

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

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

**WEDNESDAY, FEBRUARY 4, 2009- 5:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM - CITY HALL**

- 1. INVOCATION**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PROCLAMATIONS AND PRESENTATIONS**
- 4. PUBLIC HEARING**
  - a. Public hearing to consider Aristidis John Pontikas request to rezone from "A" (Single Family Residential) to "A-2" (Patio Home) to construct new homes; being approximately .85 acres; all of Lot 1 and the west 40.00' of Lot 2 in Block 4 of Lakeview Subdivision; located at 36th Avenue North, Texas City, Texas.
- 5. PRELIMINARY ZONING APPROVAL**
  - a. Consider preliminary approval of Aristidis John Pontikas rezoning request to rezone from "A" (Single Family Residential) to "A-2" (Patio Home) to construct new homes. (Planning Dept.)
- 6. CONSENT AGENDA**
  - a. Consider approval of the minutes from the January 21, 2009 Regular Called City Commission meeting.
  - b. Consider approval **Resolution No. 09-006** amending the **Land Use, Capital Improvements and Impact Fee**. (Transportation and Planning Dept.)
  - c. Consider approval of **Resolution No. 09-007 appointing a Municipal Court Associate Judge**.
  - d. Consider approval of **Resolution No. 09-008** appointing a new board member to the **Recreation and Tourism Board**. (Mayor)
- 10. REGULAR ITEMS**
- 11. PUBLIC COMMENTS**
- 12. MAYOR'S COMMENTS**
- 13. 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: January 30, 2009**

## Rezoning request by Aristidis John Pontikas CITY COMMISSION AGENDA 2

**Date:** 02/04/2009  
**Submitted By:** Julie Morreale, Planning  
**Submitted For:** Don Carroll  
**Department:** Planning  
**Agenda Area:** Public Hearing

### Information

#### ACTION REQUEST (Brief Summary)

Request to schedule a rezoning public hearing for Aristidis John Pontikas. This is a request to rezone from "A" (Single Family Residential) to "A-2" (Patio Home) to construct new homes. Being all of Lot 1 and the West 40.00' of Lot 2 in Block 4 of Lakeview Subdivision. Being approximately .46 Acres. Located at 36th Avenue North.

#### BACKGROUND

This proposed rezoning request was given approval by the Zoning Commission on November 18, 2008 and the Board of Adjustments on December 9, 2008. It is ready to go before the City Commission for final disposition.

#### ANALYSIS

#### ALTERNATIVES CONSIDERED

### Fiscal Impact

### Attachments

Link: [CC PH Notice-Pontikas](#)  
 Link: [City Comm letter](#)  
 Link: [Present property pontikas](#)  
 Link: [Google view pontikas](#)  
 Link: [ZC PH Notice Pontikas](#)  
 Link: [opp letter](#)  
 Link: [Zoning Minutes](#)  
 Link: [BOA minutes](#)

### Form Routing/Status

| Route Seq | Inbox                 | Approved By    | Date                | Status  |
|-----------|-----------------------|----------------|---------------------|---------|
|           |                       | Julie Morreale | 12/30/2008 01:50 PM | CREATED |
| 1         | Planning (Originator) | Don Carroll    | 12/30/2008 04:23 PM | APRV    |
| 2         | Finance               | Cheryl Hunter  | 01/15/2009 01:50 PM | APRV    |
| 3         | Paralegal             | Linda Jennings | 01/15/2009 01:51 PM | APRV    |
| 4         | City Attorney Office  | Linda Jennings | 01/15/2009 01:52 PM | APRV    |
| 5         | Mayor                 |                |                     | NEW     |
| 6         | City Secretary        |                |                     |         |

Form Started By: Julie Morreale      Started On: 12/30/2008 01:50 PM

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## **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City Commission of Texas City will hold a **PUBLIC HEARING** on **Wednesday, February 4, 2009 at 5:00 p.m.** in the Kenneth T. Nunn Room at City Hall. The purpose of the Public Hearing is to hear citizens' opinion in favor of or in opposition to the City of Texas City rezoning requests.

**REQUEST BY:** Aristidis John Pontikas to rezone from "A" (Single Family Residential) to "A2" (Patio Home) to construct new home.

**BEING:** Approximately .85 acres; all of Lot 1 and the west 40.00' of Lot 2 in Block 4 of Lakeview Subdivision.

**LOCATED :** 36<sup>th</sup> Avenue North, Texas City, Texas.

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

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

Date of posting: January 12, 2009

# MEMO

**TO:** City Commission

**FROM:** Don Carroll, City Planner

**DATE:** December 30, 2008

**RE:** Aristidis John Pontikas

This issue came before the Zoning Commission on November 18, 2008. One letter of opposition was received from Mr. Steve Capps regarding property values. The applicant provided his development intent to the Zoning Commission members present. He provided pictures of existing facilities that they have built in the past in order to provide a conceptual illustration of how this project will look. After reviewing all the data presented to the Zoning Commission members present, the members unanimously voted to recommend approval of the request with the stipulation of the Board of Adjustments approving a variance to the 1 Acre minimum for “A-2” (Patio Homes) performance standards. The Board of Adjustments approved the variance request on December 9, 2008.

For a detail summary reference the Zoning Public Hearing minutes of November 18, 2008 and the Board of Adjustments Public Hearing minutes of December 9, 2008.

DC:jm

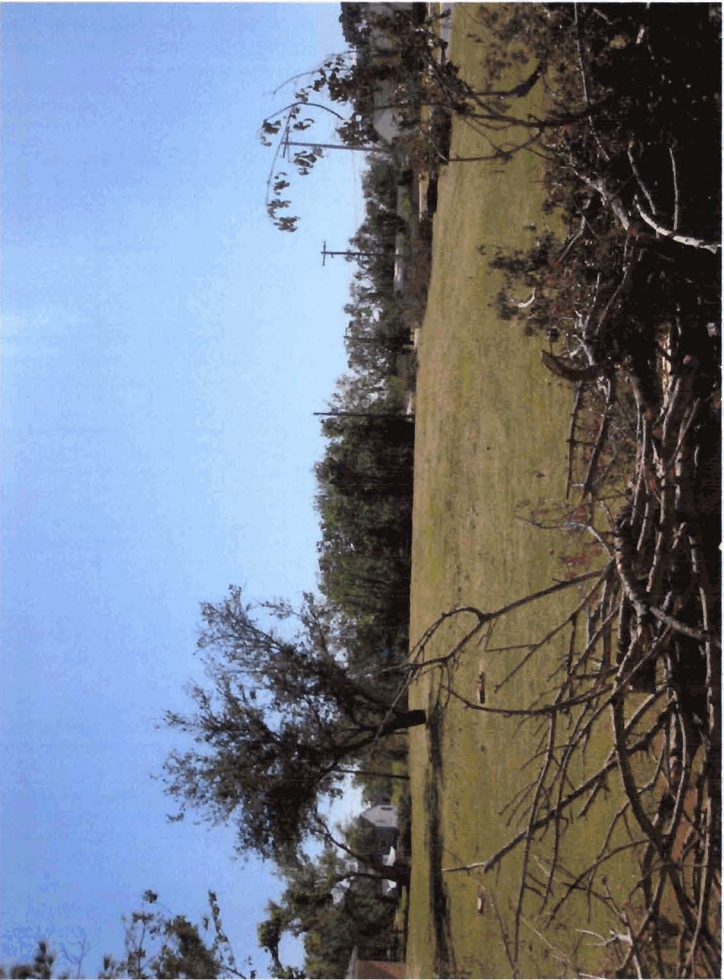
















36th Ave N

19th St N

© 2008 Tele Atlas

Google

29°24'56.46" N 94°55'19.77" W

Jan 9, 2008

Eye alt 175 m

## **NOTICE OF PUBLIC HEARING**

Notice is hereby given that a Public Hearing will be held before the Texas City Zoning Commission at 5:15 p.m. on Tuesday, November 18, 2008 in the Conference Room at City Hall Annex. The purpose of the Public Hearing is to hear citizens' opinion in favor of or in opposition to the City of Texas City rezoning requests.

**REQUEST BY:** Aristidis John Pontikas to rezone from "A" (Single Family Residential) to "A2" (Patio Home) to construct new home.

**BEING:** Being all of Lot 1 and the West 40.00' of Lot 2 in Block 4 of Lakeview Subdivision. Being approximately .85 Acres.

**LOCATED AT:** Located at 36<sup>th</sup> Avenue North .

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

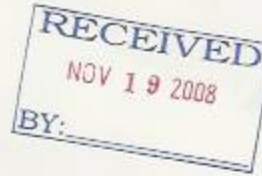
Respectfully,

Donald R. Carroll  
City Planner

DRC:jm

DATED: November 5, 2008

*Read into City Commission  
Public Hearing*



To whom it may concern,

I vehemently oppose the petition to rezone my neighborhood from an "A" (Single Family Residence) to an "A2" (Patio Home) on all of Lot 1 and the West 40' of Lot 2 in Block 4 of Lakeview Subdivision.

The reasoning for this decision is that this type of housing will lower my property value. I will not support this in any way when it will directly affect the market value of my home. The houses will be very small and close together and will not only be an eye sore, but the small value of the houses on the property will lower the value of all of the homes around them.

Thanks

Steve V Capps  
1817 36<sup>th</sup> Avenue North  
77590

A handwritten signature in black ink that reads "Steve V Capps". The signature is stylized with a large, sweeping flourish at the end.



## ZONING COMMISSION MINUTES

November 18, 2008

The Zoning Commission for the City of Texas City met in a regularly scheduled meeting on Tuesday, November 18, 2008 at 5:15 p.m. Board members present were: Chairman Tom Medlin, Gilbert Torres, and Yvonne Chatelain. Staff members present were: Doug Kneupper, Brian Falk and Julie Morreale. Citizens present were Aristidis John Pontikas and John Pontikas.

Chairman Tom Medlin welcomed everyone.

**APPROVAL OF MINUTES.** The minutes from the October 7, 2008 meeting were approved on a motion by Yvonne Chatelain/Gilbert Torres. All members present voted aye.

**ITEM NO. 1** Aristidis John Pontikas requests to rezone from "A" (Single Family Residential) to "A-2" (Patio Home) to construct new home. Being all of Lot 1 and the West 40.00' of Lot 2 in Block 4 of Lakeview Subdivision. Being approximately .46 Acres. Located at 36<sup>th</sup> Avenue North (Action) Mr. Doug Kneupper gave an overview of the request to rezone. He then stated that fourteen property owners were notified of the intent to rezone and to date no letters of opposition have been received. Mr. Kneupper then read the comments from the various Department Heads. The comments were as follows: Fire Marshal, "No objection". Tax Assessor, "No delinquent tax". Planning Director, "No objection to rezoning request...applicant must adhere to all performance provisions prescribed for A-2 Residential. The proposal is not in conflict with the City's Land Use intent. This is an opportunity for infill development to compliment the residential properties already in place. The applicant has an established track record in providing a quality product. This is only three lots, which will be less noticeable". Building Official, "No objections". City Engineer, "(1) Minimum area of 1-Acre for a subdivision is not being met (2) It appears that most of the surrounding lots meet the "A" lot and area requirements". The Public Hearing was then opened on a motion by Gilbert Torres/Yvonne Chatelain. All members present voted aye. Mr. A. John Pontikas gave an overview of his rezoning request. Mr. Pontikas stated the proposed "A-2" Patio Homes would look exactly like the houses he constructed across the street with the only difference being the size of each property. After a brief discussion, a motion to close the Public Hearing was made by Yvonne Chatelain/Gilbert Torres. All members present voted aye. A motion to approve the rezoning request with the stipulation of approval by the Board of Adjustment for a variance to the 1 acre minimum lot size was made by Yvonne Chatelain/Gilbert Torres. All members present voted aye.

After a brief discussion, a motion was made by Gilbert Torres/Yvonne Chatelain to adjourn. All members present voted aye.

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Tom Medlin, Chairman

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Doug Kneupper, Acting Secretary

## **BOARD OF ADJUSTMENTS MINUTES**

December 9, 2008

The Board of Adjustments of the City of Texas City met in a regular scheduled meeting on Tuesday, December 9, 2008 at 5:15 p.m. at City Hall Annex. Board members present were: Chairperson Beverly Mitchell, Harvey Cappel, Denny Patterson and Aric Owens. Staff members present were: Doug Kneupper, Donald Carroll, Brian Falk and Julie Morreale. The citizens present were Aristidis John Pontikas.

### **APPROVAL OF MINUTES**

**APPROVAL OF MINUTES:** The minutes of the August 26, 2008 meeting were approved **on a motion by Harvey Cappel/Aric Owens. All members present voted aye.**

**ITEM NO. 1 Aristidis John Pontikas requests a variance to 1 acre minimum for "A-2" (Patio Homes) replat. Being all of Lot 1 and the West 40.00' of Lot 2 in Block 4 of Lakeview Subdivision. Being approximately .46 Acres. Located at 36<sup>th</sup> Avenue North (Action)** Mr. Carroll gave an overview of the variance request. Mr. Carroll then read the comments from the various Department Heads. The comments were as follows: Planning Director, "In lieu of the fact that the 1-Acre minimum request was initially formulated for the A-2 Patio Homes and since that time we have modified our setback provision to mirror A-Single Family Residential there is not a major difference other than the lot size. This still will require a viable well built masonry structures to be built on the smaller lot. We have been consistent in allowing in fill development that other wise would not occur. The applicant has been successful in developing a good product in similarly situated areas with no problem - we offer no objections to the request". Building Official, "No objections." City Engineer, "Typically variances require a bona-fide hardship to receive consideration. I cannot identify a hardship with this application". Fire Marshall, "No objections". There were not any oppositions. There were no further discussion and **a motion to approve the variance was made by George Faust/Denny Patterson. All members present voted aye.**

**A motion was made by Harvey Cappel/Denny Patterson to adjourn. All members present voted aye.**

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Chairman, Beverly Mitchell

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Donald Carroll, Secretary

## Rezoning request by Aristidis John Pontikas CITY COMMISSION AGENDA 2

**Date:** 02/04/2009  
**Submitted By:** Julie Morreale, Planning  
**Submitted For:** Don Carroll  
**Department:** Planning  
**Agenda Area:** Zoning Preliminary Approval

### Information

#### ACTION REQUEST (Brief Summary)

Aristidis John Pontikas requests to rezone from "A" (Single Family Residential) to "A-2" (Patio Home) to construct new home. Being all of Lot 1 and the West 40.00' of Lot 2 in Block 4 of Lakeview Subdivision. Being approximately .46 Acres. Located at 36th Avenue North

#### BACKGROUND

This proposed rezoning request was given approval by the Zoning Commission on November 18, 2008 and the Board of Adjustments on December 9, 2008. It is ready to go before the City Commission for final disposition

#### ANALYSIS

#### ALTERNATIVES CONSIDERED

### Fiscal Impact

### Attachments

*No file(s)  
attached.*

### Form Routing/Status

| Route Seq                       | Inbox                 | Approved By    | Date                            | Status  |
|---------------------------------|-----------------------|----------------|---------------------------------|---------|
|                                 |                       | Julie Morreale | 12/30/2008 03:45 PM             | CREATED |
| 1                               | Planning (Originator) | Don Carroll    | 12/30/2008 04:23 PM             | APRV    |
| 2                               | Finance               | Cheryl Hunter  | 01/15/2009 01:50 PM             | APRV    |
| 3                               | Paralegal             | Linda Jennings | 01/15/2009 01:51 PM             | APRV    |
| 4                               | City Attorney Office  | Linda Jennings | 01/15/2009 01:52 PM             | APRV    |
| 5                               | Mayor                 |                |                                 | NEW     |
| 6                               | City Secretary        |                |                                 |         |
| Form Started By: Julie Morreale |                       |                | Started On: 12/30/2008 03:45 PM |         |

6.a.

**Minutes from the January 21, 2009 City Commission meeting**  
**CITY COMMISSION AGENDA 2**

**Date:** 02/04/2009

**Submitted By:** Pam Lawrence, Administration

**Department:** Administration

**Agenda Area:** Consent

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**Information**

**ACTION REQUEST (Brief Summary)**

Consider approval of the minutes from the January 21, 2009 Regular Called City Commission meeting.

**BACKGROUND**

**ANALYSIS**

**ALTERNATIVES CONSIDERED**

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**Fiscal Impact**

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**Attachments**

Link: [1-21-2009 City Commission Minutes](#)

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**REGULAR CALLED CITY COMMISSION MEETING**

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

**WEDNESDAY, JANUARY 21, 2009 – 5:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM – CITY HALL**

A **Regular Called Meeting of the City Commission** was held on **Wednesday, January 21, 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. Commissioner Tommy Clark was not able to attend.

The **Mayor** called upon **Pastor Clayton C. Thomas, Sr. Grace & Mercy Missionary Baptist Church**, to offer the **Invocation**. The Mayor thanked Pastor Thomas for his attendance and for offering the invocation. **Commissioner Clark** 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**

Fire Chief Gorman presented citations for honorable service and promotions.

**Kenneth M. Beach** was presented with the **Chief's Medal**; **Cory Aiken** was presented with the **Firefighter of the Year Award**.

**Promotions** were given to the following firefighters:

|                         |                    |                        |
|-------------------------|--------------------|------------------------|
| <b>Kenneth M. Beach</b> | <b>promoted to</b> | <b>Engineer</b>        |
| <b>Micha Simons</b>     | <b>promoted to</b> | <b>Engineer</b>        |
| <b>Derek Duckett</b>    | <b>promoted to</b> | <b>Engineer</b>        |
| <b>Shane Martin</b>     | <b>promoted to</b> | <b>Engineer</b>        |
| <b>Jonathan Lee</b>     | <b>promoted to</b> | <b>Engineer</b>        |
| <b>Lee Hart</b>         | <b>promoted to</b> | <b>Captain</b>         |
| <b>Dennis Harris</b>    | <b>promoted to</b> | <b>Captain</b>         |
| <b>David B. Zacherl</b> | <b>promoted to</b> | <b>Assistant Chief</b> |

**PUBLIC HEARING**

- a. Public Hearing to consider the City of Texas City's request for modification to the Land-Use Assumption and Capital Improvements Plan and Water/Sewer Impact Fee.

Doug Kneupper, Director of Transportation and Planning, explained that the water and sewer impact fees generally apply to large undeveloped areas (basically west of 146 and north of the Lowry Expressway) areas that have a strong potential for some future development that are currently unserved by water and sewer. It is an opportunity for the City to either have the developer install all of the required water and sewer infrastructure, the major capital improvements; or, it provides a significant amount of the funding so that there is not that much of an impact to the existing rate payers to have to help pay for a developers infrastructure for his project.

The City has been collecting impact fees since 1990. State statutes require that an update and review of the Capital Improvement Plan be done at least every five years; the City's last update was in 2003. An Advisory Committee was appointed. Based on state statutes governing the use of Impact Fees, the specific task of the Advisory Committee is to review the Land-Use/Growth Assumptions and the facilities needed to serve the growth. On December 15, 2008, the Advisory Committee met to review and consider amendments to the Land -Use /Growth Assumptions, Capital Improvement Plan and Impact Fees associated with the Capital Recovery Program. After staff's presentation and the Committee's discussion of the Impact Fee Report, the Advisory Committee approved and recommends to the City Commission to adopt and approve proposed amendments and updates to Land Use, Capital Improvements and Impact Fees.

Mr. Kneupper gave a presentation which provided a general overview of the entire Impact Fee Report with specific detailed information about the Land-Use/Growth Assumptions and the Capital Improvements/Facilities Plan. He discussed the overall service areas, general system requirements, the sewer capital improvements, the water capital improvements. He continued with cost estimates for Zone 1, Zone 2, and Zone 3 noting fee calculations for each Zone. Zone 1: Water - \$1,400 Sewer - \$750. Zone 2: Water - \$1,900. Zone 3: Water - \$2,300 Sewer - \$4,100. A comparison of the recommended fees to area cities was given. In Zone 1 and Zone 2 the City is generally below other cities and in Zone 3 we are a little above.

The Mayor asked if there were anyone that wished to speak for or against the public hearing; there were none.

**Commission Land made a MOTION TO CLOSE THE PUBLIC HEARING; the motion was SECONDED by Commissioner Singleton. 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 January 7, 2009 Regular Called City Commission Meeting.
- b. Consider approval of **Resolution No. 09-006** awarding the bid for the **purchase and delivery of (6) 2009 Model ¾ Ton Pick Up Trucks, (1) 2009 Model Service Body & (1) 2009 Model SUV.** (Purchasing Dept.)

**RESOLUTION NO. 09-006**

**A RESOLUTION AWARDING A BID AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE AND DELIVERY OF SIX (6) 2009 MODEL ¾ TON PICK UP TRUCK, ONE (1) 2009 MODEL SERVICE BODY AND ONE (1) 2009 MODEL SUV; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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

## **REGULAR ITEMS**

- a. Consider approval of the **third and final reading of Ordinance No. 08-56 amending the City of Texas City Code of Ordinances amending Chapter 54, Article I, Fire Prevention and Protection**, by amending Sec. 54-2 to increase the award for arson from \$300.00 to \$500.00; amending **Chapter 54, Article III. Fire Prevention Code, Section 54-71** by adopting the 2006 Edition of the International Fire Code as the Fire Code of the City of Texas City, including Appendices A, B, C and D; amending **Chapter 54, Article III, "Fire Prevention Code", Sec. 54-72** by adopting local amendments to the Fire Code; containing a savings clause; providing for the repeal of all ordinances in conflict therewith. (Fire Dept.)

There were no changes from the last reading of Ordinance No. 08-56.

### **ORDINANCE NO. 08-56**

AN ORDINANCE OF THE CITY OF TEXAS CITY, TEXAS, AMENDING CHAPTER 54, ARTICLE I, "FIRE PREVENTION AND PROTECTION", OF THE CITY CODE BY AMENDING SECTION 54-2 TO INCREASE THE AWARD FOR ARSON FROM \$300 TO \$500; AMENDING CHAPTER 54, ARTICLE III, "FIRE PREVENTION CODE", SECTION 54-71 OF THE CITY CODE BY ADOPTING THE 2006 EDITION OF THE *INTERNATIONAL FIRE CODE* AS THE FIRE CODE OF THE CITY OF TEXAS CITY, INCLUDING APPENDICES A, B, C AND D; AMENDING CHAPTER 54, ARTICLE III, "FIRE PREVENTION CODE", SECTION 54-72 OF THE CITY CODE BY ADOPTING LOCAL AMENDMENTS TO THE FIRE CODE; 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 Wilson made a MOTION to APPROVE the third and final reading of Ordinance No. 08-56 amending the City of Texas City Code of Ordinances amending Chapter 54, Article I, Fire Prevention and Protection, by amending Sec. 54-2 to increase the award for arson from \$300.00 to \$500.00; amending Chapter 54, Article III. Fire Prevention Code, Section 54-71 by adopting the**

**2006 Edition of the International Fire Code as the Fire Code of the City of Texas City, including Appendices A, B, C and D; amending Chapter 54, Article III, "Fire Prevention Code", Sec. 54-72 by adopting local amendments to the Fire Code; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.**

- b. Consider approval of **Ordinance No. 09-03 amending the City of Texas City's fiscal year 2008-2009 budget to carry forward fiscal year 2007-2008 water/sewer projects.** (Finance Dept.)

A budget amendment is needed to carry forward fiscal year 2007-08 water/sewer projects. These projects were originally funded during the 2007-08 budget year and were not carried forward into the 2008-09 budget year. Funding is available in the water and sewer revenue funds.

ORDINANCE NO. 09-03

AN ORDINANCE AMENDING ORDINANCE NO. 08-37, ADOPTING THE 2008-2009 FISCAL YEAR BUDGET TO PROVIDE FUNDING TO CARRY FORWARD FISCAL YEAR 2007-2008 WATER/SEWER PROJECTS INTO THE 2008-2009 BUDGET YEAR; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET IN THE OFFICE OF THE GALVESTON COUNTY CLERK AND THE STATE COMPTROLLER'S OFFICE; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

**Commissioner Clark made a MOTION to APPROVE Ordinance No. 09-03 amending the City of Texas City's fiscal year 2008-2009 budget to carry forward fiscal year 2007-2008 water/sewer projects; the motion was SECONDED by Commissioner Haney. All present voted AYE. MOTION CARRIED.**

- c. Consider approval of **Ordinance No. 09-04 amending the City of Texas City's fiscal year 2008-2009 budget to provide funding for the purchase of right-of-ways (ROW) and surveying and drafting expenses related to Central Parkway and Galveston County Bond projects.** (Finance Dept.)

A budget amendment is needed to provide funding for the purchase of right-of-ways (ROW) and surveying and drafting expenses related to Central Parkway and Galveston County Bond projects. Funding is available in the General Fund. Surveying and drafting expenses are estimated at \$50,000.00 and the right-of-way expenses are estimated at \$50,000.00.

ORDINANCE NO. 09-04

AN ORDINANCE AMENDING ORDINANCE NO. 08-37, ADOPTING THE 2008-2009 FISCAL YEAR BUDGET TO PROVIDE FUNDING FOR THE PURCHASE OF RIGHT-OF-WAYS AND SURVEYING AND DRAFTING EXPENSES RELATED TO CENTRAL PARKWAY AND GALVESTON COUNTY BOND PROJECTS; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET IN THE OFFICE OF THE GALVESTON COUNTY CLERK AND THE STATE COMPTROLLER'S OFFICE; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

**Commissioner Clark made a MOTION to APPROVE Ordinance No. 09-04 amending the City of Texas City's fiscal year 2008-2009 budget to provide funding for the purchase of right-of-ways (ROW) and surveying and drafting expenses related to Central Parkway and Galveston County Bond projects; the motion was SECONDED by Commissioner Wilson. All present voted AYE. MOTION CARRIED.**

- d. Consider approval of **Ordinance No. 09-05 amending the City of Texas City's fiscal year 2008-2009 budget to provide an appropriation to award roofing projects** related to damages incurred by Hurricane Ike. (Finance Dept.)



A budget amendment is needed to provide an appropriation to award roofing projects related to damages incurred by Hurricane Ike. Roof's on City buildings were damaged by Hurricane Ike and are in need of either repair or replacement, costs are estimated to be \$465,000, which will be reimbursed by either FEMA and the City's insurance (TML).

**ORDINANCE NO. 09-05**

**AN ORDINANCE AMENDING ORDINANCE NO. 08-37, ADOPTING THE 2008-2009 FISCAL YEAR BUDGET TO PROVIDE AN APPROPRIATION TO AWARD ROOFING PROJECTS RELATED TO DAMAGE FROM HURRICANE IKE; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET IN THE OFFICE OF THE GALVESTON COUNTY CLERK AND THE STATE COMPTROLLER'S OFFICE; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

**Commissioner Land made a MOTION to APPROVE Ordinance No. 09-05 amending the City of Texas City's fiscal year 2008-2009 budget to provide an appropriation to award roofing projects related to damages incurred by Hurricane Ike; the motion was SECONDED by Commissioner Clark. All present voted AYE. MOTION CARRIED.**

**PUBLIC COMMENTS**

None.

**MAYOR'S COMMENTS**

Sheila Bowden, Community Development Coordinator, reported that the Renaissance program will begin in Chelsea Manor Saturday with a street festival aimed at improving the neighborhood's image.

**COMMISSIONERS' COMMENTS**

Commissioner Wilson noted bp's 75<sup>th</sup> year in Texas City. Commissioner Land commented on the success of the Mayors and Council Members' Meeting held at the Doyle Convention Center last Wednesday.

Having no further business, **Commissioner Johnson made a MOTION to ADJOURN at 5:30 p.m.; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.**

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**MATTHEW T. DOYLE, MAYOR**

**ATTEST:**

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**Pamela A. Lawrence, City Secretary**

## **WATER and SEWER IMPACT FEE CITY COMMISSION AGENDA 2**

**Date:** 02/04/2009

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

**Submitted For:** Doug Kneupper

**Department:** Transportation and Planning

**Agenda Area:** Consent

### **Information**

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

Consider approval of a Resolution to amend the Land Use, Capital Improvements and Impact Fee as presented to Commission at a Public Hearing on January 21, 2009.

#### **BACKGROUND**

As a requirement of the Capital Recovery Plan; amendments to the Plan must be presented to the City Commission then reviewed at a Public Hearing set by order of the City Commission.

On December 15, 2008, staff presented the Impact Fee Report to the Advisory Committee for their feedback and/or concurrence with the Land Use assumptions and the Capital Improvement Plan. After staff's presentation and the Committee's discussion of the Impact Fee Report, The Advisory Committee recommended to the City Commission to adopt and approve proposed amendments and updates to Land Use, Capital Improvements and Impact Fees.

A Public Hearing was held 1-21-09 to allow for public input. There were no public comments.

#### **ANALYSIS**

#### **ALTERNATIVES CONSIDERED**

### **Fiscal Impact**

### **Attachments**

Link: [Res. 09-006](#)

Link:

[CitizensAdvisoryCCmemo](#)

Link: [Impact Fee 121008](#)

### **Form Routing/Status**

#### **Route Seq Inbox**

#### **Approved By Date**

#### **Status**

|   |                             |                |                     |         |
|---|-----------------------------|----------------|---------------------|---------|
|   |                             | Edna Patterson | 01/22/2009 10:45 AM | CREATED |
| 1 | Transportation and Planning | Doug Kneupper  | 01/26/2009 09:58 AM | APRV    |
| 2 | Finance                     |                |                     | NEW     |

3 Paralegal  
4 City Attorney Office  
5 Mayor  
6 City Secretary

Form Started By: Edna Patterson

Started On: 01/22/2009 10:45 AM

---

## **RESOLUTION NO. 09-006**

**A RESOLUTION APPROVING THE AMENDMENTS TO LAND USE ASSUMPTION, CAPITAL IMPROVEMENT PLAN AND UTILITY IMPACT FEES ASSOCIATED WITH THE CAPITAL RECOVERY PROGRAM; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

---

**WHEREAS**, Section 395.052, of the Texas Local Government Code, directs and states that a governing body of the political subdivision shall update its land use assumptions and the capital improvements plan at least every five (5) years;

**WHEREAS**, on December 15, 2008, staff presented the Impact Fee Report to the Advisory Committee for their feedback and/or concurrence with the Land Use assumptions and the Capital Improvement Plan and, after staff's presentation and the Committee's discussion of the Impact Fee Report, the Advisory Committee recommended to the City Commission to adopt and approve proposed amendments and updates to Land Use, Capital Improvements and Impact Fees;

**WHEREAS**, a Public Hearing was held as required on January 21, 2009, to allow for public input and no comments were received from the public; and

**WHEREAS**, the City Engineer recommends that it is in the best interest of the City to amend its land use assumptions, capital improvements plan and utility impact fees in accordance with the Texas Local Government Code.

**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 amends the City's Land Use Assumptions, Capital Improvement Plan and Utility Impact Fees in accordance with the Texas Local Government Code and the document entitled "Capital Recovery Plan Update December 2008" attached as Exhibit A.

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

**PASSED AND ADOPTED this 4th day of February, 2009.**

---

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

# Memo

**To:** Mayor Doyle  
City Commission  
**From:** Citizens Advisory Committee  
**CC:**  
**Date:** 1/8/2009  
**Re:** Capital Recovery Plan

---

On December 15, 2008, the Citizens Advisory Committee for the Capital Recovery Plan met in a legally posted meeting to review and consider amendments to the Land -Use /Growth Assumptions, Capital Improvement Plan and Impact Fees associated with the Capital Recovery Program.

Transportation and Planning Department staff provided the Citizens Advisory Committee with information regarding an update to Water and Sewer Impact Fees. The presentation also provided a general overview of the entire Impact Fee Report with specific detailed information about the Land-Use/Growth Assumptions and the Capital Improvements/Facilities Plan.

Based on state statutes governing the use of Impact Fees, the specific task of the Advisory Committee is to review the Land-Use/Growth Assumptions and the facilities needed to serve the growth (i.e. Capital Improvements Plan). After staff's presentation and the Committee's discussion of the Impact Fee Report, The Advisory Committee hereby recommends to the City Commission adoption of the Land-Use Assumption and Capital Improvements Plan as presented.

CITIZENS ADVISORY COMMITTEE

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Chairperson Eloise O'Bryant

Attachments

  
Donald R. Carroll, Secretary

**City of Texas City  
Capital Recovery Fees  
Status Report  
October 1, 2004-September 30, 2008**

|  | <u>Water</u>            | <u>Sewer</u>             |
|--|-------------------------|--------------------------|
| <b>A. <u>Capital Recovery Fees Collected this Period</u></b>                       |                         |                          |
| Capital Recovery Fee (October 2004)  | \$ 3,861                | \$ 1,485                 |
| Rainsong Section II  | 78,000                  | 30,000                   |
| Rainsong Section III   | 106,600                 | 41,000                   |
| Lone Trail I   | 104,000                 | 40,000                   |
| <b>Total</b>   | <b>\$ 292,461</b>       | <b>\$ 112,485</b>        |
| <b><u>Total Combined Capital Recovery Fees Collected this Period</u></b>           |                         | <b><u>\$ 404,946</u></b> |
| <b>B. <u>Capital Recovery Fees Assessed this Period (Not Collected)</u></b>        |                         |                          |
|  |                         | <b><u>\$ -</u></b>       |
| <b>C. <u>Capital Improvements Cost Expended by the City this period</u></b>        |                         |                          |
| Water Well   |                         |                          |
| a. Klotz Associates (Engineering Fees)   | \$ 103,458              |                          |
| b. Mohamed Deen (Purchase parcel/tract)  | 6,000                   |                          |
| c. Construction Phase  | 180,400                 |                          |
| <b>Total Water Well Expenses (Thru 9-30-08)</b>                                    | <b>\$ 289,858</b>       |                          |
| Lift Station #29   |                         |                          |
| a. Claunch & Miller (Engineering)  |                         | \$ 80,957                |
| <b><u>Total Combined Improvement Cost (October 1, 2004-September 30, 2008)</u></b> |                         | <b><u>\$ 370,815</u></b> |
| <b>D. <u>Fund Status through September 30, 2008</u></b>                            |                         |                          |
| Balance Forward (October 1, 2004)  | \$ 134,485              | \$ 403,317               |
| Add: Capital Recovery Fees Collected   | 185,861                 | 219,085                  |
| Add: Interest Earned (October 1, 2004-September 30, 2008)                          | 13,184                  | 37,941                   |
| Less: Expenses (October 1, 2004-September 30, 2008)                                | <u>(289,858)</u>        | <u>(80,957)</u>          |
| <b>Balance: September 30, 2008</b>   | <b><u>\$ 43,671</u></b> | <b><u>\$ 579,386</u></b> |
| <b><u>Combined Fund Status through September 30, 2008</u></b>                      |                         | <b><u>\$ 623,057</u></b> |
| <b>E. <u>Anticipated Projects &amp; Expenses (Contracts)</u></b>                   |                         |                          |
| Final Design-Lift Station #29 & 42" Sanitary Sewer-\$67,000 Remaining              |                         |                          |

**City of Texas City Capital Recovery Funds (Water & Sewer)**  
**Since Originated-June 1990**

**Revenues:**

**Capital Recovery Fees:**

|   |            |
|---|------------|
| Mainland Crossing Shopping Center                           | \$ 131,523 |
| Amoco Production (E.F. Lowry Expressway)                    | 6,798      |
| Church of Christ (Pine Street)                              | 8,600      |
| Texas Mill Supply (Phase I)                                 | 3,500      |
| Home Health Concepts Medical Park (Phase I)                 | 2,723      |
| T. D. C. J. Southeast Regional Medical Facility(\$47,500)   |            |
| Waived per development agreement                            |            |
| County Juvenile Detention Facility(\$ 12,500)               |            |
| Waived in lieu of \$398,000 in Utility Extensions by County | -          |
| Lowe's Home Center  | 110,989    |
| Home Health Concepts Medical Park Phase II                  | 2,349      |
| Hearthstone Assisted Living Facility                        | 8,404      |
| Dietel Development - (HWY. 146)                             | 2,410      |
| Storage Warehouse - 9000 Block FM 1764                      | 8,508      |
| Mainland Crossing Townhomes                                 | 250,000    |
| Oversize line for Mainland Townhomes                        | 26,626     |
| Demontrond (\$12,500)                                       |            |
| Waived in lieu of customer providing installation of lines  | -          |
| SouthPoint Estates IA                                       | 57,400     |
| SouthPoint Estates 113                                      | 156,800    |
| South Point Estates 2A & 2B                                 | 274,600    |
| JSC Credit Union  | 5,346      |
| Rainsong Section II   | 108,000    |
| Rainsong Section III  | 147,600    |
| Lone Trail I  | 144,000    |

**Total Capital Recovery Fees:**

\$ 1,456,175

**Interest Income:**

70,876

**Total Revenues:**

\$ 1,527,051

**Expenditures:**

|   |           |
|---|-----------|
| Pressure Reducing Station & 12" Waterline Hwy 146 | \$ 48,571 |
| 15" Sewer extension to Lowe's                     | 116,944   |
| 12" Water extension to Lowe's                     | 111,530   |
| Oversize line for Mainland Crossing               | 48,520    |
| Demontrond  | 9,709     |
| 12"Waterline - Amburn Road                        | 197,906   |
| Preliminary Design (LS. #29/42" Gravity Line)     | 80,957    |
| Preliminary Design (Water Well FM 2004)           | 109,458   |
| Construction Phase (Water Well FM 2004)           | 180,400   |

**Total Expenditures:**

903,994

**Total Fund Balance-Water & Sewer-@ 9-30-08**

**\$ 623,057**



# Memo

**To:** Citizens Advisory Board

**From:** Doug Kneupper, City Engineer

**CC:**

**Date:** 12/9/2008

**Re:** Update to Impact Fee Study

---

The Citizens Advisory Board is a combination of the Planning Board and Zoning Commission. The purpose of the Advisory Board is to assist the City with assessment of Water and Sewer Impact Fees. The Advisory Board has been in-place for several years and reviewed the previous Impact Fee Study that occurred in 2003. The last meeting of the Advisory Board was in October 2004 to review a semi-annual report.

The City is preparing an update to the Impact Fee Study and review by the Advisory Board is required (draft report is attached). The Engineering Dept. will make a presentation to the Advisory Board regarding the current update to the Impact Fee Study.



**City of Texas City  
Capital Recovery Plan Update  
December 2008**

**Prepared by  
City of Texas City  
Transportation & Planning Dept.**

## **GENERAL SYSTEM REQUIREMENTS**

### **WATER**

Ground Storage @ 200 Gallons/ESFC

Elevated Storage @ 100 Gallons/ESFC

Well Capacity @ 0.35 GPM/ESFC

### **SANITARY SEWER**

Trunk Mains and Collection Lines @ 350 Gallons per Day /ESFC with 4Q Peak

Lift Stations @ 350 Gallons per Day/ESFC with 4Q Peak

Treatment Plants @ 350 Gallons per Day/ESFC

Figures 1, 2, and 3 are separate attachments (11 x 17) for e-mail purpose.

# **Capital Recovery Master Plan Zone 1 [ West TexasCity ]**

## **Water**

|  |                |                        |
|--|----------------|------------------------|
| <u>Water Plant No. 1 Items [East of I-45]</u>                                    |                |                        |
| On Site Recharge Water Well  | \$2,299,970.00 |                        |
| Future Ground Storage Tank and Booster Pumps                                     | \$2,742,300.00 |                        |
| Future Elevated Water Tank   | \$2,160,030.00 |                        |
| Remote Water Well & Well Line  | \$2,057,520.00 |                        |
| Remote Water Well & Well Line  | \$2,057,520.00 |                        |
| Water Plant No. 1 Subtotal:  |                | \$11,317,340.00        |
| <u>Water Plant No. 2 Items [West of I-45]</u>                                    |                |                        |
| On Site Recharge Water Well  | \$2,299,970.00 |                        |
| Future Ground Storage Tank and Booster Pumps                                     | \$2,742,300.00 |                        |
| Future Elevated Water Tank   | \$2,160,030.00 |                        |
| Remote Water Well & Well Line  | \$2,057,520.00 |                        |
| Remote Water Well & Well Line  | \$2,057,520.00 |                        |
| Water Plant No. 2 Subtotal:  |                | \$11,317,340.00        |
| <u>16-inch Water Transmission Line - WSP-1-1 to WSP 1-2 (6,800 lf)</u>           |                | \$1,564,290.00         |
| <u>16-inch Water Distribution Line - WSP-1-1 to WSP 1-2 (9,000 lf)</u>           |                | \$1,893,060.00         |
| <u>16-inch &amp; 12-Inch Water Distribution Lines - WP 1 to UPRR (10,460 lf)</u> |                | \$1,893,805.00         |
| <u>12-inch Water Distribution Line - Century - Monticello (6,550 lf)</u>         |                | \$835,390.00           |
| <b>Total Water:</b>  |                | <b>\$28,821,225.00</b> |

## **Sewer**

|   |                |                        |
|---|----------------|------------------------|
| <u>Lift Station 29</u>                                      |                | <b>\$3,438,562.65</b>  |
| Phase I - Interim LS 29                                     | \$1,300,140.00 |                        |
| Phase II - Ultimate LS 29 Structure and Sitework            | \$2,009,272.65 |                        |
| Phase III - Install Final LS 29 Pump Upgrade                | \$129,150.00   |                        |
| <u>42-inch sewer Serving LS 29:</u>                         |                | <b>\$2,648,889.50</b>  |
| Phase I - LS 29 to FM 2004 (4,600 lf)                       | \$1,592,164.60 |                        |
| Phase II - FM 2004 to WP No. 1 Area (3,300 lf)              | \$1,056,724.90 |                        |
| <u>16-inch force main Serving LS 29 (8,600 lf)</u>          |                | <b>\$1,383,110.00</b>  |
| <u>30-inch force main Serving LS 29 (8,600 lf)</u>          |                | <b>\$2,664,700.00</b>  |
| <u>Upgrade to Lift Station 10 (Larger Pumps)</u>            |                | <b>\$675,000.00</b>    |
| <u>18-Inch Trunk Main - Century Blvd. (1,360 lf)</u>        |                | <b>\$408,730.00</b>    |
| <u>Lift Station 1-1 &amp; 12-Inch force main (7,200 lf)</u> |                | <b>\$2,617,992.00</b>  |
| <u>Lift Station 1-2 &amp; 12-Inch force main (6,560 lf)</u> |                | <b>\$2,124,457.00</b>  |
| <b>Total Sewer:</b>   |                | <b>\$15,961,441.15</b> |

**Capital Recovery Master Plan**  
**Zone 2 Service Area**

**Water**

|   |    |           |           |
|---|----|-----------|-----------|
| <u>Shared Water Distribution Mains (29,400 lf of 12-inch mains)</u> |    | \$        | 2,940,000 |
| <u>Water Plant Items</u>  |    | \$        | 4,756,360 |
| Water Well No. 1. On Site   | \$ | 2,014,060 |           |
| Ground Storage Tank and Booster Pump Station                        | \$ | 2,742,300 |           |
| <b>Total Water Items:</b>   |    | \$        | 7,696,360 |

**Capital Recovery Master Plan**  
**Zone 3 [ North Dickinson Bayou Service Area ]**

**Water**

|  |                       |                        |
|--|-----------------------|------------------------|
| <u>Water Distribution Main 'A' (13,800 lf - 16-inch)</u> |                       | <b>\$1,820,730.00</b>  |
| <u>Water Distribution Main 'B' (6,050 lf - 16-inch)</u>  |                       | <b>\$1,454,470.00</b>  |
| <u>Water Plant Items</u>                                 |                       |                        |
| <i>Water Supply Well No 1 , On Site</i>                  | <i>\$1,959,690.00</i> |                        |
| <i>Ground Storage Tank and Booster Pump Station</i>      | <i>\$3,021,090.00</i> |                        |
| <i>500,000 Elevated Water Tank</i>                       | <i>\$1,214,090.00</i> |                        |
| <i>Water Supply Well No 2 , Remote</i>                   | <i>\$2,037,070.00</i> |                        |
| Water Plant Subtotal:                                    |                       | <b>\$8,231,940.00</b>  |
| <b>Total Water:</b>                                      |                       | <b>\$11,507,140.00</b> |

**Sewer**

|   |                       |                        |
|---|-----------------------|------------------------|
| Wastewater Treatment Plant to 1.25 MGD            |                       | <b>\$8,921,200.00</b>  |
| Wastewater Trunk Main 'A' - (1,900 lf of 30-inch) |                       | <b>\$605,910.00</b>    |
| Wastewater Trunk Main 'B' (1,450 lf of 30-inch)   |                       | <b>\$461,400.00</b>    |
| Wastewater Trunk Main 'C' (3,240 lf of 30-inch)   |                       | <b>\$1,007,810.00</b>  |
| Master Lift Station 'A'                           |                       |                        |
| <i>Interim Lift Station 'A'</i>                   | <i>\$486,150.00</i>   |                        |
| <i>Ultimate Lift Station 'A'</i>                  | <i>\$1,035,390.00</i> |                        |
| Master Lift Station 'A' Subtotal                  |                       | <b>\$1,521,540.00</b>  |
| Force Main 'A' (3,715 lf of 16-inch)              |                       | <b>\$768,055.00</b>    |
| Wastewater Trunk Main 'E' (2,615 lf of 24-inch)   |                       | <b>\$656,735.00</b>    |
| Wastewater Trunk Main 'F' (895 lf of 24-inch)     |                       | <b>\$231,515.00</b>    |
| Wastewater Treatment Plant Expansion to 2.50 MGD  |                       | <b>\$6,794,100.00</b>  |
| <b>Total Sewer:</b>                               |                       | <b>\$20,968,265.00</b> |

## FEE CALCULATION (10-Year Plan)

---

### ZONE 1

#### WATER

|                                  |           |              |
|----------------------------------|-----------|--------------|
| Total Cost of all Facilities     | \$        | 9,607,075    |
| Total # of ESFC Served           |           | 6,667        |
| <b>IMPACT FEE (10-YEAR PLAN)</b> | <b>\$</b> | <b>1,441</b> |

#### SANITARY SEWER

|                                  |           |            |
|----------------------------------|-----------|------------|
| Total Cost of all Facilities     | \$        | 5,320,480  |
| Total # of ESFC Served           |           | 6,667      |
| <b>IMPACT FEE (10-YEAR PLAN)</b> | <b>\$</b> | <b>798</b> |

---

### ZONE 2

#### WATER

|                                  |           |              |
|----------------------------------|-----------|--------------|
| Total Cost of all Facilities     | \$        | 2,565,453    |
| Total # of ESFC Served           |           | 1,333        |
| <b>IMPACT FEE (10-YEAR PLAN)</b> | <b>\$</b> | <b>1,925</b> |

#### SANITARY SEWER

NO FACILITIES PLANNED

---

### ZONE 3

#### WATER

|                                  |           |              |
|----------------------------------|-----------|--------------|
| Total Cost of all Facilities     | \$        | 3,835,713    |
| Total # of ESFC Served           |           | 1,667        |
| <b>IMPACT FEE (10-YEAR PLAN)</b> | <b>\$</b> | <b>2,301</b> |

#### SANITARY SEWER

|                                  |           |              |
|----------------------------------|-----------|--------------|
| Total Cost of all Facilities     | \$        | 6,989,422    |
| Total # of ESFC Served           |           | 1,667        |
| <b>IMPACT FEE (10-YEAR PLAN)</b> | <b>\$</b> | <b>4,193</b> |



## TEXAS CITY FEE COMPARISON

|        |       | Current  |  | Maximum Calculated |  | Recommended |
|--------|-------|----------|--|--------------------|--|-------------|
| Zone 1 | Water | \$ 1,300 |  | \$ 1,441           |  | \$ 1,400    |
|        | Sewer | \$ 500   |  | \$ 798             |  | \$ 750      |
| Zone 2 | Water | \$ 1,300 |  | \$ 1,925           |  | \$ 1,900    |
|        | Sewer | \$ 80    |  | \$ -               |  | \$ -        |
| Zone 3 | Water | \$ 2,700 |  | \$ 2,301           |  | \$ 2,300    |
|        | Sewer | \$ 2,000 |  | \$ 4,193           |  | \$ 4,100    |

## AREA CITIES FEE COMPARISON

|             | Water    |  | Sewer    |  | Total Fee |
|-------------|----------|--|----------|--|-----------|
| Dickinson   | N/A      |  | N/A      |  | N/A       |
| La Marque   |          |  |          |  |           |
| League City | \$ 1,401 |  | \$ 2,621 |  | \$ 4,022  |
| Pearland    | \$ 1,973 |  | \$ 2,867 |  | \$ 4,840  |
| Friendswood | \$ 1,849 |  | \$ 1,290 |  | \$ 3,139  |

### Multiplying Factors

**A single family dwelling** = **1.0 E.S.F.C.**  
**(Equivalent Single Family Connection)**

**A hotel or motel** = **0.8 E.S.F.C. per unit**

**An apartment complex** = **0.9 E.S.F.C. per unit**

**A non-residential development** = **3.0 E.S.F.C. per acre**  
**(commercial or light industrial)**

## Appointment of Municipal Court Associate Judge CITY COMMISSION AGENDA 2

**Date:** 02/04/2009  
**Submitted By:** Ellen Guerrant, Municipal Court  
**Submitted For:** Ellen Guerrant  
**Department:** Municipal Court  
**Agenda Area:** Consent

### Information

#### ACTION REQUEST (Brief Summary)

A RESOLUTION APPOINTING MUNICIPAL COURT ASSOCIATE JUDGE TO PRESIDE OVER MUNICIPAL COURT DURING THE ABSENCE OF THE MUNICIPAL COURT JUDGE.

#### BACKGROUND

Due to our collections contract with, Linebarger Goggan Blair & Sampson, LLP, Judge Richbrook will no longer be our associate judge due to conflict of interest. We will need to appoint a new associate judge in his place.

#### ANALYSIS

#### ALTERNATIVES CONSIDERED

### Fiscal Impact

### Attachments

Link:  
Res.  
09-007

### Form Routing/Status

| Route Seq                       | Inbox                        | Approved By                     | Date                | Status  |
|---------------------------------|------------------------------|---------------------------------|---------------------|---------|
|                                 |                              | Ellen Guerrant                  | 01/28/2009 04:14 PM | CREATED |
| 1                               | Municipal Court (Originator) | Ellen Guerrant                  | 01/28/2009 04:25 PM | APRV    |
| 2                               | Finance                      |                                 |                     | NEW     |
| 3                               | Paralegal                    |                                 |                     |         |
| 4                               | City Attorney Office         |                                 |                     |         |
| 5                               | Mayor                        |                                 |                     |         |
| 6                               | City Secretary               |                                 |                     |         |
| Form Started By: Ellen Guerrant |                              | Started On: 01/28/2009 04:14 PM |                     |         |

**RESOLUTION NO. 09-007**

**A RESOLUTION APPOINTING A NEW ASSOCIATE JUDGE TO PRESIDE OVER MUNICIPAL COURT DURING THE ABSENCE OF THE MUNICIPAL COURT JUDGE; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

---

**WHEREAS**, Article X, Section 2, of the City Charter requires that a Municipal Court shall be presided over by a judge who shall be known as the Municipal Judge; and

**WHEREAS**, Judge Richbrook is no longer able to serve as Associated Judge due to a conflict of interest with the City's collections contract with Linebarger; and

**WHEREAS**, the City Commission deems it in the best interest of the City of Texas City to appoint Darrell Apffel, as Associate Judge, to preside over the Municipal Court to act in the place and stead of the Municipal Court Judge when the Municipal Court Judge is unavailable; and

**WHEREAS**, the Associate Municipal Court Judges shall be appointed by a majority vote of the City Commission of the City of Texas City, Texas; and

**WHEREAS**, it is in the best interest of the City of Texas City to appoint Darrell Apffel as Associate Judge to the Municipal Court to perform the duties of the Municipal Judge during the times that the Municipal Court Judge is unable to preside over said court.

**NOW, THEREFORE, BE IT ORDAINED 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 Darrell Apffel to serve as Associate Municipal Court Judge for the City's Municipal Court.

**SECTION 2:** That, when acting as Municipal Judge, the Associate Municipal Court Judge shall be vested with all the powers and authority of the Municipal Court Judge under the laws of the State of Texas and the Charter of the City of Texas City.

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

**PASSED AND ADOPTED this 4th day of February, 2009.**

---

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

ATTEST:

APPROVED AS TO FORM:

---

Pamela A. Lawrence  
City Secretary

---

Robert Gervais  
City Attorney

## Appointment to Parks Board CITY COMMISSION AGENDA 2

**Date:** 02/04/2009  
**Submitted By:** Nick Finan, Management Services  
**Submitted For:** Nick Finan  
**Department:** Management Services  
**Agenda Area:** Consent

### Information

#### ACTION REQUEST (Brief Summary)

The Parks Board has a vacancy. Mayor Doyle would like to appoint Winfred Gilmore. She was a school teacher in the TCISD system for 34 years. She has been active in the community and has an interest in serving the city on the Parks Board.

#### BACKGROUND

#### ANALYSIS

#### ALTERNATIVES CONSIDERED

### Fiscal Impact

### Attachments

Link:  
Res.  
09-008

### Form Routing/Status

| Route Seq                   | Inbox                            | Approved By | Date                            | Status  |
|-----------------------------|----------------------------------|-------------|---------------------------------|---------|
|                             |                                  | Nick Finan  | 01/30/2009 08:39 AM             | CREATED |
| 1                           | Management Services (Originator) |             |                                 | NEW     |
| 2                           | Finance                          |             |                                 |         |
| 3                           | Paralegal                        |             |                                 |         |
| 4                           | City Attorney Office             |             |                                 |         |
| 5                           | Mayor                            |             |                                 |         |
| 6                           | City Secretary                   |             |                                 |         |
| Form Started By: Nick Finan |                                  |             | Started On: 01/30/2009 08:39 AM |         |

**RESOLUTION NO. 09-008**

**A RESOLUTION APPOINTING A NEW MEMBER TO THE RECREATION AND TOURISM BOARD OF DIRECTORS TO FILL VACANCY; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, there is currently a vacancy on the Recreation and Tourism Board of Directors to replace Clem Lane; and

**WHEREAS**, Winfred Gilmore, a school teacher in the TCISD system for 34 years desires to volunteer her service to such Board.

**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 Winfred Gilmore as a member of the Board of Directors to the Recreation & Tourism Board to fill the vacancy for a term thru September 30, 2009.

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

**PASSED AND ADOPTED this 4th day of February, 2009.**

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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