



## **NOTICE OF MEETING**

**(In Compliance With Sec. 551.041, Et Seq., Texas Government Code)**

**NOTICE** is hereby given that the City Council of the City of Baytown will hold a Regular Meeting at 6:30 p.m. on Thursday, November 12, 2009 in the Council Chamber of the Baytown City Hall, 2401 Market Street, Baytown, Texas, to discuss and act upon the items on the attached agenda.

(SEAL)

Leticia Garza, City Clerk  
Posted: Friday, November 6, 2009  
Time of Posting: 5:00 p.m.

## **AGENDA**

### **CALL TO ORDER**

#### **Announcement of Quorum**

#### **Pledge of Allegiance and Invocation – Council Member Terry Sain.**

Texas Pledge: "Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

### **1. MINUTES**

#### **a. Approval of City Council Minutes for October 19, 2009 - City Clerk.**

Consider the approval of the minutes for the City Council Special Work Session and Meeting held on October 19, 2009.

### **2. RECOGNITIONS AND CITIZENS COMMUNICATIONS**

#### **a. Citizen Communication: Brian Compton.**

Mr. Brian Compton has requested to address Council in regards to his claim that the City of Baytown is not following set guidelines for code violations, fines and citations under Section 26-72 of the Baytown Code of Ordinances.

**b. Citizen Communication: K.M. Williamson.**

Mr. K. M. Williamson requests to address Council in regards to the North Main and I-10 project.

**3. PROPOSED ORDINANCES**

**a. Industrial District Agreement with ExxonMobil Corporation - Administration.**

Consider an ordinance authorizing an Industrial District Agreement with ExxonMobil Corporation.

**b. First Reading of Ordinance Disannexing Portions of ExxonMobil Corporation's Baytown Complex - Administration.**

Consider an ordinance for the first reading on the disannexation of portions of Exxon Mobil Corporation's Baytown Complex, which are located wholly or partially within the incorporated limits of the City of Baytown.

**c. First Reading of Ordinance Annexing Exxon Property Located in Industrial District No. 1 - Administration.**

Consider an ordinance for the first reading proposing annexation of the Exxon Mobil Corporation's Baytown Plant and Facilities Site not currently in the city limits of the City of Baytown.

**d. Heavy-Duty Tow Truck Agreement Amendments - Administration.**

Consider an ordinance amending the City of Baytown Heavy-Duty Tow Truck Agreement.

**e. Closeout of Fire Station #5 - Engineering.**

Consider an ordinance approving the final payment to SeTex Construction Corporation and accepting the Fire Station #5 Project.

**f. Parks, Recreation, Open Space, Greenways and Trails Master Plan - Parks and Recreation.**

Consider an ordinance authorizing a contract with Halff Associates, Inc., for consulting services associated with the update and development of Parks, Recreation, Open Space, Greenways and Trails Master Plan.

**g. Purchase of Chiller for City Hall Complex and Compressor for Baytown Community Center - ITS.**

Consider an ordinance authorizing the City Manager to negotiate a contract with Automated Logic - United Environmental Services for the purchase and installation of a chiller for City Hall and a compressor for the Baytown Community Center.

**4. PROPOSED RESOLUTIONS**

**a. Amending IDA Standard Form - Legal.**

Consider a resolution amending Section 9 of Resolution No. 2007, passed on September 24, 2009, to revise the standard form of industrial district agreement for existing companies.

**b. Casting the City's Ballot for HCAD Representative - Administration.**

Consider a resolution casting the City of Baytown's ballot for the election of a representative to the Board of Directors of the Harris County Appraisal District.

**c. Nomination to TxDOTs Transportation Enhancement Program of Texas Avenue Streetscape and Visitor's Center Projects - Administration**

Consider a resolution authorizing the City to seek funding for a scenic beautification project on Texas Avenue and the construction of an historic-themed Visitor's Center near the Republic of Texas Plaza on North Main. City to seek funding from the Texas Department of Transportation's FY2009 Transportation Enhancement Program.

**d. Street Name Change for Riceland Road - Planning and Development Services.**

Consider a resolution changing the name of Riceland Road to Manor Drive.

**5. REPORTS**

**a. Report of the Citizen Task Force on Unified Development Code - Planning and Development Services.**

Report by the Unified Land Development Code Citizen Task force on its work concerning a new zoning chapter.

**b. Receive City of Baytown Quarterly Investment Report - Finance.**

Receive City of Baytown Quarterly Investment Report for the period ending September 30, 2009.

**6. CONSENT**

**a. Ordinance: Annual Cationic Polymer Supply Contract- Purchasing.**

Consider an ordinance awarding the first renewal of the Annual Cationic Polymer Supply Contract.

**b. Ordinance: Annual Construction Materials Contract - Purchasing.**

Consider an ordinance renewing the Annual Construction Materials Contract.

**c. Ordinance: Purchase of Three Chevy Impalas for the Police Department - Purchasing.**

Consider an ordinance authorizing the purchase of three (3) Chevrolet Impalas for the Police Department through the Houston-Galveston Area Council (H-GAC).

- d. Ordinance: Annual Sulfur Dioxide Contract - Purchasing.**  
Consider an ordinance renewing the Annual Sulfur Dioxide Contract.
- e. Ordinance: Purchase of Vehicles for the Police Department - Purchasing.**  
Consider an ordinance authorizing the purchase of vehicles for the Police Department through the Houston-Galveston Area Council (H-GAC).
- f. Ordinance: Interlocal Agreement with MDD for Purchase of 2.8190 Acres - Parks and Recreation.**  
Approve an interlocal agreement with the Baytown Municipal Development District for expenditures of up to \$100,000 for the purchase of 2.8190 acres located adjacent to the Wayne Gray Sports Complex.
- g. Ordinance: Interlocal Agreement with MDD for Improvements along the Goose Creek Stream Greenbelt - Parks and Recreation.**  
Approve an interlocal agreement with the Baytown Municipal Development District for expenditures of up to \$125,000 for improvements along the Goose Creek Stream Greenbelt.
- h. Ordinance: Interlocal Agreement for Wastewater System - Administration.**  
Consider an ordinance approving an interlocal agreement with the Baytown Municipal Development District for up to \$500,000 to extend wastewater infrastructure along I-10.
- i. Ordinance: Authorize Installation of Stop and Pedestrian Yield Signs - Public Works.**  
Consider an ordinance amending Chapter 94 "Traffic and Vehicles," Article IV "Specific Street Regulations," Section 94-121 "Schedules enumerated" of the Code of Ordinances, Baytown, Texas, to authorize three (3) things: the installation of two (2) stop signs on Kilgore Road at its intersection with Ward Road; to authorize two (2) yield to pedestrian signs on Raccoon Drive at its intersection with Parkwood Drive; and to authorize two (2) yield to pedestrian signs on Raccoon Road at its intersection with Savell Drive.
- j. Ordinance: Construction Contract for Water Tower Diffuser Alternatives Project - Engineering.**  
Consider an ordinance awarding the Water Tower Diffuser Alternatives Project.
- k. Ordinance: Amendments to Chapter 122, Code of Ordinances Authorizing Corrugated Plastic Pipe Culverts - Engineering.**  
Consider an ordinance amending Section 122-97 of the Code of Ordinances revising the fee for installation of drainage culverts and authorizing the use of the corrugated plastic pipe for enclosing roadside ditches abutting residential streets.

**l. Ordinance: Houston Area Library Automated Network (HALAN) Contract - Library.**

Consider an ordinance authorizing the renewal of the contract with the Houston Area Library Automated Network.

**m. Ordinance: Texas Commission on Environmental Quality Annual Consolidated Water Quality Fees - Public Works.**

Consider an ordinance approving the payment of the Texas Commission on Environmental Quality fee for the City's four (4) wastewater treatment plants.

**n. Resolution: Designating Baytown Youth Fair as a City Co-Sponsored Event - Administration.**

Consider a resolution designating the 2010 Baytown Youth Fair as a city co-sponsored event for which an off-premise sign may be placed on city property pursuant to Chapter 118 "Signs," Article III "Regulations," Division 4 "Location," Subdivision IV "Off-Premises Signs," Section 118-358 "New Signs" of the Code of Ordinances, Baytown, Texas, contingent upon the filing of the requisite application and assumption of liability.

**o. Resolution: Advance Funding for Emergency Chiller Replacement and Compressor for Community Center - Finance.**

Consider a resolution authorizing advance funding for the purchase and installation of a chiller for City Hall and a compressor for the Baytown Community Center, including miscellaneous construction materials and temporary chiller rental.

**7. APPOINTMENTS**

**a. Emergency Medical Service Advisory Committee - Health and EMS.**

Consider four (4) appointments to the Baytown Emergency Medical Service Advisory Committee.

**b. Baytown Industrial Appraisal Review Board - City Clerk**

Consider three (3) appointments to the Baytown Industrial Appraisal Review Board.

**c. Planning and Zoning Commission - Planning and Development Services.**

Consider five (5) appointments to the Planning and Zoning Commission.

**8. EXECUTIVE SESSION**

**a. Executive Session: HCFWSD No. 1A Arrearage to the City - Legal.**

Recess into and conduct an executive session pursuant to Texas Government Code, Section 551.071 to seek the advice of the City's attorneys regarding legal matters concerning Harris County Fresh Water Supply District No. 1-A's arrearage for wastewater services provided by the City.

**9. APPEALS**

**a. Conduct an Appeal Hearing for URSRB Demolition Order for 228 Arbor Street - Planning and Development Services.**

Conduct an appeal hearing of the Urban Rehabilitation Standards Review Board's (URSRB) October 5, 2009, demolition order for the building located at 228 Arbor Street, Baytown, Texas.

**b. Consider Appeal of URSRB Demolition Order for 228 Arbor Street - Planning and Development Services.**

Consider affirming, reversing or modifying the decision of the Urban Rehabilitation Standards Review Board ordering the demolition of the structure located at 228 Arbor Street, Baytown, Texas.

**10. MANAGER'S REPORT**

**a. Texas APA Award for Planning Excellence - Planning and Development Services.**

Accept the Texas Chapter of the American Planning Association award to the City of Baytown for a Certificate of Achievement for Planning Excellence for 2009.

**b. Update on City of Baytown Federal and State Lobbying Efforts - Administration.**

Receive update on City of Baytown federal and state lobbying efforts.

**c. H-E-B and Keep Texas Beautiful Grant - Administration.**

Receive update on the H-E-B and Keep Texas Beautiful Grant.

**11. ADJOURN**

**PUBLIC NOTICE IS GIVEN THAT IN ADDITION TO ANY EXECUTIVE SESSION LISTED ABOVE, THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THIS MEETING FOR THE PURPOSE OF CONSULTATION WITH THE ATTORNEY AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE SECTIONS 551.071. TO DISCUSS ANY OF THE MATTERS LISTED ABOVE.**

**THE CITY OF BAYTOWN IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE PLEASE CALL 281-420-6522, 281-420-6586 FAX, OR 281-422-0324 TDD.**