



CITY COUNCIL AGENDA

NOTICE OF WORKSHOP

Tuesday, July 15, 2014
5:30 p.m.
Council Chamber - City Hall
Daniel P. Moore Community Center Complex
1900 Billy G. Webb
Portland, Texas 78374

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.

1. **CALL TO ORDER:** MAYOR KREBS
2. **GROWTH MANAGEMENT PLAN:** THE CITY COUNCIL WILL DISCUSS THE GROWTH MANAGEMENT PLAN FOLLOWING A PRESENTATION– CITY MANAGER AND FREESE AND NICHOLS REPRESENTATIVES
3. **MINI PARADE FIRE TRUCK:** THE CITY COUNCIL WILL DISCUSS AN OFFER FOR A MINI PARADE FIRE TRUCK – MAYOR KREBS
4. **ADJOURNMENT:** MAYOR KREBS

NOTICE OF ASSISTANCE

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

BRAILLE IS NOT AVAILABLE

Posted: July 11, 2014 by 5 p.m.
Portland City Hall

By: 
Annette Hall
City Secretary



CITY COUNCIL AGENDA

NOTICE OF REGULAR MEETING

Tuesday, July 15, 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:**
 - PRESENTATION ON AQUATIC SAFETY PROGRAM – DIRECTOR OF PARKS AND RECREATION
 - PRESENTATION ON STAGE 2 DROUGHT CONTINGENCY MEASURES – ASSISTANT CITY MANAGER
4. **CITY COUNCIL AND STAFF COMMENTS CONCERNING ITEMS OF COMMUNITY INTEREST THAT MAY NOT BE DISCUSSED:**

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

- Expressions of thanks, congratulations, or condolence
- Information regarding holiday schedules

- Honorary recognition of city officials, employees, or other citizens
- Reminders about upcoming events sponsored by the city or 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 JULY 1, 2014 REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY

6. APPOINTMENT TO PLANNING AND ZONING COMMISSION: THE CITY COUNCIL WILL CONSIDER AN APPOINTMENT TO THE PLANNING AND ZONING COMMISSION – CITY MANAGER

7. ENGAGEMENT OF FREESE AND NICHOLS, INC. TO PROVIDE ANNEXATION CONSULTING SERVICES: THE CITY COUNCIL WILL CONSIDER ENGAGING FREESE AND NICHOLS TO ASSIST STAFF IN CONDUCTING AN ANNEXATION OF AREAS WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION – 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

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Posted: July 11, 2014 by 5:00 p.m.
Portland City Hall

By: 
Annette Hall
City Secretary

**CITY OF PORTLAND
CITY COUNCIL
REGULAR MEETING
JULY 11, 2014 – 7:00 P.M.**

On this the 1st day of July 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
Ron Jorgensen	Council Member
John Vilo	Council Member
Gary Moore, Sr.	Council Member
John Green	Council Member
David Lewis	Council Member

MEMBERS ABSENT:

Cathy Skurow	Mayor Pro Tem
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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
Dorothy Torres	Interim 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 Vilo the invocation and Mayor Krebs led the Pledge of Allegiance.

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

There were none.

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

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

Council Member Moore reminded the public to attend the Portland Opry at the Community Center on the 2nd Thursday at 7:00 p.m. the cost to attend the event is \$7 and the next special guest sings like Patsy Kline and happens to be his niece.

Council Member Lewis wished everyone a Happy 4th of July and reminded the public that fireworks were not allowed in town.

Mayor Krebs announced that the Federal Energy Regulatory Committee (FERC) will be conducting a public meeting on Tuesday, July 15th at 7 p.m. at the Community Center to receive public comments on the Corpus Christi Liquefaction Project (CHENIERE).

City Manager Randy Wright announced that Friday is 4th of July and City Hall will be closed, as well as other city facilities. For more information please visit the city’s website.

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. 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

Assistant City Manager, Brian DeLatte explained that 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 is recommending 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.

CRG 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.

Only badly damaged curbs that cause significant drainage or safety hazards are included for repair in this project. The seal coats on the streets will utilize a two-course surface treatment designed by CRG, Fugro, and Pete Stricker, P.E. This engineering team prepared the Comprehensive Street, Parking Lot, Sidewalk, and Trail Study and identified which streets and repair methods would be used.

The proposal for both bid sets includes CRG 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.

Council, Staff and Mr. Rehmet of CRG discussed the scope and proposed timeline of the project.

Council Member Lewis made the motion authorizing the engagement of Coym, Rehmet and Gutierrez Engineering, LP,. For engineering services for the Street Improvement Phase 9A (Rehab and Overlays) in the amount of \$504,135.00, seconded by Council Member Vilo.

The motion passed 6-0.

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

City Manager, Randy Wright explained that 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.

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. The City will have proposed language in the Interlocal Agreement that assigns responsibility for any direct street damage to the CCRTA

Council, Staff, JJ Johnston with TPCO America and Rosa Villarreal, CCRTA Managing Director of Operations discussed the proposed Interlocal agreement, the proposed route, CCRTA being responsible for any direct street damage.

Council Member Jorgensen made the motion to authorize the City Manager to execute an Interlocal Agreement with the Corpus Christi Regional Transit Authority to provide fixed route bus service within the City limits for TPCO America, seconded by Council Member Moore.

The motion passed 6-0.

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

City Manager, Randy Wright explained that this is the second and final reading of Ordinance No. 2089 that prohibits the sale to, purchase by, or possession of electronic cigarettes or electronic cigarette liquids to anyone under the age of 18.

Council Member Green made the motion to approve the 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, seconded by Council Member Lewis.

The motion passed 6-0.

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 7:34 p.m.

E. NOTICE OF ASSISTANCE:

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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

AGENDA TITLE	<u>APPOINTMENT TO THE PLANNING AND ZONING COMMISSION</u> THE CITY COUNCIL WILL CONSIDER AN APPOINTMENT TO THE PLANNING AND ZONING COMMISSION.
MEETING DATE	7/15/2014
DEPARTMENT	Administration
SUBMITTED BY	Randy Wright, City Manager

EXECUTIVE SUMMARY

Marcus Naiser, the current chairperson of the Planning and Zoning Commission, has resigned. The City Council will consider a replacement.

PRIOR ACTIONS OR REVIEWS

None.

DETAILS / STAFF ANALYSIS

The City Council appoints members of the Planning and Zoning Commission by simple majority vote. Members serve two-year terms. Marcus Naiser's term would have expired on September 30, 2015. The person appointed for this vacancy will serve the remainder of the term.

There are three current applicants for the position: Sam Haywood, Robert Beckman and Joseph Mark Roach.

ALTERNATIVES CONSIDERED

None.

FINANCIAL IMPACT

None.

ATTACHMENTS

Board Applications

RECOMMENDED ACTION

Appoint an eligible applicant to serve on the Planning and Zoning Commission until September 30, 2015.



BOARD, COMMISSION AND COMMITTEE APPOINTMENT APPLICATION

The City Council of the City of Portland is soliciting applications from qualified citizens who wish to serve on its volunteer boards, commissions and committees. Regular board, commission and committee members must be at least 21 years of age (exceptions may be made for Park and Recreation Advisory Board appointments), have resided within the City for at least 12 months, be registered to vote, not be in financial arrears to the City and be able to attend at least 1 regular evening meeting a month.

If you would like to be considered for appointment, fill out this application and turn it in to Annette Hall, City Secretary, 1900 Billy G. Webb Dr. Portland, Texas 78374.

GENERAL INFORMATION

NAME: Samuel Haywood HOME TELEPHONE: 361-537-1653
STREET ADDRESS: 1017 North Cliff YRS/MOS AT ADDRESS: 6 YRS 11 mo.
PREVIOUS STREET ADDRESS: 201 North Shore Portland TX
CITY AND STATE (IF NOT IN PORTLAND):
DATE OF BIRTH: VOTERS REGISTRATION NUMBER:
TEXAS DRIVERS LICENSE NUMBER:
OCCUPATION: DRIVER-TRAINER EMPLOYER: GPI SD
WORK TELEPHONE: 361-777-4254 EMAIL: doowyahmas@yahoo.com
EDUCATION AND TRAINING: High School - Sales Courses - DRIVER-TRAINER Course
SPECIAL SKILLS, ABILITY OR KNOWLEDGE: 20 YEARS as - Baseball - Softball Umpire. LAY MINISTER TO INCARCERATED YOUTH, PREVIOUSLY Held LIFE INSURANCE SALES LICENSE

I will consider the NEW APPOINTMENT MAY CAUSE REMOVAL

FROM CURRENT - PORTLAND, TX BOARD OF ADJUSTMENT / CONSTRUCTION ^{Adjust Appeal}

PREVIOUS BOARD, COMMISSION OR COMMITTEE EXPERIENCE:

ANCHORAGE ALASKA 1982-1998 VICE CHAIR AND CHAIR NORTH EAST COUNCIL
Voted on Land Use, Speed Limits, Liquor permits, etc
ARGENTINE MICHIGAN and Zoning Board of Appeals Meeting
Monthly vote on Land Issues COMPENSATING LAKES + PROPERTY

REASON(S) FOR SEEKING APPOINTMENT: I LOVE THIS CITY AND WILL BE HONORED

To help CONTINUE THE GREAT PLANNING WE HAVE IN PLACE. I WANT
PORTLAND TO GROW COMPLETELY SO FIFTY TO 100 YEARS FROM NOW PEOPLE WILL
STILL LOVE PORTLAND SCHOOLS, PARKS, HOMES, BUSINESS, ROADS, CULTURE, RECREATION
INTEREST

Please check the board or commission appointment that you are seeking (no one will be appointed to more than one board or commission at a time). If you wish to be considered for appointment to any board or commission, rank your interest in each board or commission numerically (1 would represent your greatest interest and 7 would represent your least interest).

- Construction Board of Adjustment and Appeals
- Park and Recreation Advisory Board
- Planning and Zoning Commission
- Senior Services Advisory Board
- 1 Zoning Board of Adjustment

APPLICANT'S STATEMENT

I certify that answers given herein are true and correct to the best of my knowledge. I understand that false or misleading information given in this application will eliminate me from consideration prior to appointment and result in my removal following appointment.

I authorize the City to investigate the statements made in this application, my City credit history and my criminal history, if any.

I agree, if appointed, to meet all membership and Ethics Ordinance requirements.

SIGNATURE: Samuel Hagan DATE: 7-8-14

THANK YOU FOR YOUR INTEREST IN THE CITY OF PORTLAND





BOARD, COMMISSION AND COMMITTEE APPOINTMENT APPLICATION

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annette.hall@portlandtx.com

GENERAL INFORMATION

NAME: JOSEPH MARK ROACH HOME TELEPHONE: 361.643.1685

STREET ADDRESS: 130 CHILTIPIN YRS/MOS AT ADDRESS: 10 yrs

PREVIOUS STREET ADDRESS: 102 WEARING LN, ARANSAS PASS, TX

CITY AND STATE (IF NOT IN PORTLAND):

DATE OF BIRTH: [REDACTED] VOTERS REGISTRATION NUMBER: [REDACTED]

TEXAS DRIVERS LICENSE NUMBER: [REDACTED]

OCCUPATION: OUTSIDE SALES EMPLOYER: Dealers Electrical Supply

WORK TELEPHONE: 361.299.2222 EMAIL: jroach@dealers-electrical.com

EDUCATION AND TRAINING: BBA - ACCOUNTING TAMU - COLLEGE STATION

SPECIAL SKILLS, ABILITY OR KNOWLEDGE: BOARD OF DIRECTORS OF ASSOC. BUILDERS AND CONTRACTORS, CHAIRMAN OF THE BOARD OF ASSOC. BUILDERS + CONTRACTORS OF TX (STATE BOARD), 30 plus yrs in construction industry

PREVIOUS BOARD, COMMISSION OR COMMITTEE EXPERIENCE:

Former City Councilman - Arkansas Pass; Former Municipal Judge - Arkansas Pass;
Various Commissions - Arkansas Pass; CURRENTLY ON ADVISORY BOARD OF
Tx Dept of Licensing & Regulation

REASON(S) FOR SEEKING APPOINTMENT: ASKED BY Ron Jorgenson - ready
to get re-involved

INTEREST

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2 Construction Board of Adjustment and Appeals

 Park and Recreation Advisory Board

1 Planning and Zoning Commission

 Senior Services Advisory Board

3 Zoning Board of Adjustment

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SIGNATURE:  DATE: 5/1/2014

THANK YOU FOR YOUR INTEREST IN THE CITY OF PORTLAND





**BOARD, COMMISSION AND COMMITTEE APPOINTMENT
APPLICATION**

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GENERAL INFORMATION

NAME: ROBERT BECKMAN HOME TELEPHONE: 361-704-6075

STREET ADDRESS: 1625 MEMORIAL PKWY YRS/MOS AT ADDRESS: 4

PREVIOUS STREET ADDRESS: 404 Bayview Portland, TX

CITY AND STATE (IF NOT IN PORTLAND): _____

DATE OF BIRTH: VOTERS REGISTRATION NUMBER:

TEXAS DRIVERS LICENSE NUMBER:

OCCUPATION: OWNER EMPLOYER: Cozy Windows

WORK TELEPHONE: 505-818-4401 EMAIL: CozyWindows@gmail

EDUCATION AND TRAINING: APPLIED SCIENCE ASSOC. BUILDING CONSTRUCTION

SPECIAL SKILLS, ABILITY OR KNOWLEDGE: 20+ YEARS CONSTRUCTION
EXPERIENCE, 10 YEARS + HEATING & AIRCONDITIONING ESTIMATOR
UNIFORM BUILDING CODE & INTERNATIONAL BUILDING CODE EVALUATION

PREVIOUS BOARD, COMMISSION OR COMMITTEE EXPERIENCE:

PORTLAND CHAMBER OF COMMERCE BOARD MEMBER
" " " STEERING COMMITTEE

REASON(S) FOR SEEKING APPOINTMENT: CONTRIBUTE TO THE BEST OF OUR COMMUNITY. & FURTHER MY EDUCATION & KNOWLEDGE.

INTEREST

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I agree, if appointed, to meet all membership and Ethics Ordinance requirements.

SIGNATURE: Robert S. Beckman DATE: 05/20/2014

AGENDA TITLE **ENGAGEMENT OF FREESE AND NICHOLS, INC. TO PROVIDE ANNEXATION CONSULTING SERVICES**

THE CITY COUNCIL WILL CONSIDER ENGAGING FREESE AND NICHOLS TO ASSIST STAFF IN CONDUCTING AN ANNEXATION OF AREAS WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION.

MEETING DATE 7/15/2014

DEPARTMENT Administration

SUBMITTED BY Randy Wright, City Manager

EXECUTIVE SUMMARY

The City Council engaged Freese and Nichols in August of 2013 to conduct a Growth Management Study in preparation for potential annexation of areas outside the city limits but within the City's extraterritorial jurisdiction (ETJ). That study has been completed with certain specific tracts identified for annexation. This item proposes an agreement to authorize Freese and Nichols to move forward with the annexation process.

PRIOR ACTIONS OR REVIEWS

While the City has annexed parcels of land pursuant to various voluntary annexation agreements, we have not conducted a statutory annexation of land for at least the last 20 years.

DETAILS / STAFF ANALYSIS

In recent years, we have taken steps to better understand and control our growth by maintaining a Comprehensive Plan. We have addressed the quality of local development with periodic improvements to our Unified Development Ordinance and we have continuously invested in our infrastructure, including our streets, water and wastewater systems, drainage ways, and city facilities. These things are necessary to insure we are providing our citizens with the best community possible and, in return, helping our citizens maximize their investment in Portland.

Like other cities, we want to fairly allocate the cost of our services and infrastructure among those who benefit from them. We also have a duty to protect our existing investments within the city limits by controlling the types and quality of development in our Extraterritorial Jurisdiction (ETJ). Cities accomplish both by the orderly and legitimate process of annexation.

Annexation occurs in two phases. The first phase includes development of a growth management plan that includes a comprehensive assessment of our ETJ, carefully considering

both the benefits and costs that will be associated with annexing a given tract or area. The second phase includes the process of annexation.

In August of 2013, the City engaged Freese and Nichols to begin phase one of the process by preparing a Growth Management Plan. That phase has been complete with approximately 1,845 acres lying to the northwest of the city identified for annexation. Freese and Nichols has provided its findings to the City Council and will provide the final Growth Management Report by the end of July.

After receiving a report from the Staff and representatives with Freese and Nichols, City Council can consider engaging Staff to move forward with the annexation process. According to the timeline presented by Freese and Nichols, the annexation could be complete by the first meeting in December, 2014.

If approved, Staff will work with Freese and Nichols to finalize plans, prepare information packets to affected property owners, post all public notices, conduct required public hearings to complete the process. Hal George, City Attorney, will work with Freese and Nichols to insure all statutory requirements are met.

ALTERNATIVES CONSIDERED

None.

FINANCIAL IMPACT

To complete the annexation process, we anticipate a maximum of \$40,000 which includes consulting fees to Freese and Nichols and appropriate hourly fees to Hal George for legal oversight.

ATTACHMENTS

- Freese and Nichols original Scope of Services plan for both Phase 1 and Phase 2.

RECOMMENDED ACTION

Motion authorizing the City Manager to execute of a contract with Freese and Nichols, Inc. for completion of an annexation process.



SCOPE OF SERVICES

GROWTH MANAGEMENT PLAN AND ANNEXATION SERVICES

BASIC SERVICES: FNI shall render the following professional services in connection with the development of a growth management plan and annexation services. It is assumed that legal services are not included in this proposal but are referenced here to illustrate the interaction that is required between FNI work and the City Attorney.

PHASE I: GROWTH MANAGEMENT PLAN

A. Perform Detailed Analysis of Areas Identified for Annexation

FNI shall complete an evaluation of the ETJ areas in order to determine the following: (1) identification of populous areas that may be placed in a three-year annexation plan; (2) identification of sparsely settled areas that may be annexed outside of a three-year annexation plan; (3) the order in which such areas should be annexed, taking into consideration the City's ability to provide municipal services, statutory limitations on area, and any other constraints on annexation affecting any area.

1. Delineate populous and sparsely settled areas of the potential annexation areas in the ETJ in relation to utility service areas.
2. Develop general water demand and sewer load projections based on per-capita usage, peaking factors, and land use.
3. Evaluate the potential annexation areas in the ETJ to determine if they can be served from existing pressure planes (water) and existing basins (sewer).
4. Evaluate and prioritize the potential annexation areas in the ETJ. System parameters could include, but are not limited to:
 - a. Service area issues (utilities and solid waste)
 - b. Pressure plane/basin issues
 - c. Distance from existing infrastructure
 - d. Existing system infrastructure capacity
 - e. Existing/historical requests for water/wastewater service
 - f. Prepare planning-level cost estimates for the infrastructure required to provide water and wastewater service to the potential annexation areas in the ETJ.

5. Meet with City Staff to discuss scoring ranking and water and wastewater load projection. FNI will develop ranking criteria for review/approval by the City prior to the analysis.
6. Evaluate and prioritize the potential annexation areas in the ETJ in terms of the ability to provide service.
7. Conduct a work session meeting with City Council to discuss the plan development.

B. Prepare Initial Three-Year Annexation Plan

FNI (with assistance from the City Attorney) shall prepare a three-year annexation plan only for those areas in the City's Growth Strategy Plan identified above that must be included in a three-year plan prior to annexation. Based on data derived in previous tasks, and input from the City, one (1) annexation plan scenario will be developed.

C. Prepare Service Plans

FNI (with assistance from the City Attorney) shall prepare initial service plans for those areas in the City's Growth Strategy Plan that may be annexed without inclusion in a three-year annexation plan. The previous tasks shall be completed prior to commencing the following services.

1. Prepare a conceptual plan for system improvements and timing to provide water and wastewater service to each of the potential annexation areas in the ETJ.
2. Explanation of other municipal services to be provided, such as fire, police, and refuse collection.

D. Data Needs

The City shall be responsible for providing FNI with a current parcel map, and the existing water/wastewater master plans. For population projections of areas to be annexed, the City will provide and/or approve an appropriate growth rate. Data from recently approved Comprehensive Plan will be used as a basis for population projections.

E. Phase I Meetings

FNI will prepare for and attend two (2) meetings as outlined above.

F. Phase I Deliverables

The results of this analysis shall be produced in the form of a report to the City. One draft report will be submitted to the City for review/comment. The City will provide FNI with a consolidated set of comments from which a final report will be prepared. Deliverables include a digital file and two (2) hardcopies of the report.

PHASE II: ANNEXATION SERVICES

A. Preparation of Ordinances

FNI will complete the following tasks:

1. Conduct a project kick-off meeting with City Staff to gather and share pertinent information related to the annexation of those areas identified in Phase I
2. Gather property descriptions and establish a project calendar
3. Prepare metes and bounds descriptions and a plat exhibit
4. Provide recommendations for land use designations for the newly annexed areas
5. Prepare one (1) draft ordinance and service plan to be reviewed by City Staff and City Attorney
6. Prepare draft notices to be reviewed by City Staff and City Attorney

B. Phase II Meetings

FNI will prepare for, attend, and present at the following four (4) meetings:

1. One (1) joint workshop of the City Council and the Planning and Zoning Commission
2. One (1) Town Hall informational meeting with the public
3. One (1) Public Hearing
4. One (1) presentations of ordinance(s) to City Council

C. Phase II Deliverables

FNI will prepare a map of revised extraterritorial jurisdiction and new City limit boundaries. Deliverables are to include a digital file and two (2) color hardcopies of the map (34"x44").