

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

*** * AGENDA * ***

**WEDNESDAY, JANUARY 20, 2010 - 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM - CITY HALL**

1. INVOCATION

2. PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND PRESENTATIONS

a. Certificate of Appreciation:

Presentation of an Award of Merit to Sendy Lerma.

b. Service Awards:

Larry Thompson	Fire Department	5 Years
Petrina Slaton	Police Department	5 Years
Donna Wallace	Payroll/Admin Department	15 Years
George Fuller	Community Development	20 Years
Patrick Wood	Police Department	20 Years
Aaron Terrell	Water Distribution	20 Years

4. REPORTS

a. Texas City Police Department Annual Report. (Police Dept.)

5. CONSENT AGENDA

- a.** Consider approval of the minutes from the January 6, 2010 Regular Called City Commission Meeting.
- b.** Consider approval of **Resolution No. 10-003** authorizing **designated signators for contractual documents pertaining to the Texas Community Development Block Grant Program Disaster Relief Contract DRS010185.** (Emergency Management)
- c.** Consider approval of **Resolution No. 10-004 establishing rules and regulations regarding the use of excessive force by the law enforcement agencies** within its jurisdiction **against any individual engaged in nonviolent civil rights demonstrations** , including physically barring entrance to a facility or location which is the subject of such demonstration, and providing penalties for violation thereof in the City of Texas City. (Emergency Management)
- d.** Consider approval of **Resolution No. 10-005** awarding the **annual contract** for the purchase of **Cement Stabilized Sand.** (Purchasing Dept.)

6. REGULAR ITEMS

- a.** Consider approval of **Ordinance No. 10-01 amending** the **Code of Ordinances, City of Texas City** , **Appendix A Zoning, Section 40-11(a) Zoning District Map Description** . by rezoning from District "A" (Single Family Residential) to District "E-4" (Commercial Warehouse) being Abstract 176, page 3, Lot 4 and part of Lots 1, 2, 3 and 5 (204-0), Block 2, Subdivision H Kohfeldts Resubdivision; being approximately a 3 acre portion of 10.4886 acre out of James Smith Survey; located at north Palmer Highway, west of Lowes, and east of the railroad, Texas City, Texas (requested by Chance Bennett/Access Companies). (Inspection Dept.)

- b. Consider approval of **Ordinance No. 10-02 amending** the **Code of Ordinances, City of Texas City** , **Appendix A Zoning, Section 40-11(a) Zoning District Map Description** . by rezoning from District "S-P" (Site Plan) to District "D-I" (Limited Service) being the north 61.4' of Lots 6 and 7, south 63.6' of Lot 7 and all of Lots 8 through 16, Block 135, Texas City Second Division; located at 601 4th Street North, Texas City, Texas (requested by Richard Taylor Jr.) (Inspection Dept.)
- c. Consider approval of **Ordinance No. 10-03 amending** the **Code of Ordinances, City of Texas City** , **Appendix A Zoning, Section 40-11(a) Zoning District Map Description** . by rezoning from District "O-P" (Office Professional) to District "S-P, E" (Site Plan-General Business) being Lots 9 and 10, Block 12, Kohfeldt Heights Subdivision; located at 1005 21st Street North, Texas City, Texas (requested by Rachel Wyatt). (Inspection Dept.)
- d. Consider approval of **Ordinance No. 10-04 amending** the **Code of Ordinance, City of Texas City** , **Appendix A Zoning, Section 40-11(a) Zoning District Map Description** , by rezoning from District "A" (Single Family Residential) to District "O-P" (Office Professional) being part of Lot 185 (185-3), Jemison Addition; located at 2303 29th Street North, Texas City, Texas, Galveston County, Texas. (requested by Brandon Fleshman). (Inspections Dept.)

7. **PUBLIC COMMENTS**

8. **MAYOR'S COMMENTS**

9. **COMMISSIONERS' COMMENTS**

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

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

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

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

DATED: January 15, 2010

CITY COMMISSION AGENDA

Date: 01/20/2010

Certificate of Merit

Submitted By: Susan Sensat, Administration

Department: Mayor's Office

Information

ACTION REQUEST (Brief Summary)

Certificate of Appreciation:

Award of Merit for Sendy Lerma

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

CITY COMMISSION AGENDA**Date: 01/20/2010**

Service Awards

Submitted By: Rachel Wyatt, Human Resources
Department: Human Resources

Information**ACTION REQUEST (Brief Summary)**

Larry Thompson	Fire Department	5 Years
Petrina Slaton	Police Department	5 Years
Donna Wallace	Payroll/Admin Department	15 Years
George Fuller	Community Development	20 Years
Patrick Wood	Police Department	20 Years
Aaron Terrell	Water Distribution	20 Years

BACKGROUND**ANALYSIS****ALTERNATIVES CONSIDERED**

CITY COMMISSION AGENDA

Date: 01/20/2010

Annual Report

Submitted For: Robert Burby
Department: Police Department

Submitted By:

Susan Sensat,
Administration

Information

ACTION REQUEST (Brief Summary)

Annual Report of the Texas City Police Department.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

CITY COMMISSION AGENDA

Date: 01/20/2010

1-06-2010 City Commission Minutes

Submitted By: Pam Lawrence, Administration

Department: Administration

Information

ACTION REQUEST (Brief Summary)

Consider approval of the minutes from the January 6, 2010 City Commission Meeting.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

Link: [1-06-2010 City Commission Minutes](#)

REGULAR CALLED CITY COMMISSION MEETING

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

**WEDNESDAY, JANUARY 6, 2010 – 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM – CITY HALL**

A **Regular Called Meeting of the City Commission** was held on **Wednesday, January 6, 2010, 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: Dee Ann Haney, Mike Land, Donald Singleton, Rick Wilkenfeld and John W. Wilson. Commissioner Dedrick Johnson was not able to attend.

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

PROCLAMATIONS AND PRESENTATIONS

None.

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.

Mayor Doyle requested that item c., *Consider approval of Resolution No. 10-002 approving the Moore Memorial Public Library Strategic Plan FY 2009/2010 through FY 2011/2012; be pulled for further discussion.*

- a. Consider approval of the **Minutes** from the December 16, 2009 Regular Called City Commission Meeting.
- b. Consider approval of **Resolution No. 10-001** approving the **sale of Tax Foreclosed Property**, the following described real property, to wit: east one-half (E ½) of Lot 65, Block 3, Dickinson Bayou Estates & Yacht Harbor, located in Galveston County, Texas.

RESOLUTION NO. 10-001

A RESOLUTION CONSENTING TO THE SALE OF E ½ OF LOT 65, BLOCK 3, DICKINSON BAYOU ESTATES & YACHT HARBOR, GALVESTON COUNTY, TEXAS, TO ANNE LOGAN, TRUSTEE, LAMERL ROAD LAND TRUST FOR THE AMOUNT OF FOUR HUNDRED AND 00/100 DOLLARS (\$400.00); AUTHORIZING THE MAYOR TO EXECUTE THE TRUSTEE'S DEED ON BEHALF OF THE CITY OF TEXAS CITY; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Commissioner Singleton made a MOTION to APPROVE CONSENT AGENDA items a., and b.; the motion was SECONDED by Commissioner Haney. All present voted AYE. MOTION CARRIED.

- c. Consider approval of **Resolution No. 10-002** approving the **Moore Memorial Public Library Strategic Plan** FY 2009/2010 through FY 2011/2012.

Beth Stiener, Librarian of Moore Memorial Library, reported that in accordance with the requirements and guidelines set up by the State of Texas and the Texas State Library and Archives Commission (TSLAC), Moore Memorial Public Library operates under a three-year strategic plan in order to fulfill its mission to provide effective, efficient and high quality library and information services to all patrons. This strategic plan has been approved by the Board of Trustees of Moore Memorial Public Library and is now brought to the City Commission for the final step in the approval process.

RESOLUTION NO. 10-002

A RESOLUTION APPROVING MOORE MEMORIAL PUBLIC LIBRARY STRATEGIC PLAN FY 2009/2010 THROUGH FY 2011/2012; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Commissioner Wilson made a MOTION to APPROVE Resolution No. 10-002 approving the Moore Memorial Public Library Strategic Plan FY 2009/2010 through FY 2011/2012; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.

PUBLIC COMMENTS

Mr. Robert Williams, Texas City resident, addressed the City Commission concerning the conditions of streets east of Bell Drive, the sidewalk at Albert and Bell, and the ditches which are almost stopped up.

MAYOR'S COMMENTS

Todd Hoover, Utility Director, reported that the city is in for a cold snap he suggested that everyone circulate their water systems, periodically turn your water faucets on and off – do not drip your water faucets. Bruce Clawson, Director of Emergency Management, reported Thursday the temperatures will drop to the low 30's high 20's;

Mayor Doyle recognized the attendance of Boy Scout Troop 246 who are working on their Citizenship of Community Merit Badge. One hundred years of Scouting will be celebrated February 20, 2010 at Moody Gardens.

The Mayor announced that the City will have the grand opening of the Sanders Vincent Center, a \$4.2 million community center off of 4th Avenue, which will be identical to the \$4.2 million community center at Carver Park in west Texas City. The Sanders Vincent Center will open at 1:30 p.m. on January 17; we are having a big Sunday social. The Center is going to be a great asset to the community and to the kids.

COMMISSIONERS' COMMENTS

The Commissioners wished everyone a Happy New Year.

Having no further business, **Commissioner Wilson made a MOTION to ADJOURN at 5:17 p.m.; the motion was SECONDED by Commissioner Singleton. All present voted AYE. MOTION CARRIED.**

MATTHEW T. DOYLE, MAYOR

ATTEST:

Pamela A. Lawrence, City Secretary

pal: 1-11-2010

CITY COMMISSION AGENDA

Date: 01/20/2010

Authorize Signators for TCDBG Program Disaster Relief Contract

Submitted For: Bruce Clawson
Department: Emergency Management

Submitted By:

Susan Sensat,
Administration

Information

ACTION REQUEST (Brief Summary)

Consider approval of a resolution which authorizes the City Commission to **designate signators for the Texas Community Development Block Grant Program Disaster Relief Contract DRS010185.**

BACKGROUND

The Texas Department of Rural Affairs (TDRA) has contracted GrantWorks to administer the City of Texas City's 2008 IKE-Dolly Disaster Relief Project.

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

Link: [Res 10-003](#)

RESOLUTION NO. 10-003

A RESOLUTION AUTHORIZING DESIGNATED SIGNATORS FOR TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM DISASTER RELIEF CONTRACT DRS010185; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City has received funding under the Texas Community Development Block Grant Program; and

WHEREAS, it is necessary to designate signators for contractual documents pertaining to the Texas Community Development Block Grant Program Disaster Relief Contract DRS010185.

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

SECTION 1: That the City Commission designates the Mayor, Mayor Pro Tem, Finance Director and Assistant Fire Director as authorized signators for the State of Texas Purchase Vouchers for the Texas Community Development Block Grant Program Contract DRS010185.

SECTION 2: That the City Commission designates the Mayor, Mayor Pro Tem, Finance Director and Assistant Fire Director as authorized signators for the Requests for Advance or Reimbursement for the Texas Community Development Block Grant Program Contract DRS010185.

SECTION 3: That the City Commission designates the Mayor as its Chief Executive Officer and Authorized Representative to act in all matters in connection with the Texas Community Development Block Grant Program Contract DRS010185.

SECTION 4: That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 20th day of January, 2010.

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

ATTEST:

APPROVED AS TO FORM:

Pamela Lawrence
City Secretary

Ronald F. Plackemeier
City Attorney

CITY COMMISSION AGENDA

Date: 01/20/2010

Establishing Rules and Regulations Regarding the Use of Excessive Force

Submitted For: Bruce Clawson
Department: Emergency Management

Submitted By:

Susan Sensat,
Administration

Information

ACTION REQUEST (Brief Summary)

Consider approval of a resolution which is and has been the policy of the City of Texas City to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction during nonviolent civil rights demonstrations, including physically barring entrance to a facility or location which is the subject of such demonstration, and providing penalties for violation thereof in the City of Texas City.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

Link: [Res 10-004](#)

RESOLUTION NO. 10-004

A RESOLUTION ESTABLISHING RULES AND REGULATIONS REGARDING THE USE OF EXCESSIVE FORCE DURING NONVIOLENT CIVIL RIGHTS DEMONSTRATIONS, INCLUDING PHYSICALLY BARRING ENTRANCE TO A FACILITY OR LOCATION WHICH IS THE SUBJECT OF SUCH DEMONSTRATION, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF IN THE CITY OF TEXAS CITY; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

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

SECTION 1: It is and has been the policy of the City of Texas City to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in nonviolent civil rights demonstrations. The City also prohibits the physical barring of any entrance to, or exit from, such a facility within its jurisdiction.

SECTION 2: It is and has been the policy of the City to enforce this policy to the full extent allowed by law.

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

PASSED AND ADOPTED this 20th day of January, 2010.

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

ATTEST:

APPROVED AS TO FORM:

Pamela Lawrence
City Secretary

Ronald F. Plackemeier
City Attorney

CITY COMMISSION AGENDA

Date: 01/20/2010

Bid # 2010-951 Cement Stabilized Sand Annual Contract

Submitted By: Rita Williams, Purchasing

Department: Purchasing

Information

ACTION REQUEST (Brief Summary)

Approve and award Bid # 2010-951 Cement Stabilized Sand Annual Contract.

BACKGROUND

Bid packets were mailed to area vendors on December 29, 2009. A bid tabulation is attached for your review.

Bids opened Wednesday, January 13, 2010 at 2:00 p.m.

ANALYSIS

The low responsible bid meeting all specifications was received from Dorsett Bros., in Pasadena, for the unit prices bid per ton.

It is my recommendation to award the Cement Stabilized Sand Annual Contract to Dorsett Bros., for the unit prices bid per ton and that the Mayor be authorized to execute a contract on behalf of the City Commission.

Thank you.

ALTERNATIVES CONSIDERED

Attachments

Link: [Res 10-005](#)

Link: [Bid Tabulation](#)

RESOLUTION NO. 10-005

A RESOLUTION AWARDING A BID AND AUTHORIZING THE MAYOR TO ENTER INTO AN ANNUAL CONTRACT FOR CEMENT STABILIZED SAND; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on December 29, 2009, bids were mailed to area vendors for cement stabilized sand annual contract, Bid No. 2010-951; and

WHEREAS, bids opened on January 13, 2010, and the lowest bid received meeting specifications was submitted by Dorsett Bros., Pasadena, Texas.

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

SECTION 1: That the successful bidder for cement stabilized sand annual contract, Bid No. 2010-951, is Dorsett Bros., Pasadena, Texas, for the unit prices set forth on the Bid Tabulation, attached hereto as Exhibit "A", and made a part hereof.

SECTION 2: That the Mayor is hereby authorized to enter into an annual contract with Dorsett Bros.

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

PASSED AND ADOPTED this 20th day of January, 2010.

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

ATTEST:

APPROVED AS TO FORM:

Pamela A. Lawrence
City Secretary

Ronald F. Plackemeier
City Attorney

BID TABULATION

Bid # 2010-951

CEMENT STABILIZED SAND ANNUAL CONTRACT

Bid Opening: Wednesday, January 13, 2010 @ 2:00 p.m.

VENDOR	1½ Sack	2 Sack	3 Sack
Dorsett Bros. Pasadena, Texas	\$13.00 per ton	\$15.00 per ton	\$19.00 per ton
JDB Services, Inc. Pasadena, Texas	\$16.07 per ton	\$18.49 per ton	\$23.24 per ton
Previous Contract Pricing	\$16.07 per ton	\$18.49 per ton	\$23.24 per ton

CITY COMMISSION AGENDA

Date: 01/20/2010

PERMANENT ZONING - CHANCE BENNETT

Submitted By: Jean Vincent, Inspections

Department: Inspections

Information

ACTION REQUEST (Brief Summary)

PERMANENT REZONING FOR CHANCE BENNETT/ACCESS SELF STORAGE TO REZONE FROM "A" (SINGLE FAMILY RESIDENTIAL) TO "E-4" (COMMERCIAL WAREHOUSE). A BUILDING PERMIT HAS BEEN ISSUED FOR THIS DEVELOPMENT AND THE PROPERTY IS NOW READY TO BE PERMANENTLY REZONED BY ORDINANCE.

BACKGROUND

THIS REZONING REQUEST WAS PREVIOUSLY GIVEN PRELIMINARY REZONING APPROVAL BY BOTH THE ZONING AND CITY COMMISSIONS. THERE WAS NO OPPOSITION TO THE REZONING REQUEST. A BUILDING PERMIT HAS BEEN ISSUED FOR THE DEVELOPMENT AND IT IS NOW READY TO BE PERMANENTLY REZONED BY ORDINANCE.

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

Link: [Ord 10-01](#)

Link: [memo](#)

Link: [Public Hearing Notice 12-03-2008](#)

ORDINANCE NO. 10-01

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE ZONING ORDINANCE, BY REZONING FROM DISTRICT “A”, SINGLE FAMILY RESIDENTIAL, TO DISTRICT “E-4”, COMMERCIAL WAREHOUSE, FOR THE CONSTRUCTION OF A CLIMATE CONTROLLED WAREHOUSE BY CHANCE BENNETT, LOCATED AT 3730 E. F. LOWRY EXPRESSWAY, TEXAS CITY, GALVESTON COUNTY, TEXAS; ORDERING SAID CHANGES MADE ON THE CITY ZONING MAP; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; DISPENSING WITH THE CHARTER REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.

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; and

WHEREAS, this property was previously granted preliminary rezoning approval by both the zoning commission and the city commission; and

WHEREAS, a building permit has been issued for the construction to begin;

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

SECTION 1: That certain property located at 3730 E. F. Lowry Expressway, in Texas City, Galveston County, Texas, currently zoned as District “A” (Single Family Residential), is hereby rezoned and classified as District “E-4” (Commercial Warehouse), for the construction of a climate controlled warehouse by Chance Bennett.

SECTION 2: That the City Engineer shall designate said changes from District “A”, Single Family Residential, to District “E-4”, Commercial Warehouse, as hereinabove provided on the original zoning map, as amended, and on the duplicate copy thereof kept in the Office of the City Planning Board.

SECTION 3: 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 4: That the Charter requirement for reading this Ordinance on three (3) separate days has been dispensed by a majority vote of the City Commission.

SECTION 5: 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 AND ADOPTED the 20th day of January, 2010.

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

ATTEST:

APPROVED AS TO FORM:

Pamela Lawrence
City Secretary

Ronald F. Plackemeier
City Attorney

MEMO

To: Mayor Doyle and City Commission
From: Brian Falk, Building Official
Subject: Permanent Rezoning
Date: January 15, 2010

The property listed below is ready to have the final ordinance to permanently rezone the property. A building permit was issued for the construction to begin.. Please place on the next available agenda for final rezoning.

Chance Bennett/Access Storage to rezone from “A” (Single Family Residential) to “E-4” (Commercial Warehouse) for a climate controlled warehouse. Located on FM 1764.

BRF:jv

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Commission of Texas City will hold a **PUBLIC HEARING** on **Wednesday, December 3, 2008 at 5:00 p.m.** in the Kenneth T. Nunn Room at City Hall. The purpose of the Public Hearing is to hear citizens' opinion in favor of or in opposition to the City of Texas City rezoning requests.

REQUEST BY: Chance Bennett/Access Companies to rezone from "A" (Single Family Residential) to "E-4" (Commercial Warehouse) for climate controlled warehouse.

BEING: Abstract 176, page 3, Lot 4 & pt of Lots 1-3 & 5 (204-0), Block 2 Subdivision H Kohfeldts Resubdivision; being approximately a 3 acres portion of 10.4886 acre out of the James Smith Survey.

LOCATED : Located at north Palmer Highway, west of Lowes, and east of railroad,
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: November 11, 2008

CITY COMMISSION AGENDA

Date: 01/20/2010

Permanent Rezoning-Richard Taylor Jr.

Submitted By: Jean Vincent, Inspections

Department: Inspections

Information

ACTION REQUEST (Brief Summary)

Richard Taylor Jr. request to rezone from "S-P" to "D-1" (Neighborhood Service) for an adult day care service is now ready for the ordinance to be read to permanently rezone the property. This is an existing building and no permits were required for this use. T

BACKGROUND

This rezoning request was given approval by both the Zoning and City Commission during a Public Hearing. This property is now ready for the ordinance to be read to permanently rezone the property.

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

Link: [Ord 10-02](#)

Link: [Public Hearing Notice-11-18-2009](#)

ORDINANCE NO. 10-02

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE ZONING ORDINANCE, BY REZONING FROM DISTRICT “S-P”, SITE PLAN, TO DISTRICT “D-1”, LIMITED SERVICE, FOR AN ADULT DAYCARE SERVICE BY RICHARD TAYLOR, JR., LOCATED AT 601 4TH STREET NORTH, TEXAS CITY, GALVESTON COUNTY, TEXAS; ORDERING SAID CHANGES MADE ON THE CITY ZONING MAP; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; DISPENSING WITH THE CHARTER REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.

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; and

WHEREAS, this property was previously granted preliminary rezoning approval by both the zoning commission and the city commission; and

WHEREAS, as this is an existing building, no permits were required for this use.

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

SECTION 1: That certain property located at 601 4th Street North, Texas City, Texas, also known as the North 61.4' of Lots 6 and 7, South 63.6' of Lot 7 and all of Lots 8 through 16, Block 135, Texas City Second Division, Texas City, Galveston County, Texas, currently zoned as District “S-P” (Site Plan), is hereby rezoned and classified as District “D-1” (Limited Service), for use as an adult day care service by Richard Taylor, Jr.

SECTION 2: That the City Engineer shall designate said changes from District “S-P”, Site Plan, to District “D-1”, Limited Service, as hereinabove provided on the original zoning map, as amended, and on the duplicate copy thereof kept in the Office of the City Planning Board.

SECTION 3: 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 4: That the Charter requirement for reading this Ordinance on three (3) separate

days has been dispensed by a majority vote of the City Commission.

SECTION 5: 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 AND ADOPTED the 20th day of January, 2010.

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

ATTEST:

APPROVED AS TO FORM:

Pamela Lawrence
City Secretary

Ronald F. Plackemeier
City Attorney

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Commission of Texas City will hold a **PUBLIC HEARING** on **Wednesday, November 18, 2009 at 5:00 p.m.** in the Kenneth T. Nunn Room, City Hall, 1801-Ninth Avenue North, Texas City, Texas 77590. 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: Richard Taylor Jr. to rezone from "S-P" (Site Plan) to "D-I" (Limited Service) for a structured adult day program.

BEING: The north 61.4' of Lots 6 & 7, south 63.6' of Lot 7 and all of Lots 8 thru 16, Block 135, Texas City Second Division.

LOCATED : 601 4th Street 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: October 22, 2009

CITY COMMISSION AGENDA

Date: 01/20/2010

Permanent Rezoning-Rachel Wyatt

Submitted By: Jean Vincent, Inspections

Department: Inspections

Information

ACTION REQUEST (Brief Summary)

We need ordinance to permanently rezone property for Rachel Wyatt from "O-P" to "S-P, E" (Site Plan, General Business) to operate a surf shop. Located at 1005 21st St. NO.

BACKGROUND

This rezoning request was previously given approval by the Zoning Commission and City Commission. It is now ready for the ordinance to permanently rezone the property.

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

Link: [Ord 10-03](#)

Link: [Public Hearing Notice 11-18-2009](#)

ORDINANCE NO. 10-03

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE ZONING ORDINANCE, BY REZONING FROM DISTRICT “O-P”, OFFICE PROFESSIONAL, TO DISTRICT “S-P, E”, SITE PLAN – GENERAL BUSINESS, TO OPERATE A SURF SHOP BY RACHEL WYATT, LOCATED AT 1005 21ST STREET NORTH, TEXAS CITY, GALVESTON COUNTY, TEXAS; ORDERING SAID CHANGES MADE ON THE CITY ZONING MAP; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; DISPENSING WITH THE CHARTER REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.

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; and

WHEREAS, this property was previously granted preliminary rezoning approval by both the zoning commission and the city commission; and

WHEREAS, as this is an existing building, no permits were required for this use.

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

SECTION 1: That certain property located at 1005 21st Street North, Texas City, Texas, also known as Lots 9, 10, Block 12, Kohfeldt Heights Subdivision, Texas City, Galveston County, Texas, currently zoned as District “O-P” (Office Professional), is hereby rezoned and classified as District “S-P, E” (Site Plan-General Business), to operate a surf shop.

SECTION 2: That the City Engineer shall designate said changes from District “O-P”, Office Professional, to District “S-P, E”, Site Plan-General Business, as hereinabove provided on the original zoning map, as amended, and on the duplicate copy thereof kept in the Office of the City Planning Board.

SECTION 3: 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 4: That the Charter requirement for reading this Ordinance on three (3) separate

days has been dispensed by a majority vote of the City Commission.

SECTION 5: 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 AND ADOPTED the 20th day of January, 2010.

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

ATTEST:

APPROVED AS TO FORM:

Pamela Lawrence
City Secretary

Ronald F. Plackemeier
City Attorney

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Commission of Texas City will hold a **PUBLIC HEARING** on **Wednesday, November 18, 2009 at 5:00 p.m.** in the Kenneth T. Nunn Room, City Hall, 1801-Ninth Avenue North, Texas City, Texas 77590. 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: Rachel Wyatt to rezone from "O-P" (Office Professional) to "S-P, E" (Site Plan-General Business) to operate a surf shop.

BEING: Lots 9, 10 Block 12, Kohfeldt Heights Subdivision.

LOCATED : 1005 21st Street 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: October 22, 2009

CITY COMMISSION AGENDA

Date: 01/20/2010

Permanent Rezoning of Property

Submitted By: Jean Vincent, Inspections

Department: Inspections

Information

ACTION REQUEST (Brief Summary)

Brandon Fleshman request to rezone from "A" (Single Family Residential) to "O-P" (Office Professional) to construct a dentist office. This property is ready to have the ordinance read to permanently rezone the property. This was previously given preliminary rezoning approval. Being part of Lot 185 (185-3) of the Jemison's Addition. Located at 2303 29th Street North.

BACKGROUND

This rezoning request was previously given preliminary approval by the Zoning and City Commission. A building permit has been issued and this property is now ready for the ordinance to be read to permanently rezone this property.

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

Link: [memo](#)

Link: [Public Hearing Notice 5-07-2008](#)

Link: [Ord 10-04](#)

MEMO

To: Mayor Doyle and City Commission
From: Brian Falk, Building Official
Subject: Permanent Rezoning
Date: January 15, 2010

The property listed below is ready to have the final ordinance to permanently rezone the property. A building permit was issued for the construction to begin.. Please place on the next available agenda for final rezoning.

Brandon Fleshman request to rezone from “A” (Single Family Residential) to “O-P” (Office Professional) to construct a dental office. Being part of Lot 185 (185-3), Jemison’s Addition. Located at 2303 29th St. No.

BRF:jv

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Commission of Texas City will hold a **PUBLIC HEARING** on **Wednesday, May 7, 2008 at 5:00 p.m.** in the Kenneth T. Nunn Room at City Hall. The purpose of the Public Hearing is to hear citizens' opinion in favor of or in opposition to the City of Texas City rezoning requests.

REQUEST BY: Brandon Fleshman to rezone from "A" (Single Family Residential) to "O-P" (Office Professional) for dental office.

BEING: Being part of Lot 185 (185-3), Jemison Addition.

LOCATED : At 2303 29th Street N, 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: April 4, 2008

ORDINANCE NO. 10-04

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE ZONING ORDINANCE, BY REZONING FROM “A”, SINGLE FAMILY RESIDENTIAL, TO DISTRICT “O-P”, OFFICE PROFESSIONAL, TO CONSTRUCT A DENTIST OFFICE BY BRANDON FLESHMAN, LOCATED AT 2303 29TH STREET NORTH, TEXAS CITY, GALVESTON COUNTY, TEXAS; ORDERING SAID CHANGES MADE ON THE CITY ZONING MAP; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; DISPENSING WITH THE CHARTER REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.

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; and

WHEREAS, this property was previously granted preliminary rezoning approval by both the zoning commission and the city commission; and

WHEREAS, a building permit has been issued for the construction to begin;

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

SECTION 1: That certain property located at 2303 29th Street North, Texas City, Texas, also known as being part of Lot 185 (185-3), Jemison’s Addition, Texas City, Galveston County, Texas, currently zoned as District “A” (Single Family Residential), is hereby rezoned and classified as District “O-P” (Office Professional), to construct a dentist office by Brandon Fleshman.

SECTION 2: That the City Engineer shall designate said changes from District “A”, Single Family Residential, to District “O-P”, Office Professional, as hereinabove provided on the original zoning map, as amended, and on the duplicate copy thereof kept in the Office of the City Planning Board.

SECTION 3: 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 4: That the Charter requirement for reading this Ordinance on three (3) separate

days has been dispensed by a majority vote of the City Commission.

SECTION 5: 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 AND ADOPTED the 20th day of January, 2010.

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

ATTEST:

APPROVED AS TO FORM:

Pamela Lawrence
City Secretary

Ronald F. Plackemeier
City Attorney