



CITY COUNCIL AGENDA

NOTICE OF WORKSHOP

Tuesday, April 16, 2013

5:30 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. **EXECUTIVE SESSION:** THE CITY COUNCIL WILL CONDUCT AN EXECUTIVE SESSION ACCORDING TO SECTIONS 551.071 (DISCUSSION OF PENDING OR CONTEMPLATED LITIGATION WITH ATTORNEYS), 551.072 (DELIBERATION REGARDING REAL ESTATE), 551.074 (DELIBERATION REGARDING APPOINTMENT OF PUBLIC OFFICIAL) AND 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS) OF THE TEXAS GOVERNMENT CODE - MAYOR KREBS AND CITY MANAGER
3. **ADJOURNMENT:** MAYOR KREBS

NOTICE OF ASSISTANCE

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

BRaille IS NOT AVAILABLE

Posted: April 12, 2013 by 5 p.m.
Portland City Hall

By: 
Annette Hall
City Secretary



CITY COUNCIL AGENDA

NOTICE OF REGULAR MEETING

Tuesday, April 16, 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. 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

4. **MINUTES OF PREVIOUS WORKSHOPS AND MEETINGS:** THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS APRIL 2, 2013 REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY
5. **ORDINANCE NO. 2068 - REVISING CITY MAINTENANCE LIMITS:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2068 WHICH REVISES THE CITY MAINTENANCE LIMITS FOR WATER AND SEWER LINES - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

NEW BUSINESS

6. **AUTHORIZATION TO EXPAND SCOPE OF LAWSUIT:** THE CITY COUNCIL WILL CONSIDER EXPANDING THE SCOPE OF A LAWSUIT STYLED " TEAL BUILDING AND CONSTRUCTION LTD, DOING BUSINESS AS TEAL CONSTRUCTION COMPANY VERSUS CITY OF PORTLAND, GIGNAC & ASSOCIATES, LLP, AND RAYMOND GIGNAC (36TH DISTRICT COURT - CAUSE NO. S-10-5265CV-A)" TO INCLUDE CITY HALL AND AUTHORIZING ASSOCIATED EXPENDITURES - CITY MANAGER
7. **RESOLUTION NO. 665 - SUSPENDING IMPLEMENTATION OF THE CENTERPOINT ENERGY GAS RELIABILITY INFRASTRUCTURE PROGRAM SURCHARGE:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 665 WHICH SUSPENDS IMPLEMENTATION OF THE CENTERPOINT ENERGY GAS RELIABILITY INFRASTRUCTURE SURCHARGE AND AUTHORIZES ORGANIZED INQUIRY AS WELL OPPOSITION - ASSISTANT TO THE CITY MANAGER

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

Members of the audience who wish to (1) comment on issues for which there is no item on this agenda, (2) present questions for which there is no item on this agenda,

(3) request assistance for which there is no item on this agenda or (4) propose regulatory changes for which there is no item on this agenda, must comply with the following rules of procedure:

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

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D. ADJOURNMENT: MAYOR KREBS

NOTICE OF ASSISTANCE

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BRAILLE IS NOT AVAILABLE

Posted: April 12, 2013 by 5:00 p.m.
Portland City Hall

By: 
Annette Hall
City Secretary

**CITY OF PORTLAND
CITY COUNCIL
REGULAR MEETING
APRIL 2, 2013 – 7:00 P.M.**

On this the 2nd day of April 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 |
| Gary Moore, Sr. | Council Member |
| John Green | Council Member |

MEMBERS ABSENT:

| | |
|-------------|----------------|
| David Krebs | Mayor |
| John Vilo | 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 PRO TEM DAVID LEWIS**

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

2. **INVOCATION AND PLEDGE:** MAYOR PRO TEM DAVID LEWIS OR DESIGNEE

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

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

Mayor Pro Tem Lewis read and presented Latin Lady’s Motorcycle Club Representative Lupita Ray with a signed copy of a proclamation declaring May 2013 to be “Motorcycle Safety and Awareness Month”.

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

Council Member Skurow commented that she received a press release from the Corpus Christi Regional EDC announcing that print or online advertising space is available for local business in the Business Images the Coastal Bend of Texas. She added that this is something the City may be interested in advertising in.

Council Member Moore reminded everyone that baseball and soccer season have begun and to be mindful of the children when approaching parks and practice fields.

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:

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- Persons who wish to speak must identify themselves and their places of residence
- All comments, requests and proposals must be presented to or through the Mayor
- Persons who wish to speak will be given 4 minutes to do so

There were none.

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**

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

The motion passed 5-0.

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**

Director of Public Works and Development Brian DeLatta explained that as previously discussed in the January Retreat the current ordinance regarding the city maintenance limits for sewer services states that the 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.

Mr. DeLatta added that 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.

Council Member Moore made the motion to approve the first reading of Ordinance No. 2068 which revises the City Maintenance Limits for Water and Sewer Lines. Council Member Skurow seconded the motion.

The motion passed 5-0.

Mayor Pro Tem Lewis read the following caption.

ORDINANCE NO. 2068

AN ORDINANCE REVISING CHAPTER 23, ARTICLE II, DIVISION 1, SECTION 23-23 RELATED TO THE CITY MAINTENANCE LIMIT FOR SEWER LINES; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE

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

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 recommends the second reading of Ordinance No. 2069 be approved.

Council Member Skurow made the motion to approve the second and 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". Council Member Green seconded the motion.

The motion passed 4-1 (with Council Member Moore voting against).

Mayor Pro Tem Lewis 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**

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**

Finance Director Sandy Clarkson introduced Consulting City Auditor Frank Lovvorn with Lovvorn & Kieschnick.

Council, Staff and Mr. Lovvorn discussed that the City has had another good year; the City Council commented that receiving the audit report in advance gave them an opportunity to review it prior tonight's meeting and that the audit report will be available for viewing on the City's website starting tomorrow.

Council Member Jorgensen made the motion to accept the Comprehensive Annual Financial Report for the 2011-2012 Fiscal Year as submitted. Council Member Moore seconded the motion.

The motion passed 5-0

- 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**

Director of Parks and Recreation explained 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 Rotary Club is requesting the City of Portland co-sponsor this event and that rental fees be waived. They are planning a candlelight ceremony that will identify each branch of service and honor those who have served our country. Ms. Connor added that the Veteran's Band of Corpus Christi will also be performing.

City Manager Mike Tanner explained that Staff fully supports this event.

Council Member Jorgensen made the motion approving co-sponsorship, waiving fees and authorizing necessary staff support. Council Member Moore seconded the motion.

The motion passed 5-0.

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

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There were none.

D. ADJOURNMENT: MAYOR

Mayor Krebs adjourned the meeting at 7:18 p.m.

E. NOTICE OF ASSISTANCE:

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BRAILLE IS NOT AVAILABLE

Approved:

David Krebs
Mayor

Attest:

City Secretary

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **ORDINANCE NO. 2068 – REVISING THE CITY MAINTENANCE LIMITS FOR SEWER LINES:** THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) 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

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.

RECOMMENDATION: Approve the second (final) 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: **RESOLUTION NO. 665 - SUSPENDING IMPLEMENTATION OF THE CENTERPOINT ENERGY GAS RELIABILITY INFRASTRUCTURE PROGRAM SURCHARGE:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 665 WHICH SUSPENDS IMPLEMENTATION OF THE CENTERPOINT ENERGY GAS RELIABILITY INFRASTRUCTURE SURCHARGE AND AUTHORIZES ORGANIZED INQUIRY AS WELL AS OPPOSITION - ASSISTANT TO THE CITY MANAGER

SUBMITTED BY: Michel Weaver, (ATTCM)

DATE SUBMITTED: April 8, 2013 **FOR THE AGENDA:** April 16, 2013

ATTACHMENTS: Proposed Resolution No. 665

SUMMARY STATEMENT: On March 28, 2013 CenterPoint Energy submitted a statement for the purpose of establishing a gas reliability infrastructure program (GRIP) interim rate adjustment effective May 27, 2013. The Railroad Commission of Texas authorizes cities to implement a 45 day suspension of rate increases in order to permit adequate time to review the proposed changes and to establish reasonable rates.

Resolution No. 665 allows the City to suspend the proposed rate adjustment for 45 days and allowing the City time to adequately investigate the sufficiency of the GRIP Rate Increase filing, review the proposed increases, analyze all necessary information, and to take appropriate action related to the proposed increases.

Resolution No. 665 also authorizes the City to join the Steering Committee of Cities Served by CenterPoint and to hire and direct legal counsel and consultants to negotiate with the company and make recommendations.

RECOMMENDATION: Adopt a motion approving Resolution No. 665 which suspends implementation of the CenterPoint Energy Gas Reliability Infrastructure Surcharge and authorizes organized inquiry as well as opposition.

RESOLUTION NO. 665

A RESOLUTION BY THE CITY OF PORTLAND, TEXAS SUSPENDING THE MAY 27, 2013, EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS SOUTH TEXAS TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2013; AUTHORIZING PARTICIPATION IN THE STEERING COMMITTEE FOR A REVIEW AND INQUIRY INTO THE SUFFICIENCY OF THE FILING AND THE BASIS AND REASONABLENESS OF THE PROPOSED RATE ADJUSTMENTS; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT EXPENSES; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Portland, Texas (“City”) is a gas utility customer of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas South Texas Division (“CenterPoint” or “Company”); and a regulatory authority with an interest in the rates and charges of CenterPoint; and

WHEREAS, CenterPoint made filings with the City and the Railroad Commission of Texas (“Railroad Commission”) on or about March 28, 2013, proposing to implement interim rate adjustments (“GRIP rate increases”), pursuant to Texas Utilities Code § 104.301, on all customers served by CenterPoint, effective May 27, 2013; and

WHEREAS, the sufficiency of the filing by CenterPoint and its compliance with statutory mandates is in question and needs to be determined; and

WHEREAS, ratepayers of CenterPoint, including the City and its residents, will be adversely impacted by the proposed GRIP rate increases; and

WHEREAS, the City and its residents could benefit from coordination with Steering Committee in a review of the reasonableness of the proposed GRIP rate increases and joint participation in any proceedings at the Railroad Commission related to the proposed GRIP rate increases; and

WHEREAS, the reasonable costs associated with the participation of Cities in this rate proceeding are reimbursable from CenterPoint;

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

THAT the effective date of May 27, 2013, of the GRIP rate increases proposed by CenterPoint is hereby suspended for 45 days, the maximum period allowed by law, to permit adequate time to investigate the sufficiency of the GRIP Rate Increase filing, review the proposed increases, analyze all necessary information, and take appropriate action related to the proposed increases.

THAT the City is authorized to cooperate with Steering Committee to hire and direct legal counsel and consultants, to negotiate with the Company, to make recommendations to the

City regarding the proposed GRIP rate increases, and to direct any administrative proceedings or litigation associated with the proposed GRIP rate increases.

THAT CenterPoint shall promptly reimburse the City's reasonable costs associated with the City's activities related to the proposed GRIP rate increases.

THAT a copy of this Resolution shall be sent to CenterPoint, care of the local representative, and to Thomas Brocato, legal counsel to the Steering Committee, at Lloyd Gosselink, 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this 16th day of April 2013.

EXECUTED:

BY: _____
David Krebs
Mayor

ATTEST:

Annette Hall
City Secretary

APPROVED AS TO FORM:

Hal George
City Attorney



STAFF
WEEKLY
REPORTS

Portland Fire Department

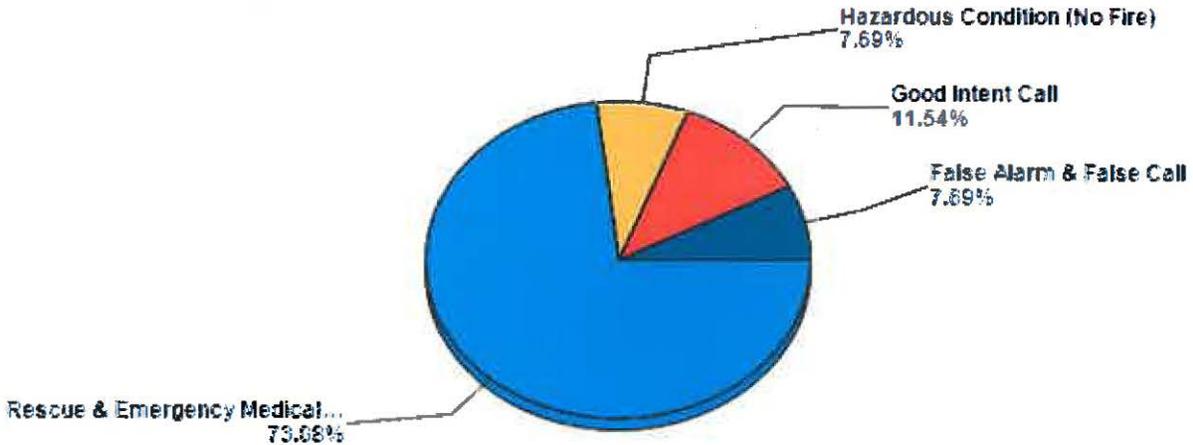
Portland, TX

This report was generated on 4/1/2013 8:23:28 AM



Breakdown by Major Incident Types for Date Range

Start Date: 03/25/2013 | End Date: 03/31/2013



| MAJOR INCIDENT TYPE | # INCIDENTS | % of TOTAL |
|------------------------------------|-------------|----------------|
| Rescue & Emergency Medical Service | 19 | 73.08% |
| Hazardous Condition (No Fire) | 2 | 7.69% |
| Good Intent Call | 3 | 11.54% |
| False Alarm & False Call | 2 | 7.69% |
| TOTAL | 26 | 100.00% |

| Detailed Breakdown by Incident Type | | |
|--|-------------|----------------|
| INCIDENT TYPE | # INCIDENTS | % of TOTAL |
| 311 - Medical assist, assist EMS crew | 9 | 34.62% |
| 321 - EMS call, excluding vehicle accident with injury | 10 | 38.46% |
| 440 - Electrical wiring/equipment problem, other | 1 | 3.85% |
| 444 - Power line down | 1 | 3.85% |
| 600 - Good intent call, other | 1 | 3.85% |
| 611 - Dispatched & cancelled en route | 2 | 7.69% |
| 700 - False alarm or false call, other | 1 | 3.85% |
| 745 - Alarm system activation, no fire - unintentional | 1 | 3.85% |
| TOTAL INCIDENTS: | 26 | 100.00% |

Vehicle Rescue Training

Average Response Time: 3.97 Min.



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

Completed Activities

03/24/2013 through 03/30/2013

Page 1 of 2

Report run on: 04-01-2013

| Activity Date | Record Type | Activity | Party | Site Address | Inspector | Status |
|---------------|---------------------------|---|------------------------------------|---------------------------|---------------|----------|
| 03/25/2013 | Annual Inspection | Re-Inspection | BLOCKBUSTER VIDEO | 1500 Wildcat Suite Q | Craig Hedrick | PASS |
| 03/26/2013 | Annual Inspection | Annual | COASTAL PALMS NURSING CENTER | 00221 Cedar | Craig Hedrick | FAIL |
| 03/26/2013 | Annual Inspection | Annual | GOODWILL | 01550 Wildcat Dr. Suite A | Craig Hedrick | FAIL |
| 03/26/2013 | Annual Inspection | Annual | SAN PATRICIO COMMUNITY TEACHERS CU | 01802 Billy G Webb | Craig Hedrick | PASS |
| 03/26/2013 | Annual Inspection | Annual | COMMUNITY CENTER | 02000 Billy G. Webb Dr. | Craig Hedrick | FAIL |
| 03/26/2013 | Annual Inspection | Annual | POLICE DEPARTMENT | 01902 Billy G Webb | Craig Hedrick | PASS |
| 03/26/2013 | Annual Inspection | Annual | CITY HALL | 01900 Billy G. Webb Dr. | Craig Hedrick | PASS |
| 03/27/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | ROBERT & RHONDA LOVELL | 00218 Carmel | Craig Hedrick | NOTIFIED |
| 03/27/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | KENNETH & ENRIQUETA KNETSCH | 01099 Polaris Dr. | Craig Hedrick | NOTIFIED |
| 03/27/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | | 01094 Polaris Dr. | Craig Hedrick | NOTIFIED |
| 03/27/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | TIME WARNER CABLE | 821 Market St. | Craig Hedrick | NOTIFIED |
| 03/27/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | BEARD JOHN & V J | 00805 HOUSTON | Craig Hedrick | NOTIFIED |
| 03/27/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | TIME WARNER CABLE | 00821 Market St. | Craig Hedrick | NOTIFIED |
| 03/27/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | CHRISTOPHER & JESSICA MANNING | 00113 Driftwood Dr. | Craig Hedrick | NOTIFIED |
| 03/27/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | ELMORE & WANDA ANGLLEY | 00102 Driftwood Dr. | Craig Hedrick | NOTIFIED |
| 03/27/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | CARLOS & MARIBEL GUTIERREZ | 01604 Dallas St | Craig Hedrick | NOTIFIED |
| 03/28/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | MR. BOBBY & PEGGY BREWER | 1609 Memorial Pkwy. | Craig Hedrick | NOTIFIED |
| 03/28/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | C. R. SHULTZ | 1312 Denver St. | Craig Hedrick | NOTIFIED |
| 03/28/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | RALPH TORRALVA | 1224 Memorial Pkwy. | Craig Hedrick | NOTIFIED |



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361-643-0369

Completed Activities

03/24/2013 through 03/30/2013

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Report run on: 04-01-2013

| Activity Date | Record Type | Activity | Party | Site Address | Inspector | Status |
|---------------|---------------------------|---|----------------------|------------------------|---------------|----------|
| 03/28/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | KENNETH SCHENA | 00109 San Saba Dr. | Craig Hedrick | NOTIFIED |
| 03/28/2013 | Unwholesome Property (FD) | Notice of violation, stagnant water | JAMES & ELAINE GRANT | 302 San Saba Dr. | Craig Hedrick | NOTIFIED |
| 03/28/2013 | Annual Inspection | Annual | WALMART | 02000 U.S. Highway 181 | Craig Hedrick | PASS |
| 03/28/2013 | Annual Inspection | Annual | BASE LINE DATA INC. | 00206 Lang Rd. | Craig Hedrick | PASS |

Total Completed Activities: 23

Portland Fire Department

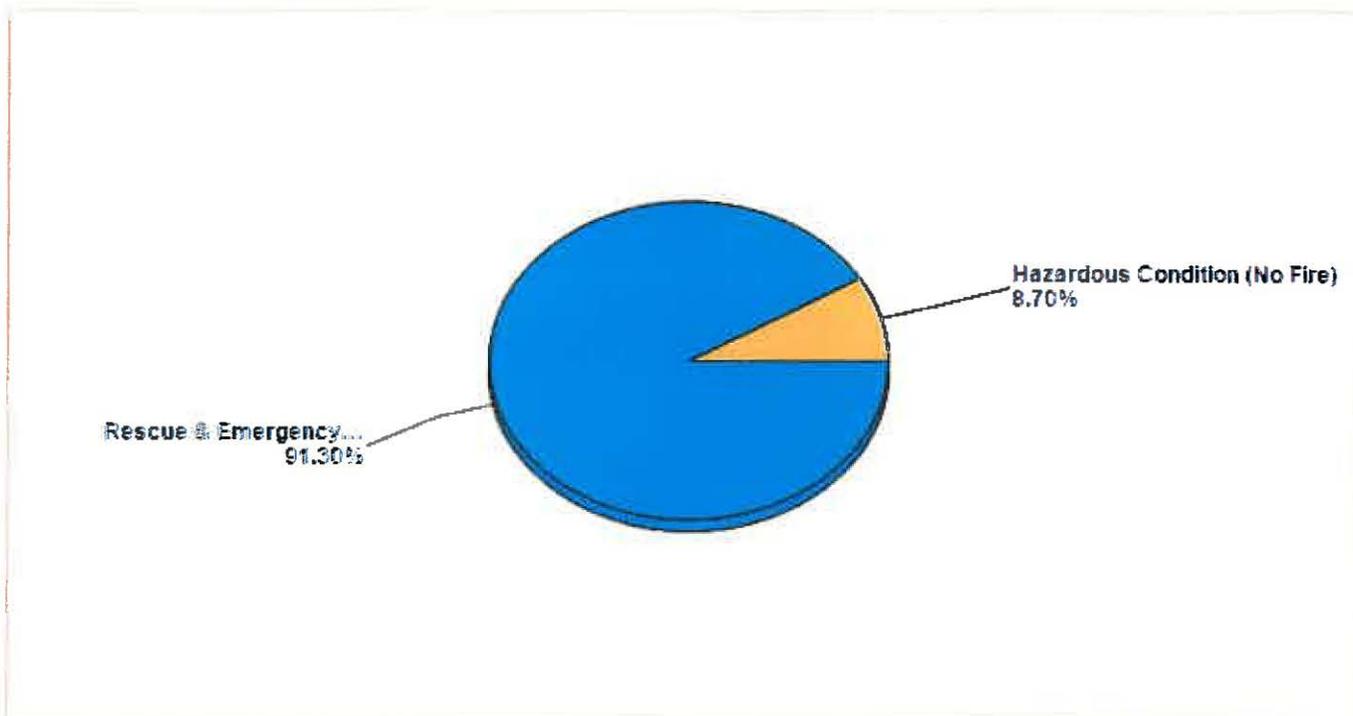


Portland, TX

This report was generated on 4/8/2013 7:56:39 AM

Breakdown by Major Incident Types for Date Range

Start Date: 04/01/2013 | End Date: 04/07/2013



| MAJOR INCIDENT TYPE | # INCIDENTS | % of TOTAL |
|------------------------------------|-------------|----------------|
| Rescue & Emergency Medical Service | 21 | 91.30% |
| Hazardous Condition (No Fire) | 2 | 8.70% |
| TOTAL | 23 | 100.00% |

| Detailed Breakdown by Incident Type | | |
|--|-------------|----------------|
| INCIDENT TYPE | # INCIDENTS | % of TOTAL |
| 311 - Medical assist, assist EMS crew | 8 | 34.78% |
| 321 - EMS call, excluding vehicle accident with injury | 13 | 56.52% |
| 412 - Gas leak (natural gas or LPG) | 2 | 8.70% |
| TOTAL INCIDENTS: | 23 | 100.00% |

Personnel Attended Critical Incident Stress Management Course
Vehicle Rescue Training

Average Response Time: 4.67 Min.



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Completed Activities

03/31/2013 through 04/06/2013

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Report run on: 04-08-2013

| Activity Date | Record Type | Activity | Party | Site Address | Inspector | Status |
|---------------|---------------------------|---|---------------------------------|---------------------------|---------------|----------|
| 04/01/2013 | Annual Inspection | Annual | BOENIG ANIMAL CLINIC | 00903 Market | Craig Hedrick | FAIL |
| 04/01/2013 | Annual Inspection | Annual | TOM SANCHEZ HAIR SALON | 00903 1/2 Market St. | Craig Hedrick | PASS |
| 04/01/2013 | Annual Inspection | Annual | FLETCHER FAMILY CHIROPRACTIC | 1700 Wildcat Dr. Suite C | Craig Hedrick | FAIL |
| 04/01/2013 | Annual Inspection | Annual | MATTRESS DEPOT | 00100 Lang Rd. | Craig Hedrick | FAIL |
| 04/01/2013 | Annual Inspection | Annual | GULF COAST PSYCHOLOGY | 01700 Wildcat Dr. Suite D | Craig Hedrick | FAIL |
| 04/01/2013 | Annual Inspection | Annual | STEWART TITLE | 01700 Wildcat Suite A | Craig Hedrick | PASS |
| 04/01/2013 | Annual Inspection | Annual | ALMOUIE PEDIATRICS | 1700 Wildcat Suite B | Craig Hedrick | PASS |
| 04/01/2013 | Unwholesome Property (FD) | Follow-Up | TIME WARNER CABLE | 00821 Market St. | Craig Hedrick | COMPLETE |
| 04/01/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | MATTRESS DEPOT | 00100 Lang Rd. | Craig Hedrick | NOTIFIED |
| 04/01/2013 | Unwholesome Property (FD) | Notice of violation, trash, rubbish, carrion, refuse | PORTLAND FURNITURE L.L.C. | 900-902-904 Elm | Craig Hedrick | NOTIFIED |
| 04/01/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | | 00318 PEBBLE BEACH DR | Craig Hedrick | NOTIFIED |
| 04/02/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | | 129 Daniel Moore Ave. | Craig Hedrick | NOTIFIED |
| 04/02/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | | 217 Chase Dr. | Craig Hedrick | NOTIFIED |
| 04/02/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | | 218 Chase Dr. | Craig Hedrick | NOTIFIED |
| 04/02/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | | 101 Daniel Moore Ave. | Craig Hedrick | NOTIFIED |
| 04/02/2013 | Annual Inspection | Re-Inspection | GOODWILL | 01550 Wildcat Dr. Suite A | Craig Hedrick | FAIL |
| 04/02/2013 | Unwholesome Property (FD) | Follow-Up | ELMORE & WANDA ANGLLEY | 00102 Driftwood Dr. | Craig Hedrick | COMPLETE |
| 04/02/2013 | Unwholesome Property (FD) | Follow-Up | CARLOS & MARIBEL GUTIERREZ | 01604 Dallas St | Craig Hedrick | COMPLETE |
| 04/02/2013 | Annual Inspection | Annual | HEB | 1600 Wildcat Dr. | Craig Hedrick | FAIL |
| 04/02/2013 | Annual Inspection | Re-Inspection | HEB | 1600 Wildcat Dr. | Craig Hedrick | FAIL |



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Completed Activities

03/31/2013 through 04/06/2013

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Report run on: 04-08-2013

| Activity Date | Record Type | Activity | Party | Site Address | Inspector | Status |
|---------------|---------------------------|---|-------------------------------|-----------------------|---------------|------------|
| 04/02/2013 | Annual Inspection | Re-Inspection | HEB | 1600 Wildcat Dr. | Craig Hedrick | FAIL |
| 04/02/2013 | Annual Inspection | Re-Inspection | TAQUERA EL TAPATIO | 922 Railroad | Craig Hedrick | PASS |
| 04/02/2013 | Annual Inspection | Re-Inspection | HAMPTON INN PORTLAND | 1705 U.S. Hwy 181 | Craig Hedrick | PASS |
| 04/04/2013 | Annual Inspection | Re-Inspection | GLASSMAN | 00821 Dallas St. | Craig Hedrick | FAIL |
| 04/04/2013 | Unwholesome Property (FD) | Follow-Up | RALPH TORRALVA | 1224 Memorial Pkwy. | Craig Hedrick | PENDING |
| 04/04/2013 | Unwholesome Property (FD) | Contract Services (Mowing or Clean-up) | ANGELO J. VOLTURO | 00147 Sabine Dr. | Craig Hedrick | COMPLETE |
| 04/04/2013 | Unwholesome Property (FD) | Follow-Up | PORTLAND FURNITURE L.L.C. | 900-902-904 Elm | Craig Hedrick | COMPLETE |
| 04/04/2013 | Unwholesome Property (FD) | Follow-Up | | 00211 Poesta Dr. | Craig Hedrick | COMPLETE |
| 04/04/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | | 00619 ELM (CORNER) | Craig Hedrick | NOTIFIED |
| 04/04/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | | 01145 AUSTIN | Craig Hedrick | NOTIFIED |
| 04/04/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | | 01153 AUSTIN | Craig Hedrick | NOTIFIED |
| 04/04/2013 | Unwholesome Property (FD) | Notice of Violation, unwholesome property (grass) | | 00126 GRACE | Craig Hedrick | NOTIFIED |
| 04/05/2013 | Unwholesome Property (FD) | Contract Services (Mowing or Clean-up) | KENNETH SCHENA | 00109 San Saba Dr. | Craig Hedrick | PENDING |
| 04/05/2013 | Unwholesome Property (FD) | Follow-Up | | 217 Chase Dr. | Craig Hedrick | COMPLETE |
| 04/05/2013 | Unwholesome Property (FD) | Follow-Up | | 101 Daniel Moore Ave. | Craig Hedrick | COMPLETE |
| 04/05/2013 | Unwholesome Property (FD) | Follow-Up | MATRESS DEPOT | 00100 Lang Rd. | Craig Hedrick | COMPLETE |
| 04/05/2013 | Unwholesome Property (FD) | Follow-Up | CHRISTOPHER & JESSICA MANNING | 00113 Driftwood Dr. | Craig Hedrick | COMPLETE |
| 04/05/2013 | Unwholesome Property (FD) | Follow-Up | ROBERT & RHONDA LOVELL | 00218 Carmel | Craig Hedrick | COMPLETE |
| 04/05/2013 | Unwholesome Property (FD) | Follow-Up | | 00115 Sabine | Craig Hedrick | COMPLETE |
| 04/05/2013 | Unwholesome Property (FD) | Follow-Up | KENNETH SCHENA | 00109 San Saba Dr. | Craig Hedrick | REASSIGNED |

Total Completed Activities: 40