



CITY COUNCIL AGENDA

NOTICE OF WORKSHOP

**Tuesday, September 18, 2012
6:00 p.m.**

**Council Chamber of City Hall
Daniel P. Moore Community Center Complex
1900 Billy G. Webb Drive
Portland, Texas**

A. CALL TO ORDER: MAYOR KREBS

B. NON-ACTION ITEMS:

- 1. EXECUTIVE SESSION: THE CITY COUNCIL WILL CONDUCT A CLOSED MEETING TO DISCUSS PENDING OR CONTEMPLATED LITIGATION WITH THE CITY ATTORNEY PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE - CITY MANAGER AND CITY ATTORNEY**
- 2. 2012 CITIZEN SATISFACTION SURVEY: THE CITY COUNCIL WILL DISCUSS THE 2012 CITIZEN SATISFACTION SURVEY CONDUCTED BY THE ETC INSTITUTE - CITY MANAGER, ASSISTANT TO THE CITY MANAGER AND REPRESENTATIVES OF THE ETC INSTITUTE**

C. ADJOURNMENT: MAYOR KREBS

D. NOTICE OF ASSISTANCE:

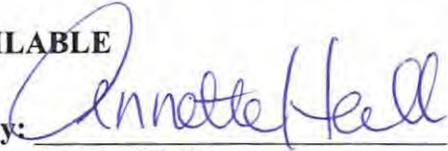
If you plan to attend this workshop and you have a disability that requires special arrangements to be made, please contact City Secretary Annette Hall 361-777-4513 or annette.hall@portlandtx.com in advance of the meeting. Reasonable accommodations will be made to facilitate your participation. The City 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 workshop.

BRaille IS NOT AVAILABLE

Posted: September 18, 2012 by 5 p.m.
City Hall

By:



Annette Hall
City Secretary



CITY COUNCIL AGENDA

NOTICE OF REGULAR MEETING

Tuesday, September 18, 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:**
 - RECOGNITION OF LOCAL POWER LIFTING CHAMPION - MAYOR KREBS
 - REVENUE UPDATE - FINANCE DIRECTOR
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 another 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 MEETINGS:** THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS SEPTEMBER 4, 2012 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY
6. **ORDINANCE NO. 2059 - REVISING SKATE PARK AND SPECIFIC CONTRACTOR REGISTRATION FEES:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2059 WHICH REVISES SKATE PARK AND SPECIFIC CONTRACTOR REGISTRATION FEES - ASSISTANT TO THE CITY MANAGER
7. **ORDINANCE NO. 2060 - REVISING SOLID WASTE SERVICE RATES:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2060 WHICH REVISES SOLID WASTE SERVICE RATES (COMMERCIAL AND ROLL-OFF DUMPSTERS) - DIRECTOR OF UTILITY BILLING
8. **ORDINANCE NO. 2061 - REVISING SOLID WASTE SERVICE REGULATIONS:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2061 WHICH REVISES SOLID WASTE SERVICE REGULATIONS FOR RESIDENTS AND SMALL BUSINESSES - CITY MANAGER
9. **ORDINANCE NO. 2062 - AMENDING SPECIAL USE PERMIT NO. 750:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2062 WHICH AMENDS SPECIAL USE PERMIT NO. 750 (GOVERNING THE DEVELOPMENT/USE OF THE

PROPERTY/FACILITY LOCATED AT 206 LANG ROAD CURRENTLY OWNED/OPERATED BY BASE LINE DATA, INC.) - CITY MANAGER

NEW BUSINESS

10. **REQUEST TO RESTRICT PARK USE:** THE CITY COUNCIL WILL CONSIDER A REQUEST FROM THE SPONSORS OF THE 6TH ANNUAL HARBOR HALF MARATHON TO RESTRICT USE OF SUNSET LAKE PARK AND INDIAN POINT PARK ON OCTOBER 21, 2012 - AQUATICS SPECIALIST
11. **PLANNING AND ZONING COMMISSION APPOINTMENTS:** THE CITY COUNCIL WILL CONSIDER REAPPOINTING DAVID WORST (CHAIRPERSON), CRAIG FORSYTHE AND PETE STRICKER TO THE PLANNING AND ZONING COMMISSION FOR 2 YEAR TERMS OF OFFICE - MAYOR KREBS AND CITY SECRETARY
12. **PURCHASE OF POLICE SPECIAL UTILITY VEHICLES:** THE CITY COUNCIL WILL CONSIDER THE PURCHASE OF 5 POLICE SPECIAL UTILITY VEHICLES FOR \$115,719.05 - ASSISTANT CITY MANAGER
13. **RESOLUTION NO. 656 - AUTHORIZING INTER-FUND LOAN TO FINANCE DRAINAGE IMPROVEMENTS:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 656 WHICH AUTHORIZES AN INTER-FUND LOAN TO FINANCE THE BROADWAY/NORTH SHORE BOULEVARD OUTFALL SYSTEM CAPITAL DRAINAGE IMPROVEMENT PROJECT - FINANCE DIRECTOR
14. **ENGAGEMENT OF ATTORNEY:** THE CITY COUNCIL WILL CONSIDER AUTHORIZING THE ENGAGEMENT OF A TRIAL ATTORNEY (MICHAEL TERRY) FOR PENDING/CONTEMPLATED LITIGATION - CITY MANAGER
15. **EXECUTIVE SESSION:** THE CITY COUNCIL WILL CONDUCT AN EXECUTIVE SESSION TO DELIBERATE THE EVALUATION, DUTIES AND COMPENSATION OF PUBLIC OFFICERS (CITY MANAGER AND ASSISTANT CITY MANAGER) ACCORDING TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE - MAYOR KREBS AND CITY MANAGER

RELATED ACTION MAY BE TAKEN BY THE CITY COUNCIL IN PUBLIC AT THE CONCLUSION OF THE EXECUTIVE SESSION

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:

- 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 only be given 4 minutes to do so

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.

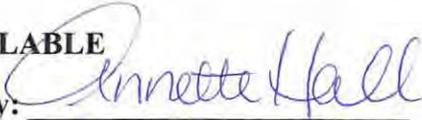
D. ADJOURNMENT: MAYOR KREBS

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 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: September 14, 2012 by 5:00 p.m.
Portland City Hall

By: 
Annette Hall
City Secretary

**CITY OF PORTLAND
CITY COUNCIL
WORKSHOP MINUTES
SEPTEMBER 4, 2012 – 6:15 P.M.**

On this the 4th day of September 2012, the Council of the City of Portland convened in workshop session at 6:15 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
David Lewis	Mayor Pro Tem
Cathy Skurow	Council Member
Ron Jorgensen	Council Member
Gary Moore, Sr.	Council Member
John Green	Council Member

MEMBERS PRESENT:

John Vilo	Council Member
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STAFF PRESENT:

Mike Tanner	City Manager
Randy Wright	Assistant City Manager
Sandy Clarkson	Finance Director
Brian DeLatte	Director of Public Works and Development
Kristin Connor	Director of Park and Recreation
Tim Vanlandingham	Fire Chief
RoseAleta Laurell	Library Director
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. CALL TO ORDER: MAYOR KREBS

Mayor Krebs called the workshop to order at 6:15 p.m.

B. NON-ACTION ITEMS:

Mayor Krebs announced that Council Member Skurow has filed an Affidavit with the City Secretary and will be abstaining from discussion concerning Item No. 1.

1. **PROPOSED ORDINANCE NO. 2062 - AMENDING SPECIAL USE PERMIT NO. 750:** THE CITY COUNCIL WILL DISCUSS PROPOSED ORDINANCE NO. 2062 WHICH AMENDS SPECIAL USE PERMIT NO. 750 (GOVERNING THE DEVELOPMENT/USE OF THE PROPERTY/FACILITY LOCATED AT 206 LANG ROAD CURRENTLY OWNED/OPERATED BY BASE LINE DATA, INC.) - CITY MANAGER AS WELL AS DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

Director of Public Works and Development Brian DeLatta explained that the proposed ordinance includes the following conditions to the Special Use Permit that were deliberated at the August 21, 2012 City Council meeting. Condition 6 was modified and Condition 11 was removed from the ordinance.

1. The use of the facility shall be limited to business offices, operations support spaces and education and career center activities. Industrial or production activities are prohibited on the site. For the purposes of this special use permit, "industrial or production activity" is any activity that involves the use of attended or autonomous equipment, power tool or other device to cut, bend, bond, coat, melt, weld, perforate or fabricate metal, wood, or other construction material. The term does not include activities required to maintain the building and grounds.
2. Outdoor activities may only be conducted between the hours of 8:00 a.m. and 8:30 p.m. Indoor activities may be conducted between the hours of 7:00 a.m. and 12:00 midnight.
3. Outdoor activities on the property are limited to the mock petrochemical training lab. The training lab shall never utilize fluids, fuels, corrosives, gases, or create conditions that would be considered hazardous to the natural environment or pose a risk or nuisance to the surrounding area.
4. The mock petrochemical lab must be screened to prevent viewing from Lang Rd. with either a privacy fence or opaque vegetative screening not less than eight (8) feet tall. The screening shall be located immediately adjacent to the lab.
5. A minimum eight (8) foot tall privacy fence shall be erected and/or maintained on the north, east, and west property lines of the facility. For the purposes of this special use permit, the fence height shall be calculated from the higher of the adjacent parking spaces or the adjacent residential lot.
6. Outdoor public address systems shall be prohibited.
7. Only one telecommunications tower, antenna, or structure conforming to City Ordinance Section 4-1 shall be allowed on site and shall be located as indicated on the attached site plan. In addition to any other requirements of Section 4-1, the tower shall not exceed sixty (60) feet in height and shall be secured to the building using appropriate structural connections to reduce the "fall radius." The existing roof-mounted sixty-five (65) foot antenna shall be removed.
8. **Off-street parking shall be prohibited within the Lang Road right-of-way. The entire Base Line Data parking lot on the north side of Lang Road shall be restriped in compliance with applicable City regulations.** All vehicles and trailers on site must park in appropriately marked spaces and a fire lane **approved by the Fire Marshal shall be** established **as well as** and maintained **at or near the Base**

Line Data Building near the on the site as approved by the Fire Marshal.

9. Exterior security or aesthetic lighting must be of a type and situated to prevent adjacent residences from receiving direct lighting.
10. All “production” or “commercial” vehicles shall utilize the Base Line Data parking lot on the south side of Lang Rd.

Additional Conditions

Additionally, the ordinance contains two conditions regarding the deadline for meeting all conditions:

- **DEADLINE FOR MEETING ALL CONDITIONS**—All conditions specified shall be met no later than 150 calendar days from the effective date of this Ordinance.
- **FAILURE TO MEET ALL CONDITIONS BY DEADLINE**—The failure of the owner (Ralls Family Limited Partnership via Base Line Data, Inc.) to comply shall immediately render this Ordinance null and void. In such an event, the City of Portland shall strictly enforce the terms of Special Use Permit No. 750 by any and all legal means necessary.

City Manager Mike Tanner explained that additional conditions were added to the ordinance to ensure the requirements are met in a timely fashion.

Council and Staff discussed the proposed ordinance, right-of-way concerns and various parking solutions.

2. **PROPOSED WAIVER OF FEES/DEPOSITS:** THE CITY COUNCIL WILL DISCUSS WAIVING SPECIFIC RENTAL FEES/DEPOSITS SO COMMUNITY GROUPS SUPPORTING OR OPPOSING THE PROPOSED GREGORY-PORTLAND INDEPENDENT SCHOOL DISTRICT BOND ISSUE CAN CONDUCT ONE (1) PUBLIC MEETING AT THE COMMUNITY CENTER TO ADVOCATE THEIR RESPECTIVE POSITIONS - COUNCIL MEMBER JORGENSEN AND CITY MANAGER

Council and Staff discussed the request of waiving specific rental fees/deposits so Community Groups Supporting or opposing the proposed Gregory-Portland Independent School District Bond Issue can conduct One (1) Public Meeting at the Community Center to advocate their respective positions and the current Community Center Rental rates fees and deposits.

C. ADJOURNMENT: MAYOR KREBS

Mayor Krebs adjourned the workshop at 6:55 pm.

D. NOTICE OF ASSISTANCE

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BRAILLE IS NOT AVAILABLE

Approved:

David Krebs
Mayor

Attest:

Annette Hall
City Secretary

**CITY OF PORTLAND
CITY COUNCIL
REGULAR MEETING
SEPTEMBER 4, 2012 – 7:00 P.M.**

On this the 4th day of September 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
David E. Lewis	Mayor Pro Tem
Ron Jorgensen	Council Member
Cathy Skurow	Council Member
Gary Moore, Sr.	Council Member
John Green	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
Brian DeLatte	Director of Public Works and Development
Tim Vanlandingham	Fire Chief
Kristin Connor	Director of Parks and Recreation
RoseAleta Laurell	Library Director
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:**

• BELL-WHITTINGTON PUBLIC LIBRARY UPDATE - LIBRARY DIRECTOR

Library Director RoseAleta Laurell announced that the Library has received a \$23,000 grant from the Texas State Library to fund the 2nd year of the very successful Adult Computer Classes and have also received a \$6,500 grant from the Coastal Bend Community Foundation to refurbish an area of the Library that will be dedicated to teens.

• BUDDY GANEM DRIVE (TEXAS FARM TO MARKET ROAD 3239) IMPROVEMENT PROJECT UPDATE - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

Director of Public Works and Development Brian DeLatte reported that Buddy Ganem Drive (Texas Farm to Market Road 3239) Improvement Project was let on August 8, 2012. Haas Anderson Construction Ltd was the low bidder in the amount of \$4,770,791.28 with 220 working days. Additional funding of approximately \$14,000 for both the Memorial Parkway from Oak Brook Drive to North of FM 3293 and the FM 3239 Lighting Project from FM 3239 from FM 2986 to US Hwy 181 is required by the City. Additional funding for the project is budgeted in the event of construction overruns.

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

Council Member Skurow thanked all the City Staff for their hard work associated with receiving various grant funding for the City.

Council Member Green also thanked the City Staff for their hard work associated with receiving grant funding.

Council Member Moore announced that the Patriot Riders will be escorting a group of Wounded Warriors tomorrow, September 5, 2012 from the Airport at 3:00 pm to Rockport for a weekend of fishing.

Mayor Pro Tem Lewis thanked the City Staff for the behind the scenes work they do.

Mayor Krebs announced that a Windstorm Insurance forum will be held tomorrow, September 5, 2012 from 1:30 p.m. to 3:30 p.m. at the Ortiz Center and encouraged the public to attend. He also thanked the Patriot Riders for honoring the Wounded Warriors.

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

There were none.

5. MINUTES OF PREVIOUS MEETINGS: THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS AUGUST 16, 2012 SPECIAL MEETING, AUGUST 21, 2012 REGULAR MEETING AND AUGUST 28, 2012 SPECIAL MEETING - MAYOR KREBS AND CITY SECRETARY

Council Member Skurow made the motion to approve the minutes of the August 16, 2012 Special Meeting, August 21, 2012 Regular Meeting and the August 28, 2012 Special Meeting as presented. Council Member Moore seconded the motion.

The motion passed 6-0.

6. ORDINANCE NO. 2056 - AMENDING CURRENT FISCAL YEAR BUDGET: THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF

ORDINANCE NO. 2056 WHICH AMENDS THE 2011-2012 FISCAL YEAR BUDGET
- DIRECTOR OF FINANCE

Council Member Jorgensen made the motion to approve the second and final reading of Ordinance No. 2056 which amends the 2011-2012 Fiscal Year Budget. Council Member Green seconded the motion.

The motion passed 6-0.

Mayor Krebs read the following caption.

ORDINANCE NO. 2056

AN ORDINANCE AMENDING AND ADJUSTING ORDINANCE NO. 2040 PASSED ON THE 12th OF SEPTEMBER 2011, AMENDING THE FUND LEVEL BUDGET FOR THE CITY OF PORTLAND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012, AND MAKING SUPPLEMENTAL APPROPRIATIONS AND ADJUSTMENTS FOR SAID FISCAL YEAR; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE; AND AN EFFECTIVE DATE THEREOF

7. **ORDINANCE NO. 2057 - ADOPTING 2012-2013 FISCAL YEAR BUDGET:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2057 WHICH ADOPTS THE 2012-2013 FISCAL YEAR BUDGET - DIRECTOR OF FINANCE

Finance Director Sandy Clarkson explained that 2013 budget includes a proposed increases ad valorem tax rate of \$0.01. The budget includes Capital Improvement Projects for Public Safety and Public Works and Development. She added that Parks and Recreation Projects are not allocated in the budget until actual costs of the proposed projects can be better determined and as previously discussed give the community an opportunity to provide input.

City Manager Mike Tanner explained that the budget is predicated on a \$0.01 Ad Valorem tax increase. The City has 110 positions with a proposed \$20,000,000 budget. He added that the proposed budget will meet or exceed the City's needs.

Council Member Green made the motion to approve the second and final reading of Ordinance No. 2057 which adopts the 2012-2013 Fiscal Year Budget. Council Member Skurow seconded the motion.

The motion passed 5-1 with Council Member Jorgensen voting against.

Mayor Krebs read the following caption.

ORDINANCE NO. 2057

AN ORDINANCE ADOPTING A FUND LEVEL BUDGET FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF PORTLAND, APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR PUBLICATION OF THIS ORDINANCE AND FOR AN EFFECTIVE DATE THEREOF

8. **ORDINANCE NO. 2058 - ADOPTING AD VALOREM (PROPERTY) TAX RATE:**
THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2058 WHICH ADOPTS THE AD VALOREM (PROPERTY) TAX RATE FOR 2012 - DIRECTOR OF FINANCE

THE TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.75 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$10.

Finance Director Sandy Clarkson explained that the 2012-2013 Fiscal Year Budget is predicated on an ad valorem tax rate of \$0.581845 (\$0.450629 for operation/maintenance and \$0.131216 for debt service) which is \$0.032226 less than the ad valorem tax rate in the previous fiscal year but generates \$154,682 (\$82,173 in new assessed value and \$72,509 in a \$0.01 rate increase) more revenue. The owner of the average Portland home (\$133,826 in assessed value) will pay \$778.66 this fiscal year

Council Member Council Member Skurow made the motion to approve the second and final reading of Ordinance No. 2058 that sets the maintenance and operation portion of the tax rate at 45.0629¢ and the debt service rate at 13.1216¢ for a total tax rate of 58.1845¢ per \$100 valuation. Mayor Pro Tem Lewis seconded the motion.

The motion passed 6-0.

Mayor Krebs read the following caption.

ORDINANCE NO. 2058

AN ORDINANCE LEVYING TAXES FOR THE CITY OF PORTLAND, TEXAS FOR THE YEAR 2012, PROVIDING FOR A DATE OF WHICH SUCH TAXES BECOME DELINQUENT; PROVIDING FOR A LIEN

ON ALL REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES DUE THEREON; PROVIDING FOR PENALTY AND INTEREST TO AND EFFECTIVE DATE THEREOF; PROVIDING FOR A 20% COLLECTION FEE; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF

9. **RATIFICATION OF AD VALOREM (PROPERTY) TAX RATE:** THE CITY COUNCIL WILL CONSIDER RATIFYING THE \$0.581845 AD VALOREM (PROPERTY) TAX RATE FOR 2012 WHICH WAS PREVIOUSLY ADOPTED BY ORDINANCE NO. 2058 – DIRECTOR OF FINANCE

Council Member Skurow made the motion to ratify the \$0.581845 Ad Valorem (Property) Tax Rate for 2012 which was previously adopted by Ordinance No. 2058. Council Member Jorgensen seconded the motion.

The motion passed 6-0.

10. **ORDINANCE NO. 2059 - REVISING SKATE PARK AND SPECIFIC CONTRACTOR REGISTRATION FEES:** THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2059 WHICH REVISES SKATE PARK AND SPECIFIC CONTRACTOR REGISTRATION FEES - ASSISTANT TO THE CITY MANAGER

Assistant to the City Manager Michel Weaver explained that during the budget workshop Council discussed increasing skate park and specific contractor registration fees. Raising these fees is necessary to generate additional revenue. The fee increases and additional revenue generated are as follows:

Section 14-53 of the Code of Ordinances (Skate Park Fees):

(a) *Membership fees.*

- (1) Individual resident annual fee are going (from).... \$60.00 to \$66.00
- (2) Individual non-resident annual fee (from) \$100.00 to \$110.00
- (3) Family resident annual fee (from)\$100.00 to \$110.00
- (4) Family non-resident annual fee (new)..... \$150.00

(b) *Day fees:*

- (1) Resident day fees (from).....\$3.00 to \$4.00
- (2) Non-resident day fees (from).....\$5.00 to \$4.00

Increasing skate park day and membership fees will generate additional revenue of approximately \$500.00. This additional revenue is reflected in the Proposed Fiscal Year 2012-2013 Budget presented in the Budget Workshop.

Section 4-3 of the Code of Ordinances (Contractor Registration Fees):

Registration for contractors who perform landscaping that generates disposable material, fencing, tree trimming or tree removal.

- (b) *Registration required.* Contractors who wish to operate within the corporate boundaries of the City of Portland shall register with the building department before doing so. Registration shall be annual and require an administrative fee of ~~twenty five dollars (\$25.00)~~ **fifty-dollars (\$50.00).**

Section 4-4 Code of Ordinances (Contractor Registration Fees):

Registration for contractors who perform any work within the corporate city limits for which a building permit is required.

- (b) Contractors who wish to operate within the corporate limits of the city are hereby required to register with the building department before doing so. Registration shall be annual and require and administrative fee of ~~one hundred dollars (\$100.00)~~ **one hundred thirty-five dollars (\$135.00).**

The increase in contractor registration fees will generate additional revenue of approximately \$12,000 per year. This additional revenue is reflected in the Proposed Fiscal Year 2012-2013 Budget presented in the Budget Workshop

City Manager Mike Tanner explained that as previously discussed in an effort to avoid raising the tax rate various Parks and Recreation and Public Works fees would be raised. The proposed contractor fees are comparable to the City of Corpus.

Council and Staff discussed the proposed ordinance being a part of balancing the budget as well as the proposed tax increase and the ability it creates to ensure the City has qualified inspectors and staff.

Council Member Skurow made the motion to approve the first reading of Ordinance No. 2059 which revised Skate Park and Specific Contractor Registration Fees. Council Member Jorgensen seconded the motion.

The motion passed 5-1 with Council Member Moore voting against.

Mayor Krebs read the following caption.

ORDINANCE NO. 2059

**AN ORDINANCE REVISING SKATE PARK
AND SPECIFIC CONTRACTOR REGISTRATION
FEES; PROVIDING FOR THE REPEAL OF
ORDINANCES IN CONFLICT HEREWITH;
PROVIDING A SEVERABILITY CLAUSE; PROVIDING
FOR PENALTIES AND ESTABLISHING AN
EFFECTIVE DATE**

11. ORDINANCE NO. 2060 - REVISING SOLID WASTE SERVICE RATES: THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2060 WHICH REVISES SOLID WASTE SERVICE RATES (COMMERCIAL AND ROLL-OFF DUMPSTERS) - DIRECTOR OF UTILITY BILLING

Director of Utility Billing Polly Wright in accordance with the Solid Waste Collection and Disposal Contract, Allied Waste Services is requesting a 1.12% percent increase in the commercial dumpster rates, effective October 1, 2012. The change is based on a contract provision that allows increases based on the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W). The increase only affected the commercial dumpster and roll-off dumpsters.

Council Member Jorgensen made the motion to approve the first reading of Ordinance No. 2060 which revises Solid Waste Service Rates (Commercial and Roll-Off Dumpsters). Council Member Skurow seconded the motion.

The motion passed 6-0.

Mayor Krebs read the following caption.

ORDINANCE NO. 2060

**AN ORDINANCE AMENDING ORDINANCE
NO. 2055 REVISING RATES FOR THE
PROVISION OF SOLID WASTE SERVICE;
PROVIDING FOR AN EFFECTIVE DATE AND
FOR PUBLICATION**

12. ORDINANCE NO. 2061 - REVISING SOLID WASTE SERVICE REGULATIONS: THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2061 WHICH REVISES SOLID WASTE SERVICE REGULATIONS FOR RESIDENTS AND SMALL BUSINESSES - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

Director of Public Works and Development Brian DeLatte explained that Republic Services rolled out the implementation of automated solid waste service in August. In doing so, revisions need to be made to the ordinance in order to clarify the type and placement of automated carts in the street.

City Manager Mike Tanner reviewed the following proposed revisions to the ordinance:

Sec. 23-87. Proper containerization and location required.

Residential solid waste shall be considered to include any of the materials listed in section 23-86 when it has been placed in the proper containers and placed in the proper location for pickup as described below

Only residential solid waste and recycling carts provided by the City through its exclusive solid waste service contractor shall be used by residents. All other containers shall be prohibited

Residential solid waste and recycling carts in the street, their wheels touching the curb and their lids closed. On uncurbed streets, the wheels of such carts shall be placed on the edge of the pavement. In no event, shall any cart be placed closer than four (4) feet to any other cart or immediately adjacent to mailboxes, parked cars, utility poles or fire hydrant. Carts shall be properly placed no later than 8:00 a.m. on the day of collection. No cart shall be placed for collection sooner than 5:00 p.m. the day prior to collection nor remain in the street right-of-way later than 7:00 a.m. the day after collection.

Sec. 23-101. Recycling cart service established.

- (a) Recycling cart service for residential and small business customers of the City of Portland sanitation service is hereby established.
- (b) **Only recycling carts provided by the City through its exclusive solid waste service contractor shall be used for recycling**
- (c) **Only specific types of paper (newspapers, junk mail, office paper, paper packaging, shredded paper in clear or white plastic bags, and magazines), plastic (Numbers 1 through 7 - water/soda bottles, milk jugs, detergent bottles, plastic jugs and containers) and metal (aluminum beverage cans, tin cans, steel cans and empty aerosol cans) shall be recycled.** No other items shall be placed in the recycling carts or collected.

Council and Staff discussed the proposed ordinance and various safety issues and concerns.

Council Member Jorgensen made the motion to approve the first reading of Ordinance No. 2061 which revises Solid Waste Service Regulations for Residents and Small Businesses with a modification to reflect that carts must be returned to the houses by 7:00 a.m. the day after collection. Council Member Moore seconded the motion.

The motion passed 4-2 (with Council Member Skurow and Mayor Krebs voting against).

Council Member Skurow made a motion to amend the motion to approve the first reading of Ordinance No. 2061 which revises Solid Waste Service Regulations for Residents and Small Businesses that includes the modification to reflect that carts must be returned to

the houses by 7:00 a.m. the day after collection to include language that requires recycled shredded paper must be placed in clear or white plastic bags. Mayor Pro Tem Lewis seconded the motion to amend.

The motion to amend passed 6-0.

Council Member Jorgensen made the motion to approve the first reading of Ordinance No. 2061 which revises Solid Waste Service Regulations for Residents and Small Businesses with a modification to reflect that carts must be returned to the houses by 7:00 a.m. the day after collection and with the amendment that including language that requires recycled shredded paper must be placed in clear or white plastic bags. Council Member Moore seconded the motion.

The motion passed 6-0.

Mayor Krebs read the following caption.

ORDINANCE NO. 2061

AN ORDINANCE REVISING SOLID WASTE SERVICE REGULATIONS FOR RESIDENTS AND SMALL BUSINESSES; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; ESTABLISHING A PENALTY FOR VIOLATIONS AS WELL AS AN EFFECTIVE DATE

Mayor Krebs announced that Council Member Skurow has filed an Affidavit with the City Secretary and will be abstaining from discussion or any action concerning Item No. 13.

- 13. ORDINANCE NO. 2062 - AMENDING SPECIAL USE PERMIT NO. 750: THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2062 WHICH AMENDS SPECIAL USE PERMIT NO. 750 (GOVERNING THE DEVELOPMENT/USE OF THE PROPERTY/FACILITY LOCATED AT 206 LANG ROAD CURRENTLY OWNED/OPERATED BY BASE LINE DATA, INC.) - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS A REPRESENTATIVE OF BASE LINE DATA, INC.**

Director of Public Works and Development Brian DeLatte explained that Ordinance No. 750 was adopted on December 2, 1986 which changed the use of the property to operate under following conditions:

- Use is restricted to indoor education, recreation, and leisure activities in the “new metal building”

- Hours of operation shall be no later than 10:30 p.m. Sunday through Thursday and 1:00 a.m. Friday and Saturday for activities attended by adults and 12:00 p.m. [sic] Friday and Saturday for activities attended by person under 18 years of age not accompanied by a parent or guardian.

Base Line Data (BLD) request is requesting the following modifications to the SUP:

- The use of the site be changed to “Multi-use, Education/Career Center, Corporate/Operations Office”
- The tower be an allowed use on the site

The proposed ordinance includes the following conditions to the Special Use Permit that were deliberated at the August 21, 2012 City Council meeting. Condition 6 was modified and Condition 11 was removed from the ordinance.

1. The use of the facility shall be limited to business offices, operations support spaces and education and career center activities. Industrial or production activities are prohibited on the site. For the purposes of this special use permit, “industrial or production activity” is any activity that involves the use of attended or autonomous equipment, power tool or other device to cut, bend, bond, coat, melt, weld, perforate or fabricate metal, wood, or other construction material. The term does not include activities required to maintain the building and grounds.
2. Outdoor activities may only be conducted between the hours of 8:00 a.m. and 8:30 p.m. Indoor activities may be conducted between the hours of 7:00 a.m. and 12:00 midnight.
3. Outdoor activities on the property are limited to the mock petrochemical training lab. The training lab shall never utilize fluids, fuels, corrosives, gases, or create conditions that would be considered hazardous to the natural environment or pose a risk or nuisance to the surrounding area.
4. The mock petrochemical lab must be screened to prevent viewing from Lang Rd. with either a privacy fence or opaque vegetative screening not less than eight (8) feet tall. The screening shall be located immediately adjacent to the lab.
5. A minimum eight (8) foot tall privacy fence shall be erected and/or maintained on the north, east, and west property lines of the facility. For the purposes of this special use permit, the fence height shall be calculated from the higher of the adjacent parking spaces or the adjacent residential lot.
6. Outdoor public address systems shall be prohibited.
7. Only one telecommunications tower, antenna, or structure conforming to City Ordinance Section 4-1 shall be allowed on site and shall be located as indicated on the attached site plan. In addition to any other requirements of Section 4-1, the tower shall not exceed sixty (60) feet in height and shall be secured to the building using appropriate structural connections to reduce the “fall radius.” The existing roof-mounted sixty-five (65) foot antenna shall be removed.
8. **Off-street parking shall be prohibited within the Lang Road right-of-way. The entire Base Line Data parking lot on the north side of Lang Road shall be restriped in compliance with applicable City regulations.** All vehicles and-

~~trailers on site must park in appropriately marked spaces and a A fire lane approved by the Fire Marshal shall be established as well as and maintained at or near the Base Line Data Building near the on the site as approved by the Fire Marshal.~~

9. Exterior security or aesthetic lighting must be of a type and situated to prevent adjacent residences from receiving direct lighting.
10. All “production” or “commercial” vehicles shall utilize the Base Line Data parking lot on the south side of Lang Rd.

Additional Conditions

Additionally, the ordinance contains two conditions regarding the deadline for meeting all conditions:

- DEADLINE FOR MEETING ALL CONDITIONS—All conditions specified shall be met no later than 150 calendar days from the effective date of this Ordinance.
- FAILURE TO MEET ALL CONDITIONS BY DEADLINE—The failure of the owner (Ralls Family Limited Partnership via Base Line Data, Inc.) to comply shall immediately render this Ordinance null and void. In such an event, the City of Portland shall strictly enforce the terms of Special Use Permit No. 750 by any and all legal means necessary.

Council, Staff and Base Line Data Representative Clark Smith discussed the proposed ordinance, right-of-way concerns and various parking solutions.

Mr. DeLatte commented that BLD agreed in writing to these conditions prior to the Planning and Zoning Commission meeting.

Council Member Jorgensen made the motion to approve the first reading of Ordinance No. 2062 which amends Special Use Permit No. 750 (governing the development/use of the property/facility located at 206 Lang Road currently owned/operated by Base Line Data, Inc.) as presented. Mayor Pro Tem Lewis seconded the motion.

The motion passed 3-2-1 (with Council Members Green, Jorgensen and Lewis voting for, Council Member Moore and Mayor Krebs voting against and Council Member Skurow abstaining).

Mayor Krebs read the following motion.

ORDINANCE NO. 2061

AN ORDINANCE REVISING SOLID WASTE SERVICE REGULATIONS FOR RESIDENTS AND SMALL BUSINESSES; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; ESTABLISHING A PENALTY

FOR VIOLATIONS AS WELL AS AN
EFFECTIVE DATE

Council Member Jorgensen asked that this item be withdrawn from the agenda.

- 14. WAIVER OF FEES/DEPOSITS:** THE CITY COUNCIL WILL CONSIDER WAIVING SPECIFIC RENTAL FEES/DEPOSITS SO COMMUNITY GROUPS SUPPORTING OR OPPOSING THE PROPOSED GREGORY-PORTLAND INDEPENDENT SCHOOL DISTRICT BOND ISSUE CAN CONDUCT ONE (1) PUBLIC MEETING AT THE COMMUNITY CENTER TO ADVOCATE THEIR RESPECTIVE POSITIONS - COUNCIL MEMBER JORGENSEN AND CITY MANAGER

This item was not discussed.

**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:

- 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 only be given 4 minutes to do so

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.

There were none.

D. ADJOURNMENT: MAYOR

Mayor Krebs adjourned the meeting at 8:12 p.m.

E. 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) 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:

City Secretary

Section 4-4 Code of Ordinances (Contractor Registration Fees):

Registration for contractors who perform any work within the corporate city limits for which a building permit is required.

- (b) Contractors who wish to operate within the corporate limits of the city are hereby required to register with the building department before doing so. Registration shall be annual and require an administrative fee of ~~one hundred dollars (\$100.00)~~ **one hundred thirty-five dollars (\$135.00)**.

The increase in contractor registration fees will generate additional revenue of approximately \$12,000 per year. This additional revenue is reflected in the Proposed Fiscal Year 2012-2013 Budget presented in the Budget Workshop.

RECOMMENDATION: **Staff recommends approving the second (final) reading of Ordinance No. 2059 revising Skate Park and Specific Contractor Registration Fees**

ORDINANCE NO. 2059

**AN ORDINANCE REVISING SKATE PARK
AND SPECIFIC CONTRACTOR REGISTRATION
FEES; PROVIDING FOR THE REPEAL OF
ORDINANCES IN CONFLICT HEREWITH;
PROVIDING A SEVERABILITY CLAUSE;
PROVIDING FOR PENALTIES AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS it costs the City of Portland a significant amount of time, effort and money to provide its comprehensive menu of services; and,

WHEREAS the City Council has determined that many of the services that it provides benefit a limited number of persons and the cost of providing those services should be borne by the persons who receive them; and,

WHEREAS the City Council has determined that it is appropriate to revise existing skate park and specific contractor registration fees.

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

SECTION 1: Chapter 14, Article IV, Section 14-53 of the Code of Ordinances is hereby amended to read:

Sec. 14-53. Fees.

Persons who use the skate park shall purchase a membership, pay day fees or party fees. The following fees shall be charged to use the skate park:

(a) *Membership fees.*

(1) Individual resident annual fee	\$66.00
(2) Individual non-resident annual fee.....	110.00
(3) Family resident annual fee	110.00
(4) Family non-resident annual fee.....	150.00
(5) Fee to replace membership identification.....	5.00

(b) *Day fees:*

(1) Resident day fees.....	\$4.00
(2) Non-resident day fees.....	\$4.00

(c) *Party fees:*

(1) Resident party fee (fifteen (15) person minimum).....	\$40.00
Plus, per person.....	\$1.50

(2) Non-resident party fee (fifteen (15) person minimum)..... \$50.00
Plus, per person.....\$2.50

The park and recreation department is authorized to establish additional fees for equipment rental, new services or programs and special events with the approval of the city manager. The park and recreation department is also authorized to waive day fees for special events that promote skate park use with the approval of the city manager.

SECTION 2: Chapter 14, Article IV, Section 14-54 of the Code of Ordinances is hereby created to read:

Sec. 14-54. Penalty.

- (a) *Penalty.* Any violation of Sections 14-52 and 14-53 of this Article shall be deemed a misdemeanor and, upon conviction thereof, any person so violating it shall be fined a sum not exceeding five hundred (\$500.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 3: Chapter 4, Article I, Section 4-3, Subsection (b) of the Code of Ordinances is hereby amended to read:

- (b) *Registration required.* Contractors who wish to operate within the corporate boundaries of the City of Portland shall register with the building department before doing so. Registration shall be annual and require an administrative fee of ~~twenty-five dollars (\$25.00)~~ **fifty-dollars (\$50.00).**

SECTION 4: Chapter 4, Article I, Section 4-4, Subsection (b) of the Code of Ordinances is hereby amended to read:

- (b) Contractors who wish to operate within the corporate limits of the city are hereby required to register with the building department before doing so. Registration shall be annual and require and administrative fee of ~~one hundred dollars (\$100.00)~~ **one hundred thirty-five dollars (\$135.00).**

SECTION 5: Any previously adopted ordinance, resolution, rule, regulation or policy in conflict with this Ordinance is hereby repealed.

SECTION 6: If any provision, section, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void or invalid, the invalidity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative of this Ordinance are declared severable for that purpose.

SECTION 7: : This Ordinance shall take effect upon its final reading and the publication of its caption in the official newspaper of record.

PASSED and APPROVED this 18th day of September 2012.

EXECUTED

BY: _____
David Krebs, Mayor

ATTEST:

BY: _____
Annette Hall, City Secretary

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **ORDINANCE NO. 2060 – REVISING SOLID WASTE SERVICE RATES:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2060 WHICH REVISES SOLID WASTE SERVICE RATES (COMMERCIAL AND ROLL-OFF DUMPSTERS)

SUBMITTED BY: Polly Wright, Utility Billing Director

DATE: September 13, 2012 **FOR THE AGENDA OF:** September 18, 2012

ATTACHMENTS: Proposed ordinance
Letter from Allied Waste Services/Republic Services
Rate Schedule from Allied Waste Services/Republic Services

SUMMARY STATEMENT: In accordance with the Solid Waste Collection and Disposal Contract, Allied Waste Services of Texas/Republic Services of Corpus Christi has requested a 1.12% percent increase in the commercial dumpster rates to become effective October 1, 2012. The change is based on a contract provision that allows increases based on the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W).

On February 7, 2012, the City Council passed Resolution 645 authorizing automated solid waste collection and single stream recycling. By doing so the City's contract with Republic Services has been renegotiated locking in residential rates through October 1, 2014 even if the annual CPI rate increases. Republic Services waived the 1.12 CPI increase on the small commercial cart accounts. These are the accounts for small businesses that only need residential size carts.

The 1.12% CPI percent increase only affected the commercial dumpster and roll-off dumpsters.

RECOMMENDED ACTION: **Motion to approve the second reading of Ordinance No. 2060 revising solid waste service rates for commercial dumpsters and roll-off accounts.**

ORDINANCE NO. 2060

**AN ORDINANCE AMENDING ORDINANCE
NO. 2055 REVISING RATES FOR THE
PROVISION OF SOLID WASTE SERVICE;
PROVIDING FOR AN EFFECTIVE DATE
AND FOR PUBLICATION**

WHEREAS, the exclusive franchise agreement between the City and Allied Waste Services /Republic Services incorporates annual Consumer Price Index (CPI) driven rate increases, and;

WHEREAS, the City and Allied Waste Services/Republic Services agree that the CPI has increased 1.12 percent during the last year, and;

WHEREAS, the City and Allied Waste Services/Republic Services agree that a commensurate 1.12 percent increase that takes effect October 1, 2012 is in order,

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

SECTION 1: That the Portland Code of Ordinances, Chapter 23, Article II, Division 2, Section 23-41, TABLE TWO: SOLID WASTE CHARGES is hereby amended to read as follows:

MONTHLY RESIDENTIAL CART COLLECTION RATES

1 Trash Cart (96 gallons) and 1 Recycle Cart (96 gallons)	\$ 14.50
Administrative/billing fee	<u>2.50</u>
Total	\$ 17.00

2 Trash Carts (96 gallons) and 1 Recycle Cart (96 gallons)	\$ 26.83
Administrative/billing fee	<u>2.50</u>
Total	\$ 29.33

MONTHLY COMMERCIAL CART COLLECTION RATE

1 Trash Cart (96 gallons) and 1 Recycle Cart (96 gallons)	\$ 22.80
Administrative/billing fee	<u>3.06</u>
Total	\$ 25.86

2 Trash Carts (96 gallons) and 1 Recycle Cart (96 gallons)	\$ 37.62
Administrative/billing fee	<u>3.06</u>
Total	\$ 40.68

20, 30 & 40-YARD ROLL-OFF (OPEN TOP) DUMPSTER RATES

Rates include an administrative/billing fee of 19.5% for every roll-off (open-top) dumpster account per month.

Delivery	\$ 66.07
Monthly Service	44.04
Haul Rate	200.04*
(* plus disposal fee of \$37.27 per ton)	

17-YARD ROLL-OFF (OPEN TOP) DUMPSTER RATES

Rates include an administrative/billing fee of 19.5% for every roll-off (open-top) dumpster account per month.

Delivery	\$ 33.04
Monthly Rental	44.04
Haul Rate	\$ 159.37*
(*plus disposal fee of \$37.27 per ton)	

MONTHLY COMMERCIAL DUMPSTER COLLECTION RATE

Rates include an administrative/billing fee of 19.5% for every commercial dumpster account per month.

Container Size	Pickups Per Week					
	1	2	3	4	5	6
2 cu yd	\$ 56.28	\$ 98.71	\$132.73	\$179.76	\$221.08	\$254.54
3 cu yd	82.46	132.63	215.09	275.76	339.03	395.26
4 cu yd	95.05	176.88	249.31	331.95	414.55	495.70
6 cu yd	123.90	254.54	389.39	520.53	653.38	771.44
8 cu yd	168.01	331.85	500.10	665.34	830.56	995.82
6 cu yd Recycle	66.06					

SECTION 2. REPEALER: All previously adopted rules, regulations, policies and ordinances in conflict with this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY: If any provision, section, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any constitutionality of any other portion hereof, and all provisions of this ordinance are hereby declared severable for that purpose.

SECTION 4. EFFECTIVE DATE: This Ordinance shall take effect on October 1, 2012.

PASSED and APPROVED on first reading this 4th day of September 4, 2012.

PASSED and APPROVED on this 18th day of September 18, 2012.

City of Portland, Texas

David Krebs
Mayor

ATTEST: _____
Annette Hall
City Secretary



August 10, 2012

Mr. Mike Tanner
City Manager
City of Portland
P.O. Drawer 1285
Portland, TX. 78374

Dear Mr. Tanner;

In accordance with Section 14.02 (a) of the Solid Waste Collection and Disposal Contract between Allied Waste Services of Texas//Republic Services of Corpus Christi and the City of Portland, we hereby submit a comparative statement reflecting a 1.12% increase in the Commercial Rates only, to become effective October 1, 2012. The following is the calculation of the percentage increase using the "Consumer Price Index for Urban Wage Earners and Clerical Workers," (CPI-W):

	<u>All Items</u>	<u>Gasoline</u>
CPI June 2012	226.036	304.353
CPI June 2011	222.522	318.855
Index Change	3.5	-14.5
Net Percentage Change	1.58	-4.5
Applicable Contract Percentage	100%	10.0%
Rate Modification Percentage	1.58	-4.5
Combined Rate Modification %	1.12%	

The Commercial Rates listed on the rate matrix attached reflect the 2010 rates with the 1.12% added. These rates on the attachment based on the above "Combined Rate Modification Percentage," will go into effective October 1, 2012.

Should you have any questions concerning the price increase or our service, please do not hesitate to call me.

Sincerely,

Mike Reeves
Municipal Marketing Manager
361-549-3097
mreeves@republicservices.com





City of Portland, Texas

CPI Adjustment Commencing October 1, 2012

Consumer Price Index	(All Items) for:		10 % of Fuel	
	June 2012	226.0360	June 2012	304.353
	June 2011	222.5220	June 2011	318.855
Computation of increase	All Items:	=	1.58%	
	Fuel:	=	-0.45%	
			TOTAL=	1.12%

CATEGORY	FREQUENCY OF COLLECTION	RATE PER MONTH	INCREASE FACTOR	NEW RATE PER MONTH					
Residential									
One Cart rate		\$14.50	0.0000	\$14.50					
Two Cart rate		\$26.83	0.0000	\$26.83					
Commercial Carts									
One Cart rate		\$22.80	1.0112	\$22.80					
Two Cart rate		\$37.62	1.0112	\$37.62					
Commercial Recycling		\$54.67	1.0112	\$55.28					
									New Rate
Commercial : Container Service Base Rates									Rates Inclusive of 19.5% Franchise
2 Cubic Yard Container	1/wk	\$46.58	1.0112	\$47.10	2 Cu Yd	1/wk	\$47.10	1.1950	\$56.28
	2/wk	\$81.68	1.0112	\$82.60		2/wk	\$82.60	1.1950	\$98.71
	3/wk	\$109.84	1.0112	\$111.07		3/wk	\$111.07	1.1950	\$132.73
	4/wk	\$146.76	1.0112	\$150.43		4/wk	\$150.43	1.1950	\$179.76
	5/wk	\$182.94	1.0112	\$185.00		5/wk	\$185.00	1.1950	\$221.08
	6/wk	\$210.63	1.0112	\$213.00		6/wk	\$213.00	1.1950	\$254.54
3 Cubic Yard Container	1/wk	\$68.23	1.0112	\$69.00	3 Cu Yd	1/wk	\$69.00	1.1950	\$82.46
	2/wk	\$109.76	1.0112	\$110.99		2/wk	\$110.99	1.1950	\$132.63
	3/wk	\$177.99	1.0112	\$179.99		3/wk	\$179.99	1.1950	\$215.09
	4/wk	\$228.19	1.0112	\$230.76		4/wk	\$230.76	1.1950	\$275.76
	5/wk	\$280.56	1.0112	\$283.71		5/wk	\$283.71	1.1950	\$339.03
	6/wk	\$327.09	1.0112	\$330.76		6/wk	\$330.76	1.1950	\$395.26
4 Cubic Yard Cont	1/wk	\$78.66	1.0112	\$79.54	4 Cu Yd	1/wk	\$79.54	1.1950	\$95.05
	2/wk	\$146.37	1.0112	\$148.02		2/wk	\$148.02	1.1950	\$178.88
	3/wk	\$208.31	1.0112	\$209.63		3/wk	\$208.63	1.1950	\$249.31
	4/wk	\$274.69	1.0112	\$277.78		4/wk	\$277.78	1.1950	\$331.95
	5/wk	\$343.04	1.0112	\$346.90		5/wk	\$346.90	1.1950	\$414.55
	6/wk	\$410.20	1.0112	\$414.81		6/wk	\$414.81	1.1950	\$495.70
6 Cubic Yard Container	1/wk	\$102.53	1.0112	\$103.68	6 Cu Yd	1/wk	\$103.68	1.1950	\$123.90
	2/wk	\$210.63	1.0112	\$213.00		2/wk	\$213.00	1.1950	\$254.54
	3/wk	\$322.23	1.0112	\$325.85		3/wk	\$325.85	1.1950	\$389.39
	4/wk	\$430.75	1.0112	\$435.59		4/wk	\$435.59	1.1950	\$520.53
	5/wk	\$540.68	1.0112	\$546.76		5/wk	\$546.76	1.1950	\$653.38
	6/wk	\$638.38	1.0112	\$645.56		6/wk	\$645.56	1.1950	\$771.44
8 Cubic Yard Container	1/wk	\$139.03	1.0112	\$140.59	8 Cu Yd	1/wk	\$140.59	1.1950	\$168.01
	2/wk	\$274.61	1.0112	\$277.70		2/wk	\$277.70	1.1950	\$331.85
	3/wk	\$413.84	1.0112	\$418.49		3/wk	\$418.49	1.1950	\$500.10
	4/wk	\$550.58	1.0112	\$556.77		4/wk	\$556.77	1.1950	\$665.34
	5/wk	\$687.30	1.0112	\$695.03		5/wk	\$695.03	1.1950	\$830.56
	6/wk	\$824.05	1.0112	\$833.32		6/wk	\$833.32	1.1950	\$995.82
17 Yard Roll-Off Container Service									
Delivery:		\$32.87	1.0112	\$33.04					
Monthly Service:		\$43.55	1.0112	\$44.04					
Haul Rate:		\$157.60	1.0112	\$159.37					
Disposal:		\$36.86	1.0112	\$37.27					
20, 30, 40 Yard Roll-Off Container Service									
Delivery:		\$65.34	1.0112	\$66.07					
Monthly:		\$43.55	1.0112	\$44.04					
Haul Rate:		\$197.82	1.0112	\$200.04					
Disposal:		\$36.86	1.0112	\$37.27					

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **ORDINANCE NO. 2061 - REVISING SOLID WASTE SERVICE REGULATIONS:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2061 WHICH REVISES SOLID WASTE SERVICE REGULATIONS FOR RESIDENTS AND SMALL BUSINESSES - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

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

DATE SUBMITTED: September 5, 2012

ATTACHMENTS: Ordinance No. 2061

SUMMARY STATEMENT: The Staff was so focused on the implementation of automated solid waste service and saving Portland families more than \$3.00 a month, it did not realize the need to amend sections of the Code of Ordinances that governed solid waste service (i.e. the placement of automated carts in the street is legally prohibited). Ordinance No. 2061, a copy of which is attached for your consideration, eliminates conflicts between solid waste service regulations and actual solid waste service delivery.

The ordinance has been modified to reflect carts must be returned to the houses by 7:00 a.m. the day after collection. Additionally, changes were made indicating recycled shredded paper must be placed in clear or white plastic bags.

RECOMMENDATION: Adopt a motion approving the second (final) reading of Ordinance No. 2061.

ORDINANCE NO. 2061

AN ORDINANCE REVISING SOLID WASTE SERVICE REGULATIONS FOR RESIDENTS AND SMALL BUSINESSES; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; ESTABLISHING A PENALTY FOR VIOLATIONS AS WELL AS AN EFFECTIVE DATE

WHEREAS the City of Portland via its exclusive solid waste contractor has automated specific solid waste services for residents and small businesses; and,

WHEREAS regulations governing containerization, placement and recyclables must be updated to eliminate conflicts with service delivery; and,

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

SECTION 1: Section 23-87 of the Code of Ordinances is hereby amended to read as follows:

Sec. 23-87. Proper containerization and location required.

Residential solid waste shall be considered to include any of the materials listed in section 23-86 when it has been placed in the proper containers and placed in the proper location for pickup as described below

Only residential solid waste and recycling carts provided by the City through its exclusive solid waste service contractor shall be used by residents. All other containers shall be prohibited. Containers allowed by the city shall be specifically designed for the purpose of storing residential solid waste, shall meet the approval of the director of public works, and shall be of not less than ten (10) nor more than forty (40) gallons' capacity (except for those containers approved by or provided by the city), constructed of substantial material, with a tight fitting lid or cover and with handles sufficiently strong for workmen to empty conveniently. The lids or covers of all solid waste containers shall always be kept secure and fastened so that flies and other insects do not have access to their contents, and these lids or covers shall only be removed while the containers are being filled or emptied. Bags made of substantial material and specifically designed and sold for use as trash or garbage bags may be used in place of containers, provided they are sufficiently strong (as determined by the public works department), free of tears or holes, and are securely closed. Regardless of the type of container, the gross weight of any individual container shall not exceed fifty (50) pounds and shall be of a manageable size and shall be approved by the director of public works. Variances to these requirements can be approved by the director of public works.

Residential solid waste and recycling carts All containers shall be placed **in the street, their wheels touching the curb and their lids closed. On uncurbed streets, the wheels of such carts shall be placed on the edge of the pavement. In no event, shall any cart be placed closer than four (4) feet to any other cart or immediately adjacent to mailboxes, parked cars, utility poles or fire hydrants.** directly behind the curb or adjacent to, but not in, city streets, alleys, and roadways. **Carts shall be properly placed no later than 8:00 a.m. on the day of collection. No cart shall be placed for collection sooner than 5:00 p.m. the day prior to collection nor remain in the street right-of-way later than 7:00 a.m. the day after collection.**

SECTION 2: Section 23-101 of the Code of Ordinances is hereby amended to read as follows:

Sec. 23-101. **Recycling cart** service established.

- (a) ~~Recycling service.~~ Recycling **cart** service for all **residential and small business** customers of the City of Portland sanitation service is hereby established.
- (b) **Only recycling carts provided by the City through its exclusive solid waste service contractor shall be used for recycling.** ~~Containers to be issued.~~ The City shall issue free of charge to each customer of its sanitation service one (1) eighteen-gallon recycling bin to be used for the collection of certain items of solid waste to be recycled.
- (c) **Only specific types of paper (newspapers, junk mail, office paper, paper packaging, shredded paper in clear or white plastic bags, and magazines), plastic (Numbers 1 through 7 - water/soda bottles, milk jugs, detergent bottles, plastic jugs and containers) and metal (aluminum beverage cans, tin cans, steel cans and empty aerosol cans) shall be recycled.** ~~Items to be collected.~~ The following items shall be collected for recycling: newsprint; tin cans; glass bottles; plastic milk jugs; plastic one (1) to three (3) liter soft drink bottles; aluminum cans and other aluminum objects. No other items shall be placed in the recycling **carts** bins **or collected.** At its option the sanitation department may not empty recycling bins containing items other than those enumerated herein.

SECTION 3. REPEALER: All previously adopted rules, regulations, policies and ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. SEVERABILITY: If any provision, section, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

SECTION 5. VIOLATION AND PENALTY: Any person who violates this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not

exceeding five hundred dollars (\$500). Each and every day that a violation of this Ordinance occurs shall constitute a separate offense.

SECTION 6. EFFECTIVE DATE: This Ordinance shall take effect upon its final reading and the publication of its caption in the official newspaper of record.

PASSED and **APPROVED** on second reading this 18th day of September, 2012.

CITY OF PORTLAND

By: _____
David Krebs
Mayor

ATTEST:

Annette Hall
City Secretary

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **ORDINANCE NO. 2062 - AMENDING SPECIAL USE PERMIT NO. 750:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2062 WHICH AMENDS SPECIAL USE PERMIT NO. 750 (GOVERNING THE DEVELOPMENT/USE OF THE PROPERTY/FACILITY LOCATED AT 206 LANG ROAD CURRENTLY OWNED/OPERATED BY BASE LINE DATA, INC.) - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS A REPRESENTATIVE OF BASE LINE DATA, INC.

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

DATE SUBMITTED: September 11, 2012

ATTACHMENTS: Ordinance No. 2062

SUMMARY STATEMENT: A Special Use Permit (SUP) application was submitted to the City of Portland on July 17, 2012, to amend the following Special Use Permit:

<u>Property Location:</u>	206 Lang Road
<u>Legal Description:</u>	2.0 Acres out of Section Q of George H. Paul Subdivision of the Coleman Fulton Pasture Company's Lands
<u>Applicant:</u>	Clark Smith, Authorized Agent for Base Line Data, Inc.
<u>Current SUP:</u>	Ordinance 750, 12/2/86

Reason for SUP Request

The City of Portland was notified on May 14, 2012, that Base Line Data, Inc. (BLD) had constructed a sixty (60) foot tall telecommunications tower on its property at 206 Lang Road to replace an existing sixty-five (65) foot tall antenna. This construction was not permitted and appeared to be in violation of City of Portland Code of Ordinances Section 4-1. On May 16, the City requested that BLD remove the tower or submit the appropriate permit application for review. BLD submitted the permit application on May 29, which was subsequently denied for not complying with Section 4-1. During the review of the permit application, it became apparent to City staff that BLD was in violation of its existing SUP in regards to use of the facility and location of the activities on site. BLD submitted the SUP application in an effort to bring the current activities on site into compliance with zoning regulations.

Existing Special Use Permit

Ordinance 750 was passed on December 2, 1986, changing the use of the property to operate under the following conditions:

- Use is restricted to indoor education, recreation, and leisure activities in the "new metal building"
- Hours of operation shall be no later than 10:30 p.m. Sunday through Thursday and 1:00 a.m. Friday and Saturday for activities attended by adults and 12:00 p.m. [sic] Friday and Saturday for

activities attended by person under 18 years of age not accompanied by a parent or guardian.

Current Activities on Site

In reviewing the tower permit application, a few activities on site are not in conformance with the above-referenced SUP conditions:

- BLD operates corporate offices and production headquarters in the facility. This use would have been out of compliance since BLD's purchase of the facility in January 1996.
- The location of activities on the site are both indoor and outdoor. An outdoor lab had been constructed for training purposes and is in direct conflict with requirements that all use is restricted to indoors in the new metal building.

Application

BLD is requesting the following modifications to the SUP:

- The use of the site be changed to "Multi-use, Education/Career Center, Corporate/Operations Office"
- The tower be an allowed use on the site

BLD has provided documentation and a narrative requesting approval of a modified SUP.

Special Use Approval Criteria

Section 310 of the Unified Development Ordinance (UDO) outlines the following criteria for which the Planning and Zoning Commission and City Council shall base approval. BLD has provided a response for each criterion:

1. *Impacts Minimized.* Whether and the extent to which the site plan minimizes adverse effects, including adverse visual impacts, on adjacent properties.

BLD Response: "Base Line Data, Inc (BLD) does not currently nor anticipates adverse impact to the surrounding properties. The planned removal of the existing guided antenna and transfer of service to the subject newly placed structure will be a marked improvement to the aesthetics and general appearance of the Property. The subject new antenna is not as tall, self-supported and its location at the rear of the building makes it less visible, much less obtrusive and inherently stronger as a replacement. Given current fencing, adjacent property orientation and facility structures, BLD does not believe there is currently or will be any adverse visual impact to adjacent properties."

Staff Comment: In its written application, BLD focused on the impacts minimized by the tower construction and did not summarize any efforts to minimize impacts of the proposed change in use. In additional discussions, staff notified BLD that conditions would be recommended to mitigate the impact from the change in use of the facility. Staff recommends additional screening and buffering than what is currently provided on site.

2. *Consistent with this Ordinance.* Whether and the extent to which the proposed special use would conflict with any portion of this Ordinance, including the applicable zoning district intent statement.

BLD Response: "The subject antenna is a lattice type. However, the antenna is a superior design to the structure it will replace. It is important to note that the new antenna is attached to the building by twice the recommended bracket support with a substantial, engineered concrete foundation. Furthermore, the proposed is not a free standing, large footprint, guided mast generally associated with significantly taller lattice structures as may be indicated by subjective interpretation of Code language."

Staff Comment: The tower structure as constructed is in violation of Section 4-1. Proposed amendments to Section 4-1 would bring the tower as constructed into compliance. If Section 4-1 is amended, staff is supportive of this shorter tower replacing the existing antenna.

3. *Compatible with Surrounding Area.* Whether and the extent to which the proposed special use is compatible with existing and anticipated uses surrounding the subject land.

BLD Response: "BLD in relationship to other properties directly across Lang and the same 200 block to the east, is consistent with existing and combatable [sic] uses of surrounding land. It is important to make an emphatic point that all residential structures and neighborhood areas adjacent to the subject property are oriented away from the site with frontage on interior streets of their respective subdivisions, not Lang Rd."

Staff Comment: This particular property is located directly across Lang from the AEP substation. Enforcing proposed conditions that limit the use, set the hours of operation, and provide screening and buffering would assist in ensuring compatibility with surrounding areas. Additionally, the usage of an existing outdoor public address system should be restricted.

4. *Traffic Circulation.* Whether and the extent to which the proposed special use is likely to result in extraordinarily prolonged or recurrent congestion of surrounding streets, especially minor residential streets.

BLD Response: "BLD neither currently or anticipates any unusual or higher level of traffic and associated recurrent congestion to surrounding streets and especially, minor residential streets."

Staff Comment: Since the application is attempting to "legalize" the existing use of the property, additional traffic is not anticipated. Staff does recommend conditions regarding internal circulation and improved emergency access.

Additionally, if the Planning and Zoning Commission determines that Conditions 10 or 11 are appropriate, it should be noted that the building's required parking is 82 spaces (20,500 sf @ 1:250). The existing site has 91 parking spaces, with an additional 45 spaces located in the BLD parking lot across Lang Road. Removal of 21 spaces along the Lang right-of-way will still allow BLD to maintain the parking count required by UDO Sec. 711.

5. *Effect on Natural Environment.* Whether and the extent to which the proposed special use would result in significant adverse impacts on the natural environment, including but not limited to water or air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.

BLD Response: "BLD neither currently or anticipates any adverse impact to the

environment, summarily. The outdoor petrochemical mock-up lab is NON-functional. Located on an otherwise unusable slab of a building lost to fire prior to subject property acquisition, the structures assembled are for training purposes only. There are not now, in the past or will ever be fluids, fuels, corrosives, gases, or conditions present within the lab that would be considered hazardous to the natural environment or pose a risk to the surrounding area."

Staff Comment: Staff is in general agreement, although a condition concerning light pollution is recommended.

6. *Community Need.* Whether and the extent to which the proposed special use addresses a demonstrated community need.

BLD Response: "BLD strongly believes that it operates as a good neighbor, adding significant value to the community by meeting the needs of the immediate and surrounding area. As a major local employer, recognized industry leader and innovative entity BLD routinely offers its facilities and resources to civic and other community groups. As an American Welding Society (AWS), American Petroleum Institute (API) and Texas Workforce Solutions (TWS) certified career training center, Base Line Data curriculum and course offering benefit the participants and the communities where they live and work."

Staff comment: Staff concurs.

7. *Development Patterns.* Whether and the extent to which the proposed special use would result in a logical and orderly pattern of urban development in the community.

BLD Response: "BLD believes that the proposed Special Use would result in a logical and orderly pattern of urban development in the community."

Staff comment: Staff concurs.

Conditions to the Special Use Permit

The following conditions to the Special Use Permit were deliberated at the August 21, 2012 City Council meeting. Condition 6 was modified and Condition 11 was removed from the ordinance.

1. The use of the facility shall be limited to business offices, operations support spaces and education and career center activities. Industrial or production activities are prohibited on the site. For the purposes of this special use permit, "industrial or production activity" is any activity that involves the use of attended or autonomous equipment, power tool or other device to cut, bend, bond, coat, melt, weld, perforate or fabricate metal, wood, or other construction material. The term does not include activities required to maintain the building and grounds.
2. Outdoor activities may only be conducted between the hours of 8:00 a.m. and 8:30 p.m. Indoor activities may be conducted between the hours of 7:00 a.m. and 12:00 midnight.
3. Outdoor activities on the property are limited to the mock petrochemical training lab. The training lab shall never utilize fluids, fuels, corrosives, gases, or create conditions that would be considered hazardous to the natural environment or pose a risk or nuisance to the surrounding area.

4. The mock petrochemical lab must be screened to prevent viewing from Lang Rd. with either a privacy fence or opaque vegetative screening not less than eight (8) feet tall. The screening shall be located immediately adjacent to the lab.
5. A minimum eight (8) foot tall privacy fence shall be erected and/or maintained on the north, east, and west property lines of the facility. For the purposes of this special use permit, the fence height shall be calculated from the higher of the adjacent parking spaces or the adjacent residential lot.
6. Outdoor public address systems shall be prohibited.
7. Only one telecommunications tower, antenna, or structure conforming to City Ordinance Section 4-1 shall be allowed on site and shall be located as indicated on the attached site plan. In addition to any other requirements of Section 4-1, the tower shall not exceed sixty (60) feet in height and shall be secured to the building using appropriate structural connections to reduce the “fall radius.” The existing roof-mounted sixty-five (65) foot antenna shall be removed.
8. Off-street parking shall be prohibited within the Lang Road right-of-way. The entire Base Line Data parking lot on the north side of Lang Road shall be restriped in compliance with applicable City regulations. A fire lane approved by the Fire Marshal shall be established as well as maintained at or near the Base Line Data Building.
9. Exterior security or aesthetic lighting must be of a type and situated to prevent adjacent residences from receiving direct lighting.
10. All “production” or “commercial” vehicles shall utilize the Base Line Data parking lot on the south side of Lang Rd.

Additional Conditions

Additionally, the ordinance contains two conditions regarding the deadline for meeting all conditions:

- **DEADLINE FOR MEETING ALL CONDITIONS**—All conditions specified shall be met no later than 150 calendar days from the effective date of this Ordinance.
- **FAILURE TO MEET ALL CONDITIONS BY DEADLINE**—The failure of of the owner (Ralls Family Limited Partnership via Base Line Data, Inc.) to comply shall immediately render this Ordinance null and void. In such an event, the City of Portland shall strictly enforce the terms of Special Use Permit No. 750 by any and all legal means necessary.

Comments and Conclusion

BLD’s application and the recommended conditions would allow the operation of the facility to continue as the applicant desires while mitigating to the greatest extent practical the adverse impacts of such operations.

RECOMMENDATION: Adopt a motion approving the second (final) reading of Ordinance No. 2062, amending Special Use Permit No. 750 for 206 Lang Road.

ORDINANCE NO. 2062

AN ORDINANCE AMENDING SPECIAL USE PERMIT NO. 750 AT THE REQUEST OF THE PROPERTY/FACILITY OWNER (RALLS FAMILY LIMITED PARTNERSHIP VIA BASE LINE DATA, INC.); PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING A PENALTY AND EFFECTIVE DATE

WHEREAS the development and use of property located at 206 Lang Road is governed by Special Use Permit No. 750 which was approved on December 2, 1986; and,

WHEREAS the current owner of 206 Lang Road (Ralls Family Limited Partnership via Base Line Data, Inc.) has requested that Special Use Permit No. 750 be amended; and,

WHEREAS the Planning and Zoning Commission has conducted a Public Hearing according to law and recommended that the request be granted by the City Council with conditions; and,

WHEREAS the City Council has conducted a Public Hearing according to law and determined that the request meets the criteria for approval established by the Unified Development Ordinance, with conditions; and,

WHEREAS no formal written protest was filed by adjacent property owners and a simple majority vote is required to approve both readings of this ordinance.

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

SECTION 1. REQUEST FOR AMENDED SPECIAL USE PERMIT GRANTED

Special Use Permit No. 750 is hereby amended with the following conditions as set forth in the Unified Development Ordinance for the purpose of modifying the use and hours of operations of the existing facility.

SECTION 2. CONDITIONS

The following conditions shall apply to the Special Use Permit:

1. The use of the facility shall be limited to business offices, operations support spaces and education and career center activities. Industrial or production activities are prohibited on the site. For the purposes of this special use permit, "industrial or production activity" is any activity that involves the use of attended or autonomous equipment, power tool or other device to cut, bend, bond, coat, melt, weld, perforate or fabricate metal, wood, or other construction material. The term does

not include activities required to maintain the building and grounds.

2. Outdoor activities may only be conducted between the hours of 8:00 a.m. and 8:30 p.m. Indoor activities may be conducted between the hours of 7:00 a.m. and 12:00 midnight.
3. Outdoor activities on the property are limited to the mock petrochemical training lab. The training lab shall never utilize fluids, fuels, corrosives, gases, or create conditions that would be considered hazardous to the natural environment or pose a risk or nuisance to the surrounding area.
4. The mock petrochemical lab must be screened to prevent viewing from Lang Rd. with either a privacy fence or opaque vegetative screening not less than eight (8) feet tall. The screening shall be located immediately adjacent to the lab.
5. A minimum eight (8) foot tall privacy fence shall be erected and/or maintained on the north, east, and west property lines of the facility. For the purposes of this special use permit, the fence height shall be calculated from the higher of the adjacent parking spaces or the adjacent residential lot.
6. Outdoor public address systems shall be prohibited.
7. Only one telecommunications tower, antenna, or structure conforming to City Ordinance Section 4-1 shall be allowed on site and shall be located as indicated on the attached site plan. In addition to any other requirements of Section 4-1, the tower shall not exceed sixty (60) feet in height and shall be secured to the building using appropriate structural connections to reduce the "fall radius." The existing roof-mounted sixty-five (65) foot antenna shall be removed.
8. Off-street parking shall be prohibited within the Lang Road right-of-way. The entire Base Line Data parking lot on the north side of Lang Road shall be restriped in compliance with applicable City regulations. A fire lane approved by the Fire Marshal shall be established as well as maintained at or near the Base Line Data Building.
9. Exterior security or aesthetic lighting must be of a type and situated to prevent adjacent residences from receiving direct lighting.
10. All "production" or "commercial" vehicles shall utilize the Base Line Data parking lot on the south side of Lang Rd.

SECTION 3. DEADLINE FOR MEETING ALL CONDITIONS

All conditions specified in Section 2 of above shall be met no later than 150 calendar days from the effective date of this Ordinance.

SECTION 4. FAILURE TO MEET ALL CONDITIONS BY DEADLINE

The failure of of the owner (Ralls Family Limited Partnership via Base Line Data, Inc.) to comply with Section 3 above shall immediately render this Ordinance null and void. In such an event, the City of Portland shall strictly enforce the terms of

Special Use Permit No. 750 by any and all legal means necessary.

SECTION 5. REPEALER

All previously adopted rules, regulations, policies and ordinances in conflict with this Ordinance are hereby repealed.

SECTION 6. SEVERABILITY

If any provision, section, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

SECTION 7. VIOLATION AND PENALTY

Any person who violates this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not exceeding five hundred dollars (\$500). Each and every day that a violation of this Ordinance occurs shall constitute a separate offense.

SECTION 8. EFFECTIVE DATE

This Ordinance shall take effect upon its final reading and the publication of its caption in the official newspaper of record.

PASSED and APPROVED on second reading this 18th day of September, 2012.

CITY OF PORTLAND

By: _____
David Krebs
Mayor

ATTEST:

Annette Hall
City Secretary

**BUSINESS OF THE CITY COUNCIL
OF THE
CITY OF PORTLAND, TEXAS**

SUBJECT: **REQUEST TO RESTRICT PARK USE:** THE CITY COUNCIL WILL CONSIDER A REQUEST FROM THE SPONSORS OF THE 6TH ANNUAL HARBOR HALF MARATHON TO RESTRICT USE OF SUNSET LAKE PARK AND INDIAN POINT PARK ON OCTOBER 21, 2012

SUBMITTED BY: Kristin Connor, Director of Parks and Recreation

DATE SUBMITTED: September 10,2012 **FOR THE AGENDA:** September 18, 2012

ATTACHMENTS: Junior Achievement Request **APPROVED:** _____

SUMMARY STATEMENT: The Junior Achievement of the Coastal Bend will be hosting their 6th Annual Harbor Half Marathon on Sunday, October 21, 2012. The race begins at Concrete Street in Corpus Christi and the turn around/mid point is in the parking lot of Sunset Lake Park. Junior Achievement is requesting to close vehicular access to Sunset Lake Park and have exclusive use including the parking lot and trail from 6:00-11:00 am on the day of the race. The Harbor Half Marathon is a fund raiser Junior Achievement with all proceeds going to support their financial literacy program.

RECOMMENDATION: Staff asks City Council to review request.



August 6, 2012

To Whom It May Concern:

Valero Refinery is the Title Sponsor of the Harbor Half Marathon & Relay and a proud supporter of Junior Achievement of the Coastal Bend. We support the organization's mission because we believe JA's portfolio of programs address key issues facing our educational system, promote student achievement, and meet the expectations of a range of constituencies that demand results. The funds raised by the Harbor Half Marathon & Relay will help JA continue to be at the forefront of providing effective business education programs for school-aged children, and most importantly, it will help to ensure a better quality of life for them. Our community must prepare tomorrow's employees and employers...**students sitting in classrooms today throughout the Coastal Bend...** to create opportunities to achieve their goals.

Junior Achievement of the Coastal Bend would like to respectfully request the exclusive use of Sunset Lake Parking area and Hike and Bike trail on Sunday, October 21, 2012 to stage the turnaround point for the Harbor Half Marathon & Relay. The request would be to have the Sunset Lake Parking area and Hike and Bike trail closed to vehicular traffic from 6 a.m. – 11:00 a.m. on Sunday, October 21, 2012. Over 1,200-1,500 runners are expected to participate in the Harbor Half Marathon. At the turnaround point we will have water stations and portable restroom facilities for the runners and volunteers. The race utilizes computerized timing and a mid-point station will be set up to record the runners times. The race requires all participants to use a shuttle bus service to and from the turnaround point. The only vehicles allowed will be the buses with the participants, limited use by the volunteers and the timing personnel.

Junior Achievement of the Coastal Bend appreciates your support of this race and organization year after year. Without your approval and assistance the race would not be possible. Your consideration of closing Sunset Lake Park to vehicular traffic on Sunday, October 21, 2012 would be greatly appreciated. If you have any questions you can contact either one of us at the numbers listed below.

Sincerely,

Ralph Tapscott, Race Director
Frost Bank
844-1278

Jayne Woodall, District Director
Junior Achievement of the Coastal Bend
361.884.6561

615 N. Upper Broadway, #618 | Corpus Christi, TX 78477 | 884-6561 phone | 884-6685 fax
www.harborhalf.com



**BUSINESS OF THE CITY COUNCIL
CITY OF PORTLAND**

SUBJECT: Purchase of police vehicles
SUBMITTED BY: Randy L. Wright, Chief of Police 
DATE: September 11, 2012 **FOR THE AGENDA OF:** September 18, 2012
ATTACHMENTS: None
APPROVED FOR INCLUSION ON AGENDA: CITY MANAGER _____

SUMMARY STATEMENT: We have pricing from three mass bidders for the purchase of four new police SUVs to replace older cars. We also have one seized 2006 Hummer H2 ready for transfer to the City for use as a police vehicle.

New police vehicles

Mass bids for four (4) 2013 Chevrolet Tahoe Police Packages are as follows:

<u>Vendor</u>	<u>Unit Cost</u>	<u>Total Cost</u>
Caldwell Country Chevrolet, Caldwell, TX (TBPC)	\$ 25,796.00	\$ 103,184.00
Reliable Chevrolet, Richardson, TX (TBPC)	26,260.68	105,042.72
Caldwell Country Chevrolet, Caldwell, TX (Buy Board)	26,416.00	105,664.00
Holiday Chevrolet/Ford, Whitesboro, TX (TBPC)	26,700.75	106,803.00
Caldwell Country Chevrolet, Caldwell, TX (H-GAC)	26,719.00	106,876.00

These prices include delivery, center equipment consoles, sirens, speakers, controls, 1 overhead light bar, 1 prisoner partition, 4 rear partitions and 1 push bumper. In addition to the basic vehicle purchases, an additional \$5,650 is required for installation of equipment and striping on one of the vehicles that will be used for patrol service. The total cost for four vehicles and equipment from the low bidder is \$108,834.

Seized 2006 Hummer H2

As part of our work with the DEA, we have access to a variety of seized vehicles. In most cases, those vehicles are not appropriate for police work and are sold at auction. We derive a portion of the proceeds. In some cases, the vehicle is in good condition and can be more valuable for use than for sale. Such is the case with a 2006 Hummer H2 that was previously seized by federal agents. We have requested ownership of the vehicle at a transfer cost of \$6,885.05 (\$4,690 federal share and \$2,195.05 expenses and accumulated storage). The Kelly Book value for this vehicle is approximately \$24,000.

Financing

We intend to acquire the Hummer, and purchase and equip the four SUVs from Caldwell Country Chevrolet, for a total of \$115,719.05. These purchases will be funded entirely from our federal drug forfeiture fund.

Federal rules require that the chief law enforcement officer report the expenditure of these funds to the local governing body. As an added measure of oversight, we prefer that the City Council understand and approve those expenditures.

RECOMMENDED ACTIONS: Motion to authorize the use of federal drug forfeiture funds to purchase four Chevrolet Tahoes from Caldwell Country Chevrolet at a cost of \$108,834.00 and to acquire a seized 2006 Hummer H2 from the federal government at a cost not to exceed \$6,885.05.

REGULAR MEETING AGENDA BILL

AGENDA ITEM: RESOLUTION NO. 656 - AUTHORIZING INTER-FUND LOAN TO FINANCE DRAINAGE IMPROVEMENTS: THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 656 WHICH AUTHORIZES AN INTER-FUND LOAN TO FINANCE THE BROADWAY/NORTH SHORE BOULEVARD OUTFALL SYSTEM CAPITAL DRAINAGE IMPROVEMENT PROJECT - FINANCE DIRECTOR

SUBMITTED BY: Sandy Clarkson _____

DATE SUBMITTED: 09/12/2012 **FOR THE AGENDA OF:** 09/18/2012

ATTACHMENTS: Resolution No. 656 **APPROVED:** _____

SUMMARY STATEMENT: The area of the City with the highest potential to attract large national retail businesses is largely undeveloped and in need of extensive (and costly) drainage improvements. The City has decided to take a proactive stance in order to improve our competitive position to attract these businesses by making the drainage improvements to this area. The costs of these improvements will then be passed onto the future beneficiaries of these improvements through Impact Fees as authorized in Ordinance 2052.

In order to expedite the completion of the project, General Fund will “loan” the Drainage Utility the funds necessary for construction. This will allow the project, which has already been designed, to proceed immediately through bidding and construction. The final amendment to the FY2012 Budget, adopted by City Council on September 4, included a transfer of \$700,000 for this purpose.

In Resolution 656, the loan terms and repayment process are set out in detail to insure that money is returned to General Fund in future years. The terms of the loan are very liberal (exceptionally low interest compounded once each year and with minimal annual payment requirements) but they do insure that the Drainage Utility functions as an enterprise that meets its’ financial obligations through regular revenues.

RECOMMENDATION: Staff recommends the approval of Ordinance 656 which authorizes General Fund to loan the Drainage Utility the funds necessary to construct the Broadway/Northshore Boulevard Outfall System Capital Drainage Improvements and provides the method of repayment.

Resolution No. 656

RESOLUTION AUTHORIZING AN INTERFUND LOAN FROM GENERAL FUND RESERVES TO THE DRAINAGE UTILITY CONSTRUCTION FUND FOR THE PURPOSE OF FINANCING THE BROADWAY/NORTHSHORE BOULEVARD OUTFALL SYSTEM CAPITAL DRAINAGE IMPROVEMENTS PROJECT AND PROVIDING THE METHOD FOR REPAYMENT OF SAID LOAN

WHEREAS, the City of Portland is a progressive, business-friendly and proactive home-rule city; and

WHEREAS, there are several acres of undeveloped, commercially-zoned land situated along State Highway 181 in Portland's Growth Corridor; and

WHEREAS, the City Council has determined that providing drainage improvements in those undeveloped acres will give Portland a competitive advantage in attracting desirable retail businesses to the City; and

WHEREAS, the City of Portland has conducted the statutory procedures to impose impact fees on that same area of undeveloped land; and

WHEREAS, the City Council passed and approved Ordinance 2052 which establishes impact fees for the Broadway/Northshore Boulevard Outfall System Capital Drainage Improvements; and

WHEREAS, the funds needed to construct these improvements are available in the City's General Fund Unassigned Fund Balance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Portland, Texas:

SECTION 1: The City's finance director will transfer funds from the General Fund to the Drainage Construction Fund to finance the project known as the Broadway/Northshore Boulevard Outfall System Capital Drainage Improvements.

- a. The transfer will be sufficient to fully fund the construction project.
- b. The transfer will be recorded on the City's general ledger and reported in the comprehensive annual financial report in accordance with generally accepted accounting procedures.

SECTION 2: The Drainage Utility Fund will repay the General Fund for the full amount of the transfer plus interest.

- a. The interest rate to be paid will be determined by the TexPool Daily Interest Factor for Pool 449 as of September 30, 2012.

- b. The interest will accrue and be compounded on the outstanding balance as of September 30, 2013, and annually thereafter.

SECTION 3: The re-payment schedule will be annually or as the impact fees imposed by Ordinance 2053 are collected.

- a. Beginning October 1, 2013, the Drainage Utility Fund will pay General Fund the interest accrued on the loan as of September 30, 2013, plus \$20,000 of the principal.
- b. As the impact fees are collected by the Drainage Fund, payments of principal only will be made to the General Fund to reduce the outstanding balance on the interfund loan.
- c. This will continue for all the years following the enactment of this resolution until the entire loan has been repaid.

PASSED AND APPROVED this 18th day of September 2012.

CITY OF PORTLAND

David Krebs
Mayor

ATTEST:

Annette Hall
City Secretary



STAFF
WEEKLY
REPORTS

Portland Fire Department

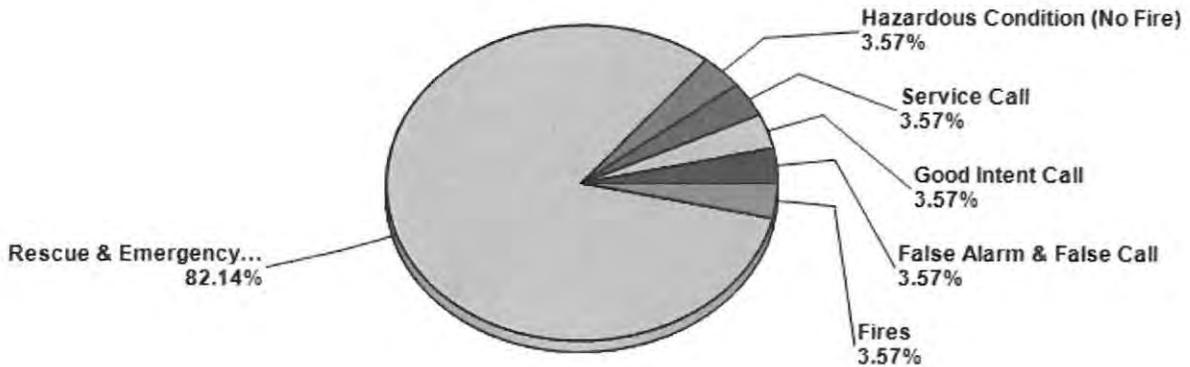
Portland, TX

This report was generated on 9/6/2012 8:38:08 AM



Breakdown by Major Incident Types for Date Range

Start Date: 08/27/2012 | End Date: 09/02/2012



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	1	3.57%
Rescue & Emergency Medical Service	23	82.14%
Hazardous Condition (No Fire)	1	3.57%
Service Call	1	3.57%
Good Intent Call	1	3.57%
False Alarm & False Call	1	3.57%
TOTAL	28	100.00%

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
142 - Brush or brush-and-grass mixture fire	1	3.57%
311 - Medical assist, assist EMS crew	10	35.71%
320 - Emergency medical service, other	4	14.29%
321 - EMS call, excluding vehicle accident with injury	9	32.14%
440 - Electrical wiring/equipment problem, other	1	3.57%
522 - Water or steam leak	1	3.57%
651 - Smoke scare, odor of smoke	1	3.57%
733 - Smoke detector activation due to malfunction	1	3.57%
TOTAL INCIDENTS:	28	100.00%

Special Events: Participated in Honk Parade

Average Response Times: 4.04 min.



Inspections Search

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

Search Criteria:

Date	All Addresses	Status	Inspector
From: 8/26/2012		All	
To: 9/1/2012 11:59:00 PM			

Date	Record Type	Number	Cause	Complete	Violations			Addresses	Parties Name	Inspector
					New	Old	Corr			
08/27/2012 10:28 am	Annual Inspection (FD)	I-CH-12-0669	Periodic	Yes	14	0	0	705 Bay View	Margaret Edwards	Craig Hedrick
08/28/2012 11:22 am	Annual Inspection (FD)	I-CH-12-0670	Periodic	Yes	14	1	1	1617 Cimmarron	Sun Valley	Craig Hedrick
08/28/2012 11:49 am	Annual Inspection (FD)	I-CH-12-0637.A	Reinspection	Yes	0	3	0	4100 Wildcat	Portland Manor	Craig Hedrick
08/29/2012 1:07 pm	Annual Inspection (FD)	I-CH-12-0638.A	Reinspection	Yes	0	2	0	401 Northshore	Carriage Inn	Craig Hedrick
08/29/2012 1:10 pm	Unwholesome Prop(FD)	I-CH-12-0607.B	Reinspection	Yes	0	4	0	606 Colonial	MC Mgt.	Craig Hedrick
08/29/2012 1:14 pm	Plants/Vegetation (FD)	I-CH-12-0629.B	Reinspection	Yes	0	2	0	300 Long Point	300 Long Point Resident	Craig Hedrick
08/29/2012 1:15 pm	Unwholesome Prop (FD)	I-CH-12-0657.A	Reinspection	Yes	0	0	0	136 Chiltipin	136Chiltipin-RespParty	Craig Hedrick
08/29/2012 1:24 pm	Unwholesome Prop (FD)	I-CH-12-0672	Complaint	Yes	2	0	0	108 Magnolia	108Magnolia-RespParty	Craig Hedrick
08/29/2012 1:28 pm	Plants/Vegetation (FD)	I-CH-12-0673	Complaint	Yes	4	0	0	2010 Oakleaf	2010Oakleaf-RespParty	Craig Hedrick
08/29/2012 1:33 pm	Plants/Vegetation (FD)	I-CH-12-0674	Complaint	Yes	4	0	0	2315 Willow	2315Willow-RespParty	Craig Hedrick
08/29/2012 1:34 pm	Plants/Vegetation (FD)	I-CH-12-0675	Complaint	Yes	4	0	0	2028 Pecan	Nathan & Drucilla East	Craig Hedrick
08/29/2012 1:36 pm	Plants/Vegetation (FD)	I-CH-12-0676	Complaint	Yes	4	2	0	2014 Pecan	2014 Pecan Resident	Craig Hedrick
08/29/2012 1:39 pm	Plants/Vegetation (FD)	I-CH-12-0677	Complaint	Yes	4	0	0	2208 Postoak	2208Postoak-RespParty	Craig Hedrick
08/29/2012 1:43 pm	Plants/Vegetation (FD)	I-CH-12-0678	Complaint	Yes	4	0	0	2200 Hickory	2200 Hickory Oak Resident	Craig Hedrick
08/29/2012 1:47 pm	Plants/Vegetation (FD)	I-CH-12-0679	Complaint	Yes	4	0	0	1807 Liveoak	1807Liveoak-RespParty	Craig Hedrick
08/29/2012 1:50 pm	Plants/Vegetation (FD)	I-CH-12-0680	Complaint	Yes	4	0	0	2221 Hickory	2221Hickory-RespParty	Craig Hedrick
08/29/2012 1:52 pm	Plants/Vegetation (FD)	I-CH-12-0681	Complaint	Yes	4	1	0	2213 Memorial	Jose Gonzales	Craig Hedrick
08/29/2012 1:54 pm	Plants/Vegetation (FD)	I-CH-12-0682	Complaint	Yes	4	0	0	2102 E. Dolphin	2102 E. Dolphin Cir.Res	Craig Hedrick
08/29/2012 1:56 pm	Plants/Vegetation (FD)	I-CH-12-0683	Complaint	Yes	0	2	0	1901 Dolphin	1901 Dolphin Resident	Craig Hedrick
08/29/2012 1:57 pm	Plants/Vegetation (FD)	I-CH-12-0684	Complaint	Yes	0	4	0	1801 Falcon	1801 Falcon Resident	Craig Hedrick
08/29/2012 2:01 pm	Plants/Vegetation (FD)	I-CH-12-0685	Complaint	Yes	4	0	0	1900 Falcon	1900Falcon-RespParty	Craig Hedrick
08/29/2012 4:35 pm	Unwholesome Prop (FD)	I-CH-12-0652.B	Reinspection	Yes	0	0	0	2202 Post Oak	2202 Post Oak Resident	Craig Hedrick
08/30/2012 8:07 am	Unwholesome Prop (FD)	I-TVAN-12-0028.B	Reinspection	Yes	0	2	0	103 Shore Cliff	Stephen and Belinda Burkett	Craig Hedrick
08/30/2012 9:00 am	Unwholesome Prop (FD)	I-CH-12-0603.C	Reinspection	Yes	0	2	0	1011 Denver	Mr. Pardo	Craig Hedrick
08/30/2012 9:00 am	Unwholesome Prop (FD)	I-TVAN-12-0027.A	Reinspection	Yes	0	1	0	200 Block Country Club Vacant Field	Northshore Country Club	Tim Vanlandingham
08/30/2012 10:33 am	Unwholesome Prop (FD)	I-CH-12-0686	Complaint	Yes	4	0	0	2009 Post Oak	2009PostOak-RespParty	Craig Hedrick
08/30/2012 10:43 am	Unwholesome Prop (FD)	I-CH-12-0615.B	Reinspection	Yes	0	2	0	1605 Crosby	1605 Crosby Resident	Craig Hedrick
08/30/2012 10:49 am	Unwholesome Prop (FD)	I-CH-12-0617.B	Reinspection	Yes	0	2	0	1602 Austin	1602 Austin Resident	Craig Hedrick
08/30/2012 10:51 am	Unwholesome Prop (FD)	I-CH-12-0611.B	Reinspection	Yes	0	0	0	1507 Crosby	1507 Crosby Resident	Craig Hedrick
08/30/2012 10:52 am	Unwholesome Prop (FD)	I-CH-12-0609.B	Reinspection	Yes	0	0	0	1501 Crosby	1501 Crosby Resident	Craig Hedrick
08/30/2012 10:53 am	Unwholesome Prop (FD)	I-CH-12-0618.B	Reinspection	Yes	0	2	0	1510 Austin	1510 Austin Resident	Craig Hedrick

Date	Record Type	Number	Cause	Complete	Violations			Addresses	Parties Name	Inspector
					New	Old	Corr			
08/30/2012 10:54 am	Unwholesome Prop (FD)	I-CH-12-0612.B	Reinspection	Yes	0	2	0	1509 Crosby	1509 Crosby Resident	Craig Hedrick
08/30/2012 10:58 am	Unwholesome Prop (FD)	I-CH-12-0687	Complaint	Yes	2	0	0	1603 Crosby	1603 Crosby Resident	Craig Hedrick
08/30/2012 11:03 am	Unwholesome Prop (FD)	I-CH-12-0688	Complaint	Yes	2	0	0	1604 Austin	1604 Austin Resident	Craig Hedrick
08/31/2012 9:00 am	Annual Inspection (FD)	I-CH-12-0123.G	Reinspection	Yes	0	10	0	2100 Buddy Ganem	Oak Ridge Babtist Church	Craig Hedrick

Total Number of Records: 35