



CITY COUNCIL AGENDA

NOTICE OF WORKSHOP

Wednesday, January 2, 2013
6:30 p.m.
Council Chamber - City Hall
Daniel P. Moore Community Center Complex
1900 Billy G. Webb
Portland, Texas

1. **CALL TO ORDER:** MAYOR KREBS
2. **SUBDIVISION DEVELOPMENT ISSUES:** THE CITY COUNCIL WILL DISCUSS A NUMBER OF SUBDIVISION DEVELOPMENT ISSUES (IMPOSITION OF OFF-SITE "WORKFORCE" SUBDIVISION REQUIREMENTS OR ASSESSMENTS AND REZONING, AMONG OTHERS) WITH THE STAFF - CITY MANAGER
3. **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. 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: December 28, 2012 by 5 p.m.
Portland City Hall

By: 
Annette Hall
City Secretary



CITY COUNCIL AGENDA

NOTICE OF REGULAR MEETING

**Wednesday, January 2, 2013
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:**
 - PRESENTATION OF MARTIN LUTHER KING HOLIDAY SCHEDULE (FACILITIES AND SERVICES) - ASSISTANT TO THE CITY MANAGER
- 4. CITY COUNCIL AND STAFF COMMENTS CONCERNING ITEMS OF COMMUNITY INTEREST THAT MAY NOT BE DISCUSSED:**

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

- Expressions of thanks, congratulations, or condolence
- Information regarding holiday schedules
- Honorary recognition of city officials, employees, or other citizens
- Reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by a city official or city employee

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

B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:

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

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

5. **MINUTES OF PREVIOUS WORKSHOPS AND MEETINGS:** THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS DECEMBER 18, 2012 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY
6. **ORDINANCE NO. 2063 - INCREASING WATER SERVICE RATES:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2063 WHICH INCREASES WATER SERVICE RATES IN RESPONSE TO A SAN PATRICIO MUNICIPAL WATER DISTRICT RATE ADJUSTMENT - ASSISTANT TO THE CITY MANAGER
7. **RESOLUTION NO. 660 - CALLING REGULAR ELECTION:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 660 WHICH CALLS A MAY 11, 2013 GENERAL ELECTION (4 COUNCIL MEMBERS WILL BE ELECTED TO 2 YEAR TERMS OF OFFICE) – CITY SECRETARY

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

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

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- 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

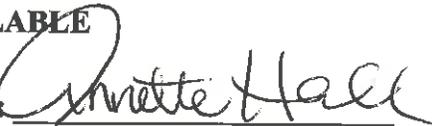
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BRAILLE IS NOT AVAILABLE

Posted: December 28, 2012 by 5:00 p.m.
Portland City Hall

By



Annette Hall
City Secretary

**CITY OF PORTLAND
CITY COUNCIL
WORKSHOP MINUTES
DECEMBER 18, 2012 – 6:00 P.M.**

On this the 18th day December 2012, the Council of the City of Portland convened in workshop session at 6:00 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
Ron Jorgensen	Council Member
Cathy Skurow	Council Member
John Vilo	Council Member
Gary Moore, Sr.	Council Member
John Green	Council Member

STAFF PRESENT:

Mike Tanner	City Manager
Randy Wright	Assistant City Manager
Brian DeLatte	Director of Public Works and Development Services
Gary Giles	Police Chief
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

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 6:00 p.m.

B. NON-ACTION ITEMS:

1. **EXECUTIVE SESSION:** THE CITY COUNCIL WILL CONDUCT AN EXECUTIVE SESSION ACCORDING TO SECTION 551.087 (DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE

GOVERNMENTAL BODY HAS RECEIVED FROM BUSINESS PROSPECTS THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS AND TO DELIBERATE THE OFFER OF FINANCIAL OR OTHER INCENTIVES TO BUSINESS PROSPECTS MEETING THIS DESCRIPTION) OF THE GOVERNMENT CODE - MAYOR, CITY MANAGER, ASSISTANT CITY MANAGER AND CITY ATTORNEY

FORMAL ACTION WILL NOT BE TAKEN AT THE CONCLUSION OF THE EXECUTIVE SESSION

At 6:01 p.m. Mayor Krebs announced that the City Council will conduct a closed meeting to discuss or deliberate regarding commercial or financial information that the governmental body has received from business prospects that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations and to deliberate the offer of financial or other incentives to business prospects meeting this description pursuant to Section 551.071 of the Texas Government Code.

Council reconvened at 6:52 p.m.

NO ACTION WAS TAKEN ON THIS ITEM

- 2. SALE OF SURPLUS RIGHTS-OF-WAY:** THE CITY COUNCIL WILL DISCUSS THE SALE OF SURPLUS RIGHTS-OF-WAY - CITY MANAGER

This item was tabled until January 2013.

C. ADJOURNMENT: MAYOR KREBS

Mayor Krebs adjourned the workshop at 6:53 pm.

D. NOTICE OF ASSISTANCE

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BRILLE IS NOT AVAILABLE

Approved:

David Krebs
Mayor

Attest:

Annette Hall
City Secretary

**CITY OF PORTLAND
CITY COUNCIL
REGULAR MEETING
DECEMBER 18, 2012 – 7:00 P.M.**

On this the 18th day of December 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 Lewis	Mayor Pro Tem
Ron Jorgensen	Council Member
Cathy Skurow	Council Member
John Vilo	Council Member
Gary Moore, Sr.	Council Member
John Green	Council Member

STAFF PRESENT:

Mike Tanner	City Manager
Randy Wright	Assistant City Manager
Brian DeLatte	Director of Public Works and Development Services
Gary Giles	Police Chief
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

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:**

- PRESENTATION OF CHRISTMAS AND NEW YEARS DAY HOLIDAY SCHEDULE (FACILITIES AND SERVICES) - ASSISTANT TO THE CITY MANAGER

Assistant to the City Manager Michel Weaver presented the City's facilities and service hours schedule of operation for the Christmas and New Year's holiday season.

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

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- Expressions of thanks, congratulations, or condolence
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- Announcements involving imminent threats to the public health and safety of the city

Council Member Gary Moore wanted to wish everyone a Merry Christmas and a Happy New Year. Council Member Moore asked that everyone be safe during the holidays especially on the road.

Council Member Green wanted to wish everyone a Merry Christmas and a Happy New Year. Council Member Green also wanted to say thank you to Craig Hedrick, Fire Marshal, on what a good job he did giving a safety presentation at Dupont.

Council Member Skurow wanted to say congratulations to the Library for an outstanding and talented Lego Build Off. Council Member Skurow also commented on the Christmas in Portland event and how a small child that was walking in said "Oh Mother this is so perfect."

Council Member Jorgensen wanted to wish everyone a Merry Christmas and a Happy New Year. Council Member Jorgensen said he was hearing good things about the City staff and wanted to thank them for all they do.

Council Member Vilo commented on seeing a City crew assisting a stranded driver and wanted to say thank you for doing such a good job. Council Member Vilo also wanted to wish the citizens and staff a Merry Christmas and a Happy New Year.

Council Member Lewis also wanted to wish everyone a Merry Christmas and a Happy New Year. Council Member Lewis also said be safe during the holidays and lock your doors.

Mayor Krebs commented on what a good job the City staff and encouraged citizens to report good efforts by City employees. Mayor Krebs also wanted to say Merry Christmas to everyone and to have a Happy New Year.

City Manager Mike Tanner commented that the year 2012 was sensational and that the upcoming year should also be a banner year. Mr. Tanner also thanked the City Council.

B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:

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- Persons who wish to speak will be given 4 minutes to do so

There were none.

5. MINUTES OF PREVIOUS MEETING: THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS DECEMBER 4, 2012 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY

Council Member Vilo made the motion to approve the minutes of its December 4, 2012 workshop and regular meeting. Council Member Green seconded the motion.

The motion passed 7-0.

6. JOINT PUBLIC HEARING - REVISIONS TO THE COMPREHENSIVE PLAN AND UNIFIED DEVELOPMENT ORDINANCE: THE CITY

COUNCIL WILL CONDUCT A JOINT PUBLIC HEARING WITH THE PLANNING AND ZONING COMMISSION TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING REVISIONS TO THE COMPREHENSIVE PLAN AND UNIFIED DEVELOPMENT ORDINANCE - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS CONSULTING CITY PLANNER

Director of Public Works and Development Brian DeLatte explained that this has been a yearlong process in the revision and update of the Comprehensive Plan and UDO. Mr. DeLatte said the next meetings will be a Planning and Zoning Commission Meeting on January 8, 2013 and two readings of an ordinance to adopt the Comprehensive Plan and UDO by the City Council on January 15, 2013 and February 5, 2013. Mr. DeLatte then introduced Dan Sefko who presented the following information:

Process Overview

- Kickoff meeting
- Goals and objectives
- Review revised Comp Plan document and receive comments
- Begin UDO update process and issue identification
- Review major changes of updated UDO and receive comments
- P&Z recommendation and City Council adoption
 - Comprehensive Plan and UDO
 - First of three readings

Comprehensive Plan Updates

Format

- Track changes
- One Word document
- Removed appendices
- Layout/design
- Photos
- Hyperlinks
- Updated maps

Baseline

- Demographic information
 - 2010 Census / 2005-2009 American Community Survey

- 2010 population = 15,099*

Vision

- Updated specific “visions” for future growth based on comments from the first meeting (page 37)
- Updated goals and objectives based on comments from the second meeting (pages 38-45)

Thoroughfares

- Technical revisions
 - Intersection spacing for local roads, changed 300’ to 125’
 - Lane width on secondary arterial 14’ to 12’, and parkway 15’ to 17’
- Removed completed projects
 - Country Club Drive extension
- Added future projects
 - Proposed east-west connector between FM 2986 and US Hwy 181
- Added recommendation for Traffic Impact Analysis

Parks and Open Space

- Included a summary of the *Parks, Recreation, & Open Space Master Plan (2005-2015)*

Housing

- Updated map, no revisions

Public Facilities

- Existing facilities
 - New City Hall, Police Station, current Fire Station, and detail on water storage tanks
 - Updated map
- Future facilities
 - Included reference to the current study

Future Land Use

- Population projections
 - Short term: 0.78% (growth since 1980, and since 2010)
 - Long term: 1.25%
- Population capacity
 - Approximately 33,300 residents

Future Land Use

- Major future land use changes
 - Expanded industrial area
 - New mixed use area
 - Office/commercial split north of Buddy Ganem
 - Corner of Hwy 181 and Buddy Ganem

Community Image

- Added sample cross-section and pedestrian friendly guidelines
- Removed TND and focused on Mixed Use
- Added site design criteria for building materials and articulation
- Removed site design criteria for signage (per input received during goals/objectives)

Implementation

- Updated annexation data
- Added a new section for Top Priorities
 - Roadway improvements
 - East-west connection of FM 2986 and US Hwy 181
 - Widening of Akins Drive between Wildcat and Lang
 - Widening of Stark Road between Lang and Moore
 - Park improvements
 - Development regulations update
 - Economic development efforts

Unified Development Ordinance Updates

Complete Application

- Added new “Application Completeness and Expiration” section
- Replaces deleted text on p6
- Addresses zoning and subdivision

Vested Rights

- Added new “Vested Rights” section
- Determines whether UDO standards should be applied to a plan/application
- Addresses zoning and subdivision

Nonresidential Site Plans

- Added new “Site Plans for Nonresidential Uses” section
- Approved by City Staff, appeal to Board of Adjustment

Special Exceptions

- Added new “Special Exceptions” section
- Zoning regulations
- Similar to a variance, but:
 - Does not require a hardship
 - Must be specifically allowed in the ordinance

Subdivision Waivers

- Added new “Petition for Subdivision Waivers” section
- Subdivision regulations
- Relief for one particular standard
 - Hardship required
- Two types:
 - Major → P&Z recommendation, CC decision
 - Minor → City Staff

Minor

Permit required for a screening
fence/wall
Subdivision name requirements
Screening between nonres. and park
Maximum alley length
Right angles for side lot lines

Traffic impact analysis
Water lines extended to subdivision
borders
W/w lines extended to subdivision
borders Sidewalks

PUD and SUP Expiration

- Changed expiration of approval:
 - “Approval of an SUP Site Plan shall be void if a building permit is not issued and construction begun within two (2) years of the granting of the SUP.”
 - “Approval of any PUD site plan shall be void if construction has not begun within two (2) years from the time of approval of the final PUD (final plat).”

Utility Verification

- Added requirement for final plat
 - Must provide “utility verification letters showing that electric, cable, and other utility providers have reviewed the plat and take no exception.”

Maintenance Guarantees

- Portland's current requirement:
 - One year maintenance bond for 100%
- Corpus Christi's requirement:
 - One year performance bond for 100%
 - One year payment bond for 100%
- Portland's proposed requirement:
 - One year performance bond for 100%
 - One year maintenance bond for 100%
 - ...“or similar instruments as approved by the City Engineer”

Permitted Use Table

- Notable Changes:
 - Multifamily Dwelling “P” in R-20
 - Two-Family Dwelling “P” in R-8D
 - Telecomm. Tower, Comm. “SP” in nonresidential districts
 - Telecomm. Tower, Gov. “P” in all districts
 - Wind Turbine prohibited in all districts

Street Design Standards

- Updated table to reflect recommendations from the Comprehensive Plan update

Parking Construction

- FNI provided engineering design standards
- Referenced by the UDO, but not included

Drainage

- Added residential lot-to-lot drainage provisions

SF Design Requirements

- 75% masonry materials required (on front and total)
 - Brick
 - Stone
 - Stucco
- No metal exteriors permitted

Nonres. Design Requirements

- Professional/commercial building with materials seen from street:
 - Removed wood
 - Added fiber cement siding
- Any façade seen from the street:
 - Wood shall not cover more than 25% 10%

Driveways

- Added table for driveway spacing

Landscaping

- New list of plants
 - Drought-tolerant and native species
 - Small trees
 - Canopy trees
 - Grasses
- Options for clustering landscaping
- Removed decorative masonry wall requirement

Definitions

- Country Club
 - “A private club with recreational facilities for its members and invited guests, including accessory uses and structures such as a club house, locker room, and pro shop.”
- Temporary or Itinerant Vendors
 - “...Entities who engage in a temporary or transient business in the City, either in one locality or in traveling from place to place selling goods, wares or merchandise... Does not include...selling fruits, vegetables, or other farm produce.”

Mr. Sefko stated that the Zoning Map is included as part of the Unified Development Ordinance (UDO) and will be readopted as part of the ordinance but there are no changes. The Zoning Map will be readopted “as is”.

Mayor Krebs opened the Public Hearing at 7:19 p.m. and Chairperson Worst opened up the Public Hearing for the Planning and Zoning Commission to solicit comment from citizens and other interested parties concerning the revisions to the Comprehensive Plan and Unified Development Ordinance.

Mayor Krebs asked if anyone in the audience would like to comment.

Daryl Genzer with NorthShore Country Club first thanked the City Council and Staff for all their hard work on updating and revising the Comprehensive Plan and the Unified Development Ordinance. Mr. Genzer did request the proposed definition of a Country Club to read as follows:

An establishment with recreational facilities for its members and invited guests, including accessory uses and structures such as a club house, locker room, pro shop, and golf course of at least 9 holes of regulation size.

The definition will be reviewed by the Planning and Zoning Commission with the revised Comprehensive Plan and Unified Development Ordinance on January 8, 2013.

Mayor Krebs closed the Public Hearing at 7:25 p.m. and Chairperson Worst closed the Public Hearing for the Planning and Zoning Commission at 7:25 p.m.

7. ORDINANCE NO. 2063 - INCREASING WATER SERVICE RATES: THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2063 WHICH INCREASES WATER SERVICE RATES IN RESPONSE TO A SAN PATRICIO MUNICIPAL WATER DISTRICT RATE ADJUSTMENT - ASSISTANT TO THE CITY MANAGER

Assistant to the City Manager Michel Weaver explained that the San Patricio Municipal Water District Board met and approved increasing the water rates \$0.05 per 1,000 gallons for Municipal customers. The new rate is \$2.64 per 1,000 gallons the average bill will go up by \$0.05. The new rate will take effect on January 1, 2013.

Council Member Jorgensen made the motion to approve the first reading of Ordinance No. 2063 which increases water rate service rates \$0.05 per 1,000 gallons. Council Member Skurow seconded the motion.

The motion passed 7-0.

Mayor Krebs read the caption as follows:

ORDINANCE NO. 2063

AN ORDINANCE AMENDING THE CODE OF ORDINANCES; INCREASING THE RATES CHARGED FOR WATER SERVICE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

**8. PHASE 8 STREET IMPROVEMENTS AND MEMORIAL PARKWAY 10”
FORCE MAIN CONSTRUCTION - CHANGE ORDER NO. 3 AND PROJECT
ACCEPTANCE: THE CITY COUNCIL WILL CONSIDER CHANGE ORDER NO. 3
(PROJECT COST INCREASE OF \$8,039.16) AS WELL AS FORMAL ACCEPTANCE
OF PHASE 8 STREET IMPROVEMENTS AND MEMORIAL PARKWAY 10”
FORCE MAIN CONSTRUCTION - DIRECTOR OF PUBLIC WORKS AND
DEVELOPMENT**

Director of Public Works and Development explained that Bay, Ltd. has completed work for the Phase 8 Street Improvements & Memorial 10” Force Main project, as designed by LNV, Inc. The work has been inspected and found acceptable by the consulting city engineer.

The City Council previously authorized Change Order No. 1, which modified the scope of the project and removed \$109,775.95 from the contract to be utilized as a contingency for additional known overruns that could not be quantified at that time.

Subsequently, Change Order No. 2 was authorized in February 2012. This change order of \$23,401.82 increases the contract amount to \$4,338,957.42, leaving a net decrease of \$86,374.13 from the original contract. This change order included additional curb and gutter work, modifications of prime and underseals, and a “balance” of concrete quantities.

Now that Bay completed all work on the project, a final “balance” of the contract is required. The areas of work that deviated from the original contract included:

- Additional subgrade repair of soft spots on Llano and Georgia
- Additional MC-30 prime quantities
- Bluff Drive schedule change to avoid conflict with Doyle Addition project

In order to “close out” the project, the City Council must approve Change Order No. 3, increasing the contract amount by \$8,039.16 to \$4,346,996.58, leaving the project \$78,334.97 under the original budget.

The motion passed 7-0.

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

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There were none.

D. ADJOURNMENT: MAYOR

Mayor Krebs adjourned the meeting at 7:32 p.m.

E. NOTICE OF ASSISTANCE:

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BRAILLE IS NOT AVAILABLE

Approved:

David Krebs
Mayor

Attest:

City Secretary

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **ORDINANCE NO 2063 – SAN PATRICIO MUNICIPAL WATER DISTRICT RATE ADJUSTMENT:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2063 WHICH APPROVES THE SAN PATRICIO MUNICIPAL WATER DISTRICT RATE ADJUSTMENT - ASSISTANT TO THE CITY MANAGER

SUBMITTED BY: Michel Weaver, (ATTCM) **DATE:** December 18, 2012

ATTACHMENTS: - Letter from San Patricio Municipal Water District
- 2013 Rate Schedule
- Proposed Ordinance

SUMMARY STATEMENT:

The San Patricio Municipal Water District has increased its rates by \$0.05 per 1,000 gallons effective January 1, 2013. The new rate is \$2.64 per 1,000 gallons. Ordinance 896 requires the City Council to approve the change in rates within 60 days from the date of the change. Customers will see the increase on their water bill we issue on January 31, 2013.

RECOMMENDATION: Staff recommends approving the second (final) reading of Ordinance No. 2063 adjusting the water rates.

**Billie Jo Tomhill, President
Troy Mircovich, Vice President
Brian Williams, P.E., District Manager
Rebecca Krumnow, Secretary/Treasurer**



**A. Larry Kalich, Director
Barry C. Cox, Director
Ed Rainwater, Director
Alan Miller, Director
A. L. Nelson, Director
Boil Kellar, Director**

November 5, 2012

City of Portland
Mr. Mike Tanner
1900 Billy G. Webb Drive
Portland, TX 78374-3705

Dear Mike;

I am enclosing a copy of the summary of the District's proposed FY 2013 budget. Discussion of the budget will be an agenda item for the Board Meeting scheduled for December 4, 2012.

The proposed 2013 rate for Municipal customers will be \$2.64 per thousand gallons (the current rate is \$2.59).

This rate will take effect on January 1, 2013 on the bill that is mailed at the end of January and due in February.

Regarding water availability, the state of Texas as a whole is experiencing extreme drought conditions. I have attached some information regarding our region and the restrictions we will follow if the combined Lake Corpus Christi/Choke Canyon system levels fall below the 50%, 40% and 30% trigger points. If our sales are restricted by drought management we may have to increase our rates during 2013.

We receive about half of our raw water supply from Texana and if we are required to reduce our take from that source we will have to take a larger percentage from the Lake Corpus Christi/Choke Canyon system. We will keep you advised and if you have any questions please let me know. We appreciate your continuing water conservation efforts.

Also this month we will be sending out a new contract to our municipal and water supply wholesalers. This contract will incorporate the changes required by the Texas Commission on Environmental Quality (TCEQ) concerning Alternative Capacity Requirements (ACR). Once the contract is approved by both parties this should alleviate any concerns the TCEQ has expressed during their water supply inspections. We are also adding language concerning the District's need to receive information concerning projected growth in your community and the District's position regarding service to large industrial customers. We will be available to come and talk to you, your staff and/or your Council or Board.

Sincerely,


Rebecca Krumnow

Enclosures

Phone 361-643-6521
Fax 361-643-9093

SAN PATRICIO MUNICIPAL WATER DISTRICT
2013 RATE SCHEDULE
 Adopted December 4, 2012

BE IT RESOLVED by the Board of Directors of the San Patricio Municipal Water District that all previous rate schedules, resolutions or directives be rescinded and that the following rate schedule and resolution be adopted by the District, effective on the 31st day of December, 2012. All water rates are subject to revision and to the provisions of the District's supply contract with the City of Corpus Christi.

SCHEDULE A-POTABLE WATER

The monthly rates for sale of Potable Water to users having Retail Water Service Agreements (other than Municipal or Contractual*) are hereby established as follows:

<u>Min. Monthly Usage</u>	<u>Meter Size</u>	<u>Min. Monthly Charge</u>
3000	5/8" x 3/4" meters	\$ 17.05
4000	1" meters	21.10
5000	1-1/2" meters	25.20
6000	2" meters	29.30
12000	3" meters	52.20
26000	4" meters	111.80

All usage over the minimum monthly billed at \$4.40 per 1000 gallons.

*All 6" or larger customers shall be contractual users and the rate set by the Board of Directors.

SCHEDULE B-UNTREATED WATER

The monthly rates for sale of Untreated Water to users having Retail Water Service Agreements (other than Contractual users**) are hereby established as follows:

<u>Min. Monthly Usage</u>	<u>Meter Size</u>	<u>Min. Monthly Charge</u>
3000	5/8" x 3/4" meters	\$ 19.20
4000	1" meters	22.05
6000	1-1/2" meters	28.05
9000	2" meters	35.60
50000	3" meters	157.40
110000	4" meters	315.80
250000	10" meters	750.00

All usage over minimum monthly billed at \$2.90 per 1000 gallons.

**All untreated water users in excess of 300,000 gallons per month shall be by special contract based on water cost, delivery cost, operation, overhead and maintenance costs and other necessary costs of the District.

CONNECTION CHARGES

A connection charge of \$25.00 is required from all new customers. A reconnect charge of \$35.00 is required to establish any service terminated for non-payment.

Two inch (2") Oil Rig connections to be billed a \$250.00 connection charge, with an additional \$500.00 refundable deposit which may be applied to the water bill at the termination of service.

All new taps will be billed at actual tapping and connection cost, cost of meter, valves, other materials and labor.

MUNICIPAL \$2.64 per thousand

Agenda for APPROVAL by the Board of Directors of the San Patricio Municipal Water District, the 4th day of December, 2012.

Rebecca Krumnow, Secretary/Treasurer



ORDINANCE NO. 2063

AN ORDINANCE AMENDING THE CODE OF ORDINANCES; INCREASING THE RATES CHARGED FOR WATER SERVICE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the San Patricio Municipal Water District has increased rates for water sold to the City of Portland; and,

WHEREAS, the City Council previously enacted ordinance number 896 which provides that all increases and decreases in the cost for water purchased from San Patricio Municipal Water District shall be passed through to the customers of the City's water system; and

WHEREAS, the San Patricio Municipal Water District has notified the City it increased the charge for water sold to the City of Portland effective January 1, 2013,

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

The Code of Ordinances of the City of Portland is hereby amended to read as follows:

Section 1. Chapter 23, Article II, Division 2, Section 23-41, Subsection (a), Paragraph (4)

Table 1. Water and Wastewater Minimum Base Charges

	<u>Water</u>	<u>Wastewater</u>
Residential		
Meter Size		
0.625 inch to 2.0 inch	\$ 13.59	\$ 26.59
Commercial		
Meter Size		
0.625 inch	\$ 16.00	\$ 32.22
0.75 inch	\$ 16.00	\$ 32.22
1.0 inch	\$ 20.75	\$ 42.84
1.5 inch	\$ 32.62	\$ 69.37
2.0 inch	\$ 46.86	\$101.21
3.0 inch	\$ 80.12	\$175.51
4.0 inch	\$127.62	\$281.67
6.0 inch	\$246.37	\$547.03

Raw Water accounts, any meter size, will have a minimum monthly charge of \$140.09.

Section 2. Chapter 23, Article II, Division 2, Section 23-41, Subsection (b):

(b) New "master meter" systems (where many entities or units are served through one meter) shall only be allowed with prior written approval of the city manager and finance director. All "master meter" systems for apartments, multi-family units and commercial

entities shall be charged a monthly minimum rate of \$24.63 for water (plus usage as outlined in Table 3). Apartment complexes (5 units and up) and commercial accounts on master meters will be charged a per-unit charge of \$18.33 for wastewater (plus usage as outlined in Section 23-42). Multi-family units of 2 to 4 units will be charged \$26.92 per unit for wastewater (plus usage as outlined in Section 23-42). There will not be any amount of usage included in the minimum monthly bill. The per-unit charges will not vary based on occupancy of the unit. Minimum solid waste service for master metered units shall be established by the city, based on a projected volume of waste.

Section 3. Chapter 23, Article II, Division 2, Section 23-42, Subsection (a):

- (a) *Water.* Water usage (per metered connection) for each thousand gallons or part thereof shall be billed as stated in Table 3.

Table 3. Water Usage Charges per Thousand Gallons

	<u>Potable Water</u>	<u>Raw Water</u>
0 to 13,000	\$2.77	\$3.00
13,001 to 25,000	2.83	\$3.00
25,001 to 40,000	3.03	\$3.00
40,001 and up	3.29	\$3.00

Section 4. All previously adopted rules, regulations, policies and ordinances in conflict with this Ordinance are hereby repealed.

Section 5. If for any reason any part of this ordinance is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, it shall not affect any other part of this ordinance.

Section 6. This ordinance shall be in full force and effect after all necessary publication requirements have been met.

Passed and approved after second reading on this the 2nd day of January, 2013.

City of Portland

By: _____
David Krebs, Mayor

Attest: _____
Annette Hall, City Secretary

REGULAR MEETING AGENDA BILL

SUBJECT: **RESOLUTION NO. 660 - CALLING REGULAR ELECTION:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 660 WHICH CALLS A MAY 11, 2013 GENERAL ELECTION (4 COUNCIL MEMBERS WILL BE ELECTED TO 2 YEAR TERMS OF OFFICE) – CITY SECRETARY

SUBMITTED BY: Annette Hall, City Secretary

DATE SUBMITTED: December 28, 2012 **FOR THE AGENDA OF:** January 2, 2013

ATTACHMENTS: Resolution No. 660 **APPROVED:** _____

SUMMARY STATEMENT: The attached resolution authorizes a May 11, 2013 General Election (for the purpose of electing 4 (four) Council Members to 2 (two) year terms), establishes an Election Administrator (Pam Hill, San Patricio Election Administrator), a single voting site (Portland Community Center), establishes voting hours and a recommendation of extended voting hours of 7:00 a.m. to 7:00 p.m. on Monday April 29, 2013 and Monday May 6, 2013 (Monday) in order to meet all requirements. The resolution must be approved if the General Election is to be legally conducted.

RECOMMENDED ACTION: Approve Resolution No. 660 authorizing a May 11, 2013 General Election (for the purpose of electing 4 (four) Council Members to 2 (two) year terms).

RESOLUTION NO. 660

A RESOLUTION ORDERING A GENERAL ELECTION TO BE HELD ON MAY 11, 2013 FOR THE PURPOSE OF ELECTING FOUR (4) COUNCIL MEMBERS FOR TWO (2) YEAR TERMS

WHEREAS, the Mayor and City Council of the City of Portland, Texas has ordered that a General Election be held in said City on the 11th day of May 2013, for the purpose of electing:

Four (4) Council Members for two (2) year terms

NOW, THEREFORE, BE IT RESOLVED that in accordance with the order adopted by the City Council of said City, said election shall be held at the following place in said City, and the following named persons are hereby appointed officers and establishing an Election Administrator (Pam Hill) for said election:

In Election Precincts No. 8, No 23, No. 19, No 24 and No. 27 on Election Day and Early Voting by Personal Appearance shall be held at Daniel P. Moore Community Complex (Portland Community Center), 2000 Billy G. Webb Dr.

JOANN LUEHRING as Presiding Judge and MARY GARZA as Alternate Judge are hereby appointed and said Presiding Judge shall appoint the necessary clerks to assist with the election not to exceed two (2) clerks for said election.

The polls of the above designated polling place shall on said Election Day be open 7:00 a.m. to 7:00 p.m.

Early voting by personal appearance for the above said place of early voting shall remain open for at least eight hours on each day for early voting which is not a Saturday, a Sunday, an official holiday, or an Official State Holiday, beginning April 29, 2013 and continuing through May 7, 2013, and for at least twelve hours on Monday, April 29, 2013 and Monday May 6, 2013, preceding the election. The mailing address for an application for ballot by mail is Annette Hall, City Secretary, 1900 Billy G. Webb Dr., Portland, Texas, 78374.

Early voting by mail shall be offered by paper ballot. Electronic voting will be offered during early voting by personal appearance and on Election Day.

A copy of this resolution shall also serve as a writ of election which shall be delivered to the above appointed Presiding Judges, for said election.

PASSED AND APPROVED THIS 2nd DAY OF JANUARY 2013.

CITY OF PORTLAND, TEXAS

David Krebs, Mayor

ATTEST:

Annette Hall, City Secretary



**STAFF
WEEKLY
REPORTS**

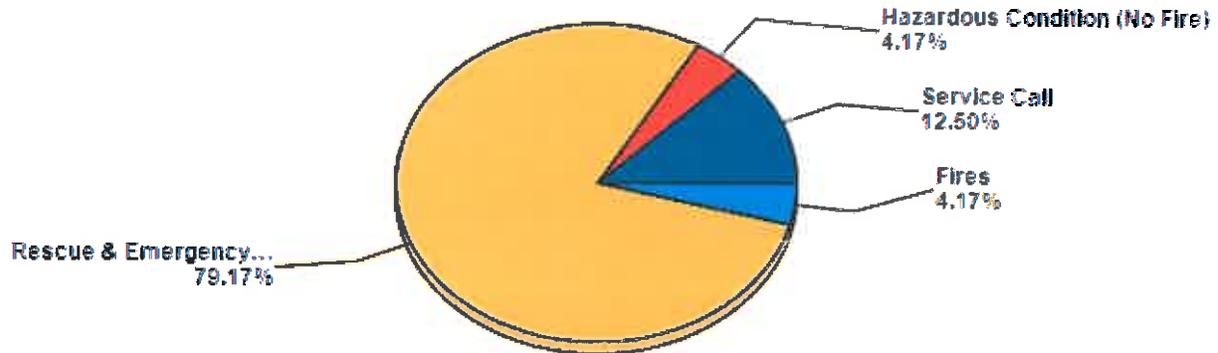
Portland Fire Department

Portland, TX

This report was generated on 12/26/2012 9:34:14 AM

Breakdown by Major Incident Types for Date Range

Start Date: 12/17/2012 | End Date: 12/23/2012



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	1	4.17%
Rescue & Emergency Medical Service	19	79.17%
Hazardous Condition (No Fire)	1	4.17%
Service Call	3	12.50%
TOTAL	24	100.00%

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
143 - Grass fire	1	4.17%
311 - Medical assist, assist EMS crew	9	37.50%
321 - EMS call, excluding vehicle accident with injury	9	37.50%
324 - Motor vehicle accident with no injuries.	1	4.17%
445 - Arcing, shorted electrical equipment	1	4.17%
510 - Person in distress, other	3	12.50%
TOTAL INCIDENTS:	24	100.00%

Participated in Christsms for Kids Event

Average Response Time: 4.03 Min.



Inspections Search

Portland Fire Department
 595 Buddy Ganem
 Portland, TX 78374
 Phone: 361-643-0755
 Fax: 361-643-0369

Print Date:

12/26/2012

Search Criteria:

All Addresses Status Inspector

Complete

Date

From: 12/16/2012

To: 12/22/2012 11:59:00 PM

Date	Record Type	Number	Cause	Complete	Violations			Addresses	Parties Name	Inspector
					New	Old	Corr			
12/17/2012 9:00 am	Unwholesome Prop (FD)	I-CH-12-1058.A	Reinspection	Yes	0	0	1	139 Georgia	139 Georgia - Resp. Party	Craig Hedrick
12/21/2012 9:00 am	Unwholesome Prop (FD)	I-CH-12-1062.A	Reinspection	Yes	0	4	0	606 Colonial	MC Mgt.	Craig Hedrick
12/21/2012 9:00 am	Unwholesome Prop (FD)	I-CH-12-1061.A	Reinspection	Yes	0	0	1	2315 Memorial	2315 Memorial-RespParty	Craig Hedrick
12/21/2012 9:37 am	Annual Inspection (FD)	I-CH-11-0094.B	Reinspection	Yes	0	0	2	1807 US Hwy 181	Pepito's	Craig Hedrick
12/21/2012 9:39 am	Unwholesome Prop (FD)	I-CH-12-1056.A	Reinspection	Yes	0	0	2	200 Block Country Club Vacant Field	Northshore Country Club	Craig Hedrick
12/21/2012 9:41 am	Annual Inspection (FD)	I-CH-11-0092.D	Reinspection	Yes	0	0	6	1609 US Hwy 181	Taggart Motors	Craig Hedrick
12/21/2012 10:25 am	Unwholesome Prop (FD)	I-CH-12-1060.A	Reinspection	Yes	0	0	1	321 Bayview	Mantha	Craig Hedrick

Inspection Records

Total Number of Records: 7

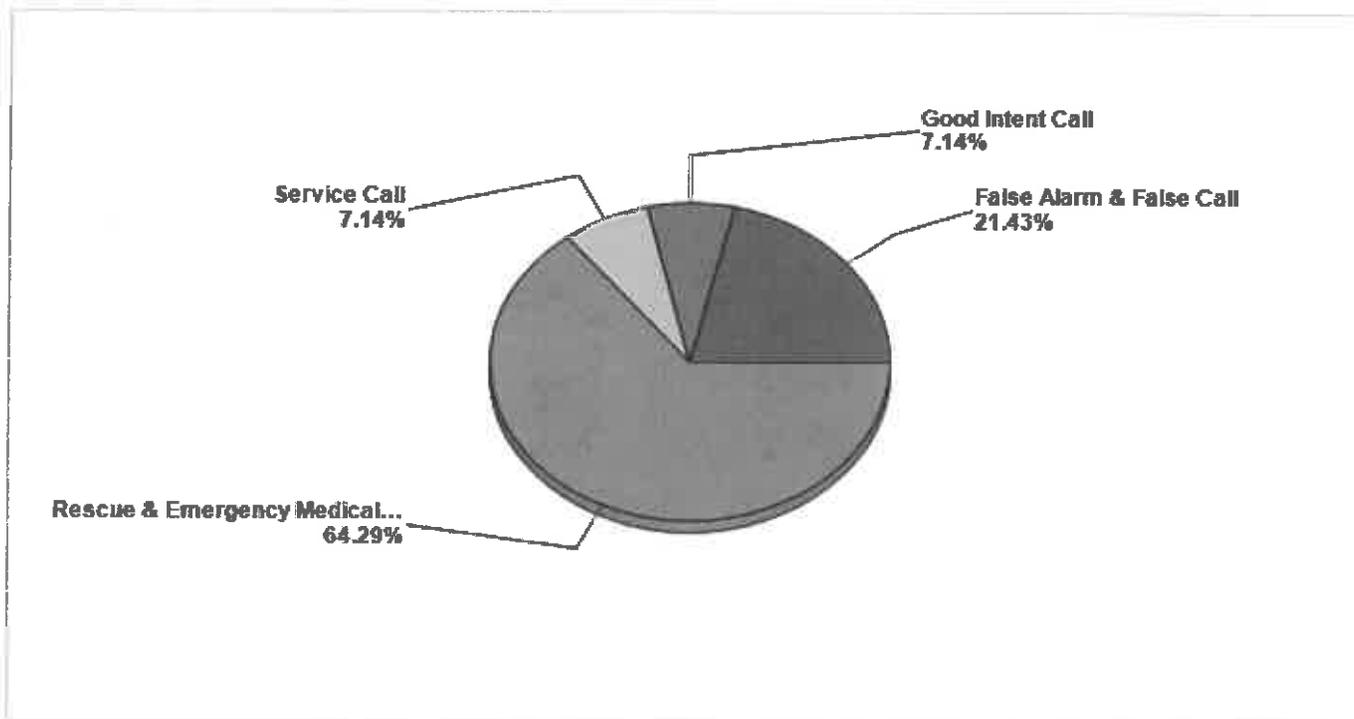
Portland Fire Department

Portland, TX

This report was generated on 12/17/2012 8:02:44 AM

Breakdown by Major Incident Types for Date Range

Start Date: 12/10/2012 | End Date: 12/16/2012



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Rescue & Emergency Medical Service	9	64.29%
Service Call	1	7.14%
Good Intent Call	1	7.14%
False Alarm & False Call	3	21.43%
TOTAL	14	100.00%

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
311 - Medical assist, assist EMS crew	2	14.29%
321 - EMS call, excluding vehicle accident with injury	7	50.00%
510 - Person in distress, other	1	7.14%
611 - Dispatched & cancelled en route	1	7.14%
743 - Smoke detector activation, no fire - unintentional	1	7.14%
745 - Alarm system activation, no fire - unintentional	2	14.29%
TOTAL INCIDENTS:	14	100.00%

Participated in Parade of Lights
Fire Safety Presentation at DuPont

Average Response Time: 3.33 Min.

Inspections Search

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



Search Criteria:

All Addresses
 Status: All
 Inspector: Craig Hedrick

Date From: 12/9/2012
 To: 12/15/2012 11:59:00 PM

Date	Record Type	Number	Cause	Complete	Violations			Addresses	Parties Name	Inspector
					New	Old	Corr			
Certificate of Occupancy										
12/14/2012	1:39 pm Re-Occupancy	CoO-CH-11-0005.B	Reinspection	Yes	0	0	0	200 W Broadway	A&P Auto Sales	Craig Hedrick
Inspection Records										
12/11/2012	2:28 pm Building Plans (FD)	I-CH-12-1059	Request	Yes	0	4	0	1807 US Hwy 181	Pepto's	Craig Hedrick
12/12/2012	9:24 am Unwholesome Prop (FD)	I-CH-12-1060	Complaint	Yes	2	2	0	321 Bayview	Martha	Craig Hedrick
12/12/2012	11:31 am Unwholesome Prop (FD)	I-CH-12-1061	Complaint	Yes	2	2	0	2315 Memorial	2315 Memorial-RespParty	Craig Hedrick
12/12/2012	11:33 am Unwholesome Prop (FD)	I-CH-12-1062	Complaint	Yes	2	2	0	606 Colonial	MC Mgt.	Craig Hedrick
12/12/2012	11:36 am Annual Inspection (FD)	I-CH-12-0876.B	Reinspection	Yes	0	4	4	1102 Denver	Apartment-RespParty	Craig Hedrick
12/12/2012	11:38 am Annual Inspection (FD)	I-CH-11-0180.B	Reinspection	Yes	0	2	2	114 Lang	Humpal Physical Therapy	Craig Hedrick
12/12/2012	11:41 am Annual Inspection (FD)	I-CH-11-0100.C	Reinspection	Yes	0	4	2	1605 US Hwy 181	Reliant Storage	Craig Hedrick
12/12/2012	11:44 am Annual Inspection (FD)	I-CH-12-0875.B	Reinspection	Yes	0	2	2	1114 Denver	Caroline George	Craig Hedrick
12/12/2012	11:50 am Annual Inspection (FD)	I-CH-11-0131.B	Reinspection	Yes	0	0	0	1508 Wildcat	Ace Cash Express	Craig Hedrick
12/12/2012	11:50 am Annual Inspection (FD)	I-CH-11-0129.C	Reinspection	Yes	0	0	0	1546 Wildcat	GNC	Craig Hedrick
12/12/2012	11:51 am Annual Inspection (FD)	I-CH-11-0178.B	Reinspection	Yes	1	0	0	1008 US Hwy 181	Fastenal	Craig Hedrick
12/12/2012	2:04 pm Annual Inspection (FD)	I-CH-12-1011.B	Reinspection	Yes	0	4	4	614 Eighth Suite B	Heaven's Torch	Craig Hedrick
12/12/2012	2:07 pm Annual Inspection (FD)	I-CH-11-0110.D	Reinspection	Yes	0	5	5	209 Cedar Suite A	Allstate Insurance	Craig Hedrick
12/12/2012	2:10 pm Annual Inspection (FD)	I-CH-11-0151.B	Reinspection	Yes	0	0	0	1548 Wildcat	Direct Auto Insurance	Craig Hedrick
12/12/2012	2:12 pm Unwholesome Prop (FD)	I-CH-12-1049.A	Reinspection	Yes	0	0	2	102 W Broadway	102 W. Broadway - Res.	Craig Hedrick
12/12/2012	2:13 pm Unwholesome Prop (FD)	I-CH-12-1047.A	Reinspection	Yes	0	0	2	219 E Broadway	Bate Realty	Craig Hedrick
12/12/2012	2:13 pm Unwholesome Prop (FD)	I-CH-12-1044.A	Reinspection	Yes	0	2	2	229 E Broadway	929 W. Broadway - Res.	Craig Hedrick
12/12/2012	2:14 pm Unwholesome Prop (FD)	I-CH-12-1048.A	Reinspection	Yes	0	2	2	217 E Broadway	217EBroadway-RespParty	Craig Hedrick
12/12/2012	2:17 pm Unwholesome Prop (FD)	I-CH-12-1046.A	Reinspection	Yes	0	2	2	225 E Broadway	225EBroadway-RespParty	Craig Hedrick
12/12/2012	2:17 pm Unwholesome Prop (FD)	I-CH-12-1045.A	Reinspection	Yes	0	2	2	227 E Broadway	227EBroadway-RespParty	Craig Hedrick
12/13/2012	11:16 am Annual Inspection (FD)	I-CH-12-1063	Request	Yes	0	0	0	1702 US Hwy 181 Suite B-12	Lab Core	Craig Hedrick
12/13/2012	11:29 am Annual Inspection (FD)	I-CH-12-0873.A	Reinspection	Yes	0	8	9	1118 Denver	Apartment-RespParty	Craig Hedrick
12/14/2012	1:31 pm Foster Care (FD)	I-CH-12-1064	Request	Yes	0	0	0	120 Rice	D. Kolasinski	Craig Hedrick
12/14/2012	1:35 pm Annual Inspection (FD)	I-CH-12-1065	Request	Yes	0	0	0	920 AUSTIN	Do It All Handyman	Craig Hedrick
12/14/2012	1:41 pm Unwholesome Prop (FD)	I-CH-12-1003.C	Reinspection	Yes	0	0	2	119 Ann	John Syma	Craig Hedrick
12/14/2012	1:42 pm Unwholesome Prop (FD)	I-CH-12-1051.A	Reinspection	Yes	0	2	2	1206 Crosby	1206 Crosby Resp Party	Craig Hedrick
12/14/2012	1:43 pm Unwholesome Prop (FD)	I-CH-12-1050.A	Reinspection	Yes	0	2	2	1302 Crosby	1302 Crosby Resp. Party	Craig Hedrick
12/14/2012	1:44 pm Unwholesome Prop (FD)	I-CH-12-1054.A	Reinspection	Yes	0	2	2	1829 Portland	1829Portland-RespParty	Craig Hedrick
12/14/2012	1:45 pm Unwholesome Prop (FD)	I-CH-12-1055.A	Reinspection	Yes	0	1	2	101 Holly	101Holly-RespParty	Craig Hedrick

Date	Record Type	Number	Cause	Completa	Violations			Addresses	Parties Name	Inspector	
					New	Old	Corr				
12/14/2012	1:46 pm	Unwholesome Prop (FD)	I-CH-12-1034.B	Reinspection	Yes	0	0	2	1605 Crosby	1605 Crosby Resident	Craig Hedrick
12/14/2012	1:46 pm	Unwholesome Prop (FD)	I-CH-12-1053.A	Reinspection	Yes	0	2	2	2201 Hickory	2201Hickory-RespParty	Craig Hedrick
12/14/2012	1:48 pm	Unwholesome Prop (FD)	I-CH-12-1052.A	Reinspection	Yes	0	0	0	1305 Crosby	Joe Tamez	Craig Hedrick
12/14/2012	1:51 pm	Unwholesome Prop (FD)	I-CH-12-1066	Complaint	Yes	2	0	0	926 Waterview	926Waterview-RespParty	Craig Hedrick

Total Number of Records: 34