



CITY COUNCIL AGENDA

NOTICE OF WORKSHOP

**Tuesday, February 19, 2013
6:00 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. **EXECUTIVE SESSION :** THE CITY COUNCIL WILL CONDUCT AN EXECUTIVE SESSION ACCORDING TO 551.071 (DISCUSS PENDING OR CONTEMPLATED LITIGATION AGAINST RALLS FAMILY LIMITED PARTNERSHIP VIA BASE LINE DATA WITH THE CITY ATTORNEY) AND 551.74 (DELIBERATE THE EVALUATION AND DUTIES OF THE MUNICIPAL COURT PROSECUTOR) OF THE TEXAS GOVERNMENT CODE
3. **APPEARANCE AND MAINTENANCE STANDARDS:** THE CITY COUNCIL WILL DISCUSS THE DEVELOPMENT OF PROPERTY APPEARANCE AND MAINTENANCE STANDARDS - COUNCIL MEMBER MOORE, CITY MANAGER AND ASSISTANT CITY MANAGER
4. **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: February 15, 2013 by 5 p.m.
Portland City Hall

By: 
Annette Hall
City Secretary



CITY COUNCIL AGENDA

NOTICE OF REGULAR MEETING

**Tuesday, February 19, 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 "BEST SMALL LIBRARY IN AMERICA FINALIST" AWARD - LIBRARY DIRECTOR
 - PRESENTATION OF DONATION FROM "AMERICA'S FARMERS GROW MONSANTO FUND" AND REPORT ON HURRICANE PREPAREDNESS - FIRE CHIEF
 - REPORT ON "2013 SWEETHEART BALL" - DIRECTOR OF PARKS AND RECREATION
- 4. CITY COUNCIL AND STAFF COMMENTS CONCERNING ITEMS OF COMMUNITY INTEREST THAT MAY NOT BE DISCUSSED:**

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

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

B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:

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

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

OLD BUSINESS

5. **MINUTES OF PREVIOUS WORKSHOPS AND MEETINGS:** THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS JANUARY 29, 2013 SEMI-ANNUAL STRATEGIC PLANNING WORKSHOP AND THE FEBRUARY 5, 2013 REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY
6. **ORDINANCE NO. 2066 - ABOLISHING TELECOMMUNICATION TOWER REGULATIONS:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2066 WHICH REPEALS AND ABOLISHES SPECIFIC TELECOMMUNICATION TOWER REGULATIONS IN SECTION 4-1 OF THE CODE OF ORDINANCES - ASSISTANT CITY MANAGER
7. **ORDINANCE NO. 2067 - REPEALING AND ABOLISHING EXISTING "OT-2" OLDE TOWN MIXED USE DISTRICT ECONOMIC DEVELOPMENT INCENTIVES:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2067 WHICH REPEALS AND ABOLISHES EXISTING "OT-2" OLDE TOWN MIXED USE DISTRICT ECONOMIC DEVELOPMENT INCENTIVES - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

8. **RESOLUTION NO. 662 - ADOPTING A REVISED STRATEGIC OPERATING PLAN:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 662 WHICH ADOPTS A REVISED PORTLAND STRATEGIC OPERATING PLAN AND DIRECTS THE CITY MANAGER TO IMPLEMENT IT - ASSISTANT TO THE CITY MANAGER

NEW BUSINESS

9. **CO-SPONSORSHIP OF OPERATION GRADUATION:** THE CITY COUNCIL WILL CONSIDER CO-SPONSORSHIP OF THE 2013 OPERATION GRADUATION "CHEM FREE PARTY" AT THE COMMUNITY CENTER (MAY 31, 2013 - JUNE 1, 2013) - DIRECTOR OF PARKS AND RECREATION
10. **RESOLUTION NO. 663 - ENDORSING LEGISLATIVE AGENDA:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 663 WHICH ENDORSES THE LEGISLATIVE AGENDA OF THE TEXAS COALITION FOR AFFORDABLE POWER - FINANCE DIRECTOR
11. **REVISED AND RESTATED WATER SUPPLY CONTRACT:** THE CITY COUNCIL WILL CONSIDER A REVISED AND RESTATED WATER SUPPLY CONTRACT WITH THE SAN PATRICIO MUNICIPAL WATER DISTRICT - ASSISTANT CITY MANAGER AND DISTRICT MANAGER OF THE SAN PATRICIO MUNICIPAL WATER DISTRICT

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.

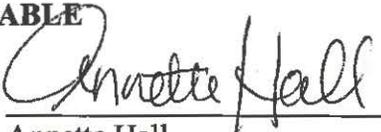
D. ADJOURNMENT: MAYOR KREBS

NOTICE OF ASSISTANCE

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BRAILLE IS NOT AVAILABLE

Posted: February 15, 2013 by 5:00 p.m.
Portland City Hall

By: 
Annette Hall
City Secretary

**CITY OF PORTLAND
CITY COUNCIL
SEMI-ANNUAL STRATEGIC PLANNING
WORKSHOP
MINUTES
JANUARY 29, 2013 – 5:30 P.M.**

On this the 29th day January 2013, the Council of the City of Portland convened in workshop session at 5:30 p.m. in the Council Chambers of City Hall, Daniel P. Moore Community Center Complex and notice of regular workshop giving the time, place and date and subject having been posted as described by Section 551 of the Government Code.

MEMBERS PRESENT:

David Krebs	Mayor
David 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
Brian DeLatte	Director of Public Works and Development Services
Gary Giles	Police Chief
Kyle Schreckenbach	Assistant Director of Public Works and Development
Kristin Connor	Director of Park and Recreation
Tim Vanlandingham	Fire Chief
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 5:30 p.m.

EXECUTIVE SESSION: THE CITY COUNCIL WILL CONDUCT AN EXECUTIVE SESSION TO DELIBERATE THE APPOINTMENT, EVALUATION, REASSIGNMENT AND DUTIES OF PUBLIC OFFICERS (CITY MANAGER AND ASSISTANT CITY MANAGER) ACCORDING TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE.

NO ACTION WILL BE TAKEN AT THE CONCLUSION OF THIS EXECUTIVE SESSION

At 5:31 p.m. Mayor Krebs announced that the City Council will conduct an Executive Session to deliberate the appointment, evaluation, reassignment and duties of Public Officers (City Manager and Assistant City Manager) according to Section 551.074 of the Texas Government Code.

Mayor Krebs reconvened the workshop at 5:55 p.m. and announced that no action will be taken.

3. **FINANCIAL MATTERS:** THE CITY COUNCIL WILL DISCUSS A MULTITUDE OF FINANCIAL MATTERS (INCLUDING BUT NOT LIMITED TO CURRENT FINANCIAL POSITION, ESTIMATED BALANCES BY FUND AND FINANCING LIMITS) FOLLOWING STAFF PRESENTATIONS - DIRECTOR OF FINANCE AND CITY MANAGER

Finance Director Sandy Clarkson presented and reviewed the following with the City Council:

- Major Funds – Results of Operations FY2012
- Sales Tax Revenues – General Fund 2009 through 2013
- Mixed Drink Sales Tax Quarterly Payments FY 2009 through 2013
- State of Texas Comptroller - City Mixed Beverage Comparison Summary
- Hotel Occupancy Tax – Projected Revenues & Expenses 2013-2015
- Hotel/Motel Tax Collection FY 2013 with comparison to FY2012
- Debt Service as a Percentage of Noncapital Expenditures compared to other Texas Cities

City Manager Mike Tanner added that the City is in good financial standing.

4. **SERVICE AND PERFORMANCE MATTERS:** THE CITY COUNCIL WILL DISCUSS A MULTITUDE OF SERVICE AND PERFORMANCE MATTERS FOLLOWING STAFF PRESENTATIONS (INCLUDING BUT NOT LIMITED TO QUARTERLY CUSTOMER SERVICE REPORT, PERFORMANCE MEASUREMENTS PRESENTATION, PROJECT STATUS REPORT AND DEVELOPMENT UPDATE) - DIRECTOR OF PARKS AND RECREATION, ASSISTANT TO THE CITY MANAGER, DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS CITY MANAGER

Director of Parks and Recreation Kristin Connor presented the results of the 1st Quarterly FY 2012-2013 Lobby Survey.

Assistant to the City Manager Michel Weaver gave a presentation on the Dashboard feature on the City's website that reflects performance measurements. She added that training for the performance evaluation will begin next week and will be ready for implementation in June.

Director of Public Works and Development Brian Delatte presented and reviewed the following Development and Capital Program Update with the City Council:

New Single-Family Residential Permit overview for:

- Fiscal Years 2003-2013
- Fiscal Year 2011-2012
- Fiscal Year 2012-2013

Current Development

- Subdivisions Under Construction
 - Westwood Unit 3-B (22 Lots)
 - Bay Ridge Unit 10 (34 Lots)
 - Bay Ridge Unit 11 (84 Lots)
- Recently Completed Commercial Projects
 - Sun Loans (Esplanade)
 - Bliss Nails (Esplanade)
 - Taekwando (Esplanade)
 - Durable Medical Equipment (908 Commerce)
 - Lilly Pad Accessories (822 Market)
 - Do It All Handyman (920 Austin)
 - Direct General Insurance (1600 Wildcat)
 - Capital Search Network (1105A Railroad)
 - Macareno Signs (705 Moore Avenue)
- Projects Under Construction
 - Labcorp (Esplanade)
 - Al Willeford Chevrolet remodel
 - Donut Palace (1306 Wildcat Drive)
 - Spanky's Liquor Store (Esplanade)
 - Sally's Beauty Supply
 - Mattress Firm (Esplanade)
 - Spare Closet (200 West Broadway)
 - Office remodel of Physical Therapy office
 - Cheniere Business Offices (Esplanade)
- Closed Businesses
 - Wendy's
 - Quizno's
 - Blockbusters (May 14)
- Potential Projects
 - 65,000 sf big box

- 130,000 sf big box
- National chain full service restaurant
- Potential Zoning/Platting Cases
 - Rezoning property around WC Andrews
 - Special Use Permit on relocation of telecommunication tower from NWC 5th and Commerce to SEC 7th and Commerce
 - Northshore Unit 6C (40 lots / R-6)

2012-2013 CAPITAL PROGRAM

- 17 Projects
- Construction/Purchases totaling \$18.3M

Mr. DeLatte explained that a detailed list of current City Projects will be available on the City's website soon.

Project 1 Street Maintenance and Improvement Program Phase 8

- The project was completed and accepted on December 11, 2012
- Construction was completed within the contract time
- Project was finished \$78,334.97 under budget
- Project debriefing at the Council retreat

Project 2 Utility Line Replacement Program Phase 1

- CR&G was retained on the project
- This project replaces aging water and sewer lines
- Project funded through the 2012 utility revenue bonds with a budget of \$3,855,000
- Design is 95% complete
- Bidding in March 2013

Project 3 Wastewater Treatment Plant Expansion

- CSA Construction, Inc. was awarded the contract for \$3,242,000
- Project on schedule (365 days ending July 19, 2013)
- This project was designed to ensure current and future regulatory compliance at the plant
- The new clarifier is poured and backfilled
- Generator is installed
- Take the old clarifier out of service in March

Project 4
Doyle Addition Wastewater Collection System

- Jhabores Construction is currently on schedule (250 Calendar days ending April 6, 2013)
- Project is currently on budget (\$2,493,000)
- Change Order No. 2 on Feb. 5, reducing contract by \$26,854.59
- Construction ongoing on Doyle and Allen Drive
- Force Main complete on Bluff Drive
- Work remaining:
 - Wastewater Mains
 - Lift Station at Bluff Drive and Sea Breeze
 - Moore Avenue lines

Project 5
Automatic Read Water Meters

- Meter installation has begun, generally in Bay Ridge
- Bills with the new meters will start hitting in February
- Information available on city website and in The Breeze

Project 6
Northshore Drainage Area Improvement Project

- Council approved the impact fee in May 2012
- CR&G has completed the plans
- Finalizing the easements
- Anticipate project out to bid in March, contingent on easements

Project 7
Fire Station No. 2 Expansion

- Solka Nava Torno was engaged to provide A/E services with a project budget of \$569,250
- Project funded by Public Safety proceeds and fund reserves
- Finalizing the conceptual floor plan and building elevations
- Additional administrative offices, dormitory space, apparatus bay, security enhancements
- To be presented at a Council workshop prior to final design

Project 8
**Buddy Ganem / Memorial Parkway
Consolidation Improvements**

- \$5.5M TxDOT administered project
- Haas-Anderson was awarded the contract
- Construction began January 14, 2013

- 220 project days (December 2013)
- Expended \$230,000 of the \$303,000 budget, funded from general fund reserves

**Project 9
Doyle Addition Service Line Construction**

- Notified in August 2012 that a \$215,565 grant was available through the USDA
- Naismith Engineering is currently preparing grant and construction documents
- Attempt to transition into this project once the current main construction is completed

**Project 10
SCADA Infrastructure and Communications**

- \$400,000 budgeted over the next two fiscal years to complete this project
- Preliminary discussions with CR&G, AEP, fiber consultants, SCADA consultants
- Goal is preliminary design within 150 days

**Project 11
Indian Point Park Shoreline Preservation**

- Programming is ongoing through the Coastal Bend Bays and Estuaries / General Land Office
- First phase requires \$300,000 city funding for \$450,000 match

**Project 12
Railroad Right-of-Way Hike and Bike Trail**

- CR&G retained to provide engineering services
- Submitted a TEP grant application to TxDOT
- Awaiting final determination on grant (80/20 split)
- Once the grant decision is finalized, we will continue with design

Council and Staff discussed various design options of the proposed Hike and Bike Trail project, FHWA (Federal Highway Administration) requirements, various funding methods and security concerns.

**Project 13
5 Year Street, Parking Lot, Sidewalk, and Trail Improvement Plan**

- Staff's recommendation to issue an RFQ in February 2013

Project 14
Extend Southwest Outfall Ditch

- San Patricio County Drainage District administered project
- District currently analyzing existing drainage basin, easement needs

Project 15
Lease-Purchase Fire Engine

- Expected delivery June 2013

Fire Chief Tim Vanlandingham reported that Fire Engine No. is being built and will be delivered in May.

Project 16
Comprehensive Plan / UDO Update

- Second reading of the ordinances February 5
- Country Club definition:
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.

Council discussed revising the definition of a Country Club to include a golf course of at least 18 holes of regulation size in the second reading of the Unified Development Ordinance.

Project 17
Replace Logos on Water Tanks

- Project budget \$75,000
- Project completed for \$19,920

Public Works Update

- Republic Services automated trash and single stream recycling
 - Recycling rate averages 70% (compared to 22% previous fiscal year)
 - Recycling volume has increased from 17.7 pounds per capita to 64.2
 - Most residents are adhering to cart placement guidelines
 - Residents are given three courtesy notices regarding improper placement of carts

Phase 8 Street Improvements Debriefing

- **Project Highlights**

- Completed work on 74 streets (18 miles)
 - 66 streets curb and gutter repair (7.5 miles of curb)
 - 49 streets seal coat
 - 3 streets mill/overlay
 - 15 streets full pavement rehabilitation
- Installed an important force main on Memorial
- Project was on schedule (510 calendar days)
- Project was completed \$78,334.97 under budget
- **Project Timeline**
- **Lessons Learned**
- **Next Steps**
- **Future Street Challenges**

Mayor Krebs recessed the workshop at 7:45 p.m.

Mayor Krebs reconvened the workshop at 7:52 p.m.

5. **STRATEGIC OPERATING PLAN:** THE CITY COUNCIL WILL DISCUSS THE STRATEGIC OPERATING PLAN (OPERATING VISION, PHILOSOPHY OF GOVERNMENT AND OPERATING PRINCIPLES), POSSIBLE REVISIONS, ITS INCORPORATION IN THE POLICY-MAKING PROCESS AS WELL AS NEED FOR ORGANIZATIONAL DISCIPLINE - CITY MANAGER

City Manager Mike Tanner presented and reviewed the following revised Strategic Operating Plan with the City Council:

STRATEGIC OPERATING PLAN

OPERATING VISION

A city recognized for its exceptional family life, safety, civility, extremely clean appearance, well maintained infrastructure, expanded municipal service menu and moderate cost of living through the promotion of economic development that is beneficial to the long term well-being of the community.

PHILOSOPHY OF GOVERNMENT

The City of Portland shall provide services and levels of service demanded by the majority of its citizens with the smallest government possible for the least possible cost. The City Council, Staff and employees pledge to:

1. Comply with local, state and federal law
2. Meet or exceed ethical and professional standards
3. Meet their fiduciary responsibilities
4. **Recognize that government can't do everything for everyone and the word "no" is very often the most appropriate response to customer service demands**

Council discussed revising No.4 to read as follows:

Recognize that government can't do everything for everyone

5. Focus on "Core" services
6. Be concerned, courteous and measured when dealing with the public
7. Fully and effectively inform the public in the most timely fashion
8. Project a positive image, continuously promote the City and compete for distinction or recognition whenever possible
9. Place the interests of the City and the needs of the citizens before their own
10. Ensure that special interests, resident or non-resident, are not promoted to the detriment of the City or its citizens
11. Cooperate, collaborate and coordinate to the extent possible locally, area-wide, regionally and state-wide
12. Promote professional development and innovation that improves the provision of City services
13. Mitigate issues in which rights conflict **only** when doing so serves a **compelling** public purpose

OPERATING PRINCIPLES

1. Revenue projections must be minimized and cost estimates maximized to ensure budget integrity
2. The size and cost of day to day government must be maintained to the extent possible until the revenue base diversifies and expands through development
3. True cost-benefit analysis should be conducted before decisions are made to annex land, acquire more property, construct new facilities, raise service levels or deliver additional services
4. Services that have questionable strategic value and benefit a limited number of citizens should either be eliminated or the costs associated with their delivery should be borne by the citizens who benefit
5. Expenditures associated with the maintenance, repair and rehabilitation of the infrastructure must increase
6. A minimum 3 month reserve must be maintained in every budgetary operating fund
7. The General Fund Reserve and Water/Wastewater Enterprise Fund Reserve may be used to finance planning initiatives or capital projects (improvements and/or recurring capital maintenance projects) except those described as park and recreation when minimum balances have been exceeded
8. Utility rates should be designed to finance truly segregated (water and sanitary sewer service) day to day costs, debt service, unforeseen capital repairs and if possible, recurring capital maintenance
9. Facilities that have questionable value, benefit a limited number of citizens and generate more costs than revenue should be eliminated
10. Opportunities to secure public grants-in-aid, private contributions and sell surplus property should be fully exploited

11. The waiver of recreation facility user fees should be minimized to the extent possible and prohibited in the case of fundraisers
12. Existing policies, rules and regulations should be continuously reviewed to ensure present day relevance, fairness and appropriateness
13. Opportunities to identify, cultivate and secure desirable economic development prospects should be fully exploited, be they within the city limits, within the extraterritorial jurisdiction or just beyond, **however, demands made by such prospects for financial incentives should only be met as a last resort**

Council discussed revising No. 13 to read as follows:

*Opportunities to identify, cultivate and secure desirable economic development prospects should be fully exploited, be they within the city limits, within the extraterritorial jurisdiction or just beyond, **however, demands made by such prospects for financial incentives should only be met when there is a compelling purpose***

14. The delivery of business and development services should be streamlined as well as expedited
15. Sensible “Green” policies, programs and projects should be promoted
16. Goods and services should be locally purchased as long as doing so does not compromise quality, quantity or cost
17. Significant services delivered through private sector contracts or interlocal governmental agreements should be internally proposed or bid, competitively proposed or bid and annually reviewed to ensure outsourcing is the most appropriate means of delivery
18. Technological advances that increase effectiveness, promote efficiency, improve customer service or reduce costs should be fully exploited

Council and Staff discussed incorporating the proposed changes to the Strategic Operating Plan for consideration at a future meeting.

6. **ISSUES AND INITIATIVES:** THE CITY COUNCIL WILL DISCUSS A MULTITUDE OF ISSUES AND INITIATIVES (INCLUDING BUT NOT LIMITED TO ECONOMIC DEVELOPMENT INCENTIVES, VETERANS MEMORIAL REPLACEMENT, COMMUNITY CENTER REHABILITATION, IMPROVEMENTS TO SPORTS COMPLEXES, TRAIL EXTENSION THROUGH HISTORIC RAILROAD RIGHT-OF-WAY, INDIAN POINT PIER IMPROVEMENT, UTILITY SERVICE LINE MAINTENANCE RESPONSIBILITY AND PROPERTY APPEARANCE STANDARDS) - CITY MANAGER, DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS DIRECTOR OF PARKS AND RECREATION

ECONOMIC DEVELOPMENT INCENTIVES

City Manager Mike Tanner presented and reviewed the following Proposed Guide to Development Incentives with the City Council:

- Sales tax revenue shall not be rebated under any circumstances
- Ad valorem tax abatement, infrastructure grant sponsorship, construction of off-site infrastructure and participation in the cost of off-site infrastructure construction are incentives the CoP “may” provide to *Targeted Business or Industry (Tier 1 and 2)*:

TIER 1

- Corporate Headquarters (National, Regional or Local)
- Software Development
- Electronics development and Manufacturing
- Biotechnology Research and Application
- Pharmaceutical Development and Manufacturing
- Medical Technology Research and Application
- Petrochemical Research and Product Development
- Companies Engaged in the Development or Manufacturing of Measuring, Analyzing or Controlling Instruments
- Advanced Material Development
- Companies whose Primary Source of Income is Engineering *Services*
- Aerospace Development and Manufacturing

Minimum Eligibility Requirements: \$2,500,000 increase in real property, \$750,000 in personal property and 50 full-time jobs with an average annual salary (excluding benefits) of \$50,000

Determination of Incentives: Case by Case utilizing specific factors (the duration of ad valorem tax abatement shall not exceed 10 years under any circumstances)

TIER 2

- Regional or Area Retail Stores at least 100,000 Square Feet in Area
- Advanced Technical/Vocational Institutes which Provide Highly Skilled Professionals to Nearby Industries

Minimum Eligibility Requirements: \$2,500,000 increase in real property, \$750,000 in personal property and 20 full-time jobs

Determination of Incentives: Case by Case utilizing specific factors (the duration of ad valorem tax abatement shall not exceed 5 years under any circumstances)

Assistant to the City Manager Michel Weaver presented an example of potential revenue that would be generated through Sales Tax, Ad Valorem Tax and Utilities by 61,000 sq ft. Big Box.

Council discussed Staff drafting an incentive plan to targeted businesses or industry in Tier 1.

VETERANS MEMORIAL REPLACEMENT

City Manager Mike Tanner explained that the pavilion at 13 Acre Park is in poor condition and is proposing a Veterans Memorial replacement plan. The proposed plan is to replace the existing structure or develop a Veterans Memorial Plaza here at the City Hall complex. The plaza development could consist of a raised structure feature pavilion built of tilt wall panels with at an etched picture in the wall. A committee can be created to assist with the design phase of the project consisting of Veterans, City Staff, an architect and a landscaping architect or a design contest could be held. He added that a project of this magnitude is estimated at \$350,000.

Council and staff discussed the proposed Veterans Memorial Plaza development at the City Hall complex location, the possibility of financing the project through the use of HOT funds and the option of creating a committee for the proposed project.

COMMUNITY CENTER REHABILITATION

Council and Staff discussed the options of rehabilitation (floor replacement, removing 1 of the racquet ball courts to create more floor space) or expansion of the community center (moving the Senior Center to the Community Center, covered walkways, building access and parking issues), resolved building access issues and delaying the Community Center Rehabilitation and Community Expansion Projects.

IMPROVEMENTS TO SPORTS COMPLEXES

Council and Staff discussed the schematic design of the Sports Complex and 13-Acre/Municipal Park Master Plan prepared by Coym, Rehmet & Gutierrez, the current condition of the existing facilities and fields at 13-Acre/Municipal Park and the Sports Complex and continuing discussions to implement a suitable Master Plan.

TRAIL EXTENSION THROUGH HISTORIC RAILROAD RIGHT-OF-WAY

THIS ITEM WAS NOT DISCUSSED.

INDIAN POINT PIER IMPROVEMENT

THIS ITEM WAS NOT DISCUSSED.

UTILITY SERVICE LINE MAINTENANCE RESPONSIBILITY AND PROPERTY APPEARANCE STANDARDS

Director of Public Works and Development explained that a situation occurred that required review of the City's Ordinance and policy concerning utility service line maintenance responsibility.

Mr. DeLatte then presented and reviewed the following with the City Council:

Current ordinance Sec 23-23:

- City maintenance of the water service ends at the customer side of the connection to the water meter itself. City maintenance of the sewer service ends at the outside surface of the pipe on the sewer main, where the tap is made.

- Actual practices have not followed existing ordinances
 - Certain instances where the City has been repairing or replacing private service connections if the depth exceeds five feet

- Actual practices have not been consistent
 - Liability issue
 - Fairness issue
 - Safety issue
 - Goal is to change current practices to adhere to ordinance, or amend the ordinance to reflect current practices

- Polled 18 cities in the Corpus Christi area, Houston area, San Antonio area
 - Vast majority match our ordinance
 - 2 used a depth requirement (8 and 10 feet)
 - 3 stopped responsibility at the easement line / property line (including Corpus Christi)

- **Option 1** – Private maintenance starts at outside wall of main
- Pros
 - Establishes a clear delineation of responsibility
 - Maintains the procedure in place for decades
- Cons
 - Some plumbers are not qualified to maintain sewer connections up to 15 feet deep
 - Damage can occur to other utilities or property by plumbers digging up to 15 feet

- **Option 2** – Private maintenance starts when the sewer lateral is shallower than 5 feet
- Pros
 - Eliminates the ability of a plumber to damage the sewer main or other utilities
- Cons
 - It is sometimes impossible to determine depth of blockage until you have it dug
 - Would violate state law in some instances when deep connection extends past the easement line
 - The City would inherit over 10 miles of service connections that we have not been historically maintaining

- **Option 3** – Private maintenance starts when the sewer lateral crosses an easement line, right-of-way line, or property line
- Pros
 - Eliminates the ability of a plumber to damage the sewer main or other utilities

- Matches the City of Corpus Christi
- Cons
 - The City would inherit over 10 miles of service connections that we have not been historically maintaining

Council discussed Staff drafting an ordinance revising Section 23-23 - City maintenance limit for water and sewer lines that incorporates Option 3.

PROPERTY APPEARANCE STANDARDS

THIS ITEM WAS NOT DISCUSSED.

7. ADJOURNMENT: MAYOR KREBS

Mayor Krebs adjourned the workshop at 9:14 p.m.

D. NOTICE OF ASSISTANCE

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:

Annette Hall
City Secretary

**CITY OF PORTLAND
CITY COUNCIL
REGULAR MEETING
FEBRUARY 5, 2013 – 7:00 P.M.**

On this the 5th day of February 2013, 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 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

MEMBERS ABSENT:

David Krebs	Mayor
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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 Services
Kristin Connor	Director of Park and Recreation
Kyle Schreckenbach	Assistant Director of Public Works and Development
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:

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

1. **CALL TO ORDER: MAYOR**

Mayor Pro Tem Lewis called the meeting to order at 7:00 pm.

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

Council Member Vilo gave the invocation and Mayor Pro Tem Lewis led the Pledge of Allegiance.

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

• **GENERAL ELECTION UPDATE - CITY SECRETARY**

City Secretary Annette Hall gave a brief election update explaining that Resolution No. 660 was adopted on January 2nd calling for a May 11, 2013 General Election for the purpose of electing 4 Council Member to 2 year terms. The deadline to file for a place on the ballot is March 1st at 5:00 p.m. Applications may be picked up in the City Secretary's during regular business hours.

• **WINDFEST 2013 PREVIEW - INTERIM EXECUTIVE DIRECTOR OF PORTLAND CHAMBER OF COMMERCE**

Chamber of Commerce Interim Executive Director Trisha Astin gave a brief preview of Windfest 2013 activities that includes a parade, Chili Cook-off, Windfest pageant, Arts and Craft booths and a Classic Car Show schedule for April 18-21. She added that they are working with City Staff on a site plan.

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 Jorgensen announced that Father Daughter Sweetheart Ball is this Friday at the Community Center and commented that the Parks and Recreation does a great job organizing this event.

Mayor Pro Tem Lewis commented that with the warm weather we have had he would like to remind the public to keep in mind the current water restrictions and the brush schedule while working on their yards.

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 WORKSHOPS AND MEETINGS: THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS JANUARY 15, 2013 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY

Council Member Skurow made the motion to approve the minutes of the January 15, 2013 workshop and regular meeting with an amendment to item No. 6 of the regular meeting minutes adding the language: *The motion passed 6-0.* Council Member Green seconded the motion.

The motion passed 6-0.

6. ORDINANCE NO. 2064 - ADOPTING REVISIONS TO THE COMPREHENSIVE PLAN: THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2064 WHICH ADOPTS REVISIONS TO THE COMPREHENSIVE PLAN - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

Director of Public Works and Development Brian DeLatte explained that developers were briefed on the proposed changes to the Comprehensive Plan. There were no comments at the Joint Public Hearing regarding the Comprehensive Plan. He added that since the first reading was approved a change was made to page 27 updating the housing chart.

Council Member Moore made the motion to approve the second and final reading of Ordinance No. 2064 which adopts revisions to the Comprehensive Plan. Council Member Green seconded the motion.

The motion passed 6-0.

Mayor Pro Tem Lewis read the following caption.

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**

7. **ORDINANCE NO. 2065 - ADOPTING REVISIONS TO THE UNIFIED DEVELOPMENT ORDINANCE:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2065 WHICH ADOPTS REVISIONS TO THE UNIFIED DEVELOPMENT ORDINANCE - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

Director of Public Works and Development Brian DeLatte explained that the process paralleled for the revision to the Comprehensive Plan and Unified Development Ordinance. Developers were briefed on the proposed changes to the Comprehensive Plan. There were no comments at the Joint Public Hearing regarding the Comprehensive Plan.

At the January 15, 2013, City Council meeting, the definition of Country Club was modified:

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.

Additionally, there were other minor changes to the document:

- As deliberated at the January 15 meeting, EIFS was removed from the list of approved commercial materials and added to the accents list
- Clarification was given in multiple instances between “City Staff” and “Administrative Official”
- Clarification was given that street centerlines should be constructed at or above base flood elevations

Mr. DeLatte added that if the second reading is approved this ordinance will be effective February 7, 2013.

Council Member Skurow made a motion to revise the definition of a Country Club as follows:

Country Club - A private or semi-private establishment with recreational facilities for its members and invited guests including, but not limited to, a swimming pool, an eighteen (18) hole regulation-size golf course, one or more tennis courts, as well as accessory uses and structures such as a club house, locker rooms and a pro shop.

Council Member Jorgensen seconded the motion.

Council, Staff and Daryl Genzer representing Northshore Country Club discussed the following:

- The Country Club definition approved in the 1st reading of the ordinance. ***(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 Country Club definition proposed for the 2nd reading of the ordinance. ***(A private or semi-private establishment with recreational facilities for its members and invited guests including, but not limited to, a swimming pool, an eighteen (18) hole regulation-size golf course, one or more tennis courts, as well as accessory uses and structures such as a club house, locker rooms and a pro shop)***
- The current uses the Country Club is operating under.

The motion passed 5-1 (with Council Member Vilo voting against).

Council Member Jorgensen made the motion to approve the second and final reading of Ordinance No. 2065 with revised definition of a Country Club as follows:

A private or semi-private establishment with recreational facilities for its members and invited guests including, but not limited to, a swimming pool, an eighteen (18) hole regulation-size golf course, one or more tennis courts, as well as accessory uses and structures such as a club house, locker rooms and a pro shop

Council Member Skurow seconded the motion.

The motion passed 6-0.

Mayor Pro Tem Lewis read the following caption.

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**

8. **WASTEWATER COLLECTION SYSTEM IMPROVEMENTS FOR THE DOYLE ADDITION SUBDIVISION - CHANGE ORDER NO. 2: THE CITY COUNCIL WILL CONSIDER CHANGE ORDER NO. 2 (\$26,854.59 COST DECREASE) TO THE PROJECT STYLED "WASTEWATER COLLECTION SYSTEM IMPROVEMENTS FOR THE DOYLE ADDITION SUBDIVISION" - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS REPRESENTATIVES OF THE CONSULTING CITY ENGINEER**

Director of Public Works and Development Brian DeLatte explained that the City Council previously awarded the contract for the Wastewater Collection System Improvements for the Doyle Addition Subdivision to Jhabores Construction Company in the amount of \$2,389,801. Change Order No. 1 was approved on October 16, 2012, reducing the contract to \$2,348,643 due to value engineering.

Additional cost savings of \$26,854.59 have been identified:

- A deep service line's depth of connections was reduced by installing drop manholes and a manifold system (Items 1 and 2, with a cost reduction of \$53,688)
- Utilizing alternate pumps (Items 3 and 4, with a cost reduction of \$19,000)
- Additional AEP costs for 3-phase power (Item 5, with a cost increase of \$31,325.41)
- Modification of sewer connections (Items 6-8, with a cost increase of \$14,508)

Mr. DeLatte added that these cost savings will be utilized as a construction contingency to address any future unforeseen conditions.

Council Member Green made the motion to approve Change Order No. 2 for the Wastewater Collection System Improvements for the Doyle Addition Subdivision, reducing the contract by \$26,854.59 to \$2,321,788.41. Council Member Skurow seconded the motion.

The motion passed 6-0.

NEW BUSINESS

9. **ORDINANCE NO. 2066 - ABOLISHING TELECOMMUNICATION TOWER REGULATIONS**: THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2066 WHICH REPEALS AND ABOLISHES SPECIFIC TELECOMMUNICATION TOWER REGULATIONS IN SECTION 4-1 OF THE CODE OF ORDINANCES - ASSISTANT CITY MANAGER

IF ORDINANCE NO. 2066 IS ULTIMATELY ENACTED, TELECOMMUNICATION TOWERS WILL BE SOLELY REGULATED THROUGH THE UNIFIED DEVELOPMENT ORDINANCE

Assistant City Manager Randy Wright explained that Section 4-1 of the Code of Ordinances, originally enacted in 1999, governs construction, maintenance and removal of telecommunication towers. In 2006 it was amended to accommodate towers constructed by government agencies.

The Unified Development Ordinance (UDO) just adopted requires a Special Use Permit (SUP) for any new telecommunications tower. The process requires an applicant to comply with a number of requirements in order to get an SUP. That process includes Staff, the Planning and Zoning Commission and City Council oversight on merits or drawbacks to each permit application and actually allows us more latitude than the original ordinance. In order to avoid possible conflict with the newly adopted UDO Section 4-1 should be repealed.

Council Member Jorgensen made the motion to approve the first reading of Ordinance No. 2066 repealing Section 4-1 of the Code of Ordinances. Council Member Skurow seconded the motion.

The motion passed 6-0.

Mayor Pro Tem Lewis read the following caption.

ORDINANCE NO. 2066

AN ORDINANCE REPEALING CHAPTER 4, ARTICLE I, SECTION 4-1 RELATED TO THE CONSTRUCTION; MAINTENANCE AND REMOVAL OF TELE-COMMUNICATION TOWERS, PROVIDING A SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE

10. **ORDINANCE NO. 2067 - REPEALING AND ABOLISHING EXISTING "OT-2" OLDE TOWN MIXED USE DISTRICT ECONOMIC DEVELOPMENT INCENTIVES**: THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2067 WHICH REPEALS AND ABOLISHES EXISTING "OT-2"

**OLDE TOWN MIXED USE DISTRICT ECONOMIC DEVELOPMENT INCENTIVES -
DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT**

Director of Public Works and Development Brian DeLatte explained that Economic Development Incentives were adopted in 2006 for the “OT-2” Olde Town Mixed Use District:

- Section 19-77, waiving specific requirements for the appraisal and abandonment of easements and rights-of-way instead of selling them
- Section 23-72, waiving water and sewer tap fees
- Appendix C, Section H, waiving building code fees

Staff recommends abolishing the economic development incentives for a multitude of reasons:

- Since the enactment in 2006, the incentives have never been used
- Staff administration of the incentives could be difficult (project failure could result in litigation)
- Proceeds from the sale of surplus easements and right-of-way can be used to repair/demolish substandard OT structure or finance OT amenities
Doing so will reduce costs and generate revenue

City Manager Mike Tanner added that in some instances the City will be required to pay out of pocket cost.

Council Member Skurow made the motion to approve the first reading of Ordinance No. 2067 Repealing and Abolishing Existing “Ot-2” Olde Town Mixed Use District Economic Development Incentives. Council Member Moore seconded the motion.

The motion passed 6-0.

Mayor Pro Tem Lewis read the following caption.

ORDINANCE NO. 2067

**AN ORDINANCE REPEALING AND ABOLISHING
“OT-2” OLDE TOWN MIXED USE DISTRICT
ECONOMIC DEVELOPMENT INCENTIVES;
PROVIDING FOR THE REPEAL OF ORDINANCES
IN CONFLICT HERewith; PROVIDING A
SEVERABILITY CLAUSE AND EFFECTIVE DATE**

- 11. ORGANIZATIONAL ADJUSTMENT: THE CITY COUNCIL WILL CONSIDER ORGANIZATIONAL ADJUSTMENTS IN COMPLIANCE WITH SECTION 4.01 OF THE CITY CHARTER - CITY MANAGER**

City Manager Mike Tanner explained that as previously discussed, a number of relatively minor organizational adjustments need to be made that require formal City Council approval. A summary of proposed adjustments follow:

- Responsibility for the Department of Public Works and Development will be delegated to the Assistant City Manager
- Primary responsibility for Code Enforcement will be delegated to the Chief of Police/Police Department
- Responsibility for Utility Billing and Collection, which has functioned as a “department” will be delegated to the Finance Director/Finance Department as a “section”

An organization chart that illustrates the proposed organizational adjustments was presented for review and consideration.

Mr. Tanner added that Section 4.01 of the City Charter requires the City Council to approve substantial organizational changes (division or consolidation of City Charter prescribed administrative departments) with a super majority (2/3 of members) vote and all other organizational changes with a simple majority vote. Since the organizational adjustments that are being proposing are “insubstantial” in nature, the City Council may approve them with a simple majority vote.

Council Member Vilo made a motion to approve the organizational adjustments. Council Member Moore seconded the motion.

The motion passed 6-0.

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

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

- 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 7:31 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

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

SUBJECT: Ordinance #2066 repealing Section 4-1 of the Code of Ordinances entitled
"Construction; maintenance; removal of telecommunication towers"

SUBMITTED BY: Randy L. Wright, Assistant City Manager 

DATE: January 30, 2013 **FOR THE AGENDA OF:** February 5, 2013

ATTACHMENTS: Proposed Ordinance #2066

APPROVED FOR INCLUSION ON AGENDA: _____

SUMMARY STATEMENT:

Section 4-1 of the Portland Code of Ordinances, originally enacted in 1999, governs construction, maintenance and removal of telecommunication towers. It was amended in 2006 to accommodate towers constructed by government agencies.

Our new Unified Development Ordinance requires a Special Use Permit for any new telecommunications tower. The process requires an applicant to comply with a number of requirements in order to get an SUP. That process includes City Staff, the Planning and Zoning Commission and the City Council oversight on merits or drawbacks to each permit application and actually allows us more latitude than the original ordinance.

To avoid possible conflict with the new UDO, Section 4-1 should be repealed.

RECOMMENDED ACTION: Move to approve the second (final) reading of Ordinance #2066 repealing Section 4-1 of the Code of Ordinances.

ORDINANCE NO. 2066

AN ORDINANCE REPEALING CHAPTER 4, ARTICLE I, SECTION 4-1 RELATED TO THE CONSTRUCTION; MAINTENANCE AND REMOVAL OF TELECOMMUNICATION TOWERS, PROVIDING A SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS Chapter 4, Article 1, Section 4-1 was enacted in 1999 to control the construction, maintenance and removal of telecommunication towers when no other local regulation existed; and,

WHEREAS the Unified Development Ordinance (UDO) of the City of Portland, as amended, requires that all future telecommunication towers be permitted by Special Use Permit; and,

WHEREAS the process for issuance of Special Use Permits provides for adequate due process for applicants balanced by a need to protect the interests of the community,

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

SECTION 1. Chapter 4, Article I, Section 4-1 of the Code of Ordinances entitled "Construction; maintenance; removal of telecommunication towers," is hereby repealed in its entirety.

SECTION 2. 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 3. EFFECTIVE DATE: This Ordinance shall take effect upon the date of publication of the caption in the official newspaper of the City of Portland.

PASSED and APPROVED this 19th day of February 2013.

CITY OF PORTLAND

David Krebs
Mayor

ATTEST: _____
Annette Hall
City Secretary

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **ORDINANCE NO. 2067 - REPEALING AND ABOLISHING EXISTING “OT-2” OLDE TOWN MIXED USE DISTRICT ECONOMIC DEVELOPMENT INCENTIVES:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2067 WHICH REPEALS AND ABOLISHES EXISTING “OT-2” OLDE TOWN MIXED USE DISTRICT ECONOMIC DEVELOPMENT INCENTIVES - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

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

DATE: February 11, 2013

ATTACHMENTS: Ordinance No. 2067

SUMMARY STATEMENT: Economic development incentives were adopted in 2006 for the “OT-2” Olde Town Mixed Use District:

- Section 19-77, waiving specific requirements for the appraisal and abandonment of easements and rights-of-way instead of selling them
- Section 23-72, waiving water and sewer tap fees
- Appendix C, Section H, waiving building code fees

Staff recommends abolishing the economic development incentives for a multitude of reasons:

- Since the enactment in 2006, the incentives have never been used
- Staff administration of the incentives could be difficult (project failure could result in litigation)
- Proceeds from the sale of surplus easements and right-of-way can be used to repair/demolish substandard OT structure or finance OT amenities
- Doing so will reduce costs and generate revenue
- Repeal of these incentives will allow for creation of a broader and more consistent city-wide economic development incentive policy

RECOMMENDATION: Approve the second and final reading of Ordinance 2067.

ORDINANCE NO. 2067

AN ORDINANCE REPEALING AND ABOLISHING “OT-2” OLDE TOWN MIXED USE DISTRICT ECONOMIC DEVELOPMENT INCENTIVES; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE

WHEREAS the City has offered a diverse menu of “OT-2” Olde Town Mixed Use District economic development incentives since 2006; and,

WHEREAS such incentives have failed to interest members of the development/redevelopment community and have never been utilized; and,

WHEREAS it serves no public purpose to maintain such geographic or zoning district specific incentives when they have been proven through time to be ineffective; and,

WHEREAS the City Council has determined that abolishing “OT-2” Olde Town Mixed Use District economic development incentives will promote the health, safety, and welfare of Portland citizens as well as the general public.

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

SECTION 1. WAIVER OF SPECIFIC REQUIREMENTS REPEALED AND ABOLISHED: Section 19-77 (Waiver of specific requirements), Article 5 (ALTERING, ABANDONING, CLOSING OR VACATING STREETS, ALLEYS OR PUBLIC WAYS; PROCEDURE), Chapter 19 (STREETS AND SIDEWALKS) of the Code of Ordinances is hereby repealed and abolished.

SECTION 2. WAIVER OF WATER AND SEWER TAP FEES REPEALED AND ABOLISHED: Subsection (c), Section 23-72 (Fees), Division 4 (TAPS AND LINE EXTENSIONS), Article II (SERVICES AND CHARGES), Chapter 23 (WATER, SEWERS AND SOLID WASTE) of the Code of Ordinances is hereby repealed and abolished.

SECTION 3. BUILDING CODE FEES EXEMPTION REPEALED AND ABOLISHED: Section H, Appendix C (DEVELOPMENT FEE SCHEDULE) of the Code of Ordinances is hereby repealed and abolished.

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

SECTION 5. 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 6. EFFECTIVE DATE: This Ordinance shall take effect upon its second and final reading.

PASSED and APPROVED this 19th day of February, 2013.

EXECUTION

By: _____
David Krebs
Mayor

ATTEST: _____
Annette Hall
City Secretary

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **RESOLUTION NO. 662 - ADOPTING A REVISED STRATEGIC OPERATING PLAN:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 662 WHICH ADOPTS A REVISED CITY OF PORTLAND STRATEGIC OPERATING PLAN AND DIRECTS THE CITY MANAGER TO IMPLEMENT IT - ASSISTANT TO THE CITY MANAGER

SUBMITTED BY: Michel Weaver (ATTCM) **DATE:** February 19, 2013

ATTACHMENTS: - Resolution No. 662
- City of Portland Strategic Operating Plan

SUMMARY STATEMENT: If the City Council is satisfied that the “City of Portland Strategic Operating Plan” includes all of the revisions tentatively agreed upon at the January 29, 2013 Semi-Annual Strategic Planning Workshop, it should approve Resolution No. 662. The Staff will do the following if the City of Portland Strategic Operating Plan is adopted:

- Present a copy of it to each and every CoP employee (who shall read and acknowledge same)
- Display it on the official CoP website and City Hall monitors
- Publish it in the Breeze and present copies of it to area newspapers for publication
- Incorporate it in the 2012-2013 Fiscal Year Budget and the 5 Year Capital Program development process

RECOMMENDATION: Approve Resolution No. 662 and adopt the revised City of Portland Strategic Operating Plan

RESOLUTION NO. 662

**A RESOLUTION ADOPTING A REVISED CITY
OF PORTLAND STRATEGIC OPERATING PLAN
AND DIRECTING THE CITY MANAGER TO
IMPLEMENT IT**

WHEREAS the success of the City of Portland can be attributed to a continuous strategic planning process; and,

WHEREAS the City Council recently reviewed all 3 elements of its Strategic Operating Plan and determined that revisions should be made to the Operating Principles; and,

WHEREAS a revised Strategic Operating Plan will better guide the City of Portland and maximize its overall effectiveness.

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

THAT the newly revised "City of Portland Strategic Operating Plan," a copy of which is attached hereto and incorporated herein, is hereby adopted.

THAT the City Manager is hereby directed to publicize it, disseminate it, incorporate it in the current as well as ensuing fiscal year budget and ensure that all City of Portland employees adhere to it.

PASSED and APPROVED this 19th day of February 2013.

EXECUTED:

BY: _____
David Krebs
Mayor

ATTEST:

BY: _____
Annette Hall
City Secretary



STRATEGIC OPERATING PLAN

OPERATING VISION

A city recognized for its exceptional family life, safety, civility, extremely clean appearance, well maintained infrastructure, expanded municipal service menu and moderate cost of living through the promotion of economic development that is beneficial to the long term well-being of the community.

PHILOSOPHY OF GOVERNMENT

The City of Portland shall provide services and levels of service demanded by the majority of its citizens with the smallest government possible for the least possible cost. The City Council, Staff and employees pledge to:

1. Comply with local, state and federal law
2. Meet or exceed ethical and professional standards
3. Meet their fiduciary responsibilities
4. **Recognize that government can't do everything for everyone**
5. Focus on "Core" services
6. Be concerned, courteous and measured when dealing with the public
7. Fully and effectively inform the public in the most timely fashion
8. Project a positive image, continuously promote the City and compete for distinction or recognition whenever possible
9. Place the interests of the City and the needs of the citizens before their own
10. Ensure that special interests, resident or non-resident, are not promoted to the detriment of the City or its citizens
11. Cooperate, collaborate and coordinate to the extent possible locally, area-wide, regionally and state-wide
12. Promote professional development and innovation that improves the provision of City services
13. Mitigate issues in which rights conflict **only** when doing so serves a **compelling** public purpose

OPERATING PRINCIPLES

1. Revenue projections must be minimized and cost estimates maximized to ensure budget integrity
2. The size and cost of day to day government must be maintained to the extent possible until the revenue base diversifies and expands through development
3. True cost-benefit analysis should be conducted before decisions are made to annex land, acquire more property, construct new facilities, raise service levels or deliver additional services
4. Services that have questionable strategic value and benefit a limited number of citizens should either be eliminated or the costs associated with their delivery should be borne by the citizens who benefit
5. Expenditures associated with the maintenance, repair and rehabilitation of the infrastructure must increase
6. A minimum 3 month reserve must be maintained in every budgetary operating fund
7. The General Fund Reserve and Water/Wastewater Enterprise Fund Reserve may be used to finance planning initiatives or capital projects (improvements and/or recurring capital maintenance projects) except those described as park and recreation when minimum balances have been exceeded
8. Utility rates should be designed to finance truly segregated (water and sanitary sewer service) day to day costs, debt service, unforeseen capital repairs and if possible, recurring capital maintenance
9. Facilities that have questionable value, benefit a limited number of citizens and generate more costs than revenue should be eliminated
10. Opportunities to secure public grants-in-aid, private contributions and sell surplus property should be fully exploited
11. The waiver of recreation facility user fees should be minimized to the extent possible and prohibited in the case of fundraisers
12. Existing policies, rules and regulations should be continuously reviewed to ensure present day relevance, fairness and appropriateness
13. Opportunities to identify, cultivate and secure desirable economic development prospects should be fully exploited, be they within the city limits, within the extraterritorial jurisdiction or just beyond, **however, demands made by such prospects for financial incentives should only be met when there is a compelling purpose**
14. The delivery of business and development services should be streamlined as well as expedited
15. Sensible “Green” policies, programs and projects should be promoted
16. Goods and services should be locally purchased as long as doing so does not compromise quality, quantity or cost

- 17. Significant services delivered through private sector contracts or interlocal governmental agreements should be internally proposed or bid, competitively proposed or bid and annually reviewed to ensure outsourcing is the most appropriate means of delivery**
- 18. Technological advances that increase effectiveness, promote efficiency, improve customer service or reduce costs should be fully exploited**

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **CO-SPONSORSHIP OF OPERATION GRADUATION:** THE CITY COUNCIL WILL CONSIDER CONTINUED CO-SPONSORSHIP OF THE “OPERATION GRADUATION” CHEMICAL FREE PARTY ON MAY 31, 2013 AT THE COMMUNITY CENTER - DIRECTOR OF PARKS AND RECREATION

SUBMITTED BY: Kristin Connor, Director of Parks and Recreation

DATE SUBMITTED: February 11, 2013

FOR THE AGENDA: February 19, 2013

ATTACHMENTS: Letter from Planning Committee

SUMMARY STATEMENT: Operation Graduation has requested continued CoP co-sponsorship of its annual chemical free party for 2013 G-PHS graduates and their guests. Continued CoP co-sponsorship will permit Operation Graduation to (1) use the Portland Community Center from 9:00am on Friday, May 31, 2013 until 8:00am on Saturday, June 1, 2013 “free of charge” and (2) secure the event with 2 CoP Police Officers “free of charge”. The gym will be available for set-up beginning at 3:00pm on Friday, May 31, 2013. The Staff believes the Chem-Free party sponsored by the Operation Graduation exemplifies the kind of activity the CoP wants to promote and wholeheartedly supports co-sponsorship.

RECOMMENDATION: Consider co-sponsorship of the Operation Graduation chemical free party, a waiver of fees and the provision of CoP Police Department security.

GPHS Operation Graduation

P.O. Box 449 Portland, TX 78374

January 28, 2013

Kristin Connor
Parks and Recreation Department
City of Portland

As chairperson of the 2013 Operation Graduation planning committee, I would like to formally request the use of the Community Center for this year's event on May 31st and June 1st. We will begin setting up in the various meeting rooms at 8:00 a.m. on Friday morning and in the gym and ballroom area at 5:00 p.m. We will also have several "rides" set up in the driveway by the loading dock. Our event, and subsequent clean-up, will be finished by 8:00 a.m. Saturday morning.

As usual, we will want to use the tables and chairs in the meeting rooms. If there are any guidelines I need to be aware of, please let me know. We are expecting over 400 students to attend this year, and we appreciate the generosity of the City of Portland in donating the use of the Community Center.

If you have any questions or need anything further, please contact me at 946-1552 or goperationgraduation@gmail.com.

Sincerely,



Gail McCleese
Chairperson
GP Operation Graduation

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **CONSIDERATION OF RESOLUTION 663:** THE CITY COUNCIL WILL CONSIDER RESOLUTION 662 WHICH ENDORSES THE LEGISLATIVE AGENDA OF THE TEXAS COALITION FOR AFFORDABLE POWER (“TCAP”).

SUBMITTED BY: Finance Director Sandy Clarkson _____

AGENDA DATE: 02/19/2013 **DATE SUBMITTED:** 02/01/2013

ATTACHMENTS: **RESOLUTION 663 and TCAP Flyer on Legislative Issues**

SUMMARY STATEMENT: We have been asked to pass the attached resolution in support of the Texas Coalition for Affordable Power’s (TCAP) efforts on behalf of the member cities and all citizens of Texas. As you will recall, each time the Legislature meets, there are efforts by lobbyists to make changes in the deregulated electric power market. The various players in the energy market work to improve their own position – often at the expense of local government and all end-users of the electric power.

In Resolution 663, you will see TCAP is working on all fronts in the deregulated electricity market. First, they encourage the legislature to not harm city franchise revenues and rights of original jurisdiction. Next, they encourage energy generation initiatives favorable to cities and advocate resistance to efforts to pass control of the market to foreign owners, monopolistic generators and others intent on raising the consumers’ price for electricity. Finally, they are requesting the Legislature to require efforts to educate consumers on peak consumption costs and give consumers easier ways to competitively shop retail providers.

Approval of this Resolution will not increase any cost to the City of Portland, and will only add one additional letter of support to TCAP when they are lobbying in Austin.

RECOMMENDATION: The staff recommends approval of Resolution 663 endorsing certain legislative action in the regular session of the 83rd Legislature to enhance the competitive electric market and system reliability and to protect the traditional role of cities in the regulatory process.

RESOLUTION NO. 663

A RESOLUTION OF THE CITY OF PORTLAND, TEXAS, ENDORSING CERTAIN LEGISLATIVE ACTION IN THE REGULAR SESSION OF THE 83RD TEXAS LEGISLATURE TO ENHANCE THE COMPETITIVE ELECTRIC MARKET AND SYSTEM RELIABILITY AND TO PROTECT THE TRADITIONAL ROLE OF CITIES IN THE REGULATORY PROCESS

WHEREAS, the City of Portland, Texas is a member of Texas Coalition for Affordable Power (“TCAP”), a non-profit political subdivision created by cities throughout Texas to secure affordable electric energy for its members in the deregulated electric market; and

WHEREAS, TCAP pools the energy needs of its more than 160 political subdivision members to negotiate favorable prices and contract terms for the purchase of approximately 1.3 billion kilowatt hours annually; and

WHEREAS, affordable and reliable power means economic development for the City and a better standard of living for our citizens; and

WHEREAS, the City supports legislative initiatives that promote a healthy electric market where competition can flourish and electric customers can save money; and

WHEREAS, the City endorses the legislative agenda of TCAP and opposes legislative initiatives that would fundamentally alter the ERCOT energy market or the traditional role of cities in the regulatory process.

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

1. The Regular Session of the 83rd Texas Legislature be encouraged to preserve the traditional role of cities in the regulatory process, including original jurisdiction and reimbursement of reasonable rate case expenses.
2. The Legislature make no statutory changes that would lead to a reduction in revenues paid by public utilities as franchise fees for rental of public rights-of-way.
3. The Legislature facilitate and encourage public/private partnerships between cities and electric generation developers in creating small-scale (not to exceed 50 MW) power plants capable of rapidly meeting peak power needs.
4. The Legislature recognize that “smart meters” are under-utilized with regard to encouraging and incentivizing reductions in energy consumption during peak periods and that the regulated transmission and distribution utilities which own the “smart meters” be allowed to re-enter the retail electric market to the extent they offer regulated rate plans designed to incent reductions in peak energy consumption.

5. The Legislature preclude foreign ownership of electric distribution assets and make it clear that, notwithstanding any other provision in law, home rule cities, individually or collectively, shall be permitted to own and operate electric distribution assets so long as said cities are not involved in retail sales of electricity.

6. The Legislature resist any efforts to transform the energy-only ERCOT market into a capacity market which would increase the price of electricity by artificially inflating generator profits.

7. The Legislature enhance protections against anti-competitive activities in the wholesale market and require the Public Utility Commission ("PUC") to reform its rules related to Voluntary Mitigation Plans and allow cities and other interested parties to participate in review of such plans.

8. The Legislature mandate that the PUC and market participants provide consumer education regarding the relationship between time of use, cost of energy production and transmission, and the price paid by consumers.

9. The Legislature require the PUC to establish certain uniform products that must be offered by all retail electric providers ("REPs") and to establish new rules governing the powertochoose.org and powertosavetexas.org websites that will better inform retail customers of complaints against REPs and better educate customers regarding the economic and market benefits of reducing demand during peak periods.

10. This resolution shall take effect immediately upon its passage.

11. A copy of this resolution shall be sent to the elected lawmakers representing the City's interests in the Texas House and Senate and to Randolph C. Moravec, Executive Director of TCAP, 15455 Dallas Parkway, Addison, Texas 75001.

PRESENTED AND PASSED on this 19th day of February, 2013 at a regular meeting of the City Council of Portland, Texas.

David Krebs, Mayor

ATTEST:

Annette Hall, City Secretary

The Texas Coalition for Affordable Power ***Recommendations for a More Competitive Electric Market***

Because high energy costs can impact municipal budgets and the ability to fund essential services, TCAP, as part of its mission, actively promotes affordable energy policies. Affordable power in a fully competitive market also means economic development for our communities and a better life for our citizens. TCAP members are committed to making electric deregulation work.

Maintaining an even playing field for cities

Cities have a long history representing consumers in “regulated” rate cases. But big electric companies want to deter cities from exercising any opposition so they can more easily raise rates. TCAP will work hard at the Texas Legislature to protect city authority.

Fair Price for Electricity Produced at Home

Are rooftop solar panels installed in your community? TCAP supports legislation that will ensure that residential and small commercial customers that produce excess power at their homes or businesses receive a fair price for power they provide the grid.

Reduce Confusion in the Retail Electricity Market

Texans should have access to standard-language electricity deals. These deals will enhance competition by facilitating apples-to-apples price shopping.



Contact: Randolph (Randy) C. Moravec, PhD, Executive Director
rcmoravec@tcaptx.com • (972) 742-7015



tcaptx.com

Avoid Changes in the Market that Will Increase Costs

Some of the state's generation companies want to receive big payments for power plants, regardless of whether any power is actually generated — and are lobbying hard for changes to make it happen. TCAP will oppose proposals at the Legislature that create unnecessary price supports for generators that circumvent the competitive market and increase electricity costs to consumers.

Updating Market Protections in the Lone Star State

Where appropriate, anti-competitive behavior prohibited in other states should also be prohibited in Texas. Texas regulators should have the same power to assess penalties as regulators elsewhere. Legal loopholes that exempt some generators from prosecution should be closed.

Promote Public-Private Electric Generation Partnerships

TCAP wants cities to have the right to pursue small-scale generation projects, just so long as the projects enhance economic development and produce affordable power. Such public-private partnerships also are a cost-effective way to help address the state's long-term generation and reliability challenges.

No foreign ownership of electric distribution facilities

Texans depend on a complex network of wires to bring power to their homes. With so much at stake, accountability is important. That's why there should be no foreign ownership of local electric distribution networks. When the system fails or bills go up, Texans shouldn't have to call Madrid to complain. Home rule cities — individually or collectively — also should be permitted to own and operate electric distribution networks.

Hold Big Generation Companies Accountable for Market Abuses

Under Texas law, big generation companies can obtain advanced regulatory protections against future prosecution for anti-competitive behavior. TCAP supports reforms to ensure that these advanced protections are fair, and don't become "Get Out Of Jail Free" cards for market abusers.



Contact: Randolph (Randy) C. Moravec, PhD, Executive Director
rcmoravec@tcaptx.com • (972) 742-7015



tcaptx.com

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

SUBJECT: **REVISED AND RESTATED WATER SUPPLY CONTRACT: THE CITY COUNCIL WILL CONSIDER A REVISED AND RESTATED WATER SUPPLY CONTRACT WITH THE SAN PATRICIO MUNICIPAL WATER DISTRICT**

SUBMITTED BY: Randy L. Wright, Assistant City Manager

DATE: February 15, 2013 **FOR THE AGENDA OF:** February 19, 2013

ATTACHMENTS: Proposed Contract

APPROVED FOR INCLUSION ON AGENDA: CITY MANAGER _____

SUMMARY STATEMENT:

The San Patricio Municipal Water District has requested changes in our contract. These contracts typically run for 30 years unless amended by the parties. It has been amended at least three times over the years. This contract replaces the existing contract in its entirety as well as all prior amendments.

The two specific changes requested by SPMWD are:

- 1) A change in language required by TCEQ related to average gallons per minute per connection that the District must maintain.

- 2) A requirement that the City seek written consent from the District before agreeing to supply any commercial/industrial customer with more than 10% of the City's average daily usage.

Staff has no objections to the changes.

RECOMMENDED ACTION: Motion to approve the amended contract between the City and the San Patricio Municipal Water District.

**REVISED AND RESTATED WATER SUPPLY CONTRACT
BETWEEN
SAN PATRICIO MUNICIPAL WATER DISTRICT
AND
THE CITY OF PORTLAND, TEXAS**

THE STATE OF TEXAS §
 §
COUNTY OF SAN PATRICIO §

This Revised and Restated Water Supply Contract between San Patricio Municipal Water District and the City of Portland, Texas (the "Revised and Restated Contract"), is made and entered into by and between San Patricio Municipal Water District, a conservation district and political subdivision of the State of Texas, duly created by the Legislature of the State of Texas, acting herein by and through its duly authorized officers, hereinafter called the "District," and the City of Portland, Texas, a municipal corporation, duly organized under the laws of the State of Texas, acting by and through its duly authorized officers, hereinafter called the "City."

WITNESSETH:

WHEREAS, the District and the City entered into a Contract and Agreement dated May 13, 1963, pursuant to which the District has furnished a water supply to the City (the "Contract"); and

WHEREAS, the Contract was amended by the Water Contract Amendment (the "First Amendment") dated November 15, 1983; and

WHEREAS, the District and the City entered into the Second Amendment to Water Supply Contract between San Patricio Municipal Water District and the City of Portland, Texas dated August 15, 1998 (the "Second Amendment"); and

WHEREAS, the District and the City entered into the Third Amendment to Water Supply Contract between San Patricio Municipal Water District and the City of Portland, Texas with effective date October 14, 2008 (the "Third Amendment"); and

WHEREAS, the Contract, the First Amendment, the Second Amendment and the Third Amendment are hereafter referred to as the "Prior Contract," and it is now necessary to revise and restate the Prior Contract in its entirety to accommodate the desires of the parties; and

WHEREAS, some or all of the District's retail provider customers have been cited by the Texas Commission on Environmental Quality (the "TCEQ") for failure to comply with 30 TAC §290.45 which requires purchased water systems to have a wholesale contract that obligates the wholesaler to provide an amount of water that, with the addition of the actual production capacity of the purchased water system, is equal to at least 0.6 gpm per connection; and

WHEREAS, 30 TAC §290.45 authorizes alternative capacity requirements, as submitted by a licensed professional engineer, and the District has caused to be prepared the City of Portland - Alternative Capacity Requirements Study, prepared by James Schwarz, P.E., and that study concluded that the number 0.40 gpm may be substituted for the 0.6 gpm requirement in the rule; and

WHEREAS, the District is willing to commit to providing 0.40 gpm per connection to the City provided that the City provide information annually on its number of connections and water usage, and provided that the City not serve any nonresidential customer with an amount of water exceeding the amount specified in this Revised and Restated Contract, unless such service is consented to in writing by the District.

AGREEMENT

NOW THEREFORE, the District and the City, each acting by and through its official representatives duly authorized by the governing body of each party to execute this Revised and Restated Contract, do hereby agree as follows:

ARTICLE I

Revised and Restated Agreement

1.1 **Effective Agreement.** This Revised and Restated Agreement supercedes and replaces the Prior Agreement in its entirety, effective as of the Effective Date.

ARTICLE II

Quantity

2.1 **Quantity.** The District currently receives raw water, and has the right to receive treated water, from the City of Corpus Christi pursuant to the Raw Water Supply Contract between the City of Corpus Christi and San Patricio Municipal Water District dated March 17, 1997 and the Treated Water Supply Contract between the City of Corpus Christi and San Patricio Municipal Water District dated March 17, 1997, which contracts are hereinafter referred to as the "Corpus Christi Raw Water Contract" and the "Corpus Christi Treated Water Contract," respectively. Subject to the provisions of Articles XI and XVI hereof, and the provisions of the Corpus Christi Raw Water Contract and Corpus Christi Treated Water Contract, the District agrees to sell and deliver to the City at the delivery points hereinafter specified, and the City agrees to purchase and take at said delivery points, all water required by the City during the period of this agreement for its own use and for distribution to all customers served by the City's water distribution system in an amount up to 0.40 gpm per connection. The District will use its best efforts to remain in the position to furnish water sufficient for the reasonable demands of the City, but its obligations shall be limited to the quantity of water available to it under its contracts with the City of Corpus Christi and such other sources of water supply as the District may be able to obtain, having due regard for the equitable rights of other customers of the District to water from the same source.

The alternative capacity requirement described in the foregoing recitals was approved by the Executive Director of the TCEQ in a letter dated April 25, 2007, signed on behalf of the Executive Director by Amanda Jigmond. If the Executive Director revokes or revises the alternative capacity requirement, the District and the City will work together in good faith in an effort to amend the provisions of this foregoing paragraph 2.1 to comply with the Executive Director's revised requirements.

ARTICLE III
Quality

3.1 **Quality.** The quality of water supplied to the City at the delivery points shall be sufficient to meet the requirements for potable water established by the Texas Commission on Environmental Quality ("TCEQ") and the United States Environmental Protection Agency ("EPA"). The District shall not be responsible for maintaining any particular amount of disinfectant in the City's system.

ARTICLE IV
Points of Delivery and Title

4.1 **Points of Delivery and Title.** The District will deliver water to the City at the existing delivery points and such other delivery points as may be agreed upon by the managers of the District and the City. The District will deliver water at the outlet of the existing meter or meters and such other meters as may be agreed upon by the managers of the District and the City. Title to water shall pass to the City when it passes through the meters at the points of delivery.

ARTICLE V
Measuring of Water

5.1 **Measuring of Water.** The District has furnished and installed, and shall operate and maintain at its own expense at said delivery points, the necessary equipment and devices of standard type for measuring properly the quantity of water delivered under this agreement. Such meter or meters and other equipment so installed shall remain the property of the District. The City may, at its option and its own expense, install and operate a check meter to check each meter installed by the District, but the measurement of water for the purpose of this Revised and Restated Contract shall be solely by District's meter.

The District's meter shall be checked annually at the expense of the District by the District's employees or agents as to accuracy of registration. Whenever the District meter is to be checked, the District shall notify the City ten (10) days in advance of such check in order that the City may have a representative present as a witness. If either the City or the District at any time shall notify the other that it desires a special test of the District meter, the District and the City shall cooperate to secure an immediate determination of the accuracy thereof and may make joint observation of any such tests and adjustments. If upon such special tests the meter is found to be less than two percent

(2%) high or low, the cost of such test shall be paid by the party requesting it; otherwise, by the District. If upon any test the meter tested is found to be more than two percent (2%) high or low, the registration thereof shall be corrected for a period extending back to the time when such inaccuracy began, if such time is ascertainable, and if such time is not ascertainable, then for a period extending back one-half (½) of the time elapsed since the last date of meter check, but in no event further back than a period of six (6) months. If for any reason the meter is out of service or out of repair so that the amount of water delivered cannot be ascertained or computed from the reading thereof, the water delivered during the period such meter is out of service or out of repair shall be estimated and agreed upon by the parties hereto upon the basis of the best data available.

The City shall have access to the metering equipment of District at all reasonable times, but the reading, calibration, checking and adjustment thereof shall be done by the employees or agents of the District.

For the purpose of this Revised and Restated Contract, the original record or reading of the meter shall be the journal or other record book of District in its office in which the records of the employees or agents of the District who take the reading are or may be transcribed. Upon request, District will permit the City to have access to the records of the District in the office of the District during reasonable business hours.

ARTICLE VI Unit of Measurement

6.1 **Unit of Measurement.** The unit of measurement for water delivered hereunder shall be 1,000 gallons of water, U.S. Standard Liquid Measure.

ARTICLE VII Billing and Payment

7.1 **Billing and Payment.** The District shall read all of the meters monthly and will promptly render monthly bills to the City based on such readings. Such bills shall be due and payable within twenty-five (25) days from the date the same are deposited in the United States mails, properly stamped and addressed to the City.

7.2 **Late Payment.** In the event the City shall fail to make any payment required to be made to the District under this Revised and Restated Contract, within the time specified herein, interest on the amount due shall accrue at the rate of one and one-half percent (1.5%) per month, or the maximum rate allowed by law, whichever is less, from the date such payment becomes due, until paid in full with interest as above specified. In the event any such payment is not made within sixty (60) days from date such payment becomes due, the District may, at its option, discontinue the delivery of water to the City until the amount then due to the District is paid in full with interest as above specified.

ARTICLE VIII
Special Conditions

8.1 Use of Streets and Alleys. Should any pipeline or appurtenances, including communication lines, owned by the District be installed, whether now or later, in any street, alley or public way within the boundaries of the City, as same are now constituted or as may hereafter be extended, the City hereby grants to the District the right, privilege and franchise of using such streets, alleys and public ways for the purpose of maintaining, operating, laying, repairing and removing such pipelines and appurtenances, including communication lines.

8.2 Sources of funds For Payment and Sufficiency of Rates and Charges. The District shall never have the right to demand payment by the City of any obligation assumed or imposed on it under and by virtue of this Revised and Restated Contract from funds raised or to be raised by taxation. City's obligation under this Revised and Restated Contract shall never be construed to be a debt of the City of such kind as to require it under the laws of this State to levy and collect a tax to discharge such obligation, it being expressly understood by the parties hereto that all payments due by the City hereunder are to be made from the revenues received by the City from its waterworks system.

The City represents and covenants that the water supply to be obtained pursuant to this Revised and Restated Contract is essential and necessary to the operation of its waterworks system, and that all payments to be made hereunder by it will constitute reasonable and necessary "operating expenses" of the City's waterworks system as defined in Chapter 1502 of the Government Code, as amended, and that all such payments will constitute reasonable and necessary "operating expenses" of the City's waterworks system under any and all revenue bond issues of the City, with the effect that the City's obligation to make payments from its waterworks revenues under this Revised and Restated Contract shall have priority over its obligations to make payments of the principal of and interest on any and all of its revenue bonds.

City agrees to fix and collect such rates and charges for water and services to be supplied by its waterworks system as will make possible the prompt payment of all expenses of operating and maintaining its waterworks system, including all payment contracted hereunder, and the prompt payment of the principal of and interest on its obligations payable from the revenues of its waterworks system.

ARTICLE IX
Service to Certain New Nonresidential Customers
and Annual Reporting of Number of Connections

9.1 District Consent Required for Service to Certain New or Expanding Nonresidential Customers. If the City wants to serve a new nonresidential customer, or expand the service to an existing nonresidential customer, where, for the new nonresidential customer, or for the expansion to an existing nonresidential customer, the projected increase in the average daily

flow will exceed 10% of the average daily flow of the City, averaged over the preceding five calendar years, the City must obtain written consent from the District before providing such new service.

9.2 Annual Reporting of Connections. Each year, on or before January 31, the City will provide the District with a report on the number of connections served at the end of the previous year, in a format that enables the District to determine the number of connections that must be served at 0.40 gpm pursuant to 30 TAC §290.45. The City will, at the same time, provide a projection of that information for the year in which the report is made.

ARTICLE X Price of Water

10.1 Rates to Be Cost Based. All rates charged pursuant to this Revised and Restated Contract shall be set to recover the cost of service, based on generally accepted ratemaking principles, including those set forth in the American Water Works Association AWWA Manual M1 on water rates.

10.2 Rate Adjustment. If in any fiscal year there is a material difference between the District's revenues and expenses, as compared to the revenues and expenses as projected in the applicable budget for that year, as determined by the District, the District may, after consultation with the City, to the extent deemed necessary or advisable by the District, in its sole discretion, change the rates to be charged to the City during that year.

10.3 District Budget. The District's fiscal year shall be from January 1 through December 31 of each year, or such other period as the District, after sixty (60) days written notice to the City, shall adopt. Not later than the seventh (7th) day after the date of the District's Board of Directors October budget review meeting each year, commencing with the District's fiscal year in which this Revised and Restated Contract becomes effective, the District shall provide the City with a copy of the District's proposed budget for the following fiscal year, showing the budgeted total annual rate, and the components thereof, to be paid by the City to the District for the fiscal year of the District to which the budget applies for sale and purchase of water under this Revised and Restated Contract. City shall have thirty (30) days to review and comment on the proposed budget. The District shall adopt its final budget as soon as practicable following the expiration of such thirty (30)-day period and shall deliver to the City a copy of each final budget within five (5) days after the adoption thereof.

ARTICLE XI Force Majeure

11.1 Force Majeure. If the District should be prevented, wholly or in part, from furnishing water to the City under this Revised and Restated Contract by reason of acts of God, unavoidable accident, acts of the public enemy, strikes, floods, fires, governmental restraint or

regulations, pump station failures, breaks in pipelines or for any other cause beyond the District's control, then the obligation of the District to deliver water to the City shall be temporarily suspended during the continuance of such force majeure.

The rights of the City to obtain delivery of water from the District shall also be subject to all rights of the City of Corpus Christi with respect to the furnishing of water by said City of Corpus Christi to the District under the conditions of the District's contracts with the City of Corpus Christi. Reference is here made to each of said contracts, the terms of which are familiar to both of the parties hereto.

No damage shall be recoverable from the District by reason of the temporary suspension of delivery of water due to any of the causes above mentioned or due to the failure of the City of Corpus Christi to deliver water to the District. If the District's ability to deliver water to the City is affected by any of the causes above mentioned, the District shall promptly notify the City in writing, giving the particulars as soon as practicable after the occurrence of the cause or causes for such interruption.

If the supply of water available to the District is insufficient for any reason to serve the requirements of all of its customers, then the available amount of water will be allocated by the District pursuant to the provisions of the District's Drought Contingency Plan, as that plan may be amended from time to time.

ARTICLE XII Alterations and Repairs

12.1 **Alterations and Repairs.** It is expressly recognized by the City that the District may be compelled to make necessary alterations, repairs and extensions of new or additional water transportation facilities from time to time during the life of this Revised and Restated Contract, and any suspension of delivery to the City due to such operation shall not be cause for claim of damage on the part of the City, provided all reasonable effort is used by the District to provide the City with water in accordance with this Revised and Restated Contract. In such case, the District shall give the City as much advance notice as may be practicable of the suspension of delivery and of the estimated duration thereof.

ARTICLE XIII Term

13.1 **Term.** Unless sooner terminated or extended by mutual agreement of the parties hereto, this Revised and Restated Contract shall be in force and effect at any time while any of the District's bonds remain outstanding, or thirty (30) years from the Effective Date of this Revised and Restated Contract, whichever is later.

ARTICLE XIV
Effective Date

14.1 **Effective Date.** The Effective Date of this Revised and Restated Contract shall be the date on which it has been executed by both parties.

ARTICLE XV
Modification

15.1 **Modification.** This Revised and Restated Contract shall be subject to change or modification at any time but only with the mutual consent of the governing bodies of each of the parties hereto.

ARTICLE XVI
Corpus Christi Contract and Drought Contingency Plan

16.1 **Corpus Christi Contract and Drought Contingency Plan.** The City acknowledges that it is required by Sec. 11.1272, Water Code, to develop a drought contingency plan consistent with the appropriate approved regional water plan. The City also acknowledges that the Corpus Christi Raw Water Contract and the Corpus Christi Treated Water Contract require that, if the City of Corpus Christi implements any measures under its Water Conservation and Drought Contingency Plan, the District shall within thirty (30) days of notice of the implementation of any restrictions, surcharges or rationing by the City of Corpus Christi, impose similar restrictions, surcharges or rationing measures on its customers. Any contract for the resale of water furnished by the District shall contain a similar condition.

Accordingly, the City agrees that it will adopt a water conservation plan and drought contingency plan consistent with those of the City of Corpus Christi, as the latter may be amended from time to time.

ARTICLE XVII
Forum

17.1 **Forum.** Any disputes between the parties to this Revised and Restated Contract concerning the subject matter of this Revised and Restated Contract shall be submitted for resolution to the District Court of San Patricio County, Texas.

ARTICLE XVIII
Entirety

18.1 **Entirety.** This Revised and Restated Contract supersedes all previous agreements or representations, either written or verbal, heretofore in effect between the District and the City, made with respect to matters herein contained.

ARTICLE XIX
In Witness Whereof

19.1 **In Witness Whereof.** The parties hereto have caused this document to be executed by their duly authorized representatives as shown below.

SAN PATRICIO MUNICIPAL WATER DISTRICT

By: _____

President

ATTEST:

Secretary

[SEAL]

THE CITY OF PORTLAND, TEXAS

By: _____

Mayor

ATTEST:

Secretary

[SEAL]



STAFF
WEEKLY
REPORTS

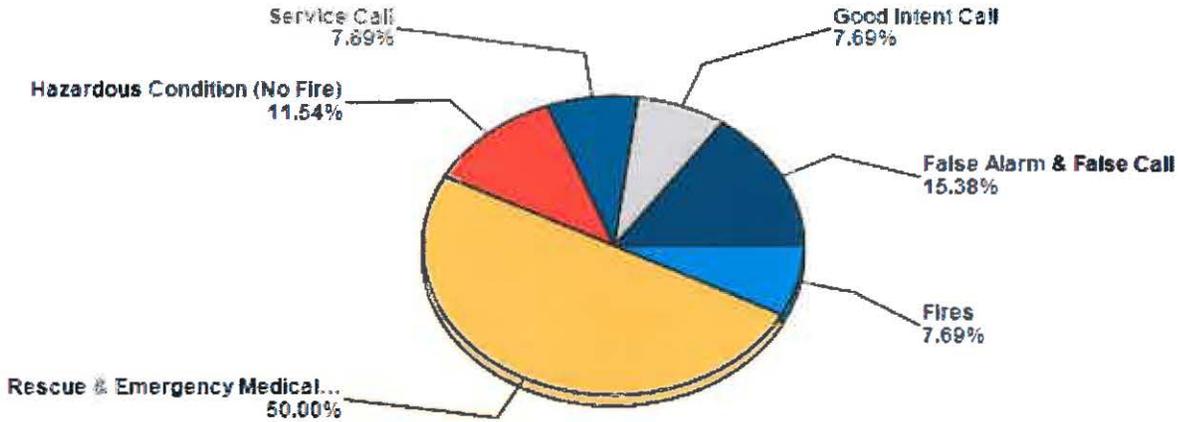
Portland Fire Department

Portland, TX

This report was generated on 2/4/2013 8:13:40 AM

Breakdown by Major Incident Types for Date Range

Start Date: 01/28/2013 | End Date: 02/03/2013



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	2	7.69%
Rescue & Emergency Medical Service	13	50.00%
Hazardous Condition (No Fire)	3	11.54%
Service Call	2	7.69%
Good Intent Call	2	7.69%
False Alarm & False Call	4	15.38%
TOTAL	26	100.00%

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
113 - Cooking fire, confined to container	1	3.85%
131 - Passenger vehicle fire	1	3.85%
311 - Medical assist, assist EMS crew	5	19.23%
321 - EMS call, excluding vehicle accident with injury	8	30.77%
412 - Gas leak (natural gas or LPG)	2	7.69%
445 - Arcing, shorted electrical equipment	1	3.85%
510 - Person in distress, other	1	3.85%
554 - Assist invalid	1	3.85%
611 - Dispatched & cancelled en route	1	3.85%
653 - Smoke from barbecue, tar kettle	1	3.85%
700 - False alarm or false call, other	3	11.54%
730 - System malfunction, other	1	3.85%
TOTAL INCIDENTS:	26	100.00%

Annual Pump Testing for All Apparatus

Average Response Time: 4.76 Min.



Inspections Search

Portland Fire Department
 595 Buddy Ganem
 Portland, TX 78374
 Phone: 361-643-0155
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Search Criteria:

<u>Date</u>	All Addresses	<u>Status</u>	<u>Inspector</u>
From: 1/27/2013		All	Craig Hedrick
To: 2/2/2013 11:59:00 PM			

Date	Record Type	Number	Cause	Complete	Violations			Addresses	Parties Name	Inspector	
					New	Old	Corr				
01/31/2013	1:26 pm	Building Plans (FD)	I-CH-13-0030	Request	No	0	0	0	118 Lang	VIP Car Wash	Craig Hedrick
01/28/2013	9:00 am	Annual Inspection (FD)	I-CH-12-0007.A.A	Reinspection	Yes	0	1	1	313 Seventh	Blue Willow Tea Room	Craig Hedrick
01/28/2013	10:42 am	Building Plans (FD)	I-CH-13-0018	Request	Yes	0	0	0	1702 Hwy 181 Suite A4	Cheniere LNG	Craig Hedrick
01/28/2013	2:22 pm	Fire Safety Insp. (FD)	I-CH-13-0019	Request	Yes	0	8	0	1603 US Hwy 181	Al Willeford	Craig Hedrick
01/29/2013	10:26 am	Building Plans (FD)	I-CH-13-0020	Request	Yes	0	0	0	4601 Wildcat	High School	Craig Hedrick
01/30/2013	12:11 pm	Annual Inspection (FD)	I-CH-11-0231.B	Periodic	Yes	2	0	0	1500 Wildcat Suite H	David Heredia MD	Craig Hedrick
01/30/2013	12:16 pm	Annual Inspection (FD)	I-CH-11-0232.B	Periodic	Yes	1	0	0	1500 Wildcat Suite N	Natural Nails	Craig Hedrick
01/30/2013	12:19 pm	Annual Inspection (FD)	I-CH-12-0030.B	Periodic	Yes	1	0	0	718 Dallas	Charles Brett	Craig Hedrick
01/30/2013	12:21 pm	Annual Inspection (FD)	I-CH-13-0013.A	Reinspection	Yes	0	2	2	110 Lang	Security Services CU	Craig Hedrick
01/30/2013	12:23 pm	Unwholesome Prop (FD)	I-CH-13-0015.A	Reinspection	Yes	0	0	1	217 Chase	217 Chase Resident	Craig Hedrick
01/30/2013	12:23 pm	Unwholesome Prop (FD)	I-CH-13-0016.A	Reinspection	Yes	0	1	1	218 Chase	218 Chase - Res.	Craig Hedrick
01/30/2013	12:26 pm	Annual Inspection (FD)	I-CH-11-0249.C	Reinspection	Yes	0	1	1	605 8th	Home Trust Mortgage	Craig Hedrick
01/30/2013	12:29 pm	Annual Inspection (FD)	I-CH-11-0175.B.A	Reinspection	Yes	0	2	2	118 Lang	VIP Car Wash	Craig Hedrick
01/30/2013	12:30 pm	Annual Inspection (FD)	I-CH-11-0251.C	Reinspection	Yes	0	1	1	607 8th	Coldwell Banker	Craig Hedrick
01/30/2013	12:33 pm	Annual Inspection (FD)	I-CH-11-0201.B	Reinspection	Yes	0	1	1	904 Memorial Suite B	Portland Cham. of Comm.	Craig Hedrick
01/30/2013	12:35 pm	Annual Inspection (FD)	I-CH-11-0174.D	Reinspection	Yes	0	2	0	1201 Wildcat	Speedy Stop	Craig Hedrick
01/30/2013	12:36 pm	Annual Inspection (FD)	I-CH-11-0145.B	Reinspection	Yes	0	6	0	1510 Wildcat	Papa Johns	Craig Hedrick
01/30/2013	12:39 pm	Annual Inspection (FD)	I-CH-11-0178.C	Periodic	Yes	0	0	0	1008 US Hwy 181	Fastenal	Craig Hedrick
01/30/2013	12:41 pm	Annual Inspection (FD)	I-CH-11-0230.B.A	Reinspection	Yes	0	1	1	1302 Wildcat Suite C	Artistic Flowers	Craig Hedrick
01/30/2013	12:44 pm	Annual Inspection (FD)	I-CH-11-0149.D	Reinspection	Yes	0	1	0	1502 Wildcat	Rent A Center	Craig Hedrick
01/30/2013	12:45 pm	Annual Inspection (FD)	I-CH-11-0252.B.A	Reinspection	Yes	0	0	1	912 Dallas Suite A	Gold-N-Things Pawn Shop	Craig Hedrick
01/30/2013	12:47 pm	Unwholesome Prop (FD)	I-CH-13-0021	Complaint	Yes	1	0	0	237 Country Club Lot 15	R. and M. McCasland	Craig Hedrick
01/30/2013	2:29 pm	Unwholesome Prop (FD)	I-CH-13-0022	Complaint	Yes	1	0	0	2200 Memorial	2200Memorial-RespParty	Craig Hedrick
01/30/2013	2:36 pm	Unwholesome Prop (FD)	I-CH-13-0023	Complaint	Yes	1	0	0	1223 Memorial	1223Memorial-RespParty	Craig Hedrick
01/31/2013	7:31 am	Unwholesome Prop (FD)	I-CH-13-0024	Periodic	Yes	1	0	0	1607 Memorial	1607 Memorial - Resident	Craig Hedrick
01/31/2013	7:34 am	Unwholesome Prop (FD)	I-CH-13-0025	Complaint	Yes	1	0	0	1224 Memorial	1224 Memorial Resp. Party	Craig Hedrick
01/31/2013	7:37 am	Plants/Vegetation (FD)	I-CH-13-0026	Complaint	Yes	0	3	0	1718 Dallas	1718 Dallas Resident	Craig Hedrick
01/31/2013	8:08 am	Building Plans (FD)	I-CH-13-0027	Request	Yes	0	0	0	1702 US Hwy 181	State Farm	Craig Hedrick
01/31/2013	9:00 am	Unwholesome Prop (FD)	I-CH-13-0028.A	Reinspection	Yes	0	1	0	109 San Saba	109 San Saba - Resp. Party	Craig Hedrick
01/31/2013	10:50 am	Unwholesome Prop (FD)	I-CH-13-0029	Complaint	Yes	1	2	0	2326 Memorial	2326 Memorial Resp.Party	Craig Hedrick
01/31/2013	10:56 am	Annual Inspection (FD)	I-CH-11-0207.C.A	Reinspection	Yes	0	1	1	1021 US Hwy 181 Suite 4	Lady Luck Pet Grooming	Craig Hedrick

Date	Record Type	Number	Cause	Complete	Violations			Addresses	Parties Name	Inspector	
					New	Old	Corr				
01/31/2013	11:00 am	Annual Inspection (FD)	I-CH-11-0156.D.A	Reinspection	Yes	0	1	0	1705 US Hwy 181	Hampton Inn	Craig Hedrick
01/31/2013	1:16 pm	Annual Inspection (FD)	I-CH-12-0016.B	Periodic	Yes	2	0	0	617 Moore	Snappy Food	Craig Hedrick
01/31/2013	1:19 pm	Annual Inspection (FD)	I-CH-12-0002.B	Reinspection	Yes	2	0	0	1650 Wildcat	Stripes	Craig Hedrick
01/31/2013	1:21 pm	Annual Inspection (FD)	I-CH-12-0019.B	Reinspection	Yes	2	0	0	1703 US Hwy 181	Days Inn	Craig Hedrick
02/01/2013	12:00 am	Annual Inspection (FD)	I-CH-13-0031	Request	Yes	0	0	0	1702 US Hwy 181 Suite A-5	Spankys Liquor Store	Craig Hedrick

Total Number of Records: 36

Portland Fire Department

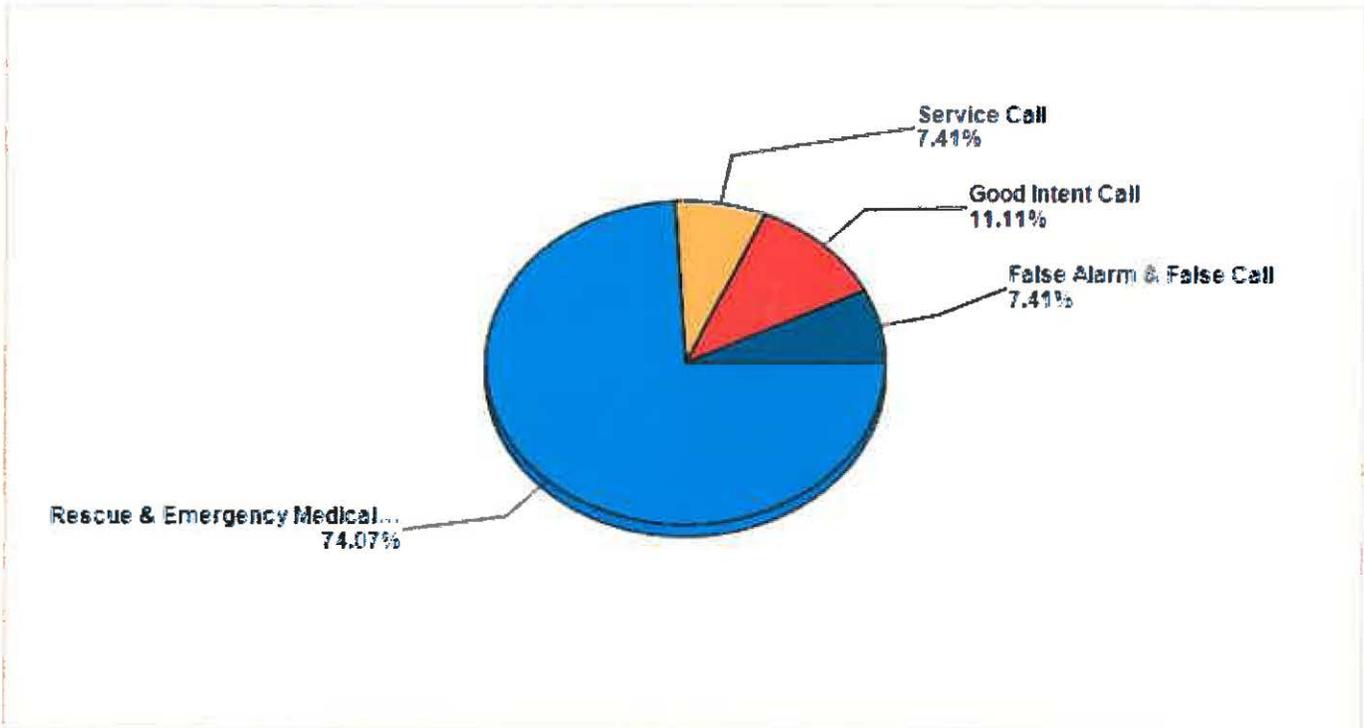
Portland, TX

This report was generated on 2/11/2013 8:27:25 AM



Breakdown by Major Incident Types for Date Range

Start Date: 02/04/2013 | End Date: 02/10/2013



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Rescue & Emergency Medical Service	20	74.07%
Service Call	2	7.41%
Good Intent Call	3	11.11%
False Alarm & False Call	2	7.41%
TOTAL	27	100.00%

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
311 - Medical assist, assist EMS crew	9	33.33%
321 - EMS call, excluding vehicle accident with injury	10	37.04%
324 - Motor vehicle accident with no injuries.	1	3.70%
500 - Service Call, other	1	3.70%
554 - Assist invalid	1	3.70%
611 - Dispatched & cancelled en route	2	7.41%
622 - No incident found on arrival at dispatch address	1	3.70%
700 - False alarm or false call, other	1	3.70%
743 - Smoke detector activation, no fire - unintentional	1	3.70%
TOTAL INCIDENTS:	27	100.00%

Station Tour for two children upon request

Average Response Time: 4.55 Min.