



CITY COUNCIL AGENDA

NOTICE OF REGULAR MEETING

Tuesday, July 1, 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:
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 JUNE 17, 2014 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY

6. **PROPOSAL FOR ENGINEERING SERVICES:** THE CITY COUNCIL WILL CONSIDER A PROPOSAL FOR ENGINEERING SERVICES FROM COYM, REHMET & GUTIERREZ ENGINEERING, L.P., FOR ENGINEERING DESIGN FOR THE STREET IMPROVEMENT PROGRAM PHASE 9A (REHAB AND OVERLAYS) IN THE AMOUNT OF \$504,135.00 – ASSISTANT CITY MANAGER

7. **INTERLOCAL AGREEMENT – FIXED ROUTE SERVICE:** THE CITY COUNCIL WILL CONSIDER AN INTERLOCAL AGREEMENT WITH THE CORPUS CHRISTI REGIONAL TRANSIT AUTHORITY TO PROVIDE FIXED ROUTE BUS SERVICE WITHIN THE CITY LIMITS – CITY MANAGER

8. **ORDINANCE NO. 2089 – ELECTRONIC CIGARETTES PROHIBITING THE SALE OF ELECTRONIC CIGARETTES TO MINORS:** THE CITY COUNCIL WILL CONSIDER SECOND AND FINAL READING OF ORDINANCE NO. 2089 PROHIBITING THE SALE TO, PURCHASE BY, OR POSSESSION OF ELECTRONIC CIGARETTES OR ELECTRONIC CIGARETTE LIQUIDS TO A MINOR – CITY MANAGER

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

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

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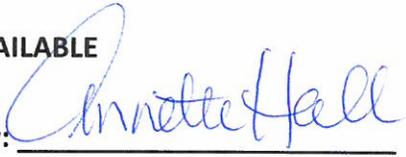
D. ADJOURNMENT: MAYOR KREBS

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 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: June 27, 2014 by 5:00 p.m.
Portland City Hall

By: 
Annette Hall
City Secretary

**CITY OF PORTLAND
CITY COUNCIL
WORKSHOP MEETING
JUNE 17, 2014 – 6:00 P.M.**

On this the 17th day of June 2014, the Council of the City of Portland convened in a workshop meeting session at 6:00 p.m. in the Council Chambers of City Hall, Daniel P. Moore Community Center Complex and notice of workshop 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
Gary Moore, Sr.	Council Member
John Green	Council Member
David E. Lewis	Council Member

MEMBERS ABSENT:

John Vilo	Council Member
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STAFF PRESENT:

Randy Wright	City Manager
Brian DeLatte	Assistant City Manger
Annette Hall	City Secretary

This workshop may be recessed before the Regular City Council meeting begins at 7:00 p.m. and reconvened after the Regular City Council meeting ends.

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

1. CALL TO ORDER: MAYOR KREBS

Mayor Krebs called the workshop to order at 6:00 p.m.

2. **EXECUTIVE SESSION:** THE CITY COUNCIL WILL CONDUCT AN EXECUTIVE SESSION ACCORDING TO §551.071 (DISCUSSION OF PENDING OR CONTEMPLATED LITIGATION WITH ATTORNEYS: “TEAL CONSTRUCTION VS. CITY OF PORTLAND”) OF THE TEXAS GOVERNMENT CODE - MAYOR AND CITY MANAGER

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

At 6:01 p.m. Mayor Krebs announced that the City Council will conduct an Executive Session according to §551.087 (discussion of Pending or Contemplated Litigation with Attorneys: “Teal Construction vs. City of Portland”) of the Texas Government Code.

No formal action will be taken at the conclusion of the Executive Session.

Mayor Krebs announced that the Executive Session was concluded at 6:20 p.m. and reconvened the workshop at 6:22 p.m.

3. **ADJOURNMENT:** MAYOR KREBS

Mayor Krebs adjourned the workshop at 6:22 p.m.

D. NOTICE OF ASSISTANCE:

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BRAILLE IS NOT AVAILABLE

Approved:

David Krebs
Mayor

Attest:

City Secretary

**CITY OF PORTLAND
CITY COUNCIL
REGULAR MEETING
JUNE 17, 2014 – 7:00 P.M.**

On this the 17th day of June 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
Brian DeLatte	Assistant City Manager
Annette Hall	City Secretary
Michel Sorrell	Finance Director
Gary Giles	Chief of Police
Tim Vanlandingham	Fire Chief
Kristin Connor	Director of Parks and Recreation
RoseAleta Laurell	Library Director
Brandon Lemon	Accounting Assistant
Fred Bussman	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:**

- BELL-WHITTINGTON PUBLIC LIBRARY GRANT UPDATE - LIBRARY DIRECTOR

Library Director, RoseAleta Laurell announced that the Bell-Whittington Library is the recipient of a \$38,656 grant from the Texas State Library. The grant will fund YOUmedia PortlandTX. This project will enable teens in the Portland area to engage more deeply with technology by providing equipment, training, mentors, and space to produce video, print or music productions on subjects that interest them. This is a cooperative grant with the High School Videography Department, Jr High Theater Art Department, the Chamber of Commerce and Dairy Queen.

- SUMMER PROGRAM UPDATE – DIRECTOR OF PARKS AND RECREATION

Director of Parks and Recreation, Kristin Connor gave a PowerPoint presentation previewing the 2014 Summer Parks and Recreation programs and activities.

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
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- 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

City Manager, Randy Wright announced that Library Director, RoseAleta Laurell will be retiring at the end of the month and added that the City was blessed to have had the opportunity to have such a great Librarian.

Mayor Pro Tem Skurow congratulated Ms. Laurell for doing a great job as the City's Library Director.

Council Member Green congratulated Ms. Laurell and commented that she has done an awesome job at the Library.

Council Member Moore commented that Ms. Laurell has done a fabulous job while working at the Library and wished her good luck on her retirement. He then commented that he attended the Portland Opry and encouraged the public to attend a show at the Community Center on the 2nd Thursday of each month.

Council Member Vilo also thanked Ms. Laurell for the great job she has done at the Library.

Council Member Jorgensen thanked Ms. Laurell for her hard work at the Library. He then suggested the Library work with the Parks and Recreation Department to take the opportunity to promote city programs and events through the use of the video technology grant. He also wished the City of Portland a Happy 65th Birthday.

Mayor Krebs thanked Ms. Laurell for her dedicated service and putting Portland on the map with the awards the Library has won during her time with the City.

B. ACTION ITEMS, RESOLUTIONS, AND ORDINANCES:

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

There were none.

5. MINUTES OF PREVIOUS MEETINGS: THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS JUNE 3, 2014 WORKSHOP AND REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY

Council Member Green made the motion to approve the minutes of its June 3, 2014 workshop and regular meeting, seconded by Council Member Lewis.

The motion passed 7-0.

6. RESOLUTION NO. 683 - CONSIDERATION AND APPROVAL OF OFFER TO PURCHASE TAX

SALE PROPERTY: THE CITY COUNCIL WILL CONSIDER ACCEPTING AN OFFER ON THE PROPERTY AT 1145 OCHOA, DESCRIBED AS 40.00 FEET BY 83.00 FEET, CONTAINING 0.07622 ACRE, MORE OR LESS, OUT OF THE NORTHWEST CORNER OF BLOCK 13, TIER 'M'; IDENTIFIED ON THE TAX ROLLS UNDER ACCOUNT NUMBER 0013-0001-0022-000 – DIRECTOR OF FINANCE

Director of Finance, Michel Sorrell explained that Next Lots Now, L.L.C., of Lancaster, Texas, has submitted a bid of \$1,000 to purchase the property at 1145 Ochoa under the provisions of the Property Tax Code that allow sale of property in trusteeship for less than the amount of taxes due.

The delinquent tax collection attorneys, Linebarger Goggan Blair & Sampson, LLP, put the property up for sale at public auction on the Courthouse steps (aka: a Sheriff's Sale) on April 3, 2012. However, no one bid on the property. In accordance with the Property Tax Code, when a property fails to sell at a Sheriff's Sale, individuals may file a resale bid form for an amount other than the total taxes due. Next Lots Now, L.L.C., has done this by offering an amount of One Thousand Dollars (\$1,000.00).

In the past, the City has approved this type of action with good results. In most instances, all taxing entities approved the sale, the transaction was completed and the properties are once again on the tax rolls and producing income for the taxing entities.

Property taxes have not been paid on this property since 2005 and a judgment for foreclosure was received in the District Court. The property is uninhabitable and has been for at least ten (10) years.

The property was struck-off to the Gregory-Portland Independent School District, Trustee, pursuant to a delinquent tax foreclosure decree of the 36th Judicial District Court, San Patricio County, Texas.

Next Lots Now, L.L.C., made an offer in the amount of \$1,000 to purchase the property. The total taxes owed to all three governing entities is, \$7,202.15 and the cost of the sale is \$1,259. According to Texas Tax Code - Section 34.02. Distribution of Proceeds, the cost of the sale is deducted first. The costs of the sale include, but are not limited to, fees and commissions to conduct the sale, court costs, and cost of advertising. Since the cost of the sale is greater than the offer there would be no proceeds to allocate to delinquent taxes.

The City of Portland does have multiple liens on 1145 Ochoa and with a total payoff of \$2,667.71 as of June 30, 2014. Next Lots Now, L.L.C. has agreed to pay off all liens held by the City if their purchase offer is approved

Council Member Jorgensen made the motion to accept Resolution No. 683 accepting the bid by Next Lots Now, L.L.C., of \$1,000 for the cost of the sale and the total property taxes due to all entities for the property, seconded by Council Member Moore.

The motion passed 7-0.

7. **RESOLUTION NO. 684 - CONSIDER JOINING COALITION OF CITIES AGAINST AEP RATE INCREASE:** THE CITY COUNCIL WILL CONSIDER JOINING A GROUP OF CITIES CHALLENGING A RATE INCREASE PROPOSAL BY AEP TEXAS CENTRAL COMPANY BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS – DIRECTOR OF FINANCE

Director of Finance, Michel Sorrell explained that the City's membership in the Texas Coalition for Affordable Power (TCAP) gives us access to information and actions regarding the electricity market throughout the state. We have been given notice of a rate change request filed by AEP with the Public Utility Commission (PUC). This year's request is 12% higher than the amount that AEP was authorized to collect in this particular segment of the rate during the current year.

Over the years, the City of Portland has joined other cities in these rate challenges in order to insure a degree of transparency to the process, to advocate on behalf of our citizens and businesses, and to maximize our impact through the collective effort.

The laws governing public utilities in Texas provides that the cost to cities for these challenges requires the Utility in question (AEP in this case) to fund the cost of the challenge. As a result, the City will not bear a financial burden by entering the challenge.

Mayor Pro Tem Skurow made the motion to approve Resolution No. 684 to join the case challenging AEP's application to increase rates charged to customers for its energy efficiency cost recovery factor, seconded by Council Member Green.

The motion passed 7-0.

8. **ORDINANCE NO. 2089 – ELECTRONIC CIGARETTES PROHIBITING THE SALE OF ELECTRONIC CIGARETTES TO MINORS:** THE CITY COUNCIL WILL CONSIDER FIRST READING OF ORDINANCE NO. 2089 PROHIBITING THE SALE TO, PURCHASE BY, OR POSSESSION OF ELECTRONIC CIGARETTES OR ELECTRONIC CIGARETTE LIQUIDS TO A MINOR – CITY MANAGER

City Manager, Randy Wright explained that during the June 3, 2014 workshop, the City Council discussed the recent proliferation of electronic cigarettes.

The sale of electronic cigarettes and the liquid used in them is on the rise. There is credible evidence that those products pose a danger to children. The proposed ordinance regulates the sale and distribution of those products to minors and prohibits the possession by minors.

The Centers for Disease Control has published significant findings of nicotine poisonings related to these products especially in children.

The proposed ordinance tracks state law with regard to tobacco and repurposed to electronic cigarettes. This a measured approach to protect children until they reach the age of 18 and makes it an offense for a minor to possess electronic cigarettes or electronic cigarette liquids

Mayor Pro Tem Skurow made the motion to approve the first reading of Ordinance No. 20789 prohibiting the sale to, purchase by, or possession of electronic cigarettes or electronic cigarette liquids to a minor, seconded by Council Member Jorgensen.

The motion passed 7-0.

Mayor Krebs read the following caption:

ORDINANCE NO. 2089

AN ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES OF THE CITY OF PORTLAND, BY ADDING AN ARTICLE XIII THAT PROHIBITS THE PURCHASE, POSSESSION AND CONSUMPTION OF ELECTRONIC CIGARETTES BY MINORS, AND PROHIBITING THE SALE OR DISTRIBUTION OF ELECTRONIC CIGARETTES TO MINORS; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERANCE; AND PROVIDING FOR PUBLICATION.

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

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There were none.

D. ADJOURNMENT: MAYOR

Mayor Krebs adjourned the meeting at 7:36 p.m.

E. NOTICE OF ASSISTANCE:

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BRILLE IS NOT AVAILABLE

Approved:

David Krebs
Mayor

Attest:

City Secretary

AGENDA TITLE	<u>PROPOSAL FOR ENGINEERING SERVICES</u> THE CITY COUNCIL WILL CONSIDER A PROPOSAL FOR ENGINEERING SERVICES FROM COYM, REHMET & GUTIERREZ ENGINEERING, L.P., FOR ENGINEERING DESIGN FOR THE STREET IMPROVEMENT PROGRAM PHASE 9A (REHAB AND OVERLAYS) IN THE AMOUNT OF \$504,135.00
MEETING DATE	7/1/2014
DEPARTMENT	Public Works
SUBMITTED BY	Brian DeLatte, P.E., Assistant City Manager

EXECUTIVE SUMMARY

Coym, Rehmet & Gutierrez Engineering, L.P., (CR&G) has submitted a proposal for engineering services for the Street Improvement Program Phase 9A (Rehab and Overlays). The project will include the overlay or rehabilitation of 21 streets and the expansion of the Bell Whittington Library parking lot. The project will be split into two bid sets: (1) Memorial Parkway reconstruction northbound from Lang Road to Billy G. Webb Drive; and (2) City-Wide Overlays and Rehabilitation project. Construction would occur in Spring and Summer 2015 with a total project budget of \$4,000,000.

PRIOR ACTIONS OR REVIEWS

- August 6, 2013 – Resolution No. 671 approved the Capital Improvement Program authorizing Street Improvement Program Phase 9A in the amount of \$4,000,000
- February 4, 2014 – Project briefing from CR&G on the Comprehensive Street, Parking Lot, Sidewalk, and Trail Study
- February 18, 2014 – Resolution No. 679 authorized the publication of the notice of intention to issue Certificates of Obligation
- April 1, 2014 – Ordinance No. 2086 authorized the issuance, sale, and delivery of Certificates of Obligation up to \$5,250,000. \$4,000,000 of the proceeds was allocated to Phase 9A.

DETAILS / STAFF ANALYSIS

The streets selected for inclusion in Phase 9A were approved by the City Council in February 2014 through the Comprehensive Street, Parking Lot, Sidewalk, and Trail Study. City Staff recommends splitting Phase 9A into two bid sets in order to maximize efficiencies and reduce costs to the project. The Memorial Parkway northbound section from Lang Road to Billy G. Webb Drive is located directly adjacent to the T.M. Clark Elementary School. It is prudent given

the traffic considerations on Memorial Parkway to construct these improvements during the Summer of 2015 when school is not in session. Separating the project from the remainder of Phase 9A would limit the possibility of the contractor missing the needed construction window due to delays on other portions of the project.

The proposal for both bid sets includes CR&G preparing for and facilitating Public Involvement Meetings to share information with residents concerning the projects' designs and the construction sequencing. This approach is recommended to alleviate residents' concerns and answer any questions before construction begins.

ALTERNATIVES CONSIDERED

None.

FINANCIAL IMPACT

Project funding is through the 2014 Series Certificates of Obligation, amortized over 20 years, in the amount of \$4,000,000.

ATTACHMENTS

- CR&G proposal for engineering services (including street listing, manhours and fee analysis)

RECOMMENDED ACTION

Motion to authorize the engagement of Coym, Rehmet & Gutierrez Engineering, L.P., for engineering services for the Street Improvement Program Phase 9A (Rehab and Overlays) in the amount of \$504,135.00.

Coym, Rehmet & Gutierrez Engineering, L.P.

ENGINEERS • PLANNERS • SURVEYORS

TBPE Firm Reg. No. F-388

TBPLS Firm Reg. No. 10104001

5656 S. STAPLES, SUITE 230
CORPUS CHRISTI, TX 78411
361-991-8550 FAX:361-993-7569

1220 N. TEXAS BLVD., SUITE 4
ALICE, TX 78332
361-664-5821 FAX:361-664-0559

June 20, 2014

Mr. Brian DeLatte, P.E.
Assistant City Manager/City Engineer
City of Portland
1101 Moore Avenue
Portland, Texas 78374

**RE: Phase 9 Street Reconstruction Project
CRG Project No. 20823c**

Dear Mr. DeLatte,

We are pleased to submit this proposal for engineering services for the City of Portland Phase 9 Street Reconstruction Project.

PROJECT SCOPE

The project will be construction of improvements to streets or portions of streets in the City. A list of the streets and proposed improvements is shown in Attachment "A".

SCOPE OF SERVICES

Coym, Rehmet & Gutierrez Engineering, L.P (CRG) proposes to work closely with sub-consultant Pete Stricker, P.E. to perform the proposed services. The project will be in two bid packages: (1) Street Overlays and Reconstruction Project (2) Memorial Parkway Project.

BASIC SERVICES

Preliminary Phase

- Attend Project kickoff meeting.
- Obtain proposal and coordinate geotechnical investigation.
- Investigate private utilities location and coordinate with utility companies as required.
- Make visits to the sites.
- Review as-built data.
- Review survey data.
- Review geotechnical report recommendations.
- Establish design criteria.
- Design pavement sections.
- Attend review meetings with City Staff.
- Prepare a preliminary construction phasing plan.
- Prepare a preliminary opinion of probable cost.
- Prepare a preliminary engineering letter report (PELR).
- Review a draft PELR with City Staff, revise as necessary and submit final PELR.

Design Phase

- Coordinate design details with City Staff.
- Prepare the construction documentation including specifications and drawings to fix and describe the size and character of the entire Project, description of materials to be utilized and such other essentials as may be necessary;
- Furnish plans, specification and bid documents for City review and approval.
- Provide two (2) copies of and pdf the 90% (pre-final submittal) complete plans and specifications to the City for review and approval purposes with revised estimates of probable total construction costs; and
- Submit two (2) copies and pdf of plans and specifications at 100% completion for final review prior to bidding.

Bid Phase

- Assist City in obtaining qualified contractors;
- Distribute bid packets to prospective bidders.
- Conduct the pre-bid conference;
- Review all pre-bid questions and submissions concerning the bid documents and prepare, for the City's approval, any addenda or other revisions necessary to inform contractors of approved changes prior to bidding;
- Assist the City in receiving bids.
- Analyze bids, prepare bid tabulations and make recommendation concerning award of the contract. Attend a City Council meeting to present recommendation of contract award.
- Prepare the final Contract Documents and obtain all necessary signatures and approvals to proceed to the construction phase.

Construction Phase

- Participate in the pre-construction meeting;
- Review for approval shop and working drawings, materials and other submittals;
- Review tests and testing results;
- Provide interpretations and clarifications of the plans and specifications for the contractor and authorize minor changes which do not affect the contractor's price and are not contrary to the general interest of the City under the contract;
- Consult with City representative and advise during construction with City and other governmental authorities;
- Make visits to the site of the project to confer with the City project inspector and contractor, to observe the general process and quality of work and to determine in general, if the work is being done in accordance with the contract documents. Review and coordinate contractor's progress schedule and critical path updates with contractor and the City. This will not be confused with the Project representative inspection or continuous monitoring of the progress of construction;
- Participate in bi-weekly project progress meetings;
- Consult with the City on any change order requests;
- Make final inspection with City representatives and provide the City with a Certificate of Completion; and
- On the basis of "red-line" drawings provided by the contractor and inspector, prepare "as-built" record drawings of the project as constructed based upon known deviations, change orders, mark-ups and changes reported by the City project inspector. Deliver to the City a reproducible set and electronic file of the record drawings and specifications, which will be the property of the City.

ADDITIONAL SERVICES

Control and Topographic Survey

All work will comply with Category 6, Condition I specifications of the Texas Society of Professional Surveyors' Manual of Practice for Land Surveying in the State of Texas, Ninth Edition.

- a. Establish Horizontal and Vertical Control.
- b. Establish both primary and secondary horizontal/vertical control.
- c. Set project control points for horizontal and vertical control outside the limits of project construction disturbance.
- d. Horizontal control will be based on NAD 83 State plane coordinates (South Zone), and the data will have no adjustment factor applied - i.e. - the coordinate data will remain in grid.
- e. Vertical control will be based on NAVD 88.
- f. All topographic grade work will be established using conventional (non-GPS) methods. Perform topographic surveys to gather existing condition information.
- g. Locate proposed soil/pavement core holes as drilled by the City's Geotechnical Engineering Consultant.
- h. Obtain x, y, and z coordinates of all accessible existing sanitary sewer, storm sewer, water and gas lines as well as any other lines owned by third-parties and locate all visible utilities, wells and signs within the apparent ROW width along project limits. No utility connections will be shown.
- i. Locate improvements within the apparent ROW.
- j. Generate electronic planimetric base map for use in project design.

Public Involvement

Participate in two public meetings. Prepare notices, PowerPoint presentations, handouts and exhibits for meetings. Provide follow-up and response to citizen comments. Revise contract drawings to address citizen comments, as directed by the City. Prepare notices, handouts and exhibits for public information meetings.

Permit Preparation

Furnish the City all engineering data and documentation necessary for all required permits. The A/E will prepare this documentation for all required signatures. The A/E will prepare and submit identified permits **as applicable** to the appropriate local, state, and federal authorities, including:

- a. Texas Department of Licensing and Regulation (TDLR)

FEES

We propose that our services be reimbursed on a lump sum basis for Basic Services and Additional Services in the following amounts: A Manhour/Fee analyses are shown in Attachments "B" and "C".

FEE SUMMARY
(Attachments "B" & "C" Combined)

Description	Amount
Basic Services	
Preliminary Phase	\$44,680
Design Phase	\$279,200
Bid Phase	\$18,810
Construction Phase	\$83,155
Total Basic Services	\$425,845
Additional Services	
Project Control and Topographic Survey	\$69,510
Public Involvement	\$6,250
TDLR Permit Preparation	\$2,530
Total Additional Services	\$78,290
Total Basic and Additional Services	\$504,135

The fee will be billed monthly on the percent of the work completed in the previous month.

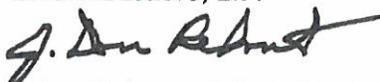
SCHEDULE

A proposed schedule is shown below:

TASK	DATE
Notice To Proceed	July 2, 2014
Submit Draft PELR	August 29, 2014
Submit Final PELR	September 12, 2014
Submit 90% Plans & Specifications - Reconstruction & Overlays	December 5, 2014
Final Submittal - Reconstruction & Overlays	December 30, 2014
Advertise For Bids Reconstruction & Overlays	January 5, 2015
Receive Bids, Reconstruction & Overlays	February 4, 2015
Award Contract, Reconstruction & Overlays	February 17, 2015
Commence Construction, Reconstruction & Overlays	March 9, 2015
Construction Completion, Streets & Overlays	September, 2015
Submit 90% Plans & Specifications - Memorial Parkway	February 2, 2015
Final Submittal - Memorial Parkway	March 2, 2015
Advertise For Bids, Memorial Parkway	March 9, 2015
Receive Bids, Memorial Parkway	April 8, 2015
Award Contract, Memorial Parkway	April 24, 2015
Commence Construction, Memorial Parkway	May 26, 2015
Construction Completion, Memorial Parkway	August 20, 2015

We appreciate the opportunity to submit this proposal and look forward to working with you on this very important project.

Very truly yours,
COYM, REHMET & GUTIERREZ
ENGINEERING, L.P.


J. Don Rehmet, P.E., R.P.L.S.

Attachments - Attachment "A" (Phase 9 Street Reconstruction Program, List of Streets)
Attachment "B" (Manhour/Fee Analysis - Street Reconstruction & Overlays)
Attachment "C" (Manhour/Fee Analysis - Memorial Parkway)

ATTACHMENT "A"
PORTLAND PHASE 9 STREET RECONSTRUCTION PROJECT

STREET	FROM	TO	PROPOSED IMPROVEMENT
MEMORIAL PKWY. (1)	WILDCAT DR.	BILLY G. WEBB DR.	TOTAL RECONSTRUCTION RC/AC PAVEMENT
BAYVIEW DR. (2)	CLIFF DR.	END	
SABINE DR.	CHILTIPTIN DR.	BROADWAY AVE.	LIP TO LIP FULL DEPTH RECONSTRUCTION
GEORGIA PL.	BROADWAY AVE.	PRESIDIO DR.	
PECOS DR.	US 181	ALAZAN	
GULFTON DR.	BROADWAY AVE.	SANDPIPER DR.	
SEA GATE DR.	GULFTON DR.	END	
SEA GULL DR.	SEA GATE DR.	SANDPIPER DR.	
SANDPIPER DR.	BROADWAY AVE.	END	
DOLPHIN DR., E & W CIR.	MEMORIAL PKWY.	AKINS DR.	
COPANO DR.	MATAGORDA DR.	DOLPHIN DR.	
BOCA CHICA DR. (3)	MATAGORDA DR.	FALCON DR.	
FALCON DR.	MEMORIAL PKWY.	BOCA CHICA DR.	
AMISTAD ST.	MATAGORDA DR.	MATAGORDA DR.	
MATAGORDA DR.	AKINS DR.	AMISTAD ST.	
TARPON ST.	MEMORIAL PKWY.	MATAGORDA DR.	
APPLE TREE ST.	END	MEMORIAL PKWY.	LIP TO LIP MLL & OVERLAY
AUSTIN ST.	CROSBY ST.	LANG RD.	
CROSBY ST.	DANIEL MOORE AVE.	LANG RD.	
Bell Whittington Library City Hall	2400 Memorial Parkway 1900 Billy G. Webb, Drive		PARKING LOT AND SIDEWALK EXPANSION

NOTES:

- (1) Curb and gutter and sidewalk on east side will remain in place. Total Reconstruction of existing road with reinforced concrete pavement curb and gutter along west side and 10' wide 6" reinforced concrete curvilinear hike/bike trail path in median.
- (2) Bay View Drive improvements include drainage improvements.
- (3) Boca Chica Drive includes approximately 500 LF of curb and gutter repair and 2,000 SF of driveway repair.



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ATTACHMENT "B"

MANHOURLY AND FEE ANALYSIS - BASIC SERVICES
 CLIENT: CITY OF PORTLAND
 PROJECT: PHASE 9 STREET RECONSTRUCTION PROJECT
 (OVERLAYS & RECONSTRUCTION)

ITEM	DESCRIPTION	PRINCIPAL		PROJECT ENGR., P.E.		DESIGN ENGR., P.E.		SR. ENGR./ SURVEY TECH		CADD TECH		RPLS/LSLS		SURVEY CREW		CLERICAL		SUB CONTRACTOR		NON LABOR		TASK TOTAL																					
		Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total		Expense	Total																			
PRELIMINARY PHASE																																											
	Project Administration	4	\$580																			\$800.00																					
	Kick-Off Meeting (1)	4	\$580	4	\$540												4	\$200				\$20	\$1,150.00																				
	Geotechnical Consultant Coordination			6	\$810																	\$30	\$1,150.00																				
	In House Meetings	4	\$580	4	\$540	4	\$460																\$1,580.00																				
	Utility Cos. Coordination, AEP, Fiber Op's, Gas	4	\$580	4	\$540	6	\$690																\$1,230.00																				
	Project Meetings (2)	6	\$870	6	\$810																	\$30	\$1,710.00																				
	Site Visits	4	\$580	16	\$2,160	16	\$1,840															\$90	\$4,090.00																				
	Review Geotech Investigation, Make Recommendations	4	\$580	12	\$1,620																		\$2,200.00																				
	Review of Survey, As-Built Data, Utility Locations	2	\$290	8	\$1,080	4	\$460																\$1,830.00																				
	Design Criteria, Project Review	2	\$290	8	\$1,080	20	\$2,300																\$1,370.00																				
	Pavement Design, C&G's, Stormwater	2	\$290	8	\$1,080	20	\$2,300																\$3,670.00																				
	Preliminary Construction Phasing Plan	2	\$290	8	\$1,080	20	\$2,300																\$3,670.00																				
	Prepare Opinion of Cost	6	\$810																				\$2,000.00																				
	Engineering Letter Report Preparation	4	\$580	16	\$2,160	20	\$2,300															\$20	\$1,030.00																				
	Submit Draft Engineering Letter Report	4	\$580	4	\$540	8	\$920																\$20	\$7,335.00																			
	Review Meeting	4	\$580	4	\$540																		\$30	\$1,150.00																			
	Finalize Engineering Letter Report	2	\$290	8	\$1,080	8	\$920																\$30	\$2,920.00																			
	QA/QC	3	\$435																					\$535.00																			
	Final Submittal Meeting	4	\$580	4	\$540																		\$30	\$1,150.00																			
TOTAL PRELIMINARY PHASE																																											\$39,690.00
DESIGN PHASE																																											
	Project Administration	16	\$2,320																				\$2,760.00																				
	Project Scheduling, Updates	2	\$290	4	\$540	4	\$460																\$40	\$2,760.00																			
	In-House Meetings	4	\$580	4	\$540																		\$1,390.00																				
	Project Meetings (2)	6	\$870	6	\$810																		\$1,120.00																				
	Coordination With Utilities			4	\$540																		\$60	\$1,740.00																			
	Site Visits	8	\$1,160	8	\$1,080	8	\$920																\$540.00																				
	Final Street Grades & Curb & Gutter Design (Bay View & Boca Chica)	2	\$290	8	\$1,080																		\$60	\$3,220.00																			
	Final Stormwater Design (Bay View)	2	\$290	8	\$1,080																		\$1,370.00																				
	Finalize Construction Sequencing Plan	2	\$290	4	\$540	4	\$460																\$1,290.00																				
PLANS																																											
Sheet	1	Title Sheet																					\$10	\$830.00																			
	2	Project Location Map																					\$10	\$1,650.00																			
	3	Construction Notes, Sequencing Notes	1	\$145	4	\$540	4	\$460	12	\$960													\$20	\$2,325.00																			
	4	Legend, Abbreviations, Testing Schedule	2	\$290	6	\$810	8	\$920	8	\$640													\$10	\$2,670.00																			
	5,6	Estimated Quantities (2 Sheets)	1	\$145	8	\$1,080	8	\$920	20	\$1,600													\$30	\$4,075.00																			
	7-9	Existing and Proposed Sections (3 Sheets)	2	\$290	4	\$540	16	\$1,840	36	\$2,880													\$45	\$5,595.00																			
	10	Bayview Drive Plan & Profile (2 Sheets)	1	\$145	4	\$540	12	\$1,360	17	\$1,360													\$15	\$3,485.00																			
	11	Bayview Drive Storm Sewer Laterals	1	\$145	4	\$540	12	\$1,360	17	\$1,360													\$15	\$3,440.00																			
	12-13	Sabine Drive Plan (2 Sheets)	1	\$145	4	\$540	12	\$1,380	34	\$2,720													\$30	\$4,815.00																			



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ATTACHMENT "B"

MANHOURLAND FEE ANALYSIS - BASIC SERVICES
 CLIENT: CITY OF PORTLAND
 PROJECT: PHASE 9 STREET RECONSTRUCTION PROJECT
 (OVERLAYS & RECONSTRUCTION)

ITEM	DESCRIPTION	PRINCIPAL		PROJECT ENGR., P.E.		DESIGN ENGR., P.E.		SR. ENGR./ SURVEY TECH		CADD TECH		RPLS/LSLS		SURVEY CREW		CLERICAL		SUB CONTRACTOR		NON LABOR		TASK TOTAL	
		Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total
			\$145.00		\$135.00		\$115.00		\$80.00		\$75.00		\$90.00		\$140.00		\$50.00						
14-16	Georgia Place Plan (3 Sheets)	1	\$145	6	\$810	18	\$2,070	51	\$4,080														\$7,150.00
17-18	Pecos Drive Plan (2 Sheets)	1	\$145	4	\$540	12	\$1,380	34	\$2,720														\$4,815.00
19	Gulfton Drive Plan			2	\$270	6	\$690	17	\$1,360														\$2,335.00
20	Sea Gate Drive Plan			2	\$270	6	\$690	17	\$1,360														\$2,335.00
21	Sea Gull Drive Plan			2	\$270	6	\$690	17	\$1,360														\$2,335.00
22	Sandpiper Drive Plan			2	\$270	6	\$690	17	\$1,360														\$2,335.00
23-25	Dolphin Etc Drive Plan (3 Sheets)	1	\$145	6	\$810	18	\$2,070	51	\$4,080														\$7,150.00
26	Copano Drive Plan			2	\$270	6	\$690	17	\$1,360														\$2,335.00
27-28	Boca Chica Drive Plan & Profile (2 Sheets)	1	\$145	4	\$540	12	\$1,380	34	\$2,720														\$6,750.00
29-30	Falcon Drive Plan (2 Sheets)	1	\$145	4	\$540	12	\$1,380	34	\$2,720														\$4,815.00
31	Amistad Street Plan			2	\$270	6	\$690	17	\$1,360														\$2,335.00
32-33	Matagorda Drive Plan (2 Sheets)	1	\$145	4	\$540	12	\$1,380	34	\$2,720														\$4,815.00
34	Tarpon Street Plan			2	\$270	6	\$690	17	\$1,360														\$2,335.00
35	Apple Tree Street Plan			2	\$270	6	\$690	17	\$1,360														\$2,335.00
36-38	Austin Street Plan (3 Sheets)	1	\$145	6	\$810	18	\$2,070	51	\$4,080														\$7,150.00
39-41	Crosby Street Plan (3 Sheets)	1	\$145	6	\$810	18	\$2,070	51	\$4,080														\$7,150.00
42-43	Bell Whittington Library Parking Lot (2 Sheets)	2	\$290	12	\$1,620	36	\$4,680	99	\$7,425														\$14,550.00
44	City Hall Improvements			2	\$270	6	\$690	17	\$1,360														\$4,125.00
45	Curb & Gutter, S/W, D/W Details			2	\$270	6	\$690	17	\$1,360														\$4,125.00
46	Standard Paving Details			2	\$270	6	\$690	17	\$1,360														\$4,125.00
47-48	Storm Water Details			2	\$270	6	\$690	17	\$1,360														\$4,125.00
49	Signage Details, School Zone Foundation Detail			2	\$270	6	\$690	17	\$1,360														\$4,125.00
50-55	Curb Ramp Special Details (6 Sheets)	8	\$1,160	16	\$2,160	48	\$6,480	132	\$19,440														\$38,080.00
56-59	Curb Ramp Standard Details (4 Sheets)			2	\$270	6	\$690	17	\$1,360														\$4,125.00
60	Misc Details (Valve, Manhole Adjustments, Etc.)			2	\$270	6	\$690	17	\$1,360														\$4,125.00
61	SW3P Overall Project Plan			2	\$270	6	\$690	17	\$1,360														\$4,125.00
62-67	SW3P 18 Streets (6 Sheets)	1	\$145	4	\$540	12	\$1,380	34	\$2,720														\$6,865.00
68-69	SW3P Details (2 Sheets)	1	\$145	4	\$540	12	\$1,380	34	\$2,720														\$6,865.00
70	TCP - Sequencing Notes and Sections			4	\$540	12	\$1,380	34	\$2,720														\$11,545.00
71-76	TCP-Advance Warning Signs 18 Streets (6 Sheets)	4	\$580	8	\$1,080	24	\$3,240	64	\$8,720														\$22,580.00
77-85	TCP-18 Streets (9 Sheets)	4	\$580	8	\$1,080	24	\$3,240	64	\$8,720														\$22,580.00
86-94	Traffic Control, Barricades, Standard Details, Etc. (9 Sheets)	1	\$145	3	\$405	9	\$1,215	27	\$3,645														\$7,470.00
95-99	Standard Pavement Marking Details (5 Sheets)	1	\$145	3	\$405	9	\$1,215	27	\$3,645														\$7,470.00
	Opinion of Cost	2	\$290	8	\$1,080	24	\$3,240	64	\$8,720														\$12,290.00
	Contract Documents, Spec's	4	\$580	24	\$3,240	72	\$10,080	192	\$26,880														\$38,080.00
	90% Submittal	4	\$580	4	\$540	40	\$4,600	4	\$460														\$6,380.00
	Meeting, Address Review Comments 90% Submittal	4	\$580	4	\$540	40	\$4,600	4	\$460														\$6,380.00
	100% Submittal	4	\$580	4	\$540	40	\$4,600	4	\$460														\$6,380.00
	Meeting, Address Review Comments, Opinion of Cost	4	\$580	4	\$540	40	\$4,600	4	\$460														\$6,380.00
	QA/QC	6	\$870																				\$5,000.00
	Final Submittal																						\$2,070.00
																							\$870.00
																							\$2,040.00
																							\$196,780.00



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ATTACHMENT "B"

MANHOURLY AND FEE ANALYSIS - BASIC SERVICES
 CLIENT: CITY OF PORTLAND
 PROJECT: PHASE 9 STREET RECONSTRUCTION PROJECT
 (OVERLAYS & RECONSTRUCTION)

ITEM	DESCRIPTION	PRINCIPAL		PROJECT ENGR., P.E.		DESIGN ENGR., P.E.		SR. ENGR./ SURVEY TECH		CADD TECH		RPLS/LSLS		SURVEY CREW		CLERICAL		SUB CONTRACTOR		NON LABOR		TASK TOTAL	
		Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total		
BID PHASE																							
	Project Administration	4	\$580																			\$805.00	
	Issue Bid Packets	1	\$145	4	\$540																	\$1,305.00	
	Update Opinion of Cost			4	\$540																	\$740.00	
	Pre-Bid Conference	4	\$580	4	\$540																	\$1,120.00	
	Prepare Addenda			6	\$810																	\$4,920.00	
	Contractor's Questions			8	\$1,080																	\$8,640.00	
	Bid Opening, Bid Tab	4	\$580																			\$2,320.00	
	Analyze Bids, Recommend Award, Council Meeting	4	\$580	4	\$540																	\$4,360.00	
	Prepare Contract Documents, Review Final Documents, Execution by All Parties	2	\$290	6	\$810																	\$1,320.00	
TOTAL BID PHASE																							\$10,100.00
CONSTRUCTION PHASE																							
	Project Administration	16	\$2,320	24	\$3,240	24	\$2,760															\$9,550.00	
	In-House Meetings	8	\$1,160	8	\$1,080	8	\$920															\$3,160.00	
	Scheduling, Updates	14	\$2,030	8	\$1,080	8	\$920															\$4,030.00	
	Pre-Construction Conference	8	\$1,160	8	\$1,080	8	\$920															\$3,160.00	
	Review Submittals			8	\$1,080	8	\$920															\$2,760.00	
	Review Field and Lab Tests			16	\$2,160	24	\$2,760															\$7,680.00	
	Provide Clarification to Plans			24	\$3,240	24	\$2,760															\$11,280.00	
	Site Visits (4 Hrs./WR - 26 Weeks)			104	\$14,040																	\$145,440.00	
	Change Order Review	4	\$580	8	\$1,080																	\$2,760.00	
	Pre-Final and Final Inspections, Memos	12	\$1,740	12	\$1,620																	\$39,720.00	
	Prepare Final Punch List			8	\$1,080																	\$8,640.00	
	Record Drawings			4	\$540	8	\$920	24	\$2,760													\$4,360.00	
	Project Closeout	4	\$580	4	\$540																	\$2,320.00	
TOTAL CONSTRUCTION PHASE																							\$60,845.00
TOTAL BASIC SERVICES																							\$307,415.00



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ATTACHMENT "B"

MANHOURLY AND FEE ANALYSIS - ADDITIONAL SERVICES
 CLIENT: CITY OF PORTLAND
 PROJECT: PHASE 9 STREET RECONSTRUCTION PROJECT
 (OVERLAYS & RECONSTRUCTION)

ITEM	DESCRIPTION	PRINCIPAL		PROJECT ENGR., P.E.		DESIGN ENGR., P.E.		SR. ENGR./ SURVEY TECH		CADD TECH.		RPLS/LSLS		SURVEY CREW		CLERICAL		SUB CONTRACTOR		NON LABOR		TASK TOTAL
		Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	
	RATE	\$145.00		\$135.00		\$115.00		\$80.00		\$75.00		\$90.00		\$140.00		\$50.00						
	PERMIT PREPARATION																					
	TDLR Permit			8	\$1,080																	\$2,550
																						\$500
																						\$2,530.00
	CONTROL & TOPOGRAPHIC SURVEY																					
	Compile, Review All Available Data, As Built's etc.																					
	Crew Instructions							16	\$1,280			16	\$1,440									\$20
	Establish Horiz. And Vert. Controls							6	\$480													\$2,740
	Set Stationing, Control All Streets																					\$1,300
	Locate Soil Cores																					\$7,310
	Locate All Utilities & Improvements, Topo Survey																					\$292
	One Call Response Coordination							8	\$640			2	\$180	8	\$1,120							\$11,852
	Download Data, Create Base Maps							16	\$1,280			4	\$360	124	\$17,360							\$53
	QA/QC							62	\$4,960			16	\$1,440									\$305
	Check, Reset Control - Construction											24	\$2,160									\$15
												8	\$720									\$45
												8	\$720	30	\$4,200							\$2,160
																						\$5,050
																						\$58,870.00
	PUBLIC INVOLVEMENT (PUBLIC MEETINGS)																					
	Prepare Exhibits, Notes, Power Point, Etc.	2	\$290	8	\$1,080																	\$2,170
	Attend Public Meetings (1)	4	\$580	4	\$540																	\$580
	Follow Up To Comments																					\$740
																						\$3,490.00
																						\$64,890.00
																						\$372,305.00



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ATTACHMENT "C"
MANHOURLY AND FEE ANALYSIS - BASIC SERVICES
CLIENT: CITY OF PORTLAND
PROJECT: PHASE 9 STREET RECONSTRUCTION PROJECT
(MEMORIAL PARKWAY)

ITEM	DESCRIPTION	PRINCIPAL		PROJECT ENGR., P.E.		DESIGN ENGR., P.E.		SR. ENGR./ SURVEY TECH		CADD TECH		RPLS/LSLS		SURVEY CREW		CLERICAL		SUB CONTRACTOR		NON LABOR		TASK TOTAL																					
		Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total																				
PRELIMINARY PHASE																																											
	Project Administration	4	\$580																				\$800.00																				
	Geotechnical Consultant Coordination			1	\$135																		\$135.00																				
	In House Meetings			1	\$135																		\$135.00																				
	Utility Cos. Coordination, AEP, Fiber Op's, Gas			1	\$135																		\$135.00																				
	Site Visits			1	\$135	4	\$460																\$625.00																				
	Review Geotech Investigation, Make Recommendations			1	\$135																		\$135.00																				
	Review of Survey, As-Built Data, Utility Locations			1	\$135																		\$135.00																				
	Design Criteria, Project Review			2	\$270																		\$270.00																				
	Pavement Design, C&G's Stormwater			2	\$270																		\$270.00																				
	Preliminary Construction Phasing Plan																						\$0.00																				
	Prepare Opinion of Cost			4	\$540																		\$540.00																				
	Engineering Letter Report Preparation			2	\$270				4	\$320													\$690.00																				
	Submit Draft Engineering Letter Report			2	\$270																		\$270.00																				
	Review Meeting			1	\$145	1	\$135																\$310.00																				
	Finalize Engineering Letter Report					2	\$270																\$270.00																				
	QA/QC																						\$135.00																				
	Final Submittal Meeting			1	\$135																		\$135.00																				
TOTAL PRELIMINARY PHASE																																											\$4,990.00
DESIGN PHASE																																											
	Project Administration	4	\$580																				\$800.00																				
	Project Scheduling, Updates			1	\$145	1	\$135	1	\$115														\$0.00																				
	In-House Meetings			4	\$580	4	\$480																\$395.00																				
	Project Meetings			2	\$270	2	\$230																\$1,120.00																				
	Coordination With Utilities			2	\$290	2	\$270																\$530.00																				
	Site Visits			2	\$290	2	\$270																\$560.00																				
	Final Street Grades Design (Memorial)			2	\$290	4	\$540																\$830.00																				
	Final Stormwater Design (Memorial)			2	\$290	4	\$540																\$830.00																				
	Finalize Construction Sequencing Plan			1	\$145	3	\$405																\$830.00																				
Sheet	PLANS																																										
1	Title Sheet			1	\$135	1	\$115	2	\$160														\$420.00																				
2	Project Location Map			1	\$135	1	\$115	2	\$160														\$420.00																				
3	Construction Notes	1	\$145	1	\$135	4	\$480	6	\$480														\$1,490.00																				
4	Legend, Abbreviations, Testing Schedule	1	\$145	2	\$270	2	\$230	8	\$640														\$1,285.00																				
5	Estimated Quantities	1	\$145	2	\$270	8	\$920	8	\$640														\$2,305.00																				
6	Existing and Proposed Sections	1	\$145	2	\$270	4	\$460	12	\$960														\$1,865.00																				
7-11	Memorial Parkway Existing Topo and Demolition (5 Sheets)	4	\$580	4	\$540	16	\$1,840	30	\$2,400														\$5,420.00																				



Coyne, Rehmert & Gutierrez Engineering, L.P.
 TBPPE Firm Reg. No. F-388
 TBPPLS Firm Reg. No. 101040-01
 5656 S. Staples, Suite 230
 Corpus Christi, Texas 78411
 Phone: 361-991-8550 Fax: 361-993-7569
 Email: crg@crga.com

ATTACHMENT "C"

MANHOUR AND FEE ANALYSIS - BASIC SERVICES
 CLIENT: CITY OF PORTLAND
 PROJECT: PHASE 9 STREET RECONSTRUCTION PROJECT
 (MEMORIAL PARKWAY)

ITEM	DESCRIPTION	PRINCIPAL		PROJECT ENGR., P.E.		DESIGN ENGR., P.E.		SR ENGR./ SURVEY TECH		CADD TECH		RPLS/LSLS		SURVEY CREW		CLERICAL		SUB CONTRACTOR		NON LABOR		TASK TOTAL
		Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	
	RATE																					
12,13	Memorial Parkway Storm Water Plan	2	\$290	4	\$540	4	\$460	8	\$640													\$1,960.00
14-18	Memorial Parkway Paving and Storm Water P&P (5 Sheets)	2	\$290	12	\$1,620	24	\$2,760	60	\$4,800													\$9,470.00
19	Memorial Parkway Storm Water Laterals	1	\$145	2	\$270	4	\$460	8	\$640													\$1,530.00
20,21	Memorial Parkway Jointed Concrete Pavement Layout Plan (2 Sheets)	4	\$580	4	\$540	8	\$920	16	\$1,280													\$3,350.00
22	Jointed Rein Concrete Pavement Details			2	\$270	4	\$460	6	\$480													\$1,225.00
23	Continuous Rein Concrete Pavement Details			2	\$270	4	\$460	6	\$480													\$1,225.00
24	Concrete Paving Joint Seal Details			2	\$270	4	\$460	8	\$640													\$1,385.00
25,26	Memorial Parkway Striping and Signage Plan (2 Sheets)			4	\$540	4	\$460	6	\$480													\$1,510.00
27,28	Memorial Parkway Bike Path Plan, Details (2 Sheets)	1	\$145	8	\$1,080	8	\$920	16	\$1,280													\$3,455.00
29	Curb & Gutter, S/W Details			2	\$270	2	\$230	2	\$160													\$15
30	Standard Paving Details			2	\$270	2	\$230	2	\$160													\$15
31,32	Storm Water Details	1	\$145	2	\$270	2	\$230	2	\$160													\$820.00
33	Signage Details			2	\$270	4	\$460	6	\$480													\$15
34	Curb Ramp Special Details			2	\$270	4	\$460	6	\$480													\$45
35-38	Curb Ramp Standard Details TxDOT (4 Sheets)			1	\$135	2	\$230	4	\$320													\$15
39	Misc Details (Valve, Manhole Adjustments, Etc.)			1	\$135	2	\$230	2	\$160													\$15
40	SW3P Overall Project Plan			1	\$135	4	\$460	8	\$640													\$540.00
41,42	SW3P Memorial Parkway (2 Sheets)			2	\$270	4	\$460	6	\$480													\$1,250.00
43,44	SW3P Details (2 Sheets)			4	\$540	2	\$230															\$800.00
45	TCP - Sequencing Notes and Sections			2	\$270	4	\$460	6	\$480													\$20
46-49	TCP - Memorial Parkway (4 Sheets)	2	\$290	8	\$1,080	8	\$920	24	\$1,920													\$1,230.00
50-58	Traffic Control, Barricades, Standard Details, Etc. (9 Sheets)	1	\$145	2	\$270	4	\$460	6	\$480													\$60
59-63	Standard Pavement Marking Details (5 Sheets)			2	\$270	4	\$460	5	\$400													\$30
	Opinion of Cost			2	\$270	4	\$460															\$30
	Contract Documents, Spec's	4	\$580	8	\$1,080	16	\$1,840															\$200
	90% Submittal	4	\$580	4	\$540	24	\$2,760	4	\$320													\$50
	90% Submittal Meeting	4	\$580	4	\$540																	\$200
	Meeting, Address Review Comments 90%	2	\$290	4	\$540	8	\$920	12	\$960													\$20
	100% Submittal	2	\$290	4	\$540	6	\$690	6	\$480													\$20
	Meeting, Address Review Comments, Opinion of Cost	4	\$580	4	\$540			8	\$640													\$200
	QA/QC	6	\$870																			\$30
	Final Submittal			8	\$1,080	8	\$920															\$200
																						\$870.00
																						\$2,200.00
																						\$82,420.00

TOTAL DESIGN PHASE



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ATTACHMENT "C"

MANHOUR AND FEE ANALYSIS - BASIC SERVICES
 CLIENT: CITY OF PORTLAND
 PROJECT: PHASE 9 STREET RECONSTRUCTION PROJECT
 (MEMORIAL PARKWAY)

ITEM	DESCRIPTION	PRINCIPAL		PROJECT ENGR., P.E.		DESIGN ENGR., P.E.		SR. ENGR./ SURVEY TECH		CADD TECH		RPLS./LSLS		SURVEY CREW		CLERICAL		SUB CONTRACTOR		NON LABOR		TASK TOTAL																				
		Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Expense	Expense																					
BID PHASE																																										
	Project Administration	4	\$580														4	\$200			\$25	\$605.00																				
	Issue Bid Packets	1	\$145	4	\$540												12	\$600			\$20	\$1,305.00																				
	Update Opinion of Cost			4	\$540																	\$540.00																				
	Pre-Bid Conference	4	\$580	6	\$810												4	\$200			\$20	\$1,410.00																				
	Prepare Addenda			4	\$540												4	\$200			\$30	\$770.00																				
	Contractor's Questions			2	\$270												4	\$200				\$470.00																				
	Bid Opening Bid Tab	4	\$580														4	\$200			\$20	\$800.00																				
	Analyze Bids, Recommend Award, Council Meeting	4	\$580	4	\$540												3	\$150			\$20	\$1,290.00																				
	Prepare Contract Documents, Review Final Documents, Execution by All Parties	2	\$290	6	\$810												3	\$150			\$70	\$1,320.00																				
																						TOTAL BID PHASE																				\$8,710.00
CONSTRUCTION PHASE																																										
	Project Administration	4	\$580	4	\$540												16	\$800			\$30	\$1,950.00																				
	In-House Meetings	2	\$290	2	\$270	2	\$230															\$790.00																				
	Scheduling, Updates	2	\$290	2	\$270	2	\$230															\$790.00																				
	Pre-Construction Conference	6	\$870	6	\$810																	\$1,710.00																				
	Review Submittals			8	\$1,080	8	\$920										4	\$200			\$20	\$2,220.00																				
	Review Field and Lab Tests			8	\$1,080	8	\$920										4	\$200				\$2,200.00																				
	Provide Clarification to Plans			4	\$540	4	\$460															\$1,000.00																				
	Site Visits (2 Hrs./Wk - 12 Weeks)			24	\$2,240																\$540	\$3,780.00																				
	Change Order Review	2	\$290	4	\$540												4	\$320			\$20	\$1,170.00																				
	Pre-Final and Final Inspections, Memos	8	\$1,160	9	\$1,215												7	\$350			\$75	\$2,800.00																				
	Prepare Final Punch List			4	\$540	4	\$460										6	\$300				\$2,260.00																				
	Record Drawings			2	\$270												1	\$50			\$80	\$400.00																				
	Project Closeout	4	\$580	4	\$540												2	\$100			\$20	\$1,240.00																				
																						TOTAL CONSTRUCTION PHASE																				\$22,310.00
																						TOTAL BASIC SERVICES																				\$118,430.00



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 Phone: 361-991-8550 Fax: 361-993-7569

ATTACHMENT "C"
MANHOOR AND FEE ANALYSIS - BASIC SERVICES
CLIENT: CITY OF PORTLAND
PROJECT: PHASE 9 STREET RECONSTRUCTION PROJECT
(MEMORIAL PARKWAY)

ITEM	DESCRIPTION	PRINCIPAL		PROJECT MGR. P.E.		DESIGN ENGR., P.E.		SR. ENGR./ SURVEY TECH		CADD TECH.		RPLS/LSLS		SURVEY CREW		CLERICAL		SUB CONTRACTOR		NON LABOR		TASK TOTAL	
		Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total	Hrs.	Total		Expense
ADDITIONAL SERVICES																							
TOPOGRAPHIC SURVEY																							
	Review All Available Data, As Builts etc.																						
	Crew Instructions							4	\$320													\$20	\$700
	Establish Horiz. And Vert. Controls							2	\$180						1	\$140							\$480
	Set Stationing							2	\$180														\$340
	Locate Soil Cones							4	\$320						9	\$1,260							\$1,940
	Locate All Utilities (x,y,z), Topo Survey							4	\$320						2	\$280							\$600
	Traffic Control														12	\$1,680							\$1,680
	Locate Improvements, Topo Survey														18	\$2,520							\$0
	One Call Response Coordination							8	\$640														\$0
	Download Data, Create Base Map																						\$640
	QA/QC																						\$540
	Check/Reset Control - Construction														6	\$840							\$540
															4	\$360							\$1,200
	TOTAL TOPOGRAPHIC SURVEY																						\$10,640.00
PUBLIC INVOLVEMENT (PUBLIC MEETINGS)																							
	Prepare Exhibits, Notes, Power Point, Etc.	2	\$290	4	\$540																		\$1,350
	Attend Public Meetings	4	\$580																				\$610
	Follow Up To Comments	4	\$580																				\$800
																							\$20
																							\$800
	TOTAL PUBLIC INVOLVEMENT																						\$2,760.00
	TOTAL ADDITIONAL SERVICES																						\$13,400.00
	TOTAL BASIC AND ADDITIONAL SERVICES																						\$131,830.00

AGENDA TITLE	<u>INTERLOCAL AGREEMENT – FIXED ROUTE SERVICE</u> THE CITY COUNCIL WILL CONSIDER AN INTERLOCAL AGREEMENT WITH THE CORPUS CHRISTI REGIONAL TRANSIT AUTHORITY TO PROVIDE FIXED ROUTE BUS SERVICE WITHIN THE CITY LIMITS.
MEETING DATE	7/1/2014
DEPARTMENT	Administration
SUBMITTED BY	Randy Wright, City Manager

EXECUTIVE SUMMARY

The Corpus Christi Regional Transit Authority (CCRTA) contracts with Tianjin Pipe Company (TPCO) to provide two vans for transportation of workers from two apartment complexes in Portland to the TPCO facility in Gregory. Because of anticipated increases in the number of employees using the service, CCRTA needs to use a bus rather than vans. This interlocal agreement will benefit TPCO by allowing CCRTA to use regular buses in Portland for that expanded service.

PRIOR ACTIONS OR REVIEWS

None.

DETAILS / STAFF ANALYSIS

In 1985, voters in Portland, Aransas Pass and Ingleside turned down the ½ cent sales tax required to join the CCRTA system. For that reason, CCRTA bus service is not normally available to Portland residents.

For some time, TPCO has contracted separately with the CCRTA to provide passenger vans to shuttle workers from The Pavilions and Lands End Apartments to the TPCO facility twice daily. Recently, TPCO has begun to increase its workforce at the plant and now needs a standard size bus to efficiently move those employees. In order for CCRTA to supply a bus, it must have Portland's permission to operate within the city.

This is a private contract service so there is no direct cost to the City. There is, however, the potential for costs associated with street wear and tear, specifically at bus stops. Bus stops usually incorporate reinforced pavement sections or concrete pads. We have proposed language in the Interlocal Agreement that assigns responsibility for any direct street damage to the CCRTA.

ALTERNATIVES CONSIDERED

None.

FINANCIAL IMPACT

No direct costs. However, there could be costs associated with pavement damage due to busses stopping and starting at bus stops. The CCRTA will be responsible for any direct damage resulting from the use of busses on city streets.

ATTACHMENTS

- Proposed Interlocal Agreement

RECOMMENDED ACTION

Motion authorizing the City Manager to execute an interlocal agreement with the CCRTA for fixed route service in Portland.

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INTERLOCAL AGREEMENT

(Portland Fixed-Route Services)

This Interlocal Cooperation Agreement is made between the Regional Transportation Authority ("the RTA"), a metropolitan transit authority under Chapter 451 of the Texas Transportation Code, and the City of Portland, Texas (the "City"), a municipal corporation.

WHEREAS, the RTA and the City desire to provide for the operation of fixed-route transportation services within the limits of the City and to and from locations outside the limits of the City; and

WHEREAS, the costs of such services shall be paid under separate arrangements between the RTA and one or more underwriters who may be business organizations, non-profit organizations or governmental entities;

NOW, THEREFORE, BE IT AGREED BY THE PARTIES:

1. Operation of Fixed-Route Services. The City authorizes the RTA to operate fixed-route public transportation services within the City and to and from locations outside the City. The capital and operating costs for such services shall be borne by RTA, under separate arrangements with one or more underwriters who agree to underwrite such services in lieu of the collection of sales taxes. The route or routes for such fixed-route services and the hours of operations shall be determined by the RTA. The RTA shall provide written notice to the City of the route or routes and schedules of operations, and update such routes and schedules as necessary to keep the City advised as to such routes and schedules.

2. Fixed-Route Services Open to Public. The fixed-route services operated by the RTA shall be open to the public upon paying the applicable fare and part of the regularly scheduled service of the RTA. Daily, weekly and monthly passes and other arrangements may be made for persons to utilize the fixed-route services in lieu of payment of the per-trip fare.

3. No Funding Obligation by City. Nothing in this Agreement shall create an obligation upon the City to fund any of the public transportation services provided by the RTA. All such services shall be underwritten pursuant to separate arrangements for each such fixed route as provided above.

4. Limited Obligations of RTA. Nothing in this Agreement shall create an obligation upon the RTA to provide public transportation services within the City or to and from locations outside the City unless acceptable funding arrangements are made with one or more underwriters of such services. The adequacy of such funding arrangement shall be determined within the sole and exclusive discretion of the RTA. The RTA reserves the right to terminate public transportation services in the City at any time upon the loss of the required funding.

5. Expenses. The RTA shall cover all of its operating and capital expenses incurred in connection with providing the public transportation services, including personnel, vehicles, fuel

49 and lubricants and other expenses. Nothing in this Agreement shall constitute an obligation of
50 the City to pay any such expenses.

51
52 6. Use of Public Rights of Way. The City grants to the RTA the authority to operate
53 its vehicles on the streets and public rights of way within the City for the operation of the fixed-
54 route services under this Agreement. The RTA shall not be obligated to pay any type of
55 franchise fee, user fee, tax or other expense in connection with the use of such streets and public
56 rights of way for providing such services. **The RTA shall be responsible for any direct damage**
57 **to a street or public right of way.**

58
59 7. Revenues. All fare box revenues associated with the fixed-route transportation
60 services shall be collected by the RTA and be the sole property of the RTA. Such fares shall not
61 exceed the fares for services provided by the RTA as authorized under Chapter 451 of the Texas
62 Transportation Code.

63
64 8. Term and Renewal. This Agreement shall be for an initial term of one year ending
65 June 30, 2015. This agreement shall be renewed on an annual basis automatically unless
66 terminated as provided herein. Notice of termination shall be given no later than ninety (90)
67 days prior to a renewal date. Any such notice of termination shall be given to the other party to
68 this Agreement in accordance with the notice provisions provided below.

69
70 9. Early Termination Upon Joinder in RTA. In the event that the City elects to join
71 the RTA pursuant to the election and acceptance procedures provided under Chapter 451 of the
72 Texas Transportation Code, this Agreement shall terminate and all operations of the RTA within
73 the City shall be funded and conducted pursuant to such Chapter.

74
75 10. Financial Obligations. Any financial obligations made by the RTA or the City for
76 any of the services that either provides pursuant to this Agreement shall be made out of current
77 revenues available to such paying party as required by the Texas Interlocal Cooperation Act.

78
79 11. Severability. If any portion of this Agreement, or the application thereof to any
80 person or circumstance, shall ever be held to be invalid or unconstitutional by any court of
81 competent jurisdiction, the remainder of this Agreement shall not be affected thereby and shall
82 continue to be enforceable in accordance with its terms.

83
84 12. Approval by Governing Bodies. Each party represents that this Agreement has
85 been duly passed and approved by the governing body of the party as required for inter-local
86 agreements pursuant to the Texas Inter-Local Cooperation Act.

87
88 13. Notices. Notices under this Agreement shall be addressed to the parties as indicated
89 below, unless changed by written notice to such effect, and shall be effected when delivered or
90 when deposited in the U.S. mail, postage prepaid, certified, return receipt requested.

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94 RTA: Regional Transportation Authority

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5658 Bear Lane
Corpus Christi, Texas 78405

CITY: City of Portland
1900 Billy G. Webb
Portland, Texas 78374

14. Performance. This Agreement shall be performed in Nueces County, Texas, and shall be interpreted according to the laws of the State of Texas.

15. Assignment. This Agreement shall be binding on and inure to the benefit of the parties to this Agreement and their respective successors and permitted assigns. This Agreement may not be assigned by any party without the written consent of the other party.

16. Entire Agreement. This Agreement represents the entire agreement between the parties and may not be modified by any oral agreements or understandings. Any amendments must be made in writing and signed by both parties.

EXECUTED to be effective as of the last execution date set forth below:

EXECUTED by the Regional Transportation Authority on the _____ day of July, 2014.

REGIONAL TRANSPORTATION
AUTHORITY

By: _____
Scott Neeley
CEO

EXECUTED by the City of Portland, Texas on the _____ day of July, 2014.

CITY OF PORTLAND, TEXAS

By: _____
Randy L. Wright
City Manager

AGENDA TITLE **ORDINANCE NO. 2089 – ELECTRONIC CIGARETTES PROHIBITING THE SALE OF ELECTRONIC CIGARETTES TO MINORS**

THE CITY COUNCIL WILL CONSIDER SECOND AND FINAL READING OF ORDINANCE NO. 2089 PROHIBITING THE SALE TO, PURCHASE BY, OR POSSESSION OF ELECTRONIC CIGARETTES OR ELECTRONIC CIGARETTE LIQUIDS TO A MINOR.

MEETING DATE 7/1/2014

DEPARTMENT Administration

SUBMITTED BY Randy Wright, City Manager

EXECUTIVE SUMMARY

This is the second and final reading of the ordinance. No changes have been made since first reading.

The sale of electronic cigarettes and the liquid used in them is on the rise. There is credible evidence that those products pose a danger to children. The proposed ordinance regulates the sale and distribution of those products to minors and prohibits the possession by minors.

PRIOR ACTIONS OR REVIEWS

At its workshop on June 3, 2014, City Council discussed electronic cigarettes and gave guidance to Staff on preparing the proposed ordinance.

DETAILS / STAFF ANALYSIS

During the June 3, 2014 workshop meeting, the City Council discussed the recent proliferation of electronic cigarettes. Portland currently has two “vapor” shops, businesses that focus on the sale of e-cigarettes and accessories. E-cigarettes are also sold by a number of other businesses in Portland.

The Centers for Disease Control has published significant findings of nicotine poisonings related to these products especially in children. They found that among national poison centers, the percentage of calls of nicotine poisoning related to these devices jumped from only .3% of all calls in 2010 to 41% of all calls by February of 2014.

E-cigarettes are not federally regulated. Manufacturers are free to market and package the devices and liquids labeled with flavors like chocolate, mint and fruit. This marketing creates

an attractive nuisance for children and masks the potential dangers that the products can pose.

This ordinance is a measured approach for dealing with the potential risk to children.

ALTERNATIVES CONSIDERED

None.

FINANCIAL IMPACT

None

ATTACHMENTS

- *Proposed Ordinance*

RECOMMENDED ACTION

Motion to pass Ordinance No. 2089.

44 cigarettes, vapor cigarettes, electronic cigars, e-cigars, vapor cigars, electronic pipes, e-
45 pipes, vapor pipes, or under any other product name or description.

46 **Electronic cigarette liquid or e-liquid** means a product containing nicotine that is
47 designed, manufactured or marketed for use in electronic cigarettes.

48 **Minor** means an individual who is younger than 18 years of age.
49

50 **Section 11-255. Possession, purchase, consumption or receipt of electronic**
51 **cigarettes by minors prohibited.**
52

- 53 (a) A minor commits an offense if the minor
54 (1) possesses, purchases, consumes, or accepts an electronic
55 cigarette; or
56 (2) falsely represents himself or herself to be 18 years or age or older
57 by displaying proof of age that is false, fraudulent, or not actually
58 proof of the individual's own age in order to obtain possession of,
59 purchase, or receive an electronic cigarette or electronic cigarette
60 liquid.
- 61 (b) It is an exception to the application of this section that the individual
62 younger than 18 years of age possessed the prohibited item in the
63 presence of:
64 (1) an adult parent, a guardian, or a spouse of the individual; or
65 (2) an employer of the individual, if possession or receipt of the
66 product is required in the performance of the employee's duties
67 as an employee.
- 68 (c) It is an exception to the application of this section that the individual
69 younger than 18 years of age is participating in an inspection or test of
70 compliance in accordance with this section
71 (1) The use of a person younger than 18 years of age to act as a minor
72 decoy to test compliance with this Article shall be conducted in a
73 fashion that promotes fairness. A person may be enlisted by local
74 law enforcement agency to act as a minor decoy only if the
75 following requirements are met:
76 a. written parental consent is obtained for the use of a
77 person younger than 18 years of age to act as a minor
78 decoy to test compliance with this Article;
79 b. at the time of the inspection, the minor decoy is younger
80 than 17 years of age;
81 c. the minor decoy has an appearance that would cause a
82 reasonably prudent seller of an electronic cigarette or
83 electronic cigarette liquid to request identification and
84 proof of age;
85 d. the minor decoy carries either the minor's own
86 identification showing the minor's correct date of birth or

- 87 carries no identification, and a minor decoy who carries
88 identification presents it on request to any seller of an
89 electronic cigarette or electronic cigarette liquid; and
90 e. the minor decoy answers truthfully any questions about
91 the minor's age.
92

93 **Section 11-258. Sale or distribution of electronic cigarettes or electronic**
94 **cigarette liquids to a minor prohibited.**

- 95
96 (a) A person commits an offense if the person:
97 (1) sells, gives, or causes to be sold or given an electronic cigarette or
98 electronic cigarette liquid to a minor; or
99 (2) sells, gives, or causes to be sold or given an electronic cigarette or
100 electronic cigarette liquid to a person who intends to deliver it to
101 a minor.
102 (b) It is a defense to prosecution under Section (a) (1) that the minor
103 presented to the defendant apparently valid proof of identification
104 indicating the minor was at least 18 years old.
105

106 **SECTION 2.** A person violating any term or provision of this Article shall be subject to a fine
107 not to exceed \$500.00. A person commits a separate offense for each violation that is
108 committed or for possession of each item described under this ordinance.
109

110 **SECTION 3.** It is hereby declared to be the intention of the City Council that the sections,
111 paragraphs, sentences, clauses, and phrases of this ordinance are severable and separable and
112 if any section, paragraph, sentence, clause or phrase of this ordinance shall be declared
113 unconstitutional by the valid judgment or decree of an Court of competent jurisdiction, such
114 unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences,
115 clauses, or phrases of this ordinance since the same would have been enacted by the City
116 Council without incorporation in this ordinance of any such unconstitutional section, paragraph,
117 sentence, clause or phrase.
118

119 **SECTION 4.** This ordinance shall be in full force and effect after passage and publication as
120 required by law.
121

122 **PASSED AND APPROVED this the 1st day of July, 2014.**
123
124

125 _____
126 **Mayor, City of Portland**

127 **ATTEST:**
128

129 _____
City Secretary



STAFF
WEEKLY
REPORTS

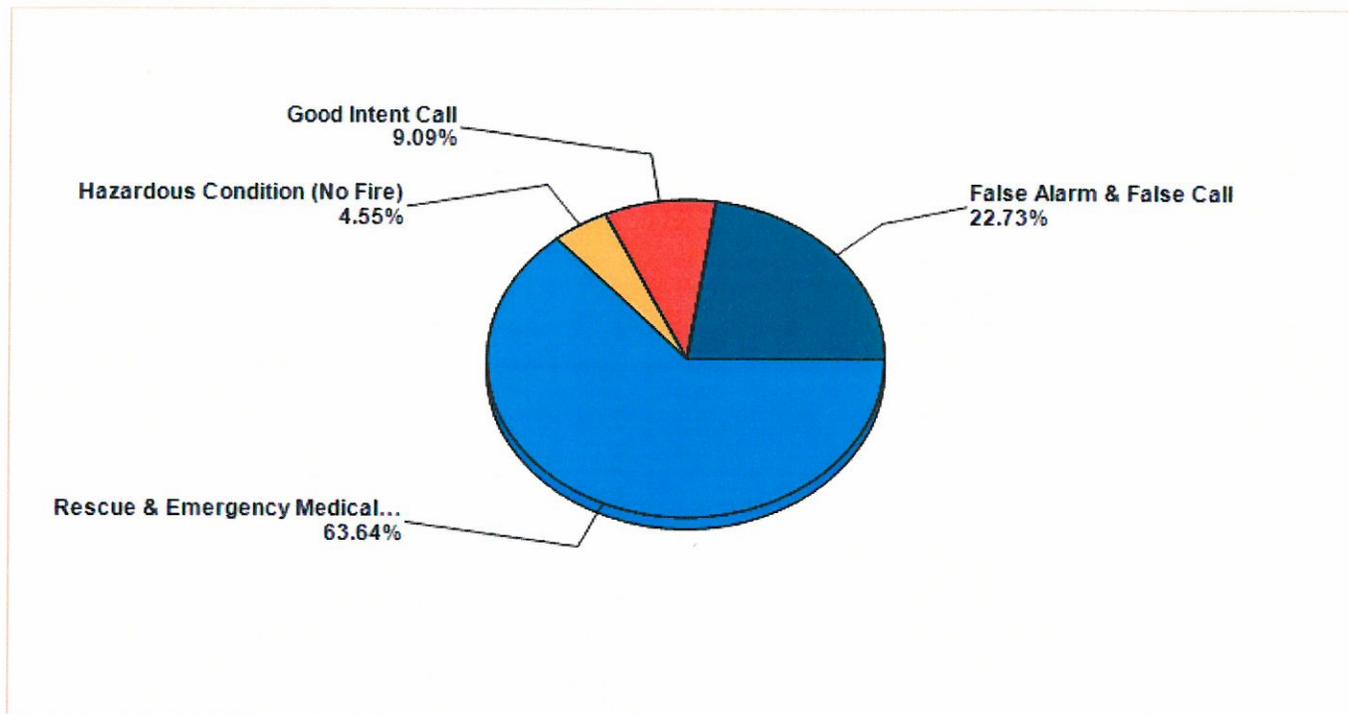
Portland Fire Department

Portland, TX

This report was generated on 6/16/2014 9:01:35 AM

Breakdown by Major Incident Types for Date Range

Start Date: 06/09/2014 | End Date: 06/15/2014



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Rescue & Emergency Medical Service	14	63.64%
Hazardous Condition (No Fire)	1	4.55%
Good Intent Call	2	9.09%
False Alarm & False Call	5	22.73%
TOTAL	22	100.00%

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
311 - Medical assist, assist EMS crew	7	31.82%
321 - EMS call, excluding vehicle accident with injury	5	22.73%
322 - Motor vehicle accident with injuries	1	4.55%
324 - Motor vehicle accident with no injuries.	1	4.55%
412 - Gas leak (natural gas or LPG)	1	4.55%
611 - Dispatched & cancelled en route	2	9.09%
733 - Smoke detector activation due to malfunction	3	13.64%
741 - Sprinkler activation, no fire - unintentional	1	4.55%
743 - Smoke detector activation, no fire - unintentional	1	4.55%
TOTAL INCIDENTS:	22	100.00%

Participated in Parks and Recreation Department's Park It Event
 Assisted in Funeral Services for Former Fire Chief Calvin Jones
 Conducted CPR Classes at Community Center (8 Students)
 Assisted in unloading supplies for local Food Bank

Average Response Time: 4.54 Min.



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

Completed Activities

06/08/2014 through 06/14/2014

Report run on: 06-16-2014

Activity Date	Record Type	Activity	Party	Site Address	Inspector	Status
06/10/2014	Annual Inspection	Annual	NORTHSHORE PAVILIONS	301 North Shore Blvd.	Craig Hedrick	SCHEDULED
06/10/2014	Annual Inspection	Annual	COWGIRLS BLINGBLING N THINGS	01021 US 181 SUITE 9	Craig Hedrick	FAIL
06/11/2014	Annual Inspection	Annual	HEB	1600 Wildcat Dr.	Craig Hedrick	SCHEDULED
06/11/2014	Annual Inspection	Annual	KEBO OIL & GAS	00607 RAILROAD	Craig Hedrick	SCHEDULED
06/12/2014	KNOX BOX	Re-inspection	K-MART	1400 Wildcat	Craig Hedrick	FAIL
06/12/2014	Annual Inspection	Re-Inspection	PORTLAND REVIVAL CENTER	00402 LANG	Craig Hedrick	FAIL

Total Completed Activities: 6