



CITY COUNCIL AGENDA

NOTICE OF WORKSHOP

**Tuesday, March 19, 2013
6:30 p.m.
Council Chamber - City Hall
Daniel P. Moore Community Center Complex
1900 Billy G. Webb
Portland, Texas**

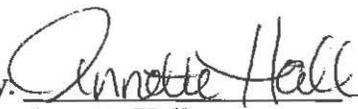
1. **CALL TO ORDER:** MAYOR KREBS
2. **REQUEST FOR ZONING TRANSITION:** THE CITY COUNCIL WILL DISCUSS A REQUEST FROM BRASELTON HOMES FOR A ZONING TRANSITION FOR A NEW SINGLE-FAMILY RESIDENTIAL MASONRY FACADE REQUIREMENT WHICH TOOK EFFECT ON FEBRUARY 7, 2013 AND RELATED MATTERS - CITY MANAGER, DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS REPRESENTATIVES OF BRASELTON HOMES
3. **ADJOURNMENT:** MAYOR KREBS

NOTICE OF ASSISTANCE

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

BRAILLE IS NOT AVAILABLE

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

By: 
Annette Hall
City Secretary



CITY COUNCIL AGENDA

NOTICE OF REGULAR MEETING

Tuesday, March 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:

- PROCLAMATION DECLARING MARCH 2013 TO BE "SOCIAL WORK AWARENESS MONTH" - MAYOR KREBS
- PROCLAMATION DECLARING MARCH 21, 2013 TO BE "DIGITAL AWARENESS DAY" - MAYOR KREBS
- INTRODUCTION OF NEW EMPLOYEES - FIRE CHIEF AS WELL AS DIRECTOR OF PARKS AND RECREATION
- ECONOMIC DEVELOPMENT UPDATE - CITY MANAGER

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

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

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

B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:

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

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

OLD BUSINESS

5. **MINUTES OF PREVIOUS WORKSHOPS AND MEETINGS:** THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS MARCH 5, 2013 REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY
6. **RESOLUTION NO. 664 - ADOPTING ECONOMIC DEVELOPMENT INCENTIVE GUIDE:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 664 WHICH ADOPTS AN ECONOMIC DEVELOPMENT INCENTIVE GUIDE - CITY MANAGER

NEW BUSINESS

7. **PUBLIC HEARING - REZONING REQUEST (ZONING MAP AMENDMENT):** THE CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING A REQUEST FROM A PROPERTY OWNER (PALM LAND INVESTMENTS, INCORPORATED VIA SOUTHSIDE VENTURES, LIMITED LIABILITY PARTNERSHIP) TO REZONE 34 ACRES OF UNPLATTED LAND FRONTING AKINS DRIVE (REMAINDER OF TRACT 1 RECORDED IN FILE NO. 547750, RURAL PUBLIC RECORDS OF SAN PATRICIO COUNTY) FROM "R-6 SINGLE-FAMILY RESIDENTIAL DISTRICT" TO "R-7 SINGLE-FAMILY RESIDENTIAL DISTRICT" - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS REPRESENTATIVES OF THE OWNER

8. **ORDINANCE NO. 2069 - REZONING 34 ACRES OF LAND FRONTING AKINS DRIVE:** THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2069 WHICH REZONES 34 ACRES OF UNPLATTED PROPERTY FRONTING AKINS DRIVE (REMAINDER OF TRACT 1 RECORDED IN FILE NO. 547750, RURAL PUBLIC RECORDS OF SAN PATRICIO COUNTY) FROM “R-6 SINGLE-FAMILY RESIDENTIAL DISTRICT” TO “R-7 SINGLE-FAMILY RESIDENTIAL DISTRICT” - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS REPRESENTATIVES OF THE OWNER
9. **REQUESTS FOR EVENT CO-SPONSORSHIP:** THE CITY COUNCIL WILL CONSIDER 2 REQUESTS FOR SUNSET LAKE WALK/RUN EVENT CO-SPONSORSHIP:
 - a. APRIL 6, 2013 (SATURDAY MORNING) - FARMERS INSURANCE FUNDRAISER FOR MARCH OF DIMES
 - b. MAY 11, 2013 (SATURDAY MORNING) - PORTLAND ROTARY CLUB FUNDRAISER FOR COLLEGE SCHOLARSHIP PROGRAM (GREGORY-PORTLAND HIGH SCHOOL GRADUATES)

TERMS AND CONDITIONS OF CO-SPONSORSHIP WILL BE DELIBERATED FOLLOWING DISCUSSION - DIRECTOR OF PARKS AND RECREATION AS WELL AS EVENT REPRESENTATIVES

10. **WASTEWATER COLLECTION SYSTEM IMPROVEMENTS FOR THE DOYLE ADDITION - CHANGE ORDER NO. 3:** THE CITY COUNCIL WILL CONSIDER CHANGE ORDER NO. 3 (A 120 DAY CONTRACT TIME INCREASE) FOR WASTEWATER COLLECTION SYSTEM IMPROVEMENTS FOR THE DOYLE ADDITION - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT AS WELL AS REPRESENTATIVES OF THE CONSULTING CITY ENGINEER
11. **CANCELLATION OF MAY 11, 2013 GENERAL ELECTION:** THE CITY COUNCIL WILL CONSIDER APPROVING THE CERTIFICATION OF UNOPPOSED CANDIDATES AND AN ORDER OF CANCELLATION FOR THE MAY 11, 2013 GENERAL ELECTION – MAYOR KREBS AND CITY SECRETARY

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

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

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D. ADJOURNMENT: MAYOR KREBS

NOTICE OF ASSISTANCE

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BRAILLE IS NOT AVAILABLE

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

By: 
Annette Hall
City Secretary



PROCLAMATION

DECLARING MARCH 2013

TO BE

“Professional Social Work Month”

“Art for the Ages”

WHEREAS, the social work profession creates pathways to full participation in society; and the primary mission of Social Work is to enhance human well-being and help meet the basic needs of all people, especially the most vulnerable; and for over 100 years Social Workers have helped America’s leaders weave the nation’s social safety net; and every day social workers address the emotional, psychological, economic, and/or physical needs of millions of people; and

WHEREAS, social workers help clients use their strengths, resilience, and self-advocacy to navigate life challenges; and social workers help people function better in their environments, improve their relationships with others, and solve personal and family problems through a wide range of psychosocial services; and social workers assist individuals and families in every stage of life, from all communities; and

WHEREAS, social workers advocate for fairness and access to resources that benefit the most people; and Social Work is currently one of the fastest growing professions in the United States; with social workers employed in many different organizations and industries, including private and public agencies, hospices and hospitals, schools and universities, community non-profits, military branches and veterans centers, as well as national and local public elected offices; and Social Workers celebrate the courage, strength, and determination of the human spirit, and work to empower others to hope, dream and believe in their own potential.

NOW, THEREFORE, I David Krebs, Mayor of the City of Portland, Texas, do hereby proclaim the month of March 2013 to be

“Professional Social Work Month”

in City of Portland, Texas in recognition that our nation and City of Portland would be less successful without the contribution of America’s 650,000 social workers, and call upon all citizens to join with the South Texas Social Workers Society in celebration and support of the Social Work profession.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the City of Portland, Texas this 19th day of March 2013.

EXECUTED:

David Krebs, Mayor
City of Portland



PROCLAMATION

DECLARING MARCH 21, 2013
TO BE

“Digital Awareness Day”

WHEREAS, Texas public libraries are tremendous educational, cultural, and economic assets for the towns and cities where they are located: and

WHEREAS, Computer literacy gives citizens access to a vast network of information and resources, and allows people to share their wisdom and experience with the rest of the world; and

WHEREAS, many citizens lack the skills necessary to effectively use and enjoy technology: and

WHEREAS, the City of Portland through the Bell Whittington Library is providing free training on many types of technology, including computers, e-readers and portable devices, and

WHEREAS, the library will be providing training at six locations in the communities of Portland and Ingleside; and

WHEREAS, the City of Portland supports a high quality of life and continuing education opportunities for all its citizens;

NOW, THEREFORE, I David Krebs, Mayor of the City of Portland, Texas, do hereby proclaim Thursday March 21, 2013 to be

“Digital Awareness Day”

in the City of Portland, Texas. I urge all citizens to visit friends and loved one who reside at these facilities and also to learn more about assisted living services and how they benefit our communities.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the City of Portland, Texas this 5th day of March 2013.

EXECUTED:

David Krebs, Mayor
City of Portland

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

On this the 5th day of March 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:**

• INTRODUCTION OF NEW EMPLOYEES - POLICE CHIEF

Chief Gary Giles introduced newly hired Police Officer Christopher Colunga.

• THE CITY COUNCIL MAY DISCUSS ECONOMIC DEVELOPMENT AND POTENTIAL FOR GROWTH FOLLOWING A REPORT BY THE CITY MANAGER.

City Manager Mike Tanner presented and reviewed the following:

PAST AND PRESENT PORTLAND ECONOMIC DEVELOPMENT ACTIVITIES

- Created and continue to operate 4b Economic Development Corporation (public involvement process and referendum utilized)
- Expanded infrastructure within the “Portland Growth Corridor” to facilitate development/construction (public involvement process utilized)
 - Widened/improved all TxDOT thoroughfares except Buddy Ganem, which is currently being widened/improved
 - Constructed major water transmission lines
 - Constructed multiple sanitary sewer liftstations, major force mains and gravity mains
 - Designed and will soon construct Northshore Area Drainage Improvements
- Supported construction of Bridgepoint Landing, the largest Portland apartment complex (302 dwelling units), at behest of U.S. Navy
- Supported construction of Emeritus at Carriage Inn Independent Senior Community, Pavilion Assisted Living/TRISUN Care Center Coastal Palms and Texas A-1 Restaurant via Texas Capital Fund Program grants
- Supported construction of Northshore Cinema 8, Christus Spohn Urgent Care Clinic and Navy Army Credit Union via major sanitary sewer extension
- Provide water service to Cotton Compress Facility at La Quinta Gateway Terminal and located sanitary sewer liftstation close enough to the La Quinta Gateway Terminal to support future industrial development with sanitary sewer service

- Created “OT-2 Olde Town Mixed Use District” to promote local business “start-ups” (task force and public involvement process utilized)
- Promoted redevelopment within the “OT-2 Olde Town Mixed Use District” by authorizing the use of “on-street” parking spaces in lieu of “off-street” parking spaces
- Attend Metropolitan Planning Organization meetings and participate in intermodal transportation decision-making
- Engaged marketing firm to rebrand and promote Portland generally
- Co-sponsor Windfest to promote Portland generally
- Participate in Texas Lone Star Sign Program which promotes businesses within and just outside the “Portland Growth Corridor”
- Employ full-time “Visitor and Litter Getter” to improve the appearance of the “Portland Growth Corridor” and promote Portland generally
- Engaged both San Patricio County Economic Development Corporation and Corpus Christi Regional Economic Development Corporation to promote local economic development
 - Attend board meetings and participate in decision-making
 - Meet and negotiate with economic development prospects
- Targeted and initiated pursuit of “matched” land uses following “Strength, Opportunity, Weakness and Threat” Analysis on 2 different occasions (public involvement process utilized)
- Streamlined building permit process, reduced fees and privatized new construction plan review/inspection to promote development/construction (task force and public involvement process utilized)
- Attend Harbor Bridge Replacement meetings, provide technical support and participate in decision-making
- Adopted Comprehensive Plan and Unified Development Ordinance Revisions (steering committee and public involvement process utilized)
 - Authorized general commercial transition between the “P Professional District” and “I Industrial District” north of Buddy Ganem Drive to accommodate future demand for North Shore Industry peripherals
 - Authorized “high quality and innovative mixed density housing developments” via the Planned Unit Development Process to accommodate North Shore Industry professionals

Mr. Tanner added that City’s policy is to promote growth and development.

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

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

Council Member Skurow announced that she has concluded her term on the San Patricio County EDC Executive Committee and reflected on accomplishment while on the Committee. She then commented that Council Member Green is the current City of Portland representative on the San Patricio Economic Development Board of Directors.

Council Member Green thanked Council Member Skurow for her dedication and passion for serving on the Executive Committee.

Council Member Moore also thanked Council Member Skurow for representing the City of Portland on the Executive Committee.

Council Member Vilo commented that baseball season has started and reminded everyone to be careful when driving by parks where children are practicing.

Council Member Jorgensen commented that it was evident that Portland residents are satisfied through the recent citizen's surveys and no opposition for the 2013 Election.

Mayor Pro Tem Lewis also thanked Council Member Skurow for representing the City of Portland on the San Patricio County Economic Development Executive Committee.

B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:

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There were none.

OLD BUSINESS

5. MINUTES OF PREVIOUS WORKSHOPS AND MEETINGS: THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS FEBRUARY 19, 2013 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY

Council Member Jorgensen made the motion to approve the minutes of the February 19, 2013 workshop and regular meeting as presented. Council Member Green seconded the motion.

The motion passed 6-0.

NEW BUSINESS

6. AUTHORIZATION TO CONDUCT AUCTION: THE CITY COUNCIL WILL CONSIDER AUTHORIZING AN AUCTION TO DISPOSE OF SURPLUS PERSONAL PROPERTY OWNED BY THE CITY AND UNCLAIMED PERSONAL PROPERTY IN THE POSSESSION OF THE CITY - FINANCE DIRECTOR

Finance Director Sandy Clarkson explained that it is time to clean out storage space. The Portland City Charter (Sec. 5.17) prescribes the disposal of such assets, which includes advertisement and open competitive sale. Authorization is needed in order to implement a process of periodic auctions of "surplus, obsolete and/or unused" items of personal property and would be beneficial to the City's operation. The Charter requires we receive Council authorization in advance for sale of personal property valued at more than \$2,000. In the event that such an item becomes "surplus, obsolete and/or unused," a list of items must be presented to the City Council for approval. Otherwise, the items set to be auctioned will be listed on the website and through other advertising methods at least 2 weeks prior to the auction date.

Ms. Clarkson then reviewed a sample list of items that includes major equipment and vehicles which will be offered at the next auction.

Council Member Moore made the motion authorizing an auction to dispose of surplus personal property owned by the City and unclaimed personal property in the possession of the City. Council Member Vilo seconded the motion.

The motion passed 6-0.

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

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Dr. Robert Andelman of 1012 Bluff Dr. voiced his issues concerning the proposed fence around the reconstructed Bluff Liftstation.

D. ADJOURNMENT: MAYOR

Mayor Krebs adjourned the meeting at 8:05 p.m.

E. NOTICE OF ASSISTANCE:

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BRAILLE IS NOT AVAILABLE

Approved:

David Krebs
Mayor

Attest:

City Secretary

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **RESOLUTION NO. 664 - ADOPTING ECONOMIC DEVELOPMENT INCENTIVE GUIDE:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 664 WHICH ADOPTS AN ECONOMIC DEVELOPMENT INCENTIVE GUIDE - CITY MANAGER

SUBMITTED BY: Mike Tanner, City Manager **DATE:** March 14, 2013

ATTACHMENTS: Resolution No. 664
City of Portland Economic Development Incentive Guide

SUMMARY STATEMENT: Copies of Resolution No. 664 and the “City of Portland Economic Development Incentive Guide” have been attached for your consideration. The “Guide” has been revised since its last City Council review to incorporate final suggestions of the Corpus Christi Regional Economic Development Corporation (See color highlights). I think we’re “good to go,” but additional revisions can be made if you so desire.

RECOMMENDATION: Approve Resolution No. 664 and adopt the “City of Portland Economic Development Incentive Guide,” with or without revisions

RESOLUTION NO. 664

**A RESOLUTION ADOPTING A “CITY OF PORTLAND
ECONOMIC DEVELOPMENT INCENTIVE GUIDE”
AND DIRECTING THE CITY MANAGER TO
INCORPORATE IT IN ALL ON-GOING ECONOMIC
DEVELOPMENT ACTIVITIES**

WHEREAS Portland is the most livable and sustainable community in the Coastal Bend; and,

WHEREAS the City of Portland must promote high quality economic development if the community it serves is to remain livable and sustainable; and,

WHEREAS the adoption of an economic development incentive guide will ensure policy clarity, predictability, incentive equity and reassure citizens that City of Portland officials, elected as well as appointed, meet their fiduciary responsibilities.

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

THAT the “City of Portland Economic Development Incentive Guide,” 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 and incorporate it in all on-going economic development activities.

PASSED and APPROVED this 5th day of March 2013.

EXECUTED:

BY: _____
David Krebs
Mayor

ATTEST:

BY: _____
Annette Hall
City Secretary

CITY OF PORTLAND ECONOMIC DEVELOPMENT

INCENTIVE GUIDE

- 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)***, ***descriptions of which follow:***

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~~ *is limited by State statute to 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 that provide a “living wage” to the persons employed (a living wage is the annual amount equal or greater than poverty level for a family of 3 under U.S. Department of Health and Human Services Poverty Guidelines, divided by 2,080 hours per year)

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

REGULAR MEETING AGENDA BILL

PUBLIC HEARING – REZONING REQUEST: THE CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING A REQUEST BY PALM LAND INVESTMENTS, INC. VIA SOUTHSIDE VENTURES, LLP TO REZONE 34.00 ACRES OF UNPLATTED PROPERTY (THE REMAINDER OF TRACT 1 AS RECORDED IN FILE #547750, RURAL PUBLIC RECORDS OF SAN PATRICIO COUNTY) FROM R-6 SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-7 SINGLE-FAMILY RESIDENTIAL DISTRICT – MAYOR KREBS, DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT, AS WELL AS REPRESENTATIVES OF SOUTHSIDE VENTURES, LLP

ORDINANCE NO. 2069 – REZONING REQUEST: THE CITY COUNCIL WILL CONSIDER ORDINANCE NO. 2069 (FIRST READING) TO REZONE 34.00 ACRES OF UNPLATTED PROPERTY (THE REMAINDER OF TRACT 1 AS RECORDED IN FILE #547750, RURAL PUBLIC RECORDS OF SAN PATRICIO COUNTY) FROM R-6 SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-7 SINGLE-FAMILY RESIDENTIAL DISTRICT – DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

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

DATE: March 19, 2013

DATE SUBMITTED: March 11, 2013

ATTACHMENTS: Existing Conditions Aerial Photo
Existing Zoning Map
Figure 25 of the Comprehensive Plan (Recommended Single Family Densities)
Notice of Public Hearings
Ordinance No. 2069

SUMMARY STATEMENT: A zoning change application was submitted to the City of Portland on February 12, 2013, for the following property:

<u>Property Location:</u>	Generally located at the southwest corner of Akins Drive and Lang Road
<u>Legal Description:</u>	Remainder of Tract 1 as recorded in File #547750, Rural Public Records of San Patricio County
<u>Applicant/Owner:</u>	Palm Land Investments, Inc. via Southside Ventures, LLP
<u>Engineer/Surveyor:</u>	Naismith Engineering

Zoning Request

The applicant has submitted a zoning request to rezone the property from R-6 Single-Family Residential District (minimum 7,000 square foot lots) to R-7 Single-Family Residential District (minimum 6,000 square foot lots).

Rezoning Approval Criteria

Section 318 of the UDO outlines the following criteria for which the Planning and Zoning Commission and City Council shall base approval of zoning requests. Naismith Engineering, Inc., has provided a response for each criterion:

1. Compatible with Plans and Policies. Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning and Zoning Commission or City Council.

Naismith comment: The rezoning is compatible with the newly adopted Future Use/Comprehensive Plan shown to us by the City Engineer.

Staff comment: Staff concurs—the rezoning request is consistent with the newly-adopted Future Land Use Plan in the Comprehensive Plan. Figure 25 (Recommended Single Family Densities) show minimum 6,000 square foot residences in this area.

2. Consistent with this Ordinance. Whether and the extent to which the proposed amendment would conflict with any portion of this Ordinance.

Naismith comment: The rezoning application is consistent with the UDO.

Staff comment: Staff concurs.

3. Compatible with Surrounding Area. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.

Naismith comment: The proposed zoning change is a less dense than the development adjacent to the western boundary of this property. Other adjacent lands are either vacant or for public use, such as Andrews Elementary School and a municipal park. Nearby zoning does have a mix of multiple family districts (R-20) or single-family residential (R-6). We feel that this Zoning Change represents an appropriate single-family transition area.

Staff comment: Staff concurs—This R-7 zoning provides a transition from the R-6 zoning on Walker/Dell/Espana and the R-8 zoning in Westwood.

4. Changed Conditions. Whether and the extent to which there are changed conditions that require an amendment.

Naismith comment: N/A

Staff comment: There are not any changed conditions that require an amendment.

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

Naismith comment: We feel that this Zoning Change will not adversely affect the Natural Environment as compared to the existing Zoning District.

Staff comment: Staff concurs.

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

Naismith comment: We do feel that the developer is responding to the need for single-family housing on this area that corresponds to the Future Use/Comprehensive Plan.

Staff comment: Staff concurs.

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

Naismith comment: This amendment will result in a logical and orderly pattern of urban development in the community as evident by the recent passage of the Future Use/Comprehensive Plan that prescribed this density and use.

Staff comment: Staff concurs.

Adjacent Property Notification

There are 15 adjacent properties within 200 feet of the subject lot. Property owners were notified by mail, postmarked February 28, 2013, of Public Hearings at the Planning and Zoning Commission and City Council meetings. Notice was also posted in the Coastal Bend Herald.

There have been no comments on the proposed application as of 5:00 P.M. on March 14, 2013.

Hearing and Recommendation by Planning and Zoning Commission

The Planning and Zoning Commission conducted a Public Hearing and deliberated the zoning change request at its March 12, 2013, meeting. The Commission voted unanimously to recommend approval of the rezoning request for the property from R-6 Single-Family

Residential District to R-7 Single-Family Residential District.

Comments and Conclusion

The applicant has demonstrated that the proposed rezoning is consistent with the City's Comprehensive Plan, Future Land Use Plan, and Unified Development Ordinance. Rezoning this tract to R-7 provides an appropriate transition between the adjacent R-6 and R-8 zoning districts. Staff recommends the approval of Ordinance 2069.

RECOMMENDATION: Conduct the public hearing and approve the first reading of Ordinance No. 2069.



**LEGAL DESCRIPTION
34.00 ACRE TRACT
SAN PATRICIO COUNTY, TEXAS**

EXHIBIT "A"

BEING a 34.00 acre tract or parcel of land being the remainder of Tract One in Block "C", Geo. H. Paul Co.'s Subdivision of the Coleman Fulton Pasture Co.'s Lands, as recorded in Document No. 547750 of the Real Property Records of San Patricio County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8" iron rod found for a corner of said Tract One, and being the northeast corner of a 1.168 acre tract of land being part of the remainder of said Tract One and being on the northwesterly Right-of-Way line of Akins Drive, **THENCE** South 30°01'06" West, with the common line of said 1.168 acre tract and Akins Drive, a distance of 177.02 feet to a set 5/8 inch diameter by 24 inch long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX" (herein after called 5/8" iron rod set), for the **POINT OF BEGINNING**;

THENCE South 30°01'06" West, with the northwesterly Right-of-Way line of Akins Drive, a distance of 583.71 feet to a 5/8" iron rod set for a corner of the herein described tract and the beginning of a tangent curve to the right having a central angle of 85°51'24", a radius of 550.00 feet and a chord bearing and distance of South 72°56'48" West, 749.19 feet;

THENCE in a southwesterly direction with said curve to the right, same being the northwesterly Right-of-Way line of Akins Drive, an arc distance of 824.16 feet to a 5/8" iron rod set for corner;

THENCE North 64°07'31" West, with the northwest line of said Akins Drive, a distance of 169.18 feet to 5/8" iron rod set, same being the beginning of a tangent curve to the left having a central angle of 47°49'56", a radius of 650.00 feet and a chord bearing and distance of North 88°02'29" West, 527.02 feet;

THENCE in a southwesterly direction with said curve to the left, same being the north Right-of-Way line of Akins Drive, an arc distance of 542.64 feet to a 5/8" iron rod set at the intersection of the north line of said Akins Drive with the east Right-of-Way line of Moore Avenue;

THENCE North 00°20'49" West, with the east Right-of-Way line of Moore Avenue, a distance of 35.05 feet to a 5/8" iron rod set for corner;

THENCE South 89°55'57" West, a distance of 40.00 feet to a 5/8" iron rod found on the east line of a 0.486 acre tract of land as described in Volume 394, Pages 110-112, Real Property Records of San Patricio County, Texas, for the southwest corner of the herein described tract;

THENCE North 00°20'49" West, a distance of 940.69 feet to 5/8" iron rod set for a corner of the herein described tract, same being the southwest corner of a 1.093 acre tract of land as described in File Number 582864, of the Real Property Records of San Patricio County, Texas;

THENCE North 89°47'03" East, with the south line of said 1.093 acre tract, a distance of 284.23 feet to a 5/8" iron rod set for corner;

THENCE North 00°26'20" West, with the east line of said 1.093 acre tract and a west line of herein described tract, a distance of 151.64 feet to a 5/8" iron rod found for the southwest corner of a called 9.61 acre tract as recorded in Volume 468, Pages 24-27, Real Property Records of San Patricio County, Texas, and a northwest corner of the herein described tract;

THENCE South 60°04'50" East, with the south line of said called 9.61 acre tract, at a distance of 585.08 feet, pass a 5/8" iron rod found for the south corner of said 9.61 acre tract same being the southwest corner of a called 5 acre tract, as recorded in File Number 605117, Real Property Records of San Patricio County, Texas, continue with the south line of said 5 acre tract for a total distance of 1003.94 feet to a 5/8" iron rod set for corner;

THENCE North 29°52'47" East, with the southeast line of said called 5 acre tract, and a northwest line of the herein described tract, a distance of 520.17 feet to a 5/8" iron rod set on the southwest Right-of-Way line of Lang Road, same being the southwest line of Tract 1 as recorded in File Number 605116, Real Property Records of San Patricio County, Texas;

THENCE South 60°06'11" East, with the southwest Right-of-Way line of Lang Road, same being the southwest line of said Tract 1 as recorded in File Number 605116, and being the north line of the herein described tract, a distance of 270.00 feet to a 5/8" iron rod set for a corner of the herein described tract, same being the northwest corner of said 1.168 acre tract;

THENCE South 29°52'47" West, with the common line of said 1.168 acre tract and the herein described tract, a distance of 226.23 feet to a 5/8" iron rod set for corner;

THENCE South 60°06'11" East, with the southwest line of said 1.168 acre tract, a distance of 230.00 feet to the **POINT OF BEGINNING** and containing 1,481,207 square feet or 34.00 acres of land.

NOTE: ALL BEARINGS ARE GRID BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM FOR THE LAMBERT SOUTH ZONE NAD 1983 (CORS 96) EPOCH 2002.

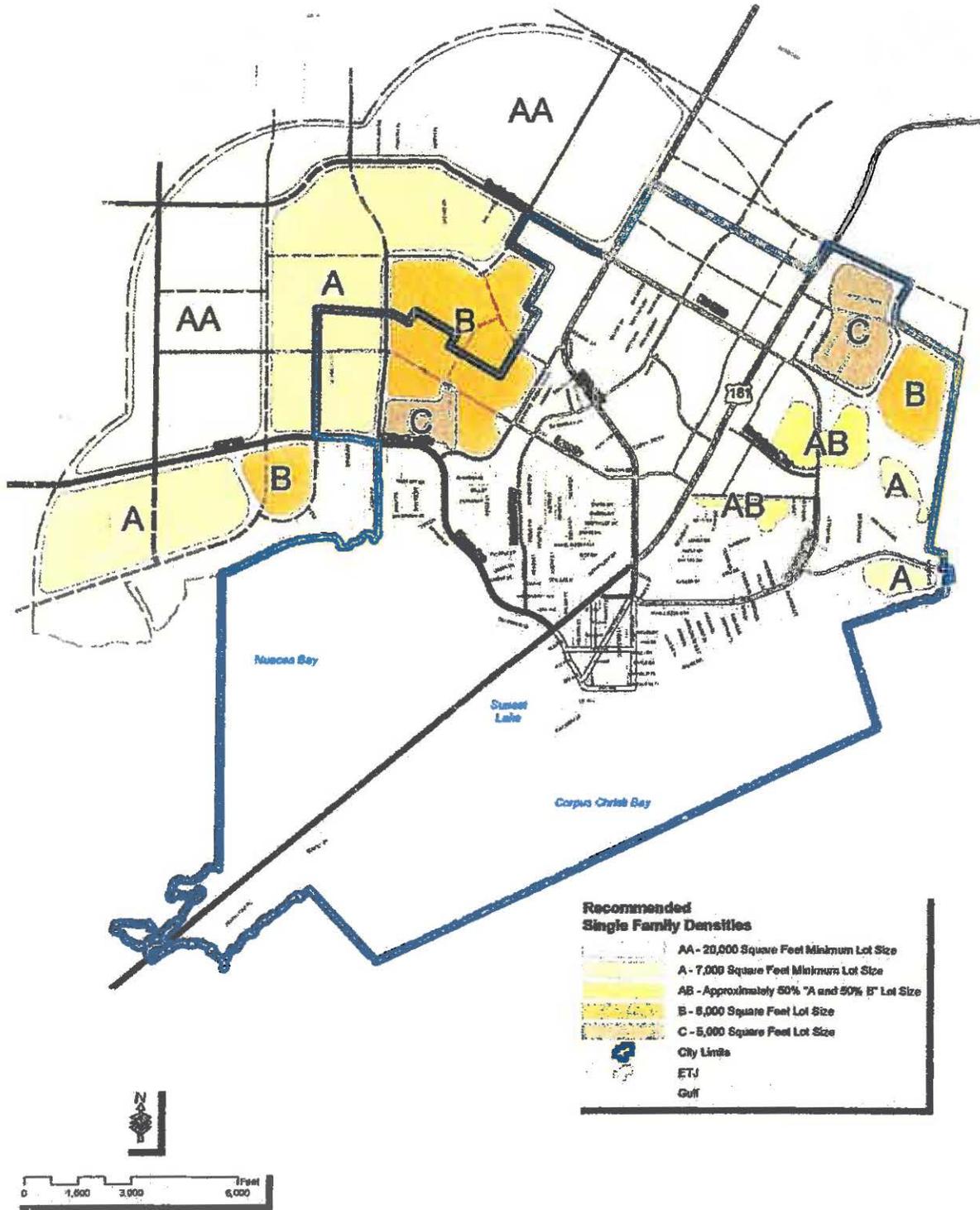
Stacey King Mora

Stacey King Mora, RPLS
Registered Professional Land Surveyor
Texas Registration No. 6166
Naismith Engineering, Inc.
TBPE F#355 TBPLS F# 100395-00



Date: December 19, 2012

Figure 25. Recommended Single Family Densities





NOTICE OF PUBLIC HEARINGS

Notice is hereby given that Public Hearings will be held before the Planning and Zoning Commission of the City of Portland on March 12, 2013 (Tuesday) and the City Council of the City of Portland on March 19, 2013 (Tuesday) in the Council Chamber of the City Hall (1900 Billy G. Webb Drive - Daniel P. Moore Community Center Complex) at 7:00 p.m. on each date to solicit comments from citizens and other interested parties concerning a proposed rezoning of 34.00 acres of unplatted property at the southwest corner of Akins Drive and Lang Road (Remainder of Tract 1 as recorded in File #547750, Rural Public Records of San Patricio County). The current zoning is R-6 Single Family Residential (minimum 7,000 square foot lots) and the proposed zoning is R-7 Single Family Residential (minimum 6,000 square foot lots). A map of the proposed zoning change is located at <http://www.portlandtx.com/index.aspx?nid=102>

Any questions concerning this matter should be directed to Brian DeLatte, Director of Public Works and Development, at (361) 777-4601 or brian.delatte@portlandtx.com.

ORDINANCE NO. 2069

AN ORDINANCE REZONING 34 ACRES OF LAND FRONTING AKINS DRIVE (REMAINDER OF TRACT 1 RECORDED IN FILE NO. 547750, RURAL PUBLIC RECORDS OF SAN PATRICIO COUNTY) FROM “R-6 SINGLE-FAMILY RESIDENTIAL DISTRICT” TO “R-7 SINGLE FAMILY RESIDENTIAL DISTRICT” AT THE REQUEST OF THE OWNER; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; ESTABLISHING A PENALTY FOR VIOLATIONS AS WELL AS AN EFFECTIVE DATE

WHEREAS, the Owner of 34 acres of land fronting Akins Drive (Remainder of Tract 1 recorded in File No. 547750, Rural Public Records of San Patricio County) has requested that its property be rezoned from “R-6 Single-Family Residential District” to “R-7 Single-Family Residential District”; and,

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on March 13, 2013 according to law and recommended that the request be granted by the City Council; and,

WHEREAS, the City Council conducted a Public Hearing on March 19, 2013 according to law and determined that the request meets the criteria for approval established by the Unified Development Ordinance; and,

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

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

SECTION 1. REQUEST FOR ZONING CHANGE GRANTED

The request of the Owner (Palm Land Investments, Incorporated via Southside Ventures, Limited Liability Partnership) is hereby granted. The Remainder of Tract 1 recorded in File No. 547750, Rural Public Records of San Patricio County (34.00 acres of land fronting Akins Drive) is hereby rezoned from “R-6 Single-Family Residential District” to “R-7 Single-Family Residential District”, a legal description of which is attached hereto and incorporated herein.

SECTION 2. OFFICIAL ZONING MAP AMENDED

The Official Zoning Map is hereby amended to reflect that the Remainder of Tract 1 recorded in File No. 547750, Rural Public Records of San Patricio County (34.00 acres of land fronting Akins Drive) is hereby rezoned from “R-6 Single-Family

Residential District” to “R-7 Single-Family Residential District.”

SECTION 3. REPEALER

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

SECTION 4. SEVERABILITY

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

SECTION 5. VIOLATION AND PENALTY

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

SECTION 6. EFFECTIVE DATE

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

PASSED and APPROVED on second reading this 2nd day of April, 2013.

CITY OF PORTLAND

David Krebs
Mayor

ATTEST:

Annette Hall
City Secretary

REGULAR MEETING AGENDA BILL

AGENDA BILL: **REQUESTS FOR EVENT CO-SPONSORSHIP:** THE CITY COUNCIL WILL CONSIDER 2 REQUESTS FOR SUNSET LAKE WALK/RUN EVENT CO-SPONSORSHIP:

- a. APRIL 6, 2013 (SATURDAY MORNING) - FARMERS INSURANCE FUNDRAISER FOR MARCH OF DIMES
- b. MAY 11, 2013 (SATURDAY MORNING) - PORTLAND ROTARY CLUB FUNDRAISER FOR COLLEGE SCHOLARSHIP PROGRAM (GREGORY-PORTLAND HIGH SCHOOL GRADUATES)

SUBMITTED BY: K. Connor, (Director, PARD) **DATE:** March 12, 2013

ATTACHMENTS: -Letter from Farmers Insurance
-Letter from Portland Rotary Club
-route maps

SUMMARY STATEMENT:

Local Farmers Insurance companies, Roxanne Swierc and Bart Floerke are hosting a walk/run to benefit The March of Dimes on Saturday, April 6, 2013. All proceeds from the run will be donated to The March of Dimes. Race organizers are requesting to close vehicular access to Sunset Lake Park from 6:00-10:00 am on the day of the race to ensure the safety of race participants.

The Portland Rotary Club will be hosting their 2nd Annual B2B Tune Up Run/Walk on Saturday, May 11, 2013. The race will provide participants the opportunity to prepare for Beach to Bay that is held the following weekend in Corpus Christi. The race proceeds will be used to fund scholarships for our students at Gregory-Portland High School and other opportunities to help those less fortunate in our community. The Portland Rotary Club is requesting to close vehicular access to Sunset Lake Park from 6:00-9:00 am on the day of the race to ensure the safety of race participants.

The Portland Police Department has been contacted to provide traffic control for both these events.

RECOMMENDATION: Staff asks City Council to review request.

March 7, 2013

Roxanne Swierc Insurance Agency and Bart Floerke Insurance Agency will be sponsoring a Farmers Insurance Group Run/Walk on April 06, 2013. The funds raised will benefit the March of Dimes. Myself and Bart are paying for the expenses.

We would like to request that the Sunset Lake Park be closed to vehicular traffic from 6:00 am to 10:00 am on the morning of Saturday, April 6, 2013. We are also requesting traffic control for the needed areas. We are estimating 200 runners/walkers will participate in this event. We are including the City logo on any and all of our social media.

The link to our event is: <http://onestoprace.com/Search/event.aspx?id=19401>

Our agencies and the March of Dimes appreciates your support of this race and the consideration of granting the above requests.

Please let me know if you have any questions.

Thank you,

Roxanne Swierc



March 11, 2013

To Whom It May Concern:
Portland Rotary 2085
P.O. Box 661
Portland, TX 78374

The Portland Rotary Club is sponsoring a B2B Tune Up Run/Walk on Saturday, May 11, 2013. The funds raised by the B2B Tune Up will be used to fund scholarships for our high school students and other opportunities to help those less fortunate in our community. Our Rotary Motto is "Service Above Self" and it is through fundraising opportunities like the B2B Tune Up Run/Walk that we are able help those in our community.

The Portland Rotary Club would like to request that the Sunset Lake Park be closed to vehicular traffic from 6:00 a.m. to 9:00 a.m. on the morning of Saturday, May 11, 2013. Approximately 200 runners/walkers are expected to participate in this event.

The Portland Rotary Club appreciates your support of this race and our organization. Without your approval and assistance the race would not be possible. Your consideration of closing Sunset Lake Park to vehicular traffic on Saturday, May 11, 2013 would be greatly appreciated. If you have any questions, you may contact Roxanne Swierc at 643-6264 or Lisa Adams at 643-4052.

Sincerely,

Lisa V. Adams

Lisa V. Adams
Portland Rotary
P.O. Box 661
Portland, TX 78374



REGULAR MEETING AGENDA BILL

AGENDA ITEM: **WASTEWATER COLLECTION SYSTEM IMPROVEMENTS FOR THE DOYLE ADDITION SUBDIVISION CHANGE ORDER NO. 3:** THE CITY COUNCIL WILL CONSIDER CHANGE ORDER NO. 3 (A 120 DAY CONTRACT TIME INCREASE, NO COST INCREASE) FOR THE WASTEWATER COLLECTION SYSTEM IMPROVEMENTS FOR THE DOYLE ADDITION SUBDIVISION - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT, AS WELL AS REPRESENTATIVES OF THE CONSULTING CITY ENGINEER

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

DATE: March 19, 2013

DATE SUBMITTED: March 12, 2013

ATTACHMENTS: Proposed Change Order No. 3

SUMMARY STATEMENT: 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, and Change Order No. 2 on February 5, 2013, reducing the contract to \$2,321,788.41 via value engineering.

Delays beyond the control of the contractor or the City will push construction beyond the contract completion date. Specifically, there have been delays in AEP providing power to the lift station sites and manufacturing delays of the lift station wet well. TxDOT has also been delayed in approving a portion of the alignment on Moore Avenue due to inaccurate roadway as-builts.

An additional 120 days should be sufficient to get through the delays, giving a new completion date of August 4, 2013. There is no cost increase for demobilization/remobilization as a result of this change order. It is the Consulting Engineer's and Staff's recommendation that Change Order No. 3 be approved.

RECOMMENDATION: Approve Change Order No. 3 for the Wastewater Collection System Improvements for the Doyle Addition Subdivision, increasing the contract time by 120 days.

March 13, 2013

City of Portland
Attn: Mr. Brian Delatte, P.E. – City Engineer
1101 Moore Avenue
Portland, Texas 78374

**Re: Wastewater Collection System Improvements for the Doyle Addition Subdivision
City of Portland, Texas (TWDB Contract No. 10373)
Change Order No.3**

Dear Mr. Delatte:

Enclosed please find four (4) copies of the proposed Change Order No. 3 for the above referenced project. This change order adds **120 calendar days** to the contract time to account for unanticipated delays due to bad weather and lack of power to the lift station sites by the service provider.

Once the documents have been executed please distribute them as follows:

- 1 – Jhabores Construction Company Inc.
- 1 – City of Portland, Texas
- 2 – Naismith Engineering, Inc.

Should you have any questions or require any additional information, please do not hesitate to contact our offices at 361.814.9900.

Very truly yours,

NAISMITH ENGINEERING, INC.



Arturo Acuna Jr., P.E.
Project Engineer

Encl.

Cc: Juan Bujanos, Texas Water Development Board (Harlingen)

**NAISMITH ENGINEERING, INC.
CHANGE ORDER**

Project Title: Wastewater Collection System Improvements for the Doyle Addition Subdivision			
Owner: City of Portland, Texas (TWDB Contract No. 10373)			
Owner Project Number: N/A		NEI Project Number: 6110	
Contractor: Jhabores Construction Company Inc.			Page 1 of 1
Change Order Number 3		Date of Issuance	March 19, 2013
		Effective Date	March 19, 2013

You are directed to make the following changes in the Contract Documents:

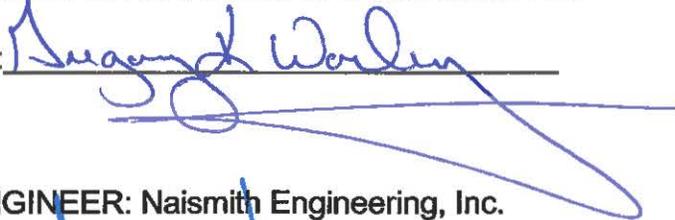
- Additional contract days due to unanticipated delays caused by bad weather and getting power to lift station sites by service provider (120 days). This time adjustment shall not result in any additional compensation or change to the overall contract price.**

NET ADD/DEDUCT NO CHANGE

	Amount	Days
Original Contract	\$2,389,801.00	250
Net Change from Previous Change Orders (No. 1 to No. 2)	(\$68,012.59)	0
Revised Contract Prior to this Change Order	\$2,321,788.41	250
Net Add/Deduct for this Change Order	NO CHANGE	120
Revised Contract Including this Change Order	\$2,321,788.41	370

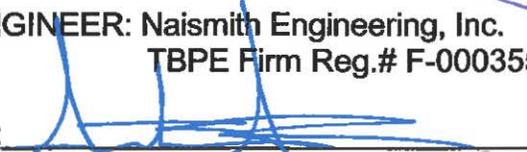
CONTRACTOR: Jhabores Construction Co.

OWNER: City of Portland

By: 

By: _____

ENGINEER: Naismith Engineering, Inc.
TBPE Firm Reg.# F-000355

By: 



REGULAR MEETING AGENDA BILL

AGENDA ITEM: **CANCELLATION OF MAY 11, 2013 GENERAL ELECTION:**
THE CITY COUNCIL WILL CONSIDER APPROVING THE
CERTIFICATION OF UNOPPOSED CANDIDATES AND AN ORDER
OF CANCELLATION FOR THE MAY 11, 2013 GENERAL
ELECTION

SUBMITTED BY: Annette Hall, City Secretary

DATE SUBMITTED: March 14, 2013

ATTACHMENTS: Certification of Unopposed Candidates
Order of Cancellation

SUMMARY STATEMENT: In accordance with the Texas Election Code, in order to initiate the cancellation process for the elections scheduled to be held on May 11, 2013. The City Council must first receive and accept the Certification of Unopposed Candidates (in other words the outcome is already known due to the lack of opposition), and issue an Order of Cancellation (declaring the elections cancelled and the unopposed candidates elected).

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

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

RECOMMENDED ACTION: Accept the Certification of Unopposed Candidates and adopt the Order of Cancellation (declaring the May 11, 2013 General Election cancelled and the unopposed candidates elected).

CERTIFICATION OF UNOPPOSED CANDIDATES

CERTIFICACIÓN DE CANDIDATOS ÚNICOS

To: Presiding Officer of Governing Body

Al: Presidente de la entidad gobernante

As the authority responsible for having the official ballots prepared, I hereby certify that the following candidates are unopposed for election to office for the elections scheduled to be held on May 11, 2013.

Como autoridad a cargo de la preparación de la boletas de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elecciones para un cargo en la elección que se llevará a cabo el 11 de Mayo 2013.

List offices and names of candidates:

Lista de cargos y nombres de los candidatos:

Office(s) <i>Cargo(s)</i>	Candidate(s) <i>Candidato(s)</i>
Council Member – 2 year term <i>Miembros de Concilio - termino de dos (2) anos</i>	Cathy Skurow
Council Member – 2 year term <i>Miembros de Concilio - termino de dos (2) anoss</i>	John Vilo
Council Member – 2 year term <i>Miembros de Concilio - termino de dos (2) anoss</i>	John Green
Council Member – 2 year term <i>Miembros de Concilio - termino de dos (2) anoss</i>	David E. Lewis

Signature (*Firma*)

Printed name (*Nombre en letra de molde*)

(Seal) (*sello*)

Title (*Puesto*)

Date of signing (*Fecha de firma*)

ORDER OF CANCELLATION

ORDEN DE CANCELACIÓN

The Portland City Council hereby cancels the elections scheduled to be held on Saturday, May 11, 2013 in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

El Consejo de la Ciudad de Portland, or la presente cancela la elecciones que, de lo contrario, (nombre oficial de la entidad gobernante) se hubiera celebrado el Sabado, 11 de Mayo 2013 de conformidad, con (fecha en que se hubiera celebrado la elección) la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado a continuación:

Candidate (<i>Candidato</i>)	Office Sought (<i>Cargo al que presenta candidatura</i>)
Cathy Skurow	Council Member – 2 year term <i>Miembros de Concilio - termino de dos (2) anos</i>
John Vilo	Council Member – 2 year term <i>Miembros de Concilio - termino de dos (2) anos</i>
John Green	Council Member – 2 year term <i>Miembros de Concilio - termino de dos (2) anos</i>
David E. Lewis	Council Member – 2 year term <i>Miembros de Concilio - termino de dos (2) anos</i>

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

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

David Krebs, Mayor

President (*Presidente*)

Annette Hall, City Secretary

Secretary (*Secretario*)

(seal) (*sello*)

Date of adoption (*Fecha de adopción*)



**STAFF
WEEKLY
REPORTS**

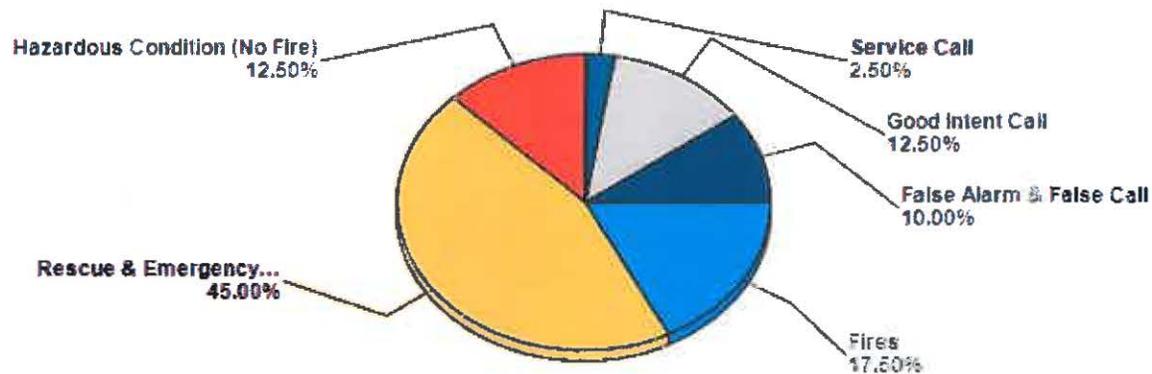
Portland Fire Department

Portland, TX

This report was generated on 3/4/2013 8:30:12 AM

Breakdown by Major Incident Types for Date Range

Start Date: 02/25/2013 | End Date: 03/03/2013



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	7	17.50%
Rescue & Emergency Medical Service	18	45.00%
Hazardous Condition (No Fire)	5	12.50%
Service Call	1	2.50%
Good Intent Call	5	12.50%
False Alarm & False Call	4	10.00%
TOTAL	40	100.00%

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
140 - Natural vegetation fire, other	1	2.50%
142 - Brush or brush-and-grass mixture fire	5	12.50%
143 - Grass fire	1	2.50%
311 - Medical assist, assist EMS crew	4	10.00%
321 - EMS call, excluding vehicle accident with injury	11	27.50%
322 - Motor vehicle accident with injuries	2	5.00%
353 - Removal of victim(s) from stalled elevator	1	2.50%
412 - Gas leak (natural gas or LPG)	1	2.50%
444 - Power line down	4	10.00%
500 - Service Call, other	1	2.50%
611 - Dispatched & cancelled en route	1	2.50%
622 - No incident found on arrival at dispatch address	2	5.00%
651 - Smoke scare, odor of smoke	2	5.00%
700 - False alarm or false call, other	1	2.50%
745 - Alarm system activation, no fire - unintentional	3	7.50%
TOTAL INCIDENTS:	40	100.00%

Annual Physical Agility Testing

Average Response Time: 4.42 Minutes

Portland Fire Department

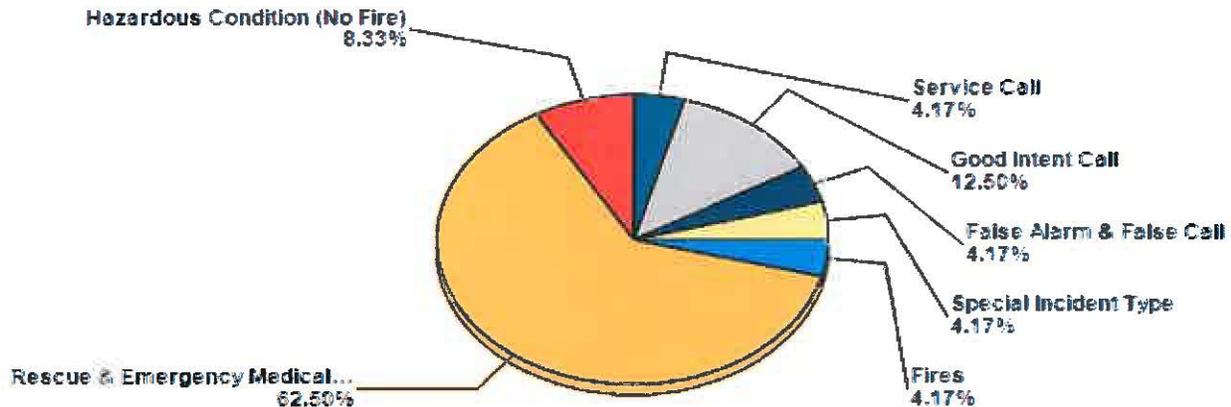


Portland, TX

This report was generated on 3/11/2013 8:20:46 AM

Breakdown by Major Incident Types for Date Range

Start Date: 03/04/2013 | End Date: 03/10/2013



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	1	4.17%
Rescue & Emergency Medical Service	15	62.50%
Hazardous Condition (No Fire)	2	8.33%
Service Call	1	4.17%
Good Intent Call	3	12.50%
False Alarm & False Call	1	4.17%
Special Incident Type	1	4.17%
TOTAL:	24	100.00%

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
150 - Outside rubbish fire, other	1	4.17%
311 - Medical assist, assist EMS crew	4	16.67%
321 - EMS call, excluding vehicle accident with injury	11	45.83%
444 - Power line down	2	8.33%
510 - Person in distress, other	1	4.17%
611 - Dispatched & cancelled en route	2	8.33%
651 - Smoke scare, odor of smoke	1	4.17%
743 - Smoke detector activation, no fire - unintentional	1	4.17%
911 - Citizen complaint	1	4.17%
TOTAL INCIDENTS:	24	100.00%

**Fire Safety Presentation at First United Methodist Church - Approx. 30 children
Personnel attended Critical Incident Stress Management Course**

Average Response Time: 3.59 Minutes