



**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, September 24, 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.

Leticia Garza, Interim City Clerk  
Posted: Monday, September 21, 2009  
Time of Posting: 5:30 p.m.

**AGENDA**

**CALL TO ORDER**

**Announcement of Quorum**

Pledge of Allegiance and Invocation – Council Member Lena Yopez.

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

**1. MINUTES**

**a. Approve Minutes of City Council Work Session and Regular Meeting held on September 10, 2009 – Interim City Clerk.**

Consider approval of the minutes for the City Council Work Session and Regular Meeting held on September 10, 2009.

**2. RECOGNITIONS AND CITIZENS COMMUNICATIONS**

**a. Years of Service Awards - City Management.**

Recognize employees for their years of service to the City of Baytown (5, 10, 15 plus years).

**b. Employee and Team of the Month**

Recognize the August Employee of the Month and Team of the Month.

- c. Youth Advisory Commission School Survey - Council Member Scott Sheley.**  
Hear a presentation from members of the Youth Advisory Commission (YAC) regarding the school survey project.

**3. REPORTS**

- a. Receive Tourism and Bayou Bowl Report - Chamber of Commerce.**  
Receive the Annual Tourism and Bayou Bowl Reports from the Baytown Chamber of Commerce.
- b. Unified Land Development Code (ULDC) Task Force Update - ULDC Task Force Member.**  
Receive Unified Land Development Code (ULDC) Task Force Update.

**4. PROPOSED ORDINANCES**

- a. Donation Collection Bin Ordinance - Health and EMS.**  
Consider an ordinance amending Chapter 42 “Health and Sanitation,” Article I “In General” of the Code of Ordinances, Baytown, Texas, to prohibit outdoor donation collection bins within the City.
- b. Adopting the Tax Rate for Fiscal Year 2009-10 - Finance.**  
Consider an ordinance adopting the tax rate for General Fund Maintenance and Operations at \$0.45700 per \$100 valuation for the fiscal year ending September 30, 2010 and adopting the tax rate for Debt Service at \$0.33003 per \$100 for the fiscal year ending September 30, 2010.
- c. Collective Bargaining Agreement with the International Association of Firefighters Local 1173 - City Management.**  
Consider an ordinance amending the Collective Bargaining Agreement with the International Association of Firefighters Local 1173 to establish compensation for the 2009-10 fiscal year.
- d. Authorize Final Offer for 220 W. Pearce and Proceedings in Eminent Domain - City Management.**  
Consider an ordinance authorizing the City Attorney to take actions necessary to acquire the property located at 220 W. Pearce Street from Ronnie G. Hill and/or Herlinda Galindo, for a development project, including making a final offer and instituting a proceeding in eminent domain proceeding in the event that the offer is refused or ignored.
- e. Amendment No. 2 to the Agreement with Harris County for Circulator Bus Service - City Management.**  
Consider an ordinance authorizing Amendment No. 2 to the Interlocal Agreement with Harris County for Circulator Bus Service in the City of Baytown.

**f. Intersection Improvements for Market Street at Wisconsin Street Project - Engineering.**

Consider an ordinance awarding a construction contract for Intersection Improvements for Market Street at Wisconsin Street to D&W Contractors, Inc.

**g. Purchase of Speed Alert Equipment and Software - Purchasing.**

Consider an ordinance authorizing the purchase of speed alert equipment and software for the Traffic Department through General Services Administration.

**h. Depository Services Contract - Finance.**

Consider an ordinance authorizing the City Manager to negotiate a Depository Services Contract with JP Morgan Chase Bank.

**5. PROPOSED RESOLUTIONS**

**a. Adopting an Industrial District Agreement Policy - City Management.**

Consider a resolution repealing Resolution Nos. 1584 and 1585 and establishing a new Industrial District Policy together with a new Industrial District Agreement form.

**b. Supporting Amendments to the Hotel/Motel Tax Legislation - City Management.**

Consider a resolution supporting the introduction and passage of legislation amending the Texas Tax Code to permit the City of Baytown and the cities in Texas to utilize hotel/motel tax revenues for the improvement and maintenance of recreational facilities and for the support of fire, emergency medical and police services.

**c. Grant Application to Lowe's Charitable and Education Foundation - Parks and Recreation.**

Consider a resolution authorizing the City to apply for grant funds from the Lowe's Charitable and Education Foundation Grant Program in the amount of \$25,000 for the Reconstruction of the Children's Nature Discovery Area at the Baytown Nature Center.

**d. CCAD Nomination - City Management.**

Consider a resolution nominating one or more candidates for positions on the Board of Directors of the Chambers County Appraisal District.

**e. Directing Preparation of Service Plan for Industrial District No. 1 - City Management.**

Consider a resolution directing the Planning and Development Services Department to prepare a service plan that provides for the extension of full municipal services to Exxon Mobil Corporation's property located in Industrial District No. 1.

**6. MOTIONS**

**a. Receive the 2009 Harris County and Chambers County Certified Appraisal Rolls - Finance.**

Receive the 2009 Appraisal Rolls certified by the Harris County Appraisal District and the Chambers County Appraisal District.

**b. Receive the 2009 Effective and Rollback Tax Rate Calculation - Finance.**

Receive the effective and rollback tax rate calculation for the 2009 tax year (Fiscal Year 2009-10).

**7. CONSENT**

**a. Ordinance: Annual Sludge Disposal Annual Contract - Purchasing.**

Consider an ordinance awarding the third renewal of the Annual Sludge Disposal Contract.

**b. Ordinance: Thermo Pavement Markings Annual Contract - Purchasing.**

Consider an ordinance awarding the third renewal of the annual thermo pavement markings contract.

**c. Ordinance: Sole Source Purchase of Firefighter Protective Clothing - Purchasing.**

Consider an ordinance awarding sole source purchase of firefighter protective clothing for the Baytown Fire Department.

**d. Ordinance: Benefits Consultant Annual Contract - Human Resources.**

Consider an ordinance renewing the annual contract to Holmes Murphy for Benefits Consultant/Broker.

**e. Ordinance: Employee Assistance Program Services (EAP) Annual Contract - Human Resources.**

Consider an ordinance renewing the annual contract to OptumHealth Behavioral Solutions for Employee Assistance Program Services (EAP).

**f. Ordinance: United Healthcare of Texas, Inc. Annual Contract - Human Resources.**

Consider an ordinance renewing the annual contract with United Healthcare of Texas, Inc. for Third Party Administrator of the City of Baytown Medical Claims and Stop Loss Coverage.

**g. Ordinance: Liability and Property Insurance Programs - Human Resources.**

Consider an ordinance authorizing the renewal of liability and property insurance programs with Texas Municipal League and authorizing payment.

- h. Ordinance: Workers Compensation Program Agreement - Human Resources.**  
Consider an ordinance authorizing the continuation of the current agreement with AS&G Claims Administration, Inc., as the Third Party Administrator for the administration of the City's Workers' Compensation Program and authorizing the continuation of an agreement with Midwest Employers Casualty Company for the City's Excess Workers' Compensation Insurance Program.
- i. Ordinance: Park Litter Removal and Janitorial Services Annual Contract - Parks and Recreation.**  
Consider an ordinance approving a contract with the Bay Area Rehabilitation Center (BARC) formerly known as the Baytown Opportunity Center for park cleaning, janitorial services and litter removal.
- j. Ordinance: Change Order No. 2 to Wayne Gray Sports Complex Family Aquatic Center - Engineering.**  
Consider an ordinance authorizing Change Order No. 2 for the Wayne Gray Sports Complex Family Aquatic Center Project.
- k. Ordinance: Amendment No. 1 to Steinman Lift Station Project Design Contract - Engineering.**  
Consider an ordinance authorizing Amendment No. 1 to the Standard Form of Agreement with Jones & Carter, Inc. for the Steinman Lift Station Project.
- l. Ordinance: Houston High Intensity Drug Trafficking Area Program - Police.**  
Consider an ordinance authorizing a professional services agreement for the Houston High Intensity Drug Trafficking Area Program with Stanley E. Furce, Individually and d/b/a Research International
- m. Ordinance: Ratifying Property Tax Increase Reflected in the FY09-10 Budget - Finance.**  
Consider an ordinance ratifying the property tax increase reflected in the budget adopted by the City Council for the fiscal year beginning October 1, 2009.
- n. Resolution: Authorize Transfer of Funds Between Departments - Finance.**  
Consider a resolution authorizing the transfer of funds between departments in accordance with Section 68 of the City Charter.
- o. Resolution: Accept Grant Award for Homelessness Prevention and Rapid Re-Housing Program - Planning and Development Services.**  
Consider a resolution authorizing the City to accept a grant award from Harris County pursuant to the Homelessness Prevention and Rapid Re-Housing Program under Title XII of the American Recovery and Reinvestment Act of 2009.

**p. Resolution: Designating Lee College 75th Anniversary as a City-sponsored Event and Banner Placement - City Management.**

Consider a resolution designating the 75th Anniversary of Lee College as a city co-sponsored event for which off-premise signs 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, an assumption of liability, and the approval of CenterPoint Energy Houston Electric, LLC.

**8. APPOINTMENTS**

**a. Baytown Beautification Advisory Commission - Interim City Clerk.**

Consider (2) appointment to the Baytown Beautification Advisory Commission.

**b. Zoning Board of Adjustment - Interim City Clerk.**

Consider (1) appointment to the City of Baytown Zoning Board of Adjustment.

**9. MANAGER'S REPORT**

**a. 2009 Baytown Company Cup Golf Tournament - Parks and Recreation.**

The 2009 Baytown Company Cup Golf Tournament will be held at 8:00 a.m. on Friday, October 2, 2009. The event will be held at Evergreen Point Golf Course, and is hosted by Baytown Parks and Recreation.

**b. Report One Year After Ike - City Manager.**

Receive a report on status of recovery and mitigation efforts one year after Hurricane Ike.

**10. ADJOURN**

**PUBLIC NOTICE IS GIVEN THAT IN ADDITION TO ANY EXECUTIVE SESSION LISTED ABOVE, THE CITY COUNCIL MAY RECESS INTO EXECUTIVE SESSION AT ANY TIME DURING THE MEETING TO DISCUSS ANY MATTERS LISTED ON THE AGENDA WHEN AUTHORIZED UNDER THE PROVISIONS OF THE OPEN MEETINGS ACT, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. IN THE EVENT THAT THE COUNCIL RECESSES INTO EXECUTIVE SESSION REGARDING AN AGENDA ITEM, THE SECTION OR SECTIONS OF THE OPEN MEETINGS ACT AUTHORIZING THE EXECUTIVE SESSION WILL BE PUBLICLY ANNOUNCED BY THE PRESIDING OFFICER.**

**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.**