



## **CITY COUNCIL AGENDA**

### **NOTICE OF REGULAR MEETING**

**Tuesday, April 2, 2013**

**7:00 p.m.**

**City Hall - Council Chamber**

**Daniel P. Moore Community Center Complex**

**1900 Billy G. Webb Drive**

**Portland, Texas**

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

1. **CALL TO ORDER:** MAYOR PRO TEM DAVID LEWIS
2. **INVOCATION AND PLEDGE:** MAYOR PRO TEM DAVID LEWIS OR DESIGNEE
3. **FORMAL ANNOUNCEMENTS, RECOGNITION, PRESENTATIONS AND REPORTS THAT MAY BE DISCUSSED:**
  - PROCLAMATION DECLARING MAY 2013 TO BE "MOTORCYCLE SAFETY AND AWARENESS MONTH" - MAYOR PRO TEM DAVID LEWIS AND MOTORCYCLE COMMUNITY REPRESENTATIVES
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 MARCH 19, 2013 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY
6. **ORDINANCE NO. 2068 - REVISING CITY MAINTENANCE LIMITS:** THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2068 WHICH REVISES THE CITY MAINTENANCE LIMITS FOR WATER AND SEWER LINES - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT
7. **ORDINANCE NO. 2069 - REZONING 34 ACRES OF LAND FRONTING AKINS DRIVE:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) 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

**NEW BUSINESS**

8. **ACCEPTANCE OF COMPREHENSIVE ANNUAL FINANCIAL REPORT:** THE CITY COUNCIL WILL CONSIDER ACCEPTANCE OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE 2011-2012 FISCAL YEAR FOLLOWING ITS PRESENTATION BY THE CONSULTING CITY AUDITOR - DIRECTOR OF FINANCE AND CONSULTING CITY AUDITOR

9. **REQUEST FOR CO-SPONSORSHIP OF MEMORIAL DAY VIGIL CEREMONY:** THE CITY COUNCIL WILL CONSIDER A PORTLAND ROTARY CLUB REQUEST FOR CO-SPONSORSHIP OF ITS MAY 26, 2013 VIGIL CEREMONY AT MUNICIPAL PARK THE EVENING BEFORE MEMORIAL DAY - DIRECTOR OF PARKS AND RECREATION AS WELL AS ROTARY CLUB REPRESENTATIVES

**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 Pro Tem 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 Pro Tem
- 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.

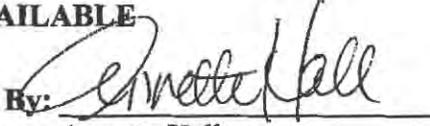
**D. ADJOURNMENT: MAYOR PRO TEM DAVID LEWIS**

**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](mailto:annette.hall@portlandtx.com) in advance of the meeting. Reasonable accommodations will be made to facilitate your participation. The City Hall is wheelchair accessible and specially marked parking spaces are located in front of its entrance. Special seating will be provided in the Council Chamber during the meeting.

**BRAILLE IS NOT AVAILABLE**

Posted: March 28, 2013 by 5:00 p.m.  
Portland City Hall

By:   
Annette Hall  
City Secretary



## **PROCLAMATION**

**DECLARING MAY 2013  
TO BE  
“MOTORCYCLE SAFETY  
AND  
AWARENESS MONTH”**

**WHEREAS**, today’s society is finding more citizens involved in motorcycling on the roads of our country; and

**WHEREAS**, motorcyclists are roughly unprotected and much more likely to be injured or killed in a crash than other vehicle drivers; and

**WHEREAS**, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and most of all fatalities, through a comprehensive approach to motorcycle safety; and

**WHEREAS**, it is the responsibility of all who put themselves behind the wheel, to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country; and

**WHEREAS**, urging all of our community to become aware of the inherent danger involved in operating a motorcycle and give the operator the respect on the road they deserve;

**NOW, THEREFORE**, I, DAVID E. LEWIS, MAYOR PRO TEM OF THE CITY OF PORTLAND, TEXAS do hereby proclaim the month of **May 2013** as “**MOTORCYCLE SAFETY AND AWARENESS MONTH**” in Portland, Texas.

**In Witness Whereof**, I do hereby set my hand and cause the Seal of the City of Portland, Texas to be affixed this 2<sup>nd</sup> day of April 2013.

**EXECUTED:**

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**David Lewis, Mayor Pro Tem  
City of Portland**

**ATTEST:**

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**City Secretary**



**CITY OF PORTLAND  
CITY COUNCIL  
WORKSHOP MINUTES  
MARCH 19, 2013 – 6:30 P.M.**

On this the 19<sup>th</sup> day March 2013, the Council of the City of Portland convened in workshop session at 6:30 p.m. in the Council Chambers of City Hall, Daniel P. Moore Community Center Complex and notice of regular workshop giving the time, place and date and subject having been posted as described by Section 551 of the Government Code.

**MEMBERS PRESENT:**

David Krebs	Mayor
David Lewis	Mayor Pro Tem
Ron Jorgensen	Council Member
Cathy Skurow	Council Member
John Vilo	Council Member
Gary Moore, Sr.	Council Member
John Green	Council Member

**STAFF PRESENT:**

Mike Tanner	City Manager
Randy Wright	Assistant City Manager
Sandy Clarkson	Finance Director
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
RoseAleta Laurell	Library Director
Michel Weaver	Assistant to the City Manager
Annette Hall	City Secretary

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

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

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

2. **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

Director of Public Works and Development Services Brian DeLatte reviewed a timeline of the process in which the City Council adopted the new Unified Development Ordinance that took effect on February 7, 2013 that include a new single-family residential masonry façade requirement. The process included a round table discussion with local developers (Hogan Homes, Braselton Homes, Santiago Homes and the Corpus Christi Home Builders Association) as well as providing them with notices of public hearings and meetings.

Mr. DeLatte then presented and reviewed a construction update on the following subdivisions:

- Northshore Unit 5A  
44 Houses Built or Under Construction  
9 Lots Vacant  
(6 of 9 are under contract)
- Northshore Unit 6c  
40 Lots  
Preliminary Plat (1/8/2013)
- Mannar Estates  
2 Houses Built or Under Construction  
10 Lots Vacant
- Northshore units  
101 Houses Built or Under Construction  
16 Lots Vacant
- Baypoint  
2 Houses Built or Under Construction  
18 Lots Vacant
- Bay Ridge Unit 10  
Final Plat Pending  
34 Lots
- Bay Ridge Unit 11  
Final Plat Pending  
84 Lots
- Westwood Units 1, 2, 3A  
133 Houses Built or Under Construction  
1 Lots Under Contract (front-side masonry)  
1 Lot Vacant
- Future Westwood  
100 Lots  
(Preliminary Platted)

- Future Bay Landing  
145 Lots  
(Preliminary Platted)
- Westwood Units 3B (Platted 1/29/13)  
1 House under Construction  
20 Lots Vacant  
6 of 20 are under contract or released (front-side masonry)

Braselton Home's Executive Vice President Bart Braselton requested the City Council consider the following:

- Allow the completion of single-family residential lots under the previous façade requirement that were under contract or have existing internal construction prior to February 7, 2013 approval of the 75% exterior façade requirement.
- Allow the remainder of platted single-family residential lots in the Westwood Subdivision and Northshore Subdivision to be constructed under the previous exterior façade requirements.
- Allow the remainder of unplatted single-family residential lots in the Westwood Subdivision to be constructed under the previous exterior façade requirements.

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

Mayor Krebs reconvened the workshop at 7:44 p.m.

Council, Staff, Braselton Vice President Bart Braselton and City Attorney Hal George discussed the following:

- The request made by Braselton Homes.
- The enforcement of the 75% exterior façade requirements adopted on February 7, 2013.
- Possible administrative authorization/approval.
- The possibility of approval for a variance through the Zoning Board of Adjustment.

### 3. **ADJOURNMENT**: MAYOR KREBS

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

## D. NOTICE OF ASSISTANCE

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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:

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David Krebs  
Mayor

Attest:

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Annette Hall  
City Secretary

**CITY OF PORTLAND  
CITY COUNCIL  
REGULAR MEETING  
MARCH 19, 2013 – 7:00 P.M.**

On this the 19<sup>th</sup> 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 Krebs	Mayor
David Lewis	Mayor Pro Tem
Ron Jorgensen	Council Member
Cathy Skurow	Council Member
John Vilo	Council Member
Gary Moore, Sr.	Council Member
John Green	Council Member

**STAFF PRESENT:**

Mike Tanner	City Manager
Randy Wright	Assistant City Manager
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
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:

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

1. **CALL TO ORDER: MAYOR**

Mayor Krebs called the meeting to order at 7:00 pm.

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

Mayor Pro Tem Lewis gave the invocation and Mayor Krebs led the Pledge of Allegiance.

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

- PROCLAMATION DECLARING MARCH 2013 TO BE “SOCIAL WORK AWARENESS MONTH” - MAYOR KREBS

Mayor Krebs read and presented Bridget Munico (a Masters Program student at Texas A&M University at Kingsville) with a signed copy of a proclamation declaring March 2013 to be “Social Work Awareness Month”.

- PROCLAMATION DECLARING MARCH 21, 2013 TO BE “DIGITAL AWARENESS DAY” - MAYOR KREBS

Mayor Krebs read and presented Library Director RoseAleta Laurell with a signed copy of a proclamation declaring March 21, 2013 to be “Digital Awareness Day”.

- INTRODUCTION OF NEW EMPLOYEES - FIRE CHIEF AS WELL AS DIRECTOR OF PARKS AND RECREATION

Director of Parks and Recreation Kristin Connor introduced new hired Parks and Recreation employees Bill Rodgers and Benito Gonzales.

Fire Chief Tim Vanlandingham introduced new hired Firefighters Justin Devereaux and Brian Lucio.

- ECONOMIC DEVELOPMENT UPDATE - CITY MANAGER

This item was not discussed.

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

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

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

Council Member Skurow announced that she and Mayor Krebs attended the Ribbon Cutting of the new Teen Center on March 14<sup>th</sup> at the Library and commented that Teen Center expansion was possible through a \$6,500 grant the library received.

Mayor Krebs reminded everyone that the Friends of the Library Book Sale begins March 21<sup>st</sup>.

**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 MARCH 5, 2013 MEETING - MAYOR KREBS AND CITY SECRETARY**

Council Member Vilo made the motion to approve the minutes of the March 5, 2013 workshop and regular meeting as presented. Council Member Moore seconded the motion.

The motion passed 6-1 (with Mayor Krebs abstaining).

**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**

City Manager Mike Tanner explained that the Incentive Guide has been revised since the last time the City Council reviewed it, and final suggestions by the Corpus Christi Regional Economic Development Corporation have been incorporated and highlighted. Mr. Tanner then reviewed the following proposed incentive guide:

**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)**

Council Member Jorgensen made a motion approving Resolution No. 664 which adopts an Economic Development Incentive Guide as presented. Mayor Pro Tem Lewis seconded the motion.

The motion passed 7-0.

## **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

Mayor Krebs opened the Public Hearing at 7:18 p.m. 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 Services Brian DeLatte explained a request have been submitted for 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). The rezoning request is consistent with the newly adopted Future Land Use Plan in the Comprehensive Plan, which recommends Single Family Densities with a minimum of 6,000 square foot residences in this area.

There are 15 adjacent properties within 200 feet of the subject lot. Property owners were notified by mail of Public Hearings held by the Planning and Zoning Commission as well as City Council meetings. Notices were also published in the Coastal Bend Herald. There have been no comments on the proposed application.

Mr. DeLatte further explained that 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.

Mr. DeLatte then introduced Thomas Tippin with Naismith Engineering who was present to answer questions.

There were no comments or public participation.

Mayor Krebs closed the Public Hearing at 7:21 p.m.

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

Director of Public Works and Development Brian DeLatte explained that 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 district and staff recommends the approval of Ordinance No. 2069.

Council and Staff and Naismith Engineering Representative Thomas Tippin discussed right-of-way and setback requirements, park dedication requirements and the average size of a residential home that fits on an R-7 lot.

Council Member Jorgensen made the motion to approve 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". Council Member Skurow seconded the motion.

The motion passed 5-2 (with Council Member Moore and Vilo voting against).

Mayor Krebs read the following caption.

**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**

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

Director of Parks and Recreation Kristin Conner explained that 2 request for co-sponsorship have been submitted for consideration.

The first one is from 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.

And the 2<sup>nd</sup> request is from the Portland Rotary Club who 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.

Council Member Jorgensen made the motion approving the request for co-sponsorship from Farmers Insurance and the Portland Rotary Club to close vehicular access to Sunset Lake Park for the dates and times requested. Council Member Vilo seconded the motion.

The motion passed 7-0.

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**

Director of Public Works and Development Brian DeLatte explained that 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. Mr. DeLatte added that an additional 120 days should be sufficient to get through the delays. The new completion date is August 4, 2013. There is no cost increase for demobilization/remobilization as a result of this change order and Consulting Engineer and Staff recommend approving Change Order No. 3.

Mayor Pro Tem Lewis made the motion accepting Change Order No. 3 (a 120 day contract time increase for the Wastewater Collection System Improvements for the Doyle Addition Project. Council Member Moore seconded the motion.

The motion passed 7-0.

**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**

City Secretary Annette Hall explained that in accordance with the Texas Election Code, in order to initiate the cancellation process for the election scheduled to be held on May 11, 2013 all deadlines must have been met. March 1<sup>st</sup> was the deadline to file for a place on the ballot as well as the deadline to file as a write in candidate.

The only applications received were by incumbents:

Cathy Skurow  
John Vilo  
John Green  
David Lewis

The City Council must accept the Certification of Unopposed Candidates that has been provided to you for consideration. That states that the outcome is already known due to the lack of opposition and to issue an Order of Cancellation that declares the election cancelled and the unopposed candidates elected. Candidates cannot take office until the regular canvassing period has taken place.

Ms. Hall added that a copy of the Order of Cancellation will be posted on Election Day at polling place (the Community Center) that would have been used in the elections as required.

Council Member Moore made the motion accepting the Certification of Unopposed Candidates (Cathy Skurow, John Vilo, John Green and David E. Lewis) and an Order of Cancellation for the May 11, 2013 General Election. Council Member Jorgensen seconded the motion.

The motion passed 7-0.

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

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

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- All comments, requests and proposals must be presented to or through the Mayor
- Persons who wish to speak will only be given 4 minutes to do so

Neither the City Council nor the Staff is legally permitted to respond to citizen comments, questions, requests or proposals at the time of the meeting. A member of the City Council or the City Manager may place an item on the agenda of a future City Council workshop or meeting to legally do so. If that is done, the audience member seeking a response will be given advance notice.

Bettye Harper reminder everyone that tomorrow is the Chatwork Game Day at the Community Center at noon.

**D. ADJOURNMENT: MAYOR**

Mayor Krebs adjourned the meeting at 7:40 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](mailto: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



## **REGULAR MEETING AGENDA BILL**

**AGENDA ITEM:** **ORDINANCE NO. 2068 – REVISING THE CITY MAINTENANCE LIMITS FOR SEWER LINES:** THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2068 WHICH REVISES SECTION 23-23, DIVISION 1, ARTICLE II, CHAPTER 23 OF THE CODE OF ORDINANCES REGARDING THE CITY MAINTENANCE LIMITS FOR SEWER LINES - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

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

**DATE:** March 27, 2013

**ATTACHMENTS:** Ordinance No. 2068

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**SUMMARY STATEMENT:** The current ordinance regarding the city maintenance limits for sewer services was enacted in 1992 and states that “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 been consistent with this ordinance in a variety of scenarios, including instances where the sewer service is under a roadway or at a depth greater than five feet. In those cases, city personnel have made the repairs at no charge to the property owner.

In order to adequately protect the City of Portland’s infrastructure, as well as providing fairness to homeowners when their connection is on an adjacent lot, Staff recommends revising the ordinance so that city maintenance ends at the boundary of the utility easement or public right-of-way. While this change will require maintenance of an additional 10 miles of service connections, the benefits of protecting the City’s infrastructure far outweigh the additional maintenance responsibilities.

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**RECOMMENDATION:** Approve the first reading of Ordinance 2068.

## **ORDINANCE NO. 2068**

### **AN ORDINANCE AMENDING SECTION 23-23, DIVISION 1, ARTICLE II, CHAPTER 23 OF THE CODE OF ORDINANCES TO REVISE THE CITY MAINTENANCE LIMIT FOR WATER AND SEWER LINES; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; ENSURING SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS** existing City maintenance limits for sewer service can be unduly burdensome to homeowners, disruptive to neighborhoods and problematic for public utilities; and,

**WHEREAS** the City Council has determined that City personnel should be solely responsible for sewer service maintenance/repairs within dedicated utility easements and public rights-of-way; and,

**WHEREAS** the City Council has further determined that revising the existing ordinance 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:** Section 23-23, Division 1, Article II, Chapter 23 of the Code of Ordinances is hereby amended to read as follows:

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 boundary of the utility easement or public right-of-way. In no event shall the City maintain or repair water or sewer lines on private property that are not located within dedicated utility easements ~~at the outside surface of the pipe on the sewer main, where the tap is made.~~

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

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

**SECTION 4. EFFECTIVE DATE:** This Ordinance shall take effect upon

approval of its second and final reading.

**PASSED** and **APPROVED** on second reading this 16th day of April 2013.

**EXECUTION**

**By:** \_\_\_\_\_  
**David Krebs**  
**Mayor**

**ATTEST:** \_\_\_\_\_  
**Annette Hall**  
**City Secretary**



## **REGULAR MEETING AGENDA BILL**

**AGENDA ITEM:** **ORDINANCE NO. 2069 - REZONING 34 ACRES OF LAND FRONTING AKINS DRIVE:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) 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

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

**DATE:** April 2, 2013

**DATE SUBMITTED:** March 21, 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

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**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.

2. 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.*

3. 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.*

4. 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.*

5. 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.*

6. 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.*

7. 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.*

8. 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 28, 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.

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**RECOMMENDATION:** Approve the second (final) 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*

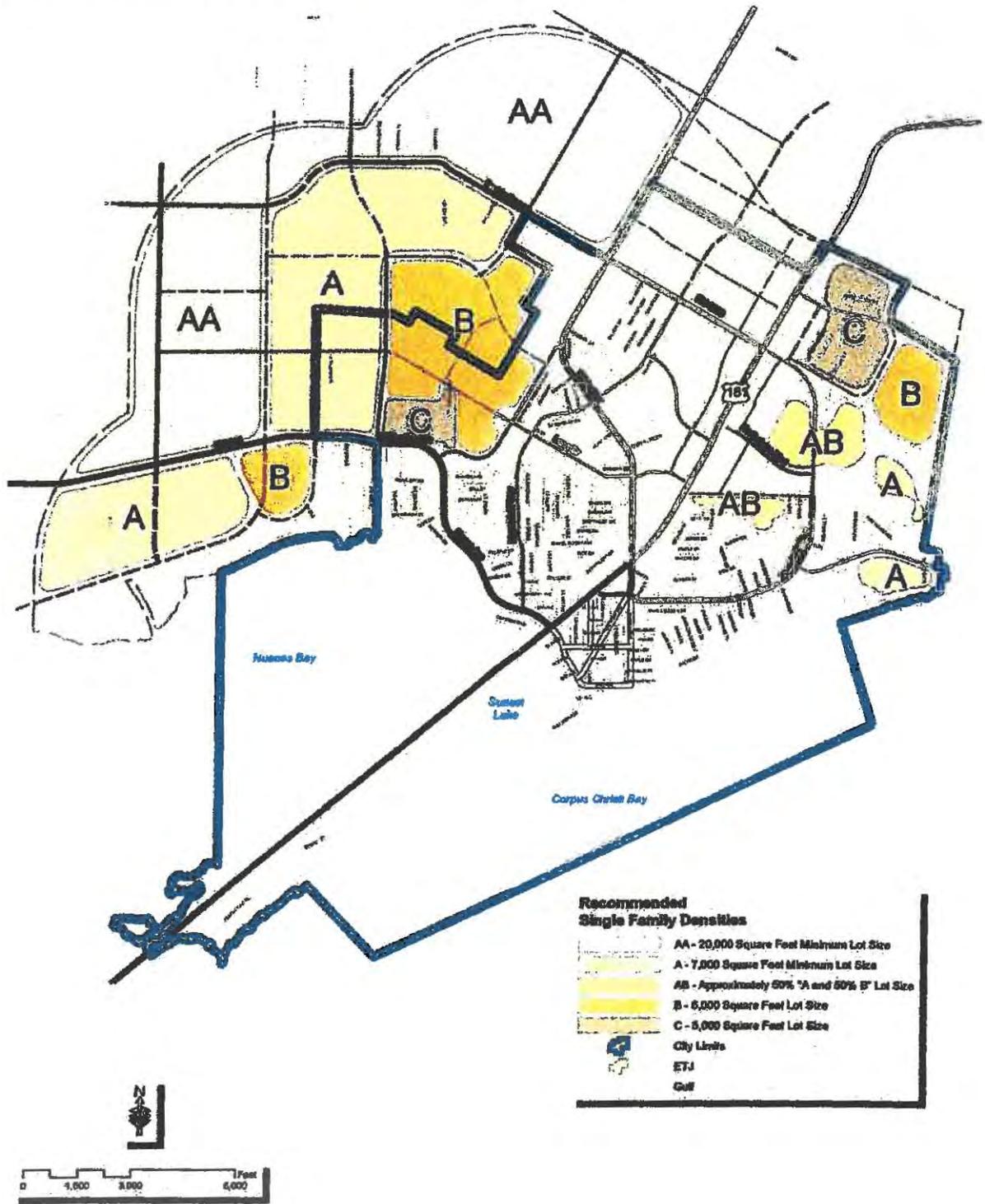
**Stacey King Mora, RPLS  
Registered Professional Land Surveyor  
Texas Registration No. 6166  
Naismith Engineering, Inc.  
TBPE F#355 TBPLS F# 100395-00**



**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](mailto: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 ITEM:** **ACCEPTANCE OF COMPREHENSIVE ANNUAL FINANCIAL REPORT:** THE CITY COUNCIL WILL CONSIDER ACCEPTANCE OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE 2011-2012 FISCAL YEAR FOLLOWING ITS PRESENTATION BY THE CONSULTING CITY AUDITOR - DIRECTOR OF FINANCE AND CONSULTING CITY AUDITOR

**SUBMITTED BY:** Sandy Clarkson, Finance Director

**SUBMISSION DATE:** March 27, 2013     **FOR THE AGENDA OF:** April 2, 2013

---

**SUMMARY STATEMENT:** The City's independent auditor, Frank Lovvorn of the accounting firm of Lovvorn & Kieschnick, will make a presentation covering the results of the financial audit for fiscal year 2011 – 12. In his presentation, which will cover the most significant areas of the City's financial activities, he will refer to the printed version of the Comprehensive Annual Financial Report. This same document will have been posted on the City's website and the Council notified by email before 5 p.m. on Friday, March 29.

---

**STAFF RECOMMENDATION:** Staff recommends acceptance of the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2012.



**REGULAR MEETING AGENDA BILL**

**SUBJECT:** **REQUEST FOR CO-SPONSORSHIP OF MEMORIAL DAY VIGIL CEREMONY:** THE CITY COUNCIL WILL CONSIDER A PORTLAND ROTARY CLUB REQUEST FOR CO-SPONSORSHIP OF ITS MAY 26, 2013 VIGIL CEREMONY AT MUNICIPAL PARK THE EVENING BEFORE MEMORIAL DAY - DIRECTOR OF PARKS AND RECREATION AS WELL AS ROTARY CLUB REPRESENTATIVES

**SUBMITTED BY:** Kristin Connor, Director of Parks and Recreation

**DATE:** March 19, 2013

**ATTACHMENTS:** Letter from Portland Rotary Club

---

**SUMMARY STATEMENT:** The Portland Rotary Club has agreed to host the 2013 Memorial Day Vigil Ceremony to take place at the Portland Memorial Pavilion at Municipal Park on Sunday, May 26, 2013. The club has requested that the City of Portland co-sponsor this event and waive the rental fees that are normally charged. They are planning a candlelight ceremony that will identify each branch of service and honor those who have served our country. The Veteran's Band of Corpus Christi will also be performing.

---

**RECOMMENDATION:** Adopt a motion approving co-sponsorship , waiving fees and authorizing necessary Staff support

March 12, 2013

Portland City Council,

The Portland Rotary Club has the honor of hosting the Candle Light Vigil at Municipal Park, Memorial Pavilion on Sunday, May 26, 2013. The previous group of veterans that organized past events were unable to continue and asked if the Portland Rotary Club would take over the event. The Rotary Club recognized the importance of honoring our veterans and is proud to organize the Candle Light Vigil for the community.

As we begin to look at the logistics of this event we would like to invite the City of Portland to co-sponsor the event. We would be pleased to have you the City of Portland participate in this important event. We are asking for the rental fees to reserve the Memorial Pavilion be waived. There are many volunteers pulling together to bring this event to Portland and of course a limited budget if any. So a co-sponsorship to waive these fees would be so appreciated and contribute to the success of the event.

Thanks you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brenda Coonrod". The signature is written in black ink and is positioned above the printed name.

Brenda Coonrod

Portland Rotary, President



STAFF  
WEEKLY  
REPORTS

# Portland Fire Department

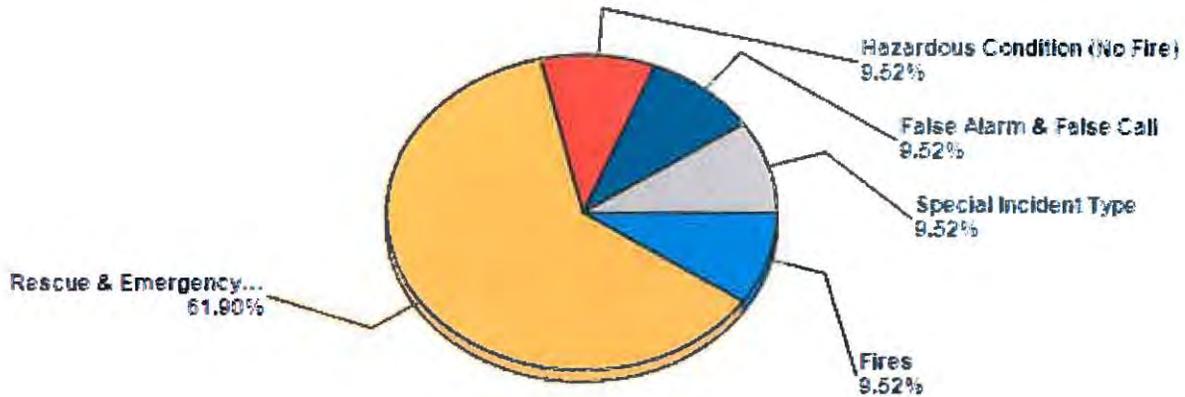


Portland, TX

This report was generated on 3/25/2013 8:37:21 AM

## Breakdown by Major Incident Types for Date Range

Start Date: 03/18/2013 | End Date: 03/24/2013



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	2	9.52%
Rescue & Emergency Medical Service	13	61.90%
Hazardous Condition (No Fire)	2	9.52%
False Alarm & False Call	2	9.52%
Special Incident Type	2	9.52%
<b>TOTAL</b>	<b>21</b>	<b>100.00%</b>

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
100 - Fire, other	1	4.76%
142 - Brush or brush-and-grass mixture fire	1	4.76%
311 - Medical assist, assist EMS crew	3	14.29%
321 - EMS call, excluding vehicle accident with injury	10	47.62%
440 - Electrical wiring/equipment problem, other	1	4.76%
480 - Attempted burning, illegal action, other	1	4.76%
743 - Smoke detector activation, no fire - unintentional	1	4.76%
745 - Alarm system activation, no fire - unintentional	1	4.76%
900 - Special type of incident, other	2	9.52%
<b>TOTAL INCIDENTS:</b>	<b>21</b>	<b>100.00%</b>

Average Response Time: 4.73 Min.

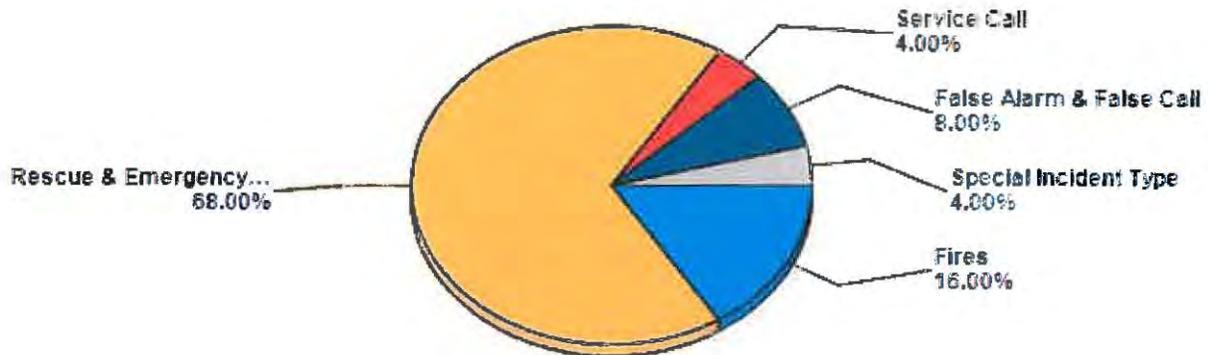
# Portland Fire Department

Portland, TX

This report was generated on 3/18/2013 5:16:01 PM

## Breakdown by Major Incident Types for Date Range

Start Date: 03/11/2013 | End Date: 03/17/2013



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	4	16.00%
Rescue & Emergency Medical Service	17	68.00%
Service Call	1	4.00%
False Alarm & False Call	2	8.00%
Special Incident Type	1	4.00%
<b>TOTAL</b>	<b>25</b>	<b>100.00%</b>

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	1	4.00%
130 - Mobile property (vehicle) fire, other	1	4.00%
131 - Passenger vehicle fire	1	4.00%
143 - Grass fire	1	4.00%
311 - Medical assist, assist EMS crew	8	32.00%
321 - EMS call, excluding vehicle accident with injury	6	24.00%
322 - Motor vehicle accident with injuries	3	12.00%
554 - Assist invalid	1	4.00%
735 - Alarm system sounded due to malfunction	1	4.00%
743 - Smoke detector activation, no fire - unintentional	1	4.00%
911 - Citizen complaint	1	4.00%
<b>TOTAL INCIDENTS:</b>	<b>25</b>	<b>100.00%</b>

Annual Hose Testing in Progress

Average Response Time: 4.48 Min.



Portland Fire Department  
595 Buddy Ganem  
Portland TX 78374  
Phone: 361-643-0155  
Fax: 361-643-0389

## Code Enforcement Report - Completed Activities

Activity Dates: 3/10/2013-3/16/2013

Date	Record Type	Activity	Number	Address	Parties Name	Inspector
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00426	115 Sabine		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(TRASH/RUBBISH)	CR-2013-00428	114 Janin Cir. North		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00429	1205 Dallas		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00430	1207 Dallas		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00431	1209 Dallas		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00432	1305 Dallas		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00433	1505 Dallas		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00435	1605 Dallas		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00436	1609 Dallas		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00437	1506 Crosby		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00438	1406 Crosby		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00439	1210 Crosby		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00440	1206 Crosby		Craig Hedrick
03/11/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00441	1208 Crosby		Craig Hedrick
03/12/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00442	2306 Trail Ridge		Craig Hedrick
03/12/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00443	02304 Trail Ridge		Craig Hedrick
03/12/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00444	02317 Timber Ridge		Craig Hedrick
03/12/2013	UNWHOLESOME PROP. NOV	(GRASS)	CR-2013-00445	01802 Portland		Craig Hedrick
	<b>Total Records</b>	<b>18</b>				



Portland Fire Department  
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Portland TX 78374  
Phone: 361-643-0155  
Fax:361-643-0369

## Fire Inspections Completed

Activity Dates: 3/10/2013-3/16/2013

Inspection Description	Inspection Reason	Party	Site Address	Inspector	Date	Status
Annual Inspection	Annual	North Shore Insurance	905 Market St.	Craig Hedrick	3/12/2013	PASS
Annual Inspection	Annual	JNCC	513 E. Broadway St.	Craig Hedrick	3/12/2013	PASS
Annual Inspection	Annual	Bliss Nails	1702 US 181 B9	Craig Hedrick	3/12/2013	PASS
Annual Inspection	Annual	Long John Silver's/KFC	2020 US 181	Craig Hedrick	3/12/2013	PASS
Annual Inspection	Annual	Dr. Lee Sang MD	107 Cedar	Craig Hedrick	3/12/2013	PASS

Total Records: 5