

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

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

**WEDNESDAY, OCTOBER 15, 2008 - 5:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM - CITY HALL**

- 1. INVOCATION**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PROCLAMATIONS AND PRESENTATIONS**
- 4. CONSENT AGENDA**
  - a. Consider approval of minutes from the October 1, 2008 Regular Called City Commission Meeting.
  - b. Consider approval of **Resolution No. 08-081** appointing/re-appointing Committee members to **Housing Authority of City of Texas City**. (Mayor)
  - c. Consider approval of **Resolution No. 08-082** appointing/re-appointing **City Technical Board members** to the Air Conditioning & Heating Board. (Mayor)
  - d. Consider approval of **Resolution No. 08-083** designating a representative and alternate to the **2009-Board of Directors of the Houston-Galveston Area Council**. (Mayor)
- 5. REGULAR ITEMS**
  - a. Consider approval of the **third and final reading** of **Ordinance No. 08-40** amending the **Code of Ordinances, City of Texas City**, by adding **Section 40-52 - Development Plan**. (Planning Dept.)
- 6. PUBLIC COMMENTS**
- 7. MAYOR'S COMMENTS**
- 8. COMMISSIONERS' COMMENTS**

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

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

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

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

**DATED: October 10, 2008**

## CITY COMMISSION AGENDA 2

**Date:** 10/15/2008

**Submitted By:** Pam Lawrence, Administration

**Department:** Administration

**Agenda Area:** Consent

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### Information

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

Consider approval of minutes from the October 1, 2008 Regular Called City Commission Meeting.

#### **BACKGROUND**

#### **ANALYSIS**

#### **ALTERNATIVES CONSIDERED**

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### Fiscal Impact

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### Attachments

Link: [10-1-2008 City  
Commission Minutes](#)

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**REGULAR CALLED CITY COMMISSION MEETING**

**\* \* MINUTES \* \***

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

A **Regular Called Meeting of the City Commission** was held on **Wednesday, October 1, 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** called upon Commissioner Johnson 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 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.

This item was postponed to the next meeting.

**REPORTS**

- a. City facilities damage report. (Transportation and Planning Dept.)

Doug Kneupper, Director of Transportation and Planning, reported on the damage to the city facilities caused by hurricane Ike. *Carver Park* was one of the hardest hit areas; the Pavilion received substantial damage to the roof, water damage to some carpeted areas; Lincoln Gym had moderate roof damage, water entered the building but no damage to walls, wood flooring has minor damage; the Ball Field's light fixtures and electrical service to field lighting is damaged; the Swimming Pool has electrical service damage and roof material was blown into the pool; the Boys and Girls Club (Old Firehouse) has no recognizable damage; the Concession Building has minor roof shingle damage, electric service pole damaged. Damage to the *Bayou Golf Course* consisted of major damage to the vinyl siding on north and south sides and moderate shingle damage on the Clubhouse building; the overhead door and metal siding was damaged on the Maintenance Shop and there was significant tree damage. Damage to the *Shooting Range* consisted of 400 feet of the perimeter fence was pushed over; the sheet metal roofing was completely blown off the Storage Building; the flood light fixture on the Rifle Range was damaged. The *Lowry Fitness Center and Doyle Natatorium's* damage consisted of approximately 250 feet of the ornamental fence at the Tennis Courts were damaged; the Fitness Center Administration had minor ceiling tile damage from water, no apparent roof damage; cracked/shatter glassed on several solar panels on the natatorium. The *Doyle Convention Center and Nessler Center's* damages consisted of minor damage to clay tile roof on west tower and over Texas Room, major damage to west side porte-cache ceiling tiles; the Nessler Center has no recognizable damage. *City Hall* had minor water damage to ceiling tiles (rain entered through fresh air intake louver). The *Moore's Library* sustained damage to the exterior soffit, missing panels on

east side; two glass panels cracked on south side of building and there is minor damage to top ornaments on the flagpoles. The *City Hall Annex* sustained damage to the roof flashing on south edge of building, water damage to conference room (carpet and base molding); rain entered building around south facing doors, water damage to carpet in Engineering and Community Development; damage to front porch/entryway soffit. The *South Shop* has substantial damage to the block building – Welding Shop and several metal storage structures – Equipment Storage. The metal siding on the *North Shop* was damaged. At the *Wastewater Treatment Plant the Administration and Lab*, the rooftop a/c unit rolled onto its side, water damage to ceiling tile in small mechanical room and training room; the new Dewatering Building had two damaged roof vent hoods; the metal siding was damaged on the Shop Building; the Old Dewater Building's metal siding (south side) was severely damaged, there is also structural damage; the Equipment Storage Shed had minor damage to the siding and roof shingles; the Chlorination Building's roof vent hood was damaged, the small rooftop a/x unit rolled onto its side, small areas of missing roof aggregate, and the doors to chlorine tank storage damaged. Flashing on the south parapet wall was damaged at the *Showboat Pavilion*. Approximately 40 feet of clay tile flashing was damaged at the Museum. The *Sanders Center* had water damage to ceiling tiles on east side of building, minor roof damage. The *Calvin Vincent Center* has no recognizable damage. The *Washington Gym* has minor damage to wood floor at south end of gym, water damage to plaster ceiling behind gym. The *Heights Gym* has no recognizable damage. *Traffic signals* at Palmer and 12<sup>th</sup> Street, Palmer and 5<sup>th</sup> Street, Palmer and 10<sup>th</sup> Street, Palmer and 9<sup>th</sup> Street, Palmer and 6<sup>th</sup> Street, Bay Street and 8<sup>th</sup> Avenue North were all damaged. Approximately 350 street signs were damaged across the entire city.

Jay Williams, Director of the Recreation and Tourism Department, reported on damages to the parks and park buildings. *Holland Park* has fence damage, the storage building has water damage and the concession building shifted off the foundation and all appliances have fallen over. *Godard Park's* two ballfield light poles are down which crushed a bleacher and the cyclone fence. *Tarpey Park's* ballfield light pole is leaning. Johnson Park's swing set was destroyed by a fallen tree. *Trahan Park* has damage to its cyclone fence. The 34<sup>th</sup> Street Soccer Fields white picket fence is damaged. The *Bay Street Park's* light pole is down in the volley ball area; the gazebo at the soccer fields decorative top was destroyed and has roof damage; the Jaycees Pavilion has roof damage; the Observation Pier's railing and end of the pier is damaged. All City parks have tree damage. The Texas City Museum has roof damage and broken and missing tiles. Heritage Square's Wetzel House has substantial damage – the tin roof is completely gone on the south side, the south west bedroom ceiling tiles were soaked and collapsed from the roof leak; the south east living room window is out; the electric line support boards pulled loose from house. The Smoke House was completely destroyed. The Engineers House's has water under back door, the attic window was blown out and there is minor roof damage. The Moore House has heavy roof damage; the ceiling in three rooms ruined from roof leaks; the sofa rugs, all material covered chairs the dining room table, and wood floors were soaked in the living room, middle room and dining room; the wood floors severely buckled at the entry doors; the window screens were blown off; railing at back door missing; the west side of the house has missing boards. The Davison Home's living room alcove window blew out and destroyed window shade and some wood floor damage; the weather vane blew off; the upstairs sitting room's ceiling was ruined; baby bedroom's window and screen was broken; the lattice around the house was damaged; and there is roof damage on the north side of the house and the steeple; the gazebo lattice was detached; the wooden fence was severely damaged; many of the trees were either uprooted or damaged.

b. Status report of clean up of hurricane debris. (Dept. of Public Works)

Mike Stump, Solid Waste Manager, reported on the clean up of hurricane debris. Mr. Stump reported that by the end of today we will have brought in about 120,000 cubic yards of vegetative debris. We are just finishing up our first pass; we already have some trucks going into some areas for the second time. By the end of this week we will begin picking up the construction demolition type of materials. We have changed the equipment a little bit. We started out picking up about 100 loads a day and we have increased that to 400 loads a day. We have cut loose some of the smaller vehicles that were being loaded with the skid steers they were leaving a lot of material in the streets which was causing us some problems with the storm drains of the residents we are going back now with the big gravel trucks which should speed things up.

c. Hurricane operations update. (Police Dept.)

Robert Burby, Chief of Police, reported on the hurricane operations. During the situation the police department worked two simultaneous missions. One being emergency management and one being law enforcement. Calls of service went up; in the two week Ike Recovery Period, we had 4,295 calls of service, which is up 950 calls from two weeks prior to that. An average of 30 officers was deployed per shift to assist in the homeland security portion of our mission as well as law enforcement. The number of arrests during the two week period during Ike was 250; normally, 350 to 400 people are arrested per month. The number of offense reports completed was 538 for a two week period that is also up. Chief reported that they had one incident which might be described as looting – those individuals were caught in the act of trying to relocate Radio Shack, a space was provided for them in the police department's holding facility. Due to the emphasis placed on people and property, officers were saturated in areas of concern and we were able to catch a lot of people in various positions of committing a crime. We were able to enforce a curfew that the County put out. What was put out to our officers was that we had to enforce the spirit of the law because we had a large number of people who remained behind in the City that had places that they needed to go to; we didn't have any problem in that area. The curfew was lifted a week after it had been started. The damage that the police department sustained was minor damage to one of the gutters along the rear entrance walkway and damage to one of the unmarked vehicles, a rock hit the windshield and a patrol unit had it's back window blown out. Those things were replaced by what the department has in stock. The Police Department worked 12 hour shifts from the Sunday morning after Ike until this past Saturday morning. The officers did an excellent job. Everyone worked very well. The police station became a center place for the City during the first week, we provided meals. We had a lot of volunteers, a lot of family members and citizens that came in and helped out.

**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 17, 2008 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)

Names of members' appointed/re-appointed to the City Boards and Committees are as follows:

Board of Adjustments	Beverly Delaney Mitchell Denny Patterson Harvey Cappel Yotarsha "BB" Barker Bryan Thompson Alt: George W. Faust Alt: Patrick Tarpey Alt: Larry Povse
Audit Committee	Mike Land Tommy Clark Donald Singleton
Building & Standards Commission	Beverly Delaney Mitchell Denny Patterson Harvey Cappel Yotarsha "BB" Barker Bryan Thompson Alt: George W. Faust Alt: Aric Owens Alt: Larry Povse Alt: Patrick Tarpey
Civil Service Commission	Harold Fattig
Dike & Bay Area Development	Barry Anderson Bobby Bohn John Valdez Lupe Cantu Tommy Toups
Bayou Golf Course Advisory Board	James Horan Mike Patterson Alana Hilden Raymond Walker L. W. Surratt Mary Glenn Abel Garza, Jr.
Library Board	Elaine Schmitz Sarah Ettredge Shirley Mapps Nellie C. Leach Stephanie Doyle
Recreation & Tourism Board	Ben Cavil J. B. Fitch Miles Montegut Gary Schaper
Planning Board	Jose Boix Harold Fattig R. D. "Dickie" Campbell
Zoning Commission	Perry O'Brien James Horan

Board of Electrical Examiners	Frank Billman Charles Carpenter Ronnie Collins Calvin L. Jones, Sr. Thomas C. Sanchez
Board of Air Conditioning & Heating	Frank Billman Charles Carpenter Ronnie Collins Calvin L. Jones, Sr. Thomas C. Sanchez
Plumbing Appeals & Advisory Board	Bobby Bohn Mitchell Chuoke Bob Fairey, Jr. James Hilden Denny Patterson

**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.**

- c. Consider approval of **Resolution No. 08-078** approving the appointments and re-appointments of board members to the City's Corporations. (Mayor)

Names of board members' appointed/re-appointed to the City Corporations are as follows:

Texas City Economic Development Corporation	Mayor Matthew T. Doyle Mitchell Chuoke Randy Dietel Harold Fattig Mark Ciavaglia
Texas City Harbour Foreign Trade Zone Corporation	Mayor Matthew T. Doyle Tommy Clark Kitty Potter Reverend Lee Dwight Spurlock
City of Texas City Industrial Development Corporation	Randy Dietel C. J. Schmitz Cheryl Hunter
Danforth Health Facilities Corp.	Randy Dietel John Hackbarth Burton Hink Beverly Guillory Lewis Dan Piazza
Texas City Historical Preservation Corporation	Jose Boix Terri O'Brien Irma Moreno Joann Hackbarth Liz Amato Mary Nell Parks Margaret Tuma



Texas City Housing Corporation  
  
Texas City Housing Finance  
Corporation

Ernestine Moreno  
Deana McClellan  
Ernestine Moreno  
Deana McClellan

**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.**

- d. Consider approval of **Resolution No. 08-77** 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.)

Note: Per memo distributed by the Purchasing Coordinator, the quantity should be (3) three – 30 yard and (4) four – 39 yard rectangular open top containers for a total contract price of \$47,988.00.

**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.**

- e. Consider approval of Resolution No. 08-80 authorizing the Mayor to execute an annual Service Agreement for the support and maintenance of the Public Safety Software package. (Purchasing Dept.)

**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.**

- f. Consider approval of Resolution No. 08-79 authorizing the Mayor to execute an annual Service Agreement for the support and maintenance of the Financial and Utility Billing software package. (Purchasing Dept.)

**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.**

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

## REGULAR ITEMS

- a. Consider approval of 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.)**

Don Carroll, City Planner, reported that there had been no changes since the first reading.

### 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 the SECOND READING of 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 Land. All present voted AYE. MOTION CARRIED.**

## PUBLIC COMMENTS

None.

## MAYOR'S COMMENTS

The Pep Rally is being held tonight; Homecoming is this weekend.

## COMMISSIONERS' COMMENTS

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

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MATTHEW T. DOYLE, MAYOR

ATTEST:

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Pamela A. Lawrence, City Secretary

pal: 10-09-2008

4.b.

## Re-appointment of Board Members to HOUSING AUTHORITY OF CITY OF TEXAS CITY

### CITY COMMISSION AGENDA 2

**Date:** 10/15/2008

**Submitted By:** Matthew Doyle, Mayor's Office

**Submitted For:** Matthew Doyle

**Department:** Mayor's Office

**Agenda Area:** Consent

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#### Information

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

Re-Appoint Committee members to:

##### **HOUSING AUTHORITY OF CITY OF TEXAS CITY**

Robert Greeley 9-30-08 to 9-30-2010

Warren B. Jones 9-30-08 to 9-30-2010

Elida Matthews 9-30-08 to 9-30-2010

Oversia Gilbert 9-30-08 to 9-30-09

Jane Baucum 9-30-08 to 9-30-09

##### **BACKGROUND**

None

##### **ANALYSIS**

None

##### **ALTERNATIVES CONSIDERED**

None

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#### Fiscal Impact

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#### Attachments

Link: Res.  
08-081

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**RESOLUTION NO. 08-081**

**A RESOLUTION APPOINTING AND/OR REAPPOINTING MEMBERS TO THE HOUSING AUTHORITY OF THE CITY OF TEXAS CITY; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, on September 30, 2008, the terms of various members of the City of Texas City's Housing Authority expired; and

**WHEREAS**, in order to continue the uninterrupted and efficient operation of the Housing Authority, 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 15th day of October, 2008.**

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

ATTEST:

APPROVED AS TO FORM:

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Pamela A. Lawrence  
City Secretary

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Robert Gervais  
City Attorney

## EXHIBIT “A”

<b>Boards, Commissions and Committees</b>	<b>Reappointment</b>	<b>Appointment</b>	<b>Term Expires</b>
Housing Authority	Robert Greeley		09/30/2010
Housing Authority	Warren B. Jones		09/30/2010
Housing Authority	Elida Matthews		09/30/2010
Housing Authority	Oversia Gilbert		09/30/2010
Housing Authority	Jane Baucum		09/30/2010

## **Re-Appointment for City Technical Board / Air Conditioning & Heating CITY COMMISSION AGENDA 2**

**Date:** 10/15/2008  
**Submitted By:** Matthew Doyle, Mayor's Office  
**Submitted For:** Matthew Doyle  
**Department:** Mayor's Office  
**Agenda Area:** Consent

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### **Information**

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

Re-Appoint City Technical Board members to the Air Conditioning & Heating Board

**James Deslatte 10-1-08 to 10-1-2010**  
**Jack Landriault 10-1-08 to 10-1-2010**  
**Larry Cook 10-1-08 to 10-1-2010**  
**Jim Henley 10-1-08 to 10-1-2010**

#### **BACKGROUND**

None

#### **ANALYSIS**

None

#### **ALTERNATIVES CONSIDERED**

None

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### **Fiscal Impact**

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### **Attachments**

Link: [Res\\_08-082](#)

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**RESOLUTION NO. 08-082**

**A RESOLUTION APPOINTING AND/OR REAPPOINTING MEMBERS TO THE CITY OF TEXAS CITY TECHNICAL BOARD / AIR CONDITIONING AND HEATING; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, on September 30, 2008, the terms of various members of the City of Texas City's Technical Board / Air Conditioning & Heating expired; and

**WHEREAS**, in order to continue the uninterrupted and efficient operation of the Technical Board / Air Conditioning & Heating, 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 15th day of October, 2008.**

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

ATTEST:

APPROVED AS TO FORM:

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Pamela A. Lawrence  
City Secretary

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Robert Gervais  
City Attorney

## EXHIBIT “A”

<b>Boards, Commissions and Committees</b>	<b>Reappointment</b>	<b>Appointment</b>	<b>Term Expires</b>
Technical Board / Air Conditioning & Heating	James Deslatte		10/01/2010
Technical Board / Air Conditioning & Heating	Jack Landriault		10/01/2010
Technical Board / Air Conditioning & Heating	Larry Cook		10/01/2010
Technical Board / Air Conditioning & Heating	Jim Henley		10/01/2010



4.d.

**Designating a representative and alternate to H-GAC Board  
CITY COMMISSION AGENDA 2**

**Date:** 10/15/2008

**Submitted By:** Pam Lawrence, Administration

**Department:** Administration

**Agenda Area:** Consent

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**Information**

**ACTION REQUEST (Brief Summary)**

Consider appointment of representative and alternate representative to serve on the Board of Directors of the Houston-Galveston Area Council for the year 2009. Designating Tommy Clark as Representative and J. W. "Scooter" Wilson, Jr. as Alternate.

**BACKGROUND**

**ANALYSIS**

**ALTERNATIVES CONSIDERED**

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**Fiscal Impact**

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**Attachments**

Link:

Res

08-083

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**RESOLUTION NO. 08-083**

**A RESOLUTION DESIGNATING A REPRESENTATIVE  
AND ALTERNATE TO THE BOARD OF DIRECTORS  
OF THE HOUSTON-GALVESTON AREA COUNCIL  
FOR CALENDAR YEAR 2009; AND PROVIDING THAT  
THIS RESOLUTION SHALL BECOME EFFECTIVE  
FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, a representative and alternate representative are needed to be appointed for the Board of Directors of the Houston-Galveston Area Council for the year 2009;

**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 as the designated representative and alternate to the Board of Directors of the Houston-Galveston Area Council for the year 2009:

REPRESENTATIVE:	Tommy Clark
ALTERNATE:	J. W. "Scooter" Wilson, Jr.

**SECTION 2:** The Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named delegate and alternate.

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

**PASSED AND ADOPTED this 15th day of October, 2008.**

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

ATTEST:

APPROVED AS TO FORM:

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Pamela A. Lawrence  
City Secretary

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Robert Gervais  
City Attorney

## **Third Reading - Section 40-52. Development Plan CITY COMMISSION AGENDA 2**

**Date:** 10/15/2008

**Submitted By:** Julie Morreale, Planning

**Submitted For:** Don Carroll

**Department:** Planning

**Agenda Area:** Regular Items

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### **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**

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**Fiscal Impact**

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**Attachments**

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Link:

Ord

08-40

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## 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.

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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 17<sup>th</sup> day of September, 2008.**

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

ATTEST:

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Pamela A. Lawrence  
City Secretary



PASSED ON SECOND READING this 1st day of October, 2008.

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

ATTEST:

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Pamela A. Lawrence  
City Secretary

PASSED AND FINALLY ADOPTED this 15th day of October, 2008.

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

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Pamela A. Lawrence  
City Secretary

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Robert Gervais  
City Attorney