



# CITY COUNCIL AGENDA

## NOTICE OF REGULAR MEETING

Tuesday, March 20, 2012

7:00 p.m.

City Hall - Council Chamber

Daniel P. Moore Community Center Complex

1900 Billy G. Webb Drive

Portland, Texas

### A. **PROCEDURAL MATTERS, HONORS AND RELATED NON-ACTION ITEMS:**

1. **CALL TO ORDER:** MAYOR KREBS
2. **INVOCATION AND PLEDGE:** MAYOR KREBS OR DESIGNEE
3. **FORMAL ANNOUNCEMENTS, RECOGNITION, PRESENTATIONS AND REPORTS THAT MAY BE DISCUSSED:**
  - INTRODUCTION OF POLICE EXPLORERS AND NEW EMPLOYEES – ASSISTANT CITY MANAGER AND FIRE CHIEF
  - ENERGY EFFICIENCY AND CONSERVATION PROJECT UPDATE - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT
4. **CITY COUNCIL AND STAFF COMMENTS CONCERNING ITEMS OF COMMUNITY INTEREST THAT MAY NOT BE DISCUSSED:**

Members of the City Council may present reports regarding “items of community interest” and/or be presented reports from the Staff regarding “items of community interest,” provided no action is taken or discussed. “Items of community interest” include the following:

- Expressions of thanks, congratulations, or condolence
- Information regarding holiday schedules
- Honorary recognition of city officials, employees, or other citizens

- Reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by a city official or city employee
- Announcements involving imminent threats to the public health and safety of the city

**B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:**

Members of the audience who wish to (1) comment on issues concerning an agenda item, (2) present questions concerning an agenda item, (3) request assistance concerning an agenda item or (4) propose regulatory changes concerning an agenda item, must comply with the following rules of procedure:

- Persons who wish to speak must fill out and turn in a speaker card before the meeting is convened (The Mayor will notify you when it's your turn to speak and direct you to the podium)
- Persons who wish to speak must identify themselves and their places of residence
- All comments, requests and proposals must be presented to or through the Mayor
- Persons who wish to speak will be given 4 minutes to do so

**OLD BUSINESS**

5. **MINUTES OF PREVIOUS WORKSHOPS AND MEETINGS:** THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS MARCH 6, 2012 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY
6. **CANCELLATION OF MAY 12, 2012 GENERAL ELECTION:** THE CITY COUNCIL WILL CONSIDER APPROVING THE CERTIFICATION OF UNOPPOSED CANDIDATES AND AN ORDER OF CANCELLATION FOR THE MAY 12, 2012 GENERAL ELECTION - MAYOR KREBS AND CITY SECRETARY
7. **RESOLUTION NO. 647 - ADOPTING LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 647 WHICH ADOPTS LAND USE ASSUMPTIONS AND A CAPITAL IMPROVEMENTS PLAN LEGALLY REQUIRED FOR THE DEVELOPMENT OF BROADWAY/NORTHSHORE BOULEVARD OUTFALL SYSTEM IMPACT FEES - CITY ATTORNEY AS WELL AS DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT
8. **RESOLUTION NO. 648 - SCHEDULING PROCESS INCLUDING PUBLIC HEARING TOWARD ADOPTION OF BROADWAY/NORTHSHORE BOULEVARD OUTFALL SYSTEM IMPACT FEES:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 648 WHICH SCHEDULES A PROCESS INCLUDING A PUBLIC HEARING TOWARD ADOPTION OF BROADWAY/NORTHSHORE BOULEVARD OUTFALL SYSTEM IMPACT

FEEES IN COMPLIANCE WITH STATE LAW - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

**NEW BUSINESS**

9. **COMPROMISE SETTLEMENT AGREEMENT:** THE CITY COUNCIL WILL CONSIDER A COMPROMISE SETTLEMENT AGREEMENT IN A LAWSUIT STYLED CITY OF PORTLAND VERSUS SOUTHCROSS ENERGY GP, LLC - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT
10. **AQUATICS CENTER PURCHASES AND REPAIRS:** THE CITY COUNCIL WILL CONSIDER AQUATICS CENTER PURCHASES (\$56,882.15 IN EQUIPMENT FROM KRAFTSMAN COMMERCIAL PLAYGROUNDS VIA TEXAS BUY BOARD) AND REPAIRS (\$10,000) - DIRECTOR OF PARKS AND RECREATION
11. **RESOLUTION NO. 649 - AMENDING LIST OF AUTHORIZED REPRESENTATIVES:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 649 WHICH AMENDS THE LIST OF CITY OFFICIALS AUTHORIZED TO PERFORM TEXAS LOCAL GOVERNMENT INVESTMENT POOL TRANSACTIONS - DIRECTOR OF FINANCE

**C. CITIZEN COMMENTS, QUESTIONS, REQUESTS AND PROPOSALS NOT APPEARING ON THE AGENDA:**

Members of the audience who wish to (1) comment on issues for which there is no item on this agenda, (2) present questions for which there is no item on this agenda, (3) request assistance for which there is no item on this agenda or (4) propose regulatory changes for which there is no item on this agenda, must comply with the following rules of procedure:

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Neither the City Council nor the Staff is legally permitted to respond to citizen comments, questions, requests or proposals at the time of the meeting. A member of the City Council or the City Manager may place an item on the agenda of a future City Council workshop or meeting to legally do so. If that is done, the audience member seeking a response will be given advance notice.

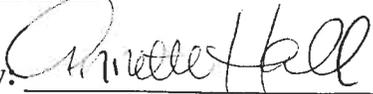
**D. ADJOURNMENT: MAYOR KREBS**

**NOTICE OF ASSISTANCE**

If you plan to attend this public meeting and you have a disability that requires special arrangements to be made, please contact City Secretary Annette Hall (361) 777-4513 or [annette.hall@portlandtx.com](mailto:annette.hall@portlandtx.com) in advance of the meeting. Reasonable accommodations will be made to facilitate your participation. The City Hall is wheelchair accessible and specially marked parking spaces are located in front of its entrance. Special seating will be provided in the Council Chamber during the meeting.

**BRaille IS NOT AVAILABLE**

**Posted:** March 16, 2012 by 5:00 p.m.  
Portland City Hall

**By:**   
Annette Hall  
City Secretary

**CITY OF PORTLAND  
CITY COUNCIL  
WORKSHOP MINUTES  
MARCH 6, 2012 – 5:30 P.M.**

On this the 6<sup>th</sup> day of March 2012, the Council of the City of Portland convened in workshop session at 5:30 p.m. in the Council Chambers of City Hall, Daniel P. Moore Community Center Complex and notice of regular workshop giving the time, place and date and subject having been posted as described by Section 551 of the Government Code.

**MEMBERS PRESENT:**

David Krebs	Mayor
John Green	Mayor Pro Tem
Ron Jorgensen	Council Member
Cathy Skurow	Council Member
Gary Moore, Sr.	Council Member
David Lewis	Council Member

**MEMBERS ABSENT:**

John Vilo	Council Member
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**STAFF PRESENT:**

Mike Tanner	City Manager
Randy Wright	Assistant City Manager
Sandy Clarkson	Finance Director
Kristin Connor	Director of Park and Recreation
Polly Wright	Director of Utility Billing
Michel Weaver	Assistant to the City Manager
Annette Hall	City Secretary

And with a quorum being present, the following business was transacted:

\*\*\*\*\*  
***This workshop may be adjourned before the Regular City Council Meeting begins at 7:00 p.m. and reconvened after the Regular City Council meeting ends.***  
\*\*\*\*\*

**1. CALL TO ORDER: MAYOR KREBS**

Mayor Krebs called the workshop to order at 5:30 p.m.

2. **MAJOR PROJECTS:** THE CITY COUNCIL WILL DISCUSS A MULTITUDE OF MAJOR PROJECTS AND RELATED ISSUES (LEGAL AS WELL AS FINANCIAL) - CITY MANAGER, DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT, CITY ATTORNEY, CONSULTING CITY ENGINEER AND CONSULTING CITY FINANCIAL ADVISOR

Finance Director Sandy Clarkson and Financial Advisor Victor Quiroga presented the financing process for the sale of approximately \$8,065,000 in Utility System Revenue and Refunding Bonds. The bond proceeds will be used to fund the following;

- Water & Sewer Line Replacement
- Remote Meter Readers
- Software (Police Department, Code Enforcement and Development Services)
- Refinancing of the S-2004 Bonds

Mr. Quiroga then reviewed the required Revenue Bond Covenants and presented the following Financing Plan Timeline;

- April 2012 – City Council considers a Financing Plan to sell Utility System Revenue Bonds
- May 2012 – City sells bonds and City Council locks-in a fixed interest rate
- June 2012 – Bond proceeds delivered to City’s project fund

Council and Staff discussed the Software purchase, water and sewer line replacement project and remote meter reading. Consulting City Engineer Donnie Rehmet explained the water and sewer line replacement process.

Assistant to the City Manager Michel Weaver presented and reviewed the following Capital Improvement Project Updates with City Council and Staff;

- Buddy Ganem Roadway Improvements
- Northshore Drainage Improvements
- Phase 8 Street Improvements
- Wastewater Treatment Plant Expansion
- Olde Town Lift Station and Force Main
- Doyle Addition Wastewater Collection System Improvements
- Community Center Roof Replacement
- Facilities Assessment Program

Consulting City Engineer Donnie Rehmet gave a brief update on the Northshore Drainage Improvements project, the Wastewater Treatment Plant Expansion and the Doyle Addition Wastewater and Collection System Improvements project.

3. **ZONING ISSUES:** THE CITY COUNCIL WILL DISCUSS THE ADMINISTRATION OF SPECIAL USE PERMIT NOS. 750 AND 1033 AS WELL AS THE

INTERPRETATION OF SECTION 509 OF THE UNIFIED DEVELOPMENT  
ORDINANCE - CITY MANAGER, ASSISTANT CITY MANAGER AS WELL AS  
DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

Mayor Krebs announced that he would be abstaining from discussion concerning Special Use Permit No. 1033.

City Manager Mike Tanner then addressed concerns with Special Use Permit No. 750 (Baseline Data on Lang Rd. owned by J.W. Ralls) specifically Section Two (a) Use is restricted to indoor education, recreation and leisure activities in the “new metal building” and the current use of the building. He then explained that Mr. Ralls is requesting permission to erect a framed telecommunications tower at the special use permit site for communication purposes with the Baseline Data site located in Olde Town.

Council and Staff discussed Special Use Permit No. 750 - Section Two (a) Use is restricted indoor education use, the request by Mr. Ralls to erect a telecommunication tower at the Special Use Permit site on Lang Rd., the various uses of properties surrounding the Special Use Permit site and issues with tracking special use permits in general.

City Manager Mike Tanner explained that Al Willeford Chevrolet is requesting the use of a temporary office building during the remodeling phase of their Hwy 181 location showroom. The Unified Development Ordinance addresses Temporary Uses for construction purposes in Section 509 but does not address or prohibit during them during remodeling.

Council and Staff discussed allowing the use of a Temporary Construction Buildings or Trailers during the remodeling phase of the Al Willeford Chevrolet showroom and requiring them to provide restroom facilities for their customers.

Mayor Krebs then turned the workshop over to Mayor Pro Tem Green to preside over Special Use Permit No. 1033.

City Manager Mike Tanner explained that Special Use Permit No. 1033 relates to Reliant Storage located at 1605 US Hwy 181 owned by Charlie Hatch. Mr. Hatch has undeveloped property on the same lot subject to the special use permit. The Special Use Permit was granted for Business Records Storage and Climate Controlled Storage at the recommendation of the Planning and Zoning Commission.

Council and Staff discussed Special Use Permit No. 1033, the request by Mr. Hatch to build mini storage units and enforcing the current conditions of Special Use Permit No. 1033 that allows only Business Records Storage or Climate Controlled Storage.

Mayor Pro Tem Green turned the workshop over to Mayor Krebs to preside over the remainder of the workshop.

4. **PROPERTY MAINTENANCE AND CODE ENFORCEMENT:** THE CITY COUNCIL WILL DISCUSS PROPERTY MAINTENANCE AND CODE ENFORCEMENT - CITY MANAGER, ASSISTANT CITY MANAGER, ASSISTANT TO THE CITY MANAGER, FIRE CHIEF AS WELL AS DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

Council and Staff discussed the method of property maintenance and code enforcement used in Framers Branch, Texas, the cost to employ a full-time Code Enforcement Officer, incorporating a budget during the 2013 budget process and conducting windshield survey of the entire city.

5. **ADJOURNMENT:** MAYOR KREBS

Mayor Krebs adjourned the workshop at 6:52 pm.

**NOTICE OF ASSISTANCE:**

If you plan to attend this public meeting and you have a disability that requires special arrangements to be made, please contact City Secretary Annette Hall (361-777-4513 or [annette.hall@portlandtx.com](mailto:annette.hall@portlandtx.com)) in advance of the meeting. Reasonable accommodations will be made to facilitate your participation. The City Hall is wheelchair accessible and specially marked parking spaces are located in front of its entrance. Special seating will be provided in the Council Chamber during the meeting.

**BRAILLE IS NOT AVAILABLE**

Approved:

\_\_\_\_\_  
David Krebs  
Mayor

Attest:

\_\_\_\_\_  
Annette Hall  
City Secretary

**CITY OF PORTLAND  
CITY COUNCIL  
REGULAR MEETING  
MARCH 6, 2012 – 7:00 P.M.**

On this the 6<sup>th</sup> day of March 2012, the Council of the City of Portland convened in a regular meeting session at 7:00 p.m. in the Council Chambers of City Hall, Daniel P. Moore Community Center Complex and notice of regular meeting giving the time, place and date and subject having been posted as described by Section 551 of the Government Code.

**MEMBERS PRESENT:**

David Krebs	Mayor
John Green	Mayor Pro Tem
Ron Jorgensen	Council Member
Cathy Skurow	Council Member
Gary Moore, Sr.	Council Member
David E. Lewis	Council Member

**MEMBERS ABSENT:**

John Vilo	Council Member
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**STAFF PRESENT:**

Mike Tanner	City Manager
Randy Wright	Assistant City Manager
Sandy Clarkson	Finance Director
Kristin Connor	Director of Park and Recreation
Polly Wright	Director of Utility Billing
Michel Weaver	Assistant to the City Manager
Annette Hall	City Secretary

And with a quorum being present, the following business was transacted:

**A. PROCEDURAL MATTERS, HONORS AND RELATED NON-ACTION ITEMS:**

1. **CALL TO ORDER:** MAYOR

Mayor Krebs called the meeting to order at 7:00 pm.

2. **INVOCATION AND PLEDGE:** MAYOR OR DESIGNEE

Council Member Lewis gave the invocation and Mayor Krebs led the Pledge of Allegiance.

3. **FORMAL ANNOUNCEMENTS, RECOGNITION, PRESENTATIONS AND REPORTS THAT MAY BE DISCUSSED:**

- PREVIEW OF “2012 RELAY FOR LIFE” - MAYOR AND RELAY FOR LIFE REPRESENTATIVES

Relay for Life Representative Rebecca Black gave a brief preview of the upcoming May 4, 2012 Relay for Life event that will take place at the G-P Wildcat Stadium. She encouraged Portland residents and Cancer Survivors to participate in the event.

Mayor Krebs also encouraged Portland residents to participate in the event.

- INTRODUCTION OF NEW EMPLOYEES - FINANCE DIRECTOR AS WELL AS DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

Finance Director Sandy Clarkson introduced Sr. Accountant Lorenzo Lara.

Assistant City Manager Randy Wright introduced Meter Reader Jon Hutchinson.

- ELECTION UPDATE - CITY SECRETARY

City Secretary Annette Hall announced that March 5, 2012 was deadline to file for a place on the ballot and write-in candidates for the upcoming election for the purpose of electing a Mayor and 2 Council Members to 2 year terms and only the incumbents have filed. They are as follows:

**Mayor – 2 year term**

David Krebs

**2 Council Members – 2 year terms**

Ron Jorgensen

Gary Moore, Sr.

She then explained that the City Council will consider initiating the cancellation process at the next City Council meeting on March 20, 2012.

- DEVELOPMENT UPDATE - CITY MANAGER

City Manager Mike Tanner announced that 13 new Single Family homes were permitted in the month of February bringing the total to 32 new home for the FY 2011-2012.

4. **CITY COUNCIL AND STAFF COMMENTS CONCERNING ITEMS OF COMMUNITY INTEREST THAT MAY NOT BE DISCUSSED:**

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- Announcements involving imminent threats to the public health and safety of the city

Council Member Lewis encouraged everyone to check the garbage and brush pick up schedule while doing yard work and spring cleaning.

Mayor Krebs reminded everyone that this weekend is Day Light Savings time change.

**B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:**

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**There were none.**

**OLD BUSINESS**

5. **MINUTES OF PREVIOUS WORKSHOPS AND MEETINGS:** THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS FEBRUARY 21, 2012 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY

Council Member Moore made the motion to approve the minutes of the February 21, 2012 workshop and regular meeting minutes as presented. Mayor Pro Tem Green seconded the motion.

The motion passed 6-0

### **NEW BUSINESS**

6. **PUBLIC HEARING - LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN:** THE CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING THE LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN FOR THE POSSIBLE ADOPTION OF NORTHSHORE/BROADWAY BOULEVARD OUTFALL SYSTEM CAPITAL DRAINAGE IMPROVEMENTS IMPACT FEES - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS CONSULTING CITY DRAINAGE ENGINEERS

### **NO ACTION WILL BE TAKEN BY THE CITY COUNCIL UNTIL ITS MARCH 20, 2012 REGULAR MEETING**

Mayor Krebs opened the Public Hearing at 7:16 p.m. to solicit comment from citizens and other interested parties concerning the Land Use Assumptions and Capital Improvements Plan for the possible adoption of Northshore/Broadway Boulevard Outfall System Capital Drainage Improvements Impact Fees.

Consulting City Drainage Engineer Donnie Rehmet and City Manager Mike Tanner presented and reviewed the following:

- The existing outfalls in the Broadway Blvd. and Northshore Blvd. drainage areas are not capable of conveying fully developed flows
  - Naismith Engineering conducted a drainage study in 2006 to identify the collection and conveyance issues in the drainage basin
  - Construction activities since the 2006 study have consumed the remainder of the existing capacity in the system
  - Because of the lack of downstream capacity, any new construction in the area will require a disproportionate amount of drainage improvements
  - The City of Portland is in the best position to construct necessary improvements on behalf of the landowners
  - Land use assumptions were developed using the City's zoning maps and Future Land Use Plan
  - Runoff coefficients and drainage calculations were developed using the land use assumptions
- 
- Capital Improvements are proposed to increase the conveyance capacity of the outfall system:

- Constructing a culvert underneath Broadway south of Meadowbrook Drive
- Adding a new ditch connecting the existing Northshore ditch to the new Broadway culvert
- Increasing the capacity of the existing Northshore ditch and adding new culvert structures at the intersection with Northshore Blvd

Mayor Krebs asked if anyone in the audience would like to comment. With no audience participation Mayor Krebs closed the Public Hearing at 7:23 pm.

**7. OLDE TOWN LIFTSTATION/FORCE MAIN CONSTRUCTION PROJECT - CHANGE ORDER NO. 1: THE CITY COUNCIL WILL CONSIDER OLDE TOWN LIFTSTATION/FORCE MAIN CONSTRUCTION PROJECT - CHANGE ORDER NO. 1 (52 CALENDAR DAY PROJECT EXTENSION REQUIRED BY MANUFACTURING BACKLOG) - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS CONSULTING CITY UTILITIES ENGINEER**

Consultant Utilities Engineer Donnie Rehmet explained as previously discussed in workshop ACP has requested an extension of the contract time by 52 days to accommodate the unforeseen delay in fabrication of the wet well. The proposed change will move the project completion to June 16, 2012. There is no change in the contract price. Mr. Rehmet added that he is fully supportive of the proposed change order and recommends approval.

Council Member Lewis made the motion to accept Olde Town Liftstation/Force Main Construction Project – Change Order No. 1 increasing the contract time by 52 days. Council Member Skurow seconded the motion.

The motion passed 6-0.

**8. PROPOSAL FOR ENGINEERING SERVICES: THE CITY COUNCIL WILL CONSIDER A PROPOSAL FOR ENGINEERING SERVICES (SIDEWALK ASSESSMENT - \$9,860) FROM COYM, REHMET & GUTIERREZ ENGINEERING - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS CONSULTING CITY ENGINEER**

Consulting City Engineer Donnie Rehmet explained that the City Council has previously expressed a desire to conduct a sidewalk assessment survey and study in order to fully understand what costs would be associated with constructing sidewalks on all streets throughout the city. This proposal includes:

- Performing field reconnaissance to assess conditions of existing sidewalks and areas that lack sidewalks. The field study will also investigate ADA-compliance

issues.

- Providing maps and exhibits depicting the results of the field work
- Providing full cost estimates of proposed improvements
- Briefing the Council on the study results

City Manager Mike Tanner added that as previously discussed the study would help incorporate sidewalk, sidewalk reconstruction, ADA compliance and Park issues to Capital Improvement Projects.

Mayor Pro Tem Green made the motion to accept the proposal for engineering services (sidewalk assessment - \$9,860) from Coym, Rehmet & Gutierrez Engineering. Council Member Skurow seconded the motion.

The motion passed 6-0.

**9. RESOLUTION NO. 646 - INTENT TO REIMBURSE: THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 646 EXPRESSING OFFICIAL INTENT TO REIMBURSE WITH TAX-EXEMPT OBLIGATION PROCEEDS COSTS INCURRED TO MAKE WATERWORKS AND SEWER SYSTEM IMPROVEMENTS AND IMPROVEMENTS TO THE CITY'S COMPUTER SYSTEMS - FINANCE DIRECTOR AND THE CONSULTING CITY FINANCIAL ADVISOR**

Finance Director Sandy Clarkson explained that as previously discussed the City will purchase a number of computer systems to enhance information management and improve operations in a number of departments. The entire cost of all software and hardware packages will exceed \$675,000. In October, the Police Department software purchase was initiated with a down payment from the Law Enforcement Fund, leaving a balance of \$500,000 for Police, Code Enforcement, Developmental Services and digital records management systems. The current breakdown of the approximate costs is as follows:

Police Department Systems	\$338,530
Code Enforcement & Development Services	76,470
LaserFische	<u>85,000</u>
Amount to be funded over three years:	\$500,000

She added that it should be noted the improvement to the City's LaserFische (digital records management) was not originally included in the 2012 Budget. The City's financial advisor, Victor Quiroga of Southwest Securities, has included the \$500,000 for computer software and hardware systems in the preliminary analysis for the transaction to be labeled the 2012A Revenue Bonds to be sold later this year. The proposed resolution authorizes the City to reimburse itself from the proceeds of the bond issue when those proceeds are received in the summer. By authorizing this reimbursement mechanism, the IT department can proceed with critical hardware purchases.

Council Member Jorgensen made the motion accept Resolution No. 646 expressing official intent to reimburse itself from the proceeds of the 2012A bonds with tax-exempt obligation proceeds costs incurred to make waterworks and sewer system improvements and improvements to the City's computer systems. Council Member Moore seconded the motion.

The motion passed 6-0.

**10. APPOINTMENT OF REPRESENTATIVE: THE CITY COUNCIL WILL CONSIDER APPOINTING A REPRESENTATIVE TO THE SAN PATRICIO COUNTY ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS - MAYOR KREBS**

Mayor Krebs announced that Council Member Skurow's term on San Patricio Economic Development Corporation has expired. She will serve as an Ex Officio for a one year term and will remain on the Executive Committee. He then announced that a nomination was made to appoint Mayor Pro Tem Green as a member of the San Patricio Economic Development Corporation.

Council Member Jorgensen made the motion nominating Mayor Pro Tem Green to serve as a member of the San Patricio Economic Development Corporation. Council Member Moore seconded the motion.

The motion passed 6-0.

**C. CITIZEN COMMENTS, QUESTIONS, REQUESTS AND PROPOSALS NOT APPEARING ON THE AGENDA:**

**Members of the audience who wish to (1) comment on issues for which there is no item on this agenda, (2) present questions for which there is no item on this agenda, (3) request assistance for which there is no item on this agenda or (4) propose regulatory changes for which there is no item on this agenda, must comply with the following rules of procedure:**

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Council workshop or meeting to legally do so. If that is done, the audience member seeking a response will be given advance notice.

Russ Hodge of 342 Wright Dr. voiced his concerns about following issues in his neighborhood:

- barking dog ordinance
- a skid-o-kan transport truck and trailer parked in the neighborhood creates safety and sanitary concerns
- landscaping blocking the line of sight at various intersecting streets

**D. ADJOURNMENT: MAYOR**

Mayor Krebs adjourned the meeting at 7:37 p.m.

**E. NOTICE OF ASSISTANCE:**

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**BRAILLE IS NOT AVAILABLE**

Approved:

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David Krebs  
Mayor

Attest:

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City Secretary

## **REGULAR MEETING AGENDA BILL**

**AGENDA ITEM:** **CANCELLATION OF MAY 12, 2012 GENERAL ELECTION:**  
THE CITY COUNCIL WILL CONSIDER APPROVING THE  
CERTIFICATION OF UNOPPOSED CANDIDATES AND AN ORDER  
OF CANCELLATION FOR THE MAY 12, 2012 GENERAL ELECTION

**SUBMITTED BY:** Annette Hall, City Secretary

**DATE SUBMITTED:** March 13, 2012

**ATTACHMENTS:** Certification of Unopposed Candidates  
Order of Cancellation

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**SUMMARY STATEMENT:** In accordance with the Texas Election Code, in order to initiate the cancellation process for the elections scheduled to be held on May 12, 2012. The City Council must first receive and accept the Certification of Unopposed Candidates (in other words the outcome is already known due to the lack of opposition), and issue an Order of Cancellation (declaring the elections cancelled and the unopposed candidates elected).

Candidates cannot take office until the regular canvassing period has taken place.

To complete the cancellation process, a copy of the order canceling the elections will be posted on Election Day at each polling place that would have been used in the elections.

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**RECOMMENDED ACTION:** Accept the Certification of Unopposed Candidates and adopt the Order of Cancellation (declaring the May 12, 2012 General Election cancelled and the unopposed candidates elected).

**CERTIFICATION OF UNOPPOSED CANDIDATES**

***CERTIFICACIÓN DE CANDIDATOS ÚNICOS***

**To: Presiding Officer of Governing Body**  
***Al: Presidente de la entidad gobernante***

**As the authority responsible for having the official ballots prepared, I hereby certify that the following candidates are unopposed for election to office for the elections scheduled to be held on May 12, 2012.**

***Como autoridad a cargo de la preparación de la boletas de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elecciones para un cargo en la elección que se llevará a cabo el 12 de Mayo 2012.***

**List offices and names of candidates:**  
***Lista de cargos y nombres de los candidatos:***

<b>Office(s) Cargo(s)</b>	<b>Candidate(s) Candidato(s)</b>
<b>Mayor – 2 year term</b> <i>Alcalde – termino de dos (dos) anos</i>	<b>David Krebs</b>
<b>Council Member – 2 year term</b> <i>Miembros de Concilio - termino de dos (2) anos</i>	<b>Ron Jorgensen</b>
<b>Council Member – 2 year term</b> <i>Miembros de Concilio - termino de dos (2) anoss</i>	<b>Gary Moore, Sr.</b>

\_\_\_\_\_  
**Signature (Firma)**

\_\_\_\_\_  
**Printed name (Nombre en letra de molde)**

\_\_\_\_\_  
**Title (Puesto)**

\_\_\_\_\_  
**Date of signing (Fecha de firma)**

**(Seal) (sello)**

**ORDER OF CANCELLATION**

***ORDEN DE CANCELACIÓN***

**The Portland City Council hereby cancels the elections scheduled to be held on Saturday, May 12, 2012 in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:**

*El Consejo de la Ciudad de Portland, or la presente cancela la elecciones que, de lo contrario, (nombre oficial de la entidad gobernante) se hubiera celebrado el Sabado, 12 de Mayo 2012 de conformidad, con (fecha en que se hubiera celebrado la elección) la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado a continuación:*

<b>Candidate (Candidato)</b>	<b>Office Sought (Cargo al que presenta candidatura)</b>
<b>David Krebs</b>	<b>Mayor – 2 year term</b> <i>Alcalde – termino de dos (2) anos</i>
<b>Ron Jorgensen</b>	<b>Council Member – 2 year term</b> <i>Miembros de Concilio - termino de dos (2) anos</i>
<b>Gary Moore, Sr.</b>	<b>Council Member – 2 year term</b> <i>Miembros de Concilio - termino de dos (2) anos</i>

**A copy of this order will be posted on Election Day at each polling place that would have been used in the election.**

*El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.*

**David Krebs, Mayor**

\_\_\_\_\_  
**President (Presidente)**

**Annette Hall, City Secretary**

\_\_\_\_\_  
**Secretary (Secretario)**

**(seal) (sello)**

\_\_\_\_\_  
**Date of adoption (Fecha de adopción)**

## **REGULAR MEETING AGENDA BILL**

**AGENDA ITEM:**     **RESOLUTION NO. 647 - ADOPTING LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN:**  
THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 647 WHICH ADOPTS LAND USE ASSUMPTIONS AND A CAPITAL IMPROVEMENTS PLAN LEGALLY REQUIRED FOR THE DEVELOPMENT OF BROADWAY/NORTHSHORE BOULEVARD OUTFALL SYSTEM IMPACT FEES

**SUBMITTED BY:**     Brian DeLatte, Director of Public Works and Development

**DATE SUBMITTED:** March 20, 2012

**ATTACHMENTS:**     Proposed Resolution No. 647

---

**SUMMARY STATEMENT:**     On April 1, 2011, the City Council authorized the engagement of Coym, Rehmet, and Gutierrez (CR&G) to conduct an impact fee study to recover the costs of the Broadway Ditch. The City Council subsequently engaged CR&G to provide plans and specifications for the Northshore Area Drainage Improvements. These two drainage components combine to create the Broadway/Northshore Boulevard Outfall System as described in the 2006 Naismith Engineering Master Plan.

On March 6, 2012, a Public Hearing was conducted to solicit comments regarding the land use assumptions and capital improvements plan developed by Coym, Rehmet, & Gutierrez. State statute requires the City Council to formally adopt the land use assumptions and capital improvements plan in order to proceed with the impact fee process. Given the information presented at the Public Hearing, Staff believes that adopting the assumptions and plan is the prudent action.

---

**RECOMMENDATION:**     Adopt a motion approving Resolution No. 647.

**RESOLUTION NO. 647**

**ADOPTING THE LAND USE ASSUMPTIONS AND  
CAPITAL IMPROVEMENTS PLAN FOR THE  
BROADWAY/NORTHSHORE BOULEVARD OUTFALL  
SYSTEM CAPITAL DRAINAGE IMPROVEMENTS**

**WHEREAS**, the City of Portland desires to construct capital improvements and assess an impact fee for the Broadway/Northshore Boulevard Outfall System; and

**WHEREAS**, the improvements will occur on land within the service area of Broadway/Northshore Boulevard Outfall System, generally bounded by US Highway 181, the Oak Ridge Ditch, the Northshore Golf Course, Northshore Boulevard, the Northshore Ditch, and the future Olympic Drive; and

**WHEREAS**, the City of Portland engaged a Texas Professional Engineer to prepare the land use assumptions and capital improvements plan; and

**WHEREAS**, a Public Hearing was conducted on March 6, 2012, at the regularly scheduled City Council meeting to solicit evidence from the public for or against the land use assumptions and capital improvements plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, TEXAS:**

Hereby adopts the land use assumptions and capital improvements plan as presented by Coym, Rehmet, & Gutierrez Engineering, LP, at the City Council meeting on March 6, 2012, and on file with the City Secretary.

**PASSED and APPROVED** this 20<sup>th</sup> day of March, 2012.

**EXECUTED UPON APPROVAL**

**By:** \_\_\_\_\_  
**David Krebs**  
**Mayor**

**ATTEST:**

**By:** \_\_\_\_\_  
**Annette Hall**  
**City Secretary**

## **REGULAR MEETING AGENDA BILL**

**AGENDA ITEM:**        **RESOLUTION NO. 648 - SCHEDULING PROCESS**  
**INCLUDING PUBLIC HEARING TOWARD ADOPTION**  
**OF BROADWAY/NORTHSHORE BOULEVARD OUTFALL**  
**SYSTEM IMPACT FEES:** THE CITY COUNCIL WILL CONSIDER  
RESOLUTION NO. 648 WHICH SCHEDULES A PROCESS  
INCLUDING A PUBLIC HEARING TOWARD ADOPTION OF  
BROADWAY/NORTHSHORE BOULEVARD OUTFALL SYSTEM  
IMPACT FEES IN COMPLIANCE WITH STATE LAW

**SUBMITTED BY:**     Brian DeLatte, Director of Public Works and Development

**DATE SUBMITTED:** March 20, 2012

**ATTACHMENTS:**     Proposed Resolution No. 648

---

**SUMMARY STATEMENT:**    On April 1, 2011, the City Council authorized the engagement of Coym, Rehmet, and Gutierrez (CR&G) to conduct an impact fee study to recover the costs of the Broadway Ditch. The City Council subsequently engaged CR&G to provide plans and specifications for the Northshore Area Drainage Improvements. These two drainage components combine to create the Broadway/Northshore Boulevard Outfall System as described in the 2006 Naismith Engineering Master Plan.

With the adoption of Resolution No. 648, the City can initiate the process of assessing an impact fee for the System. The following schedule is proposed in order to comply with state statutes:

- March 29, 2012    Publish Notice of Hearing for Impact Fees
  
- April 10, 2012    Advisory Committee meets to discuss impact fees at regularly scheduled Planning and Zoning Commission meeting
  
- April 23, 2012    Advisory Committee to file written comments on the proposed impact fees
  
- May 1, 2012        Public Hearing to approve or disapprove Impact Fee

Adoption of Resolution No. 648 is required to continue the process in the legally required manner.

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**RECOMMENDATION:**    Adopt a motion approving Resolution No. 648.

## **REGULAR MEETING AGENDA BILL**

**AGENDA ITEM:** **COMPROMISE SETTLEMENT AGREEMENT:** THE CITY COUNCIL WILL CONSIDER A COMPROMISE SETTLEMENT AGREEMENT IN A LAWSUIT STYLED CITY OF PORTLAND VERSUS SOUTHCROSS ENERGY GP, LLC

**SUBMITTED BY:** Brian DeLatte, Director of Public Works and Development

**DATE:** March 20, 2012

**ATTACHMENTS:** Compromise Settlement Agreement (City of Portland vs. Southcross Energy GP, LLC)

---

**SUMMARY STATEMENT:** The City of Portland has previously filed suit against Southcross Energy GP, LLC, regarding the relocation of an existing Southcross pipeline under the existing sludge drying bed and proposed clarifier to be constructed as part of the City's Wastewater Treatment Plant improvements.

The City Attorney has negotiated with Southcross and has come to a Compromise Settlement Agreement. The agreement:

- Releases and discharges claims against Southcross
- Southcross agrees to move the line at its expense
- The City will grant Southcross a new easement to re-route its line

This Compromise Settlement Agreement will allow the City to fully move forward with finalizing and bidding the plans for the plant expansion.

---

**RECOMMENDATION:** Adopt a motion authorizing the City Manager to execute the Compromise Settlement Agreement for the City of Portland vs. Southcross Energy GP, LLC.

CAUSE NO. S-11-5976CV-A

CITY OF PORTLAND,  
Plaintiff,

v.

SOUTHCROSS ENERGY GP LLC,  
Defendant

§  
§  
§  
§  
§  
§  
§

IN THE 36<sup>TH</sup> DISTRICT COURT

SAN PATRICIO COUNTY, TEXAS

**COMPROMISE SETTLEMENT AGREEMENT, ASSIGNMENT,  
AND RELEASE OF ALL CLAIMS**

THE STATE OF TEXAS

§  
§  
§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF SAN PATRICIO

THIS COMPROMISE SETTLEMENT AGREEMENT, ASSIGNMENT, AND RELEASE OF ALL CLAIMS (this “Agreement”) is by and between the City of Portland (“City” or “Plaintiff”) and Southcross Energy GP LLC (“Southcross” or “Defendant”). Plaintiff and Defendant are collectively referred to herein as the “Parties” or the “Settling Parties.”

**I. RECITALS**

A. Plaintiff brought the above styled lawsuit against Defendant in Cause No. S-11-5976CV-A, pending in the 36<sup>th</sup> Judicial District Court of San Patricio County, Texas. Plaintiff’s pleadings are on file in this matter and describe the alleged incident and alleged damages for which this suit has been brought.

B. In this action, Plaintiff seeks to require Defendant to remove a pipeline under certain property owned by the City. Plaintiff seeks other damages more fully described in Plaintiff’s pleadings on file in this matter.

C. Defendant denies any and all liability in this matter and denies the allegations made by Plaintiff.

D. The Parties desire to compromise and settle their dispute, without admission of fault, and for the sole purpose of ending litigation, the Parties desire to enter into this Agreement in order to provide for certain consideration and mutual obligations in full and complete discharge and release of all claims, complaints, losses, expenses, and damages, past, present, and future, known or unknown, that are or could be the subject of this action against Defendant and/or result from the facts, matters, and occurrences described in Plaintiff's pleadings on file in this action.

## II. AGREEMENTS

### A. Release and Discharge

1. The parties who are releasing and discharging their claims, actions and causes of action are Plaintiff and Plaintiff's attorneys.
2. The "Released Parties" are Defendant and its heirs, successors, assigns, agents (actual, ostensible or otherwise), servants, partners, legal or personal representatives, attorneys, employees, trustees, directors, shareholders, members, managers, officers, affiliates, parent companies or subsidiaries, insurers, and all persons, firms, organizations, corporations, other legal entities, or other entities in privity with the foregoing (even if such persons or entities are not specifically named in this Agreement).
3. In consideration of the consideration and mutual obligations contained herein, the Plaintiff and Plaintiff's attorneys do hereby **RELEASE, ACQUIT, AND FOREVER DISCHARGE** the Released Parties of and from any and all claims, demands, controversies, liabilities, detriments, or suits of any kind or character, now owned, held or possessed, or that could be owned, held, or possessed in the future by Plaintiff and/or Plaintiff's attorneys, representatives, successors, or assigns, which arise from, result from, or in any way relate to, the occurrence and claims alleged by Plaintiff.

Further, said release hereunder includes a release of the following:

- a. In the event any other pipeline is found on, in, or under the property described in Plaintiff's pleadings on file in the action, any and all claims that could be brought against Defendant and the other Released Parties related to such pipeline; and/or

- b. Any liability of the Released Parties, whatsoever arising directly or indirectly out of, or in any manner related to, any conduct, act, or omission of Defendant, Defendant's agents, servants, employees, trustees, partners, officers, directors, or representatives, including but not limited to any claim or liability asserted by Plaintiff; and/or
  - c. Any liability of the Released Parties arising directly or indirectly out of, or in any manner related to, the occurrence and claims in question, or any damages resulting directly or indirectly from same; and/or
  - d. Any liability of the Released Parties arising directly or indirectly out of, or in any manner related to, the injuries and/or damages sustained in or as a result of the occurrence and claims in question, including without limitation, those, if any, that may hereafter be incurred or sustained by Plaintiff directly or indirectly, from such injuries and/or damages; and/or
  - e. Any liability of the Released Parties arising directly or indirectly out of, or in any manner related to, any of the matters, occurrences, or transactions set forth or which could have been set forth in Plaintiff's pleadings in this matter, including without limitation, any and all claims for damages of whatever nature including all claims for punitive or exemplary damages; and/or
  - f. Any liability of the Released Parties for any violation of any state or federal law, statute, code, rule, or regulation.
4. The releases in this Agreement include any and all claims, demands and causes of action of whatever nature whether arising at common law, or in contract, in tort, common law negligence, gross negligence, fraud, breach of warranty, all claims for violation of any statutory enactment, or based upon any other theory of law, including but not limited to agency, apparent agency, ostensible agency or agency by estoppel, or any theory of recovery, known or unknown, presently existing or that might ever accrue in the future, of whatever nature that could be asserted in this action or any other action as against the Released Parties, whether in litigation or administrative or other proceedings.
5. The releases in this Agreement include, without limitation, all claims,

demands, and causes of action against the Released Parties by Plaintiff and Plaintiff's agents, for all property damages of whatever kind and character, claims for property lost, damaged or destroyed, any and all items of damages described in Plaintiff's pleadings or that could have been described in Plaintiff's pleadings herein, including any claim related to any other pipeline, if any, on, in, or under the property described in Plaintiff's pleadings in this action, any legal interest or interest recoverable under any theory of law or fact in the past, present or future, claims for attorneys' fees, any and all claims for exemplary damages under any theory of law or fact, and any and all other expenses, damage claims, or detriments of any kind.

**B. Consideration and Mutual Obligations**

In consideration for the release and discharge and the other agreements set forth above, Defendant hereby agrees to remove the portions of the pipeline that resides under a portion of an existing and in-use sludge drying bed associated with the City's wastewater treatment plant and the area where the City intends to build a new clarifier and associated yard piping made the subject of Plaintiff's pleadings in the action from its existing location. The portions of such pipeline to be removed are more specifically identified in Exhibit "A" attached hereto and incorporated herein by reference.

In addition to the release of claims, described above, the City agrees to grant Southcross an additional pipeline easement and right-of-way at a mutually agreeable width and in a mutually agreeable location on, or in close proximity to, the property described in Plaintiff's pleadings (the "New Easement"). The City agrees to grant Southcross the New Easement upon the written request of Southcross, it being understood and agreed that such request must be made no later than the tenth (10th) anniversary of the date of this Agreement. The New Easement shall be no less than ten feet (10') wide.

**C. Representations and Warranties**

1. Plaintiff represents and warrants that:

(a) Plaintiff has not assigned or transferred all or any part of the claims,

demands, actions, or causes of action referred to in any section of this Agreement to any Person.

(b) Plaintiff is, or represents, the full and sole owner of the claims, demands, actions, or causes of action referred to in this Agreement at the time of the execution of this Agreement.

(c) Plaintiff is, or represents, the only Person entitled to any recovery for any cause whatsoever for damages, expenses, or losses incurred as a result of the occurrence and claims made the basis of this suit.

2. For this purpose, the term "Person" means any individual, corporation, partnership, limited liability company, joint venture, association, joint stock company, trust, estate, unincorporated organization, or other business entity.

D. Dismissal with Prejudice

Plaintiff and Plaintiff's attorneys do hereby agree to execute such documents as are necessary to effectuate this Agreement, and further agree to the entry of an Order of Dismissal with Prejudice dismissing this action against Defendant with prejudice to the refiling of same.

E. Assignment

Plaintiff hereby irrevocably and fully assigns all civil claims and causes of action of every kind against Defendant to the said Defendant, whether such claims are now known or unknown, whether asserted in the above entitled and numbered cause or not, whether in tort, contract, or otherwise, and Plaintiff hereby intentionally and knowingly relinquishes any rights to any claims Plaintiff has against Defendant, Defendant's insurance carrier, and any other persons and/or entities released herein related directly or indirectly to the occurrence and claims save and except for Plaintiff's right to receive any consideration and mutual obligations as provided for in this Agreement. This assignment is binding upon Plaintiff and Plaintiff's respective legal representatives, agents, successors, and assigns and anyone claiming by or through Plaintiff forever.

F. Warranty of Capacity to Execute Agreement

Plaintiff represents and warrants that no other person or entity has or has had any interest in the claims, demands, obligations, or causes of action described in this Agreement; that Plaintiff has the sole right and exclusive authority to execute this Agreement, and receive any consideration and mutual obligations specified herein; and that Plaintiff has not sold, assigned, transferred, conveyed, or otherwise disposed of any of the claims, demands, obligations, or causes of action described in this Agreement.

G. Disclaimer of Liability

Plaintiff and Plaintiff's attorneys agree and acknowledge that they accept the consideration and mutual obligations specified in this Agreement as a full and complete compromise of matters with the Released Parties involving disputed issues; that neither the consideration nor any obligation on the part of Defendant shall be considered admissions of liability by any of said parties; and that no past or present wrongdoing on the part of the Released Parties shall be implied by such consideration or obligation.

**IT IS UNDERSTOOD AND AGREED** that the liability claimed by Plaintiff as the basis for damages is disputed and denied by Defendant. To that end, **IT IS EXPRESSLY UNDERSTOOD AND AGREED** that Defendant does not admit liability, but in fact, is denying all liability with respect to the claims asserted by Plaintiff herein, and has agreed to the consideration and mutual obligations described above simply as a compromise of a disputed claim in order to effect an amicable settlement and in order to avoid the additional time, expense, and uncertainty that would accompany future anticipated litigation; further, that any such consideration or mutual obligation specified herein is not to be construed as an admission of liability on the part of Defendant, by whom liability has been and is still expressly and unequivocally denied.

H. Entire Agreement and Successors in Interest

This Agreement contains the final and entire agreement between the Plaintiff and the Released Parties with regard to the matters set forth herein and shall be binding upon and inure to the benefit of the successors and assigns of each.

I. Construction

The Agreement is entered into in the State of Texas and it shall be construed and interpreted in accordance with the laws of the State of Texas.

J. Contractual Agreement

**IT IS UNDERSTOOD AND AGREED** by all parties to this document that the terms and conditions herein are contractual and not a mere recital.

K. Representation of Comprehension of Agreement

1. Plaintiff acknowledges that Plaintiff has been represented by Plaintiff's own attorneys throughout the negotiations leading to this Agreement, and that Plaintiff has consulted with Plaintiff's own attorneys regarding the meaning and effect of this Agreement and that Plaintiff's attorneys have participated in the preparation of this Agreement.
2. **IT IS FURTHER UNDERSTOOD AND AGREED** that this is a full, final and complete settlement and release and one that cannot be reopened at any time in the future regardless of what might take place or what might later occur.
3. Plaintiff acknowledges that it has entered into this Agreement of its own free will and accord and in accordance with its own judgment and has not been induced in any way whatsoever to enter into this Agreement by any statement, promise, act or representation of any kind or character by the Released Parties, Defendant, or by anyone acting for or on Defendant's behalf. Plaintiff further represents that a full and complete investigation of all circumstances surrounding the claim or cause of action against Defendant and the parties and entities hereby released has been made, and Plaintiff has knowledge of all facts involved, and has been advised by an attorney of its own choice and selection of Plaintiff's legal rights with respect to such facts. In order to induce Defendant to make this Agreement, and to provide such consideration and mutual obligations set out herein, Plaintiff represents that no one connected with Released Parties has made any representation of any kind or fashion to Plaintiff, either as to

liability or as to the extent of injuries or damages resulting from the occurrence at issue. Further, Plaintiff hereby states and expressly warrants and represents and is making this compromise settlement agreement and executing this document solely due to Plaintiff's own judgment and understands and agrees that this Agreement with the Defendant and other Released Parties covers and includes any and all claims of any kind which Plaintiff has or may have in the future against the known or unknown Released Parties and which grows out of the occurrence in question.

4. Plaintiff has carefully read this Agreement, knows the contents thereof, has consulted with an attorney of its choice regarding the meaning and effect thereof and is signing the same solely of Plaintiff's own judgment, and as Plaintiff's own free act and deed.
5. In executing and giving this Agreement, Plaintiff does hereby state that Plaintiff has not relied upon any statement, promise or representation pertaining to this matter made by any person, persons, firms, organizations, entities, or corporations who are hereby released, or by any person or persons representing or insuring Plaintiff, other than Plaintiff's chosen attorney.
6. I, we, and each of us whose signatures are affixed below have read the foregoing, full, final, and complete Compromise Settlement Agreement, Assignment, and Release of All Claims and fully understand its contents and effect, and affix our hands and signatures on the date indicated.

SIGNED on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

CITY OF PORTLAND

By: \_\_\_\_\_  
Mike Tanner  
City Manager

ATTEST:

\_\_\_\_\_  
Annette Hall  
City Secretary

APPROVED AND AGREED TO:

---

Hal George  
ATTORNEY FOR PLAINTIFF  
City of Portland

---

Authorized Representative  
SOUTHCROSS ENERGY GP LLC

STATE OF TEXAS           §  
                                      §  
COUNTY OF SAN PATRICIO   §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2012 by Mike Tanner, City Manager of the City of Portland, a Texas municipal corporation and body politic on behalf of said City.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_

Notary Public, State of \_\_\_\_\_

My Commission Expires:

\_\_\_\_\_

STATE OF TEXAS           §  
  §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, on this day personally appeared Michael T. Hunter, President of Southcross Energy GP LLC, on behalf of said limited liability company, known to me to be the person who executed the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed; that he executed the same of his own free and voluntary act and deed after having had it fully explained to him, and after having read it fully, and after realizing the effect thereof to be a full and final release and discharge of the liability of the Released Parties as defined in the foregoing instrument, the same was executed by him without any threat, force, duress, or representation of any kind by or on behalf of the Released Parties, and the person executing this document, at the time of the execution of the release, was completely sober, sane, and capable of understanding the character of his acts and deeds and was in complete charge of all of his faculties and capable of executing this instrument and of understanding the significance of his acts.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_

Notary Public, State of \_\_\_\_\_

My Commission Expires:

# Exhibit A



## REGULAR MEETING AGENDA BILL

AGENDA ITEM: **AQUATICS CENTER PURCHASES AND REPAIRS:** THE CITY COUNCIL WILL CONSIDER AQUATICS CENTER PURCHASES (\$56,882.15 IN EQUIPMENT FROM KRAFTSMAN COMMERCIAL PLAYGROUNDS VIA TEXAS BUY BOARD) AND REPAIRS (\$10,000)

**SUBMITTED BY:** Kristin Connor, Director of Parks and Recreation

**DATE SUBMITTED:** March 14, 2012 **FOR THE AGENDA:** March 20, 2012

**ATTACHMENTS:** Bid Information **APPROVED:** \_\_\_\_\_

---

**SUMMARY STATEMENT:** In an effort to properly maintain and provide excellent service at the Portland Aquatic Center the following items are being recommended for purchase. The following items will be purchased from Kraftsman, a Texas Buyboard participant.

- 2 - Custom Fun Forms Aqua Sprayer, Tropical Palm, w/o water effect nozzle and spray assembly.
- 2 - Fun Forms Aqua Spout, Kirby Crab and Lil' Starfish
- 2 - Spin N' Sprays, Themed Fish Sprayer and Themed Frog Sprayer. The Little Sqverts series features a pinch point free design with a factory set spray range of 45 to 360 degrees.

In addition to the new equipment purchase there are necessary repairs to maintain the facility. Those repairs would be to the boat slide, free standing pool features and other equipment at the pool. The purchase of new equipment and the repair of the existing facility will keep the Portland Aquatic Center the family experience it was meant to be.

This purchases and repairs will be funded by the Venue Sales Tax Fund.

Expenses:

Total Bid from Kraftsman:	\$56,882.15
Total Boat Slide and equipment repair:	\$10,000.00

**Grand Total:** **\$66,882.15**

---

**RECOMMENDATION:** Staff recommends the purchase of new play equipment and the repair of existing equipment.



**Kraftsman**  
 COMMERCIAL PLAYGROUNDS  
 &  
 19535 Haude Road  
 Spring TX 77388  
 Phone: 281-353-9599  
 Fax: 281-353-2265

**Quote #Q43474**

Date: 2/22/2012  
 Project: 13268  
 By: David Ondrias

**Sold To:** Portland City of Parks and Recreation  
 Sheri Gagliano  
 Portland FunForms Features 2012  
 1900 Billy G. Webb Drive  
 Portland TX 78374  
 Phone: 361-777-3301  
 Fax: 361-777-3301  
 Terms: Net 30 days

**Ship To:** Portland FunForms Features 2012  
 Portland TX 78374  
 Main Phone:  
 Mobile Phone:

Qty	Product	Description	Size	Weight	Color	Unit Price	Ext. Price
<b>PRELIMINARY BUYBOARD QUOTE for Project Estimating and Budget Consideration</b>							
2	FF2007-LN	Custom Fun Forms Aqua Sprayer, Tropical Palm, w/o water effect nozzle and spray assembly, by Water Odyssey			Decorative only	13,349.34	26,698.68
1	DISCBB	30% Discount on Buy Board Purchase				-8,009.60	-8,009.60
1	FF3021	Fun Forms Aqua Spout, Lil' Starfish, by Water Odyssey	3 GPM @ 3 PSI	18"x1 4"x4"		2,127.00	2,127.00
1	FF3000	Fun Forms Aqua Spout, Kirby Crab, by Water Odyssey	8 GPM @ 4 PSI	13"x1 4"x6"		1,947.00	1,947.00
1	DISCBB	Discount on Buy Board Purchase				-1,222.20	-1,222.20
1	W290	Spin N' Spray Themed Fish Sprayer. The Little Sqwerts series features a pinch point free design with a factory set spray range of 45 to 360 degrees. By: Water Odyssey	12/6 gpm			10,740.00	10,740.00
1	W292	Spin N' Spray Themed Frog Sprayer. The Little Sqwerts series features a pinch point free design with a factory set spray range of 45 to 360 degrees. By: Water Odyssey	12/6 gpm			10,740.00	10,740.00
1	DISCBB	Discount on Buy Board Purchase				-6,444.00	-6,444.00
1	REMOVE	Time, Equipment and Materials for retro-fit of existing piping, as required, to facilitate installation of FunForms replacement features and Spin N' Spray Features.				5,250.00	5,250.00

Subtotal:	\$41,826.88
Shipping & Handling:	\$2,129.67
Discount:	(\$600.00)
Equipment Subtotal:	\$43,356.55
Tax:	\$0.00
Install:	\$13,525.60
<b>Total:</b>	<b>\$56,882.15</b>



# Kraftsman

COMMERCIAL PLAYGROUNDS  
&

19535 Haude Road  
Spring TX 77388  
Phone: 281-353-9599  
Fax: 281-353-2265

## Quote #Q43474

Page: 2

Date: 2/22/2012  
Project: 13268  
By: David Ondrias

## Notes

**Subject: Design Note**

**Date: 2/20/2012**

This Quote also addresses replacement of 4 existing palms with 2 new Aqua Spouts and 2 Spin N' Spray Water Odyssey features.

**Subject: Design Note**

**Date: 8/11/2011**

This Preliminary Quote addresses replacement of the two "decorative palms" which are installed on the pool deck area, near the existing slides.

**Subject: Removal / Demolition**

**Date: 8/11/2011**

City Staff to remove two old/existing decorative palms from deck areas adjacent to existing slides and any above deck anchor bolts or other hardware or "protrusions" prior to arrival of KRAFTSMAN installers. City Staff to remove 4 additional old/existing "dumping coconut palms" which have water supplies existing under their bases.

Shipping & Handling:

## **REGULAR MEETING AGENDA BILL**

**AGENDA ITEM:** **RESOLUTION NO. 649 - AMENDING LIST OF AUTHORIZED REPRESENTATIVES:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 649 WHICH AMENDS THE LIST OF CITY OFFICIALS AUTHORIZED TO PERFORM TEXAS LOCAL GOVERNMENT INVESTMENT POOL TRANSACTIONS

**SUBMITTED BY:** Sandy Clarkson, Finance Director \_\_\_\_\_

**SUBMISSION DATE:** March 8, 2012      **FOR THE AGENDA OF:** March 20, 2012

**ATTACHMENTS:** Resolution No. 649

---

**SUMMARY STATEMENT:** In order to provide proper internal control of all City financial assets and to insure efficient operations, the list of individuals authorized to receive information and to transact business for the City must be kept current. Our primary investment institution, TexPool, requires a resolution by the Council in order to add new authorized representatives. In addition, they require the resolution contain the signatures and information on each authorized person, not just that of the person being added.

The attached resolution for TexPool adds Lorenzo Lara, senior accountant, as an authorized representative to conduct business with TexPool on behalf of the City of Portland. The transactions that are permitted are transfers between CoP TexPool accounts, deposits to TexPool from the City's accounts at First Community Bank, and withdrawals from the TexPool accounts to previously designated accounts or payees.

It is important to note that all instructions to establish new transactions at TexPool *always* require two signatures from currently authorized individuals. This dual control requirement further enhances the security of transactions through TexPool.

---

**RECOMMENDED ACTION:** Staff recommends approval of Resolution 647 which details the City's authorized representatives with TexPool and adds Lorenzo Lara, senior accountant.



**RESOLUTION 649**

**RESOLUTION AMENDING  
AUTHORIZED REPRESENTATIVES**

WHEREAS, City of Portland

(Participant Name & Location Number)

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool/ Texpool Prime"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by all remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool Prime account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representatives of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

1. Name: David Krebs Title: Mayor  
 Phone/Fax/Email: 361-777-4500, 361-777-4501,  
 Signature: \_\_\_\_\_

2. Name: Mike Tanner Title: City Manager  
 Phone/Fax/Email: 361-777-4500, 361-777-4501, mtanner@portlandtx.com  
 Signature: \_\_\_\_\_

**ORIGINALS REQUIRED**

**TEX - REP**

3. Name: Sandra Clarkson Title: Finance Director  
Phone/Fax/Email: 361-777-4520, 361-777-4501, sclarkson@portlandtx.com  
Signature: \_\_\_\_\_

4. Name: Lorenzo Lara Title: Senior Accountant  
Phone/Fax/Email: 361-777-4523, 361-777-4501,  
Signature: \_\_\_\_\_

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name Mike Tanner

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

5. Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Phone/Fax/Email: \_\_\_\_\_

D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the 20th day March, 20 12.

NAME OF PARTICIPANT: City of Portland

BY: \_\_\_\_\_  
Signature  
David Krebs  
Printed Name  
Mayor  
Title

ATTEST: \_\_\_\_\_  
Signature  
Annette Hall  
Printed Name  
City Secretary  
Title

**This document supersedes all prior Authorized Representative designations.**

ORIGINALS REQUIRED



STAFF  
WEEKLY  
REPORTS

# Portland Fire Department

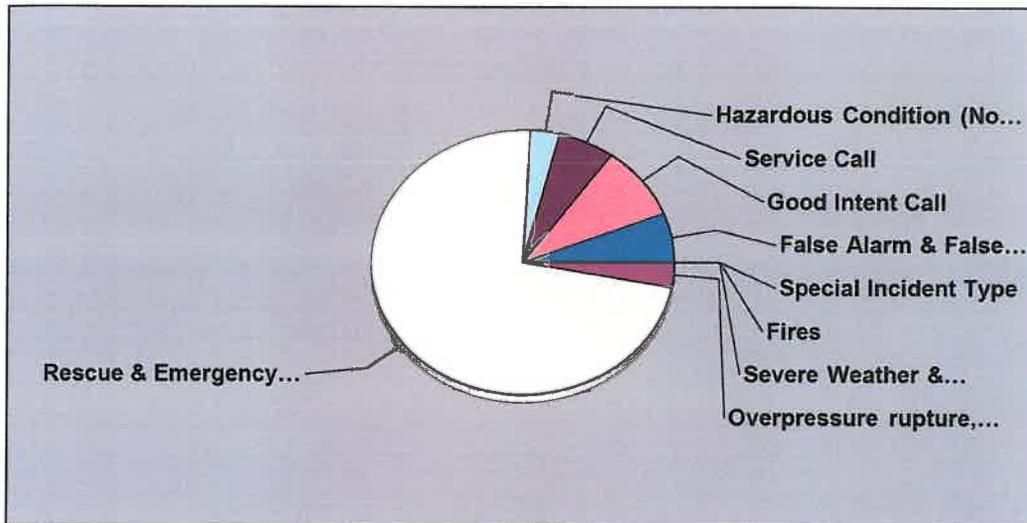
Portland, TX

This report was generated on 3/5/2012 10:38:51 AM



## Breakdown by Major Incident Types for Date Range

StartDate: 02/27/2012 | EndDate: 03/04/2012



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	0	0.00%
Overpressure rupture, explosion, overheating - no fire (Cooking)	1	3.03%
Rescue & Emergency Medical Service	24	72.73%
Hazardous Condition (No Fire) (Electrical Wiring)	1	3.03%
Service Call (Lift Assist)	2	6.06%
Good Intent Call (Dispatched and Cancelled)	3	9.09%
False Alarm & False Call	2	6.06%
Severe Weather & Natural Disaster	0	0.00%
Special Incident Type	0	0.00%
<b>TOTAL</b>	<b>33</b>	

Annual Physical Agility Testing for Firefighters  
 Assist Citizen with smoke detector battery change (1)  
 Fire Presentation for pre-school children (15)

# Inspections Search

Portland Fire Department  
 595 Buddy Ganem  
 Portland, TX 78374  
 Phone: 361-643-0155  
 Fax: 361-643-0369



**Date**  
 From: 2/26/2012  
 To: 3/3/2012 11:59:00 PM

**Search Criteria:**  
 All Addresses      Status: All      Inspector:

Date	Record Type	Number	Cause	Complete	Violations			Addresses	Parties Name	Inspector
					New	Old	Corr			
02/28/2012 7:33 am	Annual Inspection (FD)	I-CH-12-0073.A	Reinspection	Yes	0	4	0	1105 Railroad Suite A	Brushes and Bubbles	Craig Hedrick
02/28/2012 10:26 pm	Unwholesome Prop (FD)	I-TVAN-12-0011	Complaint	Yes	5	3	0	619 Houston	Mr. Dawson	Tim Vanlandingham
02/29/2012 10:13 am	Unwholesome Prop (FD)	I-TVAN-12-0013	Complaint	Yes	1	3	3	100 Lang	Mattress Depot	Tim Vanlandingham
03/02/2012 9:56 am	Unwholesome Prop (FD)	I-CH-12-0057.A	Reinspection	Yes	0	0	0	000 Broadway/Dallas/Hwy 181	Broadway/Hwy 181	Craig Hedrick
03/02/2012 10:03 am	Unwholesome Prop (FD)	I-CH-11-0191.E	Reinspection	Yes	0	0	0	90 Blk. Commons Way	Abandon tennis court	Craig Hedrick
03/02/2012 10:05 am	Unwholesome Prop (FD)	I-TVAN-12-0004.B	Reinspection	Yes	0	0	0	1011 Espana	Eusebio Soliz	Craig Hedrick
03/02/2012 10:09 am	Unwholesome Prop (FD)	I-CH-12-0076.A	Reinspection	Yes	0	2	0	201 Northshore	Northshore Landing Apt	Craig Hedrick
03/02/2012 10:13 am	Unwholesome Prop (FD)	I-CH-12-0075.B	Reinspection	Yes	0	4	0	1002 Austin	Mr. Coffey	Craig Hedrick
03/02/2012 10:15 am	Unwholesome Prop (FD)	I-CH-12-0095.A	Reinspection	Yes	0	0	0	1609 Memorial	Bobby	Craig Hedrick
03/02/2012 10:16 am	Unwholesome Prop (FD)	I-CH-12-0056.C	Reinspection	Yes	0	0	0	1117 Cupertino	1117 Cupertino Resp. Party	Craig Hedrick
03/02/2012 10:23 am	Annual Inspection (FD)	I-CH-12-0089.C	Reinspection	Yes	0	16	0	1305 Wildcat	First Baptist Academy	Craig Hedrick
03/02/2012 10:25 am	Unwholesome Prop (FD)	I-CH-12-0094.A	Reinspection	Yes	0	2	0	1601 Cimmarron	1601 Cimmarron Resident	Craig Hedrick
03/02/2012 10:30 am	Annual Inspection (FD)	I-CH-12-0090.A	Reinspection	Yes	0	16	0	1305 Wildcat	First Baptist Church	Craig Hedrick

**Total Number of Records: 13**

# Portland Fire Department

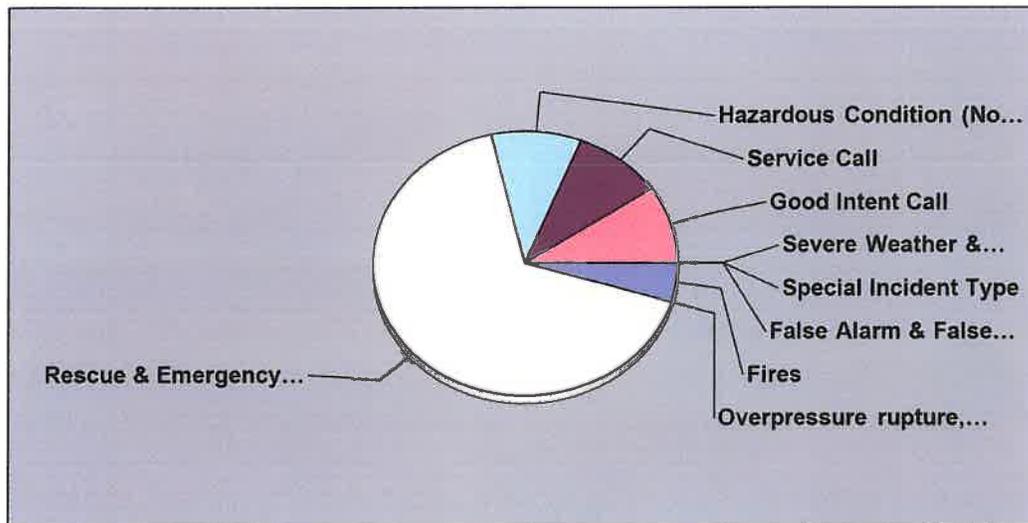
Portland, TX

This report was generated on 3/12/2012 8:31:18 AM



## Breakdown by Major Incident Types for Date Range

StartDate: 03/05/2012 | EndDate: 03/11/2012



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires (Building Fire)	1	4.76%
Overpressure rupture, explosion, overheat - no fire	0	0.00%
Rescue & Emergency Medical Service	14	66.67%
Hazardous Condition (No Fire) (Arcing, Overheated Motor)	2	9.52%
Service Call (Lift Assist)	2	9.52%
Good Intent Call (No Incident Found)	2	9.52%
False Alarm & False Call	0	0.00%
Severe Weather & Natural Disaster	0	0.00%
Special Incident Type	0	0.00%

**TOTAL 21**

Station Tour for Cub Scouts (3)  
 Replaced Smoke Detector Upon Request (1)

Average Response Time: 4.39 Min.

# Inspections Search

Portland Fire Department  
 595 Buddy Ganem  
 Portland, TX 78374  
 Phone: 361-643-0155  
 Fax: 361-643-0369



**Search Criteria:**

All Addresses  
 Status: All  
 Inspector: Craig Hedrick

Date: 3/4/2012  
 From: 3/10/2012 11:59:00 PM  
 To:

Date	Record Type	Number	Cause	Complete	Violations			Addresses	Parties Name	Inspector
					New	Old	Corr			
03/05/2012 10:00 am	Annual Inspection (FD)	I-CH-12-0089.A	Reinspection	Yes	0	16	0	1305 Wildcat	First Baptist Academy	Craig Hedrick
03/05/2012 10:01 am	Annual Inspection (FD)	I-CH-12-0089.B	Reinspection	Yes	0	16	0	1305 Wildcat	First Baptist Academy	Craig Hedrick
03/05/2012 2:52 pm	Unwholesome Prop (FD)	I-CH-12-0105	Complaint	Yes	4	0	0	1111 Orion	1111 Orion - Resp. Party	Craig Hedrick
03/05/2012 2:59 pm	Unwholesome Prop (FD)	I-CH-12-0106	Complaint	Yes	2	0	0	504 Seco	504 Seco - Resp. Party	Craig Hedrick
03/06/2012 11:51 am	Unwholesome Prop (FD)	I-CH-12-0069.A	Reinspection	Yes	0	0	0	1505 Crosby	1505 Crosby Resp. Party	Craig Hedrick
03/06/2012 11:55 am	Unwholesome Prop(FD)	I-CH-12-0101.A	Reinspection	Yes	0	0	0	801 Moore	801 Moore - Resident	Craig Hedrick
03/06/2012 11:56 am	Unwholesome Prop(FD)	I-CH-12-0093.B	Reinspection	Yes	0	0	0	506 Commerce	Myrtle J. Bowen (estate)	Craig Hedrick
03/06/2012 11:57 am	Unwholesome Prop(FD)	I-CH-12-0097.A	Reinspection	Yes	0	0	0	506 Commerce	Myrtle J. Bowen (estate)	Craig Hedrick
03/06/2012 11:58 am	Unwholesome Prop(FD)	I-CH-12-0065.A	Reinspection	Yes	0	0	0	203 Terlingua	203 Terlingua Resident	Craig Hedrick
03/06/2012 11:59 am	Unwholesome Prop(FD)	I-CH-12-0100.A	Reinspection	Yes	0	1	0	204 Trinity	1117 Trinity	Craig Hedrick
03/06/2012 12:01 pm	Unwholesome Prop(FD)	I-CH-12-0104.A	Reinspection	Yes	0	0	0	1211 Austin	1211 Austin Resp. Party	Craig Hedrick
03/06/2012 12:03 pm	Unwholesome Prop(FD)	I-CH-12-0068.A	Reinspection	Yes	0	0	0	1602 Austin	1602 Austin Resident	Craig Hedrick
03/06/2012 12:06 pm	Unwholesome Prop(FD)	I-CH-12-0067.A	Reinspection	Yes	0	0	0	1310 Denver	1310 Denver Resp. Party	Craig Hedrick
03/06/2012 12:07 pm	Annual Inspection (FD)	I-CH-12-0088.B	Reinspection	Yes	0	0	0	1800 Hwy 181	IBC Bank	Craig Hedrick
03/06/2012 12:10 pm	Annual Inspection (FD)	I-CH-12-0092.B	Reinspection	Yes	0	0	0	1840 US Hwy 181	Prosperity Bank	Craig Hedrick
03/06/2012 12:14 pm	Annual Inspection (FD)	I-CH-12-0099.A	Reinspection	Yes	0	0	0	2400 Memorial	Library	Craig Hedrick
03/06/2012 12:17 pm	Annual Inspection (FD)	I-CH-11-0134.F	Reinspection	Yes	0	2	0	1530 Wildcat	Beall's	Craig Hedrick
03/06/2012 12:22 pm	Annual Inspection (FD)	I-CH-12-0082.B	Reinspection	Yes	0	0	0	2030 Hwy 181 Suite F	Electric Tan	Craig Hedrick
03/06/2012 12:32 pm	Unwholesome Prop (FD)	I-CH-12-0107	Complaint	Yes	2	0	0	110 Daniel Moore	110 D.Moore - Resp. Party	Craig Hedrick
03/06/2012 2:08 pm	Annual Inspection (FD)	I-CH-12-0108	Periodic	Yes	0	1	0	1702 US Highway 181	Corpus Christi RegMediCenter	Craig Hedrick
03/06/2012 2:15 pm	Annual Inspection (FD)	I-CH-12-0109	Permit	Yes	0	0	0	1600 US Hwy 181 Suite 2	Little Caesar's	Craig Hedrick
03/06/2012 2:19 pm	Annual Inspection (FD)	I-CH-12-0110	Periodic	Yes	6	0	0	1702 US Hwy 181	New Wave Eye Care	Craig Hedrick
03/06/2012 2:28 pm	Annual Inspection (FD)	I-CH-12-0111	Periodic	Yes	0	1	0	1041 US 181	Pizza Hut	Craig Hedrick
03/07/2012 10:26 am	Annual Inspection (FD)	I-CH-12-0096.A	Reinspection	Yes	0	0	0	2030 Hwy 181 Suite A	Marble Slab Creamery	Craig Hedrick
03/07/2012 12:49 pm	Annual Inspection (FD)	I-CH-12-0112	Periodic	Yes	0	0	0	209 Lang	Connections Inc.	Craig Hedrick
03/07/2012 12:56 pm	Annual Inspection (FD)	I-CH-12-0113	Periodic	Yes	8	0	0	1031 Hwy. 181	Wells Fargo	Craig Hedrick
03/07/2012 1:13 pm	Annual Inspection (FD)	I-CH-12-0114	Periodic	Yes	12	0	0	500 W. Broadway	Frost Bank	Craig Hedrick
03/08/2012 1:42 pm	Unwholesome Prop (FD)	I-CH-12-0115	Complaint	Yes	2	0	0	105 Catalina	105 Catalina - Resp. Party	Craig Hedrick
03/08/2012 1:47 pm	Unwholesome Prop(FD)	I-CH-12-0116	Complaint	Yes	2	0	0	139 Georgia	139 Georgia - Resp. Party	Craig Hedrick
03/08/2012 1:49 pm	Unwholesome Prop(FD)	I-CH-12-0117	Complaint	Yes	2	0	0	2336 Memorial	2336 Memorial Resident	Craig Hedrick
03/08/2012 1:56 pm	Unwholesome Prop (FD)	I-CH-12-0119	Complaint	Yes	0	2	0	113 Sutherland	113 Sutherland Resident	Craig Hedrick

Violations

Date	Record Type	Number	Cause	Complete	New	Old	Corr	Addresses	Parties Name	Inspector
03/09/2012 1:58 pm	Unwholesome Prop(FD)	I-CH-12-0120	Complaint	Yes	2	0	0	109 Grace	109 Grace Resident	Craig Hedrick
03/09/2012 2:02 pm	Unwholesome Prop(FD)	I-CH-12-0121	Complaint	Yes	2	0	0	115 Maple	115 Maple - Resp. Party	Craig Hedrick
03/09/2012 2:09 pm	Annual Inspection (FD)	I-CH-12-0122	Periodic	Yes	2	0	0	2000 Billy G. Webb	Community Center	Craig Hedrick
03/09/2012 2:28 pm	Annual Inspection (FD)	I-CH-12-0123	Periodic	Yes	14	0	0	2100 Buddy Ganem	Orange Ridge Babbist Church	Craig Hedrick
03/09/2012 1:44 pm	Unwholesome Prop(FD)	I-CH-12-0131	Periodic	Yes	2	0	0	128 Sutherland	128 Sutherland - Resp Party	Craig Hedrick
03/09/2012 2:31 pm	Annual Inspection (FD)	I-CH-12-0112.A	Reinspection	Yes	0	0	0	209 Lang	Connections Inc.	Craig Hedrick
03/09/2012 2:42 pm	Annual Inspection (FD)	I-CH-12-0124	Periodic	Yes	8	0	0	1802 Billy G. Webb	San Pat County FCU	Craig Hedrick
03/09/2012 2:50 pm	Annual Inspection (FD)	I-CH-12-0125	Periodic	Yes	4	0	0	107 Cedar	Dr. Lee Sang's Office	Craig Hedrick
03/09/2012 3:00 pm	Annual Inspection (FD)	I-CH-12-0126	Periodic	Yes	6	0	0	101 Cedar Suite A-B-C	Dr. Jennifer Duncan DDS	Craig Hedrick
03/09/2012 3:12 pm	Annual Inspection (FD)	I-CH-12-0127	Periodic	Yes	6	0	0	101 Cedar Suite D	San Patricio Assoc. of Realtors	Craig Hedrick
03/09/2012 3:22 pm	Annual Inspection (FD)	I-CH-12-0128	Periodic	Yes	10	0	0	101 Cedar Suite E	N. Shore Properties	Craig Hedrick
03/09/2012 3:31 pm	Annual Inspection (FD)	I-CH-12-0129	Periodic	Yes	2	0	0	101 Cedar Suite F	Nathan East - Attorney	Craig Hedrick
03/09/2012 3:38 pm	Annual Inspection (FD)	I-CH-12-0130	Periodic	Yes	2	0	0	101 Cedar Suite G	Northshore Title Company	Craig Hedrick

**Total Number of Records: 44**

# INCIDENT DAILY BULLETIN

Date Range Between: 02/26/2012 and 03/03/2012

Report #	Dist	Mod	Offense Literal	Beat	Street	Officer	Assignment	Date / Time Reported
201200003317			Burglary Of Vehicle (000019		MEMORIAL	VEULEMAN, AARON		02/26/2012 09:46
201200003322			Burglary Of Habitation (000			CARDENAS, BAUDENCI		02/26/2012 11:41
201200003352	C		Assault Simple (000128)			THURMOND, GARY		02/27/2012 06:56
201200003369	A	C	Theft >\$50<\$500 (001218)		CHEYENNE ST	THURMOND, GARY		02/27/2012 13:36
201200003375			Theft <\$1,500 2/More Prev C			GARCIA, JOEY		02/27/2012 16:51
201200003387	B		Reckless Driving (000259)			CARDENAS, BAUDENCI		02/28/2012 09:03
201200003397			Driving w/Lic Inv w/Prev Co		PARK WOOD DR	CARDENAS, BAUDENCI		02/28/2012 13:07
201200003422			Theft >\$50<\$500 (001218)			WIESMAN, TRAVIS		02/28/2012 18:46
201200003432			WARRANT (000163)			BARTELL, MARK		02/29/2012 02:23
201200003459			Fraudulent Use/Possession o		CUPERTINO	CHAVEZ, ROLAND		02/29/2012 16:19
201200003470			Harassment (001338)			WIESMAN, TRAVIS		02/29/2012 18:11
201200003472			Credit/Debit Card Abuse (00			QUADE, JONATHAN		02/29/2012 18:35
201200003477			Burglary Of Vehicle (000019			WIESMAN, TRAVIS		02/29/2012 20:50
201200003494	C		Assault Causes Bodily Injur			THURMOND, GARY		03/01/2012 08:59
201200003497			Theft >\$50<\$500 (001218)		WILDCAT DR	PEREZ, JAVIER		03/01/2012 10:53
201200003499	C		Driving While Intoxicated 2			VEULEMAN, AARON		03/01/2012 11:57
201200003513			Burglary Of Vehicle (000019			GARCIA, JOEY		03/01/2012 16:40
201200003514			Burglary Of Vehicle (000019			GARCIA, JOEY		03/01/2012 16:53
201200003522	C		Poss Marij <2oz (000127)		US 181 SS	BARTELL, MARK		03/01/2012 23:40
201200003526	B	C	Driving While Intoxicated (			BARTELL, MARK		03/02/2012 03:20
201200003537		C	Theft >=\$1500<\$20k (001210)		BUDDY GANEM	VEULEMAN, AARON		03/02/2012 08:48
201200003550			Burglary Of Building (00001		WILDCAT DR			03/02/2012 11:10
201200003602			Harassment (001338)			SOTO, ZACHARY		03/02/2012 22:38
201200003621	A	C	Indecent Exposure (000070)		MOORE AVE	WRIGHT, WELDON		03/03/2012 02:47
201200003629			Theft >=\$500<\$1500 (001230)			VEULEMAN, AARON		03/03/2012 10:40
201200003636			Reckless Damage or Destruct		WILDCAT DR	CARDENAS, BAUDENCI		03/03/2012 12:31
201200003652			Criminal Mischief-<\$1500 Imp		WILDCAT DR	QUADE, JONATHAN		03/03/2012 16:39
201200003658			Poss Marij<2oz (001143)			QUADE, JONATHAN		03/03/2012 19:12

### TOTALS - By Offense

1	Burglary Of Building (000016)
1	Driving w/Lic Inv w/Prev Conv/Susp/W/O/ Fin Res (001390)

# INCIDENT DAILY BULLETIN

Date Range Between: 02/26/2012 and 03/03/2012

Report #	Dist	Mod	Offense Literal	Beat	Street	Officer	Assignment	Date / Time Reported
1			Burglary Of Habitation (000018)					
1			Assault Causes Bodily Injury Family Violence (001369)					
1			Fraudulent Use/Possession of Identifying Info (001296)					
1			Credit/Debit Card Abuse (000026)					
1			Driving While Intoxicated (000035)					
1			Driving While Intoxicated 2nd (000036)					
1			Poss Marij <2oz (000127)					
1			Assault Simple (000128)					
1			WARRANT (000163)					
1			Reckless Driving (000259)					
1			Theft <\$1,500 2/More Prev Conviction (001204)					
1			Theft >=\$1500-<\$20k (001210)					
2			Harassment (001338)					
3			Theft >\$50-<\$500 (001218)					
4			Burglary Of Vehicle (000019)					
<b>TOTAL FOR TIME PERIOD:</b>								<b>28</b>

Librarian's Report  
February 2012-FY 2012

Ran the monthly Koha reports and compiled the library monthly statistics including Overdrive and our website statistics

Created additional new book lists in Koha for patron use.

Wrote four Portland News articles

Submitted interlibrary loan requests and handled all receipts of ILLs from libraries around the country, notifying patron and entering in the computer and returning materials

Offered 30 computer classes

Hosted Noon Book Lovers Club

Screening of "The Help" for Noon Book Lovers Club

Completed and submitted purchase orders

Provided one-on-one computer tutoring for 16 patrons

Provided assistance on ereaders to 18 people

Updated library Facebook page with new information

Worked on library website

Ordered office and library supplies

Presented four Teen Library Lounge programs

Presented four Toddler Time programs

Presented four After School Programs

Presented 2 programs for HeadStart

Present Teen Lounge at Junior High School

Staff participated in 105 hours of Continuing Education

Submitted monthly library statistics, processed purchase orders, filed, compiled supply list & purchased supplies for crafts.

Created posters and flyers for Dr. Seuss Birthday Celebration

Made book deliveries to San Pat. County jail and juvenile detention center

Unpacked and displayed IRS tax forms

Provided reference assistance to 326 people

Held one meeting with Teen Advisory Group

Cumulative Statistics to date: February 2012

Prepared display case and library for Dr. Seuss celebration

<b>Cumulative Statistics FY 2011-2012</b>						
	Oct.	Nov.	Dec.	Jan	Feb	FTD Total
Total Circulation	13,729	13,477	11,527	14,225	15,627	68,585
Adult Fiction	1078	1051	904	1024	1032	5,089
Adult Non-fiction	778	768	550	750	704	3,550
Paperbacks	503	532	520	602	598	2,755
Spanish Language	1	0	0	2	2	5
Large Print	90	70	74	103	115	452
Juvenile Fiction	407	242	220	265	277	1,411
Juv Non-Fiction	278	97	151	253	253	1,032
Easy	1018	1256	629	1215	1215	5,333
ILL	44	46	27	48	48	213
IRS Forms	15	25	15	1512	1500	3,067
Periodicals	101	88	61	98	121	469
Renewals	3594	3605	2917	2799	3471	16,386
Audio-Music	164	131	209	170	168	842
CD/MP3	123	141	137	131	115	647
OverDrive Ebooks& Audio Books	164	241	331	415	363	1,514
DVD	1380	1408	1321	1299	1453	6,861
Ref Transactions	210	310	305	338	326	1,489

In-House Use	1231	960	819	941	1286	5,237
Patron Visits	9941	9168	7569	8839	9850	45,367
Number of Programs	61	86	74	94	96	411
Prgm Attendance	1388	1383	1900	931	1755	7,357
Children	358	412	1170	367	636	2,943
Adults	478	525	688	502	714	2,907
Teens	552	401	24	62	405	1,444
New Cards	117	76	82	79	105	459
Materials Added	1025	229	189	373	343	2,159
Days Open	26	23	24	24	25	122
Hours Open	239	223	224	224	235	1,145
Website Visits	1681	1636	1719	1081	4236	10,353
Mtg. Room Use	247	471	249	435	541	1,943
Volunteer Hours	152	124	76.5	42.5	123.25	518
Employee CEU hours	118.5	97.5	33	60.5	105.25	415
<b>Special Programming: Attendance</b>						
SPCALC	22	0	0	0	6	28
Great Pumpkin Give Away	180	0	0	0		180
Mum & Garter Workshop	42	0	0	0		42
Santa at Storytime		0	132	0		132
Reindeer Games		0	0	0		-
Toddler Time	87	177	68	162	194	688
After School	79	85	16	51	94	325
Christmas in Portland		0	420	0		420
Teen Library Lounge GP Jr. High	271	409	0	0	361	1,041

SPC Jail	63	0	0	0	85	148
SPC Juvenile Deliveries	10	0	0	0	35	45
Teen Gaming Program	30	27	24	65	47	193
Mr. Kippy	426	323	294	429	582	2,054
Computer classes	95	197	55	157	172	676
Book Sale	460	0	0	0		460
Spanish Club	26	25	4	4	18	77
Great Lego Build Off			151	0		151
Staff Development						-
Austin Elementary Nutrition						-
Spring Break Bubble Fun						-
Computer tutoring	17	13	14	20	16	
OverDrive training	12	14	23	21	36	106
Red Ribbon Week Welder				0		-
Honk Honk Beep Beep				0		-
Celebrity Reader				0		-
Headstart				0		-
Senior Center Deliveries				0		-
Birding Program Beth Hoekje				0		-
Carriage Inn Computer Training	15	22	4	13	17	71
Ingleside Computer Training	0	32	11	31	26	100
Portland	134	160	72	113	163	642
Fiancial Wellness Program	32					32
Photo Club				21	24	45
Book Discussion				20	14	34
Movie Screen				6	12	

						18
HeadStart					38	38
Teen Advsiory Group					14	14