



## CITY COUNCIL AGENDA

### NOTICE OF REGULAR MEETING

Tuesday, May 6, 2014

7:00 p.m.

City Hall - Council Chamber

Daniel P. Moore Community Center Complex

1900 Billy G. Webb Drive

Portland, Texas

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

1. CALL TO ORDER: MAYOR KREBS
2. INVOCATION AND PLEDGE: MAYOR KREBS OR DESIGNEE
3. FORMAL ANNOUNCEMENTS, RECOGNITION, PRESENTATIONS AND REPORTS THAT MAY BE DISCUSSED:
  - WDNFEST 2014 FINAL REPORT – CHAMBER OF COMMERCE EXECUTIVE DIRECTOR
  - RECOGNITION OF BELL-WHITTINGTON PUBLIC LIBRARY TAG (TEEN ADVISORY GROUP) VOLUNTEERS – MAYOR KREBS AND LIBRARY DIRECTOR
  - PROCLAMATION DECLARING MAY 11-17, 2014 TO BE “POLICE WEEK” – MAYOR
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 another entity that is scheduled to be attended by a city official or city employee
- Announcements involving imminent threats to the public health and safety of the city

**B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:**

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

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

5. **MINUTES OF PREVIOUS MEETINGS:** THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS APRIL 15, 2014 REGULAR MEETING AND APRIL 21, 2014 STRATEGIC PLANNING WORKSHOP- MAYOR KREBS AND CITY SECRETARY
6. **ACCEPTANCE OF THE 2013 COMPREHENSIVE ANNUAL FINANCIAL REPORT:** THE CITY COUNCIL WILL HEAR A REPORT AND CONSIDER ACCEPTANCE OF THE FINANCIAL REPORT FOR FISCAL YEAR 2013 – FINANCE DIRECTOR AND CONSULTING CITY AUDITOR
7. **ORDINANCE NO. 2087 – UNIFIED DEVELOPMENT AMENDMENTS:** THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2087 WHICH ADOPTS TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE – DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT
8. **ORDINANCE NO. 2088 – AMENDING CURRENT FISCAL YEAR BUDGET:** THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2088 WHICH AMENDS THE 2013-2014 FISCAL YEAR BUDGET – FINANCE DIRECTOR
9. **ORGANIZATIONAL ADJUSTMENT:** THE CITY COUNCIL WILL CONSIDER A CHANGE IN THE CITY'S ORGANIZATIONAL STRUCTURE – 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:

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

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

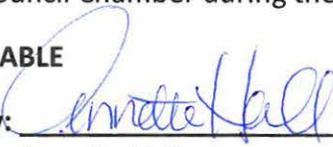
**D. ADJOURNMENT: MAYOR KREBS**

**NOTICE OF ASSISTANCE**

If you plan to attend this public meeting and you have a disability that requires special arrangements to be made, please contact City Secretary Annette Hall (361) 777-4513 or [annette.hall@portlandtx.com](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:** May 2, 2014 by 5:00 p.m.  
Portland City Hall

**By:**   
Annette Hall  
City Secretary



## **PROCLAMATION**

**DECLARING MAY 11-17, 2014  
TO BE  
"POLICE WEEK"**

**WHEREAS**, in 1962, the U. S. Congress and President John F. Kennedy, by executing Public Law 87-726, established the week of May 15th as National Police Week and May 15th of each year as Police Memorial Day; and,

**WHEREAS**, the members of the Portland Police Department recognize and accept their duty to serve the community by safeguarding life and property, by guarding against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and,

**WHEREAS**, the City of Portland wishes to honor the dedication and service of its own officers;

**NOW, THEREFORE**, I, DAVID KREBS, MAYOR OF THE CITY OF PORTLAND, TEXAS do hereby proclaim the week of May 11th through May 17th as "**Police Week**" and call upon all citizens of Portland to show their appreciation by word and deed for the police officers of this city. I further call upon all citizens of Portland to observe May 15th as "**Peace Officers Memorial Day**" in honor of those law enforcement officers who have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

**IN WITNESS THEREOF**, I hereby set my hand and cause the seal of the City of Portland to be affixed this 6th day of May, 2014.

---

David Krebs, Mayor  
*City of Portland*

**CITY OF PORTLAND  
CITY COUNCIL  
REGULAR MEETING  
APRIL 15, 2014 – 7:00 P.M.**

On this the 15<sup>th</sup> day of April 2014, 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
Cathy Skurow	Mayor Pro Tem
Ron Jorgensen	Council Member
John Vilo	Council Member
Gary Moore, Sr.	Council Member
John Green	Council Member
David Lewis	Council Member

**STAFF PRESENT:**

Randy Wright	City Manager
Annette Hall	City Secretary
Brian DeLatte	Director of Public Works and Development
Michel Sorrell	Finance Director
Gary Giles	Chief of Police
Tim Vanlandingham	Fire Chief
Kristin Connor	Director of Parks and Recreation
RoseAleta Laurell	Library Director
Kyle Schreckenbach	Assistant Director of Public Works
Drew Schell	IT Technician

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

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

**1. CALL TO ORDER: MAYOR**

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

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

Council Member Lewis gave the invocation and Mayor Krebs led the Pledge of Allegiance.

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

- PRESENTATION OF WATER SAFETY INITIATIVE – DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT, DIRECTOR OF PARKS AND RECREATION AND FIRE CHIEF

Director of Parks and Recreation, Kristin Conner announced that she was pleased to unveil the new logo for the “Play It Safe Portland” Water Safety Initiative Campaign. With the recent water related fatalities of two Portland children, the City decided to develop an outreach Water Safety Initiative campaign. The campaign was developed by the Public Works and Development Department, the Parks and Recreation Department, and the Fire Department to help educate swimming pool owners on pool maintenance, educate families on pool safety and teach the importance of emergency response time. The campaign will kick off with a free Splash Course event at the Aquatics Center on May 3<sup>th</sup> from 12 p.m. to 4 p.m.

- PROCLAMATION DECLARING MAY, 2014 TO BE “CITY OF PORTLAND WATER SAFETY MONTH” – MAYOR

Mayor Krebs read and presented a signed copy of the Proclamation declaring May 2014 to be “City of Portland Water Safety Month” in Portland to Kristin Connor, Director of Parks and Recreation, Brian DeLatte, Director of Public Works and Development and Fire Chief Vanlandingham.

- PROCLAMATION DECLARING MAY 13-19, 2014 TO BE “NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK” – MAYOR

Mayor Krebs read and presented a signed copy of the Proclamation declaring May 13-19, 2014 to be “National Public Safety Telecommunicators Week” in Portland to Chief Giles and the City of Portland Telecommunicators Department.

- REPORT ON GOOD FRIDAY HOLIDAY SCHEDULE (FACILITIES AND SERVICES) - UTILITY BILLING SUPERVISOR

Finance Director, Michel Sorrell presented the facilities and services schedule for the upcoming Good Friday Holiday.

- QUARTERLY FINANCE REPORT – FINANCE DIRECTOR

Finance Director, Michel Sorrell presented the 2<sup>nd</sup> Quarter Financial Report that included the following:

- Budgeted Funds – High Level View
- Special Interest Revenues – Various Funds
- Sales Tax Revenues – General Fund (FY 2010-2014)
- Sales Tax Data From 2010-2014
- Financial Update Highlights

She then presented the Quarterly Investment Report ending March 31, 2014 that included the following:

- Investments by Fund & Type
- Portfolio Distribution – March 31, 2014
- Portfolio Performance Analysis – March 31, 2014
- Portfolio Performance Wrap-up

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

Mayor Krebs announced that today is Council Member Lewis' birthday.

Mayor Pro Tem Skurow commented on the wonderful programming for the Play it Safe Portland Water Initiative campaign and is glad to be a part of it.

Council Member Green wished Council Member Lewis a Happy Birthday. He then thanked the Parks and Recreation, Public Works and Development and the Fire Department staff for the good job they did putting the Water Initiative Program together.

Council Member Jorgensen also commended on the great job the departments did on putting Water Initiative Program and the departmental coordination. He then commented that Windfest was great this year.

Council Member Vilo congratulated the Chamber for a great Windfest event and the city staff for the great job they did on putting together the Water Initiative Program.

Council Member Lewis thanked everyone for working so diligently on the Water Initiative Program. He then announced that he would like reminder Portland residents to check the brush schedule before setting it out on the curb and thanked everyone for the birthday wishes.

Mayor Krebs also commented on the great program the Water Initiative is and the great event Windfest turned out to be.

Council Member Jorgensen commented that Windfest was well run and there were no arrests.

**B. ACTION ITEMS, RESOLUTIONS, AND ORDINANCES:**

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

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

There were none.

5. **MINUTES OF PREVIOUS MEETINGS:** THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS MARCH 4, 2014 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY

Council Member Vilo made the motion to approve the minutes of the April 1, 2014 workshop and regular meeting as presented, seconded by Council Member Green.

The motion passed 7-0.

6. **BIDS FOR THE DOYLE ADDITION SUBDIVISION WASTEWATER SERVICE CONNECTIONS:** THE CITY COUNCIL WILL CONSIDER BIDS FOR THE DOYLE ADDITION SUBDIVISION WASTEWATER SERVICE CONNECTIONS PROJECT THAT WERE RECEIVED, OPENED, AND PUBLICLY READ ON MARCH 4, 2014 - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

Director of Public Works and Development, Brian DeLatte explained that the City has secured a grant from the United States Department of Agriculture, Rural Development (USDA-RD) to install wastewater service connections in the Doyle Addition Subdivision. Two bids were received and opened on March 4, 2014. Both bids significantly exceeded the project's construction budget developed by Naismith Engineering, Inc. Both Naismith Engineering and the USDA-RD recommend that all bids are rejected in order to rebid a restructured project.

The bids for the project by CAS Companies, L.P., and Bridges Specialties, Inc., exceeded the construction budget by 47.4% and 284.4%, respectively. Naismith Engineering speculated that bids exceeded the budget for a variety of reasons, including:

- The project's funding schedule and inherently prolonged period between funding award and bidding caused escalation in project materials costs
- Increased labor costs due to market demands
- Increased costs due to an overly conservative number of connections and grinder stations in the bid package

Naismith Engineering, in consultation with USDA-RD, recommends rebidding the project in a restructured manner by reducing the number of connections and grinder stations to more closely match actual field conditions. Additionally, City Staff will direct Naismith Engineering to utilize methods in identifying additional bidders to encourage more competitive pricing. While rebidding is unlikely to move the entire project within budget, cost savings may be realized through this approach.

Several other alternatives were considered:

- The City could award the contract to the apparent low bidder and contribute City funding to cover the variance. This option is not recommended since funding has not been budgeted for such a scenario.

- The City could award the contract to the apparent low bidder and issue an immediate change order reducing the number of connections and grinder stations. This option was not recommended by USDA-RD.
- The City could decline the grant award and reapply for a larger grant during the next application review cycle. This option is not recommended since the project could be delayed several years and the availability of additional funding is not guaranteed.

The Code of Federal Regulations outlines very limited conditions in which competitive or noncompetitive negotiations can be used rather than competitive sealed bids. These conditions do not exist for this project.

Rebidding the project will cost approximately \$500 in advertising fees.

Mayor Pro Tem Skurow made the motion to accept Naismith Engineering, Inc.'s and the United States Department of Agriculture, Rural Development's recommendations to reject all bids for the Doyle Addition Subdivision Wastewater Service Connections project that were received, opened, and publicly read on March 4, 2014, seconded by Council Member Jorgensen.

The motion passed 7-0.

**7. PUBLIC HEARING: THE CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING POSSIBLE UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENTS. A GENERAL DESCRIPTION OF POSSIBLE UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENTS FOLLOWS:**

- REVISIONS TO SECTION 406. PERMITTED USE TABLE.
- REVISIONS TO SECTION 707. FENCES.
- REVISIONS TO SECTION 711. OFF-STREET PARKING AND LOADING.
- ADDITION OF SECTION 713. EXTERIOR LIGHTING.
- REVISIONS TO SECTION 1003. DEFINED TERMS.

Mayor Krebs opened the Public Hearing at 7:56 p.m. to solicit

Director of Public Works and Development, Brain DeLatte presented and reviewed the following Text Amendments to the UDO:

- Section 406. Permitted Use Table.
  - Modifying Community Home to be allowed by right in all residential districts

- Modifying Pawn Shop to only be allowed by right in Industrial district; eliminating SUP's in all other districts
- Section 707. Fences.
  - Combine Code of Ordinances Section 4-2 and UDO Section 707
  - Divide Section 707 Subsection A into its three components:
    - Front yard fencing is prohibited
      - Exception: 36" picket fences in OT-1 and OT-2
    - Chain link fencing is prohibited
      - Exception: Nonresidential lots in OT-2
    - Double frontage fencing is unchanged
  - Prohibited materials and maintenance requirements remain unchanged
- Section 711. Off-Street Parking and Loading
  - Clarifying the Parking Module table
  - Clarifying that maintenance of off-street parking includes all portions of parking lots (parking lots, driveways, access aisles, and loading areas)
- Section 713. Exterior Lighting.
  - Adding lighting specifications to reduce glare-producing lighting and encourage sustainable lighting solutions
    - Aimed and shielded to prevent glare
    - Full cut-off fixtures
  - Encourages LED and solar-powered lighting where feasible
- Section 1003. Defined Terms.
  - Updating the definition of Community Home
- Defined Fence
  - Fence. Any structure which exceeds twelve (12) inches in height above the nearest grade and which encloses, partitions or divides any yard. Planter boxes no taller than thirty six (36) inches are excluded. A picket fence is thirty six (36) inches tall with a horizontal top rail and bottom rail attached to fence posts, which are installed upright into the ground. Evenly spaced boards are affixed vertically to the rails.

#### Public Notification

- Published in The Coastal Bend Herald on March 18, 2014
- Revisions sent to Developers Roundtable and Corpus Christi Builders Association

- Planning and Zoning Commission conducted a Public Hearing on April 8, 2014
  - No public comment
  - Unanimously recommended approval

City Manager, Randy Wright commented that this is a effort to consolidate the ordinance and make it easier for developers to understand the code.

With no citizen comments or participation Mayor Krebs closed the Public Hearing at 8:09 p.m.

**8. ORDINANCE NO. 2087 – UNIFIED DEVELOPMENT AMENDMENTS: THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2087 WHICH ADOPTS TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE – DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT**

Director of Public Works and Development, Brian DeLatte commented that existing constructions that are not in compliance will be treated as non-conforming. Council Member Jorgensen made the motion to approve the first reading of Ordinance No. 2087 which adopts text amendment to the Unified Development Ordinance, seconded by Council Member Green.

The motion passed 7-0.

**9. ORDINANCE NO. 2088 – AMENDING CURRENT FISCAL YEAR BUDGET: THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2088 WHICH AMENDS THE 2013-2014 FISCAL YEAR BUDGET – FINANCE DIRECTOR**

Finance Director, Michel Sorrell explained that the developing of a budget is based on forecasting and experience and initially not all information may be available or known. Over the course of the budget year, information comes in that clarifies, or realigns, forecasted information or sheds light on new items that may affect the operating budget. The mid-year adjustment to the 2014 Budget recognizes and incorporates new and updated information and material changes in operations.

The mid-year adjustment includes changes to revenues for increases or decreases as needed. An increase in sales tax by 2.5% will adjust revenues in three funds upward. The mid-year adjustment also incorporates the budgeted expenses in each of the five funds to account for the implementation of the compensation structure and across the board increase, and to reduce operations costs related to the change in funding of capital improvements.

The following table shows original budgets, increases and (decreases), amended totals and change in fund reserves. The results depict a more accurate reflection of operating budgets if a mid-year amendment is adopted.

	<u>Current Total</u>	<u>Amended Total</u>	<u>Increase (Decrease)</u>	<u>Change in Fund Reserves</u>
<b>General Fund</b>				
Revenues	\$ 10,586,553	\$ 10,592,626	\$ 6,073	
Expenditures	\$ 10,583,404	\$ 10,585,888	\$ 2,484	\$ 6,738
<b>Water/Wastewater Fund</b>				
Revenues	\$ 6,999,714	\$ 6,714,967	\$ (284,747)	
Expenditures	\$ 6,916,680	\$ 6,638,412	\$ (285,768)	\$ 76,555
<b>Debt Service Fund</b>				
Revenues	\$ 1,203,385	\$ 1,218,385	\$ 15,000	
Expenditures	\$ 1,182,064	\$ 1,197,064	\$ 15,000	None
<b>4B Economic Development Sales Tax Fund</b>				
Revenues	\$ 1,085,500	\$ 1,081,375	\$ (4,125)	
Expenditures	\$ 751,721	\$ 731,621	\$ (20,100)	\$ 349,754
<b>Restricted Use Fund</b>				
Revenues	\$ 996,350	\$ 536,350	\$ (460,000)	
Expenditures	\$ 852,826	\$ 406,945	\$ (445,881)	\$ 129,405
<b>Venue Tax Fund</b>				
Revenues	\$ 1,209,350	\$ 1,236,225	\$ 26,875	
Expenditures	\$ 1,053,344	\$ 1,067,908	\$ 14,564	\$ 168,317

City Manager, Randy Wright added that adjustments are due to the scheduling of projects and is pleased with the budget.

Council Member Moore made the motion to approve the first reading of Ordinance No. 2088 which amends the 2013-2014 Fiscal Year Budget, seconded by Council Member Jorgensen.

The motion passed 7-0.

**10. RESOLUTION NO. 680 – SUSPENDING IMPLEMENTATION OF THE CENTERPOINT ENERGY GAS RELIABILITY INFRASTRUCTURE PROGRAM SURCHARGE: THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 680 WHICH SUSPENDS IMPLEMENTATION OF THE CENTERPOINT ENERGY GAS RELIABILITY INFRASTRUCTURE SURCHARGE AND AUTHORIZES ORGANIZED INQUIRY AS WELL AS OPPOSITION – FINANCE DIRECTOR**

Finance Director, Michel Sorrell explained that On March 31, 2014 CenterPoint Energy submitted a statement for the purpose of establishing a gas reliability infrastructure program (GRIP) interim rate adjustment effective May 30, 2014. 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. 680 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. It 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. If, not approve a resolution suspending the increase and allow the increase to go forward immediately. She then announced that CenterPoint representative Tom Champagne was presented.

Council Member Green made the motion to adopt Resolution No. 680 which suspends implementation of the CenterPoint Energy Gas Reliability Infrastructure Surcharge and authorizes organized inquiry as well as opposition, seconded by Council Member Jorgensen.

The motion passed 7-0.

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

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

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

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

There were none.

**D. ADJOURNMENT: MAYOR**

Mayor Krebs adjourned the meeting at 8:25 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

**CITY OF PORTLAND  
CITY COUNCIL  
STRATEGIC PLANNING  
WORKSHOP  
MINUTES  
April 21, 2014 – 4:00 P.M.**

On this the 21<sup>st</sup> day April 2014, the Council of the City of Portland convened in workshop session at 4:00 p.m. in the Council Chambers of City Hall, Daniel P. Moore Community Center Complex and notice of regular workshop giving the time, place and date and subject having been posted as described by Section 551 of the Government Code.

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

John Vilo	Council Member
-----------	----------------

**STAFF PRESENT:**

Randy Wright	City Manager
Annette Hall	City Secretary
Brian DeLatte	Director of Public Works and Development Services
Michel Sorrell	Finance Director
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
Terrell Elliott	IT Manager - Police Sergeant
Lorenzo Lara	Senior Accountant

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 4:00 p.m.*

2. **FINANCIAL MATTERS:** FOLLOWING STAFF PRESENTATIONS THE CITY COUNCIL WILL DISCUSS A VARIETY OF FINANCIAL MATTERS INCLUDING, BUT NOT LIMITED TO, FINANCING LIMITS AND INVESTMENT POLICY – CITY MANAGER AND DIRECTOR OF FINANCE.

*Finance Director, Michel Sorrell presented a 2<sup>nd</sup> quarter Financial Update and the 2<sup>nd</sup> quarter update on revenues of special interest.*

3. **STRATEGIC OPERATING PLAN:** THE CITY COUNCIL WILL REVIEW AND DISCUSS THE STRATEGIC OPERATING PLAN (OPERATING VISION, PHILOSOPHY OF GOVERNMENT AND OPERATING PRINCIPLES) AND POSSIBLE REVISIONS - CITY MANAGER

*City Manager, Randy Wright presented and reviewed the following Strategic Operating Plan with the City Council:*

## **STRATEGIC OPERATING PLAN**

The Portland City Council has adopted its vision, philosophy and operating principles and has directed the City Manager to apply the plan to all facets of day-to-day city operations.

### **OPERATING VISION**

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

### **PHILOSOPHY OF GOVERNMENT**

In all ways possible, the City of Portland functions as a business with city services as its product and citizens as its customers. The City of Portland shall provide services and levels of service demanded by the majority of its citizens with the smallest government possible for the least possible cost. The City Council, staff and employees pledge to:

- Comply with local, state and federal law
- Meet or exceed ethical and professional standards
- Meet our ~~their~~ fiduciary responsibilities
- Recognize that government can't do everything for everyone

- ~~Focus on “Core” services~~
- Be concerned, courteous and measured open when dealing with the public
- ~~Fully and effectively~~ Keep our public informed ~~the public in~~ of important issues the most timely fashion
- Project a positive image, continuously ~~promoteing~~ the City and ~~competeing~~ for distinction and institutional ~~or~~ recognition whenever possible
- Place the interests of the City and the needs of ~~our the~~ citizens before our own
- Ensure that special interests, resident or non-resident, are not promoted to the detriment of the City or its citizens
- Cooperate, collaborate and coordinate locally, regionally and statewide to the extent possible ~~locally area wide, regionally and state wide~~
- Promote professional development and innovation that supports our employees and improves our services to the public ~~the provision of City services~~
- ~~Mitigate issues in with rights conflict on when doing so serves a compelling public purpose~~

### OPERATING PRINCIPLES

We have clearly defined principles that guide our actions because we understand that our decisions affect our citizens, employees and the community we serve:

- Revenue projections must be minimized and cost estimates maximized to ensure budget integrity
- The size and cost of day to day government must be maintained to the extent possible ~~until the revenue base diversifies and expands through development~~
- ~~True~~ Cost-benefit analysis should be conducted before decisions are made to annex land, acquire more property, construct new facilities, raise service levels or deliver additional services
- Whenever possible, services that have questionable strategic value and/or benefit a limited number of citizens should either be eliminated or the costs associated with their delivery ~~should be~~ borne by the citizens who benefit from those services
- ~~Expenditure associate with the maintenance, repair and rehabilitation of the~~

~~infrastructure must increase~~ The City must allocate sufficient resources to repair and maintain infrastructure thereby protecting the public's investments in its assets

- A minimum 3-month reserve must be maintained in every budgetary operating fund
- The General Fund Reserve and Water/Wastewater Enterprise Fund Reserve may be used to finance planning initiatives or capital projects (improvements and/or recurring capital maintenance projects) ~~except those described as park and recreation~~ when minimum balances have been exceeded

*Council discussed including language that states as prescribed by law for the use of the General Fund Reserve and Water/Wastewater Enterprise Fund Reserve.*

- Utility rates should be designed to finance truly segregated (water and sanitary sewer service) day to day costs, debt service, unforeseen capital repairs and if possible, recurring capital maintenance
- Facilities that have questionable value, benefit a limited number of citizens and generate more costs than revenue should be eliminated
- Opportunities to secure public grants-in-aid, private contributions and sell surplus property should be fully exploited
- The waiver of recreation facility user fees should be minimized to the extent possible and prohibited in the case of fundraisers
- Existing policies, rules and regulations should be continuously reviewed to ensure present day relevance, fairness and appropriateness
- Opportunities to identify, cultivate and secure desirable economic development prospects should be fully exploited, be they within the city limits, within the extraterritorial jurisdiction or just beyond. However, demands made by such prospects for financial incentives should only be met when there is a compelling purpose
- The delivery of business and development services should be streamlined as well as expedited
- Sensible "Green" policies, programs and projects should be promoted
- Goods and services should be locally purchased as long as doing so does not compromise quality, quantity or cost
- Significant services delivered through private sector contracts or interlocal governmental agreements should be internally proposed or bid, competitively

proposed or bid and ~~annually~~ **continually** reviewed to ensure outsourcing is the most appropriate means of delivery

- Technological advances that increase effectiveness, promote efficiency, improve customer service or reduce costs should be fully exploited

Adopted by Resolution No. 662

4. **CITY COUNCIL REPRESENTATION:** THE CITY COUNCIL WILL DISCUSS MEMBERSHIP AND REPRESENTATION IN VARIOUS OUTSIDE ORGANIZATIONS, BOARDS AND COMMITTEES – MAYOR AND COUNCIL.

*City Manager, Randy Wright presented and reviewed the following City Council Representation list with the City Council:*

**Council Representation**

- A. Coastal Bend Bays and Estuaries Program: Bays Council Member (Ron Jorgensen)
- B. Dredging Committee: Member (Cathy Skurow)
- C. Human Use Committee: Member (Gary Moore)
- D. Habitat And Living Resources Committee: Member (John Vilo)
- E. Public Education Committee: Member (David Lewis)
- F. Water and Sediment Quality Committee: Member (Cathy Skurow)
- G. Coastal Bend Council of Governments: Representative (David Krebs) and Alternate Representative (John Vilo)
- H. Metropolitan Planning Organization: Policy Committee (Mayor is legal designee)
- I. Portland Chamber of Commerce: Member of Board of Directors (David Lewis)
- J. Port of Corpus Christi: Representative (Ron Jorgensen)
- K. San Patricio County EDC: Member of Board of Directors (John Green)
- L. San Patricio Rural Rail District: Member of Board (John Green)
- M. Corpus Christi Regional EDC: Member of Board of Directors (Mayor is legal designee)
- N. Parks and Recreation Advisory Board: Liaison (John Vilo)

*Council discussed keeping their current assigned representation on the various Outside Organizations, Boards, and Committees as presented.*

5. **PROJECTS UPDATE:** FOLLOWING STAFF PRESENTATIONS, THE CITY COUNCIL WILL DISCUSS A VARIETY OF CITY PROJECTS INCLUDING BUT NOT LIMITED TO CONSTRUCTION PROJECT UPDATES, ECONOMIC DEVELOPMENT UPDATE, 9-1-1 REPLACEMENT PROGRESS, GROWTH

MANAGEMENT STUDY PROGRESS – CITY MANAGER, DIRECTOR OF FINANCE, DIRECTOR OF PARKS AND RECREATION, IT MANAGER, DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT.

*Director of Public Works and Development, Brian DeLatte presented and reviewed the following Construction Project Updates with the City Council:*

**Project Updates**

Capital Projects – FY 2013-14 (\$8,350,000 in projects)

A. Utility Line Replacement Phase 1A Water (\$2,555,000)	<u>IN PROGRESS</u>
B. Utility Line Replacement Phase 1B Sewer (\$1,255,000)	<u>PREPARING TO BID</u>
C. NorthShore Drainage Improvement (\$700,000)	<u>COMPLETED</u>
D. Fire Station #2 Expansion (\$569,250)	<u>IN PROGRESS</u>
E. Doyle Addition ETJ Wastewater Service Lines (\$175,565)	<u>RE-BIDDING</u>
F. Consolidate Memorial Parkway lanes at FM3239 (\$230,000)	<u>COMPLETED</u>
G. Street, Parking, Sidewalk, Trail Master Plan (\$100,000)	<u>COMPLETED</u>
H. Street Improvement Phases 9A/9B (\$5,000,000)	<u>BOND CLOSING 4/24</u>
I. Sports Complex Improvements (\$1,500,000)	<u>PENDING</u>
J. Wastewater Treatment Plant UV system (\$600,000)	<u>IN DESIGN</u>
K. Veterans Memorial (\$300,000)	<u>IN DESIGN</u>

*City Manager, Randy Wright explained that a meeting is scheduled next week with Richter Architects for an update on the preliminary concept design.*

L. Community Center AV Improvements (\$70,000)	<u>POSTPONED</u>
M. Comprehensive Public Works Center Plan (\$50,000)	<u>PENDING</u>
N. Indian Point Park Shoreline Restoration Project (\$750,000)	<u>IN DESIGN</u>
O. Extend Lang Road outfall ditch (\$50,000)	<u>PENDING</u>

- Community Center envelope project

*Council discussed the possibility of including the Community Center AV Improvements to the next fiscal year budget.*

- Capital Projects trends and issues

A. Neighborhood meetings at beginning of projects

*City Manager, Randy Wright explained the concept of neighborhood meeting will help create relationships with residents and help with complaint issues.*

- B. Standardize front end specs
- C. Alternative delivery methods

*Council and staff discussed the standardization of front end specs and alternative delivery methods.*

- Reclaimed water sales

*Council and staff discussed potential reclaimed water sales.*

*IT Manager, Terrell Elliott presented and reviewed the following IT Project Updates with City Council:*

- 9-1-1 system replacement
- Fiber optic 'Dedicated Internet Access' (DIA) project
- Phone system upgrades
- IT Ticketing / Network monitoring system

*City Manager, Randy Wright added that the GLIP, IT Ticketing are on all computers.*

- Granicus system and agenda collaboration software

*City Manager, Randy Wright explained that the Granicus will take over video part of archiving agendas and moves forward with electronic agendas. Ilegislate is designed for ipads and also offers a feature that allows citizens input during the meetings as well as live streaming during Council meetings.*

*Council and staff discussed Ilegislate features, storage capacity and possible upgrades that includes an option for casting electronic voting on agenda items.*

*Mayor Krebs recessed the workshop at 5:15 p.m.*

*Mayor Krebs reconvened the workshop at 5:27 p.m.*

6. **ISSUES AND INITIATIVES:** THE CITY COUNCIL WILL DISCUSS A VARIETY OF ISSUES AND INITIATIVES INCLUDING BUT NOT LIMITED TO ECONOMIC DEVELOPMENT INCENTIVES, IMPROVEMENTS TO SPORTS COMPLEXES, POSSIBLE EXPANSION OF PARK AREAS,

INDIAN POINT PIER IMPROVEMENT, SALE OF RECLAIMED WATER, FEES, CODE ENFORCEMENT UPDATE, POSSIBLE USE OF CERTIFICATE OF OCCUPANCIES FOR RENTAL PROPERTY - CITY MANAGER.

*Finance Director, Michel Sorrell presented and reviewed the following Credit Card Convenience Fees presentation with the City Council:*

### **Issues and Initiatives**

#### **Finance**

- Convenience Fee
- Payment Kiosk

*Council and staff discussed the current convenience fee, the percentage of customers paying with credit cards, by electronic bank draft, use of night drop, in person, the possibility of eliminating the convenience fee and kiosk options and costs.*

*Finance Director, Michel Sorrell presented and reviewed the following project updates:*

- Municipal Court - ONLINE PAYMENT PROJECT THROUGH MSB
- Utility Billing – Call Multiplier Summary for Disconnect Notice Reminders
- Human Resources - Human Resources Software Module

*Council and staff discussed the number of disconnect phone calls being made monthly and the medical privacy laws required by HR.*

*Director of Public Works and Development, Brian DeLatte presented and reviewed the following Development Services update:*

#### **Development Services**

- New single family construction
- Updated new housing inventory chart
- Current commercial development

*Mayor Krebs recessed the workshop at 6:15 p.m.*

*Mayor Krebs reconvened the workshop at 6:45 p.m.*

*Director of Public Works and Development Services, Brian DeLatte presented and reviewed the following:*

#### **Development Services Trends and Issues**

- ETJ permitting and platting update
- ISO rating
- Electronic permitting
- Plan review times
- Feedback from developers roundtable
- Current building requirements
- Use of Bureau Veritas for inspections
- Certificates of Occupancy – Rental property

*City Manager, Randy Wright explained that in some cases rental properties are unsafe to occupy. Requiring a Certificate of Occupancy for rental properties can ensure rental properties are safe to occupy.*

*Council and staff discussed the possibility of requiring multi-family homes to obtain Certificate of Occupancy, requiring an inspection before water service is provided to the rental properties, sharing the concept with owners of rental properties and further researching how to limit the number of adults that live in a household*

*Director of Public Works and Development presented and reviewed the following with the City Council:*

#### **Public Works**

- Enterococci status
- Lift station backup plan status
- Long-range vehicle and equipment replacement plan
- Trends and Issues
- TCEQ SEP update
- Street lighting alternatives
- Street sweeper outsourcing to other cities

*Council and staff discussed exploring the possibility of out sourcing the street sweeper to other cities, local businesses, and shopping centers.*

*Director of Public Works and Development, Brian DeLatta presented and reviewed the following with the City Council:*

- Christmas decorations

*Council and staff discussed the various Holiday Decorations cost options presented, storage concerns during the off season and the possibility of placing banners and decorating street light poles along Wildcat Dr. and Buddy Ganem.*

*Fire Chief, Tim Vanlandingham presented and reviewed the following with the City Council:*

### **Fire Services**

- Specialized training for fire department personnel.
- Fire department emergency access to local businesses, schools and gated communities.
- Replacement of outdated Self Contained Breathing Apparatus (SCBAs).
- EMS exclusive franchise

*Council and staff discussed the access to local businesses, SCBAs, the current EMS exclusive contract with Guardian, the possibility of rebidding, revising, or renegotiation the exclusive contract with Guardian.*

*IT Manager, Terrell Elliott presented and reviewed the following with the City Council:*

### **Information Technology**

- Laserfiche development (paperless records retention)
- 'Software-as-a-service' (SaaS) / hosted systems
- Geodiverse cloud based solutions for 'Disaster Recovery Plan' (DRP)/ 'Business Continuity Plan' (BCP)
- Alternatives to Verizon for future 'Plain Old Telephone Service' (POTS)

*Mayor Krebs recessed the workshop at 8:19 p.m.*

*Mayor Krebs reconvened the workshop at 8:28 p.m.*

*Chief of Police, Gary Giles presented and reviewed the following with the City Council:*

### **Police**

- Status of the code enforcement program
- Status of police staffing including CID

*City Manager, Randy Wright presented and reviewed the following with the City Council:*

### **City**

- E-cigarettes

*Council and Staff discussed the need to clarifying the definition of E-cigarette, whether they should be allowed to be used in public facilities and continuing to research the definition of and regulations of E- cigarettes.*

*Library Director, RoseAleta Laurell presented and reviewed the following with City Council:*

### **Library**

- Update on DVD dispensing system
- Seniors in Cyberspace program
- New programming including the Makerspace series

*Director of Public Works and Development, Brian DeLatte presented and reviewed the following with the City Council:*

### **Parks and Recreation**

- Parks development
- Bay Ridge pipeline ROW
- POCCA La Quinta trail feature proposal

*Council and staff discussed development of linear parks, patrol and lighting concerns of linear parks and reviewing the current Master Park Plan.*

*City Manager, Randy Wright presented and reviewed the following with the City Council:*

- Sports complex – Phase 1 Bond Sale
- Purchase of a golf cart

*Council and staff discussed the Sports Complex Phase 1 Bond Sale, the possibility of purchasing a golf cart as a temporary alternate access option for civic groups and community center rental packages, and golf cart storage options.*

*City Manager, Randy Wright presented and reviewed the following with City Council:*

**Administration**

- Para-transfer service

*Council and staff discussed the possibility of revisiting RTA transportation to Portland.*

- Growth management study

*Council and staff discussed the current consultant's status of the Growth management study.*

- Rain barrels rebate

*Item was not discussed.*

- Credit access ordinance

*Item was not discussed.*

- Single-family home incentives

*City Manager, Randy Wright explained that the possibility of offering single-family home incentives could make Portland a more attractive place to build single-family homes.*

*Council and Staff discussed the possibility of reducing specific fees to help incentivize developers and builders and make Portland a more attractive place to build single-family homes, providing first time home buyers incentives by offering Ad Valorem Rebates and further exploring the concept of offering single-family home incentives.*

**7. ADJOURNMENT: MAYOR KREBS**

*Mayor Krebs adjourned the workshop at 10:02 p.m.*

**D. NOTICE OF ASSISTANCE**

**NOTICE OF ASSISTANCE:**

If you plan to attend this public meeting and you have a disability that requires special arrangements to be made, please contact City Secretary Annette Hall (361-777-4513 or [annette.hall@portlandtx.com](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:

---

Annette Hall  
City Secretary

---

<b>AGENDA TITLE</b>	<b><u>ACCEPTANCE OF THE 2013 COMPREHENSIVE ANNUAL FINANCIAL REPORT:</u></b> The City Council will hear a report and consider acceptance of the financial report for fiscal year 2013
<b>MEETING DATE</b>	5/6/2014
<b>DEPARTMENT</b>	Finance
<b>SUBMITTED BY</b>	Michel Sorrell, Finance Director

---

### **EXECUTIVE SUMMARY**

The City's independent auditor, Frank Lovvorn, of Lovvorn & Kieschnick, presents to the City Council the Comprehensive Annual Financial Report for the Fiscal Year Ended 2013 audit. The Comprehensive Annual Financial Report (CAFR) commonly referred to as the "Audit Report" is a comprehensive and detailed document that places all of the City's financial information in one place for comparison and review.

### **PRIOR ACTIONS OR REVIEWS**

The City of Portland Charter requires that the City Council appoint certified public accountants, who will be responsible to the Council, to perform an independent audit of all funds and groups of accounts of the City on an annual basis. Lovvorn & Kieschnick, LLP, is the firm engaged by the City Council to perform this audit.

### **DETAILS / STAFF ANALYSIS**

The Comprehensive Annual Financial Report is a culmination of many hours of work, by both the auditors and City staff. The duties and responsibilities of City staff and the auditors differ.

City staff is responsible for the preparation and fair representation of the financial statements, including maintaining internal controls relevant to the preparation of those financial statements.

The auditors' responsibility is to express an opinion on those financial statements. Audit standards require that the audit be planned and performed to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. City staff provides financial information, contracts entered into throughout the year, Council meeting minutes, and many other sources of information that the auditors use to perform their examination.

The auditors perform fieldwork on location where they review documents and discuss financial information and procedures with staff. Once the fieldwork is done, the auditors return to their office to begin compiling the information into the Comprehensive Annual Financial Report and to render an opinion on the City's financial statements.

The auditor's report for the Fiscal Year 2013 states, in their opinion, the financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Portland, as of September 30, 2013, and the respective changes in financial position, and where applicable, cash flows thereof for the year then ended in accordance with generally accepted accounting principles generally accepted in the United States of America.

**ALTERNATIVES CONSIDERED**

N/A

**FINANCIAL IMPACT**

The Comprehensive Annual Financial Report communicates the City's financial position including, stability, the ability to meet its obligations, and economic outlook. These attributes are what citizens, developers, financial institutions and creditors consider in their decision making process. A sound financial position and a clean auditor opinion on the City's financial statements represent a positive outlook. A positive outlook attracts new residents, new construction, and growth.

**ATTACHMENTS**

Comprehensive Annual Financial Report for the fiscal year ended September 30, 2013

---

**RECOMMENDED ACTION**

Motion to accept the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2013

<b>AGENDA TITLE</b>	<b><u>ORDINANCE NO. 2087 – ADOPTING UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENTS:</u></b> The City Council will consider the second (final) reading of Ordinance No. 2087 that adopts Unified Development Ordinance Text Amendments— Director of Public Works and Development
<b>MEETING DATE</b>	5/6/2014
<b>DEPARTMENT</b>	Public Works
<b>SUBMITTED BY</b>	Brian DeLatte, P.E.

---

**EXECUTIVE SUMMARY**

Ordinance No. 2087 proposes several text revisions to the Unified Development Ordinance (UDO). The revisions are necessary for the UDO to remain in compliance with state law, to address current development trends, and to add clarity to conflicting ordinances. The Planning and Zoning Commission held a Public Hearing at its April 8, 2014, meeting and unanimously recommended approval of the proposed revisions.

**PRIOR ACTIONS OR REVIEWS**

- The City Council was briefed on the proposed modifications at its March 18, 2014, workshop.
- The Planning and Zoning Commission held a Public Hearing at its April 8, 2014, meeting and unanimously recommended approval of the proposed revisions.
- The first reading of Ordinance No. 2087 was passed.

**STAFF ANALYSIS**

Staff analysis of the proposed text amendments is located in the attached commentary. Generally, the revisions are required to be in conformity with state law, in addressing current development trends, and clarify conflicting ordinances:

- The Permitted Use Table must be amended to conform to state law.
- The fencing ordinance requires clarification. There are several locations within the Code of Ordinances and Unified Development Ordinance that addresses fencing. This ordinance combines all requirements into one section.
  - In eliminating a conflict between the Code of Ordinances Chapter 4 and Section 707 of the UDO, Section 707.A has been modified to allow 36-inch high picket fences in the front yards of residential lots in OT-1 and OT-2. All other fencing is proposed to be prohibited in front yard areas.

- Chain link fencing on nonresidential lots in OT-2 is addressed in Section 707.B.
- Subsection F, G, and H are moved from the Code of Ordinances Chapter 4 to the UDO Section 707.
- The parking chart must be updated for clarification. Additionally, language is recommended to be added into the off-street parking section to require maintenance of all portions of off-street parking lots.
- An exterior lighting section has been proposed in order to protect light spillover onto residential lots abutting commercial developments, as well as to reduce glare onto adjacent roadways.

All existing construction that does not comply with these revisions will be grandfathered in as non-conforming. Any non-conformities will be required to meet current codes at such time when major structural modifications are made.

#### **ATTACHMENTS**

- Proposed Ordinance No. 2087

---

#### **RECOMMENDED ACTION**

Adopt a motion that approves the second (final) reading of Ordinance No. 2087.

**ORDINANCE NO. 2087**

**AN ORDINANCE ADOPTING REVISIONS TO THE UNIFIED DEVELOPMENT ORDINANCE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING A PENALTY FOR VIOLATIONS; PROVIDING AND ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION**

**WHEREAS** zoning and subdivision regulations in the Unified Development Ordinance implement the Comprehensive Plan according to Section 211.004 of the Local Government Code; and,

**WHEREAS** the City of Portland updated the Unified Development Ordinance on February 5, 2013 (Ordinance No. 2065); and,

**WHEREAS** the Planning and Zoning Commission conducted a public hearing on April 8, 2014, to solicit comments concerning revisions to the Unified Development Ordinance; and,

**WHEREAS** the Planning and Zoning Commission, after considering and evaluating comments presented at the public hearing, recommended approval of Unified Development Ordinance revisions to the City Council on April 8, 2014; and,

**WHEREAS** the City Council conducted public hearing on April 15, 2014, to solicit comments concerning revisions to the Unified Development Ordinance; and,

**WHEREAS** the City Council deliberated approval of Unified Development Ordinance revisions on April 15, 2014, and has found that the approval of Unified Development Ordinance revisions will promote the health, safety, and welfare of Portland residents,

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

**SECTION 1:** Line Items “Community Home” and “Pawn Shop”, Section 406, Chapter 4, Appendix A of the Code of Ordinances is hereby amended to read as follows:

	Residential							Special			Nonresidential			
Use	R-6	R-7	R-8	R-8D	R-15	RMH	R-20	RST	OT-1	OT-2	P	C-R	C-G	I
<b>RESIDENTIAL</b>														
Community Home	SP	SP	SP	SP	SP	<u>P</u>	SP	SP	SP	P	SP	SP	SP	
<b>COMMERCIAL/RETAIL</b>														
Pawn Shop								SP		SP		SP	SP	<u>P</u>

39  
40  
41 **SECTION 2:** Section 707, Chapter 7, Appendix A of the Code of Ordinances is hereby  
42 amended to read as follows:  
43

44 Fences, including but not limited to those constructed of masonry, wood, or chain link  
45 may be erected to a height not exceeding 8 feet and may be placed along the boundaries  
46 of the lot with the following restrictions.

47 A. In OT-1, Olde Town Residential, OT-2, Olde Town Mixed Use, R-6, Single-Family  
48 Residential, R-7, Single-Family Residential, R-8, Single-Family Residential, R-8D,  
49 Two-Family Residential and R-15, Townhouse Residential districts, fences shall not  
50 be erected of chain link nor in front yard areas nor in side yard areas where there is  
51 double frontage. Exceptions may be made for fences in side yard areas where there is  
52 double frontage, but only if all of the following conditions are met:

- 53 1. No fence shall be erected or maintained closer than five (5) feet to any  
54 side yard property line;
- 55 2. No fence shall exceed a height of four (4) feet; and
- 56 3. A ten (10) foot vision triangle created by an area using rear and side  
57 yard property lines shall be maintained.
- 58 4. The fence shall be eighty (80) percent transparent and be constructed of  
59 decorative wrought iron, aluminum, or vinyl (chain link, wire, or other  
60 similar materials shall be prohibited).

61  
62 A. In OT-1, Olde Town Residential, OT-2, Olde Town Mixed Use, R-6, Single-Family  
63 Residential, R-7, Single-Family Residential, R-8, Single-Family Residential, R-8D,  
64 Two-Family Residential and R-15, Townhouse Residential districts, fences shall not  
65 be constructed in front yard areas, nor project beyond an adjoining lot's front building  
66 setback line. Residential dwellings in the Olde Town districts (OT-1 and OT-2) may  
67 erect a thirty-six (36) inch high picket fence in the front yard area.

68 B. Fences shall not be erected of chain link in OT-1, Olde Town Residential, on  
69 residential lots in OT-2, Olde Town Mixed Use, R-6, Single-Family Residential, R-7,  
70 Single-Family Residential, R-8, Single-Family Residential, R-8D, Two-Family  
71 Residential, and R-15, Townhouse Residential districts.

72 C. Fences shall not be erected in side yard areas where there is double frontage in the  
73 OT-1, Olde Town Residential, OT-2, Olde Town Mixed Use, R-6, Single-Family  
74 Residential, R-7, Single-Family Residential, R-8, Single-Family Residential, R-8D,  
75 Two-Family Residential and R-15, Townhouse Residential districts. Exceptions may  
76 be made for fences in side yard areas where there is double frontage, but only if all of  
77 the following conditions are met:

- 78 1. No fence shall be erected or maintained closer than five (5) feet to any  
79 side yard property line;
- 80 2. No fence shall exceed a height of four (4) feet; and

81 3. A ten (10) foot vision triangle created by an area using rear and side  
82 yard property lines shall be maintained.

83 4. The fence shall be eighty (80) percent transparent and be constructed of  
84 decorative wrought iron, aluminum, or vinyl (chain link, wire, or other  
85 similar materials shall be prohibited).

86  
87 D. Multifamily residential and all nonresidential properties may erect a decorative fence  
88 made of wrought iron, masonry, or a combination of both, in the front yard area.

89 E. Fences on corner lots shall not be built higher than four (4) feet when located in the  
90 vision triangle defined in Chapter 10. Definitions. Fences permitted ~~in front yard~~  
91 areas by this Section shall not negatively affect the view of traffic at the entrance or  
92 exit to the subject property or adjoining properties.

93 F. Prohibited materials. No person shall build and/or maintain any fence composed, in  
94 whole or in part, of:

95 1. Barbed wire or razor wire, except as regulated in this section;

96 2. Welded or woven wire such as chicken wire, hog wire, stockade panels  
97 and similar agricultural wires;

98 3. Used materials;

99 4. An electric fence, except as regulated in this section;

100 5. Galvanized sheet metal, corrugated metal, or corrugated fiberglass;or

101 6. Materials not approved for exterior exposure.

102 G. Exceptions to prohibited materials.

103 1. On property used for agricultural purposes, provided that the fence is  
104 not otherwise prohibited by any other ordinance or law, a fence may be  
105 composed of barbed wire, welded wire or woven wire, or both and may  
106 include an electric fence if the electric fence charging device is  
107 approved by a nationally recognized testing laboratory.

108 2. In a district zoned industrial or commercial, barbed wire may be used as  
109 a component of a fence provided that the fence is composed only in part  
110 of barbed wire and that portion of the fence is at least six (6) feet from  
111 the nearest grade. The barbed wire portion of the fence shall be a  
112 maximum height of three (3) feet vertically or horizontally from the  
113 main portion of the fence. The barbed wire portion shall consist of  
114 individual strands of wire placed parallel to the ground and shall not be  
115 placed in a coiled or wrapped position.

116 3. In a residential zone, installation of electrically-charged fencing for the  
117 purpose of security, animal containment and other similar uses shall be  
118 in accordance with a nationally recognized testing agency. Upon  
119 installation such fencing shall be clearly identified with signage legible  
120 to each adjacent property owner and at each gate or section of fence

- 121 facing a street The signage shall be legible from a distance of five (5)  
 122 feet and shall be properly maintained while fence is in use.  
 123 4. This section does not prohibit the use of corrugated metal material with  
 124 a minimum twenty-six (26) gauge and one (1) inch corrugation when  
 125 commercially designed and engineered as a fencing material as a  
 126 component of a modular, prefabricated fence.  
 127 H. All fences required by this Ordinance shall be maintained in good repair.  
 128 1. All portions of fences that face a public area shall not be allowed to  
 129 lean so that the fence's axis is more than ten (10) degrees out of  
 130 perpendicular alignment with its base.  
 131 2. Fences shall be self supporting except that horizontal braces shall be  
 132 allowed as long as the braces are mounted inside the property  
 133 boundaries and are not visible from a public area.  
 134 3. Fences that face a public area shall not have missing, loose or broken  
 135 pickets, slats or panels in a fence.  
 136 4. It shall be unlawful to allow symbols, writings and other graffiti to  
 137 remain on a fence except for those which are permitted as signs under  
 138 this Code or which pertain to the address or occupancy of a property.  
 139 I. All swimming pool enclosures shall comply with the International Swimming Pool  
 140 and Spa Code, as adopted in Chapter 4, Article II, Section 4-11 of the Code of  
 141 Ordinances.

142  
 143 **SECTION 3:** Subsection C, Section 711, Chapter 7, Appendix A of the Code of  
 144 Ordinances is hereby amended to read as follows:  
 145

146 *C. Parking Design Standards.*

- 147 1. An off-street parking space is a paved surface not in a street or alley and having a  
 148 minimum dimension of nine (9) by eighteen (18) feet, exclusive of driveways,  
 149 permanently reserved for the temporary storage of one automobile and connected  
 150 with a street or alley by paved driveway which affords unobstructed ingress and  
 151 egress to each space.  
 152 2. Minimum aisle widths shall be provided in accordance with the angle of parking  
 153 they serve. The same aisle width shall be used for either a single row or two rows of  
 154 head-in parking sharing an aisle. Where two-way aisles with non-perpendicular  
 155 opposite-facing stalls are used, the City shall determine the appropriate additional  
 156 aisle width necessary.  
 157

	Parking Module Width (Stall Plus Aisle)			
Parking Angle	Single Loaded	Double Loaded	Stall Length	Aisle Width

30° Parking			<u>19 feet</u>	12 feet
45° Parking	<u>31 feet</u>	<u>49 feet</u>	<u>19 feet</u>	14 feet
60° Parking	<u>36 feet</u>	<u>55 feet</u>	<u>20 feet</u>	20 feet
90° Parking	<u>44 feet</u>	<u>62 feet</u>	<u>18 feet</u>	24 feet

158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194

**SECTION 4:** Subsection F, Section 711, Chapter 7, Appendix A of the Code of Ordinances is hereby amended to read as follows:

*F. Maintenance of Off-Street Parking Lots, Driveways, Access Aisles, and Loading Areas.*  
All off-street parking lots, driveways, access aisles, and loading areas shall be permanently maintained in safe, sound, usable condition. Minimum maintenance standards follow:

1. All paved areas shall be free of potholes, standing water, mud, and litter.
2. Parking spaces shall be reflectively striped and, when reserved for handicapped persons, properly signed.
3. Driveways, sidewalks, curbs, and storm sewer inlets shall be maintained in good repair.
4. Parking lot lights shall be maintained in good repair and properly illuminate parking as well as loading areas.
5. Fire zones and other areas where parking is prohibited shall be properly designated by painted curbs and signs.
6. On-site traffic signs shall be maintained in good repair.

**SECTION 5:** Section 713. Exterior Lighting., Chapter 7, Appendix A of the Code of Ordinances is hereby created to read as follows:

**A. Nonresidential and Multifamily Exterior Building Lighting.**

1. Exterior lighting shall be aimed and shielded to prevent glare.
2. Lots abutting residential dwellings or residential zoning districts shall use low-level lighting, as defined by the Illuminating Engineering Society of North America (IESNA), to minimize light visibility on adjoining properties.
3. Exterior lighting fixtures shall be full cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA) in order to direct light downward.
4. Incandescent, fluorescent, color-corrected high-pressure sodium, or metal halide lighting are acceptable fixtures. The use of solar-powered lighting and LED lighting is encouraged where feasible. Exterior lighting installations shall include timers, dimmers, sensors, or photocell controllers that turn the light off during daylight hours or hours when lighting is not needed.

- 195 5. The following shall be exempt from this subsection:  
196 a. Lighting or illumination required by the building code.  
197 b. Holiday and temporary lighting.  
198 c. Athletic field lighting.  
199 d. Low voltage landscape lighting.

200 **B. Parking Lot Lighting.**

- 201 1. Parking lot lighting shall be aimed and shielded to prevent glare.  
202 2. Lots abutting residential dwellings or residential zoning districts shall use low-  
203 level lighting and a maximum pole height of 12 feet to minimize light visibility  
204 on adjoining properties.  
205 3. Lighting fixtures serving parking lots shall be full cut-off fixtures as defined by  
206 the Illuminating Engineering Society of North America (IESNA) in order to  
207 direct light downward.  
208 4. Incandescent, fluorescent, color-corrected high-pressure sodium, or metal halide  
209 lighting are acceptable fixtures. The use of solar-powered lighting and LED  
210 lighting is encouraged where feasible. Exterior lighting installations shall include  
211 timers, dimmers, sensors, or photocell controllers that turn the light off during  
212 daylight hours or hours when lighting is not needed.

213  
214 **SECTION 6:** Section 1003, Chapter 10, Appendix A of the Code of Ordinances is  
215 hereby amended to read as follows:

- 216  
217 25. *Community Home.* A community-based residential home containing not more than 8  
218 6 disabled persons and 2 ~~non-resident supervisory personnel~~ supervisors that reside in  
219 the home and which otherwise meets the requirements of the Community Homes for  
220 Disabled Persons Location Act, Chapter 123.~~001~~, Texas Human Resources Code.

221  
222 **Fence.** Any structure which exceeds twelve (12) inches in height above the nearest grade  
223 and which encloses, partitions or divides any. Planter boxes no taller than thirty six  
224 (36) inches are excluded. A picket fence is thirty six (36) inches tall with a horizontal  
225 top rail and bottom rail attached to fence posts, which are installed upright into the  
226 ground. Evenly spaced boards are affixed vertically to the rails.

227  
228  
229 **SECTION 7:** Section 4-2, Article I, Chapter 4 of the Code of Ordinances is hereby  
230 repealed and replaced as follows:

- 231  
232 (a) All fences shall be constructed and maintained in accordance with Unified  
233 Development Ordinance Section 707. Fences.

234  
235 **SECTION 8:** If any provision, section, clause or phrase of this Ordinance, or the  
236 application of same to any person or set of circumstances is, for any reason held to be  
237 unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall  
238 not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no

239 portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by  
240 reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance  
241 are declared severable for that purpose.  
242

243 **SECTION 9:** Any previously adopted ordinance, resolution, rule, regulation or policy in  
244 conflict with this Ordinance is hereby repealed.  
245

246 **SECTION 10:** Any person who violates this Ordinance shall be guilty of a misdemeanor  
247 and, upon conviction thereof, shall be subject to a fine not exceeding five hundred dollars  
248 (\$500.00). Each and every day that a violation of this Ordinance occurs shall constitute a  
249 separate offense.  
250

251 **SECTION 11:** This Ordinance shall be published after second reading hereof by  
252 publishing the caption thereof in the official newspaper with a statement the public may view the  
253 Ordinance in the Office of the City Secretary. This Ordinance shall be effective from and after  
254 the publication provided herein.  
255

256 **PASSED** and **APPROVED** on second reading this \_\_\_ day of \_\_\_\_\_ 2014.  
257

258 **CITY OF PORTLAND**  
259

260  
261  
262  
263 \_\_\_\_\_  
264 **David Krebs**  
265 **Mayor**  
266

267  
268 **ATTEST:**  
269

270  
271 \_\_\_\_\_  
272 **Annette Hall**  
273 **City Secretary**

---

<b>AGENDA TITLE</b>	<b><u>ORDINANCE NO. 2088 – AMENDING CURRENT FISCAL YEAR BUDGET:</u></b> THE CITY COUNCIL WILL CONSIDER THE SECOND (FINAL) READING OF ORDINANCE NO. 2088 WHICH AMENDS THE 2013-2014 FISCAL YEAR BUDGET.
<b>MEETING DATE</b>	5/6/2014
<b>DEPARTMENT</b>	Finance
<b>SUBMITTED BY</b>	Michel Sorrell, Finance Director

---

### **EXECUTIVE SUMMARY**

Developing a budget is based on forecasting and experience and initially not all information may be available or known. Over the course of the budget year, information comes in that clarifies, or realigns, forecasted information or sheds light on new items that may affect the operating budget. The mid-year adjustment to the 2014 Budget recognizes and incorporates new and updated information and material changes in operations.

### **PRIOR ACTIONS OR REVIEWS**

The City Council adopted Ordinance No. 2075, a fund level budget ending September 30, 2014, on September 3, 2013 after a second (final) reading.

### **DETAILS / STAFF ANALYSIS**

The mid-year adjustment includes changes to revenues for increases or decreases as needed. An increase in sales tax by 2.5% will adjust revenues in three funds upward. The mid-year adjustment also incorporates the budgeted expenses in each of the five funds to account for the implementation of the compensation structure and across the board increase, and to reduce operations costs related to the change in funding of capital improvements.

### **ALTERNATIVES CONSIDERED**

The alternative would be not to do a mid-year budget amendment. That action does not properly reflect changes in information and resulting operations within the budget. Performing a mid-year adjustment produces a more accurate and reliable operations budget.

### **FINANCIAL IMPACT**

The following table shows original budgets, increases and (decreases), amended totals and change in fund reserves. The results depict a more accurate reflection of operating budgets if a mid-year amendment is adopted.

	<b><u>Current</u></b>	<b><u>Amended</u></b>	<b><u>Increase</u></b>	<b><u>Change in</u></b>
	<b><u>Total</u></b>	<b><u>Total</u></b>	<b><u>(Decrease)</u></b>	<b><u>Fund Reserves</u></b>
<b>General Fund</b>				
Revenues	\$ 10,586,553	\$ 10,592,626	\$ 6,073	
Expenditures	\$ 10,583,404	\$ 10,585,888	\$ 2,484	\$ 6,738
<b>Water/Wastewater Fund</b>				
Revenues	\$ 6,999,714	\$ 6,714,967	\$ (284,747)	
Expenditures	\$ 6,916,680	\$ 6,638,412	\$ (285,768)	\$ 76,555
<b>Debt Service Fund</b>				
Revenues	\$ 1,203,385	\$ 1,218,385	\$ 15,000	
Expenditures	\$ 1,182,064	\$ 1,197,064	\$ 15,000	None
<b>4B Economic Development Sales Tax Fund</b>				
Revenues	\$ 1,085,500	\$ 1,081,375	\$ (4,125)	
Expenditures	\$ 751,721	\$ 731,621	\$ (20,100)	\$ 349,754
<b>Restricted Use Fund</b>				
Revenues	\$ 996,350	\$ 536,350	\$ (460,000)	
Expenditures	\$ 852,826	\$ 406,945	\$ (445,881)	\$ 129,405
<b>Venue Tax Fund</b>				
Revenues	\$ 1,209,350	\$ 1,236,225	\$ 26,875	
Expenditures	\$ 1,053,344	\$ 1,067,908	\$ 14,564	\$ 168,317

**ATTACHMENTS**

Budget Amendment Tables by Fund  
Proposed Ordinance No. 2088

---

**RECOMMENDED ACTION**

Motion to approve second (last) reading of Ordinance No. 2088 amending the FY 2014 budget ending September 30, 2014.

**ORDINANCE NO. 2088**

**AN ORDINANCE AMENDING AND ADJUSTING ORDINANCE NO. 2075 PASSED ON THE 3rd OF SEPTEMBER 2013, AMENDING THE FUND LEVEL BUDGET FOR THE CITY OF PORTLAND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014, AND MAKING SUPPLEMENTAL APPROPRIATIONS AND ADJUSTMENTS FOR SAID FISCAL YEAR; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE; AND AN EFFECTIVE DATE THEREOF.**

**WHEREAS**, during the fiscal year of the City of Portland ending the 30th day of September 2014, the City Manager has indicated to the City Council that there are amendments and adjustments necessary to the present Budget adopted by Ordinance 2075 passed on the 3rd day of September 2013, and

**WHEREAS**, no previous amendment to the FY2014 Budget has been presented,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, TEXAS, AS FOLLOWS, TO-WIT:**

**SECTION 1:** That the attached amendments and adjustments shall be made to the Budget for the fiscal year of the City of Portland ending the 30th day of September, 2014.

**SECTION 2:** That this Ordinance repeals all ordinances in conflict herewith.

**SECTION 3:** That this Ordinance shall be in full force and effect from and after the date of its adoption, approval, and required publication of its caption.

Duly approved by the City Council of the City of Portland, Texas on the first reading, April 15, 2014.

Duly approved by the City Council of the City of Portland, Texas on the second and final reading, May 6, 2014.

\_\_\_\_\_  
David R. Krebs, Mayor

ATTEST:

\_\_\_\_\_  
Annette Hall,  
City Secretary

**Budget Amendment #1**  
**General Fund**  
**FY2014**

<b>Revenues</b>	Original	Increase (Decrease)	Amended Total
Sales Tax Collections	\$ 2,150,000	\$ 53,750	\$ 2,203,750
Fire School Fees -CPR	-	2,500	2,500
Building Permits	280,000	(35,000)	245,000
Adm Fee - Work W/O Permit	-	3,500	3,500
Low Mowing - Release of Lien	2,000	3,000	5,000
Zoning & Platting Fees	15,000	7,500	22,500
Youth Programs	5,000	6,000	11,000
Credit Card Rebates	-	500	500
Interest-CDARS	4,600	2,000	6,600
Sale of Depreciated Assets	100,000	(40,000)	60,000
Law Enforcement Ed./Standard	-	2,323	2,323
Drawdown Fund Balance	165,940		165,940
All other Revenues	7,864,013	-	7,864,013
<b>Total Revenues</b>	<b>\$ 10,586,553</b>	<b>\$ 6,073</b>	<b>\$ 10,592,626</b>
<b>Expenditures by Category</b>			
<u>Personnel Costs</u>			
One-time pay increase, net increase	7,065,895	6,641	7,072,536
New Certification Requirements - PD		2,100	2,100
<u>Operations</u>	1,728,850	3,334	1,732,184
<u>Repairs &amp; Maintenance</u>	740,506	-	740,506
<u>Contract Services</u>	435,750	(4,753)	430,997
<u>Capital Outlay</u>	419,128	(8,938)	410,190
<u>Other</u>	193,275	4,100	197,375
<b>Total Expenditure Budget</b>	<b>\$ 10,583,404</b>	<b>\$ 2,484</b>	<b>\$ 10,585,888</b>
<b>Excess (Deficiency) Revenues over Expenditures</b>	<b>3,149</b>	<b>3,589</b>	<b>6,738</b>

**Budget Amendment #1  
Water/Wastewater Fund  
FY2014**

<b>Revenues</b>	Original	Increase (Decrease)	Amended Total
Water Sales	\$ 3,100,000		\$ 3,100,000
Water Connection Charges	40,000	14,000	54,000
Public Reimb - Wtr Util Mt	-	1,253	1,253
Sewer Service Charges	2,772,000		2,772,000
Sewer Connection Charges	30,000		30,000
Contribution to General Fund (Street Sweeper)	-		-
Drawdown of Fund Balance	925,000		
Remove SCADA Paid w/ Excess Bond Proceeds		(300,000)	625,000
All other Revenues	132,714		132,714
	<hr/>		<hr/>
<b>Total Revenues</b>	<b>\$ 6,999,714</b>	<b>\$ (284,747)</b>	<b>\$ 6,714,967</b>
	<hr/>		<hr/>
<b>Expenditures</b>			
Approved Budget, total	6,916,680		6,916,680
Changes to Approved Budget:			
<u>Personnel Costs</u>			
Approved Pay Plan Increase		4,132	4,132
<u>Operations/Utilities</u>			
WWTP - State Permit	18,000	2,100	20,100
<u>Capital Outlay</u>			
Collection - Equipment (Street Sweeper)	7,500	(7,500)	-
Collection - Lift Station Recon/Repair	-	7,000	7,000
Collection-Sewer System Improv (SCADA)	300,000	(300,000)	
<u>Other</u>			
Increase Attorney Fees & Legal	2,500	2,500	5,000
Increase Consultant Services	4,000	6,000	10,000
Transfer Out-Debt Service (Street Sweeper)	-	7,500	7,500
	<hr/>		<hr/>
<b>Total Expenditure Budget</b>	<b>\$ 6,916,680</b>	<b>\$ (278,268)</b>	<b>\$ 6,638,412</b>
	<hr/>		<hr/>
<b>Excess (Deficiency) Revenues over Expenditures</b>	<b>83,034</b>	<b>(6,479)</b>	<b>76,555</b>

**Budget Amendment #1**  
**General Obligation Debt Service Fund**  
**FY2014**

<b>Revenues</b>	Original	Increase (Decrease)	Amended Total
Property Tax Collections - current year	\$ 1,124,642		\$ 1,124,642
Transfer In - Water/Wastewater (Street Sweeper)		7,500	7,500
Transfer In-Drainage (Street Sweeper)		7,500	7,500
All other Revenues	78,743		78,743
<b>Total Revenues</b>	<b>\$ 1,203,385</b>	<b>\$ 15,000</b>	<b>\$ 1,218,385</b>
<b>Expenditures</b>			
Approved Budget, total	1,182,064		1,182,064
Changes to Approved Budget:			
<u>Capital Outlay</u>			
Principal - Lease/Purchase (Street Sweeper-W/WW)		7,500	7,500
Principal - Lease/Purchase (Street Sweeper-Drainage)		7,500	7,500
<b>Total Expenditure Budget</b>	<b>\$ 1,182,064</b>	<b>\$ 15,000</b>	<b>\$ 1,197,064</b>
<b>Excess (Deficiency) Revenues over Expenditures</b>	<b>21,321</b>	<b>-</b>	<b>21,321</b>

**Budget Amendment #1**  
**4B Sales Tax Fund**  
**FY2014**

<b>Revenues</b>	Original	Increase (Decrease)	Amended Total
Sales Tax Collections	\$ 1,050,000	\$ 26,875	\$ 1,076,875
Drawdown (Community Center AV upgrade)	35,000	(35,000)	-
All other Revenues	500	4,000	4,500
<b>Total Revenues</b>	<b>\$ 1,085,500</b>	<b>\$ (4,125)</b>	<b>\$ 1,081,375</b>
<b>Expenditures</b>			
Approved Budget, total	751,721		751,721
Changes to Approved Budget:			
<u>Capital Outlay</u>			
Community Center AV upgrade		(35,000)	(35,000)
Painting of Interior/Exterior Columns-Community Ctr		14,900	14,900
<b>Total Expenditure Budget</b>	<b>\$ 751,721</b>	<b>\$ (20,100)</b>	<b>\$ 731,621</b>
<b>Excess (Deficiency) Revenues over Expenditures</b>	<b>333,779</b>	<b>15,975</b>	<b>349,754</b>

**Budget Amendment #1  
Restricted Use Fund  
FY2014**

<b>Revenues</b>	Original	Increase (Decrease)	Amended Total
Hotel Occupancy Tax	\$ 380,000		\$ 380,000
Drawdown - Hotel Occupancy Reserve			
Drawdown - AV Upgrade Community Center	35,000	(35,000)	-
Drawdown - Reduce R.O.W. Bridge	100,000	(75,000)	25,000
Drawdown - Veteran's Memorial	300,000	(200,000)	100,000
Drawdown - Indian Point Pier	150,000	(150,000)	-
All other Revenues	31,350		31,350
	<hr/>		<hr/>
<b>Total Revenues</b>	\$ 996,350	\$ (460,000)	\$ 536,350
<b>Expenditures</b>			
Approved Budget, total	852,826		852,826
Changes to Approved Budget:			
<u>Personnel Costs</u>			
One -time pay increase, net increase	42,596	5,219	47,815
<u>Capital Outlay</u>			
HOT Cap Outlay@ Comm - AV Upgrade	35,000	(35,000)	-
Transfer to Venue Tax Const - ROW Bridge	100,000	(75,000)	25,000
HOT Cap Outlay@ Comm - Vet Mem	300,000	(200,000)	100,000
Indian Point Pier Preservation	150,000	(150,000)	-
Muni-Court Business Computer Systems-Ticket Writers	-	8,900	8,900
	<hr/>		<hr/>
<b>Total Expenditure Budget</b>	\$ 852,826	\$ (445,881)	\$ 406,945
<b>Excess (Deficiency) Revenues over Expenditures</b>	143,524	(14,119)	129,405

**Budget Amendment #1  
Venue Tax Fund  
FY2014**

	Original	Increase (Decrease)	Amended Total
<b>Revenues</b>			
Sales Tax Collections	\$ 1,050,000	\$ 26,875	\$ 1,076,875
All other Revenues	159,350		159,350
	<hr/>		
<b>Total Revenues</b>	<b>\$ 1,209,350</b>	<b>\$ 26,875</b>	<b>\$ 1,236,225</b>
<b>Expenditures</b>			
Approved Budget, total	1,053,344		1,053,344
Changes to Approved Budget:			
<u>Personnel Costs</u>			
Approved Pay Plan Increase		64	64
<u>Operations &amp; Maintenance</u>			
Utilities-Gas	6,500	9,500	16,000
<u>Other</u>			
Increase Principal - Refinanced 2003 Sales Tax Bonds	175,000	5,000	180,000
	<hr/>		
<b>Total Expenditure Budget</b>	<b>\$ 1,053,344</b>	<b>\$ 14,564</b>	<b>\$ 1,067,908</b>
<b>Excess (Deficiency) Revenues over Expenditures</b>	<b>156,006</b>	<b>12,311</b>	<b>168,317</b>

<b>AGENDA TITLE</b>	<b><u>ORGANIZATIONAL ADJUSTMENT</u></b> THE CITY COUNCIL WILL CONSIDER A CHANGE IN THE CITY'S ORGANIZATIONAL STRUCTURE – CITY MANAGER
<b>MEETING DATE</b>	5/6/2014
<b>DEPARTMENT</b>	Administration
<b>SUBMITTED BY</b>	Randy L. Wright, City Manager

---

### **EXECUTIVE SUMMARY**

The position of Assistant City Manager was authorized by City Council in 2011 and has been adjusted to oversee various departments over time. This change will place Public Works, Development Services, and Parks and Recreation under the Assistant City Manager position.

### **PRIOR ACTIONS OR REVIEWS**

10/1/2011 – Created position of Assistant City Manager. Randy Wright was appointed.  
7/24/2013 – Position vacated with the promotion of Randy Wright to City Manager

### **DETAILS / STAFF ANALYSIS**

The Assistant City Manager position serves the organization by creating management depth, improving oversight and creating an opportunity for the City to identify candidates for potential managerial succession. The position, created in 2011, has overseen various departments depending on the needs of the City. If this change in organizational structure is approved, I will promote Brian DeLatte to the position. Brian will maintain his current office, but his duties will increase as will his span of managerial control. As Assistant City Manager, he will also assume command of the organization in the absence of the City Manager.

Section 4.01 of the City Charter requires 2/3 majority vote of the City Council for the creation, division or separation of a department. This action involves a position already established and does not combine departments. Therefore, a simple majority vote is sufficient for approval.

### **ALTERNATIVES CONSIDERED**

N/A

### **FINANCIAL IMPACT**

N/A

**ATTACHMENTS**

1. Organizational Chart

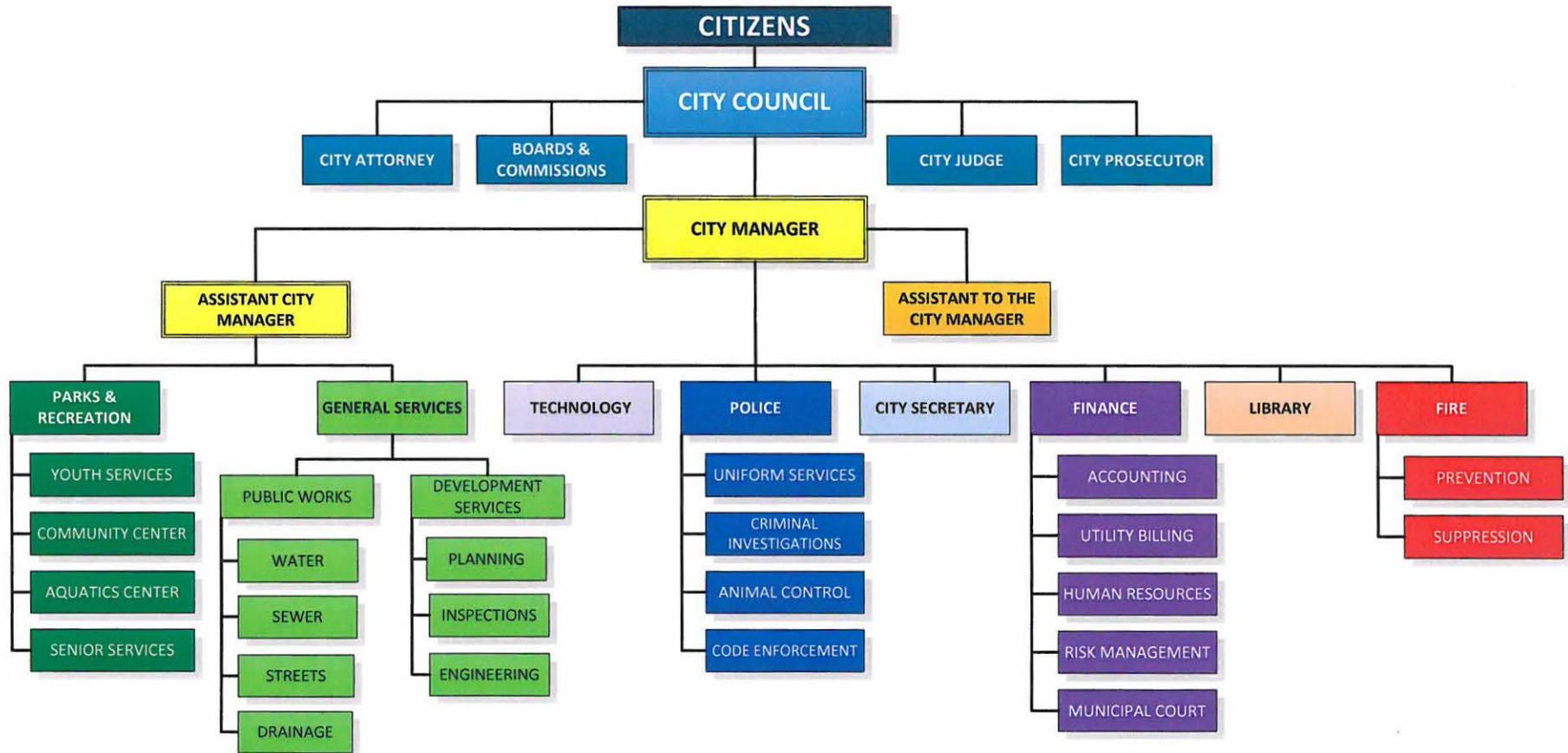
---

**RECOMMENDED ACTION**

Motion to approve the new organizational structure of the City of Portland.

# CITY OF PORTLAND, TEXAS

## ORGANIZATION





STAFF  
WEEKLY  
REPORTS



# Portland Police Department

---

**Gary Giles**  
Chief of Police

## CITY OF PORTLAND INTEROFFICE MEMORANDUM

TO: RANDY WRIGHT, CITY MANAGER  
FROM: GARY GILES, CHIEF OF POLICE  
REF: POLICE DEPARTMENT WEEKLY REPORT  
DATE: April 28, 2014

Week of April 20-26, 2014

Total calls handled:	425
Traffic Stops:	187
Citations:	94
Traffic Accidents:	2
Arrests:	14
Animal Control Calls:	40
Code/Parking Violations:	9

### Highlights:

**Accident** – US 181 near Moore exit. A flat bed tow truck with a truck strapped to the bed flipped over after losing a tire while travelling southbound. The truck on top of the tow truck was strapped down and luckily remained in place. The tire that came off the tow truck nearly struck another vehicle. Luckily there were no injuries.

**Threats** – At a local group home, two juveniles were arrested after threatening staff members with weapons.

**Shoplifters** – Only 3 shoplifters this week

There were several family disturbances, two warrant arrests, and several public intoxication arrests.

# Portland Fire Department

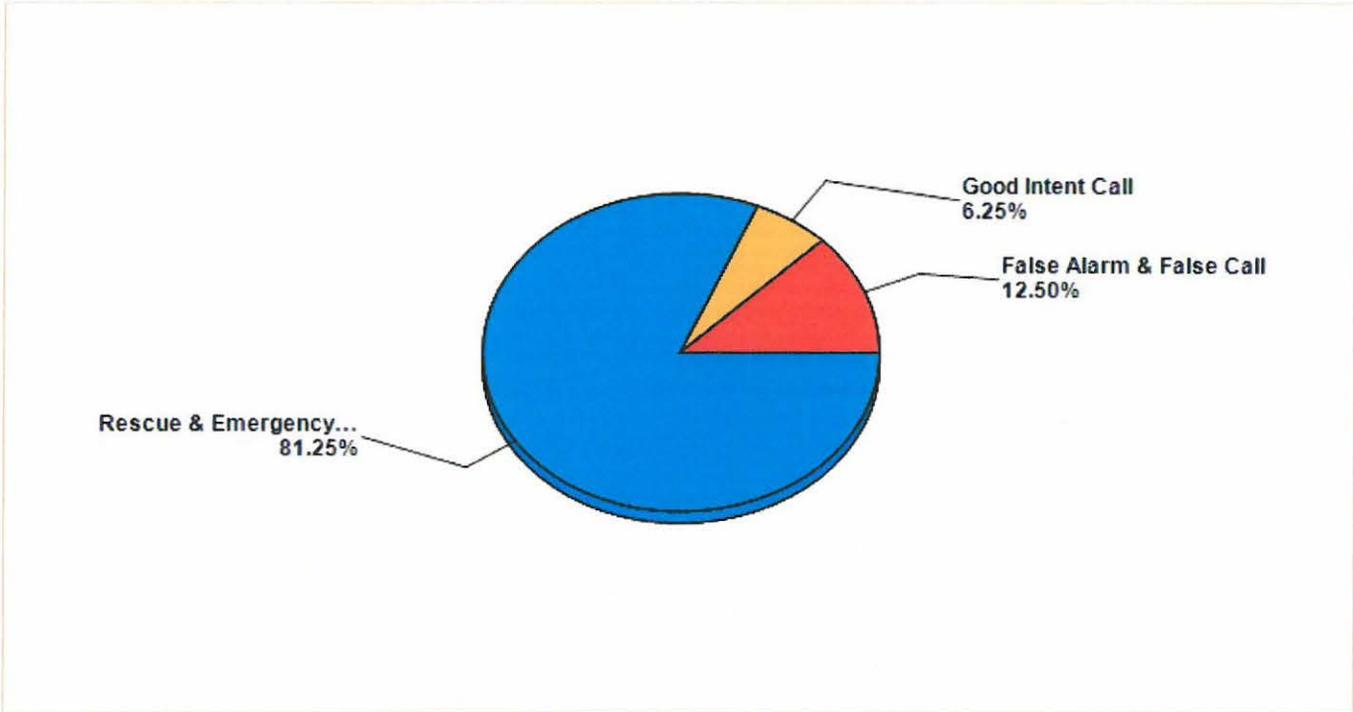


Portland, TX

This report was generated on 4/28/2014 9:18:40 AM

## Breakdown by Major Incident Types for Date Range

Start Date: 04/21/2014 | End Date: 04/27/2014



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Rescue & Emergency Medical Service	26	81.25%
Good Intent Call	2	6.25%
False Alarm & False Call	4	12.50%
<b>TOTAL</b>	<b>32</b>	<b>100.00%</b>

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
311 - Medical assist, assist EMS crew	11	34.38%
321 - EMS call, excluding vehicle accident with injury	12	37.50%
322 - Motor vehicle accident with injuries	2	6.25%
324 - Motor vehicle accident with no injuries.	1	3.13%
611 - Dispatched & cancelled en route	1	3.13%
651 - Smoke scare, odor of smoke	1	3.13%
700 - False alarm or false call, other	1	3.13%
733 - Smoke detector activation due to malfunction	1	3.13%
743 - Smoke detector activation, no fire - unintentional	1	3.13%
745 - Alarm system activation, no fire - unintentional	1	3.13%
<b>TOTAL INCIDENTS:</b>	<b>32</b>	<b>100.00%</b>

Station Tour upon Public Request (GPISD Students)  
 Station Tour upon Public Request (Cub Scouts Troop 20)

Average Response Time: 3.99 Min.



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

## Completed Activities

04/20/2014 through 04/26/2014

Page 1 of 2

Report run on: 04-28-2014

Activity Date	Record Type	Activity	Party	Site Address	Inspector	Status
04/21/2014	Annual Inspection	Annual	SAN PATRICIO ASSOC. OF REALTORS	00101 Cedar Dr. #D	Craig Hedrick	PASS
04/21/2014	Annual Inspection	Annual	BOENIG ANIMAL CLINIC	00903 Market	Craig Hedrick	N/A
04/21/2014	Annual Inspection	Annual	HAIRCANDY CC	1105 Railroad Suite A	Craig Hedrick	FAIL
04/21/2014	Annual Inspection	Re-inspection	DR. LEE SANG MD	107 Cedar	Craig Hedrick	PASS
04/22/2014	Annual Inspection	Annual	DISCOUNT COMPUTER REPAIR	00901 Market St. C	Craig Hedrick	SCHEDULED
04/22/2014	Annual Inspection	Annual	SEACREST HOME HEALTH	00604 Broadway Blvd. W	Craig Hedrick	SCHEDULED
04/22/2014	Annual Inspection	Annual	PEPITO'S	01807 U.S. Highway 181	Craig Hedrick	SCHEDULED
04/23/2014	Annual Inspection	Annual	GULF COAST PSYCHOLOGY	01700 Wildcat Dr. Suite D	Craig Hedrick	FAIL
04/23/2014	Annual Inspection	Re-Inspection	LA IGUANA	100 Fifth	Craig Hedrick	PASS
04/23/2014	Review of initial building plans.	Required	SPEEDY STOP	1201 Wildcat	Craig Hedrick	PASS
04/23/2014	Review of initial building plans.	Required	APPLEBEE'S	01820 US 181	Craig Hedrick	PASS
04/23/2014	Initial installation or key inventory	Annual	NORTH SHORE 8 THEATER	251 Buddy Ganem	Craig Hedrick	PENDING
04/23/2014	Fire Safety	Annual	MURPHY OIL USA INC	2045 U.S. HIGHWAY 181	Craig Hedrick	N/A
04/23/2014	Fire Safety	Re-Inspection	NORTH SHORE 8 THEATER	251 Buddy Ganem	Craig Hedrick	PASS
04/23/2014	Annual Inspection	Re-Inspection	JESSE'S LIQUOR	1623 Wildcat	Craig Hedrick	PASS
04/24/2014	Annual Inspection	Re-Inspection	FRED LOYA INSURANCE	2030 US Hwy 181 Suite C	Craig Hedrick	FAIL
04/24/2014	Annual Inspection	Re-inspection	COASTAL COMMUNITY AND TEACHERS CREDIT UNION	2030 US Hwy 181 Suite G	Craig Hedrick	PASS
04/24/2014	Annual Inspection	Annual	VALUE BANK TEXAS	01625 WILDCAT DR	Craig Hedrick	PASS
04/24/2014	Annual Inspection	Annual	MATTRESS DEPOT	00100 Lang Rd.	Craig Hedrick	PASS
04/25/2014	Fire Safety	Annual	HAMPTON INN PORTLAND	1705 U.S. Hwy 181	Craig Hedrick	N/A
04/25/2014	Annual Inspection 1	Periodic	WILDCAT APT.	4000 Wildcat	Craig Hedrick	FAILED



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

## Completed Activities

04/20/2014 through 04/26/2014

Page 2 of 2

Report run on: 04-28-2014

**Total Completed Activities: 21**

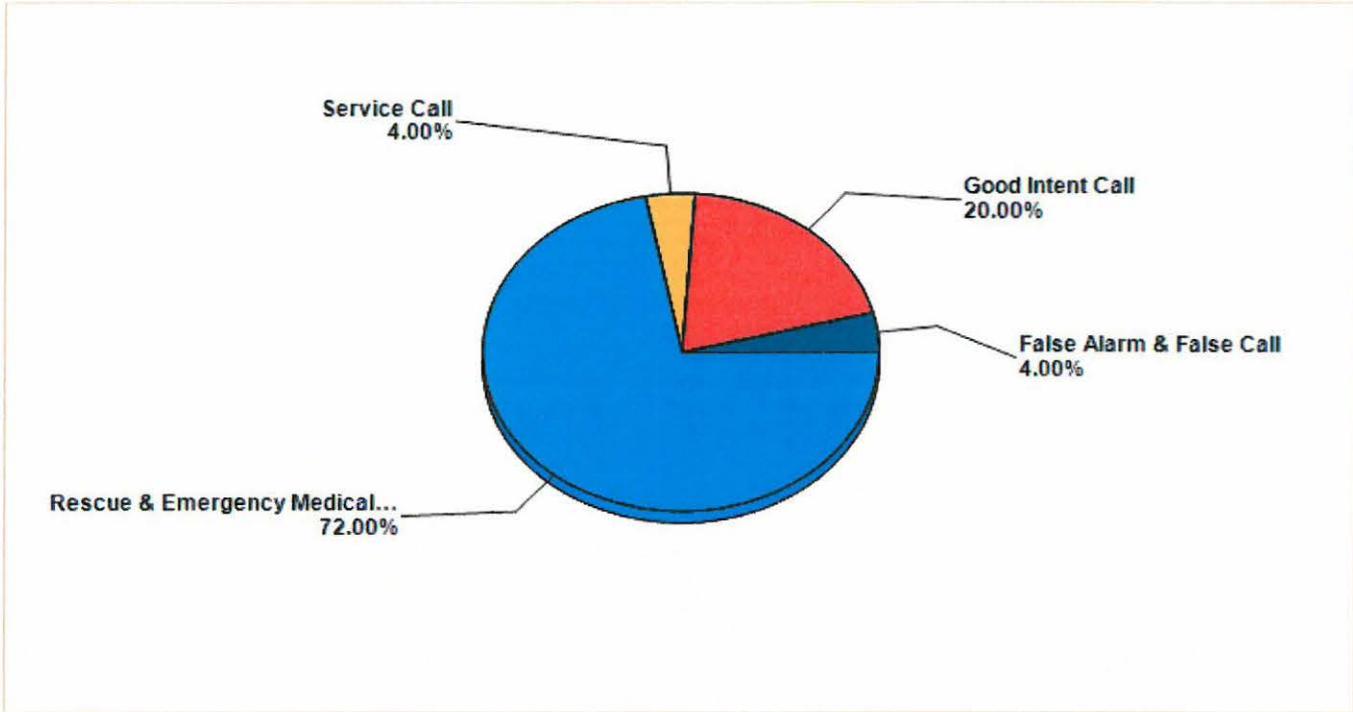
# Portland Fire Department

Portland, TX

This report was generated on 4/21/2014 9:21:51 AM

## Breakdown by Major Incident Types for Date Range

Start Date: 04/14/2014 | End Date: 04/20/2014



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Rescue & Emergency Medical Service	18	72.00%
Service Call	1	4.00%
Good Intent Call	5	20.00%
False Alarm & False Call	1	4.00%
<b>TOTAL</b>	<b>25</b>	<b>100.00%</b>

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
311 - Medical assist, assist EMS crew	7	28.00%
321 - EMS call, excluding vehicle accident with injury	10	40.00%
322 - Motor vehicle accident with injuries	1	4.00%
510 - Person in distress, other	1	4.00%
611 - Dispatched & cancelled en route	5	20.00%
743 - Smoke detector activation, no fire - unintentional	1	4.00%
<b>TOTAL INCIDENTS:</b>	<b>25</b>	<b>100.00%</b>

Walk-in Station Tour and Fire Safety Presentation (2 Children and Parent)

Average Response Time: 3.43 Min.



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

## Completed Activities

04/13/2014 through 04/19/2014

Page 1 of 1

Report run on: 04-21-2014

Activity Date	Record Type	Activity	Party	Site Address	Inspector	Status
04/15/2014	Annual Inspection	Annual	FISHERS FAMILY LUTHERAN CHURCH	01200 Broadway Blvd. E.	Craig Hedrick	N/A
04/15/2014	Annual Inspection	Annual	UKE DUDES MUSIC	905 Market St.	Craig Hedrick	FAIL
04/15/2014	Annual Inspection	Annual	PORTLAND REVIVAL CENTER	00402 LANG	Craig Hedrick	FAIL
04/17/2014	Initial installation or key inventory	Annual	CHILI'S	2010 US Hwy 181	Craig Hedrick	PENDING
04/17/2014	Annual Inspection	Annual	BASE LINE DATA INC.	00206 Lang Rd.	Craig Hedrick	PASS
04/17/2014	Annual Inspection	Annual	FIRST UNITED METHODIST	04545 WILDCAT DR	Craig Hedrick	PASS
04/17/2014	Annual Inspection	Annual	MATTRESS DEPOT	00100 Lang Rd.	Craig Hedrick	SCHEDULED
04/17/2014	Annual Inspection	Annual	GULF COAST PSYCHOLOGY	01700 Wildcat Dr. Suite D	Craig Hedrick	SCHEDULED
04/17/2014	Annual Inspection	Annual	AMERICAS BEST INN & SUITES	00133 US Hwy 181	Craig Hedrick	SCHEDULED
04/17/2014	Annual Inspection	Annual	CHENIERE LNG	01702 U.S. Highway 181 Suite A-4	Craig Hedrick	FAIL
04/18/2014	Annual Inspection	Annual	BOENIG ANIMAL CLINIC	00903 Market	Craig Hedrick	SCHEDULED

**Total Completed Activities: 11**

# Portland Fire Department

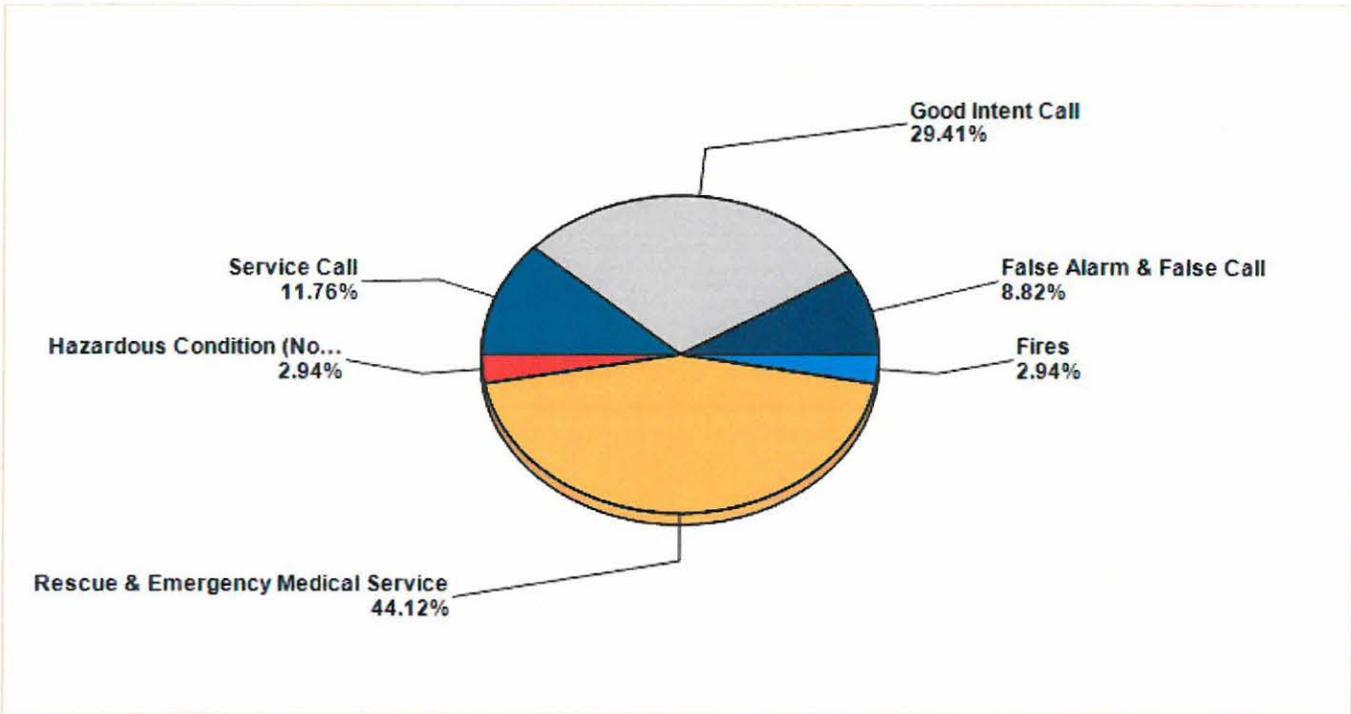
Portland, TX

This report was generated on 4/14/2014 9:14:48 AM



## Breakdown by Major Incident Types for Date Range

Start Date: 04/07/2014 | End Date: 04/13/2014



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	1	2.94%
Rescue & Emergency Medical Service	15	44.12%
Hazardous Condition (No Fire)	1	2.94%
Service Call	4	11.76%
Good Intent Call	10	29.41%
False Alarm & False Call	3	8.82%
<b>TOTAL</b>	<b>34</b>	<b>100.00%</b>

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
162 - Outside equipment fire	1	2.94%
311 - Medical assist, assist EMS crew	3	8.82%
321 - EMS call, excluding vehicle accident with injury	12	35.29%
412 - Gas leak (natural gas or LPG)	1	2.94%
510 - Person in distress, other	3	8.82%
551 - Assist police or other governmental agency	1	2.94%
611 - Dispatched & cancelled en route	10	29.41%
700 - False alarm or false call, other	2	5.88%
745 - Alarm system activation, no fire - unintentional	1	2.94%
<b>TOTAL INCIDENTS:</b>	<b>34</b>	<b>100.00%</b>

Participated in Windfest Parade and Festival

Average Response Time: 3.80 Min.



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

## Completed Activities

04/06/2014 through 04/12/2014

Page 1 of 2

Report run on: 04-14-2014

Activity Date	Record Type	Activity	Party	Site Address	Inspector	Status
04/07/2014	Annual Inspection	Annual	TAQUERA EL TAPATIO	922 Railroad	Craig Hedrick	PASS
04/07/2014	Annual Inspection	Annual	STEWART TITLE COMPANY	01700 Wildcat Suite A	Craig Hedrick	PASS
04/07/2014	Annual Inspection	Annual	ALMOUIE PEDIATRICS	1700 Wildcat Suite B	Craig Hedrick	PASS
04/07/2014	Unwholesome Property (FD)	Notice of Violation, unwholesome property (grass)	JAMES & AMY MCADA	00129 DANIEL MOORE AVE	Craig Hedrick	IN COMPLIANCE
04/07/2014	Unwholesome Property (FD)	Notice of Violation, unwholesome property (grass)	OBBIE - CARMEN BAGGETT	00822 BROADWAY BLVD	Craig Hedrick	IN COMPLIANCE
04/07/2014	Unwholesome Property (FD)	Notice of violation, stagnant water	PHAM DOUG X	00101 SAN SABA	Craig Hedrick	IN COMPLIANCE
04/07/2014	Unwholesome Property (FD)	Follow-Up	PHAM DOUG X	00101 SAN SABA	Craig Hedrick	COMPLETE
04/09/2014	Annual Inspection	Annual	JENNIFER OCHOA, DDS, INC.	101 Cedar Dr. #B	Craig Hedrick	PASS
04/09/2014	Annual Inspection	Annual	HAMPTON INN PORTLAND	1705 U.S. Hwy 181	Craig Hedrick	FAIL
04/09/2014	Annual Inspection	Annual	TOM SANCHEZ HAIR SALON	00903 1/2 Market St.	Craig Hedrick	FAIL
04/09/2014	Annual Inspection	Annual	PIZZA HUT	01041 US Hwy 181	Craig Hedrick	PASS
04/09/2014	Annual Inspection	Annual	HAIR COMPANY	807 Wildcat	Craig Hedrick	PASS
04/09/2014	Annual Inspection	Annual	EDWARD JONES INVESTMENT	1500 Wildcat Suite D	Craig Hedrick	FAIL
04/10/2014	Annual Inspection	Annual	CORPUS CHRISTI REGIONAL MEDICAL CENTER	01702 U.S. Highway 181 Suite A-11	Craig Hedrick	PASS
04/10/2014	Annual Inspection	Annual	PORTLAND MARINE	411 Seventh	Craig Hedrick	FAIL
04/10/2014	Annual Inspection	Annual	BEALL'S	01530 Wildcat Dr.	Craig Hedrick	PASS
04/10/2014	Annual Inspection	Annual	FIRST UNITED METHODIST	04545 WILDCAT DR	Craig Hedrick	SCHEDULED
04/10/2014	Annual Inspection	Annual	GLASSMAN	00821 Dallas St.	Craig Hedrick	PASS
04/10/2014	Fire Safety	Annual	PORTLAND COMMUNITY CENTER	02000 Billy G. Webb Dr.	Craig Hedrick	PASS
04/11/2014	Annual Inspection	Annual	FISHERS FAMILY LUTHERAN CHURCH	01200 Broadway Blvd. E.	Craig Hedrick	SCHEDULED