



CITY COUNCIL AGENDA

NOTICE OF WORKSHOP

Tuesday, January 15, 2013
6:15 p.m.
Council Chamber - City Hall
Daniel P. Moore Community Center Complex
1900 Billy G. Webb
Portland, Texas

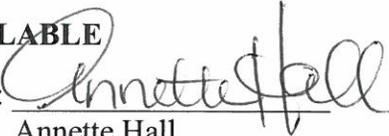
1. **CALL TO ORDER:** MAYOR KREBS
2. **OLDE TOWN ECONOMIC DEVELOPMENT/REDEVELOPMENT INCENTIVES:** THE CITY COUNCIL WILL DISCUSS THE MENU OF INCENTIVES DESIGNED TO PROMOTE ECONOMIC DEVELOPMENT AND REDEVELOPMENT WITHIN THE "OT-2" OLDE TOWN MIXED USE DISTRICT - CITY MANAGER
3. **ADJOURNMENT:** MAYOR KREBS

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: January 11, 2012 by 5 p.m.
Portland City Hall

By: 
Annette Hall
City Secretary



CITY COUNCIL AGENDA

NOTICE OF REGULAR MEETING

Tuesday, January 15, 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:**
 - PROCLAMATION DECLARING FEBRUARY 5, 2013 TO BE "IHOP NATIONAL PANCAKE DAY AND SHRINERS HOSPITALS FOR CHILDREN DAY" - MAYOR KREBS AND REPRESENTATIVE OF SHRINERS HOSPITALS FOR CHILDREN
 - PRESENTATION OF MARTIN LUTHER KING HOLIDAY SCHEDULE (FACILITIES AND SERVICES) - ASSISTANT TO THE CITY MANAGER
 - GENERAL ELECTION UPDATE - CITY SECRETARY
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 JANUARY 2, 2013 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY

6. **ORDINANCE NO. 2064 - ADOPTING REVISED COMPREHENSIVE PLAN:** THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2064 WHICH ADOPTS REVISIONS TO THE COMPREHENSIVE PLAN - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

7. **ORDINANCE NO. 2065 - ADOPTING REVISED UNIFIED DEVELOPMENT ORDINANCE:** THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2065 WHICH ADOPTS THE REVISED UNIFIED DEVELOPMENT ORDINANCE - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

8. **PURCHASE OF ANIMAL CONTROL TRUCK:** THE CITY COUNCIL WILL CONSIDER THE PURCHASE OF AN ANIMAL CONTROL TRUCK (\$18,925 FORD F150 SUPERCAB PICKUP AND \$5,019.37 FOR MISCELLANEOUS ACCESSORIES) FOR THE POLICE DEPARTMENT - POLICE CHIEF

9. **RESOLUTION NO. 661 - AUTHORIZING USE OF HOTEL OCCUPANCY TAX FUNDS:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO.

661 WHICH AUTHORIZES THE USE OF HOTEL OCCUPANCY TAX FUNDS FOR THE DESIGN AND CONSTRUCTION OF THE RAILROAD RIGHT-OF-WAY HIKE AND BIKE TRAIL - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

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.

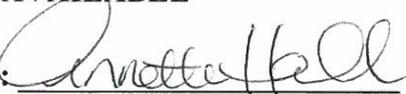
D. ADJOURNMENT: MAYOR KREBS

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: January 11, 2013 by 5:00 p.m.
Portland City Hall

By: 
Annette Hall
City Secretary



PROCLAMATION

**DECLARING FEBRUARY 5, 2013
TO BE
“NATIONAL PANCAKE DAY
AND
SHRINERS HOSPITALS FOR CHILDREN DAY”**

WHEREAS, Shriners Hospitals for Children is a national non-profit organization committed to giving children the opportunity to live a more normal life; and

WHEREAS, Shriners Hospitals for Children gives children the opportunity to receive treatment for orthopedic problems, severe burns and spinal cord injuries and provides them with a head start in developing a normal life, regardless of the patients ability to pay, that is essential to becoming successful and contributing adults ; and

WHEREAS, on February 5, 2013, Shriners Hospitals for Children and IHOP, will join together to encourage people to donate to Shriners Hospitals for Children activities in our city;

NOW, THEREFORE, I David Krebs, Mayor of Portland, Texas do hereby proclaim” February 5, 2013 to be “**NATIONAL PANCAKE DAY AND SHRINERS HOSPITALS FOR CHILDREN DAY** in Portland, Texas.

In Witness Whereof, I do hereby set my hand and cause the seal of the City of Portland, Texas to be affixed this 15th day of January 2013.

EXECUTED:

**David Krebs, Mayor
City of Portland**

ATTEST:

Annette Hall, City Secretary



December 19, 2012

The Honorable David Krebs
City of Portland
1900 Billy G. Webb Drive
Portland, Texas 78374

Dear Mayor Krebs:

On behalf of IHOP and Shriners Hospitals for Children, a national system of hospitals dedicated to providing orthopedic and burn care to children, regardless of the patients ability to pay, I am writing to ask you to **proclaim February 5, 2013 as National Pancake Day and Shriners Hospitals for Children Day in Portland Texas and to invite you to preside over a special event that day to celebrate children's health.** This official designation and your presence at the event will help children in Portland and surrounding communities get the orthopedic and burn care they need to lead productive lives.

On February 5, 2013, Shriners Hospitals for Children and IHOP will team up to promote children's health as part of IHOP's National Pancake Day Celebration. IHOP has designated Shriners Hospitals for Children to be its charity of choice on National Pancake Day. Participating IHOP restaurants statewide will be giving away free stacks of pancakes that day, and inviting their customers to donate to Shriners Hospitals for Children. We would like your help in highlighting Shriners and IHOP's commitment to getting world-class orthopedic and burn care to children in Portland and surrounding communities, regardless of the patient's ability to pay. We invite you to join us to:

- Announce your support of Shriners Hospitals for Children which provides orthopedic and burn care to children, regardless of the patient's ability to pay, in Portland and surrounding communities.
- Participate in a media event with local Shriners **at an area IHOP to kick-off the campaign.** This can occur at a time that will be convenient for your schedule. Similar invitations are being sent to mayors across the country.

With your support, the leaders from Portland's public, private, and government sectors will come together for the benefit of Portland and surrounding communities' children who urgently need our help.

I've attached a document for your review and approval containing a sample proclamation with suggested language and a quote we would like to attribute to you in a press release. If I can provide any additional information regarding this event or Shriners Hospitals for Children in general, please contact me at 361-648-0877 or email me at jdcmmason@aol.com.

Thank you again,

A handwritten signature in blue ink that reads "Joseph D. Crook".

Joseph D. Crook
High Priest and Prophet
2001 Suntide Road
Corpus Christi, Texas 78409
361-648-0877
jdcmmason@aol.com

**CITY OF PORTLAND
CITY COUNCIL
WORKSHOP MINUTES
JANUARY 2, 2013 – 6:30 P.M.**

On this the 2nd day January 2013, the Council of the City of Portland convened in workshop session at 6:30 p.m. in the Council Chambers of City Hall, Daniel P. Moore Community Center Complex and notice of regular workshop giving the time, place and date and subject having been posted as described by Section 551 of the Government Code.

MEMBERS PRESENT:

David Krebs	Mayor
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
Michel Weaver	Assistant to the City Manager
Annette Hall	City Secretary

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

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

Mayor Krebs called the workshop to order at 6:30 p.m.

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

City Manager Mike Tanner explained that there are developers interested in developing workforce subdivisions on a tract of land located on the north west corner of Moore and Akins and the property adjacent to Westwood.

Council and Staff discussed the following:

- Current recommended Single Family Densities for proposed subdivision tracts
- Lot sizes for R6, R7 and R8 zoning
- Park dedication requirements
- Parking issues in current R8 subdivisions (Bay Ridge and Westwood)
- Levels of responsibility for infrastructure improvements for the proposed subdivision tracts
- Current R7 subdivisions located at Palmer and Nicklaus
- ROW concerns on Stark Rd.

3. **ADJOURNMENT:** MAYOR KREBS

Mayor Krebs adjourned the workshop at 6:55 p.m.

D. NOTICE OF ASSISTANCE

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
JANUARY 2, 2013 – 7:00 P.M.**

On this the 2nd day of January 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
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 Vilo gave the invocation and Mayor Krebs led the Pledge of Allegiance.

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

Assistant to the City Manager Michel Weaver presented the City's facilities and service hours schedule of operation for observance of Martin Luther King holiday on Monday, January 21, 2013.

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 commented on the Code Red Text Alert she received from the Police Department.

Council Member Gary Moore wished everyone Happy New Year.

Council Member Jorgensen congratulated the Chamber of Commerce on Sunset Challenge event announced that it has been one year that he has been paperless.

Council Member Vilo congratulated City Manager Mike Tanner for 17 years with the City of Portland tomorrow, January 3rd.

Mayor Krebs expressed his disappointment during the New Year's celebration noticing that even though there is a burn ban in effect citizens were still setting off fireworks in neighborhoods' and around City.

B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:

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item or (4) propose regulatory changes concerning an agenda item, must comply with the following rules of procedure:

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- 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 WORKSHOPS AND MEETINGS: THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS DECEMBER 18, 2012 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY

Council Member Jorgensen made the motion to approve the minutes of its December 18, 2012 workshop and regular meeting with corrections. Mayor Pro Tem Lewis seconded the motion.

The motion passed 7-0.

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

Council Member Jorgensen made the motion to approve the second and final reading of Ordinance No. 2063 which increases water service rates in response to a San Patricio Municipal Water District rate adjustment. Mayor Pro Tem Lewis seconded them motion.

The motion passed 7-0.

Mayor Krebs read the caption.

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

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

City Secretary Annette Hall explained that Resolution No. 660 authorizes a May 11, 2013 General Election for the purpose of electing four (4) Council Members to two (2) year terms and establishes the following:

- Election Administrator (San Patricio Elections Administrator, Pam Hill)
- presiding and an alternate judge
- a single voting site (Portland Community Center)
- 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

The resolution must be approved in order to meet all requirements, if the election is to be legally conducted.

She then announced that for persons interested in filing for a place on the ballot the first day to file is January 30th and the last day is March 1st.

Council Member Moore made the motion to accept Resolution No. 660 which calls for a May 11, 2013 General Election for the purpose of electing four (4) Council Members to two (2) year terms. Council Member Skurow seconded the motion.

The motion passed 7-0.

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

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

- 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)
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- 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 7:09 p.m.

E. NOTICE OF ASSISTANCE:

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BRILLE IS NOT AVAILABLE

Approved:

David Krebs
Mayor

Attest:

City Secretary

REGULAR MEETING AGENDA BILL

AGENDA ITEM: ORDINANCE NO. 2064 - ADOPTING REVISIONS TO THE COMPREHENSIVE PLAN; THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2064 WHICH ADOPTS REVISIONS TO THE COMPREHENSIVE PLAN - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

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

DATE: January 15, 2013

ATTACHMENTS: Ordinance No. 2064

SUMMARY STATEMENT: This evening marks the culmination of the revision process to the 2006 Comprehensive Plan and Unified Development Ordinance. A series of meetings facilitated by the Consulting City Planner have produced the revised documents for your consideration.

A Joint Public Hearing of the City Council and Planning and Zoning Commission was conducted on December 18, 2012, to solicit comments concerning the proposed revisions to the Comprehensive Plan and the Unified Development Ordinance. There were no comments at the Joint Public Hearing regarding the Comprehensive Plan.

The Planning and Zoning Commission, at its January 8, 2013, regularly scheduled meeting, voted unanimously to recommend that the City Council adopt the revised Comprehensive Plan. Therefore, Staff recommends that the City Council adopts the Comprehensive Plan as presented at the December 18, 2012, Joint Public Hearing.

RECOMMENDATION: Adopt a motion approving the first reading of Ordinance No. 2064, adopting revisions to the Comprehensive Plan.

ORDINANCE NO. 2064

AN ORDINANCE ADOPTING THE REVISED COMPREHENSIVE PLAN; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS the Comprehensive Plan, which was originally adopted in 1998, must be periodically revised to ensure its effectiveness as a true development guide; and,

WHEREAS the City Council as well as the Planning and Zoning Commission has spent more than a year developing revisions to the Comprehensive Plan with members of the City Staff, Consulting City Planners, Development Community Representatives, other interested parties and citizens that will increase its effectiveness as a true development guide; and,

WHEREAS a joint City Council - Planning and Zoning Commission public hearing was conducted on December 18, 2012 in compliance with applicable law to solicit comments concerning proposed revisions to the Comprehensive Plan; and,

WHEREAS the Planning and Zoning Commission, after weighing comments presented at the December 18, 2012 joint public hearing, unanimously recommended approval of Comprehensive Plan revisions to the City Council; and,

WHEREAS the City Council weighed comments presented at the December 18, 2012 joint public hearing as well as the recommendation of the Planning and Zoning Commission; and,

WHEREAS the City Council has found that the approval of Comprehensive Plan revisions will promote the health, safety and welfare of Portland residents,

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

SECTION 1 - REVISED COMPREHENSIVE PLAN ADOPTED: The Revised Comprehensive Plan, including the Future Land Use Plan, Thoroughfare Plan, and all the maps and elements, which are attached hereto and incorporated herein for all purposes, is hereby adopted by the City Council.

SECTION 2 - IMPLEMENTATION : The Revised Comprehensive Plan shall henceforth guide all planning, zoning and development related decisions of the City of Portland.

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

SECTION 4 - SEVERABILITY CLAUSE: 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 portion 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 5 - EFFECTIVE DATE: This Ordinance shall take effect upon approval of its second and final reading.

PASSED and APPROVED on this 5th day of February 2013.

City of Portland

By: _____
David Krebs
Mayor

ATTEST: _____
Annette Hall
City Secretary

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **ORDINANCE NO. 2065 - ADOPTING REVISIONS TO THE UNIFIED DEVELOPMENT ORDINANCE:** THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2065 WHICH ADOPTS REVISIONS TO THE UNIFIED DEVELOPMENT ORDINANCE - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

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

DATE: January 15, 2013

ATTACHMENTS: Ordinance No. 2065

SUMMARY STATEMENT: This evening marks the culmination of the revision process to the 2006 Comprehensive Plan and Unified Development Ordinance. A series of meetings facilitated by the Consulting City Planner have produced the revised documents for your consideration.

A Joint Public Hearing of the City Council and Planning and Zoning Commission was conducted on December 18, 2012, to solicit comments concerning the proposed revisions to the Comprehensive Plan and the Unified Development Ordinance.

At the public hearing, Daryl Genzer, representing Northshore Country Club, presented a revised definition of "Country Club" for your consideration:

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 current definition in the existing UDO is:

An establishment open only to members and guests with both indoor and outdoor facilities for the use of members and guests. Outside activities of a country club shall include a golf course of at least nine (9) holes of regulation size, tennis courts and swimming pools. Inside activities of a country club shall include exercise rooms, locker facilities, pro shop, dining room, snack bar and other facilities as normally found in country clubs.

The proposed definition is:

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.

The Planning and Zoning Commission, at its January 8, 2013, regularly scheduled meeting, voted unanimously to recommend that the City Council adopt the revised Unified Development Ordinance. This recommendation included leaving the Country Club definition as written in the draft document. Therefore, Staff recommends that the City Council adopts the Unified Development Ordinance as presented at the December 18, 2012, Joint Public Hearing.

RECOMMENDATION: Adopt a motion approving the first reading of Ordinance No. 2065, adopting revisions to the Unified Development Ordinance.

ORDINANCE NO. 2065

AN ORDINANCE ADOPTING THE REVISED UNIFIED DEVELOPMENT ORDINANCE; ESTABLISHING ZONING DISTRICTS AND RELATED REGULATIONS; ESTABLISHING SUBDIVISION REGULATIONS; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING A PENALTY FOR VIOLATIONS AND AN EFFECTIVE DATE

WHEREAS the Unified Development Ordinance, which was originally adopted in 1999, must be periodically revised to ensure that zoning, subdivision and other development related regulations meet all legal requirements and implement a continuously evolving Comprehensive Plan; and,

WHEREAS the City Council as well as the Planning and Zoning Commission has spent more than a year developing revisions to the Unified Development Ordinance with members of the City Staff, Consulting City Planners, Development Community Representatives, other interested parties and citizens; and,

WHEREAS a joint City Council - Planning and Zoning Commission public hearing was conducted on December 18, 2012 in compliance with applicable law to solicit comments concerning proposed revisions to the Unified Development Ordinance; and,

WHEREAS the Planning and Zoning Commission, after weighing comments presented at the December 18, 2012 joint public hearing, unanimously recommended approval of Unified Development Ordinance revisions to the City Council; and,

WHEREAS the City Council weighed comments presented at the December 18, 2012 joint public hearing as well as the recommendation of the Planning and Zoning Commission; and,

WHEREAS the City Council has found that the approval of Unified Development Ordinance revisions will promote the health, safety and welfare of Portland residents.

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

SECTION 1- REVISED UNIFIED DEVELOPMENT ORDINANCE ADOPTED:
The Revised Unified Development Ordinance and Official Zoning Map, attached hereto and incorporated herein for all purposes, are hereby adopted.

SECTION 2 - IMPLEMENTATION AND ENFORCEMENT: The Revised Unified Development Ordinance shall be fully implemented and enforced following publication of its caption.

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 portion 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 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 two hundred dollars (\$200). 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.

PASSED and APPROVED on this 5th day of February 2013.

City of Portland

By: _____
David Krebs
Mayor

ATTEST: _____
Annette Hall
City Secretary

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **PURCHASE OF ANIMAL CONTROL TRUCK:** THE CITY COUNCIL WILL CONSIDER THE PURCHASE OF AN ANIMAL CONTROL TRUCK (\$18,925 FORD F150 SUPERCAB PICKUP AND \$5,019.37 FOR MISCELLANEOUS ACCESSORIES) FOR THE POLICE DEPARTMENT

SUBMITTED BY: Gary K. Giles, Chief of Police

DATE: January 7, 2013 **FOR THE AGENDA OF:** January 15, 2013

ATTACHMENTS: None

SUMMARY STATEMENT: We have pricing from several mass bidders for the purchase of one truck (either a Ford F150 Super cab or Chevrolet Silverado 1500 extended cab) for the animal control officers. This is a new vehicle purchase to supplement the existing animal control truck since we now have two animal control officers.

The following mass bids were received for One (1) 2013 Chevrolet 1500 Silverado Extended Cab or 2013 Ford F150 Super Cab truck

Vendor	Unit Cost
Caldwell Country Ford, Caldwell, TX (CPA – Formerly TBPC) Ford F150 Super Cab	\$ 18,925
Caldwell Country Chevrolet, Caldwell, TX (CPA – formerly TBPC) Chevrolet Silverado Extended Cab	\$ 19,474
Caldwell Country Chevrolet, Caldwell, TX (Buy Board) Chevrolet Silverado Extended Cab	\$ 19,614
Caldwell Country Ford, Caldwell, TX (H-GAC) Ford F150 Super Cab	\$ 19,748

In addition to the vehicle purchase, an additional \$5,019.37 is required for purchase and installation of radio equipment, warning lights, and vehicle striping.

RECOMMENDATION: **Authorize the purchase of one 2013 Ford F150 Super Cab from Caldwell Country Ford under the CPA State Contract along with equipment and installation for a total cost of \$23,944.37.**

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **RESOLUTION NO. 661 - AUTHORIZING USE OF HOTEL OCCUPANCY TAX FUNDS:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 661 WHICH AUTHORIZES THE USE OF HOTEL OCCUPANCY TAX FUNDS FOR THE DESIGN AND CONSTRUCTION OF THE RAILROAD RIGHT-OF-WAY HIKE AND BIKE TRAIL - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

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

DATE SUBMITTED: January 10, 2013 **DATE:** January 15, 2013

ATTACHMENTS: Resolution No. 661

SUMMARY STATEMENT: The City Council previously approved the 2012 Capital Program, which included the Railroad Right-of-Way Hike and Bike Trail. The City Attorney had reviewed the project and determined that it meets the statutory requirements for Hotel Occupancy Tax use as a means of promoting tourism.

Subsequent to the approval of the 2012 Capital Program, the Texas Department of Transportation announced additional funding was available through the Transportation Enhancement Program. Staff submitted a grant application in November 2012, and early indications are favorable in obtaining some level of grant funding. The funding requires a 20% local match. Resolution 661 authorizes allocating the local match of \$32,724 from the Hotel Occupancy Tax reserves to the project. This resolution is a required step in the grant application process.

RECOMMENDATION: Adopt a motion approving Resolution No. 661.

RESOLUTION NO. 661

**A RESOLUTION AUTHORIZING THE USE OF
HOTEL OCCUPANCY TAX FUNDS FOR THE
DESIGN AND CONSTRUCTION OF THE
RAILROAD RIGHT-OF-WAY HIKE AND BIKE
TRAIL**

WHEREAS, the City of Portland desires to construct a hike and bike trail in the Railroad right-of-way connecting First Avenue and Sunset Drive; and

WHEREAS, the project was authorized by the 2012 Capital Program; and

WHEREAS, the City of Portland has submitted a Texas Department of Transportation Transportation Enhancement Program grant application for the project; and

WHEREAS, the total project cost is estimated to be \$163,622 and the City of Portland intends to fund the project utilizing 80% federal funding and a 20% local match; and,

WHEREAS, the City Attorney has reviewed the project and determined that it meets the statutory requirements for Hotel Occupancy Tax use as a means of promoting tourism; and,

WHEREAS, the City of Portland has identified available funds in the Hotel Occupancy Tax reserves,

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

Section 1. The City's finance director is authorized to allocate the City's local match in the amount of \$32,724 from the Hotel Occupancy Tax reserves for the design and construction of the project.

PASSED and APPROVED this 15th day of January 2013.

EXECUTED UPON APPROVAL

By: _____
David Krebs
Mayor

ATTEST:

By: _____
Annette Hall
City Secretary



STAFF
WEEKLY
REPORTS

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: 12/30/2012 To: 1/5/2013 11:59:00 PM

Date	Record Type	Number	Cause	Complete	Violations			Addresses	Parties Name	Inspector
					New	Old	Corr			
12/31/2012	Unwholesome Prop (FD)	I-CH-12-1067	Complaint	Yes	1	0	0	1401 Sacramento	1401 Sacramento-RespParty	Craig Hedrick
01/01/2013	Annual Inspection (FD)	I-CH-11-0102.D.A	Reinspection	Yes	0	1	1	1901 US Hwy 181	Guardian Self Storage	Craig Hedrick
01/02/2013	Unwholesome Prop (FD)	I-CH-12-1062.B	Reinspection	Yes	0	4	4	606 Colonial	MC Mgt.	Craig Hedrick
01/02/2013	Annual Inspection (FD)	I-CH-11-0177.C	Periodic	Yes	0	0	0	1016 US Hwy 181 Suite C	China Wall Restaurant	Craig Hedrick
01/02/2013	Annual Inspection (FD)	I-CH-11-0189.B	Periodic	Yes	0	0	0	1010 Wildcat	Whataburger	Craig Hedrick
01/02/2013	Annual Inspection (FD)	I-CH-11-0190.B	Periodic	Yes	0	0	0	911 Railroad	Coastal Bend Lawn/Garden	Craig Hedrick
01/02/2013	Annual Inspection (FD)	I-CH-11-0169.B	Periodic	Yes	2	1	2	1018 US Hwy 181	Pure Energy	Craig Hedrick
01/02/2013	Annual Inspection (FD)	I-CH-11-0168.C	Periodic	Yes	2	0	0	1016 US Hwy 181 Suite B	O'Reilly's Auto Parts	Craig Hedrick
01/02/2013	Annual Inspection (FD)	I-CH-11-0172.C	Periodic	Yes	0	0	0	1105 US Hwy 181	Wendy's	Craig Hedrick
01/02/2013	Fire Safety Insp. (FD)	I-CH-13-0002	Request	Yes	0	0	0	1200 Broadway	Open Arms Child Dev. Center	Craig Hedrick
01/02/2013	Annual Inspection (FD)	I-CH-11-0243.A	Periodic	Yes	0	0	0	1003 A US Hwy 181	Peerless Cleaners	Craig Hedrick
01/03/2013	Unwholesome Prop (FD)	I-CH-13-0003	Complaint	Yes	1	0	0	101 Daniel Moore	Safe Guard Prop Mgt.	Craig Hedrick
01/03/2013	Unwholesome Prop (FD)	I-CH-13-0004	Complaint	Yes	1	0	0	1216 Daniel Moore	1216 Daniel Moore Resp. Party	Craig Hedrick
01/03/2013	Unwholesome Prop (FD)	I-CH-13-0005	Complaint	Yes	1	0	0	Westover	120Westover-RespParty	Craig Hedrick
01/03/2013	Unwholesome Prop (FD)	I-CH-13-0006	Complaint	Yes	1	0	0	123 Westover	Myron Adams	Craig Hedrick
01/03/2013	Annual Inspection (FD)	I-CH-11-0194.B	Periodic	Yes	0	0	0	1043 US Hwy 181	Taco Bell	Craig Hedrick
01/03/2013	Annual Inspection (FD)	I-CH-11-0229.B	Periodic	Yes	0	0	0	1302 Wildcat Suite A	Hair Salon Idol	Craig Hedrick
01/03/2013	Annual Inspection (FD)	I-CH-12-0003.A	Periodic	Yes	0	0	0	1670 Wildcat	Popeye's	Craig Hedrick
01/03/2013	Annual Inspection (FD)	I-CH-11-0101.D	Periodic	Yes	1	0	0	1528 Wildcat	Radio Shack	Craig Hedrick
01/03/2013	Annual Inspection (FD)	I-CH-11-0144.B	Periodic	Yes	2	0	0	1522 Wildcat	Hu Dat Oriental Restaurant	Craig Hedrick
01/03/2013	Annual Inspection (FD)	I-CH-11-0145.D	Periodic	Yes	6	0	0	1510 Wildcat	Papa Johns	Craig Hedrick
01/03/2013	Annual Inspection (FD)	I-CH-11-0114.C	Reinspection	Yes	0	0	0	311 Buddy Ganem Suite B	Dr. Charles Gregory	Craig Hedrick
01/04/2013	Annual Inspection (FD)	I-CH-13-0007	Request	Yes	0	0	0	200 W Broadway	Spare Closet	Craig Hedrick
01/04/2013	Annual Inspection (FD)	I-CH-11-0204.B	Periodic	Yes	0	0	0	1023 US Hwy 181	Youniq	Craig Hedrick

Total Number of Records: 24

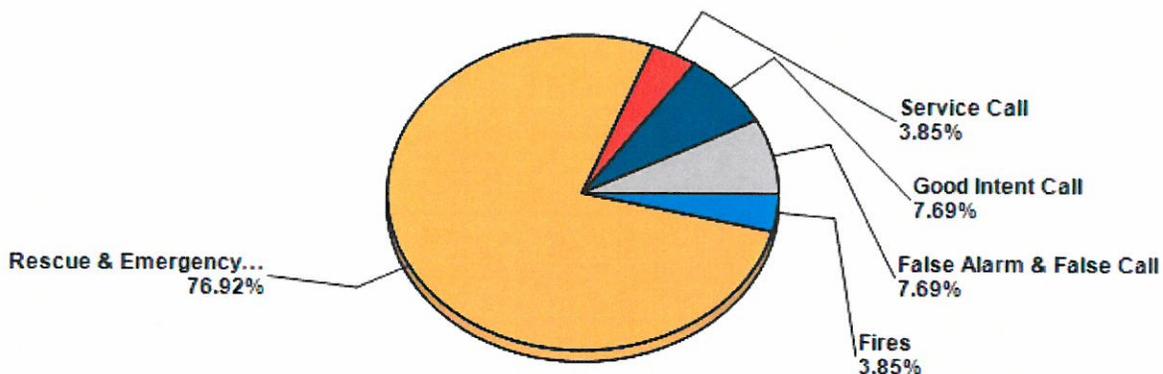
Portland Fire Department

Portland, TX

This report was generated on 1/9/2013 8:32:36 AM

Breakdown by Major Incident Types for Date Range

Start Date: 12/31/2012 | End Date: 01/06/2013



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	1	3.85%
Rescue & Emergency Medical Service	20	76.92%
Service Call	1	3.85%
Good Intent Call	2	7.69%
False Alarm & False Call	2	7.69%
TOTAL	26	100.00%

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	1	3.85%
311 - Medical assist, assist EMS crew	4	15.38%
321 - EMS call, excluding vehicle accident with injury	14	53.85%
324 - Motor vehicle accident with no injuries.	2	7.69%
510 - Person in distress, other	1	3.85%
611 - Dispatched & cancelled en route	1	3.85%
651 - Smoke scare, odor of smoke	1	3.85%
744 - Detector activation, no fire - unintentional	1	3.85%
745 - Alarm system activation, no fire - unintentional	1	3.85%
TOTAL INCIDENTS:	26	100.00%

Average Response Time: 4.09 min.