



CITY OF BAYTOWN

NOTICE OF MEETING

CITY COUNCIL REGULAR MEETING

THURSDAY, JANUARY 10, 2013

6:30 P.M.

CITY COUNCIL CHAMBER, CITY HALL

2401 MARKET STREET

BAYTOWN, TEXAS 77520

AGENDA

CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

1. MINUTES

- a. Consider approving the minutes of the City Council Regular Meeting held on December 13, 2012.

2. RECOGNITIONS AND CITIZEN COMMUNICATIONS

- a. Mr. Aaron Hughes requests to address Council regarding textile recycling in Baytown.
- b. Mr. Thomas Bordelon requests to address Council regarding issues with a property at 1719 Kilgore Road and to discuss a fence around City property at East James and Bayou Drive.
- c. Present a proclamation designating January as Human Trafficking Awareness Month.

3. REZONING OF FIRST CHRISTIAN CHURCH

- a. Conduct a public hearing to rezone approximately 10.4 acres from Neighborhood Conservation (NC) District to Mixed Use (MU) District for commercial development, located on the southwest corner of Archer Road and North Main Street in Harris County, Texas.
- b. Conduct a public hearing regarding amendments to the Baytown 2025 Comprehensive Plan to Update the Future Land Use Map regarding approximately 10.4 acres of land, generally located at the southwest corner of Archer Road and North Main Street, in Harris County Texas.
- c. Consider an ordinance amending the Baytown 2025 Comprehensive Plan to Update the Future Land Use Map regarding approximately 10.4 acres of land, generally located at the southwest corner of Archer Road and N. Main Street, in Harris County Texas.

- d. Consider an ordinance rezoning approximately 10.4 acres from Neighborhood Conservation (NC) District to Mixed Use (MU) District for commercial development, located on the southwest corner of Archer Road and North Main Street in Harris County, Texas.

4. **AMENDMENTS TO CHAPTER 130 - ZONING**

- a. Conduct a public hearing regarding amendments to Chapter 130 and the Unified Land Development Code to allow accessory structures to be constructed prior to the primary structure with an approved special use permit.
- b. Consider an ordinance amending Chapter 130 of the Code of Ordinances and the Unified Land Development Code to allow accessory structures to be constructed prior to the primary structure with an approved special use permit.
- c. Conduct a public hearing regarding amendments to Section 130-572 “Supplementary use standards” of the Baytown Code of Ordinances and to Article Two, Division 3 of the Baytown Unified Land Development Code, “Land use tables and conditions” to allow residential units on the first floor in the Arts, Cultural, and Entertainment (ACE) District with conditions.
- d. Consider an ordinance amending Section 130-572 “Supplementary use standards” of the Baytown Code of Ordinances and Article Two, Division 3 of the Baytown Unified Land Development Code, “Land use tables and conditions” to allow residential units on the first floor in the Arts, Cultural, and Entertainment (ACE) District with conditions.

5. **KIWI GOLF ECONOMIC DEVELOPMENT**

- a. Consider an ordinance authorizing an interlocal agreement with the Baytown Municipal Development District for funding economic development grants and an economic development loan with Kiwi Golf.
- b. Consider an ordinance authorizing the City of Baytown/KIWI Golf LLC Chapter 380 Economic Development Agreement.

6. **PROPOSED ORDINANCES**

- a. Consider an ordinance awarding a construction contract with R+B Group, Inc., for the West Main Lift Station Reconstruction Project.
- b. Consider an ordinance amending Chapter 34 “Environment,” Article VII “Noise,” Division 1 “Generally” of the Code of Ordinances, Baytown, Texas, to extend the prohibitions regarding unreasonable noise to the area five thousand feet (5,000’) outside the corporate limits; to prohibit noises above established level; to prescribe the equipment and methods to be used to measure sound; and to exempt certain noises emanating from certain activities.

7. PROPOSED RESOLUTIONS

- a. Consider a resolution approving the 2013 City of Baytown State and Federal Legislative Priorities.
- b. Consider a resolution urging the the Sunset Advisory Commission and the Legislature to continue to allow the current appointing bodies of the Port Commission to maintain local control on decisions, including appointments, to best represent the interests of the public they serve and The Port of Houston Authority.

8. CONSENT

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- a. Consider an ordinance authorizing the closeout and acceptance of the North Main/I-10 Utility Project-Phase 2, and the release of retainage and final payment to E.P. Brady, LTD.
- b. Consider an ordinance accepting the 2012 Annual Sanitary Sewer Rehabilitation Project and renewing the contract with PM Construction & Rehab, L.P., for an additional year.
- c. Consider an ordinance authorizing the Termination of the Strategic Partnership Agreement with Lake Municipal Utility District.
- d. Consider an ordinance authorizing the Third Amendment to the Professional Services Agreement with Malcolm Pirnie, Inc., for services associated with the Central District Waste Water Treatment Plant Project as requested by the Texas General Land Office.
- e. Consider an ordinance awarding a construction contract with General Contractor Services, Inc., through the USA General Services Administration (GSA), for Hydro-Stop Roofing Projects at the Baytown Municipal Service Center, the City Hall Annex and Museum, the Sterling Municipal Library, and the City's Utility Billing Office.
- f. Consider an ordinance authorizing an interlocal agreement with the Baytown Municipal Development District for funding the Hutto Lift Station Upgrade Project.
- g. Consider an ordinance authorizing an interlocal cooperation contract with the Texas Department of Public Safety regarding the denial of a driver's license renewal for failure to appear in the Baytown Municipal Court, or for failure to pay certain fines and costs.
- h. Consider an ordinance amending Section 2-617 of the Code of Ordinances, Baytown, Texas, to impose an administrative fee on complaints reported to the Texas Department of Public Safety for denial of a driver's license renewal.

- i. Consider an ordinance authorizing a Cooperative Purchasing Agreement with Greenville Electric Utility System.
- j. Consider an ordinance authorizing the payment of an annual assessment to the Harris County Appraisal District.
- k. Consider a resolution authorizing advance funding for construction costs related to budgeted projects to be funded by future Certificates of Obligation.

9. **APPOINTMENTS**

- a. Consider confirming of one (1) City Manager's appointment to the Civil Service Commission.
- b. Consider five (5) appointments to the Sign Committee.
- c. Consider six (6) appointments to the Community Development Advisory Committee (CDAC).

10. **MANAGER'S REPORT**

Notice is hereby given in accordance with Section 551.0415 of the Texas Government Code, the City Council of the City of Baytown may receive a report about items of community interest from City staff and/or a member of the City Council, but no action or possible action shall be taken or discussed concerning the subject of such report, except as provided by Section 551.042 of the Texas Government Code.

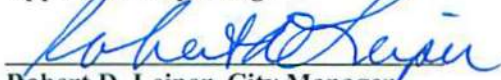
- a. City Offices will be closed on Monday, January 21, 2013 in observance of the Martin Luther King, Jr. holiday.

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 AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE SECTIONS 551.071 - 551.088 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, FAX 281-420-6586, OR CONTACT 281-420-6522 VIA RELAY TEXAS AT 711 OR 1-800-735-2989 FOR TYY SERVICES. FOR MORE INFORMATION CONCERNING RELAY TEXAS, PLEASE VISIT: [HTTPS://PUC.STATE.TX.US/RELAYTEXAS/OVERVIEW.ASPX](https://puc.state.tx.us/relaytexas/overview.aspx).

Approved for posting:


Robert D. Leiper, City Manager

Posted by:


Jason Cozza, Deputy City Clerk

(SEAL)

Posted this 4th day of January, 2013, at 5:00 P.M.

