

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

*** * AGENDA * ***

**WEDNESDAY, OCTOBER 1, 2008 - 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM - CITY HALL**

- 1. INVOCATION**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PROCLAMATIONS AND PRESENTATIONS**
 - a. Fire Fighters Medal and EMS Medal presented by the Society of the Sons of the American Revolution.
- 4. REPORTS**
 - a. City facilities damage report. (Transportation and Planning Dept.)
 - b. Status report of clean up of hurricane debris. (Dept. of Public Works)
 - c. Hurricane operations update. (Police Dept.)
- 5. CONSENT AGENDA**
 - a. Consider approval of minutes from the September 17, 2008 Emergency and Regular Called City Commission Meeting.
 - b. Consider approval of **Resolution No. 08-076 appointing/re-appointing board members** to the City's Boards and Committees. (Mayor)
 - c. Consider approval of **Resolution No. 08-078** approving the **appointments and re-appointments of board members** to the City's Corporations. (Mayor)
 - d. Consider approval of **Resolution No. 08-077** awarding the **purchase and delivery of (3) 30 yard rectangular open top containers and (1) 39 yard rectangular open top container** through the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program. (Purchasing Dept.)
 - e. Consider approval of **Resolution No. 08-080** authorizing the Mayor to execute an **annual Service Agreement** for the support and maintenance of the Public Safety Software package. (Purchasing Dept.)
 - f. Consider approval of **Resolution No. 08-079** authorizing the Mayor to execute an **annual Service Agreement** for the support and maintenance of the Financial and Utility Billing software package. (Purchasing Dept.)

6. REGULAR ITEMS

- a.** Consider approval of the **second reading** of **Ordinance No. 08-40 amending the Code of Ordinances, City of Texas City, by adding Section 40-52 - Development Plan.** (Planning Dept.)

7. PUBLIC COMMENTS

8. MAYOR'S COMMENTS

9. 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: September 26, 2008

CITY COMMISSION AGENDA 2

Date: 10/01/2008

Submitted By: Pam Lawrence, Administration

Department: Administration

Agenda Area: Proclamations and Presentations

Information

ACTION REQUEST (Brief Summary)

Fire Fighters Medal and EMS Medal presented by the Society of the Sons of the American Revolution.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

*No file(s)
attached.*

City Facilities Damage Report.
CITY COMMISSION AGENDA 2

Date: 10/01/2008
Submitted By: Pam Lawrence, Administration
Submitted For: Transportation and Planning Dept.
Department: Administration
Agenda Area: Reports

Information

ACTION REQUEST (Brief Summary)

City facilities damage report.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

No file(s) attached.

4.b.

**Clean up of hurricane debris.
CITY COMMISSION AGENDA 2**

Date: 10/01/2008
Submitted By: Pam Lawrence, Administration
Submitted For: Public Works
Department: Administration
Agenda Area: Reports

Information

ACTION REQUEST (Brief Summary)

Status report of clean up of hurricane debris.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

No file(s) attached.

Hurricane Operations Update CITY COMMISSION AGENDA 2

Date: 10/01/2008
Submitted By: Pam Lawrence, Administration
Submitted For: Police Dept.
Department: Administration
Agenda Area: Reports

Information

ACTION REQUEST (Brief Summary)

Hurricane operations update.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

No file(s) attached.

5.a.

City Commission Minutes for September 17, 2008 Meeting
CITY COMMISSION AGENDA 2

Date: 10/01/2008

Submitted By: Pam Lawrence, Administration

Department: Administration

Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Consider approval of minutes from the September 17, 2008 Emergency and Regular Called City Commission Meeting.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link: [9-17-2008 City Commission Minutes](#)

CITY OF TEXAS CITY
EMERGENCY CITY COMMISSION MEETING AND REGULAR CALLED CITY COMMISSION
MEETING

* * M I N U T E S * *

WEDNESDAY, SEPTEMBER 17, 2008 – 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

An Emergency City Commission Meeting was held on Wednesday, **September 17, 2008**, at 4:45 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 John W. Wilson.

The **Mayor** called upon Commissioner Clark to offer the **Invocation**. **Commissioner Land** led all present in the **recitation of the Pledge of Allegiance**.

The Mayor declared a quorum present and called the meeting to order at 4:45 p.m.

Consider approval of an Ordinance providing for emergency measures in response to a state of disaster due to Hurricane Ike.

ORDINANCE NO. 08-42

AN ORDINANCE PROVIDING FOR EMERGENCY MEASURES IN RESPONSE TO A STATE OF DISASTER DUE TO HURRICANE IKE; EXTENDING THE STATE OF DISASTER NECESSITATED BY HURRICANE IKE; 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.

The City Attorney explained that under the Local State of Disaster, which was declared on September 11th, the Disaster Act provides that the Local State of Disaster may not be continued or renewed for a period of more than seven days without the consent of the governing body. The ordinance before you will extend the State of Disaster until it is terminated by Order of the Mayor or City Commission; it will extend through the disaster recovery. In addition, there are some regulations that are attached: curfew, restrictions of movement of people and price controls. The Mayor asked the Police Chief to explain how the City is going to control curfew; the Mayor added that we are suggesting that we not have one at all. Chief Burby reported that what we plan to do on the curfew is we are going to continue to do our regular patrol techniques as far as looking out for the citizens in protecting their safety and property. We are going to be diligent in seeing that people are not in places that they shouldn't be, for instance when businesses are closed no one should be on the parking lot; if we see vehicles making circles in an area that is indicative of someone that is either scoping out the surroundings or picking up someone that is on the ground already those times we will make stops we will make contact. People can move about if they have purposes that they need to take care of. We are enforcing the spirit of the law. The Mayor remarked, to make it real basic don't be wandering around after dark unless you have someplace to go. The Chief said that is correct and again this is a critical time and people should not be out unless they have to. There are a lot of folks that do not have the necessities and again individual's safety and property is what we are looking for. We are not a clearing house of telling people what they can and can't do. We are just asking people to use prudent reasonable good common sense. We have enough officers that know what to look for, we are out there.

Commissioner Johnson asked about price control. The Mayor responded that price gouging is controlled by the Attorney General; if we hear about it, we follow up on it and report it to the Attorney General.

Commissioner Johnson made a MOTION to APPROVE Ordinance No. 08-42 providing for emergency measures in response to a State of Disaster due to Hurricane Ike; Commissioner Singleton SECONDED the motion. All present voted AYE. MOTION CARRIED.

A Regular Called Meeting of the City Commission was held on **Wednesday, September 17, 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 John W. Wilson.

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

PROCLAMATIONS AND PRESENTATIONS

- a. Fire Fighters Medal and EMS Medal presented by the Society of the Sons of the American Revolution.

Moved to the next meeting.

PUBLIC HEARING

- a. Doug Temple c/o United Service Alliance Inc. request to rezone from "E" (General Business) to "F" (Light Industry) for commercial retail/office center; being part of Abst. 125 Page 3 NW part of Blk 4 (400-3), Sub. S, Kohfeldt's Resub. Being approximately 1.667 acres; located at 5201 Emmett F. Lowry Texas City, Texas.

Don Carroll, City Planner, reported that this request for Doug Temple c/o United Service Alliance Inc. was recommended for approval by the Zoning Commission on August 19, 2008 to rezone from "E" (General Business) to "F" (Light Industry) for commercial retail/office center located at 5201 Emmett F. Lowry. There were no controversial issues associated with the request. There was no one present to speak in opposition to the rezoning request. The Staff departmental comments, conceptual business and development intent was provided to the Commission by Staff and the applicant. 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 to speak for or against the request to rezone; there were none.

- b. William A. Chuoke to rezone from "A" (Single Family Residential) to "E" (General Business) for commercial retail/office center; being part of Abstract 208 Page 14 W. Wilson Survey TRS 235 & 236, approximately 2.75 acres; located at 9020 Emmett F. Lowry, Texas City, Texas.

Don Carroll, City Planner, reported that this request this request for William A. Chuoke, Jr. was recommended for approval by the Zoning Commission on August 19, 2008 to rezone from "A" (Single Family Residential) to "E" (General Business) for commercial retail/office center located at 9020 Emmett F. Lowry. There were no controversial issues

associated with the request. There was no one present to speak in opposition to the request. The Staff departmental comments, conceptual business and development intent was provided to the Commission by Staff and the applicant. After reviewing the information presented, the Zoning Commission members present unanimously voted to recommend approval of this request. Mr. Chuoke was in attendance to answer any questions regarding the rezoning.

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 the City of Texas City's proposed Zoning Ordinance amendment adding Section 40-52. Development Plan.

This is a request for Adding Section 40-52. Development Plan -Section 40-52. This continuation of the City's development regulation update is the last task or close to being the last task required in the City's effort of obtaining development provisions that are contemporary and consistent with the City's vision for new development. This issue was one of the component topics discussed during our development workshop held on April 16th of this year. This recommendation is the end product of the formulation process conducted with the Zoning Commission, Planning Board, our consultant Mr. John Webb. This pending ordinance has been a long standing policy used by the Planning Board in reviewing development proposals. These types of proposals fall outside the scope of our Zoning and/or Subdivision Ordinance. It has been long recommended by staff and other professionals that we should have an ordinance to rely on to compel developers to adhere to instead of a policy. This will now fulfill this recommendation. This pending recommendation to regulate development plans will continue to be reviewed by the Planning Board. The requirements, the purpose and elements to be evaluated are cited in this text. Copies of this pending ordinance will be provided to the Planning Board and City Commission. Proper notice in the newspaper was made as prescribed by our Zoning Ordinance and the Zoning Enabling Statute. There are no controversial issues associated with this recommendation. There was no one present to speak in opposition to the rezoning request. The recommendations cited in this text are consistent with best urban planning practices utilized by Home Rule Cities that have similar development controls.

Commissioner Land 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. Consider approval of preliminary rezoning for Doug Temple c/o United Service Alliance Inc. request to rezone from "E" (General Business) to "F" (Light Industry) for commercial retail/office center.

Commissioner Clark made a MOTION to PRELIMINARY APPROVE Doug Temple c/o United Service Alliance Inc. request to rezone from "E" (General Business) to "F" (Light Industry) for commercial retail/office center; the motion was seconded by Commissioner Land. All present voted AYE. MOTION CARRIED.

- b. Consider approval of preliminary rezoning for William A. Chuoke to rezone from "A" (Single Family Residential) to "E" (General Business) for commercial retail/office center.

Commissioner Clark made a MOTION to PRELIMINARY APPROVE William A. Chuoke to rezone from "A" (Single Family Residential) to "E" (General Business) for commercial retail/office center; the motion was seconded by Commissioner Haney. 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 September 3, 2008 Regular Called City Commission Meeting.
- b. Consider approval of **Resolution No. 08-073** suspending the October 3, 2008 effective date of Texas-New Mexico Power Company's ("TNMP's") requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with other TNMP cities; hiring Lloyd Gosselink attorneys and consulting services to negotiate with the company and direct any necessary litigation and appeals. (Legal Dept.)

RESOLUTION NO. 08-073

RESOLUTION OF THE CITY OF TEXAS CITY SUSPENDING THE OCTOBER 3, 2008 EFFECTIVE DATE OF TEXAS-NEW MEXICO POWER COMPANY'S ("TNMP'S") REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH OTHER TNMP CITIES; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

- c. Consider approval of **Resolution No. 08-074** awarding the annual contract for the purchase and delivery of Vegetation Management Chemicals. (Purchasing Dept.)

RESOLUTION NO. 08-074

A RESOLUTION AWARDING A BID AND AUTHORIZING THE MAYOR TO ENTER INTO ANNUAL CONTRACT WITH UAP DISTRIBUTION, INC. AND RED RIVER SPECIALTIES, INC. FOR VEGETATION MANAGEMENT CHEMICALS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

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

Mayor Doyle complimented TX-New Mexico; he thanked them for the great job they are doing in getting the power back up.

REGULAR ITEMS

- a. Consider approval of **Ordinance No. 08-039 amending the Code of Ordinances, City of Texas City, Chapter 90 Personnel, Sec. 90-172. Authorized strength, by updating the authorized police strength.** (Police Dept.)

This will add a code enforcement officer.

ORDINANCE NO. 08-39

AN ORDINANCE AMENDING THE CITY CODE, CHAPTER 90, "PERSONNEL", SECTION 90-172 BY INCREASING THE AUTHORIZED STRENGTH OF THE POLICE DEPARTMENT BY ADDING ONE NEW PATROLMAN POSITION; PRESCRIBING THE RESULTING NUMBER OF POSITIONS IN EACH CLASSIFICATION OF THE CLASSIFIED SERVICE OF THE POLICE DEPARTMENT; 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.

Commissioner Land made a MOTION to APPROVE Ordinance No. 08-039 amending the Code of Ordinances, City of Texas City, Chapter 90 Personnel, Sec. 90-172. Authorized strength, by updating the authorized police strength; the motion was SECONDED by Commissioner Haney. All present voted AYE. MOTION CARRIED.

- b. Consider approval of **Ordinance No. 08-40** amending the **Code of Ordinances, City of Texas City**, by adding Section 40-52 – Development Plan. (Planning Dept.)

ORDINANCE NO. 08-40

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, TO ADD SECTION 40-52 DEVELOPMENT PLAN; 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 Ordinance No. 08-40 amending the Code of Ordinances, City of Texas City, by adding Section 40-52 – Development Plan; the motion was SECONDED by Commissioner Haney. All present voted AYE. MOTION CARRIED.

- c. Consider approval of **Ordinance No. 08-41** levying an ad valorem tax for the **year 2008 for the City of Texas City, Texas, at a rate of 42.50¢ per \$100.00** valuation of said property at the rate of 35.0238¢ on each \$100.00 valuation of property for the current General Operating Expenses of said city and at the rate of 7.4762¢ on each \$100.00 valuation of property for Interest and Sinking Fund. (Financial Dept.)

ORDINANCE NO. 08-41

AN ORDINANCE LEVYING AN AD VALOREM TAX FOR THE YEAR 2008 FOR THE CITY OF TEXAS CITY, TEXAS, AT A RATE OF .4250 (42.5¢) PER ONE HUNDRED DOLLAR (\$100.00) VALUATION OF SAID PROPERTY AT THE RATE OF .350238 (35.0238¢) ON EACH ONE HUNDRED DOLLAR VALUATION OF PROPERTY FOR THE CURRENT GENERAL OPERATING EXPENSES OF SAID CITY AND AT THE RATE OF .074762 (7.4762¢) ON EACH ONE HUNDRED DOLLAR (\$100.00) VALUATION OF PROPERTY FOR INTEREST AND SINKING FUND; 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.

Commissioner Clark made a MOTION to APPROVE Ordinance No. 08-41 levying an ad valorem tax for the year 2008 for the City of Texas City, Texas, at a rate of 42.50¢ per \$100.00 valuation of said property at the rate of 35.0238¢ on each \$100.00 valuation of property for the current General Operating Expenses of said city and at the rate of 7.4762¢ on each \$100.00 valuation of property for Interest and Sinking Fund; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.

- d. Consider approval of **Resolution No. 08-075** accepting the Tax Assessor/Collector's 2008 Certified Roll. (Financial Dept.)

RESOLUTION NO. 08-075

A RESOLUTION ACCEPTING THE TAX ASSESSOR/COLLECTOR'S 2008 CERTIFIED TAX ROLL; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Commissioner Wilson made a MOTION to APPROVE Resolution No. 08-075 accepting the Tax Assessor/Collector's 2008 Certified Roll; the motion was SECONDED by Commissioner Haney. All present voted AYE. MOTION CARRIED.

PUBLIC COMMENTS

None.

MAYOR'S COMMENTS

Thanked all the City employees; the City employees were on the ground working the minute the storm stopped. The Mayor announced that there would be no curfew after today and that the city's water is drinkable. The City will freeze all capital expenditures; this storm will put on some budget constraints. The City has a contract with Crowder Gulf to get brush and debris out of the City; it could be as much as \$7 million to get brush out of the City. We are not sure what the status of the tax office is going to be. The Mayor stated that he had asked Ms. Dawson, City Tax Assessor/Collector, to find out what constitutes our top 80% of our tax; it is probably less than 50 companies in our city. We are going to try to meet with them and make sure they received their tax bills and ask if they can pay them a little earlier than usual. The City should be just fine cash flow wise. It is going to be a cash flow situation with the City because the money we are spending will be reimbursed but it will be two years before we see any of that money.

The Mayor thanked the citizens he remarked that they have done an outstanding job in being cooperative, patient and in cleaning up their yards. What neighbors have been doing for neighbors, what people outside of our city have been doing; the Salvation Army was here very quickly feeding a lot of people and FEMA with ice, water and food; the Baptist Men have showed up they are cleaning peoples yards helping them it is very nice to have them here helping us out. FEMA will move out of the City tomorrow and the Salvation Army will leave this weekend; the reason FEMA and the Salvation Army will be moving is if you drive down the streets you'll see we are open for business in Texas City.

COMMISSIONERS' COMMENTS

The Commissioners' thanked the City Employees for a job well done.

Commissioner Johnson remarked that he was very pleased with the response that the City has put forth in response to Ike clean up, emergency power crews working around the clock. He said that he would like to address or see addressed with the Commission concerns that his constituents have as to what happened prior to the storm, why the City did not take certain evacuation measures - sometimes we go by category 2 or and category 3. The Commissioner said that there are several dozens of senior citizens that he knows that probably would have fared better in these days after the storm had they been relocated some where else. They are living without power as many of us are but some of us are troopers and we can do that but some of these seniors have a real hard time doing that. The Commissioner remarked that this is not to slight the efforts of anyone who has been working, they have all been wonderful but maybe going back to before the storm came and what we could have done better to get our citizens out of harms way.

The Mayor replied, "we will certainly talk about that, I will say that versus being shipped out on a bus to Austin, since there is about 900 of them stranded there right now and Austin is ready for them to go, in this case I think and I know they have had to go through some hardships they are better off here then going. Hindsight is always 20-20 and that can be a debate that can be ongoing but the things that took place here it would be hard if they were some place else. It is better for us to take care of them. If you know of some people that need assistance, I don't know who we haven't addressed who has been calling, now there are certain things that we can not do, but most of those I think have been addressed very well. We certainly will research that like we do everything - we re evaluate everything. I assure you that we will do that and I appreciated those comments".

Commissioner Clark commented that he has heard nothing but praises and accolades to our City employees, the citizens are just thoroughly impressed with all that they have done. He said that the citizens were also very pleased with the CONNECT CTY.

The Mayor added, "think about this, we had some men ride out the storm in the pump station, doing their job and had been doing it since Thursday morning, they finished with that (got all their things taken care of, pumped down the city) and found themselves for the first time in 72 hours with nothing to do, they hop on the back of a garbage truck and start picking up debris. Everybody has really pitched in and I can't tell you how proud I am of this city and the folks we have in it and certainly the people that we are lucky enough to have working for us".

Having no further business, **Commissioner Land made a MOTION to ADJOURN at 5:28 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: 09-18-2008

City of Texas Board & Committee Re-Appointments
CITY COMMISSION AGENDA 2

Date: 10/01/2008
Submitted By: Matthew Doyle, Mayor's Office
Submitted For: Matthew Doyle
Department: Mayor's Office
Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Approve various Board and Committee re-appointments

BACKGROUND

Same as above

ANALYSIS

Same as above

ALTERNATIVES CONSIDERED

None

Fiscal Impact

Attachments

Link: [Res. 08-076](#)

Link: [Boards &
Committees](#)

RESOLUTION NO. 08-076

A RESOLUTION APPOINTING AND/OR REAPPOINTING MEMBERS TO THE VARIOUS CITY BOARDS, COMMISSIONS AND COMMITTEES; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on October 1, 2008, the terms of various members of the City of Texas City's Boards and Committees expired; and

WHEREAS, in order to continue the uninterrupted and efficient operation of the City through its Boards and Committees, it is necessary to appoint or reappoint members to fill these positions.

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

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby appoints or reappoints the individuals named on the attached Exhibit "A" to the various Boards and Committees for the terms as stated therein.

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

PASSED AND ADOPTED this 1st day of October, 2008.

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

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney

Board & Committee Re-Appointments

Committee/Board	Member	Re-Appointment Date
Board of Adjustments	Beverly Delaney Mitchell	9-30-08 to 9-30-2010
	Denny Patterson	9-30-08 to 9-30-2010
	Harvey Cappel	9-30-08 to 9-30-2010
	Yotarsha "BB" Barker	9-30-08 to 9-30-2010
	Bryan Thompson	9-30-08 to 9-30-2010
	Alt: George W. Faust	9-30-08 to 9-30-2010
	Alt: Patrick Tarpey	9-30-08 to 9-30-2010
	Alt: Larry Povse	9-30-08 to 9-30-2010
Audit Committee	Mike Land	10-1-08 to 10-1-2010
	Tommy Clark	10-1-08 to 10-1-2010
	Donald Singleton	10-1-08 to 10-1-2010
Building & Standards Commission	Beverly Delaney Mitchell	9-30-08 to 9-30-2010
	Denny Patterson	9-30-08 to 9-30-2010
	Harvey Cappel	9-30-08 to 9-30-2010
	Yotarsha "BB" Barker	9-30-08 to 9-30-2010
	Bryan Thompson	9-30-08 to 9-30-2010
	Alt: George W. Faust	9-30-08 to 9-30-2010
	Alt: Aric Owens	9-30-08 to 9-30-2010
	Alt: Larry Povse	9-30-08 to 9-30-2010
	Alt: Patrick Tarpey	9-30-08 to 9-30-2010
Civil Service Commission	Harold Fattig	9-30-08 to 9-30-2010
Dike & Bay Area Development	Barry Anderson	10-1-08 to 10-1-2011
	Bobby Bohn	10-1-08 to 10-1-2011
	John Valdez	10-1-08 to 10-1-2011
	Lupe Cantu	10-1-08 to 10-1-2011
	Tommy Touns	10-1-08 to 10-1-2011
Bayou Golf Course Advisory Board	James Horan	9-30-08 to 9-30-2010
	Mike Patterson	9-30-08 to 9-30-2010
	Alana Hilden	9-30-08 to 9-30-2010
	Raymond Walker	9-30-08 to 9-30-2010
	L. W. Surratt	9-30-08 to 9-30-2010
	Mary Glenn	9-30-08 to 9-30-2010
	Abel Garza, Jr.	9-30-08 to 9-30-2010
Library Board	Elaine Schmitz	10-1-07 to 10-1-2010
	Sarah Ettredge	9-30-07 to 9-30-2010
	Shirley Mapps	9-30-07 to 9-30-2010
	Nellie C. Leach	10-1-07 to 10-1-2010
	Stephanie Doyle	10-1-07 to 10-1-2010
Recreation & Tourism Board	Ben Cavil	9-30-08 to 9-30-2011
	J. B. Fitch	10-1-07 to 10-1-2010

	Miles Montegut Gary Schaper	9-30-08 to 9-30-2011 10-1-07 to 10-1-2010
Planning Board	Jose Boix Harold Fattig R. D. "Dickie" Campbell	10-1-08 to 10-1-2012 10-1-07 to 10-1-2011 10-1-07 to 10-1-2011
Zoning Commission	Perry O'Brien James Horan	10-1-07 to 10-1-09 10-1-07 to 10-1-09
Board of Electrical Examiners	Frank Billman Charles Carpenter Ronnie Collins Calvin L. Jones, Sr. Thomas C. Sanchez	10-1-07 to 10-1-09 10-1-07 to 10-1-09 10-1-07 to 10-1-09 10-1-07 to 10-1-09 10-1-07 to 10-1-09
Board of Air Conditioning & Heating	Frank Billman Charles Carpenter Ronnie Collins Calvin L. Jones, Sr. Thomas C. Sanchez	10-1-08 to 10-1-2010 10-1-07 to 10-1-09 10-1-07 to 10-1-09 10-1-08 to 10-1-2010 10-1-08 to 10-1-2010
Plumbing Appeals & Advisory Board	Bobby Bohn Mitchell Chuoke Bob Fairey, Jr. James Hilden Denny Patterson	10-1-08 to 10-1-2010 10-1-08 to 10-1-2010 10-1-08 to 10-1-2010 10-1-08 to 10-1-2010 10-1-08 to 10-1-2010

Appointments to City Corporations CITY COMMISSION AGENDA 2

Date: 10/01/2008

Submitted By: Pam Lawrence, Administration

Department: Administration

Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Consider appointments and re-appointments of board members to the City's Corporations.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link: Res.
08-078

Link: Exhibit
A

RESOLUTION NO. 09-078

A RESOLUTION APPROVING THE APPOINTMENT AND REAPPOINTMENTS OF BOARD MEMBERS TO THE CITY'S CORPORATIONS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the terms of various members of the City's Corporations recently expired; and

WHEREAS, in order to continue the uninterrupted and efficient operation of the City's Corporations, it is necessary to appoint or reappoint members to fill these positions.

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

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby appoints or reappoints the individuals named on the attached Exhibit "A", for the terms as stated therein.

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

PASSED AND ADOPTED this 1st day of October, 2008.

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

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney

EXHIBIT "A"

CORPORATION

Texas City Economic Development Corporation	Mayor Matthew T. Doyle	Thru 09-30-09
	Mitchell Chuoke	Thru 09-30-09
	Randy Dietel	Thru 09-30-09
	Harold Fattig	Thru 09-30-09
	Butch Hayes	Thru 09-30-09
Texas City Harbour Foreign Trade Zone Corporation	Mayor Matthew T. Doyle	Thru 09-30-09
	Tommy Clark	Thru 09-30-09
	Kitty Potter	Thru 09-30-09
	Reverend George Singleton	Thru 09-30-09
	Dwight Spurlock	Thru 09-30-09
Texas City Housing Corporation	William T. Etheredge, III	Thru 10-01-09
	Gary Meyer	Thru 10-01-09
	Beverly Mitchell	Thru 10-01-09
Texas City Housing Finance Corporation	William T. Etheredge, III	Thru 10-01-09
	Gary Meyer	Thru 10-01-09
	Beverly Mitchell	Thru 10-01-09

EXHIBIT “A”

<u>CORPORATIONS</u>	<u>DIRECTORS</u>	<u>TERM</u>
Texas City Economic Development Corporation	Mayor Matthew T. Doyle	10-01-08 thru 10-01-09
	Mitchell Chuoke	10-01-08 thru 10-01-09
	Randy Dietel	10-01-08 thru 10-01-09
	Harold Fattig	10-01-08 thru 10-01-09
	Mark Ciavaglia	10-01-08 thru 10-01-09
Texas City Harbour Foreign Trade Zone Corporation	Mayor Matthew T. Doyle	10-01-08 thru 10-01-09
	Tommy Clark	10-01-08 thru 10-01-09
	Kitty Potter	10-01-08 thru 10-01-09
	Reverend Lee	10-01-08 thru 10-01-09
	Dwight Spurlock	10-01-08 thru 10-01-09
City of Texas City Industrial Development Corporation	Randy Dietel	10-01-08 thru 10-01-11
	C. J. Schmitz	10-01-08 thru 10-01-11
	Cheryl Hunter	10-01-08 thru 10-01-11
Public Facilities Development Corporation	To be announced	10-01-08 thru 10-01-14
Danforth Health Facilities Corp.	Randy Dietel	10-01-08 thru 10-01-14
	John Hackbarth	10-01-08 thru 10-01-14
	Burton Hink	10-01-08 thru 10-01-14
	Beverly Guillory Lewis	10-01-08 thru 10-01-14
	Dan Piazza	10-01-08 thru 10-01-14
Texas City Historical Preservation Corporation	Jose Boix	10-01-08 thru 10-01-10
	Terri O'Brien	10-01-08 thru 10-01-10
	Irma Moreno	10-01-08 thru 10-01-10
	Joann Hackbarth	10-01-08 thru 10-01-10
	Liz Amato	10-01-08 thru 10-01-10
	Mary Nell Parks	10-01-08 thru 10-01-10
Texas City Housing Corporation	Margaret Tuma	10-01-08 thru 10-01-10
	Ernestine Moreno	10-01-08 thru 10-01-10
Texas City Housing Finance Corporation	Deana McClellan	10-01-08 thru 10-01-10
	Ernestine Moreno	10-01-08 thru 10-01-10
	Deana McClellan	10-01-08 thru 10-01-10
		10-01-08 thru 10-01-10

Purchase and delivery of (4) Open Top Containers CITY COMMISSION AGENDA 2

Date: 10/01/2008

Submitted By: Rita Williams, Purchasing

Department: Purchasing

Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Approve and award the purchase and delivery of (3) 30 yard rectangular open top containers and (1) 39 yard rectangular open top container for a total contract price of \$28,436.00. The purchase is through the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program.

The delivering dealer is B & C Body, in Houston.

BACKGROUND

The (4) open top containers will be utilized by the Sanitation Department. Funds are available in the Capital Equipment Replacement Fund - Sanitation Department

The H-GAC contract pricing worksheets with all specifications requested are attached for your review.

ANALYSIS

It is my recommendation to award the purchase of the (4) rectangular open top containers, through the Houston-Galveston Area Council (HOGAC) Cooperative Purchasing Program, for the total contract price of \$28,436.00.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link:

Res.

08-077

Link:

Exhibit A

Link:

Exhibit

A page 2

RESOLUTION NO. 08-077

A RESOLUTION APPROVING THE PURCHASE AND DELIVERY OF THREE (3) 30-YARD RECTANGULAR OPEN TOP CONTAINERS AND ONE (1) 39 –YARD OPEN TOP CONTAINER FOR THE SANITATION DEPARTMENT; THROUGH THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC) COOPERATIVE PURCHASING PROGRAM; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, funds are available in the Capital Equipment Replacement Fund – Sanitation Department for the purchase of three (3) 30-yard rectangular open top containers and one (1) 39-yard open top container, for a total purchase price of \$28,436.00; and

WHEREAS, the delivering dealer for all these containers is B & C Body, Houston, Texas.

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

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby approves the purchase of three (3) 30-yard rectangular open top containers and one (1) 39-yard open top container, through the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program, for the total purchase price of \$28,436.00.

SECTION 2: That the Mayor is hereby authorized to negotiate and execute any documentation necessary to purchase three (3) 30-yard rectangular open top containers and one (1) 39-yard open top container at the price set out on the contract worksheets attached hereto and made a part hereof.

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

PASSED AND ADOPTED this 1st day of October, 2008.

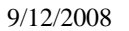
Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

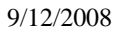
APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney



19552



28436

Public Safety Software Maintenance CITY COMMISSION AGENDA 2

Date: 10/01/2008

Submitted By: Rita Williams, Purchasing

Department: Purchasing

Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Resolution approving an annual Service Agreement for the support and maintenance of the Public Safety Software package for an annual amount of \$118,147.75.

BACKGROUND

This is an annual Service Agreement for the support and maintenance of the City's Public Safety Software package beginning October 1, 2008 and continuing through September 30, 2009.

A copy of the invoice is attached for your review.

ANALYSIS

Funds are budgeted in the Data Processing Maintenance - Office Equipment General Ledger Account.

It is my recommendation that the Mayor be authorized to execute the software maintenance agreement with Sungard Public Sector for the total amount of \$118,147.75.

Thank you

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link:

Res.

08-080

Link:

Exhibit A

RESOLUTION NO. 08-080

A RESOLUTION APPROVING AN ANNUAL SERVICE AGREEMENT FOR THE SUPPORT AND MAINTENANCE OF THE PUBLIC SAFETY SOFTWARE PACKAGE; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, funds are available in the Data Processing Maintenance – Office Equipment General Ledger Account for the purchase of an annual service agreement for the support and maintenance of the City’s Public Safety Software package, from October 1, 2008 through September 30, 2009, for a total purchase price of \$118,147.75; and

WHEREAS, the sole source provider for this software maintenance agreement is Sungard Public Sector.

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

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby approves the purchase of an annual service agreement for the support and maintenance of the City’s Public Safety Software package, from October 1, 2008 through September 30, 2009, for a total purchase price of \$118,147.75.

SECTION 2: That the Mayor is hereby authorized to execute the software maintenance agreement with Sungard Public Sector for the price and services set out on the invoice attached hereto and made a part hereof.

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

PASSED AND ADOPTED this 1st day of October, 2008.

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

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney

SUNGARD® PUBLIC SECTOR

1000 Business Center Drive
Lake Mary, FL 32746
800-727-8088
www.sungard.com/publicsector

Invoice

Company	Document No	Date	Page
400	13760	28/Aug/2008	1 of 4

Bill To: Texas City
1801 9th Avenue North
TEXAS CITY, TX 77592-2608
United States
Attn: Rita Williams 409-643-5950

Ship To: Texas City
1801 9th Avenue North
TEXAS CITY, TX 77592-2608
United States
Attn: Rita Williams 409-643-5950

Customer Grp/No.	Customer Name	Customer PO Number	Currency	Terms	Due Date
1 5646	Texas City		USD	NET30	27/Sep/2008

No	SKU Code/Description/Comments	Units	Rate	Extended
Contract No: 070606				
51	OSSI Police to Citizen Annual Browser Fee Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,520.00	1,520.00
Contract No: 20051262				
1	OSSI Base Computer Aided Dispatch System Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	9,182.00	9,182.00
2	OSSI Additional CAD Console License Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	3.00	745.00	2,235.00
3	OSSI E911 Interface Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,051.00	1,051.00
4	OSSI First CAD Map Display and Map Maintenance Software License Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	860.00	860.00
5	OSSI Additional CAD Map Display Client License Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	6.00	286.50	1,719.00
6	OSSI Rip and Run Printing/Faxing Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,051.00	1,051.00
7	OSSI Zetron Model 3030 TDD Interface Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	860.00	860.00
8	OSSI Medical PROQA Interface Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,051.00	1,051.00
9	OSSI - CAD Interface to CryWolf Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,432.00	1,432.00
10	OSSI Firehouse RMS Interface Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	953.00	953.00
11	OSSI CAD Resource Monitor Display License with Maps Client Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	7.00	190.55	1,333.85
12	OSSI Client Base Records Management System Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	13,781.00	13,781.00
13	OSSI Bar Coding Server License	1.00	424.00	424.00

Page Total	37,452.85
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SUNGARD® PUBLIC SECTOR

1000 Business Center Drive
Lake Mary, FL 32746
800-727-8088
www.sungard.com/publicsector

Invoice

Company	Document No	Date	Page
400	13760	28/Aug/2008	2 of 4

Bill To: Texas City
1801 9th Avenue North
TEXAS CITY, TX 77592-2608
United States
Attn: Rita Williams 409-643-5950

Ship To: Texas City
1801 9th Avenue North
TEXAS CITY, TX 77592-2608
United States
Attn: Rita Williams 409-643-5950

Customer Grp/No.	Customer Name	Customer PO Number	Currency	Terms	Due Date
1 5646	Texas City		USD	NET30	27/Sep/2008

No	SKU Code/Description/Comments	Units	Rate	Extended
	Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009			
14	OSSI Basic Accident Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	932.00	932.00
15	OSSI Accident Wizard Base Server License Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	850.00	850.00
16	OSSI Accident Wizard Workstation License Client Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	10.00	25.20	252.00
17	OSSI Bar Coding Hand-Held Client License (Each) Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	3.00	271.00	813.00
18	OSSI Bike Registration Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	762.00	762.00
19	OSSI Crime Analysis Module - Client License Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	2,122.00	2,122.00
20	OSSI Fleet Vehicle Maintenance Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,102.00	1,102.00
21	OSSI Generic Permit Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	932.00	932.00
22	OSSI RMS Map Display and Pin Mapping License Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,700.00	1,700.00
23	OSSI Notification Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	2,410.00	2,410.00
24	OSSI Probation and Parole Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	252.00	252.00
25	OSSI Property and Evidence Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	932.00	932.00
26	OSSI Pawn Shop/Pawn Watch Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,442.00	1,442.00
27	OSSI Sex Offender Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	2,544.00	2,544.00

Page Total 17,045.00

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www.sungard.com/publicsector

Invoice

Company	Document No	Date	Page
400	13760	28/Aug/2008	3 of 4

Bill To: Texas City
1801 9th Avenue North
TEXAS CITY, TX 77592-2608
United States
Attn: Rita Williams 409-643-5950

Ship To: Texas City
1801 9th Avenue North
TEXAS CITY, TX 77592-2608
United States
Attn: Rita Williams 409-643-5950

Customer Grp/No.	Customer Name	Customer PO Number	Currency	Terms	Due Date
1 5646	Texas City		USD	NET30	27/Sep/2008

No	SKU Code/Description/Comments	Units	Rate	Extended
28	Gang Profile Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,700.00	1,700.00
29	OSSI Client Jail Management System Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	2,544.00	2,544.00
30	OSSI Mugshot Capture Station Software Only Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	932.00	932.00
31	OSSI Client Mugshot Display Software License Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	2,972.00	2,972.00
32	OSSI State Livescan Interface Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,442.00	1,442.00
33	OSSI Base Mobile Server Software Client Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	5,253.00	5,253.00
34	OSSI - MFR Client - Accident Reporting Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	62.00	84.87	5,261.94
35	OSSI Mobile Client Maps Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	62.00	33.95	2,104.90
36	OSSI Mobile Field Reporting Client - LAN Version Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	3.00	84.34	253.02
37	OSSI Review Module for Field Reporting Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	3,821.00	3,821.00
38	OSSI Accident Wizard Workstation License Client Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	50.00	25.44	1,272.00
39	OSSI MCT Interface to Firehouse Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,432.00	1,432.00
40	OSSI OSSI's Integrated CAD/STATE/NCIC Messaging software switch Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	3,821.00	3,821.00
41	OSSI LAN Client license for Message Switch Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	50.00	57.26	2,863.00
42	OSSI Police to Police Annual Browser Fee	1.00	9,018.00	9,018.00

Page Total	44,689.86
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1000 Business Center Drive
Lake Mary, FL 32746
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Invoice

Company	Document No	Date	Page
400	13760	28/Aug/2008	4 of 4

Bill To: Texas City
1801 9th Avenue North
TEXAS CITY, TX 77592-2608
United States
Attn: Rita Williams 409-643-5950

Ship To: Texas City
1801 9th Avenue North
TEXAS CITY, TX 77592-2608
United States
Attn: Rita Williams 409-643-5950

Customer Grp/No.	Customer Name	Customer PO Number	Currency	Terms	Due Date
1 5646	Texas City		USD	NET30	27/Sep/2008

No	SKU Code/Description/Comments	Units	Rate	Extended
	Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009			
43	OSSI MCT Client for Digital Dispatch Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	62.00	168.92	10,473.04
Contract No: 20051262-1				
44	OSSI Professional Standards (Internal Affairs) Module Client Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	2,472.00	2,472.00
45	OSSI Calls for Service Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	742.00	742.00
Contract No: 20061372				
46	OSSI Interface from Incode Courts to Pistol Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	2,472.00	2,472.00
Contract No: 20061406				
47	OSSI Residential Security Watch Module (50 Workstations) Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	742.00	742.00
Contract No: 20061578				
49	OSSI Additional RMS Workstation License Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	2.00	247.00	494.00
50	Additional JMS Workstation License Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	2.00	247.00	494.00
Contract No: 20061581				
48	OSSI - QuarterMaster Module Maintenance: Start: 01/Oct/2008, End: 30/Sep/2009	1.00	1,071.00	1,071.00

Page Total 18,960.04

Remit Payment To: SunGard Public Sector Inc.
Bank of America
13296 Collection Center Drive
Chicago, IL 60693

PSA Reference Number:

Subtotal	118,147.75
Sales Tax	0.00
Invoice Total	118,147.75
Payment Received	0.00
Balance Due	118,147.75

Software Maintenance Agreement CITY COMMISSION AGENDA 2

Date: 10/01/2008

Submitted By: Rita Williams, Purchasing

Department: Purchasing

Agenda Area: Consent

Information

ACTION REQUEST (Brief Summary)

Resolution approving an annual Service Agreement for the support and maintenance of the Financial and Utility Billing software package for an annual amount of \$65,161.54.

BACKGROUND

This is an annual Service Agreement for the support and maintenance of the City's Financial and Utility Billing Software package beginning October 1, 2008 and continuing through September 30, 2009.

A list of products and services is attached for your review.

ANALYSIS

Funds are budgeted in the Data Processing Maintenance - Office Equipment General Ledger Account.

It is my recommendation that the Mayor be authorized to execute the software maintenance agreement with Harris Computer Systems for the amount of \$65,161.54.

Thank you

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link:

Res.

08-079

Link:

Exhibit A

RESOLUTION NO. 08-079

A RESOLUTION APPROVING AN ANNUAL SERVICE AGREEMENT FOR THE SUPPORT AND MAINTENANCE OF THE FINANCIAL AND UTILITY BILLING SOFTWARE PACKAGE; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, funds are available in the Data Processing Maintenance – Office Equipment General Ledger Account for the purchase of an annual service agreement for the support and maintenance of the City’s Financial and Utility Billing Software package, from October 1, 2008 through September 30, 2009, for a total purchase price of \$65,164.54; and

WHEREAS, the sole source provider for this software maintenance agreement is Harris Computer Systems.

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

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby approves the purchase of an annual service agreement for the support and maintenance of the City’s Financial and Utility Billing Software package, from October 1, 2008 through September 30, 2009, for a total purchase price of \$65,164.54

SECTION 2: That the Mayor is hereby authorized to execute the software maintenance agreement with Harris Computer Systems for the price and services set out on the attached exhibit, and made a part hereof.

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

PASSED AND ADOPTED this 1st day of October, 2008.

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

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney

Hi Rita,

I've assumed the responsibility of maintenance contracts from Nadine Campbell who's moved over to Professional Services recently. I've attached the rates for Maintenance for the upcoming Oct 2008 – Sept 2009 period. The total for Proprietary software is **58,887.54**

There are a few subtotals for the 3rd party software so I've totaled them below with the resulting 3rd party maintenance of **6274.00**.

The overall total is therefore, \$65161.54. We generally invoice annually but I've noticed that Nadine Campbell has made an exception in the past for Texas City, so I will do the same.

As well, I've noticed some notes about potentially adding additional licenses and / or modules so let me know if you require that the information below be presented more formally or If there is anything else that I can do for you.

Meenu – Please Note: Texas city is to be invoiced for Maintenance Monthly.

Texas City, TX

Maintenance Program

Invoice in Harris

PAYING SW
SUPPORT
MONTHLY

Product

Next Invoice

Software	Oct 1/08 - Sept 30/09	
NorthStar 5.2 & CARe		25,439.41
GL, BP, BV, AP, BR, PO, FA, PR, MR		33,448.13
TOTAL PROPRIETARY SOFTWARE		58,887.54

GUI	Oct 1/08 - Sept 30/09	924.00
14 x \$66.00		

Informix	Oct 1/08 - Sept 30/09	1,330.00
14 x \$95.00		

Unidata (20 users x \$90)	Oct 1/08 - Sept 30/09	1,800.00
SB+ Runtime (20 users x \$45)		900.00
SBCClient (20 users x \$66)		1,320.00
		4,020.00

TOTAL THIRD PARTY S/W = \$6274.00

Kind regards,

Paul Mullins

Manager, Support Services

Second Reading - Section 40-52. Development Plan CITY COMMISSION AGENDA 2

Date: 10/01/2008

Submitted By: Julie Morreale, Planning

Submitted For: Don Carroll

Department: Planning

Agenda Area: Regular Items

Information

ACTION REQUEST (Brief Summary)

ADDING SECTION 40-52. Development Plan

Section 40-52. Development Plan

(a) Development plan approval by the Planning Board shall be required prior to the issuance of a building permit for the following types of development:

- (1) Development in non-residential zoning classifications.
- (2) Development in Planned Unit Developments (PUD), excluding areas of planned developments devoted exclusively to single-family, single-family attached, or duplex dwellings.
- (3) Development in the S-P Site Plan District, excluding uses devoted exclusively to single-family, single-family attached, or duplex dwellings.
- (4) Townhouse or multifamily dwellings.
- (5) Schools, elementary or secondary.
- (6) Mobile home or recreational vehicle park.
- (7) Recreational and entertainment uses.

(b) Approval of a development plan by the Planning Board shall be required when the development plan is in conjunction with a request for a zoning change excluding uses devoted exclusively to single-family, single-family attached, or duplex dwellings.

(c) Formal application and the required information for a development plan shall be made to the City Planner by the applicant on forms prescribed by the City.

(d) Action on application.

(1) When a development plan application has been reviewed and determined to be in conformance with all applicable provisions of the Zoning Ordinance and Subdivision Ordinance by the City Planner, it shall be placed on the agenda for the next available regular Planning Board meeting.

(2) If an application is submitted in conjunction with zoning change request, the development plan will be submitted to the Zoning Commission for a recommendation from that body.

(3) The Planning Board consideration shall include the following:

- (a) conformance with planning guidelines set forth in the Comprehensive Plan, if applicable;
- (b) paving and layout of streets, alleys and sidewalks;
- (c) means of ingress and egress;
- (d) provisions for drainage;
- (e) provisions for off-street parking;
- (f) provisions for protective screening and open spaces;
- (g) the impact of noise,
- (h) the impact of glare from stationary and vehicular lights;
- (i) provisions for areas designated for landscaping; and
- (j) other aspects deemed by the Planning Board necessary to consider in the interest of promoting the public health, safety, order, convenience, prosperity and general welfare.

(4) In the approval or disapproval of the development plan, the Planning Board shall not be authorized to waive or vary conditions and requirements contained in the Zoning Ordinance or Subdivision Ordinance.

(5) Any development plan application denied by the Planning Board may be appealed to the City Commission.

(e) Building permits to be in conformance with development plan.

It shall be unlawful to issue a building permit for any development for which a development plan is required pursuant to this chapter prior to the approval of a development plan. No building permit shall be issued except in conformity with the approved development plan or in accordance with authorized minor changes.

(f) Minor changes.

Subsequent to approval of a development plan, minor changes may be authorized by the City Planner when such minor changes will not cause any of the following circumstances to occur:

- (1) a change in the character of the development;
- (2) a change in the primary use of the development;
- (3) an increase in the intensity, floor area ratio, height or site coverage of the development;
- (4) an increase in the traffic generated by the use;
- (5) a reduction in the originally approved setbacks from property lines;
- (6) an increase in the problems of off-street parking, circulation, safety and utilities;
- (7) a change in the subject size, lighting or orientation of originally approved signs or
- (8) a decrease in the percentage of landscaping required.

This request was given approval by the Zoning Commission on August 19, 2008. It is now ready to go before City Commission for final disposition.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Link:

Ord.

08-40

ORDINANCE NO. 08-40

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, TO ADD SECTION 40-52 DEVELOPMENT PLAN; 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.

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

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

SECTION 1: That the Code of Ordinances of the City of Texas City, Texas, Appendix A. Zoning, Section 40-52, Development Plan, is hereby amended to add and shall hereafter read as follows:

SECTION 40-52. Development Plan

Section 40-52. Development Plan

- (a) Development plan approval by the Planning Board shall be required prior to the issuance of a building permit for the following types of development:
 - (1) Development in non-residential zoning classifications.
 - (2) Development in Planned Unit Developments (PUD), excluding areas of planned developments devoted exclusively to single-family, single-family attached, or duplex dwellings.
 - (3) Development in the S-P Site Plan District, excluding uses devoted exclusively to single-family, single-family attached, or duplex dwellings.
 - (4) Townhouse or multifamily dwellings.
 - (5) Schools, elementary or secondary.
 - (6) Mobile home or recreational vehicle park.
 - (7) Recreational and entertainment uses.
- (b) Approval of a development plan by the Planning Board shall be required when the development plan is in conjunction with a request for a zoning change excluding uses devoted exclusively to single-family, single-family attached, or duplex dwellings.

(c) Formal application and the required information for a development plan shall be made to the City Planner by the applicant on forms prescribed by the City.

(d) Action on application.

(1) When a development plan application has been reviewed and determined to be in conformance with all applicable provisions of the Zoning Ordinance and Subdivision Ordinance by the City Planner, it shall be placed on the agenda for the next available regular Planning Board meeting.

(2) If an application is submitted in conjunction with zoning change request, the development plan will be submitted to the Zoning Commission for a recommendation from that body.

(3) The Planning Board consideration shall include the following:

(a) conformance with planning guidelines set forth in the Comprehensive Plan, if applicable;

(b) paving and layout of streets, alleys and sidewalks;

(c) means of ingress and egress;

(d) provisions for drainage;

(e) provisions for off-street parking;

(f) provisions for protective screening and open spaces;

(g) the impact of noise;

(h) the impact of glare from stationary and vehicular lights;

(i) provisions for areas designated for landscaping; and

(j) other aspects deemed by the Planning Board necessary to consider in the interest of promoting the public health, safety, order, convenience, prosperity and general welfare.

(4) In the approval or disapproval of the development plan, the Planning Board shall not be authorized to waive or vary conditions and requirements contained in the Zoning Ordinance or Subdivision Ordinance.

(5) Any development plan application denied by the Planning Board may be appealed to the City Commission.

(e) Building permits to be in conformance with development plan.

It shall be unlawful to issue a building permit for any development for which a development plan is required pursuant to this chapter prior to the approval of a development plan. No building permit shall be issued except in conformity with the approved development plan or in accordance with authorized minor changes.

(f) Minor changes.

Subsequent to approval of a development plan, minor changes may be authorized by the City Planner when such minor changes will not cause any of the following circumstances to occur:

(1) a change in the character of the development;

(2) a change in the primary use of the development;

(3) an increase in the intensity, floor area ratio, height or site coverage of the development;

(4) an increase in the traffic generated by the use;

(5) a reduction in the originally approved setbacks from property lines;

(6) an increase in the problems of off-street parking, circulation, safety and utilities;

- (7) a change in the subject size, lighting or orientation of originally approved signs or
- (8) a decrease in the percentage of landscaping required.

SECTION 2: That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. In the event any section, clause, sentence, paragraph, or part of this Ordinance shall be for any reason adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, invalidate, or impair the remainder of this Ordinance.

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

SECTION 4: That this Ordinance shall be finally passed upon the date of its introduction and shall become effective from and after its passage and adoption and publication by caption only in the official newspaper of the City.

PASSED ON FIRST READING this 17th day of September, 2008.

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

ATTEST:

Pamela A. Lawrence
City Secretary

PASSED ON SECOND READING this _____ day of _____, 2008.

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

ATTEST:

Pamela A. Lawrence
City Secretary

PASSED AND FINALLY ADOPTED this ____ day of _____, 2008.

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

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Robert Gervais
City Attorney