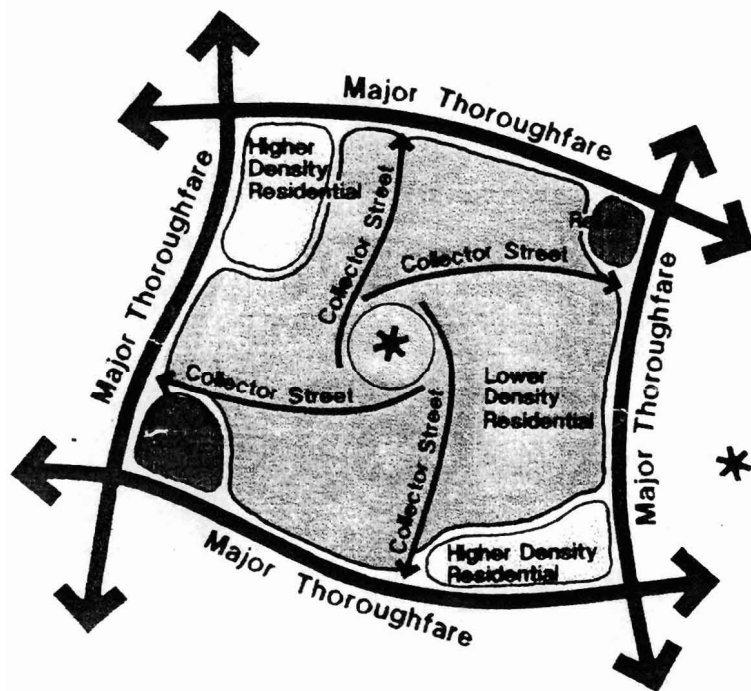
Re: Nick Stepchinsk's Hotel Proposal: Located Between Noble Road and the I-45 Feeder Road

This issue was referred to the Planning Board to address the recommended performance standards for rezoning approval consideration. This is a controversial request where there is opposition from property owners both from within and beyond the 200ft. notification limit. The request however, is not in conflict with our Land Use Plan or Zoning Ordinance. That aside, the hotel is being challenged as an unacceptable development option. Staff has recommended a solid screening wall with large tree plantings and the proposal will be required to adhere to the masonry provisions of our Zoning Ordinance. On its face, the performance standards and recommendations offered by staff would adequately address the aesthetics and the privacy concerns.

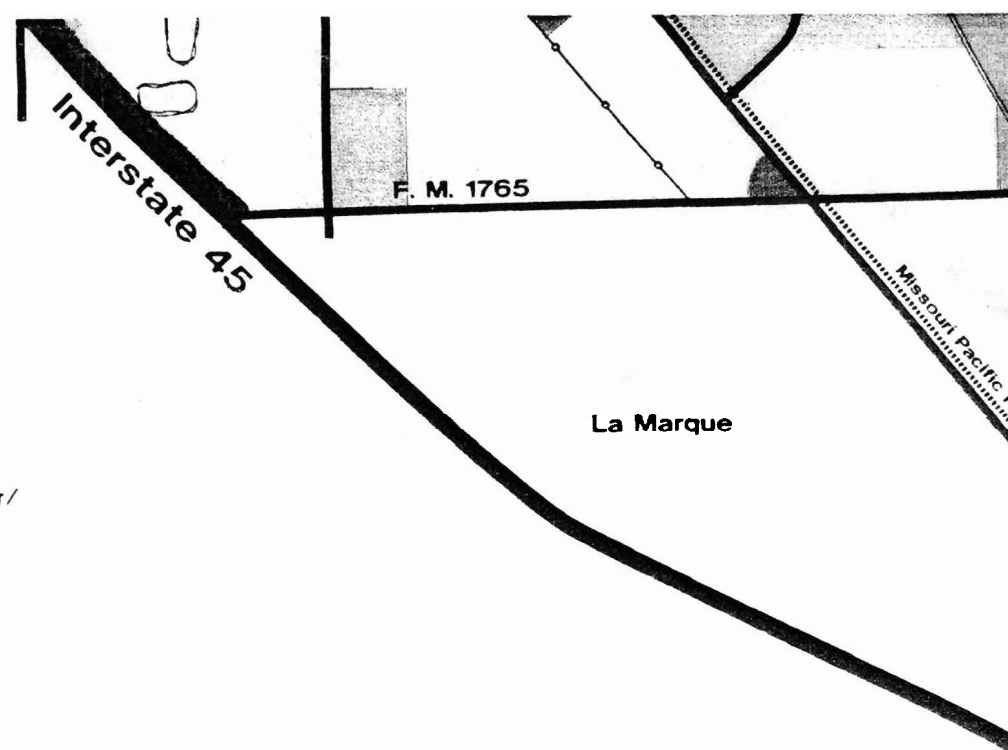
With regard to traffic impact, we see no data that suggests that a 40 unit hotel facility at the proposed location would create any additional negative traffic impact for the property owners within this area. There is commercial retail already in the area. This is consistent with our Zoning Ordinance and Land-Use Plan. Please reference the Neighborhood Growth Unit Concept recommended as a component guideline on our land use plan. This proposal follows our guideline.

The police reports offered by the party in opposition as evidence as to the legitimacy of their argument (that this proposal is inappropriate at this location) does not meet a reasonable threshold with sufficient merit. Two reasons: One, the problems cited were with two apartment complexes in Texas City ( Breakers and Lakeview Apartments). Both examples cited are not similarly situated to this rezoning request. Both are much larger in scope; and neither site is located adjacent and/or near a state thoroughfare. Also, if the apartments were located on or near a state thoroughfare, those apartments on its face could be appropriate as well, provided the apartments could meet all performance standards as written in our Zoning Ordinance today.

The La Marque Police report is within another municipality. I would say by my observation that this business does in fact lack a quality appearance; and the management controls with regards to the type of clientele, is most likely the reason for the frequent law enforcement problems cited in La Marque.



\* Neighborhood Center /  
Recreation  
(Elementary School  
Where Justified)



## Neighborhood Unit Concept

The principal building block of Texas City under the Land Use Plan is the Neighborhood Unit. An individual neighborhood unit is approximately one to two square miles in area and is bound by six-lane major thoroughfares, natural or man-made features, and/or activity corridors. A neighborhood unit may or may not be rectangular in shape. Several adjoining neighborhood units collectively comprise a community.

Centrally located within each typical neighborhood should be an area of park and recreational open space sized to meet the needs of the surrounding neighborhood unit. Where justified by school district boundaries and population demographics, this neighborhood center should also contain an elementary school. Lower density residential, primarily single family housing, should encompass the neighborhood center and constitute the most predominant land use within the neighborhood unit. Lower-density residential lots placed along the neighborhood perimeter should not have direct access to adjacent major thoroughfares. Higher density residential uses such as townhomes and apartments are best suited along the periphery

and often at major thoroughfare intersections. Retail and office uses should be concentrated at important perimeter intersections, but need not occupy every corner at every major thoroughfare intersection.

Community facilities such as churches, day care centers, middle and upper level schools, larger parks and athletic facilities, libraries, and fire stations may be found in every neighborhood. Because these types of facilities generally serve several neighborhoods, they should be located on the periphery of an individual neighborhood.

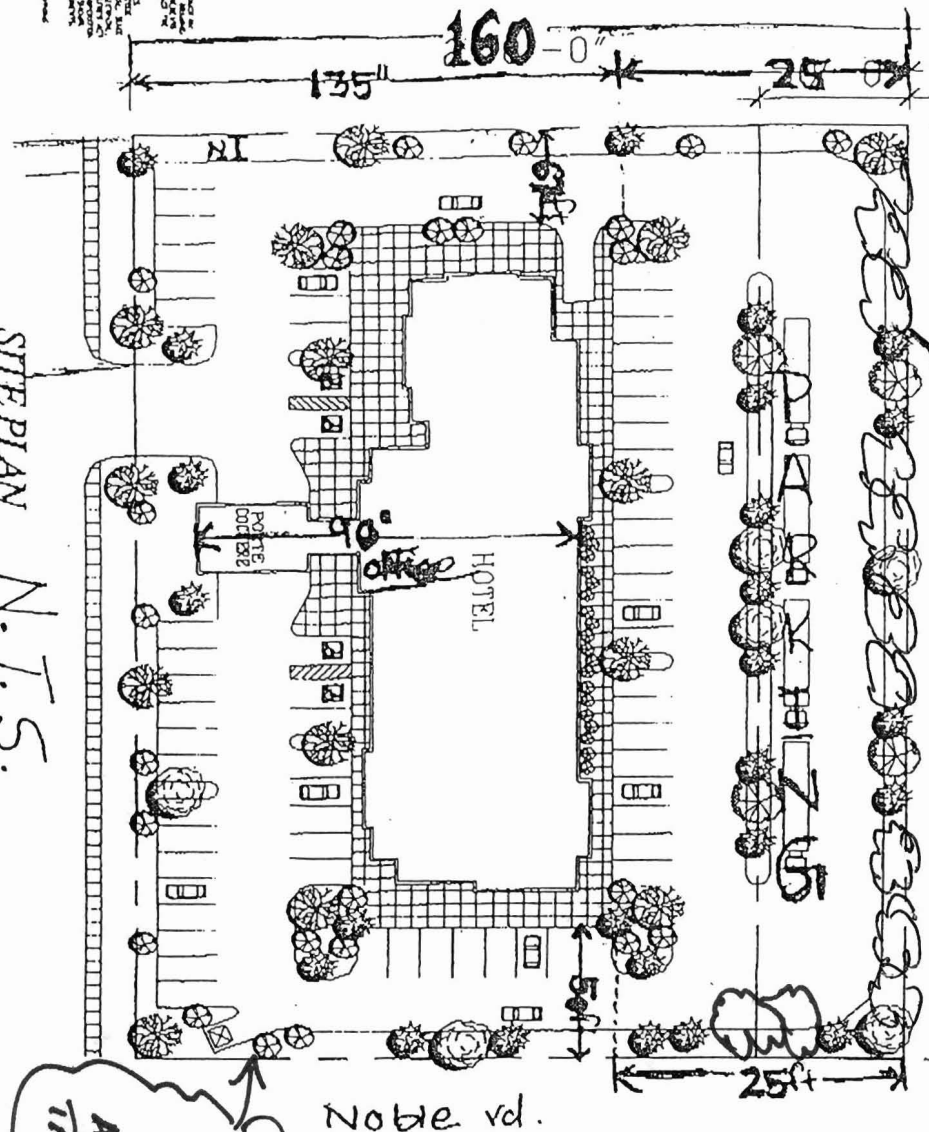
Within a typical neighborhood unit, collector streets should originate near or at the neighborhood center and terminate at the neighborhood perimeter. Collector streets should provide convenient access from internal residential areas to perimeter thoroughfares and perimeter-oriented uses including retail, office and community facilities. Collector streets should not bisect an individual neighborhood and should discourage through traffic from one neighborhood to the next.

NOT FOR CONSTRUCTION

THIS DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE ARCHITECT'S OFFICE IS NOT RESPONSIBLE FOR THE DESIGN OF THE STRUCTURE OR THE MATERIALS USED THEREIN. THE ARCHITECT'S OFFICE IS NOT RESPONSIBLE FOR THE DESIGN OF THE STRUCTURE OR THE MATERIALS USED THEREIN. THE ARCHITECT'S OFFICE IS NOT RESPONSIBLE FOR THE DESIGN OF THE STRUCTURE OR THE MATERIALS USED THEREIN.

# INTERIOR CORRIDOR PROTOTYPE

SITE PLAN N.T.S.



N

NOT FOR CONSTRUCTION

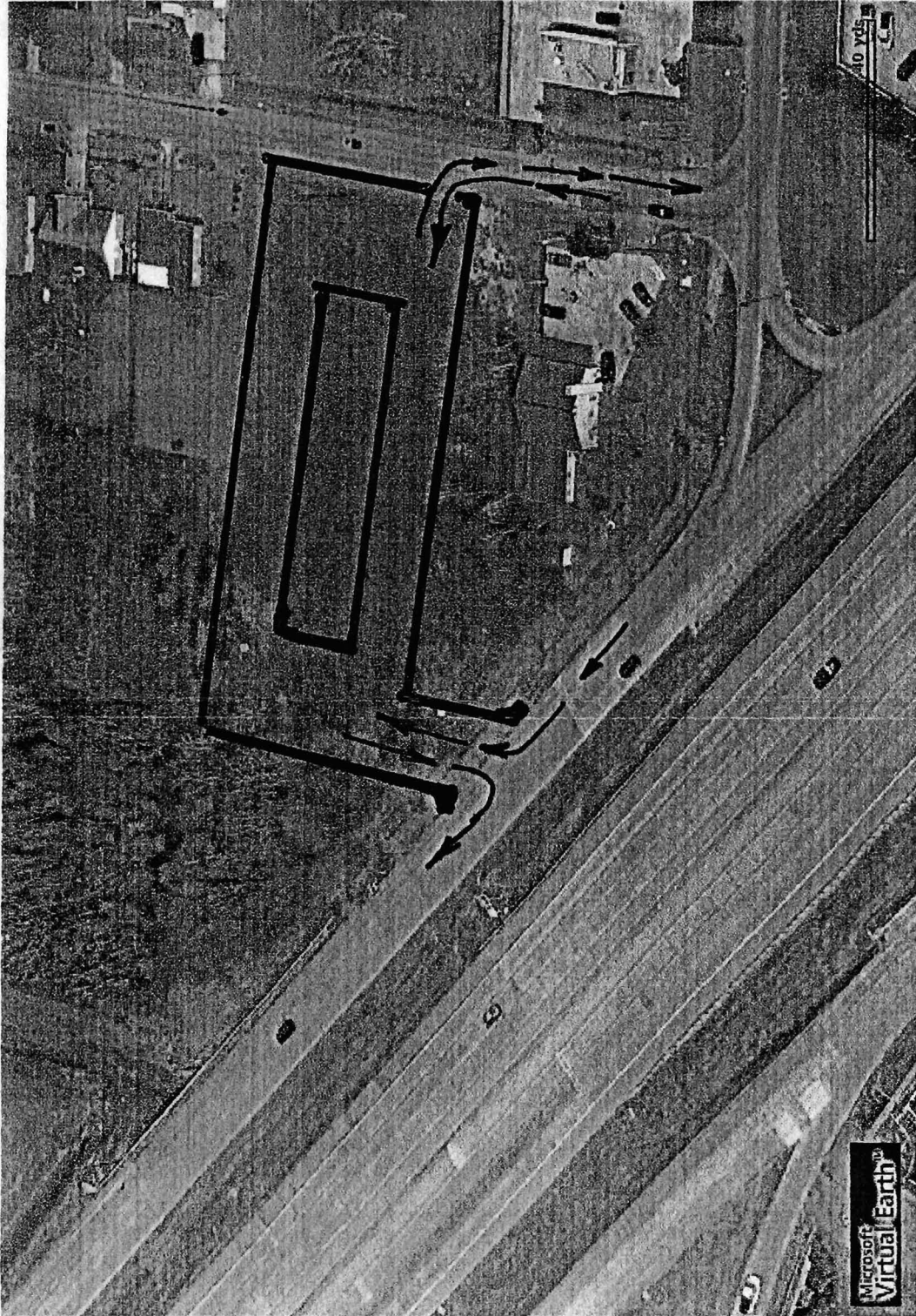


Provides @ MEETING  
DRIVEWAY ENTRANCE  
ALONG I-45  
FEEDER

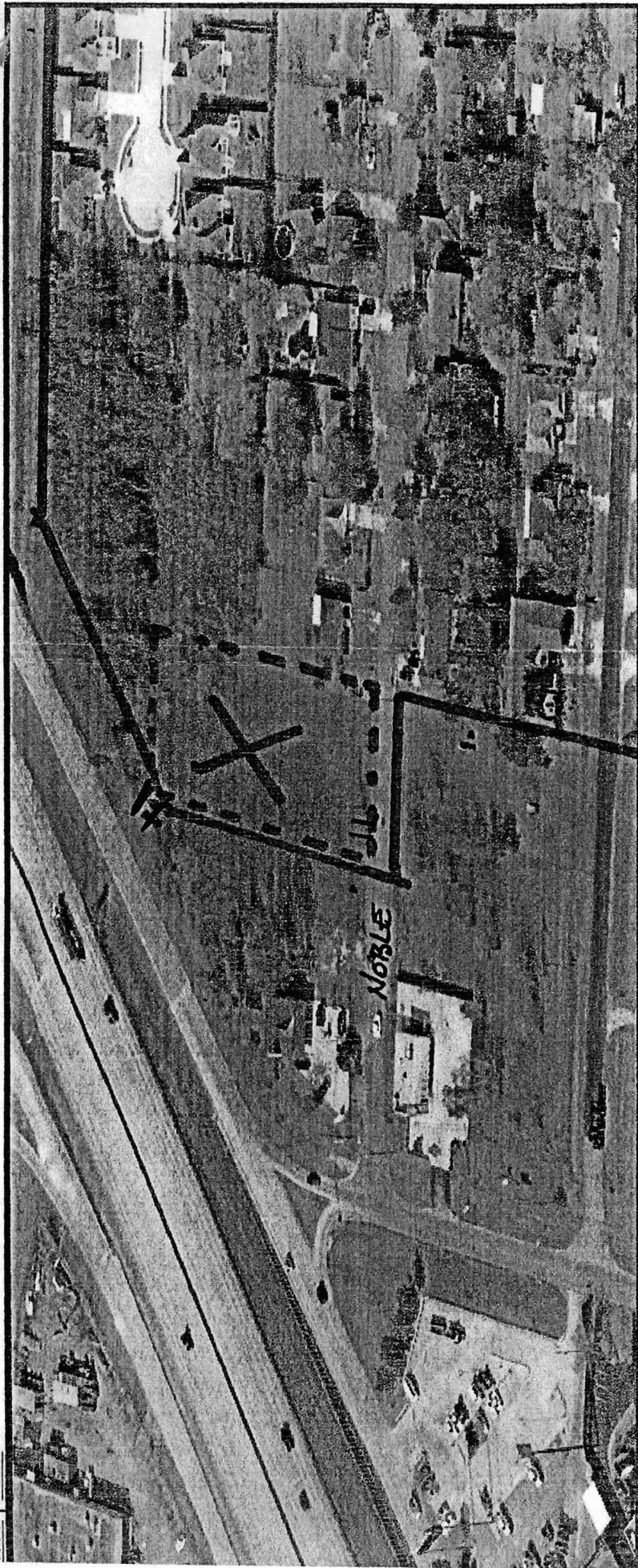
4  
N



PROVIDED @ MEETING



47





## **APPROVAL OF MINUTES**

On Monday, July 7, 2008 at 5:00 p.m. the Planning Board met in a regularly scheduled meeting. Board members present were: Dickie Campbell, Harold Fattig, Jose Boix and Commissioner Haney. Staff members present were: Brian Falk, Don Carroll and Julie Morreale. Citizens present were: Delia Molina, Herb Wesson, Christy Stepchinski and Nick Stepchinski.

**APPROVAL OF MINUTES.** A motion to approve the minutes of June 2, 2008 was made by Jose Boix/Dickie Campbell. All members present voted aye. Commissioner Haney presided over the meeting. The chairperson indicated a quorum was present and called the meeting to order.

**ITEM NO. 1. Gurdev Singh requests to rezone from "A" (Single Family Residential) to "E-2" (Freeway Commercial) for hotel. Being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1<sup>st</sup> Subdivision of Highland. Being a part of approximately 20,000 acres. Between I-45 and Noble Road. (Action)** Mr. Carroll provided an overview concerning the request and a memorandum (attached) regarding the Staff review stipulations. Mr. Carroll further stated this request is not in conflict with the Land Use Plan but a masonry fence is necessary to separate from the residential area. Mr. Stepchinski spoke for the applicant regarding the fencing. Mr. Stepchinski presented handouts to the Board (attached) of the reasons for fencing other than masonry. Mr. Stepchinski stated that the fencing area would be over a pipeline and a masonry fence would not be allowed over the pipeline. He proposes to build an 8' foot cyclone chain fence with slats and landscaping for screening. Mr. Stepchinski stated the Coast Guard base has fencing to this standard. Mr. Brian Falk, Building Official, stated the Coast Guard base submitted plans before the Fencing Ordinance was in effect. Mr. Stepchinski continued that the City Ordinance does not state a masonry fence is required and there has not been another development required to have a masonry fence. Mr. Donald Carroll stated the masonry fence has been required on other projects but the developments relocated to another area. Mrs. Delia Molina stated the residents do not want a hotel behind them but without a choice they would insist that a masonry fence would offer more protection and privacy. She continued that she is concerned where the trash dumpster will be located for the hotel and if the entrance on Noble Road would be allowed, it would increase traffic. Mr. Carroll stated there is no substantial data to suggest that the traffic would affect the citizens on Noble Road. After a brief discussion the Board decided to table the request and continue once legal clarification has been reached on the fencing. **A motion to table the rezoning request with the contingency of legal clarification was made by Jose Boix/Commissioner Haney. All members present voted aye.**

**ITEM NO. 2. Gene Miller (P and L) - Future Site of Divicom expansion facility request requests a variance to the Brick Masonry Provision, Section 40-62 for Tracts I, II, III located at 1001 Texas Avenue. (Action)** Mr. Carroll stated this item is to be removed from the Agenda.

**ITEM NO. 3 Other Business (Any conceptual development proposal requesting to come before Planning Board.) (Non Action)**

**-Mr. Herb Wesson request to extend sand pit on Wetzel. (Non Action)** Mr. Don Carroll introduced Mr. Wesson to the Board. Mr. Wesson stated that he is interested in purchasing additional property to extend his sand pit. Mr. Carroll presented questions (attached) regarding this request. After a brief discussion the Board stated the combination/extending of the sand pits should go before the Staff Development Review Board and follow the established Site Plan Rezoning process.

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

---

**Commissioner Haney, Acting Chairperson**

---

**Donald Carroll, Secretary**

4.b.

## Public Hearing - City of Texas City's Proposed 2008/2009 Fiscal Year Budget

### CITY COMMISSION AGENDA 2

**Date:** 08/20/2008

**Submitted By:** Pam Lawrence, Administration

**Department:** Administration

**Agenda Area:** Public Hearing

---

#### Information

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

A public hearing to hear citizens' opinion in favor of or in opposition to the City of Texas City's proposed 2008-2009 Fiscal Year Budget.

##### **BACKGROUND**

##### **ANALYSIS**

##### **ALTERNATIVES CONSIDERED**

---

#### Fiscal Impact

---

#### Attachments

Link:

Budget PH

Notice

---

---

## NOTICE OF PUBLIC HEARING

**NOTICE** is hereby given that the City Commission of Texas City will hold a **PUBLIC HEARING** on **Wednesday, August 20, 2008, at 5:00 p.m.** in the Kenneth T. Nunn Room at City Hall, 1801 9<sup>th</sup> Avenue North, Texas City, Texas.

The purpose of the Public Hearing is to hear citizens' opinion in favor of or in opposition to the **City of Texas City's proposed 2008/2009 Fiscal Year Budget.**

This budget will raise more total property taxes than last year's budget by \$798,561 or 3.44%, and of that amount \$171,522 is tax revenue to be raised from new property added to the tax roll this year.

Any citizen wishing to voice his/her opinion in favor of or in opposition to the City's proposed 2008/2009 Fiscal Year Budget is invited to be present and will be heard. Written comments will be accepted and considered on or before the date of the Public Hearing.

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

Dated posted: August 15, 2008

**Rezoning for Stepchinski/Singh**  
**CITY COMMISSION AGENDA 2**

**Date:** 08/20/2008  
**Submitted By:** Julie Morreale, Planning  
**Submitted For:** Don Carroll  
**Department:** Planning  
**Agenda Area:** Zoning Preliminary Approval

---

**Information**

**ACTION REQUEST (Brief Summary)**

Request to schedule a preliminary rezoning approval for Stepchinski/Singh to rezone from "A" (Residential) to "E-2" (Freeway Commercial) for hotel. Being part of Lot 47, Lot 48, Lot 73, Lot 74; Resubdivision of 1st Subdivision of Highland Allotment, Being a part of approximately 20,000 square feet. Between I-45 and Noble Road

**BACKGROUND**

This proposed rezoning request was given approval with stipulations by the Zoning Commission on June 17, 2008 and Planning Board on July 7, 2008. It is now ready to go before City Commission for final disposition.

**ANALYSIS**

**ALTERNATIVES CONSIDERED**

---

**Fiscal Impact**

---

**Attachments**

*No file(s)  
attached.*

---

---

## **Preliminary/Final Plat approval for Lake Pointe Vista CITY COMMISSION AGENDA 2**

**Date:** 08/20/2008

**Submitted By:** Julie Morreale, Planning

**Submitted For:** Don Carroll

**Department:** Planning

**Agenda Area:** Preliminary Plat Approval

---

### **Information**

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

Preliminary/Final Plat approval for Lake Pointe Vista located at Lake Pointe Drive and 29th Street.

#### **BACKGROUND**

This proposed Preliminary/Final Plat approval request was given approval Planning Board on August 4, 2008. It is now ready to go before City Commission for final disposition.

#### **ANALYSIS**

#### **ALTERNATIVES CONSIDERED**

---

### **Fiscal Impact**

---

### **Attachments**

Link: [CC letter](#)

Link: [pb agenda](#)

Link: [Lake pointe subplt](#)

---

---

# MEMO

**TO:** City Commission

**FROM:** Don Carroll, City Planner

**DATE:** August 12, 2008

**RE:** Preliminary/Final Plat approval for Lake Pointe Vista

This proposal has been reviewed by Staff and has been approved by the Planning Board. All development requirements have been satisfied and Staff has been satisfied and Staff is recommending approval for the preliminary/final plat. The proposal is not in conflict with out Subdivision Ordinance, and there are no variances being sought by the applicant. The proposal is to develop the 4.9 acres into 7 lots. The applicant was present to provide the Planning Board the overview of the development intent. Staff has no objections to this administrative request. After the information and overview was provided by Staff and Development, the Planning Board Members present unanimously voted to recommend preliminary and final plat approval.

DC:jm

## **APPROVAL OF MINUTES**

On Monday, August 4, 2008 at 5:00 p.m. the Planning Board met in a regularly scheduled meeting. Board members present were: Dickie Campbell, Harold Fattig, Jose Boix and Mayor Doyle. Staff members present were: Don Carroll and Julie Morreale. Citizens present were: James McWhorter.

**APPROVAL OF MINUTES. A motion to approve the minutes of July 21, 2008 was made by Dickie Campbell/Jose Boix. All members present voted aye.** Mr. Harold Fattig presided over the meeting. The chairperson indicated a quorum was present and called the meeting to order.

**ITEM NO. 1. Preliminary/Final Plat approval for Lake Pointe Vista located at Lake Pointe Drive and 29<sup>th</sup> Street. (Action)** Mr. Carroll provided an overview concerning the request and a memorandum (attached) regarding the Staff review. Mr. Carroll stated this request is for seven lots. Mr. McWhorter presented the plat for approval and conceptual drawing of homes to the Board. He continued by stating that the development would be pier and beam residential housing similar to the present homes in the area. These homes would have 12 to 13 foot elevations. Mr. McWhorter stated that he plans to develop a park in Phase II that would be maintained by the Home Owner's Association. He stated the wetlands in this area would be reshaped and has been surveyed by the Corps of Engineers. The Board questioned the height of water during average and high tides in the area. Mr. McWhorter stated that the average water height is two feet and a high tide is normally three feet. Mr. Carroll asked Mr. McWhorter if the pond would need an aeration system to prevent stagnation and odors from stagnant water. Mr. McWhorter informed the Planning Board members that it would not. A general discussion regarding the average depth followed. The Planning Board was satisfied with McWhorter's response regarding the aeration system. Mayor Doyle asked if Mr. McWhorter was aware of the Brick Ordinance. Mr. McWhorter stated that he is aware of the Ordinance and will come back before the Board to request a variance to the Brick Ordinance with his plans for pier and beam housing with an architectural theme for the development. After a brief discussion, **a motion to approve the Preliminary/Final Plat was made by Jose Boix/Mayor Doyle. All members present voted aye.**

**There being no further business, a motion was made to adjourn by Jose Boix/Mayor Doyle. All members present voted aye.**

---

**Harold Fattig, Acting Chairperson**

---

**Donald Carroll, Secretary**





7.a.

**Minutes from the Aug. 12, 2008 Spec. Called City Commission Mtg. and  
8-6-2008 Regular Called City Commission Mtg**

**CITY COMMISSION AGENDA 2**

**Date:** 08/20/2008

**Submitted By:** Pam Lawrence, Administration

**Department:** Administration

**Agenda Area:** Consent

---

**Information**

**ACTION REQUEST (Brief Summary)**

Consider approval of the minutes from the August 6, 2008 Regular Called City Commission Meeting and the August 12, 2008 Special Called City Commission Meeting.

**BACKGROUND**

**ANALYSIS**

**ALTERNATIVES CONSIDERED**

---

**Fiscal Impact**

---

**Attachments**

Link: [8-12-2008  
Spec. Called City  
Commission Minutes](#)

Link: [8-06-2008  
Minutes for the  
Regular Called City  
Commission Mtg.](#)

---

---

**CITY OF TEXAS CITY  
SPECIAL CALLED CITY COMMISSION MEETING**

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

**TUESDAY, AUGUST 12, 2008 – 4:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM – CITY HALL**

A **Regular Called Meeting of the City Commission** was held on **Tuesday, August 12, 2008, at 4:00 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, Dedrick Johnson, Mike Land, and Donald Singleton. Commissioner Haney and Commissioner Wilson were not able to attend.

The Mayor declared a quorum present and called the meeting to order at 4:08 p.m.

**REGULAR ITEMS**

- a. Consider approval of Resolution No. 08-064 taking a record vote and scheduling the public hearings on a proposal to consider the tax rate for 2008. (Finance Dept.)

Cheryl Hunter, Director of Finance, reported on the City of Texas City's proposed tax rate for the 2008 tax year, fiscal year ending September 30, 2009. The effective tax rate for 2008-2009 is \$.391906 per hundred dollar valuation. The effective tax rate enables the public to evaluate the relationship between taxes for the preceding year and for the current year, based on a tax rate that would provide the same amount of taxes if applied to the same properties taxed in both years. The City's current tax rate is \$.43561 per hundred dollar valuation. This rate is \$.04370 or 11.15% over the 2008 effective tax rate of \$.391906 and \$.00605 or 1.4% over the 2008 rollback rate of \$.429560. The City is proposing to reduce its 2008 tax rate to \$.4250/\$100, which is a reduction of \$.01061 or 2.44% from the current tax rate of \$.43561. The proposed tax rate of \$.425.50 will be \$00456 or 1.06% less than the rollback rate of \$.42956 and \$.03309 or 8.4% over the effective rate of \$.391906. This will be the second year the City has reduced its tax rate, reductions totaling \$.03124 or 6.8% based on the 2006 tax rate of \$.45624 (\$.02063) and the 2007 tax rate of \$.43561 (\$.01061). These reductions have generated a savings to taxpayers in the amount of \$1,648,278, \$1,054,111 for tax year 2007 and \$594,168 for the proposed 2008 tax year.

The proposed tax rate of \$.4250/\$100 will generate a tax levy in the amount of \$23,947,965, based on certified net taxable values of \$5,600,074,191 (plus \$636,384-freeze ceiling amounts) and a collection rate of 98%. The breakdown of the levy is as follows:

General Fund-M&O	\$ .35023	82.41%	\$19,735,517
Debt Service-I&S	<u>\$ .074762</u>	17.59%	<u>\$ 4,212,448</u>
Totals	<u>\$ .425000</u>		<u>\$23,947,965</u>

The proposed 2008 tax levy will raise \$798,561 or 3.44% more in property tax revenues as compared to 2007 tax levy of \$23,149,404.

Should the City prevail with the values under protest (ARB), the City would collect over \$1.4 million in property tax revenues. Since these values are under protest and there is

no guarantee the City will levy and collect on these amounts they are not included in the 2008 tax levy.

The proposed 2008 tax levy will provide sufficient funding in order to meet the priorities and obligations outlined in the proposed budget for the fiscal year ending September 30, 2009.

#### RESOLUTION NO. 08-064

**A RESOLUTION TAKING A RECORD VOTE AND SCHEDULING A PUBLIC HEARING FOR CONSIDERATION OF A PROPOSAL TO INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON THE TAX ROLLS BY 8.44 PERCENT; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

The City Commission hereby takes the following record vote of all in favor and all opposed to considering the proposed tax rate of \$.42500 cents per \$100 of valuation on August 12, 2008:

	Favor	Oppose	Absent
Mayor Matthew T. Doyle	<u>X</u>	_____	_____
Mayor Pro Tem Mike Land	<u>X</u>	_____	_____
Commissioner Dee Ann Haney	_____	_____	<u>X</u>
Commissioner Dedrick D. Johnson, Sr.	<u>X</u>	_____	_____
Commissioner Tommy Clark	<u>X</u>	_____	_____
Commissioner Donald B. Singleton	<u>X</u>	_____	_____
Commissioner John W. Wilson, Jr.	_____	_____	<u>X</u>

**Commissioner Land made a MOTION to APPROVE Resolution No. 08-064 taking a record vote and scheduling the public hearings on a proposal to consider the tax rate for 2008; the motion was SECONDED by Commissioner Jphnson. All present voted AYE. MOTION CARRIED.**

Upon a majority of the City Commission voting in favor of considering the increase in total tax revenues, a public hearing on the proposed tax increase shall be held on August 27 and September 3, 2008, at 5:00 p.m. at Kenneth T. Nunn Council Room, City Hall, 1801 Ninth Avenue North, Texas City, Texas 77590

**Commissioner Singleton made a MOTION to APPROVE scheduling the public hearings of the proposed tax increase on August 27 and September 3, 2008; the motion was SECONDED by Commissioner Land. All present voted AYE. MOTION CARRIED.**

#### PUBLIC COMMENTS

None.

#### MAYOR'S COMMENTS

None.

#### COMMISSIONERS' COMMENTS

Having no further business, **Commissioner Clark made a MOTION to ADJOURN at 4:35 p.m.; the motion was SECONDED by Commissioner Johnson. All present voted AYE. MOTION CARRIED.**

**MATTHEW T. DOYLE, MAYOR**

**ATTEST:**

**Pamela A. Lawrence, City Secretary**

pal: 08-14-2008

CITY OF TEXAS CITY  
REGULAR CALLED CITY COMMISSION MEETING

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

WEDNESDAY, AUGUST 6, 2008 – 5:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A **Regular Called Meeting of the City Commission** was held on **Wednesday, August 6, 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, Dedrick Johnson, Mike Land, and Donald Singleton. Commissioners Haney and John W. Wilson were not able to attend.

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

The **Mayor** called upon Pastor Craddock, to offer the **Invocation**. The Mayor thanked Pastor Craddock 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 **presentation**:

A **CERTIFICATE OF RECOGNITION** was read and presented to **Sylvia P. Garza** as follows:

SYLVIA P. GARZA

The National Hispanic Heritage Teacher Award that will be presented to you at the 22<sup>nd</sup> Annual Hispanic Heritage Awards in Washington DC on October 9<sup>th</sup>. The City of Texas City is extremely proud of your success and for giving your time unselfishly to the education of our youth in the TCISD School District since 1976. Thank you for empowering your students and for giving them the foundation needed to inspire them to be great leaders.

#### REPORTS

- a. Investment Report for the quarter ending June 30, 2008. (Finance Dept.)

Cheryl Hunter, Financial Director, gave the investment report for quarter ending June 30, 2008. A summary of the transactions in the portfolio for the quarter are as follows: *Investments at the Beginning of the Period-Book Value* equaled \$47,120,221; *Investment Purchases/Additions* - \$21,918,194; *Investment Maturities/Deletions* - (\$24,925,751); *Amortization (Premium/Discount)* \$29,200; *Accrued Interest 06-30-08* - \$190,096; *Investments at the End of the Period-Book Value* equaled \$44,141,863. *Investments at the Beginning of the Period - Market Value* equaled \$47,346,675; *Investment Purchases/Additions* \$21,918,194; *Investment Maturities/Deletions* (\$24,925,751); *Change in Fair Market Value* came to (\$124,570); *Accrued Interest 06-30-08* - \$190,096; *Investments at the End of the Period-Market Value* equaled \$44,214,548. *The Portfolio Composition* is composed of 63.47% in Agency Securities, 2.49% Certificates of Deposit, 34.04% in Bank Deposits. Ms. Hunter reported that the *Benchmark Rate of Return* on the 3-month T-Bill was 1.7410; the 6-month, 2.1520; the 1-year, 2.3555 and the City's is 3.0826.

## **PUBLIC HEARING**

- a. Brand Energy Services to rezone from "O" (Open Space) to "S-P" (Site Plan) for warehouse and office; being part of Block 7, Block 8; Subdivision of Semi-Tropical Gardens; being a part of approximately 6.672 acres; located at 5730 FM 646 East.

Don Carroll, City Planner, reported that this is a request from Brand Energy Services, which was approved by the Zoning Commission on June 17, 2008, to rezone from "O" (Open Space) to "S-P" (Site Plan) for warehouse and office; being part of Block 7, Block 8; Subdivision of Semi-Tropical Gardens; being a part of approximately 6.672 acres; located at 5730 FM 646 East. There was no one present to speak in opposition to the rezoning request. The applicant provided the development intent to the Commission. Staff departmental comments were provided and the applicant was informed of the recommended Site Planned Industrial with special stipulations to be included in a development agreement. After reviewing the information presented, the Zoning Commission members present unanimously voted to recommend approval of this request. The special stipulations to be included in a development agreement are as follows: 1. All landscaped areas and plants required by Planning Board, Staff, Zoning Commission and City Commission must be permanently maintained in a healthy growing condition. In order to accomplish the purpose for which it was required. 2. Dead or diseased plants, as determined by the Planning Board, Staff, Zoning Commission and City Commission, must be replaced within 30 days of notification, or as soon as practical in regard to freezing weather, or complex situations involving removal and replacement of large trees. 3. All plantings must be fertilized, irrigated, and pruned at such intervals necessary to promote optimum growth. All landscaped areas must be kept free of debris and weeds. 4. Plant material must not interfere with public utilities, restrict pedestrian or vehicular access, or constitute a traffic hazard. 5. All planting areas must be irrigated. An underground system equipped with an automatic timer is strongly recommended. 6. The owners, their agents and assigns, are responsible for providing, protecting, and maintaining all landscaping material in a healthy and growing condition, replacing it when necessary, and keeping it free of refuse and debris. The applicant has agreed to these stipulations.

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

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

## **PRELIMINARY ZONING APPROVAL**

- a. Brand Energy Services to rezone from "O" (Open Space) to "S-P" (Site Plan) for warehouse and office.

**Commissioner Clark made a MOTION to PRELIMINARY APPROVE Brand Energy Services, request to rezone from "O" (Open Space) to "S-P" (Site Plan) for warehouse and office the PUBLIC HEARING; the motion was seconded by Commissioner Land. 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.

Commissioner Johnson requested that item f., *Consider approval of Resolution No. 08-061, approving the Program Year 2008 Community Development Block Grant Budget*, be pulled for further discussion.

- a. Consider approval of the **Minutes** from the July 16, 2008 Regular Called City Commission Meeting.
- b. Consider approval of **Resolution No. 08-058** awarding the six-month contract for the purchase of Picked-up Hot Mix & Cold Mix Asphalt. (Purchasing Dept.)

**RESOLUTION NO. 08-058**

**A RESOLUTION AWARDED A BID AND AUTHORIZING THE MAYOR TO ENTER INTO A SIX (6) MONTH CONTRACT WITH CENTURY ASPHALT, LTD. FOR PICKED UP HOT MIX AND COLD MIX ASPHALT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

- c. Consider approval of **Resolution No. 08-059** awarding the six-month contract for the purchase of Delivered Hot Mix & Cold Mix Asphalt. (Purchasing Dept.)

**RESOLUTION NO. 08-059**

**A RESOLUTION AWARDED A BID AND AUTHORIZING THE MAYOR TO ENTER INTO A SIX (6) MONTH CONTRACT WITH CENTURY ASPHALT, LTD. FOR DELIVERED HOT MIX ASPHALT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

- d. Consider approval of **Resolution No. 08-060** for payment of invoice to Texas Municipal League Intergovernmental Risk Pool in the amount of \$352,478.00. (Financial Dept.)

**RESOLUTION NO. 08-060**

**A RESOLUTION APPROVING PAYMENT OF \$352,478.00 TO THE TEXAS MUNICIPAL LEAGUE RISK POOL FOR WINDSTORM COVERAGE FOR THE PERIOD AUGUST 2, 2008 THROUGH AUGUST 1, 2009; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

- e. Consider approval of **Resolution No. 08-62** rescinding bids received for the annual contract of Picked-up Limestone. (Purchasing Dept.)

**RESOLUTION NO. 08-062**

**A RESOLUTION RESCINDING THE BID AWARDED TO VULCAN CONSTRUCTION MATERIALS, LP AND AWARDED THE BID TO GULF COAST LIMESTONE, INC., FOR THE ANNUAL PURCHASE OF LIMESTONE; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

- g. Consider approval of **Resolution No. 08-063** authorizing the Mayor to execute an Interlocal Agreement between the County of Galveston and the City of Texas City to partially fund improvements to city streets in an area in San Leon



which was annexed by Texas City, Texas and are now within the City Limits of Texas City, Texas. (Public Works Dept.)

**RESOLUTION NO. 08-063**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE COUNTY OF GALVESTON REGARDING THE PARTIAL FUNDING OF IMPROVEMENTS TO CITY STREETS IN THE SAN LEON AREA WHICH WERE ANNEXED BY THE CITY OF TEXAS CITY IN AUGUST 2005 AND ARE NOW WITHIN THE CITY LIMITS OF TEXAS CITY, TEXAS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

**Commissioner Clark made a MOTION to APPROVE the CONSENT AGENDA items a., b., c., d., e., and g.; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.**

- f. Consider approval of **Resolution No. 08-061** approving the **Program Year 2008 Community Development Block Grant Budget.** (Community Development Dept.)

George Fuller, Director of Community Development, reviewed the 2008 Community Development Block Grant Budget. ADMINISTRATION (\$88,000) – salary of CDBG Director, administrative aide and miscellaneous office supply and operational expenses to carry out the CDBG Program. RODENT & PEST CONTROL (\$39,793) MOWING OF OVERGROWN PROPERTIES (\$34,793) RAT BAIT DISTRIBUTION (\$5,000) HOUSING REHABILITATION (\$100,000) – (owner-occupied, single-family residential) - to assist approximately 10 low/moderate income homeowners city-wide per yr. in partial and emergency type repairs to their homes (up to \$15,000 per household); also to include the salary of one (1) rehab officer CODE ENFORCEMENT (\$50,000) – costs incurred for inspections toward enforcement of city code violations in low/moderate income areas for abandoned vehicles, overgrown properties, trash/debris, etc. to prevent neighborhood decline; includes salary of code enforcement officer 1<sup>ST</sup> TIME HOMEBUYERS (\$50,000) – to assist approximately nine (10) low/moderate income households with down payment/closing cost assistance toward purchase of their first home on a city-wide basis (up to \$5,000 per household) DEMOLITION (\$100,000)

**RESOLUTION NO. 08-061**

**A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET FOR THE YEAR OCTOBER 1, 2008, THROUGH SEPTEMBER 30, 2009; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

**Commissioner Johnson made a MOTION to APPROVE CONSENT AGENDA item f., Resolution No. 08-061 approving the Program Year 2008 Community Development Block Grant Budget; the motion was SECONDED by Commissioner Land. All present voted AYE. MOTION CARRIED.**

**REGULAR ITEMS**

- a. Consider approval of **Ordinance No. 08-35** amending the Code of Ordinances, City of Texas City, Chapter 40 by rezoning from “A” (Single Family Residential) to “A-2” (Zero Lot Line Residential) to construct two single family residential homes; being Lots 7 and 8, Block 7 Kohfeldt Heights Addition; located in the 2100 block of 13<sup>th</sup> Avenue North, Texas City, Texas. [request by Aristidis John Pontikas] (Planning Dept.)

Permanent rezoning of property located in the 2100 block of 13<sup>th</sup> Avenue North, Texas City, Texas.

**ORDINANCE NO. 08-35**

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 "A-2", ZERO LOT LINE RESIDENTIAL TO CONSTRUCT TWO SINGLE FAMILY HOMES, BEING LOTS 7 AND 8, BLOCK 7, KOHFELDT HEIGHTS ADDITION, LOCATED IN THE 2100 BLOCK OF 13<sup>TH</sup> AVENUE 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 Clark made a MOTION to APPROVE Ordinance No. 08-35 amending the Code of Ordinances, City of Texas City, Chapter 40 by rezoning from "A" (Single Family Residential) to "A-2" (Zero Lot Line Residential) to construct two single family residential homes; being Lots 7 and 8, Block 7 Kohfeldt Heights Addition; located in the 2100 block of 13<sup>th</sup> Avenue North, Texas City, Texas; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.**

- b. Consider approval of **Ordinance No. 08-34** approving a **settlement agreement between the Gulf Coast Coalition of Cities and CenterPoint Energy Entex regarding the company's Statement of Intent to change gas rates** in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the settlement agreement and finding the rates to be set by tariffs that are just and reasonable. (Legal Dept.)

City Attorney the Coalition of Cities intervened in this CenterPoint Energy Entex's rate increase request we ended up with a settlement that is going to reduce their requested increase by 54%.

**ORDINANCE NO. 08-34**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXAS CITY, TEXAS, ("CITY") APPROVING A SETTLEMENT AGREEMENT BETWEEN THE GULF COAST COALITION OF CITIES AND CENTERPOINT ENERGY ENTEX ("CENTERPOINT" OR "THE COMPANY") REGARDING THE COMPANY'S STATEMENT OF INTENT TO CHANGE GAS RATES IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE SETTLEMENT AGREEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; REPEALING ANY PRIOR ORDINANCES INCONSISTENT WITH THIS ORDINANCE; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE SEPARATE DAYS AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL.

**Commissioner Clark made a MOTION to APPROVE Ordinance No. 08-34 approving a settlement agreement between the Gulf Coast Coalition of Cities and CenterPoint Energy Entex regarding the company's Statement of Intent to change gas rates in all cities exercising original jurisdiction; declaring existing rates to be**

**unreasonable; adopting tariffs that reflect rate adjustments consistent with the settlement agreement and finding the rates to be set by tariffs that are just and reasonable; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.**

- c. Consider approval of **Ordinance No. 08-36 amending** the City of Texas City's fiscal year 2007-2008 **budget** to provide funding **for the construction of 9<sup>th</sup>/7<sup>th</sup> Street Improvements Project.** (Finance Dept.)

A budget amendment is needed to provide funding for the construction of 9th/7th Street Improvements Project. A budget amendment for \$528,000 was approved in March to fund the engineering, in addition to the engineering \$3.5 million is needed to fund the construction. This project is the second phase of a multi-phase drainage improvements project to address flooding along 9th Avenue east of 10th Street. The notice to bidders was posted on July 23, 2008 with a bid deadline of August 14, 2008. Funding is available in the General Fund.

Tom Kessler, Director of Public Works, reported that this is going to further enhance the work that the City is finishing up now at the 9<sup>th</sup> and 9<sup>th</sup> Project. The City took the storm sewer from 9<sup>th</sup> and 9<sup>th</sup> north to 11<sup>th</sup> Avenue then east under Bay Street out to the ponding area. The two main drainage areas around 9<sup>th</sup> and 9<sup>th</sup> are of course 9<sup>th</sup> Street, 8<sup>th</sup> Street is slightly higher, 7<sup>th</sup> Street is another low area. Yesterday when it rained 7<sup>th</sup> Street flooded, 9<sup>th</sup> and 9<sup>th</sup> was dry. Water back flows from the 7<sup>th</sup> Street area across 8<sup>th</sup> back to 9<sup>th</sup> and 9<sup>th</sup>. This will enhance it - it enables us to use some of those storm sewers we put in, which was designed to accommodate some of this project. We are going to go from the new storm sewers at 11<sup>th</sup> which runs south to 7<sup>th</sup> Ave with the new storm sewer put in all new inlets and replace the street from 7<sup>th</sup> Avenue to 11<sup>th</sup> along 7<sup>th</sup> Street. We are also going to extend where we stopped the last project at 8<sup>th</sup> Avenue, on 9<sup>th</sup> Street we are going to extend one block farther south.

#### **ORDINANCE NO. 08-36**

**AN ORDINANCE AMENDING ORDINANCE NO. 07-32, ADOPTING THE 2007-2008 FISCAL YEAR BUDGET TO PROVIDE FUNDING FOR CONSTRUCTION OF 9TH / 7TH STREET IMPROVEMENT PROJECT; 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 Clark made a MOTION to APPROVE Ordinance No. 08-36 amending the City of Texas City's fiscal year 2007-2008 budget to provide funding for the construction of 9<sup>th</sup>/7<sup>th</sup> Street Improvements Project; the motion was SECONDED by Commissioner Wilson. All present voted AYE. MOTION CARRIED.**

#### **PUBLIC COMMENTS**

Former City Commissioner District 3, Lynn Ray Ellison, Ms. Provost and addressed the City Commission concerning the historical preservation of the African American citizens of Texas City, pertaining to the Sanders/Vincent Center Project. Main concern we are not against the renaming of Sanders center we are not against the moving of the Sanders center; what we are against is the suggested activities that they are going to have you are taking out all of our activities and making another gym we have basketball courts and gyms all over the area. What we need is to carry on the same function; some of the functions that I understand that will not be there school reunions, NAACP

meetings, black history programs, weddings, wedding receptions, senior citizen programs, family reunions, Martin Luther King programs, Juneteenth programs, it also served as a 345 voting precinct. What we want now and it can be done, what we need is an all purpose building – we are not against the cost of \$4.2 million we are not against basketball courts but what we need is to be able to carry on the same functions in the new building.

Mayor Doyle informed the group that there will be a senior program in this facility, the building is let we have signed contracts; what we have is a building with sizable meeting rooms and a gymnasium maybe we can take a look at maybe doing some other things inside of, our gyms we have a lot of them they stay very busy we like to keep the kids busy, we can look at. Our discussions have been names and making sure history is pushed forward. There is a big showcase called the Booker T. Washington Hall of Honor that we really need to get all the memorabilia cause we have a professional museum coordinator putting that together for us and we would love for him and her to be able to take those items and make sure they are arrange correctly and put into a process that everyone will be proud of. There is going to be a great display it will have its own museum inside the museum. As far as the uses of the building, I am not sure that we could not have reunions there; it does not have a kitchen in it but I don't think other then the Nessler Center or the Doyle Center that is the only building we have a kitchen in anymore. Kitchens are very hard to maintain the Fire Chief doesn't like them. A citizen from the audience asked how you could have a reunion without the kitchen we don't want anything to take the place of what we already have.

Commissioner Johnson stated he was pleased to hear that they were not against the building of the new building because I do think it shows a great deal of progress to invest close to \$5 million within District 3, for this amount of money to be spent within the community is something I am grateful to the City for. We can go back and forth on what the uses of the building might be. I am definitely with you all about preserving history; I too grew up in the 600 block of 2<sup>nd</sup> Avenue South, none of which is there at this moment. But at the same time no matter how many of my homes or my families homes that have been torn down over the course of years of growth none of my history will be erased because our history is not defined by the four walls in which it took place as much as it is within the people who helped create it; so I think with this new building we will be able to continue to create new history. I am proud of that with the City and I hope we can continue to work with you all and that we can continue to work together to see that all of our needs are met as best as possible.

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

None.

#### **COMMISSIONERS' COMMENTS**

Having no further business, **Commissioner Wilson made a MOTION to ADJOURN at 5:50 p.m.; the motion was SECONDED by Commissioner Land. All present voted AYE. MOTION CARRIED.**

**ATTEST:**

---

**MATTHEW T. DOYLE, MAYOR**

---

**Pamela A. Lawrence, City Secretary**

pal: 08-07-2008

## Surplus Vehicle

### CITY COMMISSION AGENDA 2

**Date:** 08/20/2008

**Submitted By:** Tommy Maris, Public Works

**Department:** Public Works

**Agenda Area:** Consent

---

#### Information

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

Request the 1991 ALLEGRO Police Department Motor Home be declared surplus.

##### **BACKGROUND**

1991 ALLEGRO Motor Home is no longer being used by the Police Department.

##### **ANALYSIS**

##### **ALTERNATIVES CONSIDERED**

---

#### Fiscal Impact

---

#### Attachments

Link: Res  
08-066

---

---

**RESOLUTION NO. 08-066**

**A RESOLUTION DECLARING A USED 1991 ALLEGRO MOTOR HOME AS SURPLUS PROPERTY AND AUTHORIZING THE CITY TO SELL AND/OR DISPOSE OF THE VEHICLES AND EQUIPMENT; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

---

**WHEREAS**, a 1991 Allegro Motor Home is no longer being used by the Police Department and is consuming excessive storage and/or space; and

**WHEREAS**, the Director of Public Works recommends that this used Motor Home be auctioned, sold, or be disposed of.

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

**SECTION 1:** That the used 1991 Allegro Motor Home is hereby declared surplus property of the City of Texas City, Texas.

**SECTION 2:** That the Director of Public Works be directed to liquidate and dispose of said surplus property either through auction, sale or through disposal.

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

**PASSED AND ADOPTED this 20th day of August, 2008.**

---

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

ATTEST:

APPROVED AS TO FORM:

---

Pam Lawrence  
City Secretary

---

Robert Gervais  
City Attorney

**Permit Fee Schedule**  
**CITY COMMISSION AGENDA 2**

**Date:** 08/20/2008  
**Submitted By:** Dennis Harris, Fire Department  
**Submitted For:** Joseph Gorman  
**Department:** Fire Department  
**Agenda Area:** Consent

---

**Information**

**ACTION REQUEST (Brief Summary)**

Approve Permit Fees associated with the permitting process in the fire department.

**BACKGROUND**

The fire department is the only department not charging for permits.

**ANALYSIS**

Establishing permit fees would help fund the cost of fire department expenses relating to inspection, fuel costs, etc incurred during the permitting process.

**ALTERNATIVES CONSIDERED**

none.

---

**Fiscal Impact**

---

**Attachments**

Link: [Res](#)  
[08-065](#)

Link: [Permit](#)  
[Schedule](#)

---

---



**RESOLUTION NO. 08-065**

**A RESOLUTION APPROVING THE PERMIT FEE SCHEDULE FOR THE TEXAS CITY FIRE DEPARTMENT; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

---

**WHEREAS**, the International Fire Code provides that the City, as the authority having jurisdiction, may set permit fees; and

**WHEREAS**, the Texas City Fire Department currently is one of the only departments in the area that does not charge a fee for permits; and

**WHEREAS**, permit fees are a way of offsetting the rising cost of fuel, manpower, vehicle wear and tear, and research expenses; and

**WHEREAS**, establishing permit fees would help fund the cost of fire department employee drive time; plans review time, acceptance test time, equipment research time, facility site plan review time, and numerous consultations/site visits for each permit;

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

**SECTION 1:** That the City Commission of the City of Texas City, Texas, approves the permit fee schedule for the Texas City Fire Department shown as Exhibit "A," attached hereto and made a part hereof for all purposes. Facilities that require an annual inspection to ensure equipment is still operating properly, or that specified permit conditions are maintained, will require an annual permit fee.

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

PASSED AND ADOPTED this 20th day of August, 2008.

---

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

ATTEST:

APPROVED AS TO FORM:

---

Pamela A. Lawrence  
City Secretary

---

Robert Gervais  
City Attorney



## PERMIT FEE SCHEDULE



ALARM-A	FIRE ALARM SYSTEM NEW	\$75.00
ALARM-E	RE-TEST ALARM SYSTEM	\$35.00
ASTSTATION (ANNUAL)	ABOVE GROUND FUEL STORAGE TANK-STATIONARY Propane & Lp gas storage and sales. Underground tank (abandon in place).	\$50.00
DRYCLEAN	DRY CLEANING PLANT-ANNUAL	\$25.00
FLAMFINISH	FLAMMABLE FINISHES-SPRAY BOOTHS-ANNUAL	\$50.00
GROUP CTR	DAY CARE CENTER-ANNUAL	\$25.00
OPENBURN	OPEN BURNING RESIDENTIAL	\$10.00
OPENBURN (30days)	OPEN BURNING COMMERCIAL .5 acres or more of cleared burn debris/Trench burns/Any Commercial burning	\$75.00
SUPPRESS-A	FIXED FIRE SUPPRESSION SYSTEM	\$75.00
SUPPRESS-B	SPRINKLER-SYSTEM <b>Add \$3.00 per head for Sprinkler Systems</b>	\$50.00
TENT	TENTS & AIR SUPPORTED STRUCTURES	\$15.00
FLAMLUIQ-DISP (ANNUAL)	COMBUSTIBLE/FLAMMABLE LIQUID DISPENSING	\$75.00
OXYGEN DISP (ANNUAL)	STORAGE/DISPENSING OF NON MED O2, OR COMP GAS, CLASS 1, CLASS 2, CLASS 3, CLASS 4 OXIDIZERS.	\$50.00
FIREWORKS & EXPLOSIVES	FIREWORKS DISPLAY & STORAGE, EXPLOSIVE STORAGE.	\$75.00

***Checks payable to: City of Texas City***

**Note: Obtaining Annual Operational permits is the sole responsibility of the Business or Occupant, Operating Without required permit will result in a stop work order, and a permit fee at twice the rate of original fee.**

**Bid # 2008-916 Landscaping Annual Contract  
CITY COMMISSION AGENDA 2**

**Date:** 08/20/2008

**Submitted By:** Rita Williams, Purchasing

**Department:** Purchasing

**Agenda Area:** Consent

---

**Information****ACTION REQUEST (Brief Summary)**

Approve and award Bid # 2008-916 Landscaping Annual Contract.

**BACKGROUND**

On July 23, 2008 two (2) bid packets were mailed to area vendors. A bid tabulation is attached for your review.

Bids opened Thursday, August 7, 2008 at 2:00 p.m.

**ANALYSIS**

The low responsible bid meeting all specifications was received from Trugreen Lawn Care, in League City, for the unit prices bid.

It is my recommendation to award the annual contract to Trugreen Lawn Care, for the unit prices bid, and that the Mayor is authorized to execute a contract on behalf of the City Commission.

Thank you

**ALTERNATIVES CONSIDERED**

---

**Fiscal Impact**

---

**Attachments**

Link:

Res

08-067

Link:

Exhibit A

---

---

**RESOLUTION NO. 08-067**

**A RESOLUTION AWARDED A BID AND AUTHORIZING THE MAYOR TO ENTER INTO AN ANNUAL CONTRACT WITH TRUGREEN LAWN CARE SERVICE FOR LANDSCAPING MAINTENANCE AND ADDITIONAL ALTERNATE SERVICES WITHIN THE CITY; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

---

**WHEREAS**, on July 23, 2008, two bid packets were mailed to area vendors and bids opened on August 7, 2008, for the annual landscaping maintenance and additional alternate services within the City, Bid No. 2008-916; and,

**WHEREAS**, the lowest bid meeting specifications was submitted by Trugreen Lawn Care; and,

**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 contract for landscaping maintenance and additional alternate services within the City, Bid No. 2008-916, is Trugreen Lawn Care.

**SECTION 2:** That the Mayor is hereby authorized to enter into an annual contract with Trugreen Lawn Care for the landscaping and additional alternate services within the City, Bid No. 2008-916, at the prices described and priced in Exhibit "A" attached hereto 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 20th day of August, 2008.**

---

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

ATTEST:

APPROVED AS TO FORM:

---

Pamela A. Lawrence  
City Secretary

---

Robert Gervais  
City Attorney

## **BID TABULATION**

Bid # 2008-916  
Landscaping Maintenance  
Annual Contract

Bid Opening: Thursday, August 7, 2008 @ 2:00 p.m.

<b>Trugreen Lawn Care</b>			
<b>Location</b>	<b>Amount</b>	<b>Previous Contract Pricing</b>	<b>Miscellaneous Services to be requested on an as need basis</b>
<b>Central Station 1721 – 25<sup>th</sup> Street North</b>	\$888.00	Central: \$148.00 Station 2: \$109.00 Station 3: \$200.00	Aeration: \$340.00 Grassy Weed Control: \$145.00 Nutsedge Control: \$160.00 Power Raking: NA
<b>Station #2 835 – 10<sup>th</sup> Street North</b>	\$654.00	Central: \$148.00 Station 2: \$109.00 Station 3: \$200.00	Aeration: \$192.00 Grassy Weed Control: \$82.00 Nutsedge Control: \$90.00 Power Raking: NA
<b>Station #3 1101 North Amburn Rd.</b>	\$1,200.00	Central: \$148.00 Station 2: \$109.00 Station 3: \$200.00	Aeration: \$460.00 Grassy Weed Control: \$195.50 Nutsedge Control: \$215.00 Power Raking: NA
<b>Criminal Justice Center 1004-9<sup>th</sup> Avenue No.</b>	\$2,706.00	Central: \$148.00 Station 2: \$109.00 Station 3: \$200.00	Aeration: \$880.00 Grassy Weed Control: \$374.00 Nutsedge Control: \$407.00 Power Raking: NA
<b>Convention Center 2010 – 5<sup>th</sup> Avenue No.</b>	\$2,250.00	Central: \$148.00 Station 2: \$109.00 Station 3: \$200.00	Aeration: \$736.00 Grassy Weed Control: \$315.00 Nutsedge Control: \$340.00 Power Raking: NA
<b>Nessler Center 2010 – 5<sup>th</sup> Avenue No.</b>	\$2,610.00	Central: \$148.00 Station 2: \$109.00 Station 3: \$200.00	Aeration: \$864.00 Grassy Weed Control: \$370.00 Nutsedge Control: \$400.00 Power Raking: NA
<b>Lowry Fitness Center 2010 – 5<sup>th</sup> Avenue No.</b>	\$2,400.00	Central: \$148.00 Station 2: \$109.00 Station 3: \$200.00	Aeration: \$800.00 Grassy Weed Control: \$340.00 Nutsedge Control: \$370.00 Power Raking: NA
<b>Natatorium 2010 – 5<sup>th</sup> Avenue North</b>	\$2,010.00	Central: \$148.00 Station 2: \$109.00 Station 3: \$200.00	Aeration: \$664.00 Grassy Weed Control: \$285.00 Nutsedge Control: \$307.00 Power Raking: NA
<b>Heritage Square 109 – 3rd Avenue No.</b>	\$3,336.00	Central: \$148.00 Station 2: \$109.00 Station 3: \$200.00	Aeration: \$1112.00 Grassy Weed Control: \$475.00 Nutsedge Control: \$515.00 Power Raking: NA

**2008/2009 Fiscal Year Budget  
CITY COMMISSION AGENDA 2**

**Date:** 08/20/2008  
**Submitted By:** Pam Lawrence, Administration  
**Submitted For:** Cheryl Hunter  
**Department:** Administration  
**Agenda Area:** Regular Items

---

**Information**

**ACTION REQUEST (Brief Summary)**

Consider approval of adopting the 2008-2009 Fiscal Year Budget.

**BACKGROUND**

**ANALYSIS**

**ALTERNATIVES CONSIDERED**

---

**Fiscal Impact**

---

**Attachments**

Link: [Ord 08-37](#)

---

---

## **ORDINANCE NO. 08-37**

**AN ORDINANCE ADOPTING THE 2008-2009 FISCAL YEAR BUDGET; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SEVERABILITY 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 AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.**

---

**WHEREAS**, section 102.02 of the Texas Local Government Code provides that a municipality must prepare and adopt a municipal budget to cover the proposed expenditures of the municipal government for the succeeding year;

**WHEREAS**, section 102.005 of the Texas Local Government Code requires a public hearing on the proposed budget and provides that the governing body of the municipality take action on the proposed budget at the conclusion of the public hearing;

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

**SECTION 1:** That the City Commission hereby adopts the 2008-2009 Fiscal Year Budget, a copy of which is on file in the permanent records of the City.

**SECTION 2:** That the City Commission hereby directs that the final budget as adopted, and any subsequent amendments, be filed with the City Secretary, County Clerk of the County of Galveston, and State Comptroller as provided by State law and the City Charter.

**SECTION 3:** That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 4:** That it is further provided that, in the event any section, clause, sentence, paragraph or part of this Ordinance shall be for any reason adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, invalidate, or impair the remainder of this Ordinance.

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

**SECTION 6:** That the Public Hearing for the 2008-2009 Fiscal Year Budget was held on Wednesday, August 20, 2008, at 5:00 p.m. in the Kenneth T. Nunn Room located at City Hall.

**SECTION 7:** 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 and publication by caption only in the official newspaper of the City.

**PASSED and ADOPTED this 20th day of August, 2008.**

---

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

ATTEST:

APPROVED AS TO FORM:

---

Pamela A. Lawrence  
City Secretary

---

Robert Gervais  
City Attorney