



CITY COUNCIL AGENDA

NOTICE OF REGULAR MEETING

Tuesday, May 4, 2021

7:00 p.m.

City Hall - Council Chamber

Daniel P. Moore Community Center Complex

1900 Billy G. Webb Drive

Portland, Texas

Citizens may watch the meeting live on Spectrum Cable Channel 1300 or online at <http://www.portlandtx.com/418/Media-Center>. Citizens may also comment on items appearing on the agenda online at <http://www.portlandtx.com/418/Media-Center> and/or submit comments or questions for the City Council to Annette.hall@portlandtx.com. To be considered by the City Council, all comments must be received one (1) hour prior to the meeting.

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

1. **CALL TO ORDER:** MAYOR SKUROW
2. **ROLL CALL:** CITY SECRETARY
3. **INVOCATION AND PLEDGE:** MAYOR SKUROW OR DESIGNEE
4. **FORMAL ANNOUNCEMENTS, RECOGNITION, PRESENTATIONS AND REPORTS THAT MAY BE DISCUSSED:**
 - PROCLAMATION DECLARING THE WEEK OF MAY 9TH THROUGH MAY 15TH AS "POLICE WEEK" – MAYOR SKUROW
 - THE CITY COUNCIL WILL RECEIVE A PRESENTATION FROM THE MAYOR OF THE CITY OF ROCKPORT – MAYOR OF ROCKPORT
5. **CITY COUNCIL COMMENTS CONCERNING ITEMS OF COMMUNITY INTEREST THAT MAY NOT BE DISCUSSED:**

Members of the City Council may present reports 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 of imminent threats to the public health and safety of the city

6. CITY MANAGER’S REPORT:

The City Manager may present announcements, comments and updates on City operations and projects.

7. PUBLIC COMMENT - AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COUNCIL:

To reduce the chance of COVID-19 transmission, City Council meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Council. This meeting will be live streamed at www.portlandtx.com/418/Media-Center and on Spectrum Channel 1300.

Public testimony and public hearing input for Public Comment and all items on the agenda should be provided in written format and presented to the City Secretary prior to the start of each meeting of the City Council. Written comments on agenda items may also be submitted through the City’s Speak-Up website at www.portlandtx.com/418/Media-Center one (1) hour prior to the meeting.

Written public testimony will be provided to members of City Council prior to voting on measures for that meeting and included in the meeting record.

Written and oral testimony as described shall serve as public testimony pursuant to Texas Government Code 551.007 for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference.

Persons wishing to speak must fill out a speaker request card prior to the meeting. You will be notified when it is your turn to speak. Speakers will be given four (4) minutes to speak.

B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:

- 8. MINUTES OF PREVIOUS MEETINGS: THE CITY COUNCIL WILL CONSIDER APPROVAL OF THE MINUTES OF ITS APRIL 20, 2021 REGULAR MEETING, APRIL 23, 2021 STRATEGIC PLANNING WORKSHOP AND THE APRIL 27, 2021, SPECIAL MEETING— MAYOR SKUROW AND CITY SECRETARY**

9. **ADMINISTRATION OF OATHS OF OFFICE:** THE CITY SECRETARY WILL ADMINISTER OATHS OF OFFICE TO COUNCIL MEMBERS JOHN F. GREEN, BILL T. WILSON II, JOHN G. SUTTON, JR., AND TROY BETHEL, ALL OF WHOM WERE CERTIFIED UNOPPOSED AND DECLARED ELECTED IN THE MAY 1, 2021 GENERAL ELECTION TO 2 YEAR TERMS OF OFFICE - MAYOR SKUROW AND CITY SECRETARY

COUNCIL MEMBER JOHN F. GREEN, COUNCIL MEMBER BILL T. WILSON II, COUNCIL MEMBER JOHN G. SUTTON, JR., COUNCIL MEMBER BILL T. WILSON II AND COUNCIL MEMBER TROY BETHEL WILL BE GIVEN OPPORTUNITIES TO MAKE ELECTION STATEMENTS FOLLOWING THE ADMINISTRATION OF THEIR OATHS OF OFFICE

10. **ELECTION OF MAYOR PRO TEMPORE:** THE CITY COUNCIL WILL ELECT ONE OF ITS MEMBERS AS MAYOR PRO TEMPORE FOR A 1 YEAR TERM OF OFFICE ACCORDING TO SECTION 2.03 OF THE CITY CHARTER - MAYOR SKUROW

11. **EXECUTIVE SESSION:** THE CITY COUNCIL MAY CONDUCT AN EXECUTIVE SESSION ACCORDING TO GOVERNMENT CODE AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION REGARDING REAL PROPERTY), 551.073 (DELIBERATION REGARDING PROSPECTIVE GIFT), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATION REGARDING SECURITY DEVICES) AND 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION).

EXECUTIVE SESSION ACTION: THE CITY COUNCIL MAY TAKE ACTION AS A RESULT OF ITEMS DISCUSSED IN EXECUTIVE SESSION

C. ADJOURNMENT: MAYOR SKUROW

Posted: April 30, 2021 by 5:00 p.m.

Portland City Hall

Electronically at www.portlandtx.com

By: *Annette Hall*

Annette Hall

City Secretary



Proclamation

WHEREAS, in 1962, Congress and President John F. Kennedy designated the week of May 15th as “National Police Week” and May 15th of each year as “Peace Officers Memorial Day”; by signing Public Law 87-726. The law was amended in 1994 by President Bill Clinton with Public Law 103-322, directing the flag of the United States be displayed at half-staff on all government buildings on May 15th each year; and

WHEREAS, the members of the Portland Police Department serving on the front line safeguarding the rights and freedoms of citizens of Portland; and

WHEREAS, all citizens should know and understand the responsibilities, hazards, and sacrifices involved in law enforcement, and that members of the Portland Police Department recognize their duty to serve the community by safeguarding life and property, by protecting against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

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

NOW, THEREFORE, I, Cathy Skurow, Mayor of Portland do hereby proclaim the week of May 9th through May 15th as

“Police Week”

and call upon all citizens of Portland to show their appreciation by word and deed for the police officers of this city. I further call upon all citizens of Portland to observe May 15th as Peace Officers Memorial Day in honor of those law enforcement officers who, through their courageous deeds have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the City of Portland, Texas, this 4th day of May 2021.

Cathy Skurow, Mayor
City of Portland

ATTEST:

Annette Hall,
City Secretary

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of possibilities.

**CITY OF PORTLAND
CITY COUNCIL
REGULAR MEETING
MINUTES
APRIL 20, 2021 – 7:00 P.M.**

Citizens may watch the meeting live on Spectrum Cable Channel 1300 or online at <http://www.portlandtx.com/418/Media-Center>. Citizens may also comment on items appearing on the agenda online at <http://www.portlandtx.com/418/Media-Center> and/or submit comments or questions for the City Council to Annette.hall@portlandtx.com. To be considered by the City Council, all comments must be received one (1) hour prior to the meeting.

On the 20th day of April 2021, the Council of the City of Portland conducted a regular meeting session at 7:00 pm electronically. A notice of regular meeting giving the time, place and date, and subject having been posted as described by Section 551 of the Government Code.

COUNCIL MEMBERS PRESENT:

John Green	Mayor Pro Tem
Bill T. Wilson II	Council Member
John G. Sutton, Jr.	Council Member
Gary W. Moore	Council Member
Tom Yardley	Council Member
Troy Bethel	Council Member

COUNCIL MEMBERS ABSENT:

Cathy Skurow	Mayor
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EXECUTIVE STAFF PRESENT:

Randy Wright	City Manager
Brian DeLatte	Deputy City Manager
Kathleen Weisenberger	Assistant City Manager
Annette Hall	City Secretary
Aldilia Martin	Director of Finance
Mark Cory	Chief of Police
Kenny Banks	Director of Public Works
Jerry Moore	Director of Development Services
Jessica O'Reilly	IT Technician
Fred Bussman	IT Technician
Hal George	City Attorney

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 SKUROW

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

2. ROLL CALL: CITY SECRETARY

City Secretary Annette Hall called the roll and made the following announcements:

- A quorum is present.

3. INVOCATION AND PLEDGE: MAYOR SKUROW OR DESIGNEE

Council Member Wilson gave the invocation and Council Member Moore led the pledge of allegiance.

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

- INTRODUCTION OF NEW EMPLOYEES – CITY MANAGER

Director of Finance Aldilia Martin introduced the following new employees:

- Controller Emily Youngblood
- Human Resources Manager Katherine DeLaGarza
- Human Resources Generalist Lindsey Castro

- REPORT ON THE STATUS OF THE GREEN LAKE DAM – REPRESENTATIVES OF THE NUECES RIVER AUTHORITY

Travis Pruski, a planner with the Nueces River Authority gave an update on the status of the Green Lake Dam project.

5. CITY COUNCIL COMMENTS CONCERNING ITEMS OF COMMUNITY INTEREST THAT MAY NOT BE DISCUSSED:

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- Expressions of thanks, congratulations, or condolence
- Information regarding holiday schedules
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- 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 of imminent threats to the public health and safety of the City

Council Member Bethel made the following comments:

- He welcomed the new employees commented that it a great time to work for the City of Portland.

Council Member Moore made the following comments:

- He welcomed the new employees to the City of Portland.

Council Member Wilson made the following comments:

- He welcomed the new employees to the City of Portland.

Council Member Sutton made the following comments:

- He welcomed the new employees to the City of Portland.

Council Member Yardley made the following comments:

- He welcomed the new employees to the City of Portland.
- He commented that project updates should be given routinely to the citizens of Portland.

Mayor Pro Tem Green made the following comments:

- He welcomed the new employees to the City of Portland.
- He commented that GPISD School Board elections are currently taking place and encouraged Portland residents to vote.

6. CITY MANAGER'S REPORT:

The City Manager may present announcements, comments, and updates on City operations and projects.

No announcements, comments, and/or updates on City operations were given by the City Manager.

7. PUBLIC COMMENT - AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COUNCIL:

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Persons wishing to speak must fill out a speaker request card prior to the meeting. You will be notified when it is your turn to speak. Speakers will be given four (4) minutes to speak.

There were no public comments made in person or via email.

B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:

8. MINUTES OF PREVIOUS MEETINGS: THE CITY COUNCIL WILL CONSIDER APPROVAL OF THE MINUTES OF ITS APRIL 6, 2021 WORKSHOP AND REGULAR MEETING AND THE MARCH 23, 2021 SPECIAL MEETING— MAYOR SKUROW AND CITY SECRETARY

Council Member Wilson made the motion to approve the minutes of the April 16, 2021, workshop and regular meeting, seconded by Council Member Moore.

The motion passed with the following vote:

For:	6	Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	1	Mayor Skurow
Abstained:	0	

9. PUBLIC HEARING - REZONING REQUEST: THE CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING A REQUEST FROM ELAOCRAM LLC (MARIA ALEJANDRA IBARRA) TO REZONE THE 25.13 ACRE TRACT FROM THE R-6 SINGLE-FAMILY DISTRICT TO THE R-7 SINGLE-FAMILY DISTRICT FOR THE PROPERTY LEGALLY IDENTIFIED AS THE WESTERLY 25 ACRES IN THE SOUTHERLY 50 ACRES OF FARM TRACT NO 2 BLOCK A NUECES BAY SUBDIVISION OF COLEMAN-FULTON PASTURE COMPANY SUBDIVISION – DIRECTOR OF DEVELOPMENT SERVICES

Director of Development Services Jerry Moore presented and reviewed the following information with the City Council:

Vicinity Map

Future Land Use Plan Map

Zoning Map

Background

- Location – northwest area of City on Lang Road
- Rezoning Request – change the 25.13 acres tract from R-6 Single-Family Residential District to R-7 Single-Family Residential District
- Applicant/Property Owner – Elaocram LLC (Maria Alejandra Ibarra)
- Legal Description – The westerly 25 Acres in the southerly 50 acres of farm track No. 2 Block A Nueces Bay Subdivision of Coleman-Fulton Pasture Company.
- The property appeared to previously be in crop production, however, no crops were visible this year
- The property is generally level with no visible vegetation.
- With the development of Garnett Estates to the south and the existing subdivisions of Paul Blair and Murphy and Anderson and Fox Landing nearby, the area is transitioning consistent with the City's Comprehensive Plan.
- The Adjacent land use from the property are as follows:
 - North – 7.41 acre tract in crop production
 - East – 25 acre tract in crop production
 - South – 1038 acres Garnett Estates & 3.56 acres First Christian Church
 - West – 93.83 acre tract in crop production & 1.5 acre residential tract

Land Use Policies – From 2012 Comp. Plan

- Portland should identify sufficient locations for residential and non-residential development to accommodate projected growth with provisional of additional land use capacity for market choice and flexibility.
- Portland should plan areas for a variety of residential housing types and densities, as described within the Housing Strategies element.

- In reviewing development proposals, the City should consider issues of community character, capabilities of land use, residents security qualities of any community and should be emphasized in Portland.
- The City should encourage fixture patterns of development and land use that would reduce infrastructure construction costs and would make efficient use of existing and planned public facilities.
- Portland should use the Future Land Use Plan and the policies within the element to establish the general pattern of development within the community. This pattern of development should be implemented through the community's development regulations.
- A rezoning proposal's density should be consistent with the Future Land Use Plan, as well as those densities described within the Housing Strategies element. The actual density approved should take into consideration the parcel zoning, adjacent land uses, the nature of the proposed development, and other relevant policies of the Comprehensive Plan.

Rezoning Aoorivak Criteria

Section 318 Unified Development Ordinance – criteria the Planning and Zoning Commission and City Council shall base approval of zoning requests whether to adopt, adopt with modifications or deny the proposed amendment, the City Council shall consider the following factors:

1. Compatible with Plans and Policies.
2. Consistent with this Ordinance.
3. Compatible with Surrounding Area.
4. Changed Conditions.
5. Effect on Natural Environment.
6. Community Need.

Staff Analysis

- The 2012 Comprehensive Plan – Future Land Use section and Future Land Use Map identifies the subject property and the adjacent surrounding areas as Low Density Residential Area.
- Low Density Residential Area – planned to accommodate approximately 3 single-family residential units per acre compared to Medium Density Areas planned to accommodate approximately 8 units per acre.
- A key factor used to determine proposed land use is the population projection for the City. Combining recent population estimates of approximately 3% annual growth based on current subdivision submittals, and trends the City will likely meet the 2022 population projections from the Comprehensive Plan.
- Other factors determining land use- proximity of adjacent existing and proposed land uses, City and other existing and future infrastructure improvements, City

streets and thoroughfare expansion plans, land availability, and market conditions.

- Part of the community need is driven by the number of dwelling units being constructed and those available at varying price points at a given time.
- The City infrastructure factors to consider with this rezoning request and proposed subdivision are: addressing stormwater drainage, extending water and wastewater mains, and planning for future street right-of-way improvements.
- To meet the County Drainage District stormwater plans for the Doyle Watershed, on-site and off-site improvements and right-of-way are needed. The applicant proposes to provide on-site drainage and stormwater detention to accommodate future upstream development and this project.
- The Lang Road right-of-way is currently 50 feet wide and the City's Comprehensive Plan identifies Lang Road as a Collector (80 feet wide) - the applicant provided 20 feet of area the length of the property for future street and right-of-way widening.
- The wastewater main will be extended to within several hundred feet of the subject property for the Garnett Estates subdivision. The applicant will extend the wastewater main from Garnett Estates to the west edge of their property.
- There is an adjacent water main that will be extended to this property. Overhead electric is located on both sides of the Lang Road right-of-way.
- Unified Development Ordinance, Section 406 Permitted Use Table –
 - R-7 District minimum 6000 sq. ft. lot
 - R-6 District minimum 7000 sq. ft. lot.
- The property owner/developer proposes a development of varying sized lots ranging from 6,300 to over 14,165 sq. ft.
- With the frontage along Lang Road, availability of City water, near proximity of wastewater due to the Garnett Estates development, Garnett Estates development to the south, the proximity of Paul Blair Subdivision located to the south and Murphy and Anderson residential development located less than 500 feet to the east, the subject property is viable for future development consistent with the City's Comprehensive Plan.

Nearby Rezoning

- Garnett Estates, (south) June 4, 2019, 94 single family lots ranging from 6600 sq. ft. to 9749 sq. ft. from R-6 District to R-7 District.
- Fox Landing, (east) July 17, 2018, 134 single family lots ranging from 6000 to 20,564 sq. ft from R-6 District to R-8 District.

Prospective Aerial

Site photos

Notifications and Public Hearing Notices

- Ten adjacent property owners located within 200 feet of the subject property were notified of this rezoning request.
- They were notified by mail, postmarked Thursday March 18, 2021 of Public Hearings at the Planning and Zoning Commission for April 13, 2021 and City Council meetings April 20, 2021.
- Notice was also published in the News at San Patricio County on Thursday, March 25, 2021, in conformance with UDO Section 302
- There have been no written or oral comments received to the Development Services Department as of April 9, 2021.

Planning and Zoning Commission Hearing

In accordance with Unified Development Ordinance Section 302 on April 13, 2021, the Planning and Zoning Commission considered and held a public hearing on the rezoning request from the R-6 Single Family Residential District to the R-7 Single Family Residential District. A few of the Commissioners had questions about how the standards for the two zoning districts compared and comparisons with this request and other nearby developments. After discussing the rezoning request and holding the public hearing, the Planning and Zoning Commission voted unanimously to approve the request.

RECOMMENDED ACTION

Adopt one of the following motions:

- (1) Approval of the rezoning request from R-6 Single-Family Residential District to the R-7 Single-Family Residential District
- OR
- (2) Approval with modifications of the rezoning request from R-6 Single-Family Residential District to the R-7 Single-Family Residential District
- OR
- (3) Denial of the rezoning request.

Mayor Pro Tem Green opened the Public Hearing at 7:37 p.m.

With no public comments made Mayor Pro Tem Green closed the Public Hearing at 7:38 p.m.

- 10. ORDINANCE NO. 2233 – REZONING REQUEST:** THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2233 REZONING A 25.13 ACRE TRACT FROM THE R-6 SINGLE-FAMILY DISTRICT TO THE R-7 SINGLE-FAMILY DISTRICT FOR THE PROPERTY LEGALLY IDENTIFIED AS THE WESTERLY 25 ACRES IN THE SOUTHERLY 50 ACRES OF FARM TRACT NO 2 BLOCK A NUECES BAY SUBDIVISION OF COLEMAN-FULTON PASTURE COMPANY SUBDIVISION – DIRECTOR OF DEVELOPMENT SERVICES

Council Member Moore made the motion approve the first reading of Ordinance No. 2233 rezoning the westerly 25 acres in the southerly 50 acres of farm tract No 2 Block A Nueces Bay Subdivision of Coleman-Fulton Pasture Company Subdivision from R-6 Single-Family Residential District to R-7 Single-Family Residential District, seconded by Council Member Yardley.

The motion passed with the following vote:

For:	6	Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	1	Mayor Skurow
Abstained:	0	

ORDINANCE NO. 2233

AN ORDINANCE TO REZONE THE WESTERLY 25 ACRES IN THE SOUTHERLY 50 ACRES OF FARM TRACT NO 2 BLOCK A NUECES BAY SUBDIVISION OF COLEMAN-FULTON PASTURE COMPANY SUBDIVISION FROM "R-6" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-7" SINGLE FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING A PENALTY AND SPECIFICALLY NEGATING A REQUIREMENT OF A CULPABLE MENTAL STATE; PROVIDING AND ESTABLISHING AN EFFECTIVE DATE, AND PROVIDING FOR PUBLICATION

11. ORDINANCE NO. 2234 – INCREASING DEPOSIT RATE TO THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE EMPLOYEES OF THE CITY: THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2234, AUTHORIZING "UPDATED SERVICE CREDITS" AND INCREASING THE RATE OF DEPOSITS TO THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE EMPLOYEES OF THE CITY – DIRECTOR OF FINANCE_

Director of Finance Aldilia Martin presented the following information:

The City engaged Evergreen Solutions in November 2019 to conduct a classification, compensation, and benefits study. The benefits review included collecting benefits data from 12 peers. Results of the benefits survey follow:

- The City's health benefits are competitive with its peers.
- Premiums and deductibles for the City's medical, dental, and vision benefits are competitive with the market.
- Paid time off and holidays lagged some regional peers.

- TMRS retirement contributions lagged 84% of its peers.
- TMRS vesting period lagged 92% of its peers.
- TMRS prior service credit provision lagged 92% of its peers.

To be competitive within the market, the benefits study identified the need to update the City’s TMRS retirement provisions. On April 6, 2020, the City Council approved implementation of the proposed classification, compensation, and benefits plan which includes increasing the TMRS contribution rate from 6% to 7%, adjusting the years to fully vest from 10 years to five, and adopting the prior service credit provision.

TMRS representative Collin Davidson presented and discussed with the City Council an overview of the history and benefits of TMRS.

Council Member Bethel made the motion to approve the first reading of Ordinance No. 2234, increasing the deposit rate to the Texas Municipal Retirement System by the employees of the City of Portland, seconded by Council Member Sutton.

The motion passed with the following vote:

For:	6	Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	1	Mayor Skurow
Abstained:	0	

ORDINANCE NO 2234

TEXAS MUNICIPAL RETIREMENT SYSTEM

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM ON AN ANNUAL BASIS FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO AT THE EFFECTIVE DATE OF THE ALLOWANCE ARE MEMBERS OF THE CITY OF PORTLAND; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY; TO INCREASE THE RATE OF DEPOSITS TO THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE EMPLOYEES OF THE CITY, AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

12. ORDINANCE NO. 2235 – UPDATING THE VESTING PERIOD FOR EMPLOYEES OF THE CITY WHO ARE MEMBERS OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM: THE CITY

COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2235 UPDATING THE VESTING PERIOD FOR EMPLOYEES OF THE CITY WHO ARE MEMBERS OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM – DIRECTOR OF FINANCE

Council Member Wilson made the motion to approve the second and final reading of Ordinance No. 2235, updating the vesting period for employees of the City of Portland who are members of the Texas Municipal Retirement System, seconded by Council Moore.

The motion passed with the following vote:

For:	6	Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	1	Mayor Skurow
Abstained:	0	

ORDINANCE NO. 2235

TEXAS MUNICIPAL RETIREMENT SYSTEM

AN ORDINANCE AFFECTING PARTICIPATION OF CITY EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM; GRANTING THE ADDITIONAL RIGHTS, CREDITS AND BENEFITS AUTHORIZED BY SECTIONS 852.205 OF TITLE B. GOVERNMENT CODE, AS AMENDED; AND PRESCRIBING THE EFFECTIVE DATE OF THIS ORDINANCE.

13. ORDINANCE NO. 2236 – AUTHORIZING RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES OF THE CITY WHO ARE MEMBERS OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM: THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2236 AUTHORIZING RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES OF THE CITY WHO ARE MEMBERS OF THE SYSTEM FOR SERVICE PREVIOUSLY PERFORMED FOR VARIOUS OTHER PUBLIC ENTITIES FOR WHICH THEY HAVE NOT RECEIVED CREDITED SERVICE – DIRECTOR OF FINANCE

Council Member Sutton made the motion to approve the first reading of Ordinance No. 2236, authorizing restricted prior service credit to employees who are members of the Texas Municipal Retirement System, seconded by Council Member Moore.

The motion passed with the following vote:

For: 6 Mayor Pro Tem Green, Council Member Council Member Sutton,
Council Member Wilson, Council Member Moore, Council Member
Yardley, and Council Member Bethel
Against: 0
Absent: 1 Mayor Skurow
Abstained: 0

ORDINANCE NO. 2236

TEXAS MUNICIPAL RETIREMENT SYSTEM

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES WHO ARE MEMBERS OF THE SYSTEM FOR SERVICE PREVIOUSLY PERFORMED FOR VARIOUS OTHER PUBLIC ENTITIES FOR WHICH THEY HAVE NOT RECEIVED CREDITED SERVICE; AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

- 14. STARK ROAD RIGHT-OF-WAY LAND ACQUISITION SERVICES:** THE CITY COUNCIL WILL CONSIDER A PROPOSAL FROM 7ARROWS LAND STAFF, LLC FOR LAND RIGHT ACQUISITION SERVICES FOR THE RIGHT-OF-WAY NEEDED FOR STARK ROAD IMPROVEMENTS FROM MOORE AVENUE TO LANG ROAD IN THE NOT-TO-EXCEED AMOUNT OF \$135,000.00 – DIRECTOR OF PUBLIC WORKS

Director of Public Works Kenneth Banks presented the following information:

Stark Road Right-of-Way Land Acquisition Services

- Increased traffic on Stark Road from Moore Avenue to Lang Road has escalated road deterioration
- Preliminary design, engineering, and appraisal work has been completed.
- Right of Way acquisition is the next step
- 7Arrows Land Staff LLC provided a Scope of Services and Fee Schedule for this service.

Prior Actions or Reviews.

August 7, 2018: Council adopted Resolution No. 754 approving the 2019-2023 CIP identifying Stark Road as a future unallocated project.

August 31, 2018 – Staff recommended using up to \$150,000 of Phase 10 Streets Project excess funding for Stark Road surveying and design

October 2, 2018 – Council approved a LJA Engineering Proposal for improvements to Stark Road from Moore Ave. to Lang Rd. in the not-to-exceed amount of \$580,163 to complete ROW surveying

December 18, 2018 – Council approved the right-of-way map for Stark Rd. from Moore Ave. to Lang Rd., authorized appraisals for proposed right-of-way parcels, and authorized LJA Engineering to

Project Details:

- The existing road will be demolished, underground drainage and curb and gutter will be installed. Sidewalks and driveways to adjacent properties
- New construction will be two lanes, with room for either a dual left turn lane or bike lanes.
- 7Arrows Right-of-Way services include appraisal coordination, property negotiation, acquisition closing, and project administration.

Financial Impact:

- The Stark Road Project cost estimate is \$5,000,000.
- Funding sources include a proportional assessment on Fox Landing, a proportional cost share with the GPISD, and a combination of an ad valorem tax increase and drainage utility funds.
- The proposed Right-of-Way acquisition services are \$135,000.

Recommendation: Adopt a motion to approve 7 Arrows proposed Scope of Services and fee schedule for Land Right Acquisition Services for the Stark Road Project in the not-to-exceed amount of \$135,000 and authorize the City Manager to execute all necessary contract documents.

Council Member Wilson made the motion to approve 7 Arrows proposed Scope of Services and fee schedule for Land Right Acquisition Services for the Stark Road Project in the not-to-exceed amount of \$135,000 and authorize the City Manager to execute all necessary contract documents, seconded by Council Member Yardley.

The motion passed with the following vote:

For:	6	Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	1	Mayor Skurow
Abstained:	0	

15. RESOLUTION NO. 832 – DEVELOPMENT AGREEMENT AMENDMENT: THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 832 THAT AUTHORIZES THE CITY MANAGER TO EXECUTE DEVELOPMENT AGREEMENT AMENDMENT NO. 1 WITH DORSAL DEVELOPMENT, LLC, FOR THE RESERVE AT PORTLAND – DEPUTY CITY MANAGER

Deputy City Manager Brian DeLatte presented the following information:

Dorsal Development, LLC, and the City of Portland entered into a Development Agreement that waived certain subdivision inspection fees and potential impact fees if construction on Units 1 and 2 commenced by May 1, 2021, on The Reserve at Portland. While Unit 1 has commenced construction, Dorsal Development, LLC, is requesting a six-month extension on the commencement of Unit 2 construction.

Proposed Amendment No. 1 extends the deadline to commence Unit 2 construction from May 1, 2021, to November 1, 2021. All other Agreement provisions remain unchanged and in effect.

Council Member Moore made the motion to approve Resolution No. 832 that authorizes the City Manager to execute Development Agreement Amendment No. 1 with Dorsal Development, LLC, for the Reserve at Portland, seconded by Council Member Bethel.

The motion passed with the following vote:

For:	6	Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	1	Mayor Skurow
Abstained:	0	

16. RESOLUTION NO. 833 – SUPPORTING A STUDY OF WATER RESOURCES AND THE FUTURE WATER NEEDS OF SAN PATRICIO AND ARANSAS COUNTIES: THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 833 THAT JOINS OTHER CITIES IN SAN PATRICIO AND ARANSAS COUNTIES TO CONDUCT A WATER RESOURCES STUDY – CITY MANAGER

City Manager Randy Wright presented the following information:

The Coastal Bend Mayors Association has recommended a study of water resources and future water needs for San Patricio and Aransas Counties. This study would be commissioned under the guidance of a committee of city managers or other appointed representatives from the participating cities. The cost of the study will be shared by the participating cities in a manner determined by the committee. The City Council will have an opportunity to consider approval of the proposed cost once that apportionment is determined. Other cities in San Patricio and Aransas counties are considering similar resolutions.

The question of water availability is at the forefront of most economic development discussions recently. While the City of Corpus Christi has provided leadership in water

management for decades, industrial growth in San Patricio County has made the availability of long-term water sources a more local issue. As San Patricio and Aransas counties grow, local review of resources, and opportunities become more critical.

San Patricio Municipal Water District (SPMWD) supplies water to cities in San Patricio and Aransas counties. Discussions with SPMWD about current and long-term water availability has not produced answers to many of the questions asked by mayors from the two counties. In addition, a study of those water needs commissioned by SPMWD has been heavily redacted and is therefore not available to cities.

The scope of this study is yet to be developed but would, at a minimum, include an evaluation of available water sources, along with the cost, quality, and sustainability of those sources.

This study would not replace the work done by the City of Corpus Christi, but rather augment that body of knowledge with an emphasis on San Patricio and Aransas counties.

Council Member Yardley made the motion to approve Resolution No. 833 that joins other cities in San Patricio and Aransas Counties to conduct a water resources study seconded by Council Member Wilson.

The motion passed with the following vote:

For:	6	Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	1	Mayor Skurow
Abstained:	0	

17. PURCHASE OF POLICE VEHICLE: THE CITY COUNCIL WILL CONSIDER APPROVING AN AMENDMENT FOR THE PURCHASE OF ONE DODGE DURANGO POLICE VEHICLE IN THE CURRENT FISCAL YEAR INSTEAD OF A CHEVROLET TAHOE – CHIEF OF POLICE

Chief of Police Mark Cory presented the following information:

This purchase is an amendment to a previous agenda bill approved on October 12, 2020. This amendment will allow the purchase of a 2021 Dodge Durango instead of a Chevrolet Tahoe due to a significant time delay in Chevrolet products manufacturing.

Mass bid quotes were received in October of this fiscal year for the purchase of four police vehicles: Three Dodge Chargers for the Patrol Division and one Chevrolet Tahoe for the CID Division. These vehicles were included in the FY 20-21 budget. That purchase was

consistent with the police department vehicle replacement plan and was approved by Council on the October 12, 2020.

Due to a significant delay in Chevrolet's manufacturing of Tahoes, we request an amendment be made to approve the purchase of a 2021 Dodge Durango, which is currently in stock. The change will result in a savings of \$639.00.

Recommendation to purchase one Dodge Durango from Cowboy Motor Co. at a cost of \$45,387.50.

Council Member Bethel made the motion to purchase one Dodge Durango from Cowboy Motor Co at a cost of \$45,387.50, seconded by Council Member Moore.

The motion passed with the following vote:

For:	6	Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	1	Mayor Skurow
Abstained:	0	

18. EXECUTIVE SESSION: THE CITY COUNCIL MAY CONDUCT AN EXECUTIVE SESSION ACCORDING TO GOVERNMENT CODE AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION REGARDING REAL PROPERTY), 551.073 (DELIBERATION REGARDING PROSPECTIVE GIFT), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATION REGARDING SECURITY DEVICES) AND 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION).

At 8:30 p.m. Mayor Pro Tem Green announced that City Council will conduct an Executive Session according to Government Code as authorized by Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding prospective gift), 551.074 (personnel matters), 551.076 (deliberation regarding security devices) and 551.087 (deliberation regarding economic development negotiations).

EXECUTIVE SESSION ACTION: THE CITY COUNCIL MAY TAKE ACTION AS A RESULT OF ITEMS DISCUSSED IN EXECUTIVE SESSION

- **CONSIDER A PROPOSED LEASE AGREEMENT WITH THE PORT OF CORPUS CHRISTI FOR 19 ACRES OF SUBMERGED LAND FOR THE INDIAN POINT FISHING PIER.**

Mayor Pro Tem Green reconvened the regular meeting at 9:39 p.m. and announced no action would be taken as a result of the Executive Session.

C. ADJOURNMENT: MAYOR SKUROW

Mayor Pro Tem Green adjourned the meeting at 9:36 p.m.

Approved:

John Green, Mayor Pro Tem

Attest:

City Secretary

**CITY OF PORTLAND
CITY COUNCIL
STRATEGIC PLANNING
WORKSHOP
MINUTES
APRIL 23, 2021 – 8:00 A.M.**

On this the 23rd day of April 2021, the Council of the City of Portland convened in a strategic planning workshop session at 8:00 a.m. in the Community Center Ball Room at the Daniel P. Moore Community Center Complex and notice of workshop giving the time, place, and date and subject having been posted as described by Section 551 of the Government Code.

MEMBERS PRESENT:

Cathy Skurow	Mayor
John Green	Mayor Pro Tem
Bill Wilson	Council Member
John Sutton	Council Member
Gary Moore	Council Member
Tom Yardley	Council Member
Troy Bethel	Council Member

STAFF PRESENT:

Randy Wright	City Manager
Brian DeLatte	Assistant City Manager
Annette Hall	City Secretary
Aldilia Martin	Director of Finance
Emily Youngblood	Controller
Mark Cory	Chief of Portland
Ronnie Owen	Lutenant
Jeff Morris	Fire Chief
Scott Marion	Fire Marshal
Kenny Banks	Director of Public Works
Josh Irwin	General Services Superintendent
Joe Lopez	Utilities Superintendent
Kristin Connor	Director of Parks and Recreation
Sheri Gagliano	Recation Programs Manager
Terrell Elliott	IT Manager
Shelby O'Brien	Public Information Officer
Hal George	City Attorney

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

A. CALL TO ORDER: MAYOR SKUROW

Mayor Skurow called the workshop to order at 8:00 a.m.

B. ROLL CALL: CITY SECRETARY

City Secretary Annette Hall called the roll and announced that a quorum was present.

C. CONDUCT OF WORKSHOP MEETING: THIS MEETING IS BEING CONDUCTED IN ACCORDANCE WITH REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT. NO ACTION WILL BE TAKEN ON ANY ITEM DISCUSSED DURING THE WORKSHOP, BUT SOME ITEMS DISCUSSED MAY BE INCLUDED FOR CITY COUNCIL ACTION ON FUTURE CITY COUNCIL AGENDAS – MAYOR SKUROW

City Manager Randy Wright explained that this workshop shall be conducted in accordance with the requirements of the Texas Open Meeting Act.

D. INTRODUCTION AND OVERVIEW OF MEETING AGENDA: CITY MANAGER

City Manager Randy Wright reviewed the following agenda outline:

- City Council Strategic Operation Plan
- Capital Projects Update
- Staff Issues and Initiatives
- City Council Initiatives

E. CITY COUNCIL STRATEGIC OPERATING PLAN: THE CITY COUNCIL WILL REVIEW DETAILS OF THE STRATEGIC OPERATING PLAN, OPERATING VISION, PHILOSOPHY OF GOVERNMENT, AND OPERATING PRINCIPLES – MAYOR SKUROW, CITY COUNCIL, AND CITY MANAGER

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

- Strategic Operating Plan
- Operating Vision
- Philosophy of Government
- Operating Principles

City Attorney Hal George reviewed the following information with City Council:

- Texas Open Meetings Act
- Conflicts of Interest
- Ethics

F. CAPITAL PROJECTS UPDATE: THE CITY COUNCIL WILL RECEIVE A REPORT ON AND DISCUSS CONSTRUCTION PROJECT UPDATES AND UPCOMING PROJECTS INCLUDED IN THE CAPITAL IMPROVEMENT PLAN – CITY MANAGER AND DEPUTY CITY MANAGER

Project Updates

Current Capital Projects – FY 2020-21

City Manager Randy Wright presented and reviewed an update on the Indian Point Pavilion project with the City Council.

Deputy City Manager Brian Delatte presented and reviewed an update on the Chis Andrews Boating Center project with the City Council.

Director of Public Works Kenneth Banks presented and reviewed an update on the Hunt Drainage Outfall project with the City Council.

Deputy City Manager Brian Delatte presented and reviewed an update on the Phase 11 Street Improvements project with the City Council.

Director of Public Works Kenneth Banks presented and reviewed an update on the Utility Line Replacement Project with the City Council.

Deputy City Manager Brian Delatte presented and reviewed an update on the Memorial Parkway Hike and Bike project with the City Council.

Director of Public Works Kenneth Banks presented and reviewed an update on the Water Storage Tank Rehabilitation project with the City Council.

City Manager Randy Wright presented and reviewed an update on the City Council Chambers A/V project with the City Council.

Deputy City Manager Brian Delatte presented and reviewed an update on the Soccer Complex Lighting project with the City Council.

Upcoming and Potential Capital Projects

City Manager Randy Wright presented and reviewed the Sunset Lake Hike and Bike Loop project with the City Council

Deputy City Manager Brian Delatte and IT Manager Terrell Elliott presented and reviewed an update on the SCADA fiber route project with the City Council.

- G. STAFF ISSUES AND INITIATIVES:** FOLLOWING STAFF PRESENTATIONS, THE CITY COUNCIL WILL DISCUSS A MULTITUDE OF ISSUES AND INITIATIVES INCLUDING BUT NOT LIMITED TO THE COMPREHENSIVE PLAN UPDATE, IMPACT FEES, OCCUPANCY LIMITS, SHORT TERM RENTALS, OLD TOWN REDEVELOPMENT, PUBLIC SAFETY OPERATIONS, CITY FINANCES, TECHNICAL SERVICES, PUBLIC WORKS, DEVELOPMENT SERVICES, LIBRARY, PARKS AND RECREATION, SPORTS VENUES, COMMUNICATIONS AND MARKETING – CITY MANAGER, DEPUTY CITY MANAGER, ASSISTANT CITY MANAGER, AND VARIOUS DEPARTMENT HEADS

Deputy City Manager Brian Delatte presented and reviewed the following information with the City Council:

Administration

- Comprehensive Plan Update and Impact Fees projects
- Solid Waste Services Contract Renewal

Assistant City Manager Kathleen Weisenberger presented and reviewed the following information with the City Council:

- Personnel Policy update
- Old Town update
- Christmas on the Coast – Proposed Improvements

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

- SB 1216 and HB 3228
- 6. Short Term Rentals
- 7. Single-Family Residential Occupancy Limits

Chief of Police Mark Cory presented and reviewed the following information with the City Council:

Police Department

- Department At-A-Glance
- Mission and Vision
- Organizational Chart
- SWOT Analysis
- Departmental activity
 - A. Proposed Capital Outlay

Fire Chief Jeff Morris presented and reviewed the following information with the City Council:

Fire Department

- Department At-A-Glance
- Mission and Vision
- Organizational Chart
- SWOT Analysis
- Departmental activity
 - A. Impact of annexations
 - B. Departmental successes
 - C. Long range plans
 - D. Budget outlook

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

Technical Services

- Department At-A-Glance
- Mission and Vision
- Organizational Chart
- SWOT Analysis
- Departmental activity
 - A. Microsoft Government Ecosystem
 - B. Regional P25 Radio System

- C. GIS systems expansion and integration
- D. Starlink satellite services
- E. Cloud based telephony migration
- F. SIEM and Systems Analysis

Director of Finance Aldilia Martin presented and reviewed the following information with the City Council:

Finance

- Department At-A-Glance
- Mission and Vision
- Organizational Chart
- SWOT Analysis
- Departmental activity
 - A. Accomplishments
 - B. Goals

Director of Public Works Kenneth Banks presented and reviewed the following information with the City Council:

Public Works

- Department At-A-Glance
- Mission and Vision
- Organizational Chart
- SWOT Analysis
- Departmental activity
 - A. Accomplishments
 - B. Goals
 - C. Strategic planning

Director of Development Services Jerry Moore presented and reviewed the following information with the City Council:

Development Services

- Department At-A-Glance
- Mission and Vision
- Organizational Chart
- SWOT Analysis
- Departmental activity
 - A. Departmental goals

Public Information Officer Shelby O'Brien presented and reviewed the following information with the City Council:

Communications and Marketing

- Department At-A-Glance
- Mission and Vision
- Organizational Chart

- SWOT Analysis
- Departmental activity
 - A. Department lessons
 - B. Department successes

Library Director Ginny Moses presented and reviewed the following information with the City Council:

Library

- Department At-A-Glance
- Mission and Vision
- Organizational Chart
- SWOT Analysis
- Departmental activity
 - A. Department statistics
 - B. Department services
 - C. Department events
 - D. Reopening plan

Sports Director Jonathan Besinaiz presented and reviewed the following information with the City Council:

Sports Venues

- Department At-A-Glance
- Mission and Vision
- Organizational Chart
- SWOT Analysis
- Departmental activity
 - A. Department goals
 - B. Department long term growth

Director of Parks and Recreation Kristin Conner presented and reviewed the following information with the City Council:

Parks and Recreation

- Department At-A-Glance
- Mission and Vision
- Organizational Chart
- SWOT Analysis
- Departmental activity
 - A. Reopening plan
 - B. New programs
 - C. Christmas on the Coast
 - D. Upcoming capital needs

H. CITY COUNCIL INITIATIVES: THE CITY COUNCIL WILL DISCUSS A VARIETY OF ISSUES, INITIATIVES, GOVERNING POLICIES AND POSSIBLE CITY PROJECTS – MAYOR AND CITY COUNCIL

The City Council discussed the following variety of issue, initiatives, governing policies, and possible city projects:

- Highlighting the history of Portland
- Engaging the School District to partner with the City on infrastructure projects.
- Consider boardwalk projects near the Chris Andrews Boat Ramp area.
- Review procurement policies to give local business preference when bidding on projects.
- Review golf cart regulations.
- Identify future city parks in newly annexed areas.
- Review expanded citizen updates on projects and initiatives.

I. **ADJOURNMENT:** MAYOR SKUROW

Mayor Skurow closed the workshop at 4:16 p.m.

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

Approved:

Cathy Skurow
Mayor

Attest:

City Secretary

**CITY OF PORTLAND
CITY COUNCIL
SPECIAL MEETING
MINUTES
APRIL 27, 2021 – 6:00 P.M.**

Citizens may watch the meeting live on Spectrum Cable Channel 1300 or online at <http://www.portlandtx.com/418/Media-Center>. Citizens may also comment on items appearing on the agenda online at <http://www.portlandtx.com/418/Media-Center> and/or submit comments or questions for the City Council to Annette.hall@portlandtx.com. To be considered by the City Council, all comments must be received one (1) hour prior to the meeting.

On this the 27th day of April 2021, the Council of the City of Portland conducted a special meeting session at 6:00 pm. A notice of regular meeting giving the time, place and date and subject having been posted as described by Section 551 of the Government Code.

COUNCIL MEMBERS PRESENT:

Cathy Skurow	Mayor
John Green	Mayor Pro Tem
Bill T. Wilson II	Council Member
John G. Sutton, Jr.	Council Member
Gary W. Moore	Council Member
Tom Yardley	Council Member
Troy Bethel	Council Member

EXECUTIVE STAFF PRESENT:

Randy Wright	City Manager
Brian DeLatte	Deputy City Manager
Kathleen Weisenberger	Assistant City Manager
Annette Hall	City Secretary
Aldilia Martin	Director of Finance
Jerry Moore	Director of Development Services
Drew Schell	IT Technician
Jessica O'Reilly	IT Technician
Hal George	City Attorney

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

1. CALL TO ORDER: MAYOR SKUROW

Mayor Skurow called the meeting to order at 6:00 pm.

2. ROLL CALL: CITY SECRETARY

City Secretary Annette Hall called the roll and announced that a quorum is present.

3. PUBLIC COMMENT - AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COUNCIL:

To reduce the chance of COVID-19 transmission, City Council meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Council. This meeting will be live streamed at www.portlandtx.com/418/Media-Center and on Spectrum Channel 1300.

Public testimony and public hearing input for Public Comment and all items on the agenda should be provided in written format and presented to the City Secretary prior to the start of each meeting of the City Council. Written comments on agenda items may also be submitted through the City's Speak-Up website at www.portlandtx.com/418/Media-Center one (1) hour prior to the meeting.

Written public testimony will be provided to members of City Council prior to voting on measures for that meeting and included in the meeting record.

Written and oral testimony as described shall serve as public testimony pursuant to Texas Government Code 551.007 for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference.

Persons wishing to speak must fill out a speaker request card prior to the meeting. You will be notified when it is your turn to speak. Speakers will be given four (4) minutes to speak.

City Secretary Annette Hall announced that were no public comment was received via email or E-Comment platform for this item.

4. PUBLIC HEARING: THE CITY COUNCIL WILL CONDUCT A FIRST PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING THE PROPOSED ANNEXATION OF APPROXIMATELY 319 ACRES OF LAND LYING ADJACENT TO THE CITY OF PORTLAND, TEXAS, INTO THE TERRITORIAL LIMITS OF PORTLAND, TEXAS (PHASE 5 NORTH) - CITY MANAGER, DEPUTY CITY MANAGER AND REPRESENTATIVES OF FREESE AND NICHOLS

Deputy City Manager Brian DeLatte explained that the City Council adopted Resolution No. 828 on March 23, 2021, setting public hearings with the intent of annexing approximately 319 Acres into the territorial limits of Portland (Phase 5 North). Erica Craycraft, with Freese & Nichols (FNI) will be giving a virtual presentation.

Erica Craycraft, a Planner with FNI presented and reviewed the following information with the City Council:

**Public Hearing #1
Phase 5 North**

1. Purpose of annexation
2. Overview of Proposed Annexation
3. Key Dates
4. Frequently Asked Questions

Why do cities annex?

- Extend development controls to manage land development
- Room to grow
- Help relieve tax burden on citizens
- Consistent with the comprehensive plan

Total Area

Total Annexation
Acres = 2,046.4
Sq. Mi. = 3.20

Phase 5 North – 318.5 acres - 0.50 sq.mi

Starts east of ROW, Eastward along south of ROW, East of ROW, and aligns with Phase 4

Development Agreements

- Land with agricultural, wildlife, or timber exemptions must be offered a development agreement
 - Determined by the County Appraisal District, not by the City
 - Excludes home sites and improvements
- No City taxes and considered part of the ETJ until development occurs or the agreement expires (15+ years)

Key Dates

- Tuesday, April 27: 2 public hearings on the proposed annexation
- Tuesday, May 4 @ 6pm: Deadline to request a Development Agreement
- Tuesday, May 18 @ Noon: Deadline to submit a signed Development Agreement
- Tuesday, May 18 @ 6pm: City Council considers adoption of annexation ordinance

Frequently Asked Questions

Can I continue my use?

- Any use that's legal today may be continued

What City services will be provided to annexed land?

- Police, fire, EMS, garbage collection
- Road maintenance for any non-TxDOT roads that are annexed
- Eventually water and wastewater (unless property is in another service provider's boundary)

Am I required to connect to City water/sewer?

- Only if your septic tank or water well requires major repairs and City water/sewer services are available

Am I eligible for a Development Agreement?

- Properties with an agricultural, wildlife, or timber exemption from the San Patricio County Appraisal District

How do I request a Development Agreement?

- Email or call City Secretary Annette Hall:
- Annette.Hall@PortlandTX.com
- 361-777-4513

Mayor Skurow opened the public hearing at 6:08 p.m.

With no citizen public comments provided in person or via email, Mayor Skurow closed the public hearing at 6:09 p.m.

5. **PUBLIC HEARING**: THE CITY COUNCIL WILL CONDUCT A FIRST PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING THE PROPOSED ANNEXATION OF APPROXIMATELY 182 ACRES OF LAND LYING ADJACENT TO THE CITY OF PORTLAND, TEXAS, INTO THE TERRITORIAL LIMITS OF PORTLAND, TEXAS (PHASE 5 SOUTH) - CITY MANAGER, DEPUTY CITY MANAGER AND REPRESENTATIVES OF FREESE AND NICHOLS

Deputy City Manager Brian DeLatte explained that the City Council adopted Resolution No. 829 on March 23, 2021, setting public hearings with the intent of annexing approximately 182 Acres into the territorial limits of Portland (Phase 5 South). Erica Craycraft, with Freese & Nichols (FNI) will be giving a virtual presentation.

Erica Craycraft, a Planner with FNI presented and reviewed the following information with the City Council:

Public Hearing #1 Phase 5 South

Agenda

1. Purpose of annexation
2. Overview of Proposed Annexation

3. Key Dates
4. Frequently Asked Questions

Why do cities annex?

- Extend development controls to manage land development
- Room to grow
- Help relieve tax burden on citizens
- Consistent with the comprehensive plan

Total Area

Total Annexation

Acres = 2,046.4

Sq. Mi. = 3.20

Phase 5 South – 181.6 acres - 0.28 sq.mi

Starts at Phase 4, follows parcel line, 10' west of ROW, follows parcel line, and follows parcel lines

Development Agreements

- Land with agricultural, wildlife, or timber exemptions must be offered a development agreement
 - Determined by the County Appraisal District, not by the City
 - Excludes home sites and improvements
- No City taxes and considered part of the ETJ until development occurs or the agreement expires (15+ years)

Key Dates

- Tuesday, March 2: 2 public hearings on the proposed annexation
- Tuesday, March 9 @ 6pm: Deadline to request a Development Agreement
- Tuesday, March 23 @ Noon: Deadline to submit a signed Development Agreement
- Tuesday, March 23 @ 6pm: City Council considers adoption of annexation ordinance

Frequently Asked Questions

Can I continue my use?

- Any use that's legal today may be continued

What City services will be provided to annexed land?

- Police, fire, EMS, garbage collection
- Road maintenance for any non-TxDOT roads that are annexed
- Eventually water and wastewater (unless property is in another service provider's boundary)

Am I required to connect to City water/sewer?

- Only if your septic tank or water well requires major repairs and City water/sewer services are available

Am I eligible for a Development Agreement?

- Properties with an agricultural, wildlife, or timber exemption from the San Patricio County Appraisal District

How do I request a Development Agreement?

- Email or call City Secretary Annette Hall:
- Annette.Hall@PortlandTX.com
- 361-777-4513

Mayor Skurow opened the public hearing at 6:12 p.m.

With no citizen public comments provided in person or via email, Mayor Skurow closed the public hearing at 6:12 p.m.

5. **PUBLIC HEARING**: THE CITY COUNCIL WILL CONDUCT A SECOND PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING THE PROPOSED ANNEXATION OF APPROXIMATELY 319 ACRES OF LAND LYING ADJACENT TO THE CITY OF PORTLAND, TEXAS, INTO THE TERRITORIAL LIMITS OF PORTLAND, TEXAS (PHASE 5 NORTH)

Deputy City Manager Brian DeLatte explained that the City Council adopted Resolution No. 828 on March 23, 2021, setting public hearings with the intent of annexing approximately 319 Acres into the territorial limits of Portland (Phase 5 North). Erica Craycraft, with Freese & Nichols (FNI) will be giving a virtual presentation.

Erica Craycraft, a Planner with FNI presented and reviewed the following information with the City Council:

Public Hearing #2 Phase 5 North

Agenda

1. Purpose of annexation
2. Overview of Proposed Annexation
3. Key Dates
4. Frequently Asked Questions

Why do cities annex?

- Extend development controls to manage land development
- Room to grow
- Help relieve tax burden on citizens
- Consistent with the comprehensive plan

Total Area

Total Annexation
Acres = 2,046.4
Sq. Mi. = 3.20

Phase 5 North – 318.5 acres - 0.50 sq.mi

Starts east of ROW, Eastward along south of ROW, East of ROW, and aligns with Phase 4

Development Agreements

- Land with agricultural, wildlife, or timber exemptions must be offered a development agreement
 - Determined by the County Appraisal District, not by the City
 - Excludes home sites and improvements

- No City taxes and considered part of the ETJ until development occurs or the agreement expires (15+ years)

Key Dates

- Tuesday, April 27: 2 public hearings on the proposed annexation
- Tuesday, May 4 @ 6pm: Deadline to request a Development Agreement
- Tuesday, May 18 @ Noon: Deadline to submit a signed Development Agreement
- Tuesday, May 18 @ 6pm: City Council considers adoption of annexation ordinance

Frequently Asked Questions

Can I continue my use?

- Any use that's legal today may be continued

What City services will be provided to annexed land?

- Police, fire, EMS, garbage collection
- Road maintenance for any non-TxDOT roads that are annexed
- Eventually water and wastewater (unless property is in another service provider's boundary)

Am I required to connect to City water/sewer?

- Only if your septic tank or water well requires major repairs and City water/sewer services are available

Am I eligible for a Development Agreement?

- Properties with an agricultural, wildlife, or timber exemption from the San Patricio County Appraisal District

How do I request a Development Agreement?

- Email or call City Secretary Annette Hall:
- Annette.Hall@PortlandTX.com
- 361-777-4513

Mayor Skurow opened the public hearing at 6:17 p.m.

With no citizen public comments provided in person or via email, Mayor Skurow closed the public hearing at 6:18 p.m.

5. **PUBLIC HEARING:** THE CITY COUNCIL WILL CONDUCT A SECOND PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING THE PROPOSED ANNEXATION OF APPROXIMATELY 182 ACRES OF LAND LYING ADJACENT TO THE CITY OF PORTLAND, TEXAS, INTO THE TERRITORIAL LIMITS OF PORTLAND, TEXAS (PHASE 5 SOUTH)

Deputy City Manager Brian DeLatte explained that the City Council adopted Resolution No. 829 on March 23, 2021, setting public hearings with the intent of annexing approximately 182 Acres into the territorial limits of Portland (Phase 5 South). Erica Craycraft, with Freese & Nichols (FNI) will be giving a virtual presentation.

Erica Craycraft, a Planner with FNI presented and reviewed the following information with the City Council:

Public Hearing #2 Phase 5 South

Agenda

1. Purpose of annexation
2. Overview of Proposed Annexation
3. Key Dates
4. Frequently Asked Questions

Why do cities annex?

- Extend development controls to manage land development
- Room to grow
- Help relieve tax burden on citizens
- Consistent with the comprehensive plan

Total Area

Total Annexation
Acres = 2,046.4
Sq. Mi. = 3.20

Phase 5 South – 181.6 acres - 0.28 sq.mi

Starts at Phase 4, follows parcel line, 10' west of ROW, follows parcel line, and follows parcel lines

Development Agreements

- Land with agricultural, wildlife, or timber exemptions must be offered a development agreement
 - Determined by the County Appraisal District, not by the City
 - Excludes home sites and improvements
- No City taxes and considered part of the ETJ until development occurs or the agreement expires (15+ years)

Key Dates

- Tuesday, April 27: 2 public hearings on the proposed annexation
- Tuesday, May 4 @ 6pm: Deadline to request a Development Agreement
- Tuesday, May 18 @ Noon: Deadline to submit a signed Development Agreement
- Tuesday, May 18 @ 6pm: City Council considers adoption of annexation ordinance

Frequently Asked Questions

Can I continue my use?

- Any use that's legal today may be continued

What City services will be provided to annexed land?

- Police, fire, EMS, garbage collection
- Road maintenance for any non-TxDOT roads that are annexed
- Eventually water and wastewater (unless property is in another service provider's boundary)

Am I required to connect to City water/sewer?

- Only if your septic tank or water well requires major repairs and City water/sewer services are available

Am I eligible for a Development Agreement?

- Properties with an agricultural, wildlife, or timber exemption from the San Patricio County Appraisal District

How do I request a Development Agreement?

- Email or call City Secretary Annette Hall:
- Annette.Hall@PortlandTX.com
- 361-777-4513

Mayor Skurow opened the public hearing at 6:22 p.m.

With no citizen public comments provided in person or via email, Mayor Skurow closed the public hearing at 6:23 p.m.

5. **ORDINANCE NO. 2233 – REZONING REQUEST:** THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2233 REZONING A 25.13 ACRE TRACT FROM THE R-6 SINGLE-FAMILY DISTRICT TO THE R-7 SINGLE-FAMILY DISTRICT FOR THE PROPERTY LEGALLY IDENTIFIED AS THE WESTERLY 25 ACRES IN THE SOUTHERLY 50 ACRES OF FARM TRACT NO 2 BLOCK A NUECES BAY SUBDIVISION OF COLEMAN-FULTON PASTURE COMPANY SUBDIVISION – DIRECTOR OF DEVELOPMENT SERVICES

Director of Development Services Jerry Moore explained that this is the second and final reading of Ordinance No. 2233. There have been no changes since the first reading on April 20, 2021.

Mayor Pro Tem Green made the motion to approve the second and final reading of Ordinance No. 2233, seconded by Council Member Moore.

The motion passed with the following vote:

For:	7	Mayor Skurow, Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	0	
Abstained:	0	

AN ORDINANCE TO REZONE THE WESTERLY 25 ACRES IN THE SOUTHERLY 50 ACRES OF FARM TRACT NO 2 BLOCK A NUECES BAY SUBDIVISION OF COLEMAN-FULTON PASTURE COMPANY SUBDIVISION FROM "R-6" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-7" SINGLE FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING A PENALTY AND SPECIFICALLY NEGATING A REQUIREMENT OF A CULPABLE MENTAL STATE; PROVIDING AND ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION

6. **ORDINANCE NO. 2234 – INCREASING DEPOSIT RATE TO THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE EMPLOYEES OF THE CITY:** THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2234, AUTHORIZING "UPDATED SERVICE CREDITS" AND INCREASING THE RATE OF DEPOSITS TO THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE EMPLOYEES OF THE CITY – DIRECTOR OF FINANCE

Director of Finance Aldilia Martin explained that this is the second and final reading of Ordinance No. 2234. There have been no changes since the first reading on April 20, 2021.

Council Member Bethel made the motion to approve the second and final reading of Ordinance No. 2234 authorizing "Updated Service Credits" and increasing the rate of deposits to the Texas Municipal Retirement System by the Employees of the City, seconded by Council Member Yardley.

The motion passed with the following vote:

For:	7	Mayor Skurow, Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	0	
Abstained:	0	

ORDINANCE NO 2234

TEXAS MUNICIPAL RETIREMENT SYSTEM

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM ON AN ANNUAL BASIS FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO AT THE EFFECTIVE DATE OF THE ALLOWANCE ARE MEMBERS OF THE CITY OF PORTLAND; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE

CITY; TO INCREASE THE RATE OF DEPOSITS TO THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE EMPLOYEES OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

7. **ORDINANCE NO. 2235 – UPDATING THE VESTING PERIOD FOR EMPLOYEES OF THE CITY WHO ARE MEMBERS OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM:** THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2235 UPDATING THE VESTING PERIOD FOR EMPLOYEES OF THE CITY WHO ARE MEMBERS OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM – DIRECTOR OF FINANCE

Director of Finance Aldilia Martin explained that this is the second and final reading of Ordinance No. 2235. There have been no changes since the first reading on April 20, 2021.

Council Member Moore made the motion to approve the second and final reading of Ordinance No. 2235 updating the vesting period for employees of the City who are members of the Texas Municipal Retirement System, seconded by Council Member Wilson.

The motion passed with the following vote:

For:	7	Mayor Skurow, Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	0	
Abstained:	0	

ORDINANCE NO. 2235

TEXAS MUNICIPAL RETIREMENT SYSTEM

AN ORDINANCE AFFECTING PARTICIPATION OF CITY EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM; GRANTING THE ADDITIONAL RIGHTS, CREDITS AND BENEFITS AUTHORIZED BY SECTIONS 852.205 OF TITLE B. GOVERNMENT CODE, AS AMENDED; AND PRESCRIBING THE EFFECTIVE DATE OF THIS ORDINANCE.

8. **ORDINANCE NO. 2236 – AUTHORIZING RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES OF THE CITY WHO ARE MEMBERS OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM:** THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2236 AUTHORIZING RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES OF THE CITY WHO ARE MEMBERS OF THE SYSTEM FOR SERVICE PREVIOUSLY PERFORMED FOR VARIOUS OTHER PUBLIC ENTITIES FOR WHICH THEY HAVE NOT RECEIVED CREDITED SERVICE – DIRECTOR OF FINANCE

Director of Finance Aldilia Martin explained that this is the second and final reading of Ordinance No. 2236. *There have been no changes since the first reading on April 20, 2021.*

Council Member Sutton made the motion to approve the second and final reading of Ordinance No. 2236 authorizing restricted prior service credit to employees of the City who are members of the system for Service previously performed for various other public entities for which they have not received credited service, seconded by Council Member Bethel.

The motion passed with the following vote:

For:	7	Mayor Skurow, Mayor Pro Tem Green, Council Member Council Member Sutton, Council Member Wilson, Council Member Moore, Council Member Yardley, and Council Member Bethel
Against:	0	
Absent:	0	
Abstained:	0	

ORDINANCE NO. 2236

TEXAS MUNICIPAL RETIREMENT SYSTEM

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES WHO ARE MEMBERS OF THE SYSTEM FOR SERVICE PREVIOUSLY PERFORMED FOR VARIOUS OTHER PUBLIC ENTITIES FOR WHICH THEY HAVE NOT RECEIVED CREDITED SERVICE; AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

9. **ADJOURNMENT:** MAYOR SKUROW

Mayor Skurow adjourned the special meeting at 6:31 p.m.

Approved:

Cathy Skurow, Mayor

Attest:

City Secretary